EIGHTY-FIFTH DAY

St. Paul, Minnesota, Tuesday, March 9, 1982

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Richard Goebel.

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

Ashbach	Dieterich	Langseth	Peterson, D.L.	Stern
Bang	Engler	Lantry	Peterson, R.W.	Stokowski
Belanger	Frank	Lessard	Petty	Stumpf
Benson	Frederick	Lindgren	Pillsbury	Taylor
Berg	Frederickson	Luther	Purfeerst	Tennessen
Berglin	Hanson	Menning	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Renneke	Vega
Bertram	Humphrey	Moe, D.M.	Rued	Waldorf
Brataas	Johnson	Moe, R.D.	Schmitz	Wegener
Chmielewski	Kamrath	Nelson	Setzepfandt	Willet
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	
Dicklich	Kronebusch	Peterson, C.C.	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Keefe was excused from the Session of today. Mr. Merriam was excused from the Session of today from 12:00 noon to 3:00 p.m. Mr. Schmitz was excused from the Session of today at 3:00 p.m. Messrs. Purfeerst and Stern were excused from the Session of today from 12:00 noon to 1:00 p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 3, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 2174.

Sincerely,

Albert H. Quie, Governor

March 3, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1982 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
2174		380	March 3	March 3

Sincerely,

Joan Anderson Growe
Secretary of State

March 4, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1982 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1616	381	March 3	March 4

Sincerely,

Joan Anderson Growe
Secretary of State

March 8, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1582, 709, 1521, and 1756.

Sincerely yours,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1872:

H.F. No. 1872: A bill for an act relating to the financing of government in this state; extending the effective date of residential energy credits; providing the interest rate maximum on certain public indebtedness; exempting certain towns from general levy limits; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; making technical corrections and administrative changes to the income tax and property tax refund; clarifying the taxation of gravel and the distribution of revenue; validating certain tax collections by Clay County; providing for allocation of income for nonresident athletes and entertainers; providing for apportionment of income for athletic teams; permitting leases and installment purchases of equipment by local governments and providing for their tax and fiscal treatment; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; providing for the collection of taxes; altering the date on which warrants are issued to the sheriff for collection of certain delinquent mobile home property taxes; clarifying the taxation of meals and food products for sales tax purposes; imposing a tax on on-sales of liquor and fermented malt beverages; providing for the financing of certain chemical dependency programs; providing for the lease of hydropower sites by the state or local governmental units; eliminating tax recapture or payment acceleration of deferred special assessments upon certain sales of qualifying agricultural property; providing for reassessment of homestead property damaged by a disaster; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982; providing for withholding of income tax refunds from child support debtors; providing for taxation of certain motor vehicles and combinations in the ninth and succeeding years of vehicle life; permitting the towns of Erin, Forest, Webster, and Wheatland in Rice County to impose a special levy for fire protection purposes; adopting certain federal definitions for purposes of the credit for research and experimental expenditures; providing for homestead treatment of certain condominium leased land; clarifying the homestead classification in certain cases of joint tenancy; clarifying use of additional sales ratio study information; allowing disclosure of private data to permit vendor processing of income and sales tax returns; redefining rent constituting property taxes; providing for the rate and disposition of certain taconite credits; providing for school bonds and related taxation in certain school districts; providing that landowners in unorganized townships receive a property tax credit for certain high voltage transmission lines; providing for the imposition of sales tax on certain retail sales of manufactured homes; allowing a levy limit increase for Clearwater County; granting the city of Bloomington port authority certain redevelopment financing powers; requiring county auditors to combine certain legal descriptions for property tax purposes; providing for sales of unstamped cigarettes to members of Indian tribes; imposing a fee on completion of tax forfeited land sales; revising the metropolitan agricultural preserves act; adopting certain federal income tax amendments; adopting federal income

tax treatment of unemployment compensation; increasing the rate of interest allowed on certain contracts for deed qualifying for an income tax exclusion; altering the adoption of accelerated cost recovery system; exempting plant material from the sales tax; providing a freeze on property taxes paid on the first $50,000 of market value of homesteads owned by elderly persons; imposing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 105.482, Subdivision 1, and by adding subdivisions; 168.012, by adding a subdivision; 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, and 5, and by adding subdivisions; 272.02, Subdivision 1; 273.111, Subdivisions 9, 11, and by adding a subdivision; 273.121; 273.13, Subdivision 7c; 273.42, as amended; 273.425; 274.19, Subdivision 3; 278.01; 278.05, Subdivisions 2 and 4; 282.014; 282.09, Subdivision 1; 290.01, by adding a subdivision; 290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.16, Subdivision 15, as amended, and 16, as amended; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivisions 1 and 2; 290.48, Subdivisions 3, 4, 6, and 8; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.50, by adding a subdivision; 290.53, Subdivisions 2 and 5, and by adding a subdivision; 290.54; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivisions 4a, 13, and 23; 290.93, Subdivision 9; 290.936; 290A.03, by adding a subdivision; 290A.11, by adding a subdivision; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 297A.43; 297B.03; 465.71; 473H.02, Subdivision 2, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2, and 5; 473H.08, Subdivision 4; 473H.14; 473H.15, by adding a subdivision; 473H.16, Subdivision 3; 475.55, Subdivision 1, and by adding a subdivision; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supplement, Sections 168.013, Subdivision 1e; 270.063; 270.66; 270.75, Subdivisions 4, as amended, and 5, as amended, and by adding a subdivision; 272.46; 273.11, Subdivision 1; 275.50, Subdivision 2; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.06, Subdivision 14; 290.075; 290.081; 290.09, Subdivisions 4, 7, as amended, 15, and 29; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.61; 290.92, Subdivisions 2a, 5, 5a, 6 and 15; 290.93, Subdivisions 1 and 10; 290.934, Subdivision 4; 290.9725; 290.974; 290A.03, Subdivisions 3, 8, 11, and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; 296.12, Subdivision 4; 297A.01, Subdivision 3; 297A.25, Subdivision 1, as amended; 298.225; 298.24, Subdivision 3; 298.75; Laws 1980, Chapter 453, by adding a section; Laws 1981, Third Special Session Chapter 2, Article III, Section 6; proposing new law coded in Minnesota Statutes, Chapters 270, 273, 290, 295, 297, 297A, 340 and 473H; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.48, Subdivisions 1 and 9; 290.51; 290.65, Subdivisions 2, 3, 4, 5, 6, and 7; 290.97; 290.973; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2;

Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; 290.48, Subdivision 2; 290.971, Subdivision 7; and 298.76.

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

Anderson, I.; Eken; Evans; Jacobs and Sieben, H., have been appointed as such committee on the part of the House.

House File No. 1872 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 8, 1982

Mr. Moe, R.D., for Mr. Johnson, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1872, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1872: Messrs. Johnson, Hanson, Ms. Berglin, Messrs. Setzepfandt and Sieloff.

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 12:00 noon. The motion prevailed.

The hour of 12:00 noon having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1648, 1687, 1878 and 1879.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 155: A bill for an act relating to public welfare; providing for retention of certain receipts by state hospitals; amending Minnesota Statutes 1980, Section 246.57.

Senate File No. 155 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

Mr. Moe, R.D. moved that S.F. No. 155 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 358: A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1980, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

Senate File No. 358 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Mr. Tennessen moved that the Senate do not concur in the amendments by the House to S. F. No. 358, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 787: A bill for an act relating to retirement; volunteer firefighters relief associations; financing and benefit amounts; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 2a; 424.01; 424.02; 424.04; 424.16; 424.17; and 424A.02, Subdivisions 3, 7 and 9.

Senate File No. 787 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

CONCURRENCE AND REPASSAGE

Mr. Peterson, C.C. moved that the Senate concur in the amendments by the House to S.F. No. 787 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 787: A bill for an act relating to retirement; volunteer firefighters relief associations; financing and benefit amounts; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 2a; 424.01; 424.02; 424.04; 424.16; 424.17; and 424A.02, Subdivisions 3 and 9.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Stokowski
Bang	Dieterich	Lantry	Peterson,R.W.	Stumpf
Belanger	Engler	Lessard	Petty	Taylor
Benson	Frank	Lindgren	Pillsbury	Tennessen
Berg	Frederick	Luther	Ramstad	Ulland
Berglin	Frederickson	Menning	Renneke	Vega
Bernhagen	Hughes	Moe, D. M.	Rued	Waldorf
Bertram	Humphrey	Moe, R. D.	Schmitz	Wegener
Brataas	Johnson	Nelson	Setzepfandt	Willet
Chmielewski	Kamrath	Olhoft	Sieloff	
Dahl	Knoll	Pehler	Sikorski	
Davies	Kroening	Penny	Solon	
Davis	Kronebusch	Peterson,C.C.	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 786: A bill for an act relating to retirement; volunteer firefighters relief associations; authorizing relief associations to increase retirement benefit and service pension amounts without municipal ratification in certain instances; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 6; 69.773, Subdivision 6; and 424A.02, Subdivision 10.

Senate File No. 786 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

CONCURRENCE AND REPASSAGE

Mr. Peterson, C.C. moved that the Senate concur in the amendments by the House to S.F. No. 786 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 786 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 57 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Peterson,C.C.	Spear
Bang	Dicklich	Kronebusch	Peterson,D.L.	Stokowski
Belanger	Dieterich	Lantry	Peterson,R.W.	Stumpf
Benson	Engler	Lessard	Petty	Taylor
Berg	Frank	Lindgren	Ramstad	Tennessen
Berglin	Frederick	Luther	Renneke	Ulland
Bernhagen	Frederickson	Menning	Rued	Vega
Bertram	Hughes	Moe, R. D.	Schmitz	Wegener
Brataas	Humphrey	Nelson	Setzepfandt	Willet
Chmielewski	Johnson	Olhoft	Sieloff	
Dahl	Kamrath	Pehler	Sikorski	
Davies	Knoll	Penny	Solon	

Messrs. Moe, D.M.; Pillsbury and Waldorf voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 16: A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisement; amending Minnesota Statutes 1980, Section 524.3-706.

Senate File No. 16 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

Mr. Sieloff, for Mr. Davies, moved that the Senate do not concur in the amendments by the House to S. F. No. 16, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1364: A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake and the city of Rutledge and town of Kettle River.

Senate File No. 1364 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 8, 1982

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S.F. No. 1364 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1364: A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake and the city of Rutledge and town of Kettle River; authorizing the town of Oakport in Clay county to exercise certain powers; amending Laws 1981, Chapter 183, Section 3.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Peterson,C.C.	Spear
Bang	Dieterich	Langseth	Peterson,D.L.	Stokowski
Belanger	Engler	Lantry	Peterson,R.W.	Stumpf
Benson	Frank	Lessard	Petty	Taylor
Berg	Frederick	Lindgren	Pillsbury	Tennessen
Berglin	Frederickson	Luther	Ramstad	Ulland
Bernhagen	Hanson	Menning	Renneke	Vega
Bertram	Hughes	Moe, D. M.	Rued	Waldorf
Brataas	Humphrey	Moe, R. D.	Schmitz	Wegener
Chmielewski	Johnson	Nelson	Setzepfandt	Willet
Dahl	Kamrath	Olhoft	Sieloff	
Davies	Knoll	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1018, 1553, 1704, 2156, 1382, 1760, 2199, 1737, 1834, 2169, 1919, 2021, 2079, 1894 and 1897.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 8, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1018: A bill for an act relating to agriculture; consolidating existing laws; providing for agricultural commodity research and promotion councils; establishing procedures; providing penalties; amending Minnesota Statutes 1980, Sections 17.53; 17.54; 17.56; 17.57; 17.58; 17.59, Subdivisions 1, and 2; 17.60; 17.62; 17.63; 17.64; and 17.67; amending Minnesota Statutes 1981 Supplement, Section 17.59, Subdivision 4; repealing Minnesota Statutes

1980, Sections 17.55; 17.601; 17.65; 17.68; 21A.01 to 21A.19, as amended; 29.14 to 29.16; 29.18; 29.19; 30.461 to 30.468, as amended; 30.472 to 30.479; 32B.01 to 32B.06; 32B.08 to 32B.11; 32B.13; Minnesota Statutes 1981 Supplement, Sections 29.17; 30.469; 30.47; 32B.07; and 32B.12.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1269, now on General Orders.

H.F. No. 1553: A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1596, now on General Orders.

H.F. No. 1704: A bill for an act relating to public safety; making it a felony to use or possess metal-penetrating bullets in the commission of a crime; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.

Referred to the Committee on Rules and Administration.

H.F. No. 2156: A bill for an act relating to education; authorizing the state university board to lease land on Mankato state university campus; permitting Mankato state university to lease a building; transferring title for a building to the state; proposing new law coded in Minnesota Statutes, Chapter 136.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2053, now on the Calendar.

H.F. No. 1382: A bill for an act relating to the city of Duluth; providing for the size of the housing and redevelopment authority.

Referred to the Committee on Local Government and Urban Affairs.

H.F. No. 1760: A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; 626A.05, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1707, now on General Orders.

H.F. No. 2199: A bill for an act relating to elections; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; and 205.84; Minnesota Statutes 1981 Supplement, Section 205.10; proposing new law coded in Minnesota Statutes, Chapter 205; repealing Minnesota Statutes 1980, Sections 205.021; 205.04; 205.11, Subdivisions 1, 2, 3, 4 and 5; 205.14, Subdivisions 1, 2 and 3; 205.18; and 205.19; and Minnesota Statutes 1981 Supplement, Sections 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1752, now on General Orders.

H.F. No. 1737: A bill for an act relating to retirement; local police and salaried firefighters relief association; providing minimum disability benefit coverage for police officers and firefighters in certain local relief associations; providing for the recomputation of a disability benefit as a service pension upon the attainment of a certain age; providing service credit for periods of disability in certain instances; requiring the provision of less hazardous duty employment positions for marginally disabled police officers and firefighters; requiring offsets from disability benefits in certain instances; authorizing the establishment and operation of the West St. Paul firefighters relief association; validating prior actions by the West St. Paul firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974, Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 423A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1661, now on General Orders.

H.F. No. 1834: A bill for an act relating to claims against the state; providing for payment of various claims; providing for cancelation of old claims; appropriating money.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1789.

H.F. No. 2169: A bill for an act relating to public welfare; designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of federal funds to counties and defining duties of counties in the use of the funds; amending Minnesota Statutes 1980, Sections 245.70; 245.71; and 254A.16, by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 254A.03, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 245.

Referred to the Committee on Health, Welfare and Corrections.

H.F. No. 1919: A bill for an act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivision 4; 40.036; 40.07, Subdivision 9; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1847, now on General Orders.

H.F. No. 2021: A bill for an act relating to local government; creating the Morrison County rural development finance authority; authorizing the estab-

lishment of a development and redevelopment program and the authorization of powers for it.

Mr Wegener moved that H.F. No. 2021 be laid on the table. The motion prevailed.

H.F. No. 2079: A bill for an act relating to state lands; authorizing the sale of a certain lakeshore lot in Douglas County.

Referred to the Committee on Agriculture and Natural Resources.

H.F. No. 1894: A bill for an act relating to municipal housing; authorizing the planning, implementation, and financing of rehabilitation and energy improvement loans; providing for the allocation of mortgage bonds; amending Minnesota Statutes 1980, Sections 462C.01; 462C.02, Subdivisions 3, 4 and 5, and by adding subdivisions; 462C.03, as amended; 462C.04, Subdivision 2; 462C.05, Subdivisions 2 and 5; 462C.07, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 462C.05, Subdivisions 1 and 3; and 462C.09; repealing Minnesota Statutes 1981 Supplement, Section 462C.07, Subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1941, now on General Orders.

H.F. No. 1897: A bill for an act relating to the state agricultural society; updating and clarifying certain powers and duties of the society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; and 37.22; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1873, now on the Calendar.

Without objection, the Senate reverted to the Order of Business of Executive and Official Communications.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

February 16, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointments to the Minnesota Higher Education Coordinating Board are hereby respectfully submitted to the Senate for confirmation as required by law:

Arthur F. Gillen, 8 Chickadee Lane, North Oaks, Ramsey County, has been appointed by me, effective February 16, 1982, for a term expiring the first Monday in January, 1986.

Robert W. Hatch, 2330 West Lake of the Isles Blvd., Minneapolis, Hennepin County, has been appointed by me, effective February 16, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Education.)

March 3, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The following appointment to the State Ethical Practices Board is hereby respectfully submitted to the Senate for confirmation as required by law:

C.R. Baldy Hansen, 100 1st Street S.E., Austin, Mower County, has been appointed by me, effective March 3, 1982, for a term expiring the first Monday in January, 1986.

(Referred to the Committee on Elections and Reapportionment.)

Sincerely,

Albert H. Quie, Governor

Without objection, the Senate proceeded to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

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

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

S.F. No. 1988: A bill for an act relating to housing; directing the department of energy, planning and development to administer certain federal money; proposing new law coded in Minnesota Statutes, Chapter 362.

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

Pages 1 and 2, delete subdivision 1 and insert:

"*Subdivision 1.* [DUTY OF COMMISSIONER.] *The commissioner shall administer the federal small cities community development block grant authorized under Title 1 of the Housing and Community Development Act of 1974, 42 United States Code, Sections 5301 to 5320, as amended through the Housing and Community Development Amendments of 1981, Public Law Number 97-35. The commissioner shall insure that the money is used in a manner consistent with applicable federal statutes and state laws. The primary objective of the program shall be the development of viable urban communities, by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. The money shall be used in combination with other public and private resources whenever possible. To the extent allowed by law, the commissioner shall administer the money so that it is used for those projects for which the greatest need can be demonstrated and that will have the greatest impact on that need and upon which communities have placed a high priority. The commissioner shall encourage local government officials to seek the recommendations of concerned and affected citizens on the development and selection of projects. Communities shall develop a citizen participation process.*"

Page 2, line 10, delete "*U.S.C.*" and insert "*United States Code, Section*"

Page 2, delete lines 11 to 15 and insert:

"*Subd. 3.* [MONITORING; EVALUATION.] *The commissioner shall*"

Amend the title as follows:

Page 1, line 2, delete "department" and insert "commissioner"

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. 1031: A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 115A.06, Subdivision 13; proposing new law coded as Minnesota Statutes, Chapters 115B and 297C.

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

Page 19, line 32, delete "*January 1, 1983*" and insert " *November 1, 1982*"

Page 23, lines 17 and 18, delete "*sections 18 and 22 to 41*" and insert "*section 18*"

Page 24, after line 13, insert:

"*Subd. 4.* [LONG TERM CONTAINMENT.] *"Long term containment" means land disposal or storage for a period of more than one year.*

Subd. 5. [TREATMENT.] *"Treatment" means any material, technique or process designed to change the physical, chemical or biological character or composition of a hazardous waste in order to: (a) neutralize it; (b) render it nonhazardous or less hazardous; (c) render it safer to transport, store or dispose of; (d) make it amenable to storage; or (e) reduce its volume.*"

Page 24, line 18, delete everything after the period

Page 24, delete lines 19 to 21

Page 24, line 22, delete "*generated.*"

Page 24, line 23, delete "*and*" and insert "*or*"

Page 24, line 23, delete "*waste*" and insert "*used crankcase*"

Page 24, line 27, delete ", *including land disposal and long term storage,*"

Page 24, line 28, delete "*five*" and insert "*20*" and delete "*$5*" and insert "*$20*"

Page 24, line 32, delete "*four*" and insert "*12*"

Page 24, line 33, delete "*$4*" and insert "*$12*"

Page 24, line 35, delete "*chemical*"

Page 24, line 35, after "*hazardous*" insert ", *including treatment permitted by the agency in a sewage treatment works,*"

Page 24, line 36, after "*or*" insert "*hazardous waste*"

Page 25, line 1, delete "*or other means*"

Page 25, line 6, after "*29,*" insert "*or are put into any sewer system as permitted by the agency,*"

Page 25, line 11, delete everything after "*penalties*"

Page 25, line 12, delete everything after "*fund*" and insert a period

Page 25, delete lines 13 and 14

Page 25, line 16, delete "*or sections 22 to 41*"

Page 25, delete lines 25 to 36

Page 26, delete lines 1 to 36

Page 27, delete lines 1 to 36

Page 28, delete lines 1 to 36

Page 29, delete lines 1 to 28 and insert:

"*Subdivision 1.* [QUARTERLY REPORTS AND PAYMENTS; EXCEPTION.] *By the fourteenth day following the last day of each calendar quarter beginning after December 31, 1982, every person liable for payment of a tax under section 18, except as provided in subdivision 4 of this section, shall make and file with the commissioner of revenue a report under oath, in the form and containing the information required by the commissioner. The amount of the tax due shall be remitted together with the form. The commissioner may establish rules under which a generator of a low volume of hazardous wastes may file the report and pay the tax annually.*

Subd. 2. [AMENDED RETURNS.] *A taxpayer who finds that a return filed under this section as originally filed is in error may correct the error by filing an amended return. If the taxpayer is entitled to a refund due to the correction, the amended return will serve as a claim for the refund provided it is filed no later than three years after the original return is filed.*

Subd. 3. [EXCHANGE OF INFORMATION.] *Notwithstanding the provisions of sections 116.075 or 290.61 or any other law to the contrary, the commissioner of revenue and the pollution control agency may provide each other with the information necessary for the enforcement of section 18. Information disclosed in a return filed pursuant to this section or information exchanged between the commissioner and the agency is public unless the information is of the type determined to be for the confidential use of the agency pursuant to section 116.075 or is trade secret information classified pursuant to section 15.1673.*"

Page 29, line 29, delete "*7*" and insert "*4*"

Page 30, line 4, delete "*8*" and insert "*5*"

Page 30, line 4, after "AGENCY" insert "AND METROPOLITAN COUNTIES"

Page 30, line 9, after the period, insert "*Metropolitan counties required to*

regulate hazardous wastes under section 473.811, subdivision 5b, shall provide to the agency the data and information necessary to allow the agency to carry out its duties under this subdivision. Upon request by the commissioner,''

Page 30, line 9, before ''*notify*'' insert ''*examine returns and reports filed with the commissioner and*''

Page 30, line 11, delete ''*and may audit*'' and insert ''. *The agency may assist in auditing*''

Page 30, line 13, delete ''*9*'' and insert ''*6*''

Page 30, line 17, delete ''*10*'' and insert ''*7*''

Page 30, after line 20, insert:

''*Subd. 8.* [ADMINISTRATIVE EXPENSES.] *Any amount expended by the commissioner or agency from a general fund appropriation to enforce and administer section 18 and this section shall be reimbursed to the general fund and the amount necessary to make the reimbursement is appropriated from the fund to the commissioner of finance for transfer to the general fund.*''

Pages 32 to 47, delete sections 22 to 41

Pages 49 and 50, delete section 46 and insert:

''Sec. 26. [APPROPRIATION; COMPLEMENT.]

Subdivision 1. [APPROPRIATION TO FUND.] *The sum of $4,000,000 is appropriated from the general fund and transferred to the environmental response, compensation and compliance fund established in section 16.*

Subd. 2. [TAX ADMINISTRATION; COMPLEMENT.] *The following sums are appropriated from the general fund to be available until June 30, 1983, for costs of administering and enforcing sections 18 and 20.*

(a) To the commissioner of revenue $85,000

The approved complement of the department of revenue is increased by two positions.

(b) To the pollution control agency $30,000

The approved complement of the pollution control agency is increased by one position.

Subd. 3. [APPROPRIATION FOR RESPONSE ACTIONS.] *For the biennium ending June 30, 1983, and except as provided in subdivision 4, all money in the environmental response, compensation and compliance fund except any money recovered with respect to natural resources under section 14, subdivision 8, is appropriated to the pollution control agency for the purposes described in section 16, subdivision 2, clauses (a) and (b).*

Subd. 4. [RULES; PRIORITY LISTS; COMPLEMENT.] *The sum of $40,000 is appropriated from the environmental response, compensation and compliance fund to the pollution control agency for the cost of establishing priority lists and adopting rules as required under section 14, subdivision 13, to be available until June 30, 1983.*

The approved complement of the pollution control agency is increased by six

positions.''

Page 50, line 27, delete ''*and sections 22 to 41*''

Page 50, line 28, delete ''*taxes*'' and insert ''*tax*''

Page 50, line 29, delete ''*and sections 22 to 41 are*'' and insert ''*is*''

Page 50, line 30, delete ''*42 and 43*'' and insert ''*22, 23 and 26, subdivision 2,*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, delete ''Chapters 115B and 297C'' and insert ''Chapter 115B''

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

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

H.F. No. 612 for comparison with companion Senate File, reports the following House File was found not identical with 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.
				612	1865

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 612 be amended as follows:

Page 1, line 21, strike ''any'' and insert ''*a*''

Page 1, line 23, strike ''any''

Page 1, line 29, strike ''any'' and insert ''*a*'' and delete ''*or*''

Page 1, delete line 30

Page 2, delete lines 1 to 8

Page 2, line 9, delete the new language

Page 2, lines 10, 11, and 14 strike ''any'' and insert ''*a*''

Page 2, delete lines 16 to 34

Page 3, line 11, delete ''*regarding*'' and insert ''*to ensure*''

Page 3, line 12, delete ''*to*''

Page 3, delete line 13

Page 3, line 14, delete everything before the period and insert ''*any site, lot, field, or tract of land and water upon which two or more occupied mobile or immobile dwelling units are located*''

Page 3, line 17, strike ''every'' and insert ''*a*''

Page 3, line 18, strike ''be required to''

Page 3, line 21, delete ''*section*'' and insert ''*subdivision*''

Page 3, line 25, strike "any" and insert "*an*"

Page 3, line 28, strike "Any" and insert "*A*"

Page 3, line 31, strike "any" and insert "*an*"

Page 4, delete lines 5 to 18 and insert

"Sec. 7. Minnesota Statutes 1980, Section 238.12, is amended by adding a subdivision to read:

Subd. 1a. The procedures for establishing all rates shall be set forth in the franchise ordinance. Rates charged by a cable communication company may be set forth in the franchise ordinance by the municipality. The franchise ordinance shall specify the current rates or in the alternative shall provide that the current rates and charges be available for public inspection in the municipality.

Sec. 8. [REPEALER.]

Minnesota Statutes 1980, Section 238.12, Subdivisions 1 and 2, are repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 9, after "dwellings" insert "and tracts of multiple dwelling units"

Page 1, line 12, delete "238.03;"

Page 1, line 14, after the semicolon insert "238.12, by adding a subdivision; repealing Minnesota Statutes 1980,"

And when so amended H.F. No. 612 will be identical to S.F. No. 1865, and further recommends that H.F. No. 612 be given its second reading and substituted for S.F. No. 1865, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1988 and 1031 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 612 was read the second time.

MOTIONS AND RESOLUTIONS

Mr. Frederickson moved that his be name stricken as a co-author to S.F. No. 1548. The motion prevailed.

Mr. Renneke moved that his name be stricken as a co-author to S.F. No. 1548. The motion prevailed.

Mr. Solon moved that the name of Mrs. Stokowski be added as a co-author to S.F. No. 1697. The motion prevailed.

Mr. Spear moved that the name of Mr. Sikorski be added as a co-author to S.F. No. 1775. The motion prevailed.

Mr. Frederick moved that the name of Mr. Belanger be added as a co-author to S.F. No. 1835. The motion prevailed.

Mrs. Lantry moved that the name of Mr. Sikorski be added as a co-author to S.F. No. 1888. The motion prevailed.

Mr. Merriam moved that the name of Mr. Vega be added as a co-author to S.F. No. 1918. The motion prevailed.

Ms. Berglin moved that the name of Mr. Frederickson be added as a co-author to S.F. No. 2009. The motion prevailed.

Mr. Merriam moved that the name of Mr. Sikorski be added as a co-author to S.F. No. 2055. The motion prevailed.

Mr. Wegener moved that H.F. No. 2021 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Wegener 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. 2021 and that the rules of the Senate be so far suspended as to give H.F. No. 2021 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2021: A bill for an act relating to local government; creating the Morrison County rural development finance authority; authorizing the establishment of a development and redevelopment program and the authorization of powers for it.

H.F. No. 2021 was read the second time.

H.F. No. 2021 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Peterson,C.C.	Spear
Bang	Dieterich	Kronebusch	Peterson,D.L.	Stokowski
Belanger	Engler	Langseth	Peterson,R.W.	Stumpf
Benson	Frank	Lantry	Petty	Taylor
Berg	Frederick	Lessard	Pillsbury	Tennessen
Berglin	Frederickson	Lindgren	Purfeerst	Ulland
Bernhagen	Hanson	Luther	Ramstad	Vega
Bertram	Hughes	Menning	Renneke	Waldorf
Brataas	Humphrey	Moe, R. D.	Rued	Wegener
Chmielewski	Johnson	Nelson	Setzepfandt	Willet
Dahl	Kamrath	Olhoft	Sieloff	
Davies	Knoll	Pehler	Sikorski	
Davis	Knutson	Penny	Solon	

So the bill passed and its title was agreed to.

Mr. Knutson moved that H.F. No. 1690 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for

comparison with S.F. No. 1650, now on General Orders. The motion prevailed.

Mrs. Brataas moved that H.F. No. 1698 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1813. The motion prevailed.

Mr. Solon moved that H.F. No. 1994 be withdrawn from the Committee on Commerce and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1930, now on General Orders. The motion prevailed.

Mr. Solon moved that S.F. No. 1493 be stricken from General Orders and returned to the Committee on Health, Welfare and Corrections. The motion prevailed.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved to take up the Senate Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

H.F. No. 1819: A bill for an act relating to education; authorizing school districts to develop programs enabling secondary students to attend courses at post secondary institutions; permitting the granting and transfer of credits for students; allowing reimbursement for instruction; proposing new law coded in Minnesota Statutes, Chapter 123.

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:

Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Spear
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Petty	Stumpf
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Purfeerst	Tennessen
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Humphrey	Moe, D. M.	Renneke	Vega
Chmielewski	Johnson	Moe, R. D.	Rued	Waldorf
Dahl	Kamrath	Nelson	Schmitz	Wegener
Davies	Knoll	Olhoft	Setzepfandt	Willet
Davis	Knutson	Pehler	Sieloff	
Dicklich	Kroening	Penny	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 438: A bill for an act relating to retirement; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; authorizing an amendment to the articles of incorporation of the Minneapolis teachers retirement fund association; allowing a surviving spouse to elect a joint and survivor annuity under certain circumstances; amending Minnesota Statutes 1981 Supplement, Section 354.46, Subdivision 2.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Spear
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Petty	Stumpf
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Purfeerst	Tennessen
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Humphrey	Moe, D. M.	Renneke	Vega
Chmielewski	Johnson	Moe, R. D.	Rued	Waldorf
Dahl	Kamrath	Nelson	Schmitz	Wegener
Davies	Knoll	Olhoft	Setzepfandt	Willet
Davis	Knutson	Pehler	Sieloff	
Dicklich	Kroening	Penny	Sikorski	

So the bill passed and its title was agreed to.

S.F. No. 1336: A bill for an act relating to financial institutions; redefining "contract for deed" to include sales of mobile homes used as a residence by the seller; amending Minnesota Statutes 1981 Supplement, Section 47.20, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Spear
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Petty	Stumpf
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Purfeerst	Tennessen
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Humphrey	Moe, D. M.	Renneke	Vega
Chmielewski	Johnson	Moe, R. D.	Rued	Waldorf
Dahl	Kamrath	Nelson	Schmitz	Wegener
Davies	Knoll	Olhoft	Setzepfandt	Willet
Davis	Knutson	Pehler	Sieloff	
Dicklich	Kroening	Penny	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 1794: A bill for an act relating to health; providing for an advisory task force to make recommendations on the distribution of funds for maternal and child health care needs; proposing new law coded in Minnesota Statutes, Chapter 145.

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 20, as follows:

Those who voted in the affirmative were:

Bang	Dicklich	Lantry	Peterson,R.W.	Stokowski
Belanger	Frank	Luther	Petty	Stumpf
Berglin	Hanson	Menning	Ramstad	Tennessen
Bertram	Hughes	Moe, D. M.	Setzepfandt	Vega
Brataas	Humphrey	Moe, R. D.	Sieloff	Wegener
Chmielewski	Johnson	Nelson	Sikorski	Willet
Dahl	Knoll	Olhoft	Solon	
Davies	Kroening	Pehler	Spear	
Davis	Langseth	Peterson,C.C.	Stern	

Those who voted in the negative were:

Benson	Frederickson	Lessard	Pillsbury	Schmitz
Berg	Kamrath	Lindgren	Purfeerst	Taylor
Bernhagen	Knutson	Penny	Renneke	Ulland
Engler	Kronebusch	Peterson,D.L.	Rued	Waldorf

So the bill passed and its title was agreed to.

S.F. No. 1637: A bill for an act relating to state investment policy; prohibiting certain investments in countries not following human rights standards; proposing new law coded in Minnesota Statutes, Chapter 11A.

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 31 and nays 34, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Moe, D. M.	Peterson,R.W.	Tennessen
Dahl	Humphrey	Moe, R. D.	Petty	Ulland
Davies	Johnson	Nelson	Sikorski	Vega
Dicklich	Knoll	Olhoft	Solon	
Dieterich	Kroening	Pehler	Stern	
Frank	Lantry	Penny	Stokowski	
Hanson	Luther	Peterson,C.C.	Stumpf	

Those who voted in the negative were:

Ashbach	Brataas	Knutson	Pillsbury	Sieloff
Bang	Chmielewski	Kronebusch	Purfeerst	Spear
Belanger	Davis	Langseth	Ramstad	Taylor
Benson	Engler	Lessard	Renneke	Waldorf
Berg	Frederick	Lindgren	Rued	Wegener
Bernhagen	Frederickson	Menning	Schmitz	Willet
Bertram	Kamrath	Peterson,D.L.	Setzepfandt	

So the bill failed to pass.

H.F. No. 1885: A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Peterson,C.C.	Solon
Bang	Dieterich	Kronebusch	Peterson,D.L.	Spear
Belanger	Engler	Langseth	Peterson,R.W.	Stern
Benson	Frank	Lantry	Petty	Stokowski
Berg	Frederick	Lessard	Pillsbury	Stumpf
Berglin	Frederickson	Luther	Purfeerst	Taylor
Bernhagen	Hanson	Menning	Ramstad	Tennessen
Bertram	Hughes	Moe, D. M.	Renneke	Ulland
Brataas	Humphrey	Moe, R. D.	Rued	Vega
Chmielewski	Johnson	Nelson	Schmitz	Waldorf
Dahl	Kamrath	Olhoft	Setzepfandt	Wegener
Davies	Knoll	Pehler	Sieloff	Willet
Davis	Knutson	Penny	Sikorski	

So the bill passed and its title was agreed to.

S.F. No. 198: A bill for an act relating to information practices of public bodies; regulating the treatment of government data; providing conditions for disclosure; enacting the uniform information practices code; providing penalties; amending Minnesota Statutes 1980, Sections 3.97, Subdivisions 9 and 11; 10A.02, Subdivision 11a; 72A.062, Subdivision 2; 115A.14, Subdivision 3; 123.704; 123.741, Subdivision 5; 136A.162; 144.1761, Subdivision 2; 144.216, Subdivision 2; 144.218; 144.225, Subdivision 1; 144.691, Subdivision 4; 144.693; 145.925, Subdivision 6; 147.073, Subdivision 1; 169.126, Subdivision 2; 241.44, Subdivision 1a; 241.66, Subdivision 1; 245.69, Subdivision 2; 256B.27, Subdivision 5; 268.40, Subdivision 3; 270A.11; 299F.055; 462A.065; and 626.557, Subdivisions 11 and 12; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 2; 144A.10, Subdivision 3; 197.603, Subdivision 2; 241.62, Subdivision 5; 362.53, Subdivision 17; 626.556, Subdivision 11; proposing new law coded as Minnesota Statutes, Chapter 16B; repealing Minnesota Statutes 1980, Sections 15.167; 15.1674; 15.1675; 15.1676; 15.1677; 15.1678; 15.1679; 15.1681; 15.1691; 15.1694; 15.1696; and 15.1697; and Minnesota Statutes 1981 Supplement, Sections 15.1611; 15.162; 15.1621; 15.163; 15.1642; 15.165; 15.166; 15.1671; 15.1672; 15.1673; 15.1682; 15.1683; 15.1692; 15.1693; 15.1695; 15.1698; 15.1699; 15.771; 15.772; 15.773; 15.774; 15.775; 15.776; 15.777; 15.778; 15.779; 15.781; 15.782; 15.783; 15.784; 15.785; 15.786; 15.787; 15.788; 15.789; 15.791; 15.792; and 15.793.

Mr. Tennessen moved that S.F. No. 198 be stricken from the Calendar and placed at the top of General Orders. The motion prevailed.

S.F. No. 1765: A bill for an act relating to game and fish; removing the restriction upon issuance of wild turkey licenses; amending Minnesota Statutes 1980, Section 100.271, Subdivision 3a.

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:

Ashbach	Dicklich	Kroening	Penny	Sikorski
Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Spear
Benson	Frank	Lantry	Peterson,R.W.	Stern
Berg	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Knutson	Pehler	Sieloff	Willet

So the bill passed and its title was agreed to.

H.F. No. 1902: A bill for an act relating to Ramsey County; permitting the county to establish a small business set-aside program.

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 4, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Knutson	Penny	Solon
Bang	Dicklich	Kroening	Peterson,R.W.	Spear
Belanger	Dieterich	Kronebusch	Petty	Stern
Benson	Engler	Langseth	Pillsbury	Stokowski
Berg	Frank	Lantry	Purfeerst	Stumpf
Berglin	Frederick	Lessard	Ramstad	Taylor
Bernhagen	Frederickson	Luther	Renneke	Tennessen
Bertram	Hughes	Menning	Rued	Ulland
Brataas	Humphrey	Moe, D. M.	Schmitz	Vega
Chmielewski	Johnson	Moe, R. D.	Setzepfandt	Waldorf
Dahl	Kamrath	Nelson	Sieloff	Wegener
Davies	Knoll	Pehler	Sikorski	Willet

Messrs. Lindgren; Olhoft; Peterson, C.C. and Peterson, D.L. voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2051: A bill for an act relating to rural development; changing the purposes of rural development financing authorities; providing for small business finance agency loans to a farm business; amending Minnesota Statutes 1980, Sections 362.52, Subdivision 3; 362A.01, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 362.50, Subdivisions 5 and 9.

Mr. Petty moved that S.F. No. 2051 be stricken from the Calendar and placed at the top of General Orders.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 21 and nays 41, as follows:

Those who voted in the affirmative were:

Berglin	Knoll	Petty	Spear	Waldorf
Dahl	Kroening	Pillsbury	Stokowski	
Dicklich	Luther	Purfeerst	Stumpf	
Dieterich	Moe, D. M.	Ramstad	Tennessen	
Johnson	Peterson,R.W.	Sikorski	Vega	

Those who voted in the negative were:

Ashbach	Davies	Knutson	Olhoft	Sieloff
Bang	Davis	Kronebusch	Pehler	Solon
Belanger	Engler	Langseth	Penny	Ulland
Benson	Frank	Lantry	Peterson,C.C.	Wegener
Berg	Frederick	Lessard	Peterson,D.L.	Willet
Bernhagen	Frederickson	Lindgren	Renneke	
Bertram	Hughes	Menning	Rued	
Brataas	Humphrey	Moe, R. D.	Schmitz	
Chmielewski	Kamrath	Nelson	Setzepfandt	

The motion did not prevail.

S.F. No. 2051 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 13, as follows:

Those who voted in the affirmative were:

Bang	Davis	Langseth	Peterson,D.L.	Solon
Belanger	Engler	Lantry	Pillsbury	Stern
Benson	Frank	Menning	Purfeerst	Stokowski
Berg	Frederick	Moe, D. M.	Ramstad	Taylor
Bernhagen	Frederickson	Moe, R. D.	Renneke	Ulland
Bertram	Hughes	Nelson	Rued	Vega
Brataas	Humphrey	Olhoft	Schmitz	Wegener
Chmielewski	Kamrath	Pehler	Setzepfandt	Willet
Dahl	Knutson	Penny	Sieloff	
Davies	Kronebusch	Peterson,C.C.	Sikorski	

Those who voted in the negative were:

Berglin	Johnson	Lindgren	Spear	Waldorf
Dicklich	Knoll	Luther	Stumpf	
Dieterich	Kroening	Petty	Tennessen	

So the bill passed and its title was agreed to.

H.F. No. 1701: A bill for an act relating to the city of Hibbing; authorizing increases in certain firefighters service pensions and survivor benefits; amending Laws 1977, Chapter 169, Section 1 and Laws 1971, Chapter 614, Section 1, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Peterson,C.C.	Spear
Bang	Dieterich	Langseth	Peterson,D.L.	Stern
Belanger	Engler	Lantry	Peterson,R.W.	Stokowski
Benson	Frank	Lessard	Petty	Stumpf
Berg	Frederick	Lindgren	Pillsbury	Taylor
Berglin	Frederickson	Luther	Purfeerst	Tennessen
Bernhagen	Hanson	Menning	Ramstad	Ulland
Bertram	Hughes	Moe, D. M.	Renneke	Vega
Brataas	Humphrey	Moe, R. D.	Rued	Waldorf
Chmielewski	Johnson	Nelson	Schmitz	Wegener
Dahl	Kamrath	Olhoft	Sieloff	Willet
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	

So the bill passed and its title was agreed to.

S.F. No. 1948: A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.

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 4, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kroening	Penny	Sikorski
Bang	Engler	Kronebusch	Peterson,C.C.	Solon
Belanger	Frank	Langseth	Peterson,R.W.	Spear
Benson	Frederick	Lessard	Petty	Stern
Berg	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Dicklich	Knutson	Pehler	Sieloff	Willet

Ms. Berglin, Mr. Davis, Mmes. Lantry and Stokowski voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1697: A bill for an act relating to retirement; validating a certain post retirement adjustment granted by the Virginia firefighters relief association; authorizing increases in benefits payable by the Eveleth police and fire trust fund; defining certain terms, providing for the governance of separate and distinct general and special funds, providing benefit improvements for certain participants and benefit recipients, validating adoption of third class city police law, and validating past payments by the Virginia police relief association; clarifying the authority to approve alternative benefit increases; repealing Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson,C.C.	Solon
Bang	Engler	Langseth	Peterson,D.L.	Spear
Belanger	Frank	Lantry	Peterson,R.W.	Stern
Benson	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Knutson	Pehler	Sieloff	Willet
Dicklich	Kroening	Penny	Sikorski	

So the bill passed and its title was agreed to.

S.F. No. 1723: A bill for an act relating to retirement; Minnesota state retirement system; imposing liability for certain omitted employee contributions on the employing unit; elective state officers retirement plan; providing benefit adjustments for retired constitutional officers and surviving spouses; amending Minnesota Statutes 1980, Section 352.04, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 352C.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson,C.C.	Solon
Bang	Engler	Langseth	Peterson,D.L.	Spear
Belanger	Frank	Lantry	Peterson,R.W.	Stern
Benson	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Knutson	Pehler	Sieloff	Willet
Dicklich	Kroening	Penny	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 2098: A bill for an act relating to retirement; teachers retirement association; extending the time limit for the purchase of service credit for military service leaves of absence for certain veterans.

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:

Ashbach	Dicklich	Kroening	Penny	Sikorski
Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Spear
Benson	Frank	Lantry	Peterson,R.W.	Stern
Berg	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Knutson	Pehler	Sieloff	Willet

So the bill passed and its title was agreed to.

H.F. No. 1430: A bill for an act relating to the city of Hibbing; fixing the amount of the mayor's contingent fund; amending Laws 1939, Chapter 329, Section 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 51 and nays 13, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,R.W.	Stokowski
Bang	Dieterich	Lantry	Petty	Stumpf
Belanger	Engler	Lessard	Purfeerst	Tennessen
Benson	Frank	Luther	Ramstad	Vega
Berg	Hanson	Menning	Schmitz	Waldorf
Berglin	Hughes	Moe, D. M.	Setzepfandt	Wegener
Bertram	Humphrey	Moe, R. D.	Sieloff	Willet
Chmielewski	Kamrath	Nelson	Sikorski	
Dahl	Knoll	Pehler	Solon	
Davies	Kroening	Penny	Spear	
Davis	Kronebusch	Peterson,C.C.	Stern	

Those who voted in the negative were:

Bernhagen	Johnson	Olhoft	Renneke	Ulland
Frederick	Knutson	Peterson,D.L.	Rued	
Frederickson	Lindgren	Pillsbury	Taylor	

So the bill passed and its title was agreed to.

H.F. No. 1589: A bill for an act relating to motor vehicles; authorizing the operation of motorized golf carts by certain persons on designated roadways of city streets; regulating the operation thereof; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 169.522; and proposing new law coded in Minnesota Statutes, Chapter 169.

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:

Ashbach	Dicklich	Kroening	Penny	Sikorski
Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Spear
Benson	Frank	Lantry	Peterson,R.W.	Stern
Berg	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Knutson	Pehler	Sieloff	Willet

So the bill passed and its title was agreed to.

H.F. No. 2134: A bill for an act relating to intoxicating liquor; providing that on-sale licenses issued to certain nonprofit corporations shall authorize sales on all days of the week; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11b.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 49 and nays 15, as follows:

Those who voted in the affirmative were:

Bang	Engler	Langseth	Peterson,R.W.	Stern
Belanger	Frederick	Lantry	Petty	Stokowski
Benson	Hanson	Lessard	Pillsbury	Stumpf
Berglin	Hughes	Lindgren	Purfeerst	Taylor
Bertram	Humphrey	Luther	Ramstad	Tennessen
Brataas	Johnson	Moe, D. M.	Setzepfandt	Ulland
Dahl	Knoll	Moe, R. D.	Sieloff	Vega
Davies	Knutson	Nelson	Sikorski	Waldorf
Dicklich	Kroening	Pehler	Solon	Willet
Dieterich	Kronebusch	Penny	Spear	

Those who voted in the negative were:

Berg	Davis	Kamrath	Peterson,C.C.	Rued
Bernhagen	Frank	Menning	Peterson,D.L.	Schmitz
Chmielewski	Frederickson	Olhoft	Renneke	Wegener

So the bill passed and its title was agreed to.

H.F. No. 2077: A bill for an act relating to insurance; increasing the percentage of the state comprehensive health plan premium that may be used to pay certain fees and expenses; amending Minnesota Statutes 1980, Section 62E.11, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson,C.C.	Solon
Bang	Engler	Langseth	Peterson,D.L.	Spear
Belanger	Frank	Lantry	Peterson,R.W.	Stern
Benson	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Purfeerst	Tennessen
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Humphrey	Moe, D. M.	Renneke	Vega
Chmielewski	Johnson	Moe, R. D.	Rued	Waldorf
Dahl	Kamrath	Nelson	Schmitz	Wegener
Davies	Knoll	Olhoft	Setzepfandt	Willet
Davis	Knutson	Pehler	Sieloff	
Dicklich	Kroening	Penny	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 623: A bill for an act relating to commerce; providing for an alternative method of meeting the organizational membership requirement for the conducting of bingo occasions, operation of gambling devices, and conducting of raffles by organizations; amending Minnesota Statutes 1980, Sections 349.14; and 349.26, Subdivision 9.

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 5, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kroening	Penny	Spear
Bang	Engler	Kronebusch	Peterson,D.L.	Stern
Belanger	Frank	Langseth	Peterson,R.W.	Stokowski
Benson	Frederick	Lantry	Petty	Stumpf
Berglin	Frederickson	Lessard	Pillsbury	Taylor
Bernhagen	Hanson	Lindgren	Purfeerst	Tennessen
Bertram	Hughes	Luther	Ramstad	Ulland
Brataas	Humphrey	Moe, D. M.	Rued	Vega
Chmielewski	Johnson	Moe, R. D.	Schmitz	Waldorf
Dahl	Kamrath	Nelson	Setzepfandt	Wegener
Davis	Knoll	Olhoft	Sikorski	Willet
Dicklich	Knutson	Pehler	Solon	

Those who voted in the negative were:

Davies	Menning	Peterson,C.C.	Renneke	Sieloff

So the bill passed and its title was agreed to.

H.F. No. 1751: A bill for an act relating to alcoholic beverages; increasing the maximum dollar value of equipment furnished to beer retailers by brewers and wholesalers; deleting obsolete language; amending Minnesota Statutes 1980, Sections 340.031, Subdivision 2; and 340.405.

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 5, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Peterson,R.W.	Stern
Bang	Dieterich	Kronebusch	Petty	Stokowski
Belanger	Engler	Langseth	Pillsbury	Stumpf
Benson	Frank	Lantry	Purfeerst	Taylor
Berglin	Frederick	Lessard	Ramstad	Tennessen
Bernhagen	Frederickson	Lindgren	Rued	Ulland
Bertram	Hanson	Luther	Schmitz	Vega
Brataas	Hughes	Moe, R. D.	Setzepfandt	Waldorf
Chmielewski	Humphrey	Nelson	Sieloff	Wegener
Dahl	Johnson	Pehler	Sikorski	Willet
Davies	Kamrath	Penny	Solon	
Davis	Knoll	Peterson,D.L.	Spear	

Those who voted in the negative were:

Knutson	Menning	Olhoft	Peterson,C.C.	Renneke

So the bill passed and its title was agreed to.

H.F. No. 1710: A bill for an act relating to commerce; petroleum products; providing specifications for fuel oil sold as kerosene; amending Minnesota Statutes 1980, Section 296.05, Subdivision 2, and by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Penny	Solon
Bang	Dieterich	Kronebusch	Peterson,C.C.	Spear
Belanger	Engler	Langseth	Peterson,D.L.	Stern
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Petty	Stumpf
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Ramstad	Tennessen
Bertram	Hughes	Menning	Renneke	Ulland
Brataas	Humphrey	Moe, D. M.	Rued	Vega
Chmielewski	Johnson	Moe, R. D.	Schmitz	Waldorf
Dahl	Kamrath	Nelson	Setzepfandt	Wegener
Davies	Knoll	Olhoft	Sieloff	Willet
Davis	Knutson	Pehler	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 1635: A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract of state lands to Bethlehem Lutheran Church of Waskish, Minnesota.

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:

Ashbach	Dicklich	Kronebusch	Peterson,D.L.	Spear
Bang	Dieterich	Langseth	Peterson,R.W.	Stern
Belanger	Engler	Lantry	Petty	Stokowski
Benson	Frank	Lessard	Pillsbury	Stumpf
Berg	Frederick	Lindgren	Purfeerst	Taylor
Berglin	Frederickson	Luther	Ramstad	Tennessen
Bernhagen	Hanson	Menning	Renneke	Ulland
Bertram	Hughes	Moe, R. D.	Rued	Vega
Brataas	Humphrey	Nelson	Schmitz	Waldorf
Chmielewski	Johnson	Olhoft	Setzepfandt	Wegener
Dahl	Kamrath	Pehler	Sieloff	Willet
Davies	Knoll	Penny	Sikorski	
Davis	Knutson	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

H.F. No. 1652: A bill for an act relating to game and fish; authorizing special permits to take deer with a crossbow under certain circumstances; amending Minnesota Statutes 1980, Sections 98.48, by adding a subdivision; and 100.29, Subdivision 7.

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 4, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Penny	Sikorski
Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Stern
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Pillsbury	Stumpf
Bernhagen	Frederickson	Lindgren	Purfeerst	Taylor
Bertram	Hughes	Luther	Ramstad	Tennessen
Brataas	Humphrey	Menning	Renneke	Ulland
Chmielewski	Johnson	Moe, D. M.	Rued	Waldorf
Dahl	Kamrath	Moe, R. D.	Schmitz	Wegener
Davies	Knoll	Olhoft	Setzepfandt	Willet
Davis	Knutson	Pehler	Sieloff	

Ms. Berglin; Messrs. Petty, Spear and Vega voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1831: A bill for an act relating to human rights; including sexual harassment as a form of unfair discriminatory practices for certain purposes; amending Minnesota Statutes 1980, Section 363.01, Subdivision 10, 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 64 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson,C.C.	Solon
Bang	Engler	Langseth	Peterson,D.L.	Spear
Belanger	Frank	Lantry	Peterson,R.W.	Stern
Benson	Frederick	Lessard	Petty	Stokowski
Berg	Frederickson	Lindgren	Pillsbury	Stumpf
Berglin	Hanson	Luther	Purfeerst	Taylor
Bernhagen	Hughes	Menning	Ramstad	Tennessen
Bertram	Humphrey	Moe, D. M.	Renneke	Ulland
Brataas	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Knutson	Pehler	Sieloff	Willet
Dicklich	Kroening	Penny	Sikorski	

Mr. Chmielewski voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1068: A bill for an act relating to adoption; providing for record retention; providing for services by adoption agencies; proposing new law coded in Minnesota Statutes, Chapter 259.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Penny	Solon
Bang	Dieterich	Kronebusch	Peterson,C.C.	Spear
Belanger	Engler	Langseth	Peterson,D.L.	Stern
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Petty	Stumpf
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Purfeerst	Tennessen
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Humphrey	Moe, D. M.	Renneke	Vega
Chmielewski	Johnson	Moe, R. D.	Rued	Waldorf
Dahl	Kamrath	Nelson	Schmitz	Wegener
Davies	Knoll	Olhoft	Sieloff	Willet
Davis	Knutson	Pehler	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 2011: A bill for an act relating to commerce; motor vehicle sale and distribution; providing for the termination or cancellation of franchise agreements and certain payments to be made by manufacturers in the event

thereof; specifying certain circumstances establishing good cause for entering into or relocating an additional franchise for the same line make; amending Minnesota Statutes 1981 Supplement, Sections 80E.03, Subdivision 8; 80E.07, Subdivision 1; 80E.09, Subdivisions 1, 2 and 3; 80E.11, Subdivisions 2 and 6; and 80E.14, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 80E.

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:

Bang	Dieterich	Kronebusch	Peterson,C.C.	Spear
Belanger	Engler	Langseth	Peterson,D.L.	Stern
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Petty	Stumpf
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Purfeerst	Tennessen
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Humphrey	Moe, D. M.	Renneke	Vega
Chmielewski	Johnson	Moe, R. D.	Rued	Waldorf
Dahl	Kamrath	Nelson	Schmitz	Wegener
Davies	Knoll	Olhoft	Sieloff	Willet
Davis	Knutson	Pehler	Sikorski	
Dicklich	Kroening	Penny	Solon	

So the bill passed and its title was agreed to.

S.F. No. 1682: A bill for an act relating to local government; permitting various leases and installment purchases of equipment; providing for their tax and fiscal treatment; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 297B.03; and 465.71; Minnesota Statutes 1981 Supplement, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Peterson,C.C.	Solon
Bang	Dieterich	Kronebusch	Peterson,D.L.	Spear
Belanger	Engler	Langseth	Peterson,R.W.	Stern
Benson	Frank	Lantry	Petty	Stokowski
Berg	Frederick	Lessard	Pillsbury	Stumpf
Berglin	Frederickson	Lindgren	Purfeerst	Taylor
Bernhagen	Hanson	Luther	Ramstad	Tennessen
Bertram	Hughes	Menning	Renneke	Ulland
Brataas	Humphrey	Moe, R. D.	Rued	Vega
Chmielewski	Johnson	Nelson	Schmitz	Wegener
Dahl	Kamrath	Olhoft	Setzepfandt	Willet
Davies	Knoll	Pehler	Sieloff	
Davis	Knutson	Penny	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 1283: A bill for an act relating to crimes; lengthening the statute of limitations for prosecutions for certain crimes; amending Minnesota Statutes

1980, Section 628.26.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Penny	Solon
Bang	Dieterich	Kronebusch	Peterson,C.C.	Spear
Belanger	Engler	Langseth	Peterson,D.L.	Stern
Benson	Frank	Lantry	Peterson,R.W.	Stokowski
Berg	Frederick	Lessard	Petty	Stumpf
Berglin	Frederickson	Lindgren	Pillsbury	Taylor
Bernhagen	Hanson	Luther	Ramstad	Tennessen
Bertram	Hughes	Menning	Renneke	Ulland
Brataas	Humphrey	Moe, D. M.	Rued	Vega
Chmielewski	Johnson	Moe, R. D.	Schmitz	Waldorf
Dahl	Kamrath	Nelson	Setzepfandt	Wegener
Davies	Knoll	Olhoft	Sieloff	Willet
Davis	Knutson	Pehler	Sikorski	

So the bill passed and its title was agreed to.

H.F. No. 560: A bill for an act relating to courts; costs and disbursements; authorizing the awarding of attorney's fees in certain actions or proceedings; amending Minnesota Statutes 1980, Section 549.21.

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:

Ashbach	Dicklich	Kroening	Penny	Sikorski
Bang	Dieterich	Kronebusch	Peterson,C.C.	Solon
Belanger	Engler	Langseth	Peterson,D.L.	Spear
Benson	Frank	Lantry	Peterson,R.W.	Stern
Berg	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Johnson	Moe, R. D.	Rued	Vega
Dahl	Kamrath	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Knutson	Pehler	Sieloff	Willet

So the bill passed and its title was agreed to.

H.F. No. 773: A bill for an act relating to marriage dissolution; adopting the revised uniform reciprocal enforcement of support act; proposing new law coded as Minnesota Statutes, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41 to 518.53.

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:

Ashbach	Dieterich	Kronebusch	Peterson,D.L.	Spear
Bang	Engler	Langseth	Peterson,R.W.	Stern
Belanger	Frank	Lantry	Petty	Stokowski
Benson	Frederick	Lessard	Pillsbury	Stumpf
Berg	Frederickson	Lindgren	Purfeerst	Taylor
Berglin	Hanson	Luther	Ramstad	Tennessen
Bernhagen	Hughes	Menning	Renneke	Ulland
Bertram	Humphrey	Moe, D. M.	Rued	Vega
Brataas	Johnson	Moe, R. D.	Schmitz	Waldorf
Dahl	Kamrath	Olhoft	Setzepfandt	Wegener
Davies	Knoll	Pehler	Sieloff	Willet
Davis	Knutson	Penny	Sikorski	
Dicklich	Kroening	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

S.F. No. 588: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; revising certain restrictions on highway bonds.

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 62 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson,R.W.	Stern
Bang	Engler	Langseth	Petty	Stokowski
Belanger	Frank	Lantry	Pillsbury	Stumpf
Benson	Frederick	Lessard	Purfeerst	Taylor
Berg	Frederickson	Lindgren	Ramstad	Tennessen
Berglin	Hanson	Luther	Renneke	Ulland
Bernhagen	Hughes	Menning	Rued	Vega
Bertram	Humphrey	Moe, R. D.	Schmitz	Waldorf
Brataas	Johnson	Nelson	Setzepfandt	Wegener
Chmielewski	Kamrath	Pehler	Sieloff	Willet
Dahl	Knoll	Penny	Sikorski	
Davis	Knutson	Peterson,C.C.	Solon	
Dicklich	Kroening	Peterson,D.L.	Spear	

Messrs. Davies; Moe, D.M. and Olhoft voted in the negative.

So the bill passed and its title was agreed to.

S.F. No. 2127: A bill for an act memorializing the President and Congress of the United States to take immediate steps to curb the sources of acid rain.

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:

Ashbach	Dicklich	Kroening	Peterson,C.C.	Spear
Bang	Dieterich	Langseth	Peterson,D.L.	Stern
Belanger	Engler	Lantry	Peterson,R.W.	Stokowski
Benson	Frank	Lessard	Petty	Stumpf
Berg	Frederick	Lindgren	Pillsbury	Taylor
Berglin	Frederickson	Luther	Ramstad	Tennessen
Bernhagen	Hanson	Menning	Renneke	Ulland
Bertram	Hughes	Moe, D. M.	Rued	Vega
Brataas	Humphrey	Moe, R. D.	Schmitz	Waldorf
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Dahl	Kamrath	Olhoft	Sieloff	Willet
Davies	Knoll	Pehler	Sikorski	
Davis	Knutson	Penny	Solon	

So the bill passed and its title was agreed to.

H.F. No. 1573: A bill for an act relating to crimes; prohibiting the manufacture, sale, transfer and delivery of simulated controlled substances; prohibiting their manufacture, sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.

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 6, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lantry	Peterson,R.W.	Spear
Belanger	Frank	Lessard	Petty	Stern
Benson	Frederick	Lindgren	Pillsbury	Stokowski
Berg	Frederickson	Luther	Purfeerst	Stumpf
Berglin	Hanson	Menning	Ramstad	Taylor
Bernhagen	Hughes	Moe, R. D.	Renneke	Tennessen
Bertram	Humphrey	Nelson	Rued	Vega
Chmielewski	Johnson	Olhoft	Schmitz	Waldorf
Dahl	Kamrath	Pehler	Setzepfandt	Wegener
Davies	Kroening	Penny	Sieloff	Willet
Davis	Kronebusch	Peterson,C.C.	Sikorski	
Dicklich	Langseth	Peterson,D.L.	Solon	

Those who voted in the negative were:

Brataas	Knoll	Knutson	Moe, D. M.	Ulland
Dieterich				

So the bill passed and its title was agreed to.

H.F. No. 1663: A bill for an act relating to law libraries; recodifying the laws governing county law libraries; amending Minnesota Statutes 1980, Sections 140.34; 140.35; 140.36; 140.37; 140.38; 140.39; 140.40; 140.44; 140.45; 140.46; and 480.09, Subdivision 5; proposing new law coded in Minnesota Statutes 1980, Chapter 140; repealing Minnesota Statutes 1980, Sections 140.01 to 140.20; 140.212 to 140.33; 140.41 to 140.435; Minnesota Statutes 1981 Supplement, Section 140.21.

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 62 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,R.W.	Stern
Bang	Dieterich	Lantry	Petty	Stokowski
Belanger	Engler	Lindgren	Pillsbury	Stumpf
Benson	Frank	Luther	Purfeerst	Taylor
Berg	Frederick	Menning	Ramstad	Tennessen
Berglin	Frederickson	Moe, D. M.	Renneke	Ulland
Bernhagen	Hanson	Moe, R. D.	Rued	Vega
Bertram	Hughes	Nelson	Schmitz	Waldorf
Brataas	Humphrey	Olhoft	Setzepfandt	Wegener
Chmielewski	Johnson	Pehler	Sieloff	Willet
Dahl	Knutson	Penny	Sikorski	
Davies	Kroening	Peterson,C.C.	Solon	
Davis	Kronebusch	Peterson,D.L.	Spear	

Messrs. Kamrath and Lessard voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1092: A bill for an act relating to charitable organizations; providing for registration and reporting requirements applicable to certain charitable organizations; amending Minnesota Statutes 1980, Sections 309.52, by adding subdivisions; 309.53, by adding subdivisions; 309.532, by adding a subdivision; and 309.534, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Peterson,C.C.	Solon
Bang	Dieterich	Kronebusch	Peterson,D.L.	Spear
Belanger	Engler	Langseth	Peterson,R.W.	Stern
Benson	Frank	Lantry	Petty	Stokowski
Berg	Frederick	Lessard	Pillsbury	Stumpf
Berglin	Frederickson	Lindgren	Purfeerst	Taylor
Bernhagen	Hanson	Luther	Ramstad	Tennessen
Bertram	Hughes	Menning	Renneke	Ulland
Brataas	Humphrey	Moe, D. M.	Rued	Vega
Chmielewski	Johnson	Moe, R. D.	Schmitz	Waldorf
Dahl	Kamrath	Nelson	Setzepfandt	Wegener
Davies	Knoll	Olhoft	Sieloff	Willet
Davis	Knutson	Penny	Sikorski	

So the bill passed and its title was agreed to.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Davies introduced—

S.F. No. 2220: A bill for an act relating to unclaimed property; enacting the Uniform Unclaimed Property Act 1981; amending Minnesota Statutes 1980, Sections 149.12; and 624.68; and Minnesota Statutes 1981 Supplement, Sec-

tion 80C.03; proposing new law coded in Minnesota Statutes, Chapter 345; repealing Minnesota Statutes 1980, Sections 345.31 to 345.41; 345.42, as amended; 345.43 to 345.525; 345.53, as amended; and 345.54 to 345.60; and Minnesota Statutes 1981 Supplement, Section 345.381.

Referred to the Committee on Commerce.

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

S.F. No. 2221: A bill for an act relating to health; providing benefits for the services of a clinical specialist in psychiatric/mental health nursing; amending Minnesota Statutes 1981 Supplement, Section 62A.152, Subdivision 2.

Referred to the Committee on Commerce.

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

S.F. No. 2222: A bill for an act relating to insurance; requiring health insurance benefits to include services of a registered nurse; proposing new law coded in Minnesota Statutes, Chapter 62A.

Referred to the Committee on Commerce.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson moved that the following members be excused for a Conference Committee on H.F. No. 1872:

Messrs. Johnson, Hanson, Ms. Berglin, Messrs. Sieloff and Setzepfandt. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H.F. No. 2136 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Willet 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. 2136 and that the rules of the Senate be so far suspended as to give H. F. No. 2136 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2136: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; fixing the boundaries of state parks and trails; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; proposing new law coded in Minnesota Statutes, Chapter 84.

H.F. No. 2136 was read the second time.

Mr. Willet moved to amend H.F. No. 2136 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No.

2136, and insert the language after the enacting clause, and the title, of S.F. No. 2216, as introduced.

The motion prevailed. So the amendment was adopted.

H.F. No. 2136 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 50 and nays 2, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Lindgren	Peterson,D.L.	Spear
Belanger	Frederickson	Luther	Peterson,R.W.	Stern
Bernhagen	Hughes	Menning	Petty	Stokowski
Chmielewski	Humphrey	Moe, D. M.	Pillsbury	Stumpf
Dahl	Knutson	Moe, R. D.	Purfeerst	Taylor
Davies	Kroening	Nelson	Ramstad	Tennessen
Davis	Kronebusch	Olhoft	Renneke	Ulland
Dicklich	Langseth	Pehler	Rued	Waldorf
Dieterich	Lantry	Penny	Schmitz	Wegener
Engler	Lessard	Peterson,C.C.	Sikorski	Willet

Messrs. Benson and Kamrath voted in the negative.

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

Mr. Willet moved that S.F. No. 2216 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Purfeerst moved that S.F. No. 155 be taken from the table. The motion prevailed.

Mr. Purfeerst moved that the Senate do not concur in the amendments by the House to S. F. No. 155, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

SUSPENSION OF RULES

Mr. Moe, R.D. moved, pursuant to Joint Rule 3.01, to suspend Joint Rule 2.03. The motion prevailed.

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

GENERAL ORDERS

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

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

S.F. No. 198 and H.F. Nos. 1579, 1803 and 1743, which the committee

recommends to pass.

H.F. No. 685, which the committee recommends to pass with the following amendment offered by Mr. Lessard:

Amend the amendment placed on H.F. No. 685 by the Committee on Judiciary, adopted by the Senate March 3, 1982, as follows:

Subdivision 3, first line, delete "*Upon approval of the prosecuting*"

Subdivision 3, delete the second line

After subdivision 3, insert:

"*Subd. 4. If the recovered property has a value in excess of $150, then the owner shall retain possession for at least 14 days to allow the defense attorney to examine the property.*"

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

H.F. No. 1993, which the committee recommends to pass with the following amendment offered by Mr. Stumpf:

Page 1, line 21, strike "ten" and insert "*five*"

The motion prevailed. So the amendment was adopted.

S.F. No. 1738, which the committee recommends to pass with the following amendment offered by Mr. Olhoft:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1980, Section 617.241, is amended to read:

617.241 [OBSCENE MATERIALS; DISTRIBUTION PROHIBITED; PENALTY.]

It is unlawful for any person knowingly to exhibit, sell, print, offer to sell, give away, circulate, publish, distribute, or attempt to distribute any obscene book, magazine, pamphlet, paper, writing, card, advertisement, circular, print, picture, photograph, motion picture film, play, image, instrument, statue, drawing, or other article which is obscene. "Obscene" for the purpose of this section, is defined as follows: Whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interests.

Any person violating any provision of this section shall be fined ~~not less than $20 nor more than $100 for each~~ *up to $5,000 for the first offense and up to $10,000 for the second or a subsequent* offense."

Page 3, line 16, delete "*and 2*" and insert "*to 3*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "increasing the fines for distribution of obscene material;"

Page 1, line 4, delete "Section" and insert "Sections 617.241; and"

The motion prevailed. So the amendment was adopted.

S.F. No. 1451, which the committee recommends to pass with the following

amendment offered by Mr. Lessard:

Page 1, after line 17, insert:

"Section 1. Laws 1981, Chapter 291, Section 2, Subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] A ~~waste water treatment~~ *sanitary sewer* board called the North Koochiching ~~county waste water treatment~~ *sanitary sewer* board with jurisdiction in the ~~International Falls, South International Falls and Ranier municipalities and the East Koochiching county sewer district and the Papermakers sewer district~~ *North Koochiching area sanitary district* is established as a public corporation and political subdivision with all the rights, powers, privileges, immunities and duties which may be granted to or imposed upon a municipal corporation.

Sec. 2. Laws 1981, Chapter 291, Section 2, is amended by adding a subdivision to read:

Subd. 1a. [DISTRICT.] *The North Koochiching area sanitary district is the International Falls, South International Falls and Ranier municipalities and the East Koochiching county sewer district and the Papermakers sewer district, except that if the conditions in subdivision 10 as added by section 4 of this act are not met, after December 31, 1985, the north Koochiching area sanitary district shall then be the area served by the district disposal system on that date.*

Sec. 3. Laws 1981, Chapter 291, Section 2, Subdivision 2, is amended to read:

Subd. 2. [MEMBERS AND SELECTIONS.] The board members shall be appointed by each of their governmental units in the following numbers:

International Falls 4

South International Falls 2

East Koochiching county sewer district 1

Papermakers sewer district 1

Ranier 1

The East Koochiching and Papermakers sewer districts shall each appoint their member on the board and designate the term of the member in accordance with subdivision 5, by a majority vote. *If the conditions in subdivision 10 as added by section 4 of this act are not met, after December 31, 1985 the composition of the board shall be changed, with each local government unit remaining in the district appointing one board member.*

Sec. 4. Laws 1981, Chapter 291, Section 2, is amended by adding a subdivision to read:

Subd. 10. [CONDITIONS; APPOINTMENT OF ENGINEER; BOARD COMPOSITION.] *If before January 1, 1986, the state or federal governments have not offered grants for at least 70 percent of the estimated grant eligible cost, or the board has not advertised for bids for construction, of all interceptors and treatment works which the comprehensive plan adopted pursuant to Laws 1981, Chapter 291, Section 4 identifies as critical to the integrity of the district, then:*

(a) The board shall appoint an independent consulting engineer who shall determine the actual value, as of January 1, 1982, of all real and personal property transferred to the board pursuant to Laws 1981, Chapter 291, Section 5, Subdivision 2, Clause (a) as amended by section 6 of this act.

(b) After appointing the independent consulting engineer, the composition of the board shall be changed to comply with Laws 1981, Chapter 291, Section 2, Subdivision 2.

Sec. 5. Laws 1981, Chapter 291, Section 4, Subdivision 1, is amended to read:

Subdivision 1. [BOARD PLAN AND PROGRAM.] The board shall adopt as its first comprehensive plan for the collection, treatment and disposal of waste water in the district for the period the board deems proper the comprehensive plan adopted by the joint powers board previously established for the cities of International Falls, South International Falls, and Ranier and the county of Koochiching by agreement pursuant to Minnesota Statutes, Section 471.59. The board shall prepare and adopt subsequent comprehensive plans for the collection, treatment and disposal of waste water in the district for each succeeding designated period the board deems proper. The first plan, as modified by the board, and any subsequent plan, *shall provide that no treatment facilities shall be constructed which would allow a discharge above the water intake used to supply drinking water to residents of the district, and* shall take into account the preservation and best and most economic use of water and other natural resources in the area; the preservation, uses and potential for use of lands adjoining waters of the state to be used for the disposal of waste water; and the impact the disposal system will have on present and future land use in the area affected. Plans shall include the general location of needed interceptors and treatment works, a description of the area that is to be served by the various interceptors and treatment works, a long range capital improvements program and other details the board deems appropriate. *Plans shall specifically identify those interceptors and treatment works which are critical to the integrity of the district.* In developing the plans, the board shall consult with persons designated for the purpose by the governing body of any municipal and public corporation or governmental or political subdivision or agency within the district. It shall consider the data, resources, and suggestions offered to the board by the entities and any planning agency acting on behalf of one or more of them. Each plan, when adopted, shall be followed in the district and may be revised as often as the board deems necessary.

Sec. 6. Laws 1981, Chapter 291, Section 5, Subdivision 2, is amended to read:

Subd. 2. [METHOD OF ACQUISITION.] *(a)* The board may require any local government unit to transfer to the board, *without consideration, free and clear of all encumbrances, subject only to a contingent liability pursuant to section 8, subdivision 1a, as amended by section 9 of this act* all of the unit's right, title, and interest in any interceptors or treatment works and their necessary appurtenances owned by the unit which are needed for the purpose stated in subdivision 1. Appropriate instruments of conveyance for all the transferred property shall be executed and delivered to the board by the proper officers of each local government unit concerned.

(b) All persons regularly employed by a local government unit to operate

and maintain works transferred to the board on the date on which the transfer becomes effective shall be employees of the board, in the same manner and with the same options and rights as other employees of the board.

Sec. 7. Laws 1981, Chapter 291, Section 7, is amended to read:

Sec. 7. [BUDGET.]

The board shall prepare and adopt a budget, on or before ~~September 1, 1981~~ *August 1, 1982* and annually thereafter. The budget shall show for the following calendar year or other fiscal year determined by the board estimated receipts of money from all sources, including but not limited to payments by each local government unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for:

(a) Costs of operation, administration and maintenance of the district disposal system;

(b) Costs of acquisition and betterment of the district disposal system; and

(c) Debt service, including principal and interest, on general obligation bonds and certificates issued pursuant to section 12, and any money judgments against the district.

Expenditures within these categories and others the board may determine, shall be itemized in the detail the board shall prescribe. The board and its officers, agents, and employees shall not spend money for any purpose other than debt service without having set forth the expense and its amount in the budget. No obligation to make an unbudgeted expenditure shall be enforceable except as the obligation of the person incurring it. The board may amend the budget at any time by transferring from one purpose to another any budgeted sums, except money for debt service and bond proceeds, or by increasing expenditures in any amount by which cash receipts during the budget year actually exceed the total amounts designated in the original budget. The creation of an obligation pursuant to section 12 or the receipt of a federal or state grant is a sufficient budget designation of the proceeds for the purpose for which it is authorized, and of the tax or other revenue pledged to pay the obligation, whether or not specifically included in the budget.

Sec. 8. Laws 1981, Chapter 291, Section 8, Subdivision 1, is amended to read:

Subdivision 1. [DEFINITION OF CURRENT COSTS.] The estimated cost of administration, operation, maintenance and debt service of the district disposal system to be paid by the board in a fiscal year and the estimated costs of acquisition and betterment of the system which are to be paid during the year from funds other than state or federal grants and bond proceeds and all other previously unallocated payments made by the board pursuant to this act to be allocated in the year, less any costs to be allocated to industries pursuant to subdivision 3 *and less any amounts to be received pursuant to subdivision 1a as added by section 9 of this act*, are referred to as current costs and shall be allocated by the board to the local government units in the budget for such year.

Sec. 9. Laws 1981, Chapter 291, Section 8, is amended by adding a subdivision to read:

Subd. 1a. [PAYMENT OF DIFFERENCE.] *If the area of the district and the composition of the board change pursuant to section 2, after December 31,*

1985 any local government unit remaining in the district shall pay in equal payments over 20 years, with interest at the rate of eight percent per annum, the proportionate difference in the value determined pursuant to Laws 1981, Chapter 291, Section 2, Subdivision 10, Clause (a), as amended by section 4 of this act. "Proportionate difference" in this subdivision means the difference in value determined in Laws 1981, Chapter 291, Section 2, Subdivision 10, as amended by section 4 of this act, divided by the number of remaining government units.

Sec. 10. Laws 1981, Chapter 291, Section 8, Subdivision 2, is amended to read:

Subd. 2. [METHOD OF ALLOCATION OF CURRENT COSTS.] All current costs shall be allocated to local government units in the district on a pro rata basis determined by the effluent contributed by each, less any industrial wastes for which costs have been allocated under subdivision 3, calculated on the basis of flow measurement. The projected pro rata contribution of effluent shall be made on or before ~~September 1, 1981~~ *August 1, 1982* and annually thereafter. An adjustment shall be made on or before February 1 of each succeeding year based upon the actual effluent contributed by each government entity. The adjustments shall be paid to the district or to the proper local government units. It also may be corrected by deduction from or addition to subsequent payments. The adoption or revision of a method of allocation used by the board shall be by the affirmative vote of at least two-thirds of the members of the board.

Sec. 11. Laws 1981, Chapter 291, Section 24, is amended to read:

Sec. 24. [EFFECTIVE DATE; LOCAL APPROVAL.]

~~This act~~ *Laws 1981, Chapter 291,* is effective ~~in the local government units named in section 23 upon approval by all of the government units named in section 23 and upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3.~~ *the day after final enactment of sections 1 to 11 of this chapter, pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, clause (a).*"

Page 5, line 1, delete "*3 and 4*" and insert "*14 and 15*"

Page 5, line 12, delete "*7 to 14*" and insert "*18 to 25*"

Page 5, line 16, delete "*9*" and insert "*20*"

Page 5, line 19, delete "*7 to 14*" and insert "*18 to 25*"

Page 5, lines 29 and 30, delete "*7 to 14*" and insert "*18 to 25*"

Page 6, line 24, delete "*9*" and insert "*20*"

Page 6, line 32, delete "*10*" and insert "*21*"

Page 6, line 34, delete "*11*" and insert "*22*"

Page 7, line 30, delete "*9*" and insert "*20*"

Page 8, line 17, delete "*7 to 14*" and insert "*18 to 25*"

Page 8, line 25, delete "*7 to 14*" and insert "*18 to 25*"

Page 8, line 27, delete "*7 to 14*" and insert "*18 to 25*"

Page 9, line 30, delete "*14*" and insert "*25*"

Page 10, line 22, delete "*7*" and insert "*18*"

Page 10, line 23, delete "*14*" and insert "*25*"

Page 11, line 2, delete "*10*" and insert "*21*"

Page 11, line 34, delete "*10*" and insert "*21*"

Page 12, line 20, delete "*10 and 11*" and insert "*21 and 22*"

Page 12, line 27, delete "*10 and 11*" and insert "*21 and 22*"

Page 12, line 33, delete "*10 and 11*" and insert "*21 and 22*"

Page 12, lines 35 and 36, delete "*10 and 11*" and insert "*21 and 22*"

Page 13, line 2, delete "*10*" and insert "*21*"

Page 14, line 26, delete "*10*" and insert "*21*"

Page 15, line 16, delete "*7 to 14*" and insert "*18 to 25*"

Page 15, line 17, delete "*10*" and insert "*21*"

Page 17, line 6, delete "*7 to 14*" and insert "*18 to 25*"

Renumber the sections in sequence

Page 17, after line 7, insert:

"Sec. 27. [EFFECTIVE DATE.]

Sections 1 to 11 are effective the day after final enactment."

Amend the title as follows:

Page 1, line 7, after "organizations;" insert "establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district;"

Page 1, line 13, after the second semicolon insert "Laws 1981, Chapter 291, Section 2, Subdivisions 1, 2, and by adding subdivisions; 4, Subdivision l; 5, Subdivision 2; 7; 8, Subdivisions 1, 2, and by adding a subdivision; and 24;"

The motion prevailed. So the amendment was adopted.

H.F. No.1278, which the committee reports progress, subject to the following motion:

Mr. Peterson, C.C. moved to amend H.F. No. 1278, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S.F. No.1234.)

Page 1, line 18, after "instrumentality" insert ", *provided that the views of elected appointing authorities who shall have standing to initiate interest arbitration, and who are responsible for the selection, direction, discipline, and discharge of individual employees shall be considered by the employer in the course of the discharge of their rights and duties under section 179.61 to 179.76*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 18, as follows:

Those who voted in the affirmative were:

Bang	Dahl	Kronebusch	Merriam	Ramstad
Belanger	Davis	Langseth	Pehler	Rued
Benson	Engler	Lessard	Penny	Sieloff
Berg	Frederickson	Lindgren	Peterson,C.C.	Taylor
Bertram	Hanson	Menning	Peterson,D.L.	

Those who voted in the negative were:

Berglin	Frank	Lantry	Petty	Stumpf
Chmielewski	Knoll	Luther	Solon	Vega
Davies	Knutson	Moe, D. M.	Spear	
Dicklich	Kroening	Peterson,R.W.	Stokowski	

The motion prevailed. So the amendment was adopted.

H.F. No. 1278 was then progressed.

H.F. No. 1699, which the committee recommends to pass with the following amendment offered by Mr. Rued:

Page 1, line 18, after the period, insert "*The main focus of the program shall be in building positive self-esteem in students. The program shall center not on the subject of drugs but on the problems of youth which lead to chemical abuse.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1799, which the committee recommends to pass with the following amendments, offered by Messrs. Chmielewski, Hanson and Solon:

Mr. Chmielewski moved to amend H.F. No. 1799, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S.F. No.1794.)

Page 2, line 33, strike ", excluding home health services,"

Page 3, line 1, before the semicolon, insert ". *This clause does not apply to home health services or establishment of other services that are not reviewable under paragraph (a) (2)*"

The motion prevailed. So the amendment was adopted.

Mr. Hanson moved to amend H. F. No. 1799, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1794.)

Page 2, after line 3, insert:

"Sec. 2. Minnesota Statutes 1980, Section 144A.04, Subdivision 5, is amended to read:

Subd. 5. Except as otherwise provided by this subdivision, a nursing home must have a full time licensed nursing home administrator serving the facility. In any nursing home of less than 25 beds, the director of nursing services may also serve as the licensed nursing home administrator. Two nursing homes having a total of 100 beds or less and located within 50 miles of each other may share the services of a licensed administrator if the administrator divides his full time work week between the two facilities in proportion to the number of beds in each facility. Every nursing home shall have a person-in-charge on the premises at all times in the absence of the licensed administrator. The name of the person in charge must be posted in a conspicuous place in the facility. The commissioner of health shall by rule promulgate minimum education and experience requirements for persons-in-charge, and may promulgate rules specifying the times of day during which a licensed administrator must be on the nursing home's premises. A nursing home may employ as its administrator the ~~registered~~ administrator of a hospital licensed pursuant to sections 144.50

to 144.56 if the individual is licensed as a nursing home administrator pursuant to section 144A.20 and the nursing home and hospital have a *combined* total of 150 beds or less~~, are under the same governing body~~ and are located within ~~one-half~~ *one* mile of each other. A nursing home which is located in a facility licensed as a hospital pursuant to sections 144.50 to 144.56, may employ as its administrator the ~~registered~~ administrator of the hospital if the individual meets minimum education and long term care experience criteria set by rule of the commissioner of health."

Page 13, line 12, delete "*5, 9 and 10*" and insert "*6, 10, and 11*"

Page 13, line 13, delete "*6 to 8 and 11*" and insert "*7 to 9 and 12*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "allowing certain nursing homes and hospitals to share an administrator;"

Page 1, line 7, after "Sections" insert "144A.04, Subdivision 5;"

The motion prevailed. So the amendment was adopted.

Mr. Solon moved to amend H. F. No. 1799, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1794.)

Page 12, line 34, delete "*Janaury*" and insert "*January*"

The motion prevailed. So the amendment was adopted.

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

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Sikorski moved that the Committee Reports at the Desk be now adopted with the exception of the report on H.F. No. 1532. The motion prevailed.

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

H.F. No. 1532: A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; proposing new law coded in Minnesota Statutes, Chapter 145.

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

Delete everything after the enacting clause and insert:

"Section 1. [604.06] [RESTRICTION ON TORT ACTIONS AND DEFENSES.]

No person shall maintain a cause of action or receive an award of damages on behalf of himself based on the claim that he should or would have been

aborted. That a person does not have an abortion is not a defense nor a factor in mitigation of damages in any action.''

Amend the title as follows:

Page 1, line 2, delete ''the''

Page 1, line 3, delete ''and wrongful birth''

Page 1, line 4, delete the first comma and insert ''or''

Page 1, line 4, delete '', or a''

Page 1, line 5, delete ''penalty''

Page 1, line 7, delete ''145'' and insert ''604''

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

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

H.F. No. 603: A bill for an act relating to eminent domain; limiting the authority to acquire certain property by condemnation; repealing certain obsolete provisions of law authorizing acquisition by condemnation; changing certain obsolete language; amending Minnesota Statutes 1980, Sections 84.033; 84.154, Subdivision 3; 84A.10; 84A.39; 84A.55, Subdivision 13; 85.015, Subdivisions 12 and 13; 88.09, Subdivision 2; 89.032, Subdivision 1; 105.39, Subdivision 4; 123.64; 136.65, Subdivision 1; 137.01, Subdivision 2; 137.02, Subdivisions 1 and 3; 190.11; 193.143; 193.144, Subdivisions 2 and 3; 459.06, Subdivision 1; 463.03; and 641.263, Subdivision 2; repealing Minnesota Statutes 1980, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 163.12; 193.144, Subdivision 4; and 308.39.

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

Delete everything after the enacting clause and insert:

''Section 1. Minnesota Statutes 1980, Section 84.033, is amended to read:

84.033 [SCIENTIFIC AND NATURAL AREAS.]

The commissioner of natural resources may acquire by gift, lease, easement, or purchase, in the manner prescribed under chapter 117, in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining scientific and natural areas. The commissioner shall designate any land ~~so~~ acquired as a scientific and natural area and shall administer ~~any land so acquired and designated~~ *it* as provided by section 86A.05, *subdivision 5. The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this section.*

Sec. 2. Minnesota Statutes 1980, Section 84.154, Subdivision 3, is amended to read:

Subd. 3. [POWERS OF COMMISSIONER.] The commissioner of natural resources may *(1)* use for any ~~project herein~~ authorized *project* any land of the state under his jurisdiction or control ~~so far as~~ *if the use* is ~~not inconsistent~~

consistent with the laws governing ~~the same, may~~ *it, (2)* acquire by purchase~~,~~ *or* gift~~, or condemnation~~ any additional lands or interests in lands required for ~~such~~ *the* projects, including lands or interests in adjacent states if authorized by ~~the~~ *their* laws ~~thereof, may~~ *, (3)* accept gifts or grants of money or property from the United States or any other source for ~~such~~ *the* projects, ~~may~~ *(4)* use and apply any money or property ~~so~~ received in accordance with the terms of the gift or grant ~~so far as~~ *if the use* is ~~not inconsistent~~ *consistent* with the provisions of ~~this act or other laws~~ *state law*, ~~may~~ *(5)* act in behalf of the state as sponsor for any ~~such~~ project undertaken or authorized by the United States, ~~may~~ *(6)* make any sponsor's contributions required for any ~~such~~ project out of moneys ~~appropriated by Laws 1943, Chapter 476, or otherwise~~ made available ~~therefor~~ *for it*, and ~~may~~ *(7)* cooperate with the United States or any adjacent state or any authorized agency of either in constructing, maintaining and operating any ~~such~~ project upon ~~such~~ *the* terms and conditions ~~as~~ he ~~may deem~~ *deems* proper ~~not inconsistent~~ *if it is consistent* with the laws of this state.

Sec. 3. Minnesota Statutes 1980, Section 84A.10, is amended to read:

84A.10 [~~EMINENT DOMAIN~~ *ACQUISITION OF LAND.*]

The department ~~is hereby authorized and empowered to~~ *may* acquire~~, by exercise of the right of eminent domain, which right is hereby given it, to be exercised in the manner provided in chapter 117, or~~ by *gift or* purchase~~,~~ any lands or interests in lands in this preserve and hunting ground which the department ~~shall deem~~ *deems* necessary for state ownership, use, or development for the purposes of sections 84A.01 to 84A.11. No moneys shall be used for the purposes specified in this section ~~until and~~ unless the department ~~shall have determined~~ *determines* that ~~such~~ *the* moneys will not be required to meet the requisitions of the counties authorized under section 84A.04~~,~~ or for payment of *principal and interest on* certificates of indebtedness ~~and interest thereon~~.

Sec. 4. Minnesota Statutes 1980, Section 84A.39, is amended to read:

84A.39 [DEPARTMENT ~~SHALL HAVE RIGHT OF EMINENT DOMAIN~~ *MAY ACQUIRE LANDS.*]

The department ~~is hereby authorized and empowered to~~ *may* acquire ~~by exercise of the right of eminent domain, which right is hereby given it, to be exercised in the manner provided in chapter 117, or~~ by *gift or* purchase~~,~~ any privately-owned lands or interests in lands within the boundaries of any ~~such~~ project which it ~~shall deem~~ *deems* necessary for state ownership, use, or development for the purposes of sections 84A.31 to 84A.42~~; provided, that~~ . No moneys shall be used for the purposes specified in this section ~~until and~~ unless the department and the commissioner of finance ~~shall have determined~~ *determine* that ~~such~~ *the* moneys will not be required to meet the requisitions of the counties authorized under section 84A.33 or for the payment of *principal and interest on* certificates of indebtedness ~~and interest thereon herein provided for~~.

Sec. 5. Minnesota Statutes 1980, Section 84A.55, Subdivision 13, is amended to read:

Subd. 13. [LAND ACQUISITION.] The commissioner may acquire by *gift or* purchase ~~or condemnation~~ any land or interest ~~therein~~ *in land* or any public work or project or right ~~therein~~ *in it* which may be necessary for any *authorized* purpose ~~herein authorized~~.

Sec. 6. Minnesota Statutes 1980, Section 88.09, Subdivision 2, is amended

to read:

Subd. 2. [PURCHASE, LEASE, OR CONDEMNATION.] *If no suitable state lands are available,* the commissioner may on behalf of the state~~, where no suitable state lands are available,~~ purchase, lease or acquire easements on small tracts or parcels of lands, not exceeding 40 acres in area, or costing more than $1500 for any single tract~~, to~~ . *The land acquired shall* be used as locations for fire lookout towers, warehouses, or other buildings of any kind, or as locations for fire-breaks, or for any other use which he ~~may deem~~ *deems* suitable~~;~~ . *He may* also acquire by condemnation any tract of land, not exceeding 40 acres, for these purposes~~;~~ . *He may* also acquire, by gift, purchase, or condemnation, any easement or right of way ~~that may be~~ necessary to provide access to any tract of land ~~so~~ acquired. *The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this section.*

Sec. 7. Minnesota Statutes 1980, Section 89.032, Subdivision 1, is amended to read:

Subdivision 1. [LAND ACQUISITION.] The commissioner may acquire ~~administrative sites or~~ rights of way by eminent domain, in the manner provided by law, or by purchase any lands or interest in lands in the state forests as created by law, which he ~~shall deem~~ *deems* necessary for state use, and development. *The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this section.*

Sec. 8. Minnesota Statutes 1980, Section 105.39, Subdivision 4, is amended to read:

Subd. 4. [POWER TO ACQUIRE PROPERTY; EMINENT DOMAIN.] The commissioner ~~shall have the power to~~ *may* acquire title to any private property for any authorized purpose by purchase or by the exercise of the right of eminent domain~~; and~~ . The use of ~~such~~ *the* property in the furtherance of lawful projects under sections 105.37 to 105.55 is ~~hereby~~ declared to be a public purpose. On request by the commissioner, the attorney general shall ~~proceed to~~ acquire the necessary title to private property for ~~such~~ use under the provisions of ~~Minnesota Statutes 1945,~~ chapter 117. *The commissioner shall obtain approval from the governor before instituting condemnation proceedings under this subdivision.*

Sec. 9. Minnesota Statutes 1980, Section 123.64, is amended to read:

123.64 [AGRICULTURAL EDUCATION.]

The board of any district in which instruction in agriculture is afforded ~~is authorized and empowered to~~ *may* purchase ~~or otherwise acquire by condemnation proceedings as provided for acquiring schoolhouse sites in the name and in behalf of such district,~~ a suitable tract of land either within or without the limits of ~~such~~ *the* district to be used for the purpose of instruction, experimentation, and demonstration in agriculture. The provisions of this section ~~shall~~ *also* apply ~~as well~~ to districts organized under special acts ~~as under the general laws~~, notwithstanding any provisions ~~or restrictions~~ in the laws under which ~~the same~~ *they* are organized.

Sec. 10. Minnesota Statutes 1980, Section 136.65, Subdivision 1, is amended to read:

Subdivision 1. [LAND SITES.] A city, county, school district, or unorganized territory, or other body corporate and politic may~~,~~ ~~either~~ jointly or severally~~,~~ acquire by gift~~,~~ *or* purchase~~,~~ ~~or condemnation~~ a site for a community college if the site has been designated by the state board for community colleges as the site of a community college~~,~~ ~~and~~ . *It* may convey ~~any such~~ *the* site to the state ~~of Minnesota~~ for community college purposes. Any of the governmental instrumentalities named in this section may convey to the state board for community colleges for community college purposes any of its lands not needed for its purposes, if ~~such~~ *the* lands are included in a site designated by the ~~state~~ board ~~for community colleges~~ as the site of a community college.

Sec. 11. Minnesota Statutes 1980, Section 137.01, Subdivision 2, is amended to read:

Subd. 2. [HOW USED.] If the purposes of the gift, grant, devise, or bequest are not otherwise limited by the donor, the University of Minnesota may use ~~the same~~ *it*, or the proceeds ~~thereof~~ *from it*, for any of the purposes of the university and may, among other things, construct buildings and acquire lands. ~~In case it is desired to use the same for the acquisition of land, the power of eminent domain may be exercised in accordance with chapter 117.~~

Sec. 12. Minnesota Statutes 1980, Section 137.02, Subdivision 1, is amended to read:

Subdivision 1. [TRANSPORTATION BETWEEN UNIVERSITY CAMPUS AND FARM.] The board of regents is ~~hereby~~ authorized to provide adequate means for ~~safe, convenient, and rapid~~ *(1) the* transportation of persons, supplies, and materials between the university farm and the university campus ~~and~~ , *(2)* the transportation of persons ~~from~~ *between* intermediate points ~~to either~~ *and* the university campus or the university farm ~~and from the university campus or university farm to intermediate points and for~~ , *and (3)* the transportation of supplies and materials to and from the university farm by means of a connection with the belt line railway operated by the Minnesota Transfer Railway Company~~;~~ ~~and to that end~~ . The board of regents is ~~hereby~~ authorized to *(1)* acquire by gift, purchase, ~~condemnation,~~ or otherwise ~~such~~ *the* rights-of-way ~~as may be deemed~~ necessary ~~and to~~ , *(2)* construct, maintain, and operate lines of railway ~~thereon~~ *on them*, and ~~to make such contracts~~ *(3) contract* with any railway company for trackage rights, track connections, and motive power or for the hiring of rolling stock or for the operation of ~~the same as may be found necessary or expedient in carrying out the provisions of~~ *it to implement* this subdivision. The board of regents shall prescribe the ~~rate of~~ fares ~~which shall~~ *to* be charged for the transportation of persons~~,~~ ~~which~~ . *The* fares ~~when~~ collected shall be kept in a separate fund and used to defray the expense of maintaining and operating ~~such~~ *the* railway.

Sec. 13. Minnesota Statutes 1980, Section 137.02, Subdivision 3, is amended to read:

Subd. 3. [~~POWER OF EMINENT DOMAIN GRANTED~~ *PURCHASE OF LAND*.] The board of regents may use any money not specifically appropriated for other purposes for acquiring land by purchase ~~or condemnation. In case it is desired to use the fund for the acquisition of land by eminent domain, the power of eminent domain shall be exercised in accordance with chapter 117~~.

Sec. 14. Minnesota Statutes 1980, Section 190.11, is amended to read:

190.11 [CAMP GROUNDS AND MILITARY RESERVATIONS.]

The adjutant general shall have charge of the camp grounds and military reservations of the state ~~and~~ . *He* shall be responsible for ~~the~~ *their* protection and safety ~~thereof, and~~ . *He shall* promulgate ~~regulations~~ *rules* for the maintenance of order ~~thereon~~ *for them*, for the enforcement of traffic rules and ~~for all other lawful regulations as may be ordered~~ for the operation, care and preservation of existing facilities and installations on all state military reservations.

He shall ~~keep in~~ repair all state buildings~~,~~ and other improvements ~~thereon~~ *on them*, including water pipes laid by the state on highways leading ~~thereto~~ *to them,* and ~~of~~ all military property connected with the grounds. He may make ~~such~~ further improvements ~~thereon~~ as ~~the good of the service requires~~ *required.*

~~Private property may be acquired by condemnation, upon the application of the adjutant general, for camp ground, rifle range, and other military purposes. All damages, cost, and expense incurred in condemning such property shall be paid by the state treasurer, upon certificate of the adjutant general and warrant of the commissioner of finance, from any unexpended balance of the military fund after meeting the demands of the national guard.~~

Sec. 15. Minnesota Statutes 1980, Section 193.143, is amended to read:

193.143 [STATE ARMORY BUILDING COMMISSION, POWERS.]

Subdivision 1. [GENERAL POWERS.] ~~Such~~ *The* corporation, subject to the ~~conditions and limitations prescribed in~~ *provisions of* sections 193.141 to 193.149, ~~shall possess~~ *has* all the powers of a body corporate necessary and convenient to accomplish the objectives and perform the duties prescribed by sections 193.141 to 193.149, including ~~the following, which shall not be construed as a limitation upon the general powers hereby conferred~~ , *but not limited to, the power*:

(1) To acquire by lease, purchase, *or* gift ~~or condemnation proceedings~~ all necessary ~~right, title and~~ interest in ~~and to~~ the lands required for a site for a new armory and all other real or personal property required for the purposes contemplated by the military code ~~and~~ *;* to hold and dispose of the ~~same, subject to the conditions and limitations herein prescribed; provided that~~ *lands and property*. Any ~~such~~ real or personal property or interest ~~therein~~ *in it* may be ~~so~~ acquired or accepted subject to any condition which may be imposed ~~thereon~~ *on it* by the grantor or donor and agreed to by ~~such~~ *the* corporation ~~not inconsistent~~ *consistent* with the proper use of ~~such~~ *the* property by the state for armory or military purposes ~~as herein provided~~.

~~(2) To exercise the right of eminent domain in the manner provided by chapter 117, for the purpose of acquiring any property which such corporation is herein authorized to acquire by condemnation; provided, that the corporation may take possession of any such property so to be acquired at any time after the filing of the petition describing the same in condemnation proceedings; provided further, that this shall not preclude the corporation from abandoning the condemnation of any such property in any case where possession thereof has not been taken.~~

~~(3)~~ *(2)* To construct and equip new armories ~~as authorized herein~~; to pay ~~therefor~~ *for them* out of the funds ~~obtained as hereinafter~~ provided ~~and~~ *;* to hold, manage, and dispose of ~~such~~ *the* armory, equipment, and site ~~as hereinafter provided~~. The total amount of bonds issued ~~on account of such~~ *for* armories shall not exceed the amount of ~~the~~ *their* cost ~~thereof~~; ~~provided also, that~~ *and* the total *outstanding* bonded indebtedness of the commission shall not at any time exceed ~~the aggregate sum of~~ $4,500,000.

~~(4)~~ *(3)* To sue and be sued.

~~(5)~~ *(4)* To ~~contract and be contracted with in any matter connected with any purpose or activity within the powers of such corporations as herein specified~~ *enter into contracts*; provided, that no officer or member of ~~such~~ *the* corporation shall be personally interested, directly or indirectly, in any contract in which ~~such~~ *the* corporation is interested.

~~(6)~~ *(5)* To employ ~~any and all professional and non-professional services and all~~ agents~~,~~ *and* employees~~, workmen and servants necessary and proper~~ for the purposes and activities of ~~such~~ *the* corporation ~~as authorized or contemplated herein~~ and ~~to~~ pay ~~for the same~~ *them* out of any portion of the income of the corporation available for ~~such~~ *the corporation's* purposes or activities. The officers and members of ~~such~~ *the* corporation shall not receive any compensation ~~therefrom~~ *from it*, but may receive their reasonable and necessary expenses incurred in connection with the performance of their duties~~; provided however, that~~ . Whenever the duties of any member of the commission require his full time and attention the commission may compensate him ~~therefor~~ at ~~such~~ rates ~~as~~ it ~~may determine~~ *determines*.

~~(7)~~ *(6)* To borrow money and issue bonds for the purposes ~~and in the manner and within the limitations herein specified,~~ *of armory construction and equipment* and to pledge ~~any and all~~ *the* property and income of ~~such~~ *the* corporation ~~acquired or received as herein provided~~ to secure the payment of ~~such~~ *the* bonds~~, subject to the provisions and limitations herein prescribed~~, and to redeem ~~any such~~ *the* bonds if ~~so provided therein~~ *required by their terms* or ~~in~~ the mortgage or trust deed accompanying ~~the same~~ *them*.

~~(8)~~ *(7)* To use ~~for the following purposes any available~~ moneys received by ~~such~~ *the* corporation from any source ~~as herein provided~~ in excess of ~~those required~~ *the moneys needed* for the payment of the cost of ~~such~~ *the* armory and for the payment of any bonds issued by the corporation and interest ~~thereon~~ *on them* according to the terms of ~~such~~ *the* bonds or of any mortgage or trust deed accompanying ~~the same~~ *them:*

(a) To pay the necessary incidental expenses of carrying on the business and activities of the corporation ~~as herein authorized~~;

(b) To pay the cost of operating, maintaining, repairing, and improving ~~such~~ new armories;

(c) If any further excess moneys remain, to purchase upon the open market ~~at or above or below the face or par value thereof~~ any bonds issued by the corporation ~~as herein authorized; provided, that~~ . Any bonds ~~so purchased~~ *repurchased* shall ~~thereupon~~ be canceled.

~~(9)~~ *(8)* To adopt and use a corporate seal.

~~(10)~~ *(9)* To adopt ~~all needful~~ bylaws, rules, and regulations for the conduct of business and affairs of ~~such~~ *the* corporation and for the management and use of all armories while under the ownership and control of ~~such~~ *the* corporation ~~as herein provided, not inconsistent with the use of such armory for armory or military purposes~~.

~~(11) Such~~ *Subd. 2.* [PROHIBITIONS.] *(1) The* corporation shall issue no stock.

~~(12)~~ *(2)* No officer or member of ~~such~~ *the* corporation shall have any personal share or interest in any funds or property of the corporation or be subject to any personal liability by reason of any liability of the corporation.

~~(13)~~ *Subd. 3.* [FUND.] *(1)* The Minnesota state armory building commis-

sion created under section 193.142 shall keep all moneys and credits received by it as a single fund, to be designated as the "Minnesota State Armory Building Commission Fund," with separate accounts for each armory~~; and~~ . The commission may ~~make transfers of~~ *transfer* moneys from funds ~~appertaining~~ *credited* to any armory under its control for use for any other ~~such~~ armory~~; provided such~~ . *The* transfers shall be made only from moneys on hand~~, from time to time,~~ in excess of the amounts required to meet payments of interest or principal on bonds or other obligations ~~appertaining to~~ *of* the armory to which ~~such~~ *the* funds ~~pertain~~ *are credited* and only when necessary to pay expenses of operation, maintenance and debt service of ~~such~~ *the* other armory~~; provided further, no such~~ . *The commission shall not* transfer ~~of~~ any moneys paid for the support of any armory by the municipality in which ~~such~~ *the* armory is situated ~~shall be made by the commission~~.

~~(14)~~ *(2)* The corporation created under section 193.142 may designate one or more state or national banks as depositories of its funds, and may provide, upon ~~such~~ *any* conditions as the corporation ~~may determine~~ *determines*, that the treasurer of the corporation shall be exempt from personal liability for loss of funds deposited in ~~any such~~ *the* depository due to the insolvency or other acts or omissions of ~~such~~ *the* depository.

~~(15)~~ *Subd. 4.* [GOVERNOR'S POWERS.] The governor ~~is empowered to~~ *may* apply for grants of money, equipment and materials ~~which may be~~ made available to the states by the federal government for leasing, building and equipping armories for the use of the military forces of the state which are reserve components of the armed forces of the United States, whenever he is satisfied that the conditions under which ~~such~~ *the* grants are offered by the federal government, are for the best interests of the state and are ~~not inconsistent~~ *consistent* with the laws of the state relating to armories~~, and to~~ . *He may* accept ~~such~~ *the* grants in the name of the state. The Minnesota state armory building commission is designated as the agency of the state to receive ~~such~~ *the* grants and ~~to~~ use them for armory purposes as prescribed in this chapter, and by federal laws~~,~~ and regulations ~~not inconsistent therewith~~ *consistent with them.*

Sec. 16. Minnesota Statutes 1980, Section 193.144, Subdivision 2, is amended to read:

Subd. 2. [ACQUISITION OF SITE; CONVEYANCE TO CORPORATION.] If ~~such~~ *a* county or municipality ~~shall desire~~ *desires* to have a new armory constructed, ~~such county or municipality~~ *it* may secure by purchase ~~,~~ *or* gift~~, or condemnation,~~ and may convey to ~~such~~ *the* corporation, a site for ~~such~~ *the* new armory *if it is* approved as suitable ~~therefor~~ by the adjutant general. In case ~~such~~ *the* site or any part ~~thereof~~ *of it* or interest ~~therein~~ *in it* is owned or controlled by the board of park commissioners of ~~such~~ *the* county or municipality or by any other governmental agency ~~therein~~ except the state or county or municipality, ~~such~~ *the* board or other agency may convey ~~the same~~ *it* by way of gift or sale to ~~such~~ *the* corporation without charge.

Sec. 17. Minnesota Statutes 1980, Section 193.144, Subdivision 3, is amended to read:

Subd. 3. [OUTSTANDING OWNERSHIP OR INTEREST.] ~~In case~~ *If* any person or corporation except ~~such~~ *the* county, municipality or board of park commissioners or other governmental agency ~~hereinbefore referred to shall own~~ *owns* any lands required for ~~such~~ *the* site, whether provided under sub-

division 2 or under this ~~section~~ *subdivision*, or any interest in ~~any such~~ *the* lands which would interfere with ~~the~~ *their* use ~~thereof~~ by the state for armory or military purposes, ~~such~~ *the* county ~~or~~ , municipality ~~or such~~ , board of park commissioners or other governmental agency may acquire ~~such~~ *the* lands or interest by purchase~~,~~ *or* gift~~, or condemnation~~ and may convey ~~the same~~ *them* by way of gift or sale to ~~such~~ *the* corporation~~; provided, that notwithstanding any such outstanding ownership or interest, such~~ . *The* corporation may, ~~in its discretion,~~ with the approval of the adjutant general, accept a conveyance of ~~such~~ *the* lands and interests in lands for ~~such~~ *the* site ~~as may be~~ owned or controlled by ~~such~~ *the* county, municipality, board of park commissioners, or other governmental agency~~, and may~~ *or* acquire by purchase~~,~~ *or* gift~~, or condemnation~~ any further lands or interests in lands that may be required for ~~such~~ *the* site.

Sec. 18. Minnesota Statutes 1980, Section 459.06, Subdivision 1, is amended to read:

Subdivision 1. [ACCEPT DONATIONS.] Any county, city, or town in this state, by resolution of ~~the~~ *its* governing body ~~thereof~~, may accept donations of land that ~~such~~ *the* governing body ~~may deem~~ *deems* to be better adapted for the production of timber and wood than for any other purpose~~, for a forest, and~~ . *It* may manage the ~~same~~ *forest* on forestry principles. The donor of ~~not less than~~ 100 acres *or more* of ~~any such~~ land ~~shall be entitled to~~ *may* have ~~the same~~ *it* perpetually bear his ~~or her~~ name. The governing body of any city, or town in this state, when funds are available or have been levied ~~therefor~~ *for it*, may, when authorized by a majority vote by ballot of the voters voting at any general or special city election or town meeting where ~~such~~ *the* question is properly submitted, purchase ~~or obtain by condemnation proceedings, and preferably at the sources of streams,~~ any tract of land for a forest which is better adapted for the production of timber and wood than for any other purpose, and which is conveniently located, *preferably at the source of a stream,* for the purpose~~, and~~. *It may* manage the ~~same~~ *land* on forestry principles~~;~~ . The selection of ~~such~~ *the* lands and ~~the~~ *their* plan of management ~~thereof~~ shall ~~have the approval of~~ *be approved by* the director of lands and forestry. ~~Such~~ *The* city or town is authorized to levy and collect an annual tax ~~of~~ not exceeding one and two-thirds mills on the dollar of its assessed real estate valuation, in addition to all other taxes authorized or permitted by law, to procure and maintain ~~such~~ *the* forests.

Sec. 19. Minnesota Statutes 1980, Section 463.03, is amended to read:

463.03 [ALONG PARKS AND PARKWAYS.]

Any *elected* board of park commissioners having control of any park or parkway may ~~in like manner~~ acquire building line easements along ~~the same~~ *it*, or any portion ~~thereof~~ *of it*.

Sec. 20. Minnesota Statutes 1980, Section 641.263, Subdivision 2, is amended to read:

Subd. 2. [ACQUISITION OF SITE, BUILDINGS.] The regional jail board may lease suitable premises or acquire by gift~~,~~ *or* purchase~~, or condemnation proceedings instituted in the name of the counties~~ a suitable site, and erect on the site buildings suitable for a regional jail. ~~Condemnation proceedings shall be conducted in the manner provided in chapter 117.~~ No premises shall be leased, site acquired, or building erected without the approval of the county board of each cooperating county and the commissioner of corrections. The regional jail board may by resolution enter into a lease agreement with any statutory or home rule charter city situated within any of the counties, in the

same manner and with the same force and effect as a county acting under the provisions of section 641.24~~; provided that~~ . Any ~~such~~ lease agreement, and any amendment ~~thereto~~ *to it*, shall be approved by the county board of each cooperating county before it is executed.

Sec. 21. [REPEALER.]

Minnesota Statutes 1980, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 163.12; 193.144, Subdivision 4; and 308.39; are repealed.

Sec. 22. [EFFECTIVE DATE.]

Sections 2 to 21 are effective the day following final enactment, and shall apply to any action in which the petition for condemnation is filed with the district court on or after that date.''

Amend the title as follows:

Page 1, line 8, delete ''85.015, Subdivisions 12 and 13;''

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

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

S.F. No. 1143: A bill for an act relating to minors; permitting blood donation by minors; providing circumstances under which minors are emancipated; providing procedures for a declaration of emancipation; amending Minnesota Statutes 1980, Section 145.41; and proposing new law coded in Minnesota Statutes, Chapter 260.

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

Delete everything after the enacting clause and insert:

''Section 1. Minnesota Statutes 1980, Section 145.41, is amended to read:

145.41 [BLOOD DONATIONS, AGE OF DONOR.]

~~Any person of the age of 17 years or over shall be eligible to donate blood in any voluntary and noncompensatory blood program without the necessity of obtaining parental permission or authorization.~~ *A minor aged 15 or 16 years with parental consent or aged 17 years without parental consent may donate blood in any voluntary and noncompensatory blood program. The minor's consent is not subject to disaffirmance on grounds of minority.*

Sec. 2. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:

Subd. 19. [DESIGNATED COUNTY AGENCY.] *''Designated county agency'' means the agency designated by the county board pursuant to section 256E.08, subdivision 3, to provide social services.*

Sec. 3. Minnesota Statutes 1981 Supplement, Section 260.111, Subdivision 2, is amended to read:

Subd. 2. [JURISDICTION OVER OTHER MATTERS RELATING TO CHILDREN.] Except as provided in clause (d), the juvenile court has original and exclusive jurisdiction in proceedings concerning:

(a) The termination of parental rights to a child in accordance with the provisions of sections 260.221 to 260.245.

(b) The appointment and removal of a juvenile court guardian of the person for a child, where parental rights have been terminated under the provisions of sections 260.221 to 260.245.

(c) Judicial consent to the marriage of a child when required by law.

(d) Adoptions. The juvenile court in those counties in which the judge of the probate-juvenile court has been admitted to the practice of law in this state shall proceed under the laws relating to adoptions in all adoption matters. In those counties in which the judge of the probate-juvenile court has not been admitted to the practice of law in this state the district court shall proceed under the laws relating to adoptions in all adoption matters.

(e) The review of the foster care status of a child who has been placed in a residential facility, as defined in section 257.071, subdivision 1, pursuant to a voluntary release by his parent or parents.

(f) Petitions for emancipation and for the rescission of emancipation.

Sec. 4. Minnesota Statutes 1980, Section 260.131, Subdivision 2, is amended to read:

Subd. 2. [PETITION.] The petition shall be verified by the person having knowledge of the facts and may be on information and belief. Unless otherwise provided by rule or order of the court, *and except in the case of petitions for emancipation or rescission of emancipation,* the county attorney shall draft the petition upon the showing of reasonable grounds to support the petition.

Sec. 5. Minnesota Statutes 1980, Section 260.135, Subdivision 3, is amended to read:

Subd. 3. [NOTICE TO AGENCY.] If a petition alleging neglect, or dependency, or a petition to terminate parental rights is initiated by a person other than a representative of the department of public welfare or *the designated* county ~~welfare board~~ *agency, or if a petition for emancipation or rescission of emancipation is filed,* the clerk of the court shall notify the *designated* county ~~welfare board~~ *agency* of the pendency of the case and of the time and place appointed.

The designated county agency may investigate the feasibility of emancipation of a minor when a valid petition for emancipation has been filed, and may recommend to the court that emancipation be granted or denied. If the designated county agency makes a recommendation, its reasons shall be included in the record.

Sec. 6. Minnesota Statutes 1980, Section 260.141, Subdivision 1, is amended to read:

Subdivision 1. [SERVICE OF SUMMONS, NOTICE.] (a) Service of summons or notice required by section 260.135 shall be made upon the following persons in the same manner in which personal service of summons in civil actions is made:

(1) in all delinquency matters, upon the person having custody or control of the child and upon the child; and

(2) in all other matters, upon the person having custody or control of the child, and upon the child if he is more than 12 years of age. *In a proceeding for emancipation or rescission of emancipation involving a minor who is an Indian under the Indian Child Welfare Act of 1978, service also shall be made upon the minor's tribe, which shall be a party to the proceeding. In a proceeding for emancipation or rescission of emancipation involving a minor who is under the supervision of a probation officer or social worker, service shall be made on the probation officer or social worker, and the department or agency employing the probation officer or social worker shall be a party. In all proceedings for emancipation or rescission of emancipation service shall be made on the minor's parents or guardian unless service is waived in the petition.*

Personal service shall be effected at least 24 hours before the time of the hearing; however, it shall be sufficient to confer jurisdiction if service is made at any time before the day fixed in the summons or notice for the hearing, except that the court, if so requested, shall not proceed with the hearing earlier than the second day after the service. If personal service cannot well be made within the state, a copy of the summons or notice may be served on the person to whom it is directed by delivering a copy ~~thereof~~ to ~~such~~ *the* person personally outside the state. ~~Such~~ *Personal* service ~~if made personally~~ outside the state ~~shall be~~ *is* sufficient to confer jurisdiction~~; providing however~~ *if* it ~~be~~ *is* made at least five days before the date fixed for hearing in ~~such~~ *the* summons or notice.

(b) If the court is satisfied that personal service of the summons or notice cannot ~~well~~ be made, it shall ~~make an~~ order ~~providing for the~~ service of summons or notice by certified mail addressed to the last known addresses of ~~such~~ *the* persons, and by ~~one weeks~~ *seven days* published notice as provided in section 645.11. A copy of the notice shall be sent by certified mail at least five days before the time of the hearing or 14 days if mailed to addresses outside the state.

(c) Notification to the *designated* county ~~welfare board~~ *agency* required by section 260.135, subdivision 3, shall be in ~~such~~ *the* manner as the court ~~may direct~~ *directs. The designated county agency shall be a party to any emancipation proceeding.*

Sec. 7. Minnesota Statutes 1980, Section 260.155, Subdivision 2, is amended to read:

Subd. 2. [APPOINTMENT OF COUNSEL.] The minor, parent, guardian or custodian have the right to effective assistance of counsel. If they desire counsel but are unable to employ it, the court shall appoint counsel to represent the minor or his parents or guardian in any other case in which it feels that ~~such~~ an appointment is desirable.

Sec. 8. Minnesota Statutes 1980, Section 260.185, Subdivision 1, is amended to read:

Subdivision 1. [DISPOSITION.] If the court finds that the child is delinquent, it shall enter an order making any of the following dispositions of the case which are deemed necessary to the rehabilitation of the child:

(a) Counsel the child or his parents, guardian, or custodian;

(b) Place the child under the supervision of a probation officer or other

suitable person in his own home under conditions prescribed by the court including reasonable rules for his conduct and the conduct of his parents, guardian, or custodian, designed for the physical, mental, and moral well-being and behavior of the child, or with the consent of the commissioner of corrections, in a group foster care facility which is under the management and supervision of ~~said~~ *the* commissioner;

(c) Subject to the supervision of the court, transfer legal custody of the child to one of the following:

(1) A child placing agency; ~~or~~

(2) The *designated* county ~~welfare board~~ *agency*; ~~or~~

(3) A reputable individual of good moral character. No person may receive custody of two or more unrelated children unless he is licensed as a residential facility pursuant to sections 245.781 to 245.813; ~~or~~

(4) Except for children found to be delinquent as defined in section 260.015, subdivision 5, clauses (c) and (d), a county home school, if the county maintains a home school or enters into an agreement with a county home school; or

(5) A county probation officer for placement in a group foster home established under the direction of the juvenile court and licensed pursuant to section 241.021;

(d) Except for children found to be delinquent as defined in section 260.015, subdivision 5, clauses (c) and (d), transfer legal custody by commitment to the commissioner of corrections;

(e) If the child is found to have violated a state ~~or local~~ law or *local* ordinance which has resulted in damage to the property of another, the court may order the child to make reasonable restitution for ~~such~~ *the* damage;

(f) Require the child to pay a fine of up to $500; the court shall order payment of the fine in accordance with a time payment schedule which ~~shall~~ *does* not impose an undue financial hardship on the child;

(g) If the child is in need of special treatment and care for his physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided;

(h) If the court believes that it is in the best interests of the child and of public safety that the driver's license of the child be cancelled until his 18th birthday, the court may recommend to the commissioner of transportation the cancellation of the child's license for any period up to the child's 18th birthday~~, and~~. The commissioner is ~~hereby~~ authorized to cancel ~~such~~ *the* license without a hearing. At any time before the termination of the period of cancellation, the court may, for good cause, recommend to the commissioner of transportation that the child be authorized to apply for a new license, and the commissioner may *do* so ~~authorize~~;

(i) Issue the minor a declaration of emancipation pursuant to sections 11 to 14 if a petition for emancipation has been filed and all necessary parties have been properly served with the summons and petition for emancipation.

Any order for a disposition authorized under this section shall contain writ-

ten findings of fact to support the disposition ordered~~,~~ ~~and~~ . *It* shall also set forth in writing the following information:

(a) Why the best interests of the child are served by the disposition ordered; and

(b) What alternative dispositions were considered by the court and why ~~such dispositions~~ *they* were not appropriate in the instant case.

This subdivision applies to dispositions of juveniles found to be delinquent as defined in section 260.015, subdivision 5, clause (c) or (d) ~~made prior to, on, or after January 1, 1978~~.

Sec. 9. Minnesota Statutes 1980, Section 260.191, Subdivision 1, is amended to read:

Subdivision 1. [ORDER.] If the court finds that the child is neglected, dependent, or neglected and in foster care, it shall enter an order making any of the following dispositions of the case:

(a) Place the child under the protective supervision of the *designated* county ~~welfare board or child placing~~ agency in his own home under conditions prescribed by the court directed to the correction of the neglect or dependency of the child;

(b) Transfer legal custody to one of the following:

(1) A child placing agency; or

(2) The *designated* county ~~welfare board~~ *agency*;

(c) If the child is in need of special treatment and care for his physical or mental health, the court may order the child's parent, guardian, or custodian to provide it. If the parent, guardian, or custodian fails to provide this treatment or care, the court may order it provided*;*

(d) Issue the minor a declaration of emancipation pursuant to sections 11 to 14 if a petition for emancipation has been filed and all necessary parties have been properly served with the summons and petition for emancipation. No declaration of emancipation shall be issued until at least 60 days after the hearing on the petition and no order shall be issued if the parent, the child, or the child's guardian withdraws his consent prior to the issuance of the order.

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered~~,~~ ~~and~~ . *It* shall also set forth in writing the following information:

(a) Why the best interests of the child are served by the disposition ordered; and

(b) What alternative dispositions were considered by the court and why ~~such dispositions~~ *they* were not appropriate in the instant case.

Sec. 10. Minnesota Statutes 1980, Section 260.191, Subdivision 2, is amended to read:

Subd. 2. [DURATION.] All orders under this section shall be for a specified length of time set by the court not to exceed one year , *except that a declaration of emancipation shall be final unless rescinded pursuant to section 14*. However, before the order has expired and upon its own motion or that of any

interested party, the court has continuing jurisdiction to renew the order or, after notice to the parties and a hearing, make some other disposition of the case, until the individual is no longer a minor. Any person to whom legal custody is transferred shall report to the court in writing at ~~such~~ periods as the court ~~may direct~~ *directs*.

Sec. 11. [260.47] [EMANCIPATED MINOR DEFINED.]

An individual under the age of 18 years is an emancipated minor if the individual:

(a) Has entered into a valid marriage, whether or not the marriage is terminated by dissolution before the individual reaches the age of 18;

(b) Is or has been on active duty with any branch of the armed forces of the United States; or

(c) Has received a declaration of emancipation pursuant to section 13.

(d) Is emancipated in fact.

Sec. 12. [260.471] [EFFECT OF EMANCIPATION.]

An emancipated minor pursuant to section 13 shall be treated as an adult for the purposes specified in this section. He shall have the same capacity as an adult to:

(a) Consent to or withhold consent from medical, dental, mental, or other health services;

(b) Enter a binding contract;

(c) Buy or sell real or personal property;

(d) Sue or be sued in his own name;

(e) Establish a residence; and

(f) Participate in evaluation, testing, enrollment or certification for any educational program.

To the same extent as an adult, he shall be free from parental control of his person and earnings. He shall have no right to receive parental support except as set forth in the order.

He shall not be subject to the jurisdiction of the juvenile court based on allegations that he is delinquent, as defined by section 260.015, subdivision 5, clause (d), dependent as defined by section 260.015, subdivision 6, or neglected as defined by section 260.015, subdivision 10.

The parents of an emancipated minor shall have no liability for his torts committed or contracts entered into during the period of emancipation.

Sec. 13. [260.472] [DECLARATION OF EMANCIPATION.]

Subdivision 1. [PETITION.] *A minor who is 16 or more years of age may jointly petition with his parents and guardian the juvenile court in the county where he resides for a declaration of emancipation, unless custody of the child has been transferred to the commissioner of corrections or to the county home school and the court order transferring custody is still in effect. The petition shall state in addition to the requirements of section 260.131, subdivision 3:*

(a) The minor's age;

(b) That the minor has an acceptable plan for independent living apart from his parents or guardian;

(c) That the minor is managing his own financial affairs and that the parents or guardian are not supporting the minor.

(d) That the parents and guardian consent to emancipation or that the parents are incompetent or there is no parent or guardian;

(e) The source of the minor's income; and

(f) That the minor understands the consequences of being free from parental control and protection.

Subd. 2. [GROUNDS FOR DECLARATION.] *The court shall grant a petition for emancipation if it finds that*

(a) The provisions of subdivision 1, clauses (b), (c), and (d) are met;

(b) The minor's income is not derived from any activity prohibited by state or federal law; and

(c) The minor is sufficiently mature to assume responsibility for his own care and that it is in the minor's best interest to do so. The parents' or guardian's consent shall not be conclusive on the question of the minor's best interests.

Before granting a petition for emancipation, the court shall determine that the minor has a plan for room, board, health care, and education, vocational training, or employment. The plan shall identify community resources and agencies necessary to assist in the minor's plan and shall demonstrate that the resources and agencies have agreed to provide support.

The court may condition its order on the parents or guardian providing child support to the child or to the public agency in charge of collecting child support or upon the parents or guardian providing medical insurance coverage. If the court grants the petition, it shall issue the minor a declaration of emancipation. A copy of the declaration shall be filed with the clerk of court. Orders granting emancipation are public records and are not subject to the confidentiality requirements of sections 260.161, subdivision 1, and 260.211, subdivision 1.

Sec. 14. [260.473] [RESCISSION OF DECLARATION.]

Subdivision 1. [PROCEDURE.] *A minor or the parents or most recent previous guardian of a minor emancipated pursuant to section 13 may petition the court to rescind the declaration if the minor is in circumstances which may not be remedied by revision of the minor's plan. Service shall be made in the manner and on the parties provided by section 6. If the minor files the petition, service also shall be made on the parents or most recent previous guardian, who shall be parties. If the court sustains the petition it shall issue an order rescinding the declaration. A copy of the rescission order shall be filed with the clerk of court. Rescission orders are public records and are not subject to the confidentiality requirements of section 260.161, subdivision 1.*

Subd. 2. [CONTRACTS, TORTS; EFFECT OF RESCISSION.] *A minor whose emancipation has been rescinded remains liable for contracts made, torts committed, or other liabilities incurred during his emancipation as*

though the emancipation had not been rescinded. Rescission of emancipation does not render a parent or guardian liable for conduct or contracts of the minor during the period of emancipation.

Sec. 15. Minnesota Statutes 1981 Supplement, Section 525.6192, is amended to read:

525.6192 [TERMINATION OF APPOINTMENT OF GUARDIAN; GENERAL.]

A guardian's authority and responsibility terminates upon the death, resignation or removal of the guardian or upon the minor's death, adoption, marriage ~~or~~, attainment of majority *or emancipation pursuant to sections 11 to 14*, but termination does not affect his liability for prior acts, nor his obligation to account for funds and assets of his ward. A guardian may be discharged without notice or hearing on petition and acceptance of the guardian's accounts by the ward after the ward marries or attains majority, or, in the case of the ward's death, by the personal representative of the ward's estate. In other cases the court may discharge the guardian upon approval of his accounts after notice and a hearing. Resignation of a guardian does not terminate the guardianship until it has been approved by the court. A testamentary appointment under an informally probated will terminates if the will is later denied probate in a formal proceeding."

Delete the title and insert:

"A bill for an act relating to minors; permitting blood donation by minors; providing circumstances under which minors are emancipated; providing procedures for a declaration of emancipation; amending Minnesota Statutes 1980, Sections 145.41; 260.015, by adding a subdivision; 260.131, Subdivision 2; 260.135, Subdivision 3; 260.141, Subdivision 1; 260.155, Subdivision 2; 260.185, Subdivision 1; 260.191, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 260.111, Subdivision 2; and 525.6192; and proposing new law coded in Minnesota Statutes, Chapter 260."

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

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

H.F. No. 879: A bill for an act relating to juveniles; removing certain children from definition of "delinquent child"; defining "runaway," "habitual truant," "juvenile petty offender," "juvenile alcohol or controlled substance offender"; simplifying certain pleading and notice procedures; providing hearing rights and dispositional alternatives; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 5, and by adding subdivisions; 260.111, Subdivision 1; 260.121, Subdivisions 1 and 2; 260.155, Subdivision 1; and 260.173, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 260.

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

Page 1, line 18, after "5." insert "[DELINQUENT CHILD.]"

Page 1, line 20, delete "*section 2,*"

Page 1, line 21, delete "*petty offenses, running away, and*" and insert

"*offenders as described in subdivisions 21, 22, and 23*"

Page 1, line 22, delete "*habitual truancy*"

Page 2, line 2, delete "subdivisions" and insert "a subdivision"

Page 2, lines 4 and 10, delete "*or herself*"

Page 2, after line 8, insert:

"Sec. 3. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 2, lines 11 and 12, delete "*or her*"

Page 2, after line 12, insert:

"Sec. 4. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 2, after line 22, insert:

"Sec. 5. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 2, lines 25 and 29, before the period, insert "*or an equivalent local ordinance*"

Page 2, after line 25, insert:

"Sec. 6. Minnesota Statutes 1980, Section 260.015, is amended by adding a subdivision to read:"

Page 3, lines 1 and 4, delete "*an*" and insert "*a*"

Page 3, line 4, after the comma, insert "*a juvenile petty offender,*"

Page 3, line 5, delete "*a juvenile petty offender,*"

Page 3, line 13, after "1." insert "[VENUE.]"

Page 3, line 28, after "2." insert "[TRANSFER.]"

Page 4, lines 17 and 18, delete "*an*" and insert "*a*"

Page 4, line 26, delete "*provided by this subdivision*"

Page 4, line 34, delete "*shall have*" and insert "*has*"

Page 5, lines 7 and 21, delete "*an*" and insert "*a*"

Page 5, line 26, strike "such" and insert "*any*"

Page 6, line 5, after "3." insert "[PLACEMENT.]"

Page 6, lines 6 and 25, delete "*an*" and insert "*a*"

Page 7, line 9, delete "*or she*"

Page 7, line 16, delete "*, and may impose*"

Page 7, line 17, delete everything before the semicolon

Page 7, line 26, after "*and*" insert a comma

Page 7, line 36, delete "*, and*" and insert a period

Page 8, line 1, delete "*hereby*"

Page 8, line 14, delete "*those dispositions*" and insert " *they*"

Page 8, line 17, delete "*an*" and insert "*a*"

Page 8, line 34, delete ", *and*" and insert ". *They*"

Page 9, line 7, delete "*may direct*" and insert "*directs*"

Page 9, line 9, delete "*an*" and insert "*a*"

Page 9, line 16, delete "*child who violates*"

Page 9, delete lines 17 to 19

Page 9, line 20, delete everything before "*shall*" and insert "*juvenile alcohol or controlled substance offender*"

Page 9, line 29, delete everything after "*child*"

Page 9, delete lines 30 to 32

Page 9, line 33, delete "*therewith*" and insert "*is a juvenile alcohol or controlled substance offender*"

Page 10, delete lines 3 to 6 and insert "*be a juvenile alcohol or controlled substance offender,*"

Page 10, line 8, delete "*shall have*" and insert "*has*"

Page 10, delete lines 10 to 13 and insert "*knowledge that a child is a juvenile alcohol or controlled substance offender may petition*"

Page 10, delete lines 16 to 18

Page 10, line 19, delete everything before the comma and insert "*child is a juvenile alcohol or controlled substance offender*"

Page 10, delete lines 31 to 33

Page 10, line 34, delete everything before the comma and insert "*a child is a juvenile alcohol or controlled substance offender*"

Page 11, line 15, delete "*has committed*"

Page 11, delete lines 16 to 19

Page 11, line 20, delete "*therewith*" and insert "*is a juvenile alcohol or controlled substance offender*"

Page 11, line 32, delete "*those dispositions*" and insert " *they*"

Page 11, after line 33, insert:

"*Subd. 6.* [REPORT TO THE COMMISSIONER.] *The juvenile court shall report to the office of state court administrator each disposition made under sections 260.185, 260.191, 260.192, and sections 14 and 15 where placement is made outside of this state's jurisdictional boundaries. Each report shall contain information as to date of placement, length of anticipated placement, program costs, reasons for out of state placement, and any other information as the office requires to determine the number of out of state placements, the reasons for these placements, and the costs involved. The report shall not contain the name of the child. Any information contained in the reports relating to factors identifying a particular child is confidential and may be disclosed*

only by order of the juvenile court. Any person violating this subdivision as to release of this confidential information is guilty of a misdemeanor.''

Page 11, line 34, delete ''*6*'' and insert ''*7*''

Page 12, line 2, delete ''*10*'' and insert ''*14*''

Renumber the sections in sequence

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. 1633: A bill for an act relating to transportation; removing a route from the trunk highway system; changing the descriptions of certain trunk highway routes; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; prohibiting a certain highway connection until a full environmental impact statement is made; requiring the posting of bond in certain proceedings; amending Minnesota Statutes 1980, Sections 161.117; 161.12; 161.1245, Subdivision 1, and by adding a subdivision.

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

Page 4, delete section 5

Amend the title as follows:

Page 1, lines 8 and 9, delete ''requiring the posting of bond in certain proceedings;''

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1143 and 1633 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 603 and 879 were read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Davis moved that S.F. No. 2150 be stricken from General Orders and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Sikorski moved that the Senate do now adjourn until 11:00 a.m., Wednesday, March 10, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

EIGHTY-SIXTH DAY

St. Paul, Minnesota, Wednesday, March 10, 1982

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

Prayer was offered by the Chaplain, Rev. George Weinman.

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

Ashbach	Dieterich	Langseth	Peterson, D.L.	Stern
Bang	Engler	Lantry	Peterson, R.W.	Stokowski
Belanger	Frank	Lessard	Petty	Stumpf
Benson	Frederick	Lindgren	Pillsbury	Taylor
Berg	Frederickson	Luther	Purfeerst	Tennessen
Berglin	Hanson	Menning	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Renneke	Vega
Bertram	Humphrey	Moe, D.M.	Rued	Waldorf
Brataas	Johnson	Moe, R.D.	Schmitz	Wegener
Chmielewski	Kamrath	Nelson	Setzepfandt	Willet
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	
Dicklich	Kronebusch	Peterson, C.C.	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Keefe was excused from the Session of today. Mr. Menning was excused from the Session of today from 11:00 a.m. to 1:30 p.m. Mr. Hanson was excused from the Session of today until 4:30 p.m.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson moved that the following members be excused for a Conference Committee on H.F. No. 1872:

Messrs. Johnson, Hanson, Ms. Berglin, Messrs. Sieloff and Setzepfandt. The motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 8, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	749	382	March 8	March 8
	1614	383	March 8	March 8
	1637	384	March 8	March 8
1521		385	March 8	March 8
1756		386	March 8	March 8
1582		387	March 8	March 8
709		388	March 8	March 8
	1724	389	March 8	March 8
	1612	Resolution No. 5	March 8	March 8

Sincerely,

Joan Anderson Growe
Secretary of State

March 9,1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, Senate Files Nos. 233 and 1695.

Sincerely yours,

Albert H. Quie, Governor

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following

Senate File, herewith returned: S.F. No. 1910.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1856: A bill for an act relating to state government; improving the state's personnel management functions; amending Minnesota Statutes 1980, Sections 6.582; 11A.07, Subdivision 4; 12.04, Subdivision 1; 15.0575, Subdivision 3; 15.059, Subdivision 3; 15.43, Subdivision 1; 60B.09, Subdivision 2; 84.028, Subdivision 3; 84.081, Subdivision 1; 85A.03, Subdivision 2; 124.645, Subdivision 3; 128A.02, Subdivision 3; 136A.55, Subdivision 4; 144A.52, Subdivision 2; 168.325, Subdivision 1; 171.015, Subdivision 1; 216A.04, Subdivision 3; 241.64, Subdivision 3; 241.65; 246.017, Subdivision 2; 299E.01, Subdivision 1; 299F.01, Subdivision 2; and 352D.02, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 3.855, Subdivision 3; 43A.02, Subdivision 28; 43A.04, Subdivisions 3, 4, and by adding a subdivision; 43A.05, Subdivision 4; 43A.08, Subdivisions 1, 3, and by adding subdivisions; 43A.11, Subdivisions 3, 4, 7 and 8; 43A.13, Subdivisions 1, 4 and 5; 43A.15, Subdivisions 6 and 10; 43A.17, Subdivision 4; 43A.18, Subdivisions 3 and 4; 43A.19, Subdivision 1; 43A.27, Subdivision 3; 43A.33, Subdivisions 1, 3 and 4; 43A.37, Subdivision 1; 43A.38; 43A.39; 43A.41, Subdivision 4; 43A.42; 43A.44, Subdivision 2; 124.41, Subdivision 3; 254A.03, Subdivision 1; 352D.02, Subdivision 1; and 462A.04, Subdivision 8; Laws 1971, Extra Session, Chapter 3, Section 19, Subdivision 5; Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 6; Laws 1981, Chapter 210, Section 55; repealing Minnesota Statutes 1980, Sections 12.05; 124.615, Subdivision 3; 190.081; and 190.095; and Minnesota Statutes 1981 Supplement, Section 43A.08, Subdivision 2.

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

Norton, Rose and Simoneau.

Senate File No. 1856 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 378: A bill for an act relating to marriage dissolution; clarifying factors to consider in awarding maintenance; amending Minnesota Statutes 1980, Section 518.552.

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

Wynia, Forsythe and Norton.

Senate File No. 378 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 253: A bill for an act relating to state lands and tax-forfeited land sales; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1980, Sections 92.06, Subdivision 1; 94.11; 282.01, Subdivision 4; 282.15; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Peterson, B.; Sarna and Dahlvang have been appointed as such committee on the part of the House.

House File No. 253 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 9, 1982

Mr. Tennessen moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 253, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 492: A bill for an act relating to crimes; authorizing counties to expend money for the purpose of investigating criminal activity relating to selling or receiving stolen property; proposing new law coded in Minnesota Statutes, Chapter 299C.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Gruenes, Vanasek and Lehto have been appointed as such committee on the part of the House.

House File No. 492 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 9, 1982

Mr. Pehler moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 492, and that a Conference Committee of

3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 1712: A bill for an act relating to public welfare; amending the community social services act; removing certain requirements related to biennial plans and the sliding fee for child care; providing for identification of certain rules; exempting the commissioner from certain rulemaking procedures; providing for notice and comment procedures with respect to proposals to amend or repeal certain rules; providing for allocation of funds to counties; amending Minnesota Statutes 1980, Section 256E.09, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 245.84, Subdivision 2; 256E.03, Subdivision 2; 256E.05, Subdivision 3; and 256E.07, Subdivision 3; repealing Minnesota Statutes 1981 Supplement, Section 256E.07, Subdivision 2.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Kaley, McCarron and Samuelson have been appointed as such committee on the part of the House.

House File No. 1712 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 9, 1982

Mr. Frederickson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1712, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 411: A bill for an act relating to game and fish; limiting eligibility for antlerless deer permits in certain restricted hunting areas; amending Minnesota Statutes 1980, Section 97.48, Subdivision 24.

Senate File No. 411 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

CONCURRENCE AND REPASSAGE

Mr. Peterson, C.C. moved that the Senate concur in the amendments by the House to S.F. No. 411 and that the bill be placed on its repassage as amended.

The motion prevailed.

S.F. No. 411: A bill for an act relating to wild aimals; providing additional authority for the commissioner of natural resources to limit the numbers of deer and bear hunters under certain circumtances; increasing resident deer and bear license fees; appropriating money for deer and bear management, computerized licensing systems, and emergency feeding of wild animals during the winter of 1982; clarifying provisions concerning possession of certain equipment usable in taking fish; increasing the deer license habitat amount; authorizing the review of a possible agreement between the commissioner and the Mille Lacs Band of Chippewa Indians; clarifying the guide license to take bear; authorizing negotiated sale of certain surplus equipment; amending Minnesota Statutes 1980, Sections 97.48, Subdivision 24; 97.49, Subdivision 1a, and by adding a subdivision; 97.57; 98.455; 100.29, Subdivisions 14 and 18; 101.42, Subdvision 18; and Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 561.

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

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

The roll was called, and there were yeas 51 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kronebusch	Penny	Stern
Bang	Dicklich	Langseth	Peterson,C.C.	Stokowski
Belanger	Dieterich	Lantry	Peterson,R.W.	Stumpf
Benson	Engler	Lessard	Petty	Taylor
Berg	Frank	Luther	Purfeerst	Waldorf
Berglin	Frederickson	Merriam	Renneke	Wegener
Bernhagen	Hughes	Moe, D. M.	Rued	Willet
Bertram	Humphrey	Moe, R. D.	Schmitz	
Chmielewski	Kamrath	Nelson	Sikorski	
Dahl	Knoll	Olhoft	Solon	
Davies	Knutson	Pehler	Spear	

Those who voted in the negative were:

Kroening	Peterson,D.L.	Ramstad	Ulland	Vega
Lindgren	Pillsbury	Tennessen		

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1589: A bill for an act relating to crimes; clarifying the definition of physically helpless victims of criminal sexual conduct; amending Minnesota Statutes 1980, Section 609.341, Subdivision 9.

Senate File No. 1589 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

CONCURRENCE AND REPASSAGE

Ms. Berglin moved that the Senate concur in the amendments by the House to S.F. No. 1589 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1589: A bill for an act relating to crimes; amending the definitions of shelter care facility and secure detention facility; extending the time limit for detaining children who may be dependent or neglected children; prohibiting the selling of children; prescribing penalties; clarifying the definition of physically helpless victims of criminal sexual conduct; amending Minnesota Statutes 1980, Sections 260.015, Subdivisions 16 and 17; 260.171, Subdivisions 2, 4, 5, and 6, and by adding a subdivision; 260.172, Subdivision 1; 609.341, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 609; repealing Minnesota Statutes 1980, Section 260.015, Subdivision 15.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Penny	Spear
Bang	Dieterich	Langseth	Peterson,C.C.	Stern
Belanger	Engler	Lantry	Peterson,D.L.	Stokowski
Benson	Frank	Lessard	Peterson,R.W.	Stumpf
Berg	Frederick	Lindgren	Petty	Taylor
Berglin	Frederickson	Luther	Pillsbury	Tennessen
Bernhagen	Hughes	Merriam	Purfeerst	Ulland
Bertram	Humphrey	Moe, D. M.	Ramstad	Vega
Chmielewski	Kamrath	Moe, R. D.	Renneke	Waldorf
Dahl	Knoll	Nelson	Rued	Willet
Davies	Knutson	Olhoft	Sikorski	
Davis	Kroening	Pehler	Solon	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1239: A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

Senate File No. 1239 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

Mr. Moe, D.M. moved that S.F. No. 1239 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1499: A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; proposing new law coded in Minnesota Statutes, Chapter 168.

Senate File No. 1499 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

Mr. Bertram moved that the Senate do not concur in the amendments by the House to S. F. No. 1499, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1398: A bill for an act relating to motor vehicles; providing for special license plates for certain motor vehicles owned and operated by members of certain fire departments; amending Minnesota Statutes 1980, Section 168.12, by adding a subdivision.

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

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

CONCURRENCE AND REPASSAGE

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

S.F. No. 1398: A bill for an act relating to motor vehicles; providing for special license plates for certain motor vehicles owned and operated by members of certain fire departments; imposing an additional fee for firefighter license plates; amending Minnesota Statutes 1980, Section 168.12, by adding a subdivision.

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

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

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

Those who voted in the affirmative were:

Bang	Engler	Lantry	Peterson,D.L.	Stokowski
Belanger	Frank	Lessard	Peterson,R.W.	Stumpf
Benson	Frederick	Lindgren	Petty	Taylor
Berg	Frederickson	Luther	Pillsbury	Tennessen
Bernhagen	Hughes	Merriam	Purfeerst	Ulland
Bertram	Humphrey	Moe, D. M.	Ramstad	Vega
Chmielewski	Kamrath	Moe, R. D.	Renneke	Waldorf
Dahl	Knoll	Nelson	Rued	Wegener
Davies	Knutson	Olhoft	Schmitz	Willet
Davis	Kroening	Pehler	Sikorski	
Dicklich	Kronebusch	Penny	Spear	
Dieterich	Langseth	Peterson,C.C.	Stern	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1671: A bill for an act relating to environment; providing for the chairmanship, staff, and administration of the environmental quality board; amending Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.

Senate File No. 1671 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 9, 1982

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S. F. No. 1671, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 400, 1025, 1702, 1477, 1789, 2190, 1840, 1099, 2005, 1115, 1542 and 2123.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 9, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No.400: A bill for an act relating to economic development; authorizing the formation of a state development company for small business aid

purposes; making certain changes in the small business finance agency act to provide for small business loans; appropriating money; amending Minnesota Statutes 1980, Sections 362.51, Subdivision 1; 362.53, Subdivision 13; and Minnesota Statutes 1981 Supplement, Section 362.52, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 362.

Referred to the Committee on Finance.

H.F. No. 1025: A bill for an act relating to safety; imposing an additional fee for two-wheeled vehicle endorsements for motorcycle safety programs; providing for the disposition of the proceeds of the additional fee; prescribing duties of commissioner of public safety; establishing an account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 171.06, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 126.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1460.

H.F. No. 1702: A bill for an act relating to veterans; providing for the furnishing of chiropractic care to residents of the Minnesota veterans home; proposing new law coded in Minnesota Statutes, Chapter 198.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1897, now on General Orders.

H.F. No. 1477: A bill for an act relating to snowmobiles; increasing the registration fee and appropriating the proceeds thereof for stated purposes; registration of collectors' snowmobiles; requiring a study; creating a snowmobile trails and enforcement account in the state treasury; appropriating money; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3, and by adding a subdivision; and 84.83.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1450, now on General Orders.

H.F. No. 1789: A bill for an act relating to the environment; limiting and reducing emissions of sulphur dioxide in the state; requiring adoption of an acid deposition control standard and plan by the pollution control agency; requiring reports; imposing an assessment on utilities; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 116.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1714, now on the Calendar.

H.F. No. 2190: A bill for an act relating to education; changing the requirements for membership on the higher education coordinating board; allowing the regional management information centers to be considered governmental units for purposes of the joint powers law; requiring the approval of a plan for spending federal education block grant funds for state administrative purposes; allowing the immigration history research center to use donated services or donated property to meet its matching requirements; broadening the planning process relating to declining enrollments in higher education; repealing mandates; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; 471.59, by adding a subdivision; Laws 1981, Chapter 359, Section 2, Subdivision 8; and Section 9, Subdivision 12; Third Special Session Chapter 2,

Article I, Section 6, Subdivision 1; repealing Minnesota Statutes, Sections 120.17, Subdivision 10; and 121.12.

Mr. Willet moved that H.F. No. 2190 be laid on the table. The motion prevailed.

H.F. No. 1840: A bill for an act relating to public welfare; allowing payment of claims for medical assistance to be made against homestead property which is part of an estate; amending Minnesota Statutes 1980, Sections 510.05; 524.3-805; and Minnesota Statutes 1981 Supplement, Section 525.145.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1712, now on General Orders.

H.F. No. 1099: A bill for an act relating to agriculture; providing an additional tax on certain capital gains from the sale of agricultural land; limiting certain tax reductions; increasing the one-time exclusion for sale of a residence by persons over 55 in certain instances; amending Minnesota Statutes 1981 Supplement, Sections 124.213, Subdivision 1; 290.01, Subdivision 20, as amended; and 290.091, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.

Referred to the Committee on Taxes and Tax Laws.

H.F. No. 2005: A bill for an act relating to employment; providing for equitable compensation relationships among certain government employees; amending Minnesota Statutes 1981 Supplement, Sections 43A.01, by adding a subdivision; 43A.02, by adding subdivisions; 43A.05, by adding a subdivision; and 43A.18, Subdivision 8.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1901.

H.F. No. 1115: A bill for an act relating to transportation; providing for the distribution of assistance under the public transit participation program; defining terms; changing eligibility requirements for replacement transit service; providing for public transit contract procedures; amending Minnesota Statutes 1980, Sections 174.21; 174.22, by adding subdivisions; 174.23, by adding a subdivision; 174.24, Subdivision 1, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 174.24, Subdivisions 3, and 3a, as amended; and 174.265, Subdivision 4; repealing Minnesota Statutes 1980, Sections 174.25; and 174.26.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1839, now on General Orders.

H.F. No. 1542: A bill for an act relating to metropolitan government; regulating the organization, duties and powers of the metropolitan mosquito control district and commission; increasing size of commission membership; increasing certain commission expenditure amounts; authorizing taxes; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.703, Subdivision 1; 473.704, Subdivision 17; 473.705; and 473.711, Subdivision 2; repealing Minnesota Statutes 1980, Sections 473.701, Subdivisions 5 and 6; 473.713; and 473.717.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1685.

H.F. No. 2123: A bill for an act relating to public welfare; modifying certain provisions relating to medical assistance; providing for competitive bidding procedures; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

Mr. Johnson from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 1800: A bill for an act relating to taxation; sales; abolishing the limitation on the exemption of food relating to certain prepared foods; amending Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 297A.01, Subdivision 3, is amended to read:

Subd. 3. A "sale" and a "purchase" includes, but is not limited to, each of the following transactions:

(a) Any transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a license to use or consume tangible personal property, for a consideration in money or by exchange or barter;

(b) The production, fabrication, printing or processing of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production, fabrication, printing or processing;

(c) The furnishing, preparing or serving for a consideration of food, meals or drinks, not including hospitals, sanatoriums, nursing homes or senior citizens homes, meals or drinks purchased for and served exclusively to individuals who are 60 years of age or over and their spouses or to the handicapped and their spouses by governmental agencies, nonprofit organizations, agencies, or churches or pursuant to any program funded in whole or part through 42 USCA sections 3001 through 3045, wherever delivered, prepared or served, meals and lunches served at public and private schools, universities or colleges, or the occasional meal thereof by a charitable or church organization. *Notwithstanding section 297A.25, subdivision 1, clause (a), taxable food or meals include, but are not limited to, the following:*

(i) heated food or drinks;

(ii) sandwiches prepared by the retailer;

(iii) single sales of prepackaged ice cream or ice milk novelties prepared by the retailer;

(iv) hand-prepared or dispensed ice cream or ice milk products including cones, sundaes, and snow cones;

(v) soft drinks and other beverages prepared or served by the retailer;

(vi) gum;

(vii) ice;

(viii) all food, except candy, sold in vending machines;

(ix) party trays prepared by the retailers; and

(x) all meals and single servings of packaged snack food, single cans or bottles of pop, sold in restaurants and bars;

(d) The granting of the privilege of admission to places of amusement or athletic events and the privilege of use of amusement devices or athletic facilities;

(e) The furnishing for a consideration of lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp and of the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;

(f) The furnishing for a consideration of electricity, gas, water, or steam for use or consumption within this state, or local exchange telephone service and intrastate toll service except such service provided by means of coin operated telephones; the tax imposed on amounts paid for telephone services is the liability of and shall be paid by the person paying for the services. Sales by municipal corporations in a proprietary capacity are included in the provisions of this clause. The furnishing of water and sewer services for residential use shall not be considered a sale.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article V, Section 2, is amended to read:

Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, ~~but not including foods which are prepared or specially sliced, wrapped, arranged or displayed, and sold cold or hot for immediate consumption on or off the premises on which the sale is made, whether sold in individual servings or in larger quantities, except~~ *and* food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) and which are sold by a retailer, organized as a nonprofit corporation or association, within a place located on property owned by the state or an agency or instrumentality of the state, the entrance to which is subject to an admission charge;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, uherapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (storage shall not constitute intermediate use); or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except as provided in section 297A.14) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, and any such publication. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property

acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(s) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(t) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with

this paragraph.

(u) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(v) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

(w) The gross receipt from the sale of residential heating fuels in the following manner:

(i) all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April;

(iii) electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April.

(x) The gross receipts from the sale or use of tickets or admissions to the premises of or events sponsored by an association, corporation or other group of persons which provides an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and which qualifies as a tax-exempt organization within the meaning of section 290.05, subdivision 1, clause (i).

(y) The gross receipts from either the sales to or the storage, use or consumption of tangible personal property by an organization of military service veterans or an auxiliary unit of an organization of military service veterans, provided that:

(i) the organization or auxiliary unit is organized within the state of Minnesota and is exempt from federal taxation pursuant to section 501(c), clause (19), of the Internal Revenue Code as amended through December 31, 1978; and

(ii) the tangible personal property which is sold to or stored, used or consumed by the organization or auxiliary unit is for charitable, civic, educational, or nonprofit uses and not for social, recreational, pleasure or profit uses.

(z) The gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment.''

Delete the title and insert:

''A bill for an act relating to taxation; clarifying the taxation of meals and food products for sales tax purposes; amending Minnesota Statutes 1981 Supplement, Sections 297A.01, Subdivision 3; and 297A.25, Subdivision 1, as amended.''

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

Mr. Johnson from the Committee on Taxes and Tax Laws, to which was referred

S.F. No. 2027: A bill for an act relating to taxation; providing for the collection of taxes; imposing penalties; amending Minnesota Statutes 1980, Sections 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, and 5, and by adding subdivisions; 290.45, Subdivision 2; 290.48, Subdivisions 3, 4, 6, and 8; 290.53, Subdivisions 2 and 5; 290.54; 290.92, Subdivision 23; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supplement, Sections 270.063; 270.66; 270.75, by adding a subdivision; 290.92, Subdivisions 6 and 15; 296.12, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 270; repealing Minnesota Statutes 1980, Sections 290.48, Subdivisions 1 and 9; 290.51; 290.97; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 290.48, Subdivision 2.

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

Page 7, delete section 5

Page 12, line 2, delete ''*lapse of the*''

Page 13, line 15, delete ''*7*'' and insert ''*6*''

Page 15, line 6, delete ''*9*'' and insert ''*8*''

Page 15, line 29, delete ''*18 to 26*'' and insert ''*17 to 25*''

Page 16, line 2, strike ''subdivision 1'' and delete ''*or 12*'' and insert ''*this section*''

Page 16, line 22, delete ''*9*'' and insert ''*8*''

Page 17, line 1, delete ''*14*'' and insert ''*17*''

Page 18, line 6, delete ''*or*'' and insert ''*and*''

Page 18, delete line 7

Page 18, line 8, delete ''*located within this state*'' and insert ''*be served in like manner as a summons in a civil action in the district court*''

Page 18, line 16, after ''*notice*'' insert ''*of sale of the property*''

Page 18, line 17, after "*manner*" insert "*of service*" and delete ", *and shall*" and insert a period

Page 18, delete lines 18 to 22

Page 18, line 23, delete "*less than two other public places*" and insert "*In the case of personal property, the notice shall be served at least 10 days prior to the sale. In the case of real property, the notice shall be served at least four weeks prior to the sale. The commissioner shall also cause public notice of each sale to be made. In the case of personal property, notice shall be posted at least 10 days prior to the sale at the post office nearest the place where the seizure is made, and in not less than two other public places. In the case of real property, six weeks' published notice shall be given prior to the sale, in a newspaper published or generally circulated in the county*"

Page 18, line 23, after "*notice*" insert "*of sale provided in this subdivision*"

Page 18, line 28, delete "*19*" and insert "*18*"

Page 18, delete line 35

Page 18, line 36, delete "*giving public notice under*" and insert "*be after the expiration of the notice periods prescribed in*"

Page 19, line 34, after "*permit*" insert "*part of the*"

Page 20, line 28, delete "*18*" and insert "*17*"

Page 21, line 6, delete "*120 days*" and insert "*6 months, or in case the real property sold exceeds 10 acres in size, at any time within 12 months,*"

Page 21, line 16, delete "*23*" and insert "*22*"

Page 21, lines 19 and 31, delete "*18*" and insert "*17*"

Page 21, line 32, delete "*21*" and insert "*20*"

Page 22, line 24, delete "*18*" and insert "*17*"

Page 22, lines 25 and 31, delete "*21*" and insert "*20*"

Page 23, line 1, delete "*18*" and insert "*17*"

Page 23, line 19, delete "*9*" and insert "*8*"

Page 24, lines 18 and 22, delete "*18*" and insert "*17*"

Page 25, line 9, after "270.75," insert "as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 1,"

Page 25, line 10, delete "*5*" and insert "*6*"

Page 46, lines 7 and 36, delete "*9*" and insert "*8*"

Page 47, line 16, delete "*290.97;*"

Page 47, line 20, after "*1982*" insert ", *but shall not apply to any tax the collection of which is barred by a statute of limitations on July 1, 1982*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, after "270.75," insert "as amended,"

Page 1, line 18, delete "290.97;"

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

Mr. Tennessen from the Committee on Commerce, to which was referred

H.F. No. 1547: A bill for an act relating to intoxicating liquor; town board approval of certain county liquor licenses; amending Minnesota Statutes 1980, Section 340.119, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 340.11, Subdivision 10.

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

Page 1, line 18, strike "shall" and insert "*may*"

Page 1, line 18, strike "after the"

Page 1, line 19, strike "application has been made therefor,"

Page 1, line 19, strike "shall"

Page 1, line 20, strike "have" and insert "*has*"

Page 1, line 21, strike "Such" and insert "*The*"

Page 1, line 21, strike "shall" and insert "*must*"

Page 1, line 22, strike "a period of"

Page 1, line 23, strike "prior to" and insert "*before*"

Page 1, line 23, strike "such"

Page 2, line 1, strike the first "said" and insert "*the*"

Page 2, line 1, strike "in" and insert "*if*"

Page 2, line 1, strike "event said"

Page 2, line 2, strike "any" and insert "*a*"

Page 2, line 5, strike the first "and"

Page 2, line 5, after "premises" insert a comma

Page 2, line 5, after the second "and" insert "*the*"

Page 2, line 5, strike the third "and" and insert "*of the*"

Page 2, line 6, strike "said" and insert "*the*"

Page 2, line 7, strike "shall be"

Page 2, line 8, strike "governed by" and insert "*are subject to*"

Page 2, line 9, strike "for"

Page 2, line 12, strike the second "shall" and insert "*must*"

Page 2, line 13, strike "such"

Page 2, line 13, strike "as is"

Page 2, line 15, strike "any" and insert "*a*"

Page 2, lines 21 and 25, strike "their" and insert "*its*"

Page 2, line 26, delete "*receipt*" and insert "*receiving notice*"

Page 2, line 27, strike "they support" and insert "*it supports*"

Page 2, line 27, after "application" insert ", *and the premises may be licensed*"

Page 2, line 28, strike "the" and insert "*a*"

Page 2, line 28, strike "of any county"

Page 2, line 29, strike "any" and insert "*a*"

Page 2, line 33, strike "any" and insert "*an*"

Page 3, line 6, delete "*two*" and insert "*ten*"

Page 3, line 6, delete "*to any organization*"

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

Mr. Tennessen from the Committee on Commerce, to which was referred

H.F. No. 1550: A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

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

Page 1, line 17, delete everything after the period

Page 1, delete lines 18 to 20

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. 1508: A bill for an act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.

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

Page 1, line 17, delete "FINDINGS" and insert "PURPOSE"

Page 2, lines 3 and 4, delete ", *August 5, 1964 to May 7, 1975*"

Page 2, line 25, after "*respond*" insert ", *within his powers and duties under chapters 196 and 197,*"

Page 2, line 27, delete "ASSISTANCE"

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

Page 3, line 27, before "*The*" insert "*Within his powers and duties under chapters 196 and 197,*"

Page 5, line 13, delete "*$.....*" and insert "*$50,000*"

Page 5, line 13, delete "*from the general fund*"

Page 5, line 15, after the first period, insert "*The commissioner shall solicit any grants, gifts, bequests, devises, and any other donations which might be available to fund the purposes of sections 1 to 8.*"

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. 1901: A bill for an act relating to employment; providing for equitable compensation relationships among certain government employees; amending Minnesota Statutes 1981 Supplement, Sections 43A.01, by adding a subdivision; 43A.02, by adding subdivisions; 43A.05, by adding a subdivision; and 43A.18, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 137.

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

Page 2, line 21, after "*compile*" insert ", *subject to funds and personnel availability,*"

Page 2, line 30, delete "*for providing*" and insert "*to provide*"

Page 2, line 34, delete "*full*"

Page 3, line 3, delete "*that*" and insert "*the*"

Page 3, line 4, delete "*which*" and insert "*that*"

Page 3, line 8, delete "*funds*" and insert "*amounts*"

Page 3, line 14, delete "*which*" and insert "*that*"

Page 4, delete lines 2 to 7 and insert:

"Sec. 8. Minnesota Statutes 1981 Supplement, Section 43A.18, is amended by adding a subdivision to read:

Subd. 9. [ALLOCATION; STATE EMPLOYEES.] *The*"

Page 4, line 9, delete "*these amounts*" and insert "*the amounts appropriated by the legislature for comparability adjustments*"

Page 4, line 10, delete "*which*" and insert "*that*"

Page 4, line 12, delete "*Funds*" and insert "*Amounts*"

Page 4, line 14, delete "*funds*" and insert "*amounts*"

Page 4, line 15, delete "*Funds not used for purposes*" and insert "*Amounts appropriated for the purpose*"

Page 4, line 16, after "*adjustments*" insert "*but not used for that purpose*"

Amend the title as follows:

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

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. 1617: A bill for an act relating to public welfare; changing liquid asset limits for medical assistance eligibility; amending Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by a law passed in the 1981 third special session styled as House File No. 2, Article I, Section 32.

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

Page 4, line 16, after the period, insert "*If a federal court holds that section 1 does not comply with Title XIX of the social security act, 42 United States Code, Sections 1396 to 1396n, section 1 is repealed effective the day after the date of that court decision.*"

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. 1961: A bill for an act relating to agriculture; providing for the licensing and regulation of certain grain buyers; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 223; repealing Minnesota Statutes 1980, Chapter 223, as amended; and Sections 232.01; 232.02, as amended; 232.04; and 232.06, Subdivision 5.

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

Page 1, line 15, delete "*8*" and insert "*9*"

Page 2, delete line 35 and insert "*United States Code, Chapter 10.*"

Page 4, line 5, delete "*Fees and penalties*" and insert "*Money*"

Page 4, delete lines 7 to 10 and insert "*grain buyers and storage fund and is appropriated to the commissioner*"

Page 4, delete line 32

Page 5, line 8, delete "*may*" and insert "*shall*"

Page 6, after line 31, insert:

"Sec. 7. [APPROPRIATIONS CANCELLED.]

The sums appropriated from the general fund to the commissioner of agriculture for the administration and enforcement of grain buyer regulations in Minnesota Statutes, Chapters 223 and 232, for the fiscal year ending June 30, 1983, are cancelled and shall be credited to the general fund."

Page 6, line 36, delete "*July 1*" and insert "*June 30*"

Page 7, line 6, after the period, insert "*Sections 1 to 6 are repealed July 1, 1983. Any claims under sections 1 to 6 which are not settled before July 1, 1983, may be settled under the provisions of section 4, subdivisions 7 and 8, as they existed prior to July 1, 1983.*"

Renumber the sections in sequence

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

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

S.F. No. 1789: A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.

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

Page 1, after line 13, insert:

"*Subd. 3. Chisago County Court Services, Chisago County Courthouse, Center City, Minnesota 55012, for medical expenses incurred by a prisoner who was assigned to social restitution.....$26.35.*

Subd. 4. Robert J. Feather, No. 100170, Minnesota correctional facility, Stillwater, Minnesota 55082, for an injury received while doing his assigned work which resulted in a permanent partial disability of 50 percent to his left hand.....$7,541.00."

Page 1, line 14, delete "*3*" and insert "*5*"

Page 1, after line 18, insert:

"*Subd. 6. Norman Goldberg, 602-26th Street, Cloquet, Minnesota 55720, for medical expenses incurred due to injuries sustained by his juvenile son while he was doing assigned social restitution.....$15.00.*"

Page 1, line 19, delete "*4*" and insert "*7*"

Page 1, line 23, delete "*5*" and insert "*8*"

Page 2, line 3, delete "*6*" and insert "*9*"

Page 2, after line 6, insert:

"*Subd. 10. Toby Krominga, P. O. Box 179, Elk River, Minnesota 55330, for an injury sustained while doing his assigned work which resulted in a permanent partial disability as follows: five percent of the whole left arm, 15 percent to the little finger left hand, and ten percent to the ring finger left hand.....$1,690.00.*

Subd. 11. Kenneth Lee Napier, c/o David Musielewicz, LAMP, University of Minnesota, 95 Law Building, Minneapolis, Minnesota 55455, for an injury sustained while doing his assigned work in the License Plate Plant, MCF-St. Cloud, which resulted in a permanent partial disability of 25 percent loss of the distal tip of the left ring finger.....$517.00.

Subd. 12. Patrick Petrick, No. 101385, Minnesota correctional facility, Stillwater, Minnesota 55082, for loss of his personal property when he was transferred from Lino Lakes correctional facility to Stillwater.....$1,264.00."

Page 2, line 7, delete "*7* and insert "*13*"

Page 2, line 11, delete "*8*" and insert "*14*"

Page 2, line 15, delete "*9*" and insert "*15*"

Page 2, after line 19, insert:

"*Subd. 16. Helen Stumpf, on behalf of all the plaintiffs in the Ramsey*

County district court case of Helen Stumpf, et al. v. the St. Paul board of education, 1283 Danforth Street, St. Paul, Minnesota 55117, for attorney's fees incurred in obtaining an injunction restraining the St. Paul board of education from establishing combined seasons for boys and girls tennis and swimming, payment to be made to each plaintiff of the amount actually contributed by each, the total amount not to exceed the amount specified in this subdivision, pro rated among the plaintiffs if necessary.....$1,912.50.''

Page 2, line 20, delete ''*10*'' and insert ''*17*''

Page 2, after line 23, insert:

''*Subd. 18. Ronald Waukazo, c/o Roderick J. McPherson, 310 Fourth Avenue South, Suite 700, Minneapolis, Minnesota 55415, for an injury sustained while doing his assigned work at MCF-Stillwater which resulted in a permanent partial disability of a 50 percent loss of the first phalange of the second finger on his right hand $1,085.00 and $266.00 for payment of his temporary disability.....$1,351.00.*''

Page 2, line 24, delete ''*11*'' and insert ''*19*''

Page 2, line 28, delete ''*12*'' and insert ''*20*''

Page 2, after line 32, insert:

''Sec. 2. [TRUNK HIGHWAY FUND CLAIMS.]

Subdivision 1. The sums set forth in this section are appropriated from the trunk highway fund to the commissioner of transportation for payment to the persons named in full and final payment of claims against the state.

Subd. 2. Earl R. Colstrup, Route 2, Box 278, Albert Lea, Minnesota 56007, for crop loss in 1978, 1979, 1980, and 1981 resulting from highway construction on I-90.....$7,500.

Ronald J. Sipple, Route 2, Box 279, Albert Lea, Minnesota 56007, for crop loss in 1978, 1980, and 1981 resulting from highway construction on I-90.....$11,500.

Neither of the amounts appropriated by this subdivision shall be paid until both Earl R. Colstrup and Ronald J. Sipple have executed an agreement or agreements with the commissioner of transportation (a) releasing the state of Minnesota from any and all claims for damages, past, present, and future, of any kind or nature, occasioned by the construction or maintenance of the highway known as Interstate 90, (b) pledging not to present to the legislature any more claims relating to the construction or maintenance of I-90, and (c) waiving any objection to the construction of a drainage project by Freeborn County designed to alleviate the flooding of their land that might otherwise continue to result from the construction or maintenance of I-90, and the agreement or agreements have been filed with the county recorder.

Subd. 3. John Toenges, Route 2, Alden, Minnesota 56009, for damage incurred when 33 + acres of his land which was used for a borrow pit was not restored properly according to the contract.....$2,450.

Sec. 3. [CANCELLATION.]

The appropriations made by this act shall lapse and be cancelled on June 30, 1983.

Sec. 4. [CANCELLATION OF OLD CLAIMS.]

The appropriations made by the laws listed in this section, not having been used within a reasonable period of time, shall lapse and be cancelled on December 31, 1982:

Laws 1969, Chapter 886, Section 3, Subdivision 44 - City of West St. Paul - $1,569.83

Laws 1969, Chapter 886, Section 3, Subdivision 53 - Lucille Jacobs - $604.58

Laws 1969, Chapter 1066, Section 8, Subdivision 3 - City of West St. Paul - $137.00

Laws 1969, Chapter 1066, Section 8, Subdivision 9 - Marie Murphy - $1,500.00

Laws 1969, Chapter 1066, Section 13, Subdivision 1 - Jeanette Rudeen - $10,200.00

Laws 1971, Chapter 157, Section 3, Subdivision 3 - Benjamin Burton - $533.40

Laws 1973, Chapter 294, Section 4, Subdivision 44 - Sreeramulu Nagubandi - $489.80

Laws 1974, Chapter 557, Section 1, Subdivision 24 - City of Farimont - $14,638.88

Laws 1974, Chapter 557, Section 5, Subdivision 2 - Einar Carlsen - $30.00

Laws 1974, Chapter 557, Section 7, Subdivision 2 - Albert R.Olson - $50,000.00

Laws 1975, Chapter 16, Section 4, Subdivision 2 - Russell Verby - $35,000.00

Laws 1975, Chapter 158, Section 4, Subdivision 2 - Rum River Lumber Co. - $25,000.00

Laws 1976, Chapter 101, Section 1, Subdivision 9 - Norman H.Drews - $520.07

Laws 1978, Chapter 668, Section 1, Subdivision 5 - Kathryne Spaht - $1,600.00

Laws 1979, Chapter 340, Section 1, Subdivision 13 - Paul Qualy - $2,000.00''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert ''providing for cancellation of old claims;''

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

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

H.F. No. 1553 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1553	1596				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1553 be amended as follows:

Page 1, line 10, delete "*shall have*" and insert "*has*"

Page 1, line 14, after "*municipal*" insert a comma

Page 1, line 16, delete "*any*" and insert "*a*"

Page 1, line 18, delete "*any*" and insert "*a*"

Page 1, line 22, delete "*When any*" and insert "*If a*"

Page 1, line 23, delete "*any*" and insert "*a*" and after " *judgment*" insert a comma

Page 1, line 24, delete "*shall*"

Page 1, line 25, after "*satisfied,*" insert "*shall immediately*"

Page 2, line 1, delete "*immediately after the expiration of the 30 days,*"

Page 2, line 3, delete "*any*" and insert "*a*"

Page 2, line 10, delete the first and second "*any*" and insert "*the*"

Page 2, line 13, delete "*Minnesota Statutes,*"

Page 2, line 18, delete "*any*" and insert "*a*"

Page 2, line 19, after "*full*" insert ", *or has expired,*"

Page 2, line 21, delete "*Any*" and insert "*A*"

Page 2, line 29, after "*and*" delete "*such*"

Page 2, line 30, after "*documents*" delete "*as*" and after " *commissioner*" delete "*shall require*" and insert "*requires*"

Page 3, lines 2 and 3, delete "*Judgments herein referred to shall be deemed satisfied*" and insert "*For the purposes of sections 1 to 3, a judgment is satisfied if*"

Page 3, line 8, delete "*When,*"

Page 2, line 13, delete "*When*"

Page 3, line 18, delete "*any*"

Page 3, line 22, delete "INSTALMENT" and insert "INSTALLMENT"

Page 3, line 26, delete "*instalments and*" and insert " *installments.*"

Page 3, line 29, delete "*instalments*" and insert " *installments*"

Page 3, line 31, delete "*when*" and insert "*if*"

Page 3, line 33, delete "*Minnesota Statutes,*" and after " *65B.48*" delete

"*and*" and insert a comma

Page 3, line 34, after "*order*" insert "*or enters into a written agreement with the judgment creditor*"

Page 3, delete lines 35 and 36 and insert "*installments, and does not default on the payment of any installment.*"

Page 4, line 1, delete "*In the event*" and insert "*If*"

Page 4, line 2, delete "*instalment*" and insert "*installment*"and after "*order*" insert "*or agreement*"

Page 4, lines 12 and 13, delete "*$20,850 for fiscal year 1983*" and insert "*$20,834*"

Page 4, line 13, before the period insert ", *to be available until June 30, 1983.*"

Page 4, line 13, after the period delete "*The*"

Page 4, delete lines 14 and 15 and insert:

"Sec. 6. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

And when so amended H.F. No. 1553 will be identical to S.F. No. 1596, and further recommends that H.F. No. 1553 be given its second reading and substituted for S.F. No. 1596, 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. 1698 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1698	1813				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1698 be amended as follows:

Page 3, line 10, delete "*July*" and insert "*January*"

Page 3, line 25, after the period, insert "*Receipts from rentals of Rochester state hospital property shall be deposited in the general fund and are appropriated to the commissioner of administration for maintenance of the land and buildings of that campus.*"

And when so amended H.F. No. 1698 will be identical to S.F. No. 1813, and further recommends that H.F. No. 1698 be given its second reading and substituted for S.F. No. 1813, 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. 1975 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1975	1920				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1975 be amended as follows:

Page 1, line 10, before "*may*" insert "*, subdivision 1,*"

Page 1, line 17, delete "*$500*" and insert "*$5,000*"

And when so amended H.F. No. 1975 will be identical to S.F. No. 1920, and further recommends that H.F. No. 1975 be given its second reading and substituted for S.F. No. 1920, 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. 1018 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1018	1269				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1018 be amended as follows:

Page 2, line 10, delete "*of producers*"

Page 2, line 13, delete "*buying commodities*"

Page 2, delete lines 14 and 15, and insert "*domiciled inside or outside of the state which buy commodities from Minnesota producers.*"

Page 2, line 18, strike everything after "17.69"

Page 2, line 19, strike everything before the period

Page 2, line 22, delete "*the channels of trade and commerce,*" and insert "*commercial channels,*"

Page 4, delete lines 1 to 5 and insert "consent of ~~the~~ *a* council *and after a referendum* pursuant to this chapter, which establishes a program for promotion, advertising, production, market research, and market development of the growing, processing, distributing, sale ~~of~~ or handling of *an* agricultural ~~prod-~~

~~ucts covered by referendum~~ *commodity* and''

Page 4, line 12, before ''*operation*'' insert ''*agricultural*'' and before the period insert ''*which produces or grows the commodity*''

Page 4, delete lines 34 to 36 and insert ''~~such commodity~~. ~~Such petition shall be certified by~~ At least two producers ~~to have~~ *shall certify under oath that the petition has* been signed only by producers of the commodity involved.''

Page 5, delete line 1

Page 6, delete lines 7 to 21 and insert ''declared elected to the first council. ~~In each calendar year following the one in which~~

After the first council *for a commodity* is elected ~~candidates shall be selected and~~, an election shall be held *annually* to elect ~~a successor or successors to~~ *members of* the council ~~member or members whose term or terms expire in that year~~. ~~Nominations shall be made and the elections~~ *The election* shall be held in the same manner as prescribed for the first council *election* except that the ~~choice of~~ *manner of choosing* nominating committee members, the time of nominations and the time and place of elections shall be fixed by the commissioner ~~with the consent of the council~~. *Mail balloting may be permitted by the commissioner.*''

Page 6, delete lines 32 to 36

Page 7, delete lines 1 to 4 and insert ''year. All ~~elected successor~~ council members *elected in succeeding elections* shall ~~be elected for~~ *serve* three year terms and ~~each shall serve~~ until ~~his successor is~~ *their successors are* elected and qualified. *All terms shall expire on June 30 of the last year of the term unless another date is established by the commissioner for specific councils.* In the event a council member ceases to have any of the qualifications herein established, his office shall be deemed vacant. ~~Any~~ *An* interim vacancy on the council shall be filled by the council for the remainder of the term vacated. *The successor so appointed shall be a commodity producer residing in the same crop reporting district as the former member.*''

Page 7, line 5, delete ''*or his*''

Page 7, line 6, delete ''*designee*''

Page 7, line 21, before ''*council*'' delete ''*the*'' and insert '' *a*''

Page 8, line 13, delete ''*Becker,*'' and ''*Otter Tail,*''

Page 8, line 14, after ''*Hubbard*'' insert '', *Becker, Ottertail*''

Page 8, delete lines 29 and 30 and insert ''*that the area was organized prior to July 1, 1982, pursuant to section 30.464, subdivision 3, as amended through June 30, 1982.*''

Page 9, line 3, after ''*30.472*'' insert ''*as amended through June 30, 1982,*''

Page 9, line 17, after ''*amended,*'' insert ''*the vote in*''

Page 9, line 20, before the period insert ''*for bloc voting by a cooperative*''

Page 9, line 28, delete ''*The*''

Page 9, line 29, delete everything before the period and insert '' *The cooperative shall return the completed bloc vote ballot to the commissioner*''

Page 10, line 30, before the period insert "*of chapter 15*"

Page 12, line 8, before the period insert "*of chapter 15*"

Page 12, line 21, strike "such necessary" and "as" and before "*are*" insert "*which*"

Page 13, delete lines 6 to 8 and insert "~~funds to be made by a certified auditing firm.~~ *Each council shall make available* an annual financial statement ~~shall be available~~ *of the council* to any producer upon request."

Page 13, delete lines 12 to 14 and insert:

"Subdivision 1. [CONTRACTS.] ~~The commissioner, with the advice and consent of the~~ *A* council, *with the approval of the commissioner,* may contract and cooperate"

Page 13, line 29, after "~~and~~" insert ". *A council may employ*"

Page 13, line 30, reinstate "other personnel" and "necessary"

Page 13, line 30, after "~~deemed~~" insert "*as it deems*"

Page 14, delete lines 4 to 7 and insert "*of elections, referenda, and meetings of a council* and ~~operation~~ *the administration* of a promotional order for any commodity ~~coming under sections 17.51 to 17.69, the commissioner~~ shall ~~follow the~~ *be governed by* rules ~~and regulations as~~"

Page 14, line 14, delete "*1 to 11*" and insert "*17.51 to 17.69*"

Page 15, line 20, after "*support*" insert "*or oppose*"

Page 15, line 21, after "*for*" insert "*nomination or election to a*"

Page 16, delete lines 3 to 10 and insert:

"All of the records of ~~the~~ *a* council, *except as otherwise provided in this section,* shall be *open to the* public ~~records~~ and shall be available for inspection *by any person* for any lawful purpose, provided, however, that the council shall be empowered to make reasonable rules ~~and regulations~~ concerning the *inspection of the records, the* time or place of ~~such~~ inspection, or the manner in which the information shall be made available. *Financial information pertaining to individual participating producers shall not be open to the public.*"

Page 17, line 18, strike "certification" and after "statement" insert "*certifying*"

Page 17, line 22, delete "*Termination*"

Page 17, delete line 23 and insert "*A hearing for a termination of an order need not be held as provided in chapter 15.*"

Page 17, line 28, before "rule" insert "*any*"

Page 1, line 1, delete "*or check-off fee*"

Page 18, delete lines 17 and 18 and insert

"*This act is effective July 1, 1982.*"

Amend the title as follows:

Page 1, line 8, delete "amending"

And when so amended H.F. No. 1018 will be identical to S.F. No. 1269, and further recommends that H.F. No. 1018 be given its second reading and substituted for S.F. No. 1269, 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. 2199 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.
2199	1752				

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. 1919 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1919	1847				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1919 be amended as follows:

Page 5, line 15, delete "*may proceed with the proposed agency action*" and insert "*shall be deemed a recommendation that the agency take the action as proposed*"

Page 5, line 27, delete the underscoring

Page 8, line 32, delete "*80*" and insert "*at least 70*"

And when so amended H.F. No. 1919 will be identical to S.F. No. 1847, and further recommends that H.F. No. 1919 be given its second reading and substituted for S.F. No. 1847, 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. 2156 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.
				2156	2053

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. 1737 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1737	1661				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1737 be amended as follows:

Page 4, line 20, delete "*based on the service credit section or*"

Page 4, line 21, delete "*the service pension otherwise payable*"

Page 5, line 32, delete "*whichever*" and insert "*which*"

Page 6, line 1, delete "*whichever*" and insert "*which*"

Page 6, line 20, delete the comma and insert "*or*" and after "*benefits*" delete "*or*"

Page 6, line 21, delete "*rehabilitation benefits*"

Page 6, line 32, delete "*incorporaton*" and insert " *incorporation*"

Page 7, line 19, delete "*associaton*" and insert " *association*"

Page 7, line 21, delete "*secton*" and insert "*section*" and delete "*persn*" and insert "*person*"

Page 7, line 34, delete "*Association.*"" and insert " *Association*"."

Page 8, line 3, delete "*incorporaton*" and insert " *incorporation*"

Page 8, line 6, delete "*applicaton*" and insert "*application*"

Page 9, line 12, after "*section*" insert "*14*"

Page 9, line 20, delete "*recieved*" and insert "*received*"

Page 10, line 1, delete the semicolon and insert a colon

Page 11, line 11, delete "NONGARNISHMENT" and insert "NON-GARNISHMENT"

Page 11, line 13, delete "*of*"

Page 11, line 28, after "*1947*" insert a comma

Page 11, line 29, after "*section*" insert a comma

Pages 11 to 14, delete sections 20 and 21

Page 14, line 2, delete "22" and insert "20"

Page 14, line 6, delete everything after the period

Page 14, delete lines 7 to 9

Amend the title as follows:

Page 1, line 3, delete "association" and insert "associations"

Page 1, line 17, delete everything after the semicolon

Page 1, delete lines 18 to 21

And when so amended H.F. No. 1737 will be identical to S.F. No. 1661, and further recommends that H.F. No. 1737 be given its second reading and substituted for S.F. No. 1661, 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. 1760 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1760	1707				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1760 be amended as follows:

Page 1, line 17, before "Any" insert "[PENALTY.]"

Page 2, line 7, before "Any" insert "[PENALTY.]"

Page 2, line 27, before "Any" insert "[SUBSEQUENT OFFENSE.]"

Page 2, delete line 31

Page 3, line 3, before "Any" insert "[CIVIL ACTION; TREBLE DAMAGES.]"

Page 3, lines 14, 17, 24, 29, and 33, strike "therein" and insert " *in it*"

Page 4, delete section 6

Page 4, line 28, delete everything after the period

Page 4, delete lines 29 and 30

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "626A.05, Subdivision 2;"

And when so amended H.F. No. 1760 will be identical to S.F. No. 1707, and further recommends that H.F. No. 1760 be given its second reading and substituted for S.F. No. 1707, 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. 1994 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1994	1930				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1994 be amended as follows:

Page 2, line 3, delete the new language and before "upon" insert " *(a)*"

And when so amended H.F. No. 1994 will be identical to S.F. No. 1930, and further recommends that H.F. No. 1994 be given its second reading and substituted for S.F. No. 1930, 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. 2058 for comparison with companion Senate File, reports the following House File was found not identical with 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.
2058	2038				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2058 be amended as follows:

Page 2, line 10, before the period insert ", *unless release would be detrimental to the best interests of the child*"

Page 3, delete lines 20 to 28 and insert "*confidential while the report is under investigation. After the investigation is completed, the name of the reporter shall be confidential but shall be accessible to the individual subject of the record upon court order.*"

Page 4, delete lines 2 to 5 and insert "*private data. If no*"

Page 4, after line 34, insert:

"Sec. 6. Minnesota Statutes 1980, Section 626.557, Subdivision 19, is

amended to read:

Subd. 19. [PENALTY.] Any caretaker, as defined in subdivision 2, or operator or employee thereof, or volunteer worker thereat, who intentionally abuses or neglects a vulnerable adult, or being a caretaker, permits conditions to exist which result in the abuse or neglect of a vulnerable adult, ~~may be charged with a violation of section 609.23~~ *is guilty of a gross misdemeanor*."

Page 4, line 36, delete "5" and insert "6"

Renumber the sections in sequence

Amend the title as follows:

Page 1, after line 5, insert "prescribing penalties;"

Page 1, line 8, after the comma insert "Subdivision 19,"

And when so amended H.F. No. 2058 will be identical to S.F. No. 2038, and further recommends that H.F. No. 2058 be given its second reading and substituted for S.F. No. 2038, 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. 1849 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1849	2172				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1849 be amended as follows:

Page 1, line 24, reinstate the stricken language

Page 1, line 25, delete "*penalty assessment*" and insert " *surcharge*"

Page 2, line 10, reinstate the stricken language

And when so amended H.F. No. 1849 will be identical to S.F. No. 2172, and further recommends that H.F. No. 1849 be given its second reading and substituted for S.F. No. 2172, 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. 1867 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1867	1855				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1867 be amended as follows:

Page 4, line 3, reinstate the stricken language and delete the new language

Page 4, delete lines 17 to 24 and insert:

"(b) [EXCEPTIONS.] (1) Any *regularly salaried* officer *or employee* of a licensed insurer may, without license or other qualification, act ~~in its~~ *on* behalf *of that licensed insurer* in the negotiation ~~and consummation~~ of ~~contracts~~ *a contract* on a variable basis, *provided that a licensed agent must participate in the sale of any contract.*"

Page 4, line 25, reinstate the stricken language and delete the new language

Page 4, line 33, reinstate the stricken language and delete the new language

Page 4, line 34, reinstate the stricken language and delete the new language

Page 5, line 4, reinstate the stricken language and delete the new language

Page 5, line 10, after "*renewed*" insert a comma

Amend the title as follows:

Page 1, lines 2 and 3, delete "authorizing the commissioner to enjoin violations of chapter 60A;

Page 1, line 4, after the semicolon insert "authorizing the commissioner to enjoin violations of chapter 60A;"

And when so amended H.F. No. 1867 will be identical to S.F. No. 1855, and further recommends that H.F. No. 1867 be given its second reading and substituted for S.F. No. 1855, 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. 1690 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1690	1650				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1690 be amended as follows:

Page 2, line 8, after "*Act,*" insert "*42 U.S.C. Sections 670 to 676,*"

Page 3, line 27, after "*Act,*" insert "*42 U.S.C. Sections 670 to 676,*"

Page 4, line 3, delete "; and" and insert ", and Laws 1981, Third Special

Session''

Page 4, line 4, after ''17'' insert a comma

Page 4, line 8, delete the semicolon and insert a comma

Page 4, line 9, before ''*or*'' insert ''*42 U.S.C. Sections 670 to 676;*''

Page 4, line 12, before the semicolon insert '', *42 U.S.C. Sections 670 to 676*''

Page 7, line 9, delete ''*This act is*'' and insert ''*Sections 1 to 7 are*''

Amend the title as follows:

Page 1, lines 2 to 7, delete ''requiring the commissioner of public welfare to promulgate rules which establish foster care maintenance payments by the state; establishing a state goal for the reduction of the number of children in residential facilities for more than 24 months;'' and insert ''establishing foster care maintenance payments by the state; requiring the commissioner of public welfare to promulgate rules which establish a state goal for the reduction of the number of children in residential facilities for more than 24 months;''

Page 1, line 13, after ''payments'' insert ''or adoption assistance''

And when so amended H.F. No. 1690 will be identical to S.F. No. 1650, and further recommends that H.F. No. 1690 be given its second reading and substituted for S.F. No. 1650, 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. 1469 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1469	1449				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1469 be amended as follows:

Page 1, line 16, delete ''*any*'' and insert ''*a*''

Page 1, line 18, delete ''*any*''

Page 1, line 20, delete ''*any*'' and insert ''*a*''

Page 2, line 5, delete ''*when*'' and insert ''*if*''

Page 2, line 20, delete ''*(a)*'' and insert '' ''*(1)*''

Page 2, line 22, delete ''*(b)*'' and insert ''*(2)*''

Page 3, line 1, delete ''*any*''

Page 3, line 8, delete ''*(a)*'' and insert ''*(1)*'' and delete '' *(b)*'' and insert

"*(2)*"

Page 3, line 11, delete "*(c)*" and insert "*(3)*"

Page 3, line 13, delete "*(d)*" and insert "*(4)*"

Page 4, line 14, delete "*Any*" and insert "*A*"

Page 4, line 20, delete "*Any*" and insert "*An*"

Page 4, line 21, delete "*any*" and insert "*a*"

Page 4, line 28, delete "*Any*" and insert "*An*"

Page 4, line 29, delete "*any*" and insert "*a*"

Page 4, line 33, delete "*Any*" and insert "*A*"

Page 5, line 2, delete "*any*" and insert "*a*"

Page 5, line 3, delete "*any*" and insert "*a*"

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

Page 5, line 7, before "*person*" delete "*Any*" and insert "*A*" and after "*in*" delete "*any*" and insert "*a*"

Page 5, line 10, delete "*any*" and insert "*a*"

Page 5, line 18, delete "*Any*" and insert "*A*"

Page 5, line 25, delete "*shall include,*" and insert " *includes:*"

Page 5, delete line 26

Page 6, line 3, delete "*Any*" and insert "*An*"

Page 6, line 7, delete "*any*"

Page 6, line 12, delete "*Provided, however, that*" and insert "*However,*"

Page 6, line 21, delete "*where*" and insert "*if*"

Page 6, line 22, delete "*satisfaction of the*"

Page 7, line 6, delete ", *together with any*" and insert " *and pay to the defendant*"

Page 7, lines 14 and 15, delete "*Minnesota Statutes,*"

Page 7, line 20, delete "*any*" and insert "*an*"

Page 7, line 28, delete "*any*" and insert "*an*" in both instances

And when so amended H.F. No. 1469 will be identical to S.F. No. 1449, and further recommends that H.F. No. 1469 be given its second reading and substituted for S.F. No. 1449, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1894 for comparison with companion Senate File, reports the

following House File was found not identical with 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.
1894	1941				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1894 be amended as follows:

Page 1, line 16, delete "*residential*"

Page 3, line 32, after "*677*" insert a comma and after "*amended*" insert "*by Laws 1974, Chapter 677, Section 2*"

Page 7, line 19, after "sale" insert "*or rent*"

Page 7, line 22, delete the new language

Page 10, line 35, delete "*are*"

Page 11, line 6, delete the underscoring after "*be*"

Page 12, lines 12 to 15, delete the new language

Amend the title as follows:

Page 1, lines 4 and 5, delete "providing for the allocation of mortgage bonds;"

And when so amended H.F. No. 1894 will be identical to S.F. No. 1941, and further recommends that H.F. No. 1894 be given its second reading and substituted for S.F. No. 1941, 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. 1576 for comparison with companion Senate File, reports the following House File was found not identical with 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.
1576	1507				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1576 be amended as follows:

Page 2, line 12, after the period insert "*The provisions of sections 47.20 and 47.21 do not apply to loans made under this section, except as specifically provided in this subdivision.*"

Page 3, line 29, after the period insert "*The provisions of sections 47.20 and 47.21 do not apply to loans made under this chapter, except as provided in this section.*"

Page 8, delete lines 26 to 33

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete everything after the first semicolon

Page 1, line 15, after "Subdivisions 1" delete ", 3,"

And when so amended H.F. No. 1576 will be identical to S.F. No. 1507, and further recommends that H.F. No. 1576 be given its second reading and substituted for S.F. No. 1507, 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. 1897 for comparison with companion Senate File, reports the following House File was found not identical with 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.
				1897	1873

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1897 be amended as follows:

Page 1, after line 11, insert:

"Section 1. [28A.065] [LICENSE REQUIREMENTS FOR A CARNIVAL, CIRCUS, OR FAIR.]

No person whose place of business is a carnival, circus, or fair and who holds a license pursuant to this chapter or chapter 157 shall be required to obtain any additional license or permit pursuant to the provisions of an ordinance or regulation of a political subdivision in order to engage in any aspect of food handling or to operate a restaurant.

This section does not exempt the person from compliance with the provisions of chapters 37 and 38, any sanitation, public health or zoning ordinance, privilege license requirements or other regulation of the fair or political subdivision having jurisdiction over the area in which the carnival, circus, or fair is conducted."

Page 2, line 20, delete ", *and*" and insert "*and chapter*"

Page 7, line 31, reinstate the stricken language

Page 8, after line 13, insert:

"Sec. 14. Minnesota Statutes 1980, Section 177.23, Subdivision 7, is amended to read:

Subd. 7. "Employee" means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause,

equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm to perform services other than corn detasseling;

(2a) for purposes of section 177.24, an individual who has not attained the age of 18 who is employed in agriculture as a corn detasseler;

(3) any staff member employed with an organized resident or day camp licensed with the state;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of section 353.01, subdivision 2b, clauses (a), (b), (d), and (i);

(9) any driver employed by an employer engaged in the business of operating taxicabs;

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a ~~part-time~~ *seasonal* basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program;

(13) any individual employed by the state as a natural resource manager 1, 2, or 3 (conservation officer);

(14) any individual in a position with respect to which the U.S. Department of Transportation has power to establish qualifications and maximum hours of service pursuant to the provisions of 49 U.S. Code, Section 304;

(15) any individual employed as a seafarer; the term "seafarer" means a master of a vessel or any person subject to the authority, direction and control of the master including but not limited to pilots, sailors, engineers, radio operators, firefighters, watchmen, pursers, surgeons, cooks and stewards, who is exempt from federal overtime standards under 29 U.S.C. Section 213(b)(6)."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "to" insert "fairs, carnivals and circuses; clarifying the food handling license requirements applicable to fairs, carnivals and circuses; changing the exclusion from minimum wage coverage for certain fair, carnival or circus workers; updating and clarifying certain powers and duties of"

Page 1, lines 2 to 4, delete "updating and clarifying certain powers and duties of the society;"

Page 1, line 7, delete "and" and after the fourth semicolon insert "177.23, Subdivision 7; proposing new law coded in Minnesota Statutes, Chapter 28A;"

And when so amended H.F. No. 1897 will be identical to S.F. No. 1873, and further recommends that H.F. No. 1897 be given its second reading and substituted for S.F. No. 1873, 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. Willet from the Committee on Finance, to which was re-referred

S.F. No. 1928: A bill for an act relating to public welfare; providing for regulation of aversive or deprivation procedures for behavior modification of mentally retarded individuals in order that the procedures are appropriately selected, planned, and implemented with due regard for human rights and needs; proposing new law coded in Minnesota Statutes, Chapter 245.

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

Page 1, line 16, delete "*another*" and insert "*a facility staff*"

Page 1, line 19, delete "*another*" and insert "*a facility staff*"

Page 2, after line 8, insert:

"*(f) "Facility staff person" means an owner, operator, or employee of a facility or volunteer or other person who provides services at a facility, or a person acting under the direction and control of such a person at or for the facility.*

(g) "Mechanical restraint" means all forms of restraint used to restrict the movement of an individual or the movement or normal function of a portion of the individual's body, administered as part of a behaviorally contingent program. The term does not include time out from reinforcement."

Page 2, line 13, after "*others*" insert "*or to control severely disruptive behavior*"

Page 2, line 22, delete everything after "*as*" and insert " *the location of the regional review committees established pursuant to subdivision 4, clause (d)(2);*"

Page 2, delete lines 23 and 24

Page 2, line 26, after "*procedures*" insert "*listed in subdivision 4, clause (d)*" and delete "*private*"

Page 2, line 29, delete the colon

Page 2, line 30, delete "*(1)*" and delete "*facilities, and (2) to*" and insert "*facilities regarding*"

Page 2, line 31, delete "*approve and monitor*"

Page 2, line 32, delete "*listed in subdivision 4, clause (e)*"

Page 2, line 33, after "*consumers*" insert "*or facilities*"

Page 4, line 1, after the period, insert "*The commissioner may further define the provisions of subdivision 4 by rule.*"

Page 4, delete lines 6 and 7

Page 4, line 8, delete "*(b)*" and insert "*(a)*" and after "*with*" insert "*any*"

Page 4, line 10, delete "*(c)*" and insert "*(b)*"

Page 4, line 21, after "*procedures*" insert ". *Nothing in this paragraph shall be construed to limit a facility's discretion to deny services for reasons, other than failure to consent, permitted by applicable law and rule*"

Page 4, line 22, delete "*(d)*" and insert "*(c)*"

Page 4, line 30, delete "*(e)*" and insert "*(d)*"

Page 4, line 31, delete "*restrictive clothing*" and insert "*mechanical restraint*"

Page 5, line 2, before "*The*" insert "*If regional review committees have been established,*"

Page 5, line 14, delete "*(f)*" and insert "*(e)*"

Page 5, line 16, delete "*(g)*" and "*(f)*"

Page 5, line 25, after "*promulgate*" insert ", *no later than October 1, 1983,*"

Page 5, line 28, delete "*one year following the date*"

Page 5, delete lines 29 and 30 and insert "*on August 1, 1982.*"

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

Mr. Johnson from the Committee on Taxes and Tax Laws, to which was re-referred

S.F. No. 1685: A bill for an act relating to metropolitan government; regulating the organization, duties and powers of the metropolitan mosquito control district and commission; authorizing taxes; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.704, Subdivision 17; and 473.711, Subdivision 2; repealing Minnesota Statutes 1980, Sections 473.701, Subdivisions 5 and 6; 473.713; and 473.717.

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

Page 2, after line 15, insert:

"Sec. 5. Minnesota Statutes 1980, Section 473.703, Subdivision 1, is amended to read:

Subdivision 1. The district shall be operated by a commission which shall consist of two members from each county within the district, *except that each county within the district which has a seven member county board as provided in section 375.01 shall have one additional member on the commission*. Commissioners shall be members of the board of county commissioners of their respective counties, and shall be appointed by their respective boards of county commissioners."

Page 2, after line 35, insert:

"Sec. 7. Minnesota Statutes 1980, Section 473.705, is amended to read:

473.705 [CONTRACTS FOR MATERIALS, SUPPLIES AND EQUIPMENT.]

No contract for the purchase of materials, supplies, and equipment costing more than ~~$2,500~~ *$5,000* shall be made by the commission without publishing the notice once in the official newspaper of each of the counties in the district that bids or proposals will be received. The notice shall be published at least ten days before bids are opened. Such notice shall state the nature of the work or purchase and the terms and conditions upon which the contract is to be awarded, naming therein a time and place where such bids will be received, opened, and read publicly. After such bids have been duly received, opened, read publicly, and recorded, the commission shall award such contract to the lowest responsible bidder or it may reject all bids. Each contract shall be duly executed in writing and the party to whom the contract is awarded may be required to give sufficient bond to the commission for the faithful performance of the contract. If no satisfactory bid is received the commission may readvertise. The commission shall have the right to set qualifications and specifications and to require bids to meet such qualifications and specifications before bids are accepted. If the commission by an affirmative vote of five-sixths of the voting power of the commission shall declare that an emergency exists requiring the immediate purchase of materials or supplies at a cost in excess of ~~$2,500~~ *$5,000* but not to exceed ~~$5,000~~ *$10,000* in amount, or in making emergency repairs, it shall not be necessary to advertise for bids, but such material, equipment, and supplies may be purchased in the open market at the lowest price available without securing formal competitive bids. An emergency as used in this section shall be an unforeseen circumstance or condition which results in placing life or property in jeopardy. All contracts involving employment of labor shall stipulate terms thereof and such conditions as the commission deems reasonable as to hours and wages."

Page 3, line 5, strike "Each county in the district"

Page 3, strike line 6

Page 3, line 7, strike "of the cost of the activities of the commission" and delete ". *The*"

Page 3, line 8, strike "share shall be" and delete the new language

Page 3, delete line 9

Page 3, line 10, delete "*council*" and strike the period and delete "*The*" and strike "levy where necessary may be made separate"

Page 3, strike line 11

Page 3, line 12, strike "of the year" and before the period, insert "*The commission may levy a tax on all taxable property in the district as defined in section 473.702 to provide funds for the purposes of sections 473.701 to 473.716. The tax shall not exceed six-tenths of one mill. The auditor of each county in the district shall add the amount of the levy made by the district to other taxes of the county for collection by the county treasurer with other taxes. When collected, the county treasurer shall make settlement of the tax with the district in the same manner as other taxes are distributed to political subdivisions*"

Page 3, line 21, delete "*Carver,*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "increasing size of commission membership; increasing certain commission expenditure amounts;"

Page 1, line 6, after "473.702;" insert "473.703, Subdivision 1;"

Page 1, line 7, after "17;" insert "473.705;"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1800, 2027, 1508, 1901, 1617, 1961, 1789, 1928 and 1685 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1547, 1550, 1553, 1698, 1975, 1018, 2199, 1919, 2156, 1737, 1760, 1994, 2058, 1849, 1867, 1690, 1469, 1894, 1576 and 1897 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Knoll moved that S.F. No. 1964 be taken from the table. The motion prevailed.

S.F. No. 1964: A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; amending Minnesota Statutes 1980, Section 299D.03, Subdivision 2; repealing Minnesota Statutes 1980, Sections 299C.041; and 299D.03, Subdivision 3.

Mr. Knoll moved that the Senate do not concur in the amendments by the House to S.F. No. 1964, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Berg moved that H.F. No. 1478 be recalled from the House of Representatives for further consideration.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Kamrath	Pillsbury	Ulland
Bang	Brataas	Knutson	Ramstad	
Belanger	Engler	Kronebusch	Renneke	
Benson	Frederick	Lindgren	Rued	
Berg	Frederickson	Peterson,D.L.	Taylor	

Those who voted in the negative were:

Bertram	Hughes	Moe, D. M.	Purfeerst	Stumpf
Chmielewski	Knoll	Nelson	Schmitz	Tennessen
Dahl	Kroening	Olhoft	Setzepfandt	Vega
Davies	Langseth	Pehler	Sikorski	Waldorf
Davis	Lantry	Penny	Solon	Willet
Dicklich	Lessard	Peterson,C.C.	Spear	
Dieterich	Luther	Peterson,R.W.	Stern	
Frank	Merriam	Petty	Stokowski	

The motion did not prevail.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Pehler introduced—

Senate Resolution No. 79: A Senate resolution commending the order of the Knights of Columbus upon the one hundredth anniversary of its founding.

Referred to the Committee on Rules and Administration.

Mr. Moe, D.M. moved that S.F. No. 1239 be taken from the table. The motion prevailed.

S.F. No. 1239: A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

Mr. Moe, D.M. moved that the Senate do not concur in the amendments by the House to S.F. No. 1239, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Solon, Waldorf and Lindgren introduced—

S.F. No. 2223: A bill for an act relating to health; requiring licensing of certain home health agencies; directing the department of health to regulate home health agencies; establishing penalties; appropriating money; amending

Minnesota Statutes 1980, Sections 144A.51, by adding a subdivision; 144A.52, Subdivision 3; 144A.53; and 144A.54, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 144B.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Chmielewski introduced—

S.F. No. 2224: A bill for an act proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25 and 26; Article V, Sections 3 and 5; Article VIII, Section 1; Article IX, Sections 1 and 2; and Article XI, Section 5; providing for a unicameral legislature of not more than 135 members.

Referred to the Committee on Governmental Operations.

Mr. Dahl introduced—

S.F. No. 2225: A bill for an act relating to education; requiring a report on the effect of the transportation aid formula and other state aids on school closings.

Referred to the Committee on Education.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 10, Mr. Moe, R.D., Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

S.F. No. 1988: A bill for an act relating to housing; directing the commissioner of energy, planning and development to administer certain federal money; proposing new law coded in Minnesota Statutes, Chapter 362.

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:

Ashbach	Dicklich	Langseth	Peterson,C.C.	Stokowski
Bang	Dieterich	Lantry	Peterson,D.L.	Stumpf
Belanger	Frank	Lessard	Peterson,R.W.	Taylor
Benson	Frederick	Lindgren	Pillsbury	Tennessen
Berg	Frederickson	Luther	Purfeerst	Ulland
Bertram	Hughes	Merriam	Ramstad	Vega
Brataas	Humphrey	Moe, R. D.	Renneke	Waldorf
Chmielewski	Kamrath	Nelson	Rued	Willet
Dahl	Knoll	Olhoft	Sikorski	
Davies	Kroening	Pehler	Solon	
Davis	Kronebusch	Penny	Stern	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 917: A bill for an act relating to retirement; authorizing special coverage for members of the Minnesota state retirement system prohibited from performing specified duties after age 60; clarifying various aspects of the special retirement program for certain employees of the department of military affairs; amending Minnesota Statutes 1980, Section 352.85, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapter 352.

Mr. Wegener moved to amend H.F. No. 917, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 881.)

Page 3, after line 18, insert:

"Sec. 4. [LITTLE FALLS CITY ADMINISTRATOR DEFERRED COMPENSATION ELECTION.]

Notwithstanding the deadline for elections established by Minnesota Statutes 1981 Supplement, Section 353.028, Subdivision 2, the person employed by the city of Little Falls in the position of city manager or administrator on the effective date of this act may, within 30 days following the effective date of this act, exercise the election authorized by section 353.028, subdivision 2 to be excluded from membership in the public employees retirement association and to participate in a deferred compensation program. An election pursuant to this section shall be retroactive to May 22, 1981. All other provisions of section 353.028 shall apply."

Page 3, after line 23, insert:

"*Section 4 is effective upon approval by the Little Falls city council and upon compliance with Minnesota Statutes, Section 645.021.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "extending deferred compensation option to Little Falls city administrator;"

The motion prevailed. So the amendment was adopted.

H.F. No. 917 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:

Ashbach	Davis	Knutson	Pehler	Setzepfandt
Bang	Dicklich	Kroening	Penny	Sikorski
Belanger	Dieterich	Kronebusch	Peterson,C.C.	Solon
Benson	Engler	Langseth	Peterson,D.L.	Stokowski
Berg	Frank	Lantry	Peterson,R.W.	Stumpf
Bernhagen	Frederick	Lessard	Petty	Tennessen
Bertram	Frederickson	Lindgren	Pillsbury	Vega
Brataas	Hughes	Luther	Purfeerst	Waldorf
Chmielewski	Humphrey	Merriam	Ramstad	Wegener
Dahl	Kamrath	Moe, R. D.	Renneke	Willet
Davies	Knoll	Olhoft	Rued	

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

SPECIAL ORDER

S.F. No. 2054: A bill for an act relating to the department of economic security; regulating community action programs and agencies; amending Minnesota Statutes 1981 Supplement, Sections 268.52, Subdivisions 1, 2, and 4; 268.53, Subdivisions 1, 2, and by adding subdivisions; 268.54, Subdivision 2.

Mr. Sikorski moved to amend S. F. No. 2054 as follows:

Page 3, line 21, after "*opportunity*" insert "*for final review and authorization for a new community action agency*"

Page 4, line 6, delete everything after "*(e)*"

Page 4, line 7, delete everything before "*The*"

Page 4, line 8, delete "*also*"

The motion prevailed. So the amendment was adopted.

S.F. No. 2054 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Peterson,C.C.	Solon
Bang	Engler	Kronebusch	Peterson,D.L.	Spear
Belanger	Frank	Lantry	Peterson,R.W.	Stokowski
Benson	Frederick	Lessard	Petty	Stumpf
Berg	Frederickson	Luther	Pillsbury	Ulland
Bernhagen	Hughes	Merriam	Purfeerst	Vega
Bertram	Humphrey	Moe, R. D.	Ramstad	Waldorf
Brataas	Kamrath	Olhoft	Rued	Wegener
Chmielewski	Knoll	Pehler	Setzepfandt	Willet
Davies	Knutson	Penny	Sikorski	

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

SPECIAL ORDER

S.F. No. 1793: A bill for an act relating to local government; authorizing the establishment of subordinate service districts in order to provide and finance governmental services; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; amending Minnesota Statutes 1980, Section 275.50, by adding a subdivision; Laws 1981, Chapter 291, Sections 2, Subdivisions 1 and 2, and by adding subdivisions; 4, Subdivision 1; 5, subdivision 2; 7; 8, Subdivisions 1 and 2, and by adding a subdivision; and 24; proposing new law coded as Minnesota Statutes, Chapter 375B.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 48 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lantry	Petty	Stokowski
Bang	Frank	Lessard	Pillsbury	Stumpf
Belanger	Hughes	Lindgren	Purfeerst	Tennessen
Benson	Humphrey	Luther	Ramstad	Ulland
Berg	Kamrath	Moe, R. D.	Rued	Vega
Bernhagen	Knoll	Olhoft	Schmitz	Waldorf
Bertram	Knutson	Pehler	Setzepfandt	Wegener
Brataas	Kroening	Penny	Sikorski	Willet
Chmielewski	Kronebusch	Peterson,C.C.	Solon	
Davis	Langseth	Peterson,D.L.	Spear	

Those who voted in the negative were:

Berglin	Davies	Dieterich	Merriam	Peterson,R.W.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1915: A bill for an act relating to local government; establishing a board to implement and administer a plan for a segment of the Minnesota river in Blue Earth, Brown, Le Sueur, Nicollet, Redwood and Renville counties.

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 0, as follows:

Those who voted in the affirmative were:

Bang	Engler	Merriam	Pillsbury	Taylor
Belanger	Frank	Moe, R. D.	Purfeerst	Tennessen
Benson	Frederickson	Nelson	Ramstad	Ulland
Bernhagen	Humphrey	Olhoft	Renneke	Vega
Bertram	Kamrath	Pehler	Setzepfandt	Waldorf
Chmielewski	Knoll	Penny	Sikorski	Willet
Davies	Kroening	Peterson,C.C.	Solon	
Davis	Lantry	Peterson,D.L.	Spear	
Dicklich	Lessard	Peterson,R.W.	Stokowski	
Dieterich	Luther	Petty	Stumpf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 303: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; authorizing parimutuel betting on races if authorized by law; dedicating earnings to social services for compulsive gamblers and to combatting organized crime.

Mr. Solon moved to amend S.F. No. 303 as follows:

Page 1, line 14, delete everything after the period

Page 1, delete lines 15 to 18

Page 1, line 22, delete "*authorize*"

Page 1, delete lines 23 and 24

Page 1, line 25, delete everything before the question mark and insert "*permit the legislature to authorize and tax parimutuel wagering on horse*

racing in a manner prescribed by law''

Amend the title as follows:

Page 1, line 4, delete ''; dedicating''

Page 1, delete line 5

Page 1, line 6, delete everything before the period

CALL OF THE SENATE

Mr. Tennessen imposed a Call of the Senate for the balance of the proceedings on S.F. No. 303 and requested that a record be made of those present. The following Senators answered to their names:

Ashbach	Dicklich	Langseth	Peterson, D.L.	Stern
Bang	Dieterich	Lantry	Peterson, R.W.	Stokowski
Belanger	Engler	Lessard	Petty	Stumpf
Benson	Frank	Lindgren	Pillsbury	Taylor
Berg	Frederick	Luther	Purfeerst	Tennessen
Berglin	Frederickson	Merriam	Ramstad	Ulland
Bernhagen	Hughes	Moe, D.M.	Renneke	Vega
Bertram	Humphrey	Moe, R.D.	Rued	Waldorf
Brataas	Kamrath	Nelson	Schmitz	Willet
Chmielewski	Knoll	Olhoft	Sieloff	
Dahl	Knutson	Pehler	Sikorski	
Davies	Kroening	Penny	Solon	
Davis	Kronebusch	Peterson, C.C.	Spear	

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

Mr. Tennessen moved to amend the Solon amendment to S.F. No. 303 as follows:

Page 1, line 7, delete everything before ''*on*'' and insert '' *betting*''

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

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 24 and nays 38, as follows:

Those who voted in the affirmative were:

Benson	Dahl	Knutson	Olhoft	Sieloff
Berg	Davies	Lindgren	Peterson,D.L.	Spear
Berglin	Dieterich	Luther	Peterson,R.W.	Tennessen
Bernhagen	Engler	Merriam	Pillsbury	Waldorf
Chmielewski	Kamrath	Moe, D. M.	Renneke	

Those who voted in the negative were:

Ashbach	Frederick	Lantry	Purfeerst	Stumpf
Bang	Frederickson	Lessard	Ramstad	Taylor
Belanger	Hughes	Moe, R. D.	Rued	Ulland
Bertram	Humphrey	Nelson	Schmitz	Vega
Brataas	Knoll	Pehler	Sikorski	Wegener
Davis	Kroening	Penny	Solon	Willet
Dicklich	Kronebusch	Peterson,C.C.	Stern	
Frank	Langseth	Petty	Stokowski	

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

The question recurred on the Solon amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 37 and nays 25, as follows:

Those who voted in the affirmative were:

Ashbach	Frederickson	Lessard	Ramstad	Ulland
Bang	Hughes	Moe, R. D.	Schmitz	Vega
Belanger	Humphrey	Nelson	Setzepfandt	Waldorf
Benson	Knoll	Pehler	Sikorski	Wegener
Bertram	Kroening	Peterson,C.C.	Solon	Willet
Davis	Kronebusch	Peterson,D.L.	Stern	
Dicklich	Langseth	Petty	Stokowski	
Frank	Lantry	Purfeerst	Stumpf	

Those who voted in the negative were:

Berg	Dahl	Kamrath	Olhoft	Rued
Berglin	Davies	Lindgren	Penny	Sieloff
Bernhagen	Dieterich	Luther	Peterson,R.W.	Spear
Brataas	Engler	Merriam	Pillsbury	Taylor
Chmielewski	Frederick	Moe, D. M.	Renneke	Tennessen

The motion prevailed. So the amendment was adopted.

Mr. Dicklich moved to amend S. F. No. 303 as follows:

Page 1, line 20, delete "*proposed amendment*" and insert " *amendment proposed in section 1*"

Page 2, after line 1, insert:

"Sec. 3. [CONSTITUTIONAL AMENDMENT PROPOSED.]

An amendment to the Minnesota Constitution, Article XIII, is proposed to the people. If the amendment is adopted, Section 5 will be repealed.

Sec. 4. [SUBMISSION TO VOTERS.]

The amendment proposed in section 3 shall be submitted to the people at the 1982 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to remove the prohibition against lotteries?

Yes .....
No ....."

Amend the title as follows:

Page 1, line 3, before "adding" insert "by"

Page 1, line 3, delete "; authorizing" and insert "to authorize"

Page 1, line 6, before the period, insert "; proposing an amendment to the Minnesota Constitution by repealing Article XIII, Section 5, the prohibition against lotteries"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 32 and nays 29, as follows:

Those who voted in the affirmative were:

Bang	Humphrey	Luther	Purfeerst	Stumpf
Belanger	Knoll	Moe, R. D.	Ramstad	Ulland
Bertram	Kroening	Nelson	Rued	Vega
Davis	Kronebusch	Pehler	Sikorski	Willet
Dicklich	Lantry	Penny	Solon	
Frank	Lessard	Peterson,C.C.	Stern	
Frederickson	Lindgren	Petty	Stokowski	

Those who voted in the negative were:

Ashbach	Dahl	Knutson	Peterson,D.L.	Spear
Benson	Davies	Langseth	Peterson,R.W.	Taylor
Berg	Dieterich	Menning	Pillsbury	Tennessen
Bernhagen	Frederick	Merriam	Renneke	Waldorf
Brataas	Hughes	Moe, D. M.	Schmitz	Wegener
Chmielewski	Kamrath	Olhoft	Sieloff	

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S.F. No. 303 as follows:

Page 1, line 13, delete "*parimutuel betting*" and insert " *initiative and referendum*"

Page 1, line 14, delete "*on horse racing*" and delete " *One-half of the*"

Page 1, delete lines 15 to 18

Page 1, delete lines 23 and 24 and insert "*initiative and referendum in a manner prescribed by law*"

Page 1, line 25, delete everything before the question mark

Amend the title as follows:

Page 1, line 3, delete "parimutuel" and insert "initiative and referendum in a manner prescribed by law."

Page 1, delete lines 4 to 6

Mr. Purfeerst questioned whether the amendment was germane.

The Chair ruled that the amendment was not germane.

Mr. Sieloff appealed the decision of the Chair.

The question was taken on "Shall the decision of the Chair be the judgment of the Senate?"

The roll was called, and there were yeas 42 and nays 12, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Lessard	Petty	Stumpf
Belanger	Frank	Luther	Pillsbury	Tennessen
Benson	Hughes	Merriam	Purfeerst	Vega
Bertram	Humphrey	Moe, R. D.	Schmitz	Waldorf
Brataas	Knoll	Nelson	Sikorski	Wegener
Chmielewski	Knutson	Olhoft	Solon	Willet
Dahl	Kroening	Pehler	Spear	
Davies	Langseth	Peterson,C.C.	Stern	
Davis	Lantry	Peterson,R.W.	Stokowski	

Those who voted in the negative were:

Berg	Kamrath	Peterson,D.L.	Renneke	Sieloff
Bernhagen	Lindgren	Ramstad	Rued	Taylor
Frederickson	Menning			

The decision of the Chair was sustained.

Mr. Sieloff moved to amend S.F. No. 303 as follows:

Page 1, line 18, after the period, insert "*No person shall be permitted to bet more than $10 on any horse race.*"

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

Mr. Sieloff then moved to amend S.F. No. 303 as follows:

Page 1, line 18, after the period, insert "*No portion of the net proceeds inuring to the state shall be used for advertising or promotion in a manner having the purpose or effect of inducing minors to bet.*"

The question was taken on the adoption of the amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 49 and nays 12, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Lessard	Penny	Sieloff
Benson	Engler	Lindgren	Peterson,C.C.	Sikorski
Berg	Frank	Luther	Peterson,D.L.	Spear
Bernhagen	Frederick	Menning	Peterson,R.W.	Stern
Bertram	Frederickson	Merriam	Petty	Stumpf
Brataas	Hughes	Moe, D. M.	Pillsbury	Taylor
Chmielewski	Kamrath	Moe, R. D.	Ramstad	Tennessen
Dahl	Knutson	Nelson	Renneke	Ulland
Davies	Kroening	Olhoft	Rued	Wegener
Davis	Langseth	Pehler	Schmitz	

Those who voted in the negative were:

Ashbach	Humphrey	Lantry	Stokowski	Waldorf
Belanger	Knoll	Purfeerst	Vega	Willet
Dicklich	Kronebusch			

The motion prevailed. So the amendment was adopted.

Mr. Sieloff then moved to amend S.F. No. 303 as follows:

Page 1, line 18, after the period, insert "*No parimutuel betting or lottery shall be conducted or permitted in any county or city unless first approved by the governing body of the city or county.*"

The question was taken on the adoption of the amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Lessard	Peterson,D.L.	Spear
Bang	Dieterich	Lindgren	Peterson,R.W.	Stern
Belanger	Engler	Luther	Petty	Stokowski
Benson	Frank	Menning	Pillsbury	Stumpf
Berg	Frederick	Merriam	Purfeerst	Taylor
Bernhagen	Frederickson	Moe, D. M.	Ramstad	Tennessen
Bertram	Hughes	Moe, R. D.	Renneke	Ulland
Brataas	Humphrey	Nelson	Rued	Vega
Chmielewski	Kamrath	Olhoft	Schmitz	Waldorf
Dahl	Knutson	Pehler	Sieloff	Willet
Davies	Kroening	Penny	Sikorski	
Davis	Langseth	Peterson,C.C.	Solon	

Mr. Knoll and Mrs. Lantry voted in the negative.

The motion prevailed. So the amendment was adopted.

RECONSIDERATION

Having voted on the prevailing side, Mr. Moe, R.D. moved that the vote whereby the third Sieloff amendment to S.F. No. 303 was adopted on March 10, 1982, be now reconsidered. The motion prevailed.

The question was taken on the adoption of the amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Penny	Solon
Bang	Dieterich	Lantry	Peterson,C.C.	Spear
Belanger	Engler	Lessard	Peterson,D.L.	Stern
Benson	Frank	Lindgren	Peterson,R.W.	Stokowski
Berg	Frederick	Luther	Pillsbury	Stumpf
Bernhagen	Frederickson	Menning	Purfeerst	Taylor
Bertram	Hughes	Merriam	Ramstad	Tennessen
Brataas	Humphrey	Moe, D. M.	Renneke	Ulland
Chmielewski	Kamrath	Moe, R. D.	Rued	Vega
Dahl	Knutson	Nelson	Schmitz	Waldorf
Davies	Kroening	Olhoft	Sieloff	Willet
Davis	Kronebusch	Pehler	Sikorski	

The motion prevailed. So the amendment was adopted.

Mr. Olhoft moved to amend S. F. No. 303 as follows:

Page 1, line 18, after the period, insert "*No betting shall be allowed by law except betting in person at the track.*"

Amend the title as follows:

Page 1, line 3, after "authorizing" insert "at the track"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend S.F. No. 303 as follows:

Page 1, line 18, after the period, insert "*No minor shall be allowed to make or receive bets or buy lottery tickets.*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff then moved to amend S.F. No. 303 as follows:

Page 1, line 18, after the period, insert "*The full faith and credit of the state of Minnesota and any of its political subdivisions, agencies and instrumentalities shall not be pledged for the construction, acquisition, maintenance or renovation or operation of any facilities used for gambling or horse racing.*"

The question was taken on the adoption of the amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 47 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Knutson	Penny	Stokowski
Bang	Davis	Kroening	Peterson,D.L.	Stumpf
Belanger	Dieterich	Langseth	Peterson,R.W.	Taylor
Benson	Engler	Lessard	Pillsbury	Tennessen
Berg	Frank	Lindgren	Purfeerst	Ulland
Bernhagen	Frederick	Luther	Ramstad	Waldorf
Bertram	Frederickson	Menning	Renneke	Willet
Brataas	Hughes	Merriam	Sieloff	
Chmielewski	Humphrey	Moe, D. M.	Solon	
Dahl	Kamrath	Olhoft	Spear	

Those who voted in the negative were:

Knoll	Lantry	Pehler	Petty	Stern
Kronebusch	Moe, R. D.	Peterson,C.C.	Rued	Vega

The motion prevailed. So the amendment was adopted.

Mr. Sieloff then moved to amend S.F. No. 303 as follows:

Page 1, line 18, after the period, insert "*The legislature shall not authorize by franchise or otherwise any person, other than a governmental agency to conduct or supervise a lottery.*"

The question was taken on the adoption of the amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 19 and nays 37, as follows:

Those who voted in the affirmative were:

Bernhagen	Engler	Kamrath	Olhoft	Rued
Brataas	Frank	Luther	Penny	Sieloff
Chmielewski	Frederick	Menning	Peterson,D.L.	Tennessen
Dahl	Hughes	Merriam	Renneke	

Those who voted in the negative were:

Bang	Humphrey	Moe, R. D.	Ramstad	Ulland
Belanger	Knoll	Nelson	Schmitz	Vega
Benson	Knutson	Pehler	Sikorski	Waldorf
Bertram	Kroening	Peterson,C.C.	Solon	Wegener
Davies	Kronebusch	Peterson,R.W.	Spear	Willet
Dicklich	Lantry	Petty	Stern	
Dieterich	Lessard	Pillsbury	Stokowski	
Frederickson	Lindgren	Purfeerst	Taylor	

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

S.F. No. 303: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, by adding a section to authorize at the track parimutuel betting on races if authorized by law; proposing an amendment to the Minnesota Constitution by repealing Article XIII, Section 5, the prohibition against lotteries.

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 34 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Frederickson	Lessard	Purfeerst	Stern
Belanger	Hughes	Moe, R. D.	Ramstad	Stokowski
Benson	Humphrey	Nelson	Rued	Stumpf
Bertram	Knoll	Pehler	Schmitz	Ulland
Davis	Kroening	Peterson,C.C.	Setzepfandt	Vega
Dicklich	Kronebusch	Peterson,D.L.	Sikorski	Willet
Frank	Lantry	Petty	Solon	

Those who voted in the negative were:

Ashbach	Davies	Langseth	Penny	Tennessen
Berg	Dieterich	Lindgren	Peterson,R.W.	Waldorf
Berglin	Engler	Luther	Pillsbury	Wegener
Bernhagen	Frederick	Menning	Renneke	
Brataas	Johnson	Merriam	Sieloff	
Chmielewski	Kamrath	Moe, D. M.	Spear	
Dahl	Knutson	Olhoft	Taylor	

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

SPECIAL ORDER

H.F. No. 1484: A bill for an act relating to highway traffic regulations; providing for administrative driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; authorizing revocations prior to judicial review; revising the procedure for hearings and appeals on administrative revocations; authorizing introduction into evidence certain peace officer records and reports; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 5, 5a, 6, 7, and by adding subdivisions; and 171.19.

Mr. Ulland moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 3, after line 5, insert:

"Sec. 3. Minnesota Statutes 1980, Section 169.121, Subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] ~~Every~~ *A* person ~~convicted of a violation of~~ *who violates* this section or an ordinance in conformity therewith is ~~punishable by imprisonment of not more than 90 days, or by a fine of not more than $500, or both, and his driver's license shall be revoked for not less than 30 days, except that every person who is convicted of a violation of this section or an ordinance in conformity therewith, when the violation is found to be the proximate cause of great bodily harm as defined in section 609.02, subdivision 8, or death to another person, shall be punished by imprisonment for not more~~

~~than 90 days, or by fine of not more than $500, or both, and his driver's license shall be revoked for not less than 90 days~~ *guilty of a misdemeanor.*

~~Any person whose license has been revoked pursuant to section 169.123 is not subject to the mandatory revocation provision of this subdivision.~~

The following persons are guilty of a gross misdemeanor:

(a) A person who violates this section or an ordinance in conformity therewith within five years of a prior conviction under this section or an ordinance in conformity therewith; and

(b) A person who violates this section or an ordinance in conformity therewith within ten years of two or more prior convictions under this section or an ordinance in conformity therewith.

The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of section 169.121 shall also be responsible for prosecution of gross misdemeanor violations of section 169.121.

Sec. 4. Minnesota Statutes 1980, Section 169.121, Subdivision 4, is amended to read:

Subd. 4. ~~Every~~ *A* person ~~who is~~ convicted of ~~a violation of~~ *violating* this section ~~or an ordinance in conformity therewith within three years of any previous such conviction shall be punished by imprisonment for not more than 90 days, or a fine of not more than $500, or both, and his driver's license shall be revoked for not less than 90 days~~ *shall have his driver's license or operating privileges revoked by the commissioner of public safety as follows:*

(a) First offense: not less than 30 days;

(b) Second offense in less than five years: not less than 90 days and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126;

(c) Third offense in less than five years: not less than one year, together with denial under section 171.04, clause (8), until rehabilitation is established in accordance with standards established by the commissioner;

(d) Fourth or subsequent offense on the record: not less than two years, together with denial under section 171.04, clause (8), until rehabilitation is established in accordance with standards established by the commissioner.

Whenever department records show that the violation involved personal injury or death to any person, not less than 90 additional days shall be added to the base periods provided above.

Any person whose license has been revoked pursuant to section 169.123 as the result of the same incident is not subject to the mandatory revocation provisions of clause (a) or (b).''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after the semicolon, insert ''prescribing penalties;''

Page 1, line 14, after ''2,'' insert ''3, 4,''

The motion prevailed. So the amendment was adopted.

Mr. Davies moved to amend H. F. No. 1484, the unofficial engrossment, as follows:

Page 5, after line 25, insert:

"Subd. 2a. [REQUIREMENT OF URINE TEST.] Notwithstanding subdivision 2, if there are reasonable and probable grounds to believe there is impairment by a controlled substance which is not subject to testing by a blood or breath test, a urine test may be required even after a blood or breath test has been administered."

The motion prevailed. So the amendment was adopted.

Mr. Davies then moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 14, after line 10, insert:

"Sec. 7. Minnesota Statues 1980, Section 171.30, Subdivision 1, is amended to read:

Subdivision 1. In any case where a person's license has been suspended under section 171.18 or revoked under sections 169.121 or 171.17, if the driver's livelihood or attendance at a chemical dependency treatment or counseling program depends upon the use of his driver's license, the commissioner may at his own discretion ~~and shall upon recommendation by the court excluding justices of the peace in which the driver was convicted,~~ issue a limited license to the driver. The commissioner in issuing a limited license may impose such conditions and limitations as in his judgment are necessary to the interests of the public safety and welfare including re-examination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic.

The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in his possession at all times when operating as a driver.

In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, after "171.19;" insert "171.30, Subdivision 1;"

The motion prevailed. So the amendment was adopted.

Mr. Davies then moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 3, line 31, delete "*the person refuses a*"

Page 3, line 32, delete "*preliminary screening test or*"

Page 3, line 36, delete "*refusal or*"

Page 4, line 5, delete "*suspend*" and insert "*deny*"

Page 5, line 5, after the first "test" insert ", *if offered,*"

The motion prevailed. So the amendment was adopted.

Mr. Solon moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Pages 3 and 4, delete section 4

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, delete everything after the first semicolon

Page 1, line 14, delete ", and by adding a subdivision"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 4 and nays 48, as follows:

Messrs. Hughes, Solon, Stumpf and Wegener voted in the affirmative.

Those who voted in the negative were:

Ashbach	Davies	Kronebusch	Olhoft	Spear
Bang	Dicklich	Langseth	Pehler	Stern
Belanger	Dieterich	Lantry	Peterson,D.L.	Stokowski
Benson	Engler	Lindgren	Peterson,R.W.	Tennessen
Berglin	Frank	Luther	Petty	Ulland
Bernhagen	Frederick	Menning	Pillsbury	Vega
Bertram	Humphrey	Merriam	Ramstad	Waldorf
Brataas	Kamrath	Moe, D. M.	Renneke	Willet
Chmielewski	Knutson	Moe, R. D.	Rued	
Dahl	Kroening	Nelson	Sikorski	

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

Ms. Berglin moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 14, after line 10, insert:

"Sec. 7. Minnesota Statutes 1981 Supplement, Section 609.101, is amended to read:

609.101 [SURCHARGE ON FINES~~, ASSESSMENTS~~.]

Subdivision 1. [CRIMINAL OFFENSES.] When a court ~~sentences~~ *fines* a person convicted of a felony, gross misdemeanor, ~~or~~ misdemeanor, *or petty misdemeanor,* other than a traffic or parking violation, ~~and if the sentence does not include payment of a fine, the court shall impose an assessment of not less than $20 nor more than $40. If the sentence includes payment of a fine,~~ the court shall impose a surcharge on the fine of ten percent of the fine. This section applies whether or not the person is sentenced to imprisonment ~~and when the sentence is suspended. The court may, upon a showing of indigency or undue hardship upon the convicted person or his immediate family, waive payment or authorize payment of the assessment or surcharge in installments~~.

The *clerk of* court shall collect and forward the amount of the ~~assessment or~~

surcharge to the *county auditor with designation of its origin as a surcharge, with the same frequency as fines are transmitted. The county auditor shall then transmit the surcharges to the* state treasurer to be deposited in the general fund for the purposes of providing services, assistance, or reparations or a combination, to victims of crimes through programs established under sections 241.51 to 241.66, ~~under chapter 256D~~ *256D.05, subdivision 3*, and chapter 299B. If the convicted person is sentenced to imprisonment, the chief executive officer of the correctional facility in which the convicted person is incarcerated may collect the ~~assessment or~~ surcharge from any earnings the inmate accrues for work performed in the correctional facility and forward the amount to the state treasurer. The state treasurer shall identify and report to the commissioner of finance all amounts deposited in the general fund under this section. *The clerk of the sentencing court shall not be responsible for collecting surcharges from inmates of state correctional facilities.*

Subd. 2. [INTOXICATED DRIVING; IMPLIED CONSENT.] *When a court sentences a person convicted of violating the provisions of section 169.121 or 169.123, the court shall impose a surcharge of $50 for a conviction under either section. The surcharge shall be mandatory and shall be in addition to any other fine allowed by law whether the fine is levied or not. The surcharge provided for in this section shall be made even if the sentence for the conviction is stayed. Upon a showing of indigency or undue hardship upon the convicted person, the court may waive payment or authorize payment of the surcharge in installments.*

The surcharge shall be collected and transmitted in the manner provided in subdivision 1 except that it shall be transmitted to the appropriate officer of the appointing authority of the peace officer who made the arrest.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 626.861, Subdivision 1, is amended to read:

626.861 [LEVY AND COLLECTION OF PENALTY ASSESSMENTS.]

Subdivision 1. [LEVY OF ASSESSMENT.] There is levied a penalty assessment of ten percent on each fine imposed and collected by the courts of this state for traffic offenses in violation of chapters 168 to 173 or equivalent local ordinances, other than a fine or forfeiture for a violation of a local ordinance or other law relating to the parking of a vehicle. In cases where the defendant is convicted but a fine is not imposed, or execution of the fine is stayed, the court shall impose a penalty assessment of not less than $5 nor more than $10 when the conviction is for a misdemeanor or petty misdemeanor, and shall impose a penalty assessment of not less than $10 but not more than $50 when the conviction is for a gross misdemeanor or felony. Where multiple offenses are involved, the penalty assessment shall be assessed separately on each offense for which the defendant is sentenced. If imposition or execution of sentence is stayed for all of the multiple offenses, the penalty assessment shall be based upon the most serious offense of which the defendant was convicted. Where the court suspends a portion of a fine, the suspended portion shall not be counted in determining the amount of the penalty assessment unless the offender is ordered to pay the suspended portion of the fine. Suspension of an entire fine shall be treated as a stay of execution for purposes of computing the amount of the penalty assessment. *No penalty assessment shall be imposed under this section if a surcharge is imposed under section 609.101.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after the semicolon, insert "providing for a surcharge on fines;"

Page 1, line 15, before "and" insert "609.101; 626.861, Subdivision 1;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 30, as follows:

Those who voted in the affirmative were:

Benson	Hughes	Langseth	Pillsbury	Taylor
Berglin	Humphrey	Luther	Ramstad	Ulland
Dahl	Kamrath	Nelson	Renneke	Waldorf
Dicklich	Knoll	Peterson,C.C.	Sikorski	Wegener
Frank	Kroening	Peterson,D.L.	Spear	
Frederickson	Kronebusch	Petty	Stokowski	

Those who voted in the negative were:

Ashbach	Chmielewski	Knutson	Olhoft	Schmitz
Belanger	Davies	Lantry	Pehler	Solon
Berg	Davis	Lessard	Penny	Stumpf
Bernhagen	Dieterich	Lindgren	Peterson,R.W.	Tennessen
Bertram	Engler	Menning	Purfeerst	Vega
Brataas	Frederick	Merriam	Rued	Willet

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

Mr. Ramstad moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 13, after line 18, insert:

"Sec. 6. [169.1231] [DRIVING WHILE UNDER THE INFLUENCE; DETOXIFICATION.]

Subdivision 1. [GROUNDS FOR TAKING DRIVER TO DETOXIFICATION CENTER.] *Whenever a peace officer administers a preliminary screening test to a person and the test results indicate a blood alcohol content of .10 or more, the peace officer shall either take the person to a detoxification center established pursuant to section 254A.08 or arrange for another authorized person to do so. A peace officer shall also take, or arrange for another authorized person to take to a detoxification center established pursuant to section 254A.08, any person who refuses to take a preliminary screening test if the officer has reasonable and probable grounds to believe that the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 or an ordinance in conformity therewith, and the person reasonably appears to the officer to be too intoxicated to resume driving safely.*

Subd. 2. [DETOXIFICATION CENTER; RELEASE PROCEDURE.] *The detoxification center to which a person is transported pursuant to subdivision 1 shall hold the person until he is completely sober, unless another responsible person appears and requests that the intoxicated person be released for the purpose of taking him home or to a medical facility. The person requesting release of the intoxicated person shall assure that the intoxicated person does not drive until completely sober; an intentional violation of this assurance is a*

misdemeanor.

Subd. 3. [INTOXICATED PERSON TO PAY COSTS.] *A person taken to a detoxification center pursuant to this section shall pay the detoxification center for the cost of his stay, transportation, treatment, and other expenses in the detoxification center, if he does not meet the standards of indigency necessary to qualify for the services of the public defender and does not have health insurance coverage which would pay for this cost.*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after the semicolon, insert ''providing for detoxification of drivers;''

Page 1, line 15, before the period, insert ''; proposing new law coded in Minnesota Statutes, Chapter 169''

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 35 and nays 16, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Lessard	Peterson,D.L.	Stokowski
Belanger	Frederickson	Lindgren	Pillsbury	Taylor
Benson	Hughes	Luther	Ramstad	Ulland
Berg	Humphrey	Menning	Renneke	Vega
Bernhagen	Kamrath	Olhoft	Rued	Waldorf
Chmielewski	Kroening	Penny	Schmitz	Wegener
Dahl	Kronebusch	Peterson,C.C.	Sikorski	Willet

Those who voted in the negative were:

Bang	Davis	Knutson	Nelson	Spear
Bertram	Dieterich	Lantry	Peterson,R.W.	Stumpf
Brataas	Frederick	Merriam	Petty	Tennessen
Davies				

The motion prevailed. So the amendment was adopted.

RECONSIDERATION

Having voted on the prevailing side, Mr. Wegener moved that the vote whereby the Ramstad amendment to H.F. No. 1484 was adopted on March 10, 1982, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 35 and nays 22, as follows:

Those who voted in the affirmative were:

Bang	Frank	Luther	Peterson,R.W.	Stokowski
Berg	Hughes	Merriam	Petty	Stumpf
Bertram	Humphrey	Moe, D. M.	Renneke	Tennessen
Dahl	Knoll	Moe, R. D.	Schmitz	Ulland
Davies	Langseth	Nelson	Sikorski	Waldorf
Davis	Lantry	Olhoft	Spear	Wegener
Dieterich	Lessard	Pehler	Stern	Willet

Those who voted in the negative were:

Ashbach	Chmielewski	Kroening	Peterson,C.C.	Taylor
Belanger	Engler	Kronebusch	Peterson,D.L.	Vega
Benson	Frederickson	Lindgren	Pillsbury	
Bernhagen	Kamrath	Menning	Ramstad	
Brataas	Knutson	Penny	Rued	

The motion prevailed.

The question recurred on the Ramstad amendment.

Mr. Ramstad withdrew his amendment.

Mr. Ramstad then moved to amend H. F. No. 1484, the unofficial engrossment, as follows:

Page 13, after line 18, insert:

"Sec. 6. [169.1231] [DRIVING WHILE UNDER THE INFLUENCE; DETOXIFICATION.]

Subdivision 1. [GROUNDS FOR TAKING DRIVER TO DETOXIFICATION CENTER OR ALCOHOL DRUG REHABILITATION CENTER.] *Whenever a peace officer administers a preliminary screening test to a person and the test results indicate a blood alcohol content of .10 or more, the peace officer shall either take the person to a detoxification center or alcohol drug rehabilitation center established pursuant to section 254A.08 or arrange for another authorized person to do so. A peace officer shall also take, or arrange for another authorized person to take to a detoxification center or alcohol drug rehabilitation center established pursuant to section 254A.08, any person who refuses to take a preliminary screening test if the officer has reasonable and probable grounds to believe that the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 or an ordinance in conformity therewith, and the person reasonably appears to the officer to be too intoxicated to resume driving safely.*

Subd. 2. [DETOXIFICATION CENTER OR ALCOHOL DRUG REHABILITATION CENTER; RELEASE PROCEDURE.] *The detoxification center or alcohol drug rehabilitation center to which a person is transported pursuant to subdivision 1 shall hold the person until he is completely sober, unless another responsible person appears and requests that the intoxicated person be released for the purpose of taking him home or to a medical facility. The person requesting release of the intoxicated person shall assure that the intoxicated person does not drive until completely sober; an intentional violation of this assurance is a misdemeanor.*

Subd. 3. [INTOXICATED PERSON TO PAY COSTS.] *A person taken to a detoxification center or alcohol drug rehabilitation center pursuant to this section shall pay the detoxification center or alcohol drug rehabilitation center for the cost of his stay, transportation, treatment, and other expenses in the detoxification center or alcohol drug rehabilitation center, if he does not meet the standards of indigency necessary to qualify for the services of the public defender and does not have health insurance coverage which would pay for this cost.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after the semicolon, insert "providing for detoxification of drivers;"

Page 1, line 15, before the period, insert "; proposing new law coded in Minnesota Statutes, Chapter 169"

Mr. Davies moved to amend the Ramstad amendment as follows:

Page 2, after line 5, insert:

"*Subd. 4. This section is effective July 1, 1983.*"

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

The question recurred on the Ramstad amendment, as amended.

The roll was called, and there were yeas 39 and nays 21, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Knoll	Pehler	Schmitz
Belanger	Engler	Kroening	Penny	Sikorski
Benson	Frank	Kronebusch	Peterson,C.C.	Stern
Berg	Frederickson	Langseth	Peterson,D.L.	Stokowski
Bernhagen	Hanson	Lindgren	Pillsbury	Taylor
Chmielewski	Hughes	Luther	Ramstad	Vega
Dahl	Humphrey	Menning	Renneke	Willet
Davis	Kamrath	Olhoft	Rued	

Those who voted in the negative were:

Bang	Dicklich	Merriam	Spear	Wegener
Berglin	Frederick	Moe, D. M.	Stumpf	
Bertram	Knutson	Nelson	Tennessen	
Brataas	Lantry	Peterson,R.W.	Ulland	
Davies	Lessard	Petty	Waldorf	

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

Mr. Menning moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 3, after line 5, insert:

"Sec. 3. Minnesota Statutes 1980, Section 169.121, is amended by adding a subdivision to read:

Subd. 3a. [REDUCTION OR DISMISSAL OF CHARGE.] *When a charge of violating subdivision 1 is dismissed by the court, the court shall state on the record its reasons for the dismissal. The court shall also state on the record whether the dismissal was requested or concurred in by the prosecutor.*

When the prosecutor makes a motion for dismissal of a charge of violating subdivision 1 or for a substitution of another charge for the charge of violation of subdivision 1, the prosecutor shall submit to the court a written statement giving the reasons for the motion. Appropriate reasons include, but are not limited to, problems of proof, the interests of justice, or specific facts or legal authority showing that another offense would be more properly charged. If the reasons stated include the "interests of justice," the written statement shall state the facts or legal authority upon which this conclusion is based. This written statement shall become part of the court record, but the statement shall

not be admissible as substantive evidence in any trial upon any charge arising from the behavioral incident upon which the alleged violation of subdivision 1 was based.''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after the semicolon, insert ''providing for reporting on dismissals;''

Page 1, line 14, delete ''a subdivision'' and insert ''subdivisions''

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Belanger	Engler	Lindgren	Peterson,C.C.	Rued
Benson	Frederickson	Luther	Peterson,D.L.	Schmitz
Bernhagen	Kamrath	Menning	Pillsbury	Sikorski
Chmielewski	Kronebusch	Olhoft	Ramstad	Stokowski
Dieterich	Lantry	Penny	Renneke	Taylor

Those who voted in the negative were:

Ashbach	Dicklich	Kroening	Petty	Vega
Bang	Frank	Langseth	Solon	Waldorf
Berglin	Frederick	Lessard	Spear	Wegener
Bertram	Hanson	Merriam	Stern	
Brataas	Humphrey	Moe, D. M.	Stumpf	
Davies	Knoll	Pehler	Tennessen	
Davis	Knutson	Peterson,R.W.	Ulland	

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

Mr. Peterson, C.C. moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 13, after line 18, insert:

''Sec. 6. [169.1211] [FORFEITURE OF MOTOR VEHICLE; DRIVING WHILE UNDER INFLUENCE.]

Subdivision 1. [CONDITIONS OF FORFEITURE.] *A motor vehicle is subject to forfeiture as provided in this section:*

(a) if its owner is convicted of a second violation of section 169.121, subdivision 1 or an ordinance in conformity with that section and subdivision; and

(b) if the motor vehicle was used in committing that violation.

Subd. 2. [CONDITIONS OF SEIZURE.] *The commissioner may seize the motor vehicle when process is issued by any court that has jurisdiction over the motor vehicle.*

Subd. 3. [COMPLAINT AGAINST VEHICLE.] *(a) The prosecuting authority shall file a separate complaint against the motor vehicle, describing it, charging its use in the violation, and telling when and where it was unlawfully used.*

(b) A copy of the complaint must be served on the person charged with the violation or on the person in charge of the motor vehicle at the time of seizure,

if there is any person in charge.

(c) If the person charged with a second violation of section 169.121, subdivision 1 is not convicted of the offense, the court shall dismiss the complaint against the motor vehicle and order the vehicle returned to the person legally entitled to it.

Subd. 4. [FORFEITURE PROCEDURE.] *If the person charged with the violation is convicted, the court shall issue an order directed to persons who are known or believed to have a right to, title to, interest in, or lien on the motor vehicle. The order must describe the vehicle. The order must state that the vehicle was seized and that a complaint against the vehicle, charging the violation, has been filed with the court. The order must require the persons to whom it is addressed to file answers to the complaint with the clerk of court. It must tell them that their answers are to set forth their claims to any right to, title to, interest in, or lien on the vehicle and are to be filed within ten days after the order has been served. The order must notify them that if they fail to file answers that set forth those claims within that time, the court will order the commissioner or his agents to sell the vehicle.*

The court shall have the order served as a summons in a civil action is served: it must be served in person on persons known or believed to have right, title, interest, or lien, and served on unknown persons by publication.

If no answer is filed according to this subdivision, and if the clerk of court files an affidavit that states that no answer has been filed, the court shall order the commissioner or his agents to sell the vehicle. The commissioner shall deduct from the proceeds of the sale the expense of keeping the vehicle, the fee for seizure, and the costs of sale. The commissioner shall pay the remaining proceeds into the state treasury. They are to be used for chemical dependency programs as provided in subdivision 9.

Subd. 5. [BOND.] *At any time after the motor vehicle has been seized and before the hearing provided for in subdivision 6, the seized motor vehicle must be returned to the owner or person who has a legal right to possess it if that person executes a bond, with corporate surety, to the state of Minnesota, and if the bond meets these conditions:*

(a) The amount of the bond must be at least $100 and not more than double the value of the vehicle seized.

(b) The bond must be approved by the court in which the case is triable or by a judge of that court.

(c) The bond must state that the person executing it will wait for and obey the court's order and judgement and will pay the full value of the vehicle at the time of seizure.

Subd. 6. [HEARING.] *If an answer is filed according to subdivision 4, the court shall fix a time for hearing. The time must not be less than 10 days or more than 30 days after the time for filing answer expires. At the time fixed for hearing, unless the matter is continued for cause, it must be heard and determined by the court without a jury as in other civil actions. If the court finds that the motor vehicle was used in the violation of section 169.121, subdivision 1, it shall order the vehicle sold according to this section, unless the owner shows to the satisfaction of the court that he or she had no notice or knowledge or reason*

to believe that the vehicle was used or was intended to be used in such a violation.

Subd. 7. [SALE.] *When the commissioner sells a vehicle, he or she shall deduct from the proceeds of the sale the expense of keeping the vehicle, the fee for seizure, and the costs of the sale. The commissioner shall also pay all liens according to their priority if it has been established at the hearing that the liens are bona fide and that the lienors had no notice or knowledge that the motor vehicle was used in violation of section 169.121, subdivision 1. The commissioner shall pay the remainder of the proceeds into the state treasury. They are to be used for chemical dependency programs as provided in subdivision 9.*

Subd. 8. [APPEAL.] *A sale under this section frees the vehicle sold from any liens on it. If a person wants to appeal the district court's order that the vehicle be sold, that person must appeal to the supreme court as in other civil cases.*

Subd. 9. [APPROPRIATION OF PROCEEDS.] *The commissioner shall deposit all proceeds of forfeiture sales under this section in a special revenue bookkeeping account in the state treasury. Funds deposited are appropriated to the department of public welfare for use in funding chemical dependency programs.*''

Renumber the sections in sequence and correct any internal references

Amend the title as follows:

Page 1, line 9, after the semicolon, insert ''providing that motor vehicles of persons convicted of a second violation of driving under the influence of alcohol or a controlled substance are subject to forfeiture; appropriating money;''

Page 1, line 15, before the period, insert ''; proposing new law coded in Minnesota Statutes, Chapter 169.''

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Kronebusch	Peterson,C.C.	Sikorski
Benson	Frederickson	Lantry	Peterson,D.L.	Solon
Berg	Hughes	Lindgren	Ramstad	Taylor
Bernhagen	Kamrath	Luther	Renneke	Wegener
Chmielewski	Knoll	Olhoft	Rued	Willet
Dahl	Knutson	Penny	Schmitz	

Those who voted in the negative were:

Ashbach	Dicklich	Kroening	Pehler	Stumpf
Bang	Dieterich	Langseth	Peterson,R.W.	Tennessen
Berglin	Engler	Lessard	Petty	Ulland
Bertram	Frederick	Menning	Pillsbury	Vega
Brataas	Hanson	Merriam	Setzepfandt	Waldorf
Davies	Humphrey	Moe, D. M.	Spear	
Davis	Johnson	Moe, R. D.	Stokowski	

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

Mr. Stern offered the following and moved that it be printed in the Journal:

During the vote on the Peterson, C.C. amendment to H.F. No. 1484, the

voting machine did not record my vote. Had the machine been working, I would have been recorded as voting yea.

The motion prevailed.

CALL OF THE SENATE

Mr. Menning imposed a call of the Senate for the balance of the proceedings on H.F. No. 1484. The Sergeant at Arms was instructed to bring in the absent members.

RECONSIDERATION

Having voted on the prevailing side, Mr. Menning moved that the vote whereby the Peterson, C.C. amendment to H.F. No. 1484 was not adopted on March 10, 1982, be now reconsidered. The motion did not prevail.

Mr. Dahl moved to amend H.F. No. 1484, the unofficial engrossment, as follows:

Page 4, line 19, strike "IMPLIED" and insert "*EXPRESS*"

Page 4, line 34, strike everything after "death"

Page 4, strike lines 35 and 36

Page 5, lines 1 to 21, strike the old language

Page 5, line 5, delete "*an alternative*"

Page 5, line 22, strike "choosing"

Page 5, after line 25, insert:

"*No action may be taken against the person for declining to take a test unless an alternative test was offered and also refused.*

Subd. 3. [STATEMENT TO BE SIGNED AS CONDITION TO ISSUANCE OR RENEWAL OF DRIVER'S LICENSE.] *(a) As a condition precedent to the issuance or renewal of any driver's license, subsequent to September 1, 1982, the commissioner of public safety shall require the applicant to sign a certification containing the following language:*

"I consent to take the chemical test offered to me, subject to the provisions of this section and section 169.121, for the purpose of determining the presence of alcohol or a controlled substance should I be lawfully placed under arrest for driving, operating or being in physical control of a motor vehicle in violation of section 169.121 or an ordinance in conformity therewith, within 30 minutes of being lawfully placed under arrest. I understand that I cannot be compelled to take a chemical test. However, I consent to take a test in return for the privilege of driving a motor vehicle on the highways of Minnesota. I further understand that:

(1) I have the right to consult with a lawyer prior to signing this consent;

(2) if I refuse to submit to both the test required of me and an alternative test offered to me, my privilege to drive will be revoked for a period of not less than six months;

(3) if the results of the test indicate that I was under the influence of alcohol

or a controlled substance, my privilege to drive a motor vehicle may be revoked for a period of not less than 90 days and I will be subject to a criminal charge for the violation of section 169.121;

(4) I have the right to a hearing before a municipal or county judge to determine the validity of the revocation of my driver's license, provided that I make a request, in writing, for the hearing within 30 days of notification of revocation.''

(b) the commissioner may not issue or renew any driver's license if the applicant refuses to sign an application containing the express consent to take a chemical test to determine the alcoholic content of his blood.

Subd. 4. [IMPLIED CONSENT OF NONRESIDENT, PRIOR LICENSED, AND UNLICENSED PERSONS; CONDITION.] *(a) Any person who has not granted the express consent required by subdivision 3 who drives, operates, or is in physical control of a motor vehicle within this state consents, subject to the provisions of this section and section 169.121, to a chemical test of his blood, breath or urine for the purpose of determining the presence of alcohol or a controlled substance. The test may be required of a person lawfully placed under arrest for driving, operating or being in physical control of a motor vehicle in violation of section 169.121 or an ordinance in conformity therewith.*

(b) At the time a chemical test specimen is requested, the person shall be informed that:

(1) he is required to take the chemical test the peace officer instructs him to take;

(2) he has a right to consult with an attorney, but this right is limited to the extent that it cannot delay administration of the test for more than one-half hour or the test will be deemed to have been refused.

The person shall also be given the information set forth in subdivision 3, clauses (a)(2) to (a)(4).

The department of motor vehicles shall include the statement ''I consent to take a chemical test if I'm suspected of driving while intoxicated'' and a non-evidentiary average body weight:drink graph on the back of the driver's license.''

Renumber the subdivisions in sequence

Page 11, line 18, strike ''at the time of the request for the test'' and insert ''*the person has granted the express consent required by subdivision 3, clause (a), and if not, whether*''

Page 11, line 21, strike ''2'' and insert ''*4, clause (b)*''

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 31, as follows:

Those who voted in the affirmative were:

Berg	Davis	Langseth	Penny	Rued
Berglin	Engler	Lindgren	Peterson,C.C.	Sikorski
Bernhagen	Frank	Luther	Peterson,D.L.	Taylor
Bertram	Frederickson	Menning	Pillsbury	Willet
Chmielewski	Humphrey	Olhoft	Ramstad	
Dahl	Kamrath	Pehler	Renneke	

Those who voted in the negative were:

Ashbach	Frederick	Kronebusch	Setzepfandt	Vega
Bang	Hanson	Lantry	Solon	Waldorf
Benson	Hughes	Lessard	Spear	Wegener
Brataas	Johnson	Merriam	Stokowski	
Davies	Knoll	Moe, R. D.	Stumpf	
Dicklich	Knutson	Petty	Tennessen	
Dieterich	Kroening	Schmitz	Ulland	

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

H.F. No. 1484 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Penny	Spear
Bang	Dieterich	Kronebusch	Peterson,C.C.	Stern
Belanger	Engler	Langseth	Peterson,D.L.	Stokowski
Benson	Frank	Lantry	Peterson,R.W.	Stumpf
Berg	Frederick	Lessard	Petty	Taylor
Berglin	Frederickson	Lindgren	Pillsbury	Tennessen
Bernhagen	Hanson	Luther	Ramstad	Ulland
Bertram	Hughes	Menning	Renneke	Vega
Brataas	Humphrey	Merriam	Rued	Waldorf
Chmielewski	Johnson	Moe, R. D.	Schmitz	Wegener
Dahl	Kamrath	Nelson	Setzepfandt	Willet
Davies	Knoll	Olhoft	Sikorski	
Davis	Knutson	Pehler	Solon	

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

SPECIAL ORDER

S.F. No. 1965: A bill for an act relating to the environment; amending various provisions of the waste management act; authorizing the commissioner of administration to acquire certain development rights; defining terms for purposes of the resource recovery program; prohibiting the waste management board from certifying the use of facilities for disposal of radioactive waste; stating various policies and requirements relating to solid and hazardous waste plans and facility permits; prescribing standards, procedures, approvals, and supervision relating to designations of resource recovery facilities; requiring the board to place its highest priority on alternatives to land disposal of hazardous waste; amending Minnesota Statutes 1980, Sections 115A.08, by adding a subdivision; 115A.15, Subdivisions 2, 6, and by adding a subdivision; 115A.25, by adding a subdivision; 115A.42; 115A.46; 115A.57, Subdivision 1; 115A.59; 115A.62; 115A.69, Subdivision 10; 115A.70, Subdivisions 1, 2, and 3; 116.07, Subdivision 4b; 400.16; 400.162; 473.149, Subdivision 1; 473.802; 473.803, Subdivision 1, and by adding a subdivision; 473.811, Subdivision 7, and by adding a subdivision; 473.823, Subdivision 3; 473.827, Subdivision 1, and by adding a subdivision; 473.831, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 115A.06, Subdivisions 4 and 13; 115A.11, Subdivision 1; 115A.21, Subdivision 3; 115A.24, Subdivision 1, and by adding a subdivision; and 473.831, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 115A; repealing Minnesota Statutes 1980, Section 473.827, Subdivisions 2, 3, 4, 5, and 6.

Mr. Merriam moved to amend S.F. No. 1965 as follows:

Page 20, line 31, delete "*Commencing*"

Page 20, line 32, delete everything before the comma and insert " *After the certifications required by subdivision 2*"

Page 20, line 34, after "*to*" insert "*4 and*"

The motion prevailed. So the amendment was adopted.

Mr. Pehler moved to amend S.F. No. 1965 as follows:

Page 32, after line 16, insert:

"Sec. 36. [ST. CLOUD SOLID WASTE STUDY.]

The commissioner of energy, planning and development shall conduct or contract with appropriate consultants for the conduct of a study of the design, development, feasibility, and cost aspects of the use of solid wastes generated in the St. Cloud area to provide supplemental heating and electrical energy at the Minnesota correctional facility - St. Cloud. The commissioner shall report the results of the study together with his recommendations thereon to the legislature as soon as practicable after completion of the study, but in no event later than January 1, 1983.

No money may be spent by the commissioner under this section unless one-half of the amount to be spent to conduct or contract for the study has been provided to the commissioner by gift from private persons interested in the study. The commissioner shall consult with those persons concerning the selection of any consultant under this section.

Sec. 37. [APPROPRIATION.]

$25,000 of the amount appropriated by Laws 1981, Chapter 334, Section 11, Subdivision 1, from the state building fund is cancelled and reappropriated to the commissioner of energy, planning and development for the purpose of conducting or contracting for the study directed by section 36. None of the money appropriated in this section shall be spent unless the legislative commission on waste management approves a work program of the department showing that the conditions prescribed in section 36 have been met and showing the scope of the proposed activities of the department in carrying out section 36."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 16, after the semicolon, insert "directing a study of solid waste utilization in the St. Cloud area; appropriating money;"

The motion prevailed. So the amendment was adopted.

S.F. No. 1965 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:

Ashbach	Dieterich	Kroening	Peterson,C.C.	Stern
Bang	Engler	Langseth	Peterson,D.L.	Stokowski
Belanger	Frank	Lantry	Peterson,R.W.	Stumpf
Benson	Frederick	Lessard	Petty	Taylor
Berg	Frederickson	Lindgren	Pillsbury	Tennessen
Berglin	Hanson	Luther	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Rued	Vega
Brataas	Humphrey	Moe, R. D.	Schmitz	Waldorf
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Davies	Kamrath	Olhoft	Sikorski	Willet
Davis	Knoll	Pehler	Solon	
Dicklich	Knutson	Penny	Spear	

Messrs. Bertram and Renneke voted in the negative.

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

SPECIAL ORDER

H.F. No. 1668: A bill for an act relating to manufactured homes; requiring manufacturers and dealers of manufactured homes to be licensed and regulated by the commissioner of administration; providing for the rights and duties of owners and residents of manufactured home parks; making certain changes in the procedure for titling manufactured homes; requiring park owners to adopt storm safety plans for the protection of residents; empowering municipalities to enforce certain ordinances within manufactured home parks and recreational camping areas; clarifying the procedures to be used in the repossession of a manufactured home; clarifying certain language; prohibiting certain practices; imposing fees and penalties; providing remedies; defining terms; proposing new law coded in Minnesota Statutes, Chapter 168A; proposing new law coded as Minnesota Statutes, Chapters 327B and 327C; amending Minnesota Statutes 1980, Sections 168A.02, Subdivision 3; 327.14; 327.16, Subdivision 2; 327.20, Subdivision 1; 327.24, by adding a subdivision; 327.26; 327.27, Subdivision 2, and by adding a subdivision; 327.62, Subdivision 2; 327.63; 327.65; 327.66; 363.02, by adding a subdivision; and 566.18, Subdivisions 2, 7, and 8; repealing Minnesota Statutes 1980, Sections 327.41; 327.42; 327.43; 327.45; 327.451; 327.452; 327.46; 327.47; 327.51; 327.52; 327.53; 327.54; 327.55; 327.551; 327.552; 327.553, Subdivisions 2, 3 and 4; 327.554; 327.56; and Minnesota Statutes 1981 Supplement, Sections 327.44; 327.441; 327.55, Subdivision 1a; and 327.553, Subdivision 1.

Mr. Merriam moved to amend H. F. No. 1668, the unofficial engrossment, as follows:

Page 1, line 39, delete "*13*" and insert "*12*"

Page 2, delete lines 5 and 6

Page 2, line 7, delete "*4*" and insert "*3*"

Page 2, after line 25, insert:

"*Subd. 4.* [COMMISSIONER.] *"Commissioner" means the commissioner of administration.*"

Page 3, line 23, delete "*therein*" and insert "*in it*"

Page 4, line 20, delete "*13*" and insert "*12*"

Page 5, delete lines 8 and 9 and insert "*Subd. 3.* [LIMITATIONS VOID.]"

Page 5, line 11, before "*section*" insert "*this*"

Page 5, line 11, delete "*2*"

Page 5, line 26, delete "*It shall be the duty*"

Page 5, line 27, delete "*of*"

Page 5, line 27, delete "*to*" and insert "*shall*"

Page 6, lines 3 and 5, delete "*first having acquired*"

Page 7, line 15, delete "*and unless*"

Page 8, line 22, delete "*13*" and insert "*12*"

Page 8, line 23, delete "*7 to 10*" and insert "*6 to 9*"

Page 8, line 35, delete "*11*" and insert "*10*"

Page 9, lines 4, 17, and 30, delete "*13*" and insert "*12*"

Page 10, line 18, delete "*4*" and insert "*3*"

Page 10, line 20, delete "*5*" and insert "*4*"

Page 11, line 6, delete "*11*" and insert "*10*"

Page 11, line 26, delete "*cause to be served*" and insert " *serve*"

Page 11, line 28, delete "*before the commissioner or*"

Page 11, line 29, delete "*authorized deputy*" and insert "*at a specified time and place*"

Page 11, line 30, after the period, insert "*The hearing on the suspension or revocation shall be conducted pursuant to the contested case provisions of the administrative procedure act.*"

Page 11, delete lines 31 to 33

Page 11, line 34, delete "*chapter 15.*" and insert "*Upon the completion of the hearing,*"

Page 12, line 7, delete "*5*" and insert "*4*"

Page 12, line 11, delete "*he deems the action*"

Page 12, line 12, delete "*to be*" and delete "*in order*"

Page 12, delete lines 17 and 18

Page 12, line 19, delete "*6*" and insert "*5*"

Page 12, line 22, before "*or*" insert a comma

Page 12, line 23, after "*penalties*" insert "*of not more than $10,000*"

Page 12, line 25, delete everything after "*1*"

Page 12, line 26, delete everything before the period

Page 12, delete lines 27 to 30

Page 12, line 35, delete "*such*" and delete "*as may*"

Page 12, line 36, delete "*be*"

Page 13, line 7, delete "*13*" and insert "*12*"

Page 14, line 1, after "*received*" insert "*(1)*"

Page 14, line 3, delete everything after "*transaction*"

Page 14, line 4, delete everything before "*in*" and insert " , *or (2)*"

Page 14, line 22, delete everything before "*not*"

Page 14, line 23, after the second "*funds*" insert "*with the funds*"

Page 14, line 23, delete "*that*" and insert "*a trust*"

Page 15, line 13, delete "*13*" and insert "*12*"

Page 15, lines 19 and 28, delete "*5*" and insert "*4*"

Page 16, line 12, delete "*13*" and insert "*12*"

Page 16, line 16, delete "*5*" and insert "*4*"

Page 17, lines 11, 14, 19, and 24, delete "*13*" and insert " *12*"

Page 17, line 14, delete "*9 or 10*" and insert "*8 or 9*"

Page 17, line 16, before "*8.31*" insert "*section*"

Page 17, line 34, delete "*15*" and insert "*14*"

Page 18, line 1, delete "*4 and 6 to 13*" and insert "*3 and 5 to 12*"

Renumber the sections and proposed coding in Article I in sequence

Page 19, line 30, delete "*documented by*" and delete "*rental*"

Page 19, line 34, after "*specify*" insert "*the*"

Page 20, line 6, delete "*mandatory*"

Page 20, line 36, after "*adopted*" insert "*and which necessitate the rule change*"

Page 21, line 1, delete "*may*" and insert "*will*"

Page 23, line 4, after "*a*" insert "*reasonable*"

Page 24, line 26, delete the comma

Page 26, line 23, after "*2*" insert a comma

Page 31, line 36, delete the first "*or*" and insert a comma

Page 31, line 36, after the second "*or*" insert "*state*"

Page 32, line 1, after the comma insert "*state*"

Page 32, line 1, after "*or*" insert "*state*"

Page 33, line 21, delete "*4*" and insert "*3*"

Page 33, lines 26 and 29, delete "*7*" and insert "*6*"

Page 33, line 27, delete "*2*" and insert "*1 or 3*"

Page 33, line 28, delete everything after "*rent*"

Page 33, line 29, delete "*by*" and insert "*in violation of*"

Page 33, line 29, delete "*3*" and insert "*2*"

Page 34, delete lines 10 to 13

Page 34, line 19, after "*writing*" insert "*after service of the notice*"

Page 39, line 19, reinstate "'"municipality"'"

Page 39, line 21, delete "'"*Municipality*"'"

Page 40, line 21, delete "'"*Recreational camping area*"'"

Page 40, line 22, delete "*does not*"

Page 40, line 22, strike "include" and insert " *"Recreational camping area" excludes*"

Page 41, line 11, strike "and"

Page 42, line 4, delete "*whose*"

Page 42, line 4, strike "duty"

Page 42, line 5, delete "*it*" and insert "*who*"

Page 42, line 5, strike "be to"

Page 42, line 8, after "*lots*" insert a comma

Page 42, line 8, delete the first "*or*" and insert a comma

Page 42, line 33, strike "provided"

Page 42, line 33, before "*the*" insert "*if*"

Page 44, line 9, strike the comma

Page 44, line 10, strike "on or after January 1, 1952"

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H.F. No. 1668, the unofficial engrossment, as follows:

Page 18, line 7, delete "*17*" and insert "*16*"

Page 18, delete lines 9 to 12

Renumber the remaining subdivisions

Page 20, line 17, delete "*7*" and insert "*6*"

Page 20, line 20, delete "*9*" and insert "*8*"

Page 20, line 34, delete "*12*" and insert "*11*"

Page 21, line 4, delete "*9*" and insert "*8*"

Page 22, line 5, delete "*Unless you are renting a totally new lot,*"

Page 22, line 24, delete "*sections 4 and 5*" and insert " *section 4*"

Page 24, line 16, delete "*10*" and insert "*9*"

Pages 24 and 25, delete section 4

Renumber and recode the remaining sections

Page 26, line 6, delete "*9*" and insert "*8*"

Page 26, line 25, delete "*9*" and insert "*8*"

Page 28, line 17, delete "*9*" and insert "*8*"

Page 33, line 35, delete "*13*" and insert "*12*"

Page 34, line 15, delete "*10*" and insert "*9*"

Page 34, line 31, delete "*8*" and insert "*7*"

Page 36, line 17, delete "*15*" and insert "*14*"

Page 36, line 31, delete "*6*" and insert "*5*"

Page 36, line 31, delete "*8*" and insert "*7*"

Page 37, line 32, delete "*5 to 9, 11 to 16, and 21*" and insert "*4 to 8, 10 to 15, and 20*"

Page 37, line 35, delete "*4, 10, 17 to 20, and 21*" and insert "*9, 16 to 19, and 20*"

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1668, the unofficial engrossment, as follows:

Page 33, after line 16, insert:

"*If the planned cessation of operation is for the purpose of converting the part of the park occupied by the resident to a condominium pursuant to chapter 515A, the provisions of section 515A.4-110, except subsection (a), shall apply. The nine month notice required by this subdivision shall state that the cessation is for the purpose of conversion and shall set forth the rights conferred by this subdivision and section 515A.4-110(b). Not less than 120 days before the end of the nine month notice, the park owner shall serve upon the resident a form of purchase agreement setting forth the terms of sale contemplated by section 515A.4-110(b). Service of that form shall operate as the notice described by section 515A.4-110(a).*"

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1668, the unofficial engrossment, as follows:

Page 34, line 29, delete "*(i)*"

Page 34, line 31, delete "*and (ii)*"

Page 34, delete lines 32 and 33

Page 34, line 34, delete "*utilities*"

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1668, the unofficial engrossment, as follows:

Page 26, line 31, after "*home*" insert "*if the limitation is reasonably related to the size of the home and the number of rooms it contains*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1668 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 48 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Frederickson	Luther	Peterson,R.W.	Stokowski
Berglin	Hanson	Merriam	Petty	Stumpf
Chmielewski	Hughes	Moe, D. M.	Pillsbury	Taylor
Dahl	Humphrey	Moe, R. D.	Ramstad	Tennessen
Davies	Johnson	Nelson	Schmitz	Ulland
Davis	Knoll	Olhoft	Setzepfandt	Vega
Dicklich	Knutson	Pehler	Sikorski	Wegener
Dieterich	Kroening	Penny	Solon	Willet
Engler	Langseth	Peterson,C.C.	Spear	
Frank	Lantry	Peterson,D.L.	Stern	

Those who voted in the negative were:

Bang	Berg	Brataas	Kronebusch	Renneke
Belanger	Bernhagen	Frederick	Lindgren	Rued
Benson	Bertram	Kamrath	Menning	Waldorf

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that H.F. No. 2190 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Willet 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. 2190 and that the rules of the Senate be so far suspended as to give H.F. No. 2190 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2190: A bill for an act relating to education; changing the requirements for membership on the higher education coordinating board; allowing the regional management information centers to be considered governmental units for purposes of the joint powers law; requiring the approval of a plan for spending federal education block grant funds for state administrative purposes; allowing the immigration history research center to use donated services or donated property to meet its matching requirements; broadening the planning process relating to declining enrollments in higher education; repealing mandates; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; 471.59, by adding a subdivision; Laws 1981, Chapter 359, Section 2, Subdivision 8; and Section 9, Subdivision 12; Third Special Session Chapter 2, Article I, Section 6, Subdivision 1; repealing Minnesota Statutes, Sections 120.17, Subdivision 10; and 121.12.

H.F. No. 2190 was read the second time.

Mr. Willet moved to amend H.F. No. 2190 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 2190, and insert the language after the enacting clause, and the title, of S.F. No. 2219, as introduced.

The motion prevailed. So the amendment was adopted.

Mr. Knoll moved to amend H. F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 2219.)

Page 10, after line 24, insert:

"Sec. 18. Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 32, is amended to read:

Subdivision 1. Medical assistance may be paid for any person:

(1) Who is eligible for or receiving public assistance under the aid to families with dependent children program; or

(2) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

(3) Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and disabled, or aid to families with dependent children and is in need of medical assistance; or

(4) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

(5) Who is residing in a hospital for treatment of mental disease or tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

(6) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

(7) Who alone, or together with his spouse, does not own real property other than the homestead. For the purposes of this section, "homestead" means the house owned and occupied by the applicant as his dwelling place, together with the land upon which it is situated and an area no greater than two contiguous lots in a platted or laid out city or town or the smallest parcel allowed under applicable zoning regulations in unplatted land. Real estate not used as a home may not be retained unless it produces net income applicable to the family's needs or the family is making a continuing effort to sell it at a fair and reasonable price or unless sale of the real estate would net an insignificant amount of income applicable to the family's needs, or unless the commissioner determines that sale of the real estate would cause undue hardship; and

(8) Who individually does not own more than $2,000 in cash or liquid assets, or if a member of a household with two family members (husband and wife, or parent and child), does not own more than $4,000 in cash or liquid assets, plus $200 for each additional legal dependent. *When only one spouse resides, or will reside after applying for medical assistance, in a nursing home, or is receiving or will receive alternative care under the alternative care grants*

program in a county with preadmission screening under section 256B.091, the cash or liquid asset amount for two family members is $10,000; provided that, if a federal court holds that this sentence does not comply with Title XIX of the Social Security Act, 42 United States Code, Sections 1396 to 1396n, this sentence shall cease to be effective. The value of the following shall not be included:

(a) the homestead, and (b) one motor vehicle licensed pursuant to chapter 168 and defined as: (1) passenger automobile, (2) station wagon, (3) motorcycle, (4) motorized bicycle or (5) truck of the weight found in categories A to E, of section 168.013, subdivision 1e; and

(9) Who has or anticipates receiving an annual income not in excess of $2,600 for a single person, or $3,250 for two family members (husband and wife, parent and child, or two siblings), plus $625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application, or during the three months prior to the month of application, incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In computing income to determine eligibility of persons who are not residents of long term care facilities, the commissioner shall disregard increases in income of social security or supplementary security income recipients due solely to increases required by sections 215(i) and 1617 of the social security act, and shall disregard income of disabled persons that is also disregarded in determining eligibility for supplemental aid under section 256D.37, subdivision 1, unless prohibited by federal law or regulation. If prohibited, the commissioner shall first seek a waiver. In excess income cases, eligibility shall be limited to a period of six months beginning with the first of the month in which these medical obligations are first incurred; and

(10) Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may be made to cover the monthly unmet medical need. In licensed nursing home and state hospital cases, income over and above that required for justified needs, determined pursuant to a schedule of contributions established by the commissioner of public welfare, is to be applied to the cost of institutional care. The commissioner of public welfare may establish a schedule of contributions to be made by the spouse of a nursing home resident to the cost of care and shall seek a waiver from federal regulations which establish the amount required to be contributed by either spouse when one spouse is a nursing home resident; and

(11) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from automobile accident coverage and private health care coverage to the costs of medical care for himself, his spouse, and children. The state agency may require from any applicant or recipient of medical assistance the assignment of any rights accruing under private health care coverage. Any rights or amounts so assigned shall be applied against the cost of medical care paid for under this chapter. Any assignment shall not be effective as to benefits paid or provided under automobile accident coverage and private health care coverage prior to receipt of the assignment by the person or organization providing the benefits."

Page 16, line 2, delete "*18*" and insert "*19*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, after the semicolon insert "changing liquid asset limits for medical assistance eligibility;"

Page 1, line 18, after the second semicolon insert "256B.06, Subdivision 1, as amended;"

The motion prevailed. So the amendment was adopted.

Mr. Pillsbury moved to amend H.F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2219.)

Page 2, line 2, delete "$292,300" and insert "$92,300"

Page 2, line 2, delete "$1,108,800" and insert "$908,800"

Page 3, delete lines 4 to 6

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Knutson	Peterson,D.L.	Tennessen
Bang	Bertram	Lindgren	Ramstad	Waldorf
Belanger	Brataas	Menning	Renneke	Wegener
Benson	Frederick	Merriam	Schmitz	
Berg	Kamrath	Olhoft	Taylor	

Those who voted in the negative were:

Berglin	Frank	Kronebusch	Pehler	Spear
Chmielewski	Frederickson	Langseth	Penny	Stern
Dahl	Hanson	Lantry	Peterson,C.C.	Stokowski
Davies	Hughes	Lessard	Petty	Stumpf
Davis	Humphrey	Luther	Rued	Ulland
Dicklich	Johnson	Moe, D. M.	Setzepfandt	Vega
Dieterich	Knoll	Moe, R. D.	Sikorski	Willet
Engler	Kroening	Nelson	Solon	

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

Mr. Pillsbury offered the following and moved that it be printed in the Journal:

During the vote on the Pillsbury amendment to H.F. No. 2190, the voting machine did not record my vote. Had the machine been working, I would have been recorded as voting yea.

The motion prevailed.

Mr. Pehler moved to amend H.F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2219.)

Page 15, after line 44, insert:

"Sec. 24. [AVTI CONSTRUCTION.]

Notwithstanding the provisions of Minnesota Statutes, Sections 121.214, 121.2155, and 275.125, Subdivision 14a, or any law to the contrary, Independent School District No. 742, St. Cloud, may commence construction of the projects authorized in Laws 1981, Chapter 362, Section 2, Subdivision 1, subject to the following conditions:

(1) approval of the school board;

(2) availability at the time of construction of unencumbered funds in the district's area vocational-technical institute capital expenditure fund or building construction fund equal to or exceeding the total cost as authorized in Laws 1981, Chapter 362, Section 2, Subdivision 1; and

(3) the cost of construction shall not exceed the total cost as authorized.

At the time of construction, these projects shall be financed entirely from the balances in the capital expenditure or building construction funds in the district.

It is the intent of the legislature that the appropriations in Laws 1981, Chapter 362, Section 2, Subdivision 1, shall be paid to the districts at such time as the commissioner of finance determines that the proceeds of state bond sales are available for the projects. Upon receipt, the district shall reimburse the fund from which the project was funded. No state money shall be paid to any of these districts other than the money authorized for the projects in the original appropriation. The state's financial obligation to any district for a project constructed pursuant to this section shall be limited to the amount appropriated on behalf of the district to the state board of education in Laws 1981, Chapter 362, Section 2, Subdivision 1. The state's financial obligation to a district shall not include any interest.

Sec. 25. [REPLACEMENT BUILDING, ST. CLOUD STATE UNIVERSITY.]

The state university board is authorized to replace the existing building at the highway safety center at St. Cloud state university. Funding for the building shall be exclusively from earned revenue and shall not exceed $28,000. For purposes of this section, "earned revenue" includes user fees."

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 12, after the semicolon, insert "authorizing Independent School District No. 742 to commence AVTI construction subject to certain conditions; permitting the state university board to replace certain buildings;"

The motion prevailed. So the amendment was adopted.

Mr. Davis moved to amend H. F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 2219.)

Page 10, after line 24, insert:

"Sec. 18. [DEVELOPMENTAL ACHIEVEMENT SERVICES; STUDY OF TRANSFER.]

The commissioner of public welfare, in cooperation with the commissioner of education, shall provide to the legislature, no later than September 30, 1983, a plan designed to consider the feasibility of the following: transferring from the department of public welfare and designated county social service agencies to the department of education and local school boards responsibility for providing developmental achievement services for mentally retarded and cerebral palsied children who are less than four years of age.

The plan shall include recommendations with respect to:

(1) Services to be provided to children and their families;

(2) Administration of programs;

(3) Appropriate funding mechanisms;

(4) Appropriate inter-agency activity necessary to effectuate the transfer.

Sec. 19. Minnesota Statutes 1980, Section 256B.02, Subdivision 7, is amended to read:

Subd. 7. "Vendor of medical care" means any person or persons furnishing, within the scope of his respective license, any or all of the following goods or services: medical, surgical, hospital, optical, visual, dental and nursing services; drugs and medical supplies; appliances; laboratory, diagnostic, and therapeutic services; nursing home and convalescent care; screening and health assessment services provided by public health nurses; health care services provided at the residence of the patient if the services are performed by a public health nurse and the nurse indicates in a statement submitted under oath that the services were actually provided; *services provided as needed by developmental achievement centers licensed by the commissioner for mentally retarded and cerebral palsied adults who are residents of intermediate care facilities for the mentally retarded;* and such other medical services or supplies provided or prescribed by persons authorized by state law to give such services and supplies.

Sec. 20. Minnesota Statutes 1981 Supplement, Section 256B.02, Subdivision 8, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 31, is amended to read:

Subd. 8. "Medical assistance" or "medical care" means payment of part or all of the cost of the following care and services for eligible individuals whose income and resources are insufficient to meet all of such cost:

(1) Inpatient hospital services.

(2) Skilled nursing home services and services of intermediate care facilities.

(3) Physicians' services.

(4) Outpatient hospital or clinic services.

(5) Developmental achievement services for mentally retarded and cerebral palsied adult residents of intermediate care facilities for the mentally retarded.

~~(5)~~ *(6)* Home health care services.

~~(6)~~ *(7)* Private duty nursing services.

~~(7)~~ *(8)* Physical therapy and related services.

~~(8)~~ *(9)* Dental services, excluding cast metal restorations.

~~(9)~~ *(10)* Laboratory and x-ray services.

~~(10)~~ *(11)* The following if prescribed by a licensed practitioner: drugs, eyeglasses, dentures, and prosthetic devices. The commissioner shall designate a formulary committee which shall advise the commissioner on the names of drugs for which payment shall be made, recommend a system for reimbursing providers on a set fee or charge basis rather than the present system, and develop methods encouraging use of generic drugs when they are less expensive and equally effective as trademark drugs. The commissioner shall appoint the formulary committee members no later than 30 days following July 1, 1981. The formulary committee shall consist of nine members, four of whom shall be physicians who are not employed by the department of public welfare, and a majority of whose practice is for persons paying privately or through health insurance, three of whom shall be pharmacists who are not employed by the department of public welfare, and a majority of whose practice is for persons paying privately or through health insurance, a consumer representative, and a nursing home representative. Committee members shall serve two year terms and shall serve without compensation. The commissioner may establish a drug formulary. Its establishment and publication shall not be subject to the requirements of the administrative procedure act. The formulary shall not include: drugs for which there is no federal funding; over the counter drugs, except for antacids, acetaminophen, family planning products, aspirin, insulin, prenatal vitamins, and vitamins for children under the age of seven; nutritional products; anorectics; and drugs for which medical value has not been established. Payment to drug vendors shall not be modified before the formulary is established. The commissioner may promulgate conditions for prohibiting payment for specific drugs after considering the formulary committee's recommendations.

The basis for determining the amount of payment shall be the actual acquisition cost of the drug plus a fixed dispensing fee established by the commissioner. Actual acquisition cost includes quantity and other special discounts except time and cash discounts. Establishment of this fee shall not be subject to the requirements of the administrative procedure act. Whenever a generically equivalent product is available, payment shall be on the basis of the actual acquisition cost of the generic drug, unless the prescriber specifically indicates "dispense as written" on the prescription as required by section 151.21, subdivision 2.

~~(11)~~ *(12)* Diagnostic, screening, and preventive services.

~~(12)~~ *(13)* Health care pre-payment plan premiums and insurance premiums if paid directly to a vendor and supplementary medical insurance benefits under Title XVIII of the Social Security Act.

~~(13)~~ *(14)* Abortion services, but only if one of the following conditions is met:

(a) The abortion is a medical necessity. "Medical necessity" means (1) the signed written statement of two physicians indicating the abortion is medically necessary to prevent the death of the mother, and (2) the patient has given her consent to the abortion in writing unless the patient is physically or legally incapable of providing informed consent to the procedure, in which case

consent will be given as otherwise provided by law;

(b) The pregnancy is the result of criminal sexual conduct as defined in section 609.342, clauses (c), (d), (e)(i), and (f), and the incident is reported within 48 hours after the incident occurs to a valid law enforcement agency for investigation, unless the victim is physically unable to report the criminal sexual conduct, in which case the report shall be made within 48 hours after the victim becomes physically able to report the criminal sexual conduct; or

(c) The pregnancy is the result of incest, but only if the incident and relative are reported to a valid law enforcement agency for investigation prior to the abortion.

~~(14)~~ *(15)* Transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by non-ambulatory persons in obtaining emergency or non-emergency medical care when paid directly to an ambulance company, common carrier, or other recognized providers of transportation services. For the purpose of this clause, a person who is incapable of transport by taxicab or bus shall be considered to be non-ambulatory.

~~(15)~~ *(16)* To the extent authorized by rule of the state agency, costs of bus or taxicab transportation incurred by any ambulatory eligible person for obtaining non-emergency medical care.

~~(16)~~ *(17)* Any other medical or remedial care licensed and recognized under state law unless otherwise prohibited by law.

(18) Home and community-based care services provided under an approved care plan for persons who, without such services, would, as determined through pre-admission screening, require institutional care in a Title XIX-certified intermediate care facility for the mentally retarded. The following services shall be included: (1) services provided by developmental achievement centers licensed by the commissioner; and (2) semi-independent living services provided by persons licensed by the commissioner. Reimbursement shall be made directly to the vendor of services. The commissioner shall apply by June 1, 1982, for any federal waiver necessary to secure federal financial participation for services provided under this clause and shall proceed to implement the waiver as soon as possible after receipt.

Sec. 21. Minnesota Statutes 1981 Supplement, Section 256B.03, is amended to read:

256B.03 [PAYMENTS TO VENDORS.]

Subdivision 1. [GENERAL LIMIT.] All payments for medical assistance ~~hereunder~~ must be made to the vendor.

Subd. 2. [DEVELOPMENTAL ACHIEVEMENT SERVICES.] *Until such time as the commissioner can promulgate an appropriate rate-setting rule, payments to vendors of developmental achievement services shall be as follows: payment for the biennium ending June 30, 1983, shall be based on the facility's per diem per adult for program and transportation services for developmental achievement services in state fiscal year 1981. Annual increases are subject to the limits of section 256B.03, subdivision 2.*

Subd. 3. [SEMI-INDEPENDENT LIVING SERVICES.] *Until such time as the commissioner can promulgate an appropriate rate-setting rule, payments*

to vendors of semi-independent living services for mentally retarded and cerebral palsied adults shall be as follows: payment for the biennium ending June 30, 1983, shall be based on the provider's average daily charge per person for semi-independent living services in state fiscal year 1981. Annual increases are subject to the provisions of section 256.966.

Subd. ~~2~~ *4.* [LIMIT ON ANNUAL INCREASE TO LONG-TERM CARE PROVIDERS.] Notwithstanding the provisions of sections 256B.42 to 256B.48, Laws 1981, Chapter 360, Article II, Section 2, or any other provision of chapter 360, and rules promulgated under those sections, rates paid to a skilled nursing facility or an intermediate care facility, including boarding care facilities and supervised living facilities, except state owned and operated facilities, for rate years beginning during the biennium ending June 30, 1983, shall not exceed by more than ten percent the final rate allowed to the facility for the preceding rate year.

Notwithstanding provisions of section 256B.45, subdivision 1, the commissioner shall not increase the percentage for investment allowances.

Sec. 22. [RULES.]

The commissioner shall promulgate rules as required by sections 18 to 21.

Sec. 23. [TRANSFER OF FUNDS.]

Notwithstanding the provisions of Laws 1981, Chapter 360, Article I, Section 2, effective July 1, 1982, the commissioner of public welfare, in order to provide home and community-based care services for Medicaid-eligible mentally retarded persons who would otherwise require institutional care, is authorized to transfer to the state medical assistance account: (1) $1,496,400 of the 1983 appropriations for semi-independent living services and community-based deinstitutionalization aid to counties; and (2) from the fiscal year 1983 community social service appropriation, an amount equal to state funds expended in fiscal year 1982 by the counties for developmental achievement services for Medicaid-eligible mentally retarded persons."

Page 16, line 2, delete "*18*" and insert "*24*"

Page 16, line 3, delete "*Section 17 is*" and insert "*Sections 18 to 23 are*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after the semicolon insert "requiring the commissioners of education and public welfare to plan for the transfers of developmental achievement services for pre-school children; permitting payment for developmental achievement and semi-independent living services through medical assistance;"

Page 1, line 12, after the semicolon, insert "transferring funds;"

Page 1, line 15, before "296.13" insert "256B.02, Subdivision 7;"

Page 1, line 18, after the second semicolon insert "256B.02, Subdivision 8, as amended; 256B.03;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 51 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Luther	Petty	Stumpf
Berg	Frederickson	Menning	Pillsbury	Taylor
Berglin	Hanson	Merriam	Ramstad	Tennessen
Bertram	Hughes	Moe, R. D.	Renneke	Ulland
Chmielewski	Humphrey	Nelson	Rued	Vega
Dahl	Johnson	Olhoft	Schmitz	Waldorf
Davies	Knoll	Pehler	Sikorski	Willet
Davis	Kroening	Penny	Solon	
Dicklich	Langseth	Peterson,C.C.	Spear	
Dieterich	Lantry	Peterson,D.L.	Stern	
Engler	Lessard	Peterson,R.W.	Stokowski	

Those who voted in the negative were:

Benson	Brataas	Kamrath	Kronebusch	Wegener
Bernhagen	Frederick	Knutson	Setzepfandt	

The motion prevailed. So the amendment was adopted.

Mr. Taylor moved to amend H.F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2219.)

Page 11, line 19, after "LIMITS" insert "; MEMBERSHIP REQUIREMENTS"

Page 11, line 24, after the period, insert "*Membership shall be, to the greatest extent practicable, in proportion to the population of each economic development region to the total population of the state.*"

The motion prevailed. So the amendment was adopted.

Mr. Pehler moved to amend H.F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2219.)

Page 15, after line 6, insert:

"Sec. 22. Laws 1979, Chapter 301, Section 6, Subdivision 2, is amended to read:

Subd. 2. The sum of $1,600,000 is appropriated from the state building fund to the state planning agency for the purposes of this section. ~~$1,000,000 of~~ This appropriation shall be used for grants for acquisition ~~of parks and trails, $600,000 of this appropriation shall be used for grants for~~ *and* betterment of parks, trails, conservatories, zoos, *physical recreation facilities,* and other special use facilities."

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 18, after "239.10;" insert "Laws 1979, Chapter 301, Section 6, Subdivision 2;"

The motion prevailed. So the amendment was adopted.

Ms. Berglin moved to amend H.F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2219.)

Page 10, after line 24, insert:

"Sec. 18. Minnesota Statutes 1980, Section 241.045, Subdivision 1, is amended to read:

241.045 [~~CORRECTIONS~~ *MINNESOTA* BOARD *OF SUPERVISED RELEASE*.]

Subdivision 1. [CREATION.] There is hereby created the ~~corrections board~~ *Minnesota board of supervised release* consisting of ~~five~~ *three* full time members; ~~four~~ *two* of whom shall be appointed by the governor with the advice and consent of the senate. ~~No more than two members appointed by the governor shall belong to the same political party.~~ Appointments to a vacancy shall be made in the same manner as other appointments, and shall be for the unexpired term. The chairman of the board shall be an officer of the department of corrections in the unclassified service of the state appointed by the commissioner of corrections to serve at his pleasure.

Sec. 19. Minnesota Statutes 1980, Section 241.045, Subdivision 2, is amended to read:

Subd. 2. [QUALIFICATIONS.] Candidates for appointment to the ~~corrections~~ board *of supervised release* shall ~~not be required to have specific academic or professional attainment, but~~ shall have knowledge or experience in corrections or related fields and be selected on the basis of sound judgment and the ability to consider both the needs of persons over whom the board has jurisdiction and the safety of the public. ~~Among the members appointed by the governor, there shall be at least one woman, one man, and one member of a racial minority.~~

Sec. 20. Minnesota Statutes 1980, Section 241.045, Subdivision 3, is amended to read:

Subd. 3. [TERM OF OFFICE; REAPPOINTMENT.] *The first two members of the board appointed by the governor shall have been members of the corrections board on March 1, 1982, and shall be appointed to serve until June 30, 1983. At all times thereafter, there shall be at least one female board member. The members next appointed to the board of supervised release by the governor shall be appointed to serve for the following terms: one member for three years and one member for six years. Thereafter,* the members of the board shall serve for terms of six years. Members shall be eligible for reappointment.

Sec. 21. Minnesota Statutes 1980, Section 241.045, Subdivision 3a, is amended to read:

Subd. 3a. [REMOVAL; VACANCIES.] The removal of members and filling of vacancies on the board in respect to members other than the commissioner of corrections shall be as provided in section 15.0575. *The commissioner of corrections may designate an officer or qualified employee of the department to sit as a voting member of the board during the absence of a regular member.*

Sec. 22. Minnesota Statutes 1981 Supplement, Section 241.045, Subdivision 6, is amended to read:

Subd. 6. [QUORUM.] Except for the parole of persons serving life sen-

tences under the provisions of section 609.185, ~~persons serving extended terms of imprisonment as dangerous offenders under section 609.16,~~ or the discharge of ~~such~~ persons pursuant to section 242.31, ~~the board may sit in units of~~ two ~~or three~~ *members shall constitute a quorum* as designated by the chairman under rules prescribed by the board~~, and such a unit shall constitute a quorum~~.

Sec. 23. Minnesota Statutes 1980, Section 241.045, is amended by adding a subdivision to read:

Subd. 9. [CONDITIONAL RELEASE.] *For the purposes of sections 241.045 and 243.05, and chapter 244, "conditional release" shall include but not be limited to, parole, supervised release and work release under the provisions of sections 241.26 and 244.065.*

Sec. 24. Minnesota Statutes 1981 Supplement, Section 243.05, is amended to read:

243.05 [BOARD; POWERS, LIMITATIONS.]

Subdivision 1. The ~~corrections~~ *Minnesota* board *of supervised release* may parole any person sentenced to confinement in any state correctional facility for adults under the control of the commissioner of corrections, provided that:

(a) no ~~inmate~~ *person* serving a life sentence for murder other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled until he has served 20 years, less the diminution which he would have been allowed for good conduct had his sentence been for 20 years;

(b) no ~~inmate~~ *person* serving a life sentence for murder who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled until he has served 25 years, less the diminution which would have been allowed for good conduct had his sentence been for 25 years; *and*

(c) any ~~inmate~~ *person* sentenced prior to September 1, 1963 who would be eligible for parole had he been sentenced after September 1, 1963, shall be eligible for parole~~; and~~.

~~(d) in all cases where an inmate is serving a life sentence for murder, unanimous consent of the corrections board is required for parole of the inmate.~~

Any new rule or policy or change thereof adopted by the board which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change thereof. Upon being paroled and released, ~~an inmate~~ *a person* is and remains in the legal custody and under the control of the ~~corrections~~ board *of supervised release*, subject at any time to be returned to a facility of the department of corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the board, when the legal custody of the convicted person reverts to the commissioner of corrections. The written order of the ~~corrections~~ board *of supervised release*, certified by the chairman of the board, shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on parole *or supervised release* to the ~~corrections~~ board *of supervised*

release, but any state parole and probation agent may, without order of warrant, when it appears necessary in order to prevent escape or enforce discipline, take and detain a parolee to the ~~corrections~~ board *of supervised release* for its action. The written order of the commissioner of corrections is sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135, but any state parole and probation agent may, without an order, when it appears necessary in order to prevent escape or enforce discipline, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14. ~~Paroled persons,~~ *Persons conditionally released* and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or without the boundaries of the state at the discretion of the board or of the commissioner of corrections, and the limits fixed for these persons may be enlarged or reduced according to their conduct.

In considering applications for ~~parole~~ *conditional release* or ~~final release~~ *discharge*, the board is not required to hear oral argument from any attorney or other person not connected with an adult correctional facility of the department of corrections in favor of or against the parole or release of any ~~inmates~~ *person*, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of the ~~inmate~~ *person*, and to that end shall have authority to require the attendance of the chief executive officer of any state adult correctional facility and the production of the records of these facilities, and to compel the attendance of witnesses. Each member of the board is authorized to administer oaths to witnesses for these purposes.

Subd. 2. [RULES GOVERNING PAROLES AND SUPERVISED RELEASE.] *The Minnesota board of supervised release shall, consistent with the philosophy embodied in chapter 244 and the sentencing guidelines, and pursuant to the pertinent provisions of chapter 15, promulgate rules governing the granting of parole, conditions of parole or supervised release, revocation of parole or supervised release, final discharge from parole, extraordinary discharge, work release, and the policies and procedures relating thereto. These rules shall be submitted to the sentencing guidelines commission within 210 days of the effective date of this provision for review. Previously promulgated rules reviewed by the sentencing guidelines commission need not be repromulgated under chapter 15. The sentencing guidelines commission shall monitor the implementation of the policies and procedures of the board to assure continuing consistency with the guidelines philosophy. The board shall provide information as required by the sentencing guidelines commission for monitoring.*

Subd. 3. [DUTY OF BOARD; FINAL DISCHARGE.] *The Minnesota board of supervised release shall, as far as is possible, maintain communication with all persons who are on conditional release and with their employers. When any person on parole has kept the conditions of parole in the manner and for the period of time that satisfies the board that he is reliable and trustworthy, and that his final release does not pose an immediate threat to the public safety, the board has the power, in its discretion, to grant the person a final discharge from his sentence. Upon granting a final discharge the board shall issue to the parolee a certificate of discharge containing the recitals required by section*

609.165, subdivision 1. The board shall also cause a record to be made showing the date of commitment, the date parole was granted, the person's record while imprisoned and on parole, the reasons for granting final discharge, and other facts as the board deems proper.

Nothing in this section shall be construed as impairing the power of the board of pardons to grant a pardon or commutation of sentence.

Subd. 4. [DEPUTATION OF OUT-OF-STATE AGENTS.] *The commissioner of corrections, on behalf of the Minnesota board of supervised release, may deputize any person regularly employed by another state to act as an officer and agent of this state in effecting the return of any person who has violated the terms and conditions of parole, supervised release, or probation granted by this state. In any matter relating to the return of the person, any agent so deputized has all of the powers of a peace officer of this state. Any deputization pursuant to this subdivision shall be in writing and carried out by the agent as formal evidence of his deputization and shall be produced upon demand. Subject to the approval of the commissioner of finance, the commissioner of corrections may enter into contracts with similar officials of any other state for the purpose of sharing an equitable portion of the cost of effecting the return of any person who has violated the terms and conditions of release, parole, or probation as granted by this state.*

Sec. 25. Minnesota Statutes 1980, Section 244.01, Subdivision 7, is amended to read:

Subd. 7. "Supervised release" means the release of ~~an inmate~~ *a person* pursuant to section 244.05, *other than work release, for an offense committed on or after May 1, 1980.*

Sec. 26. Minnesota Statutes 1980, Section 244.01, is amended by adding a subdivision to read:

Subd. 9. [PAROLE.] *"Parole" means release of a person by the board of supervised release other than pursuant to section 244.05, 244.06, or 244.07 for an offense committed on or before May 1, 1980.*

Sec. 27. Minnesota Statutes 1980, Section 244.05, Subdivision 2, is amended to read:

Subd. 2. The Minnesota ~~corrections~~ board *of supervised release* shall promulgate rules for the placement and supervision of ~~inmates~~ *persons* serving a supervised release term. The rules shall also provide standards and procedures for the revocation of supervised release, and shall specify the period of revocation for each violation of supervised release. Procedures for the revocation of supervised release shall provide due process of law for the ~~inmate~~ *person.*

Sec. 28. Minnesota Statutes 1980, Section 244.05, Subdivision 3, is amended to read:

Subd. 3. If ~~an inmate~~ *a person* violates the conditions of his supervised release imposed by the Minnesota ~~corrections~~ board *of supervised release*, the board may:

(1) Continue the inmate's supervised release term, with or without modifying or enlarging the conditions imposed on the inmate; or

(2) Revoke the ~~inmate's~~ *person's* supervised release and reimprison him for

the appropriate period of time.

The period of time for which a supervised release may be revoked may not exceed the period of time remaining in the ~~inmate's~~ *person's* sentence.

Sec. 29. Minnesota Statutes 1980, Section 244.05, Subdivision 5, is amended to read:

Subd. 5. The Minnesota ~~corrections~~ board *of supervised release* may, under rules promulgated by it, give supervised release to ~~an inmate~~ *a person* serving a mandatory life sentence after he has served the minimum term of imprisonment specified in subdivision 4.

Sec. 30. Minnesota Statutes 1980, Section 244.06, is amended to read:

244.06 [EXTRAORDINARY DISCHARGE.]

The Minnesota ~~corrections~~ board *of supervised release* may give extraordinary discharge to ~~an inmate~~ *a person* for reasons of serious health problems, senility, advanced age or other extraordinary circumstances. The board shall promulgate rules specifying the circumstances under which extraordinary discharge may be approved by the board and the appropriate procedures for approving the same. No extraordinary discharge shall be effective unless also approved by the Minnesota board of pardons.

Sec. 31. Minnesota Statutes 1980, Section 244.065, is amended to read:

244.065 [PRIVATE EMPLOYMENT OF INMATES OF STATE CORRECTIONAL INSTITUTIONS IN COMMUNITY.]

When consistent with the public interest and the public safety, the Minnesota ~~corrections~~ board *of supervised release* may, with the recommendation of the commissioner, ~~conditionally~~ *temporarily* release ~~an inmate~~ *a person* to work at paid employment, seek employment, or participate in a vocational training or educational program, as provided in section 241.26, if the inmate has served at least one half of his term of imprisonment as reduced by good time earned by the ~~inmate~~ *person*."

Page 15, after line 44, insert:

"Sec. 38. [INSTRUCTIONS TO REVISOR.]

In the next and subsequent editions of the Minnesota Statutes, the revisor of statutes shall make all changes in terminology as may be necessary to effect the changes in references made necessary by enactment of sections 18 to 31.

Sec. 39. [APPROPRIATION.]

The appropriation to the commissioner of corrections by Laws 1981, Chapter 360, Article 1, Section 4, Subdivision 2, to perform the responsibilities formerly assigned to the Minnesota corrections board is reappropriated to the commissioner for the Minnesota board of supervised release for fiscal year 1983.

Sec. 40. [REPEALER.]

Minnesota Statutes 1980, Sections 241.045, Subdivisions 7 and 8; 243.07; 243.10; 243.12; and 244.08, are repealed."

Page 16, line 2, after the period, insert "*Sections 17 to 31 and 38 to 40 are effective July 1, 1982.*"

Page 16, line 2, delete "*18*" and insert "*32*"

Page 16, line 3, delete everything after the first period

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 15, before "296.13;" insert "241.05, Subdivisions 1, 2, 3, 3a, and by adding a subdivision; 244.01, Subdivision 7, and by adding a subdivision; 244.05, Subdivisions 2, 3, and 5; 244.06; 244.065;"

Page 1, line 18, after "239.10;" insert "241.045, Subdivision 6; 243.05;"

Page 1, line 22, after "362" insert "; repealing Minnesota Statutes 1980, Sections 241.045, Subdivisions 7 and 8; 243.07; 243.10; 243.12; and 244.08"

The motion prevailed. So the amendment was adopted.

Mr. Waldorf moved to amend H.F. No. 2190, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2219.)

Page 4, after line 8, insert:

"Sec. 10. [3.352] [LEGISLATIVE COMMISSION ON SCIENCE AND TECHNOLOGY.]

Subdivision 1. [CREATION, MEMBERSHIP, MEETINGS.] *The legislative commission on science and technology is composed of three senators of the majority party and two senators of the minority party appointed by the subcommittee on committees of the committee on rules and administration, and three representatives of the majority party and two representatives of the minority party appointed by the speaker of the house. The commission shall be appointed and shall hold its first meeting not later than 30 days after enactment of this section. The commission shall elect a chairman from among its members. Meetings of the commission shall be held not less than six times each year.*

Subd. 2. [PURPOSE, LEGISLATIVE FINDINGS.] *The legislature finds that an increasing number of scientific and technical issues have become major questions of public policy. It further finds that many legislators need greater knowledge and experience in physical and biological sciences and other highly technical fields. Therefore, the legislature declares the need for an on-going staff function that will supply objective services in the areas of issue identification, policy option review, and access to outside professional resource persons. Oversight of the science and technology function shall be primarily the responsibility of the commission established in subdivision 1.*

Subd. 3. [GENERAL DUTIES.] *The commission shall advise and assist other legislators and standing committees through:*

(a) identification of scientific and technological issues that may require legislative involvement in the near or long term future;

(b) improving legislator understanding of technical aspects of issues that

come before the legislature;

(c) acquiring adequate access to the testimony and counsel of experts in various scientific and technological fields;

(d) sponsoring seminars or other learning experiences that improve legislator understanding of scientific and technological issues.

Subd. 4. [SCIENCE AND TECHNOLOGY RESOURCE COUNCIL.] *The commission shall establish or continue a science and technology resource council composed of 15 members from the academic and scientific communities of Minnesota. Council members shall serve six year terms, with the terms of five members expiring at the end of each odd-numbered year. The membership of the council shall appoint replacements to fill expired terms and vacancies caused by death, disability, or resignation. In January of each even-numbered year the council shall elect a chairman and vice-chairman from among its members to serve two year terms. The council shall meet upon the call of the chairman or the request of a majority of the council's members. The chairman may create and abolish subcommittees.*

All council members shall serve without compensation. However, members may be reimbursed for the actual expenses of attending meetings.

The council may advise and assist the commission on:

(1) holding seminars on science and technology subjects that will provide information to legislators;

(2) defining scientific and technological issues that will be important in the future and that may require legislative encouragement, prohibition, or regulation;

(3) reviewing documents prepared by legislative staff on scientific and technological subjects; and

(4) maintaining access to a pool of specialists and experts who can assist the legislature in consideration of science and technology policy issues.

Subd. 5. [STAFF AND APPROPRIATIONS FOR THE COMMISSION.] *The legislative coordinating commission shall be responsible for staffing and appropriations to the commission as provided in Minnesota Statutes 1981 Supplement, Section 3.304, Subdivision 2a. The legislative coordinating commission may delegate staffing responsibilities to an existing staff office of the house of representatives or the senate, a joint legislative committee or office, or a state agency.*

The legislative coordinating commission may accept and receive, on behalf of the commission, any grants, gifts, or other funds made available to the state for purposes consistent with this section.''

Page 15, after line 44, insert:

''Sec. 25. [REPEALER.]

Minnesota Statutes 1980, Section 3.351, is repealed.''

Page 16, line 2, delete ''*18*'' and insert ''*19*''

Page 16, line 3, delete ''*17*'' and insert ''*18*''

Page 16, line 3, after the period, insert ''*The science and technology re-*

source council existing prior to Third Special Session 1981 Laws, Chapter 2, Section 2(a)(8) shall continue as the resource council established pursuant to section 10, subdivision 4.''

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 10, after the semicolon, insert ''creating a legislative commission on science and technology;''

Page 1, line 21, after the semicolon, insert ''repealing Minnesota Statutes 1980, Section 3.351;''

Page 1, line 22, after ''Chapters'' insert ''3,''

The motion prevailed. So the amendment was adopted.

H.F. No. 2190 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kronebusch	Nelson	Spear
Bang	Frank	Langseth	Olhoft	Stern
Berglin	Frederick	Lantry	Pehler	Stokowski
Bertram	Frederickson	Lessard	Penny	Stumpf
Brataas	Hanson	Lindgren	Peterson,R.W.	Taylor
Chmielewski	Hughes	Luther	Petty	Tennessen
Dahl	Humphrey	Menning	Ramstad	Ulland
Davies	Johnson	Merriam	Schmitz	Vega
Davis	Knoll	Moe, D. M.	Setzepfandt	Waldorf
Dicklich	Kroening	Moe, R. D.	Sikorski	Willet

Those who voted in the negative were:

Belanger	Bernhagen	Knutson	Pillsbury	Wegener
Benson	Dieterich	Peterson,C.C.	Renneke	
Berg	Kamrath	Peterson,D.L.	Rued	

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1499:

H.F. No. 1499: A bill for an act relating to the commitment of persons who are mentally ill, mentally ill and dangerous, mentally retarded, or chemically dependent; providing for informal admissions by consent, involuntary emergency admissions and for involuntary commitment by civil judicial procedures; providing for rights of persons admitted under voluntary, emergency or involuntary judicial procedures; requiring pre-petition screening; providing for

commitment hearings and procedures in conformance with due process; requiring a hearing and review before final determination of commitment; providing for commitment for determinate periods; providing for provisional discharge and partial hospitalization; requiring special review boards for mentally ill and dangerous and psychopathic personalities; establishing review boards for civilly committed persons; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 253A; repealing Minnesota Statutes 1980, Sections 253A.01 to 253A.23.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Clawson, Jude and Gruenes have been appointed as such committee on the part of the House.

House File No. 1499 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1982

Mr. Spear moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1499, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1804:

H.F. No. 1804: A bill for an act relating to partition fences; exempting certain lands from the provisions of Chapter 344; proposing new law coded in Minnesota Statutes, Chapter 344.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Johnson, C.; Murphy and Laidig have been appointed as such committee on the part of the House.

House File No. 1804 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1982

Mr. Renneke moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1804 , and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File 1817:

H.F. No. 1817: A bill for an act relating to transportation; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; exempting the state transportation plan from the provisions of the administrative procedure act; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and establishing fees; allowing expenditures from the state airports fund for educational programs to promote interest and safety in aeronautics; amending Minnesota Statutes 1980, Sections 161.41; 173.02, Subdivision 2; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 221.011, Subdivision 22; and 221.81; proposing new law coded in Minnesota Statutes, Chapter 221; repealing Minnesota Statutes 1981 Supplement, Section 161.465.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Mehrkens, Dahlvang and Anderson, G. have been appointed as such committee on the part of the House.

House File No. 1817 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1982

Mr. Engler moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1817, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Spear moved that S.F. No. 452 be taken from the table and that a new Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a new Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. Moe, D.M. moved that S.F. No. 1689 be taken from the table. The motion prevailed.

S.F. No. 1689: A bill for an act relating to the operation of state government; authorizing the legislative auditor to approve contracts for auditing state agencies; clarifying certain provisions regarding the term of the legislative auditor; modifying authority of the housing finance agency and certain other agencies to contract for audits without approval; amending Minnesota Statutes 1980, Sections 3.97, Subdivision 4; 3.972; and 462A.22, Subdivision 10.

CONCURRENCE AND REPASSAGE

Mr. Moe, D.M. moved that the Senate concur in the amendments by the House to S.F. No. 1689 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1689: A bill for an act relating to the operation of state government;

authorizing the legislative auditor to approve contracts for auditing state agencies; clarifying certain provisions regarding the term of the legislative auditor; modifying authority of the housing finance agency and certain other agencies to contract for audits without approval; amending Minnesota Statutes 1980, Sections 3.97, Subdivision 4; 3.972; 362.41, by adding a subdivision; and 462A.22, Subdivision 10.

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

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

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

Those who voted in the affirmative were:

Ashbach	Engler	Langseth	Penny	Spear
Bang	Frank	Lantry	Peterson,C.C.	Stern
Belanger	Frederick	Lessard	Peterson,D.L.	Stokowski
Berglin	Frederickson	Lindgren	Peterson,R.W.	Stumpf
Bernhagen	Hanson	Luther	Petty	Tennessen
Bertram	Hughes	Menning	Pillsbury	Vega
Brataas	Humphrey	Merriam	Ramstad	Waldorf
Chmielewski	Johnson	Moe, D. M.	Rued	Wegener
Dahl	Kamrath	Moe, R. D.	Schmitz	Willet
Davies	Knutson	Nelson	Setzepfandt	
Dicklich	Kroening	Olhoft	Sikorski	
Dieterich	Kronebusch	Pehler	Solon	

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

MEMBERS EXCUSED

Mr. Purfeerst was excused from the Session of today at 5:45 p.m.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 11, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

EIGHTY-SEVENTH DAY

St. Paul, Minnesota, Thursday, March 11, 1982

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. John Malm.

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

Ashbach	Dieterich	Langseth	Peterson, D.L.	Stern
Bang	Engler	Lantry	Peterson, R.W.	Stokowski
Belanger	Frank	Lessard	Petty	Stumpf
Benson	Frederick	Lindgren	Pillsbury	Taylor
Berg	Frederickson	Luther	Purfeerst	Tennessen
Berglin	Hanson	Menning	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Renneke	Vega
Bertram	Humphrey	Moe, D.M.	Rued	Waldorf
Brataas	Johnson	Moe, R.D.	Schmitz	Wegener
Chmielewski	Kamrath	Nelson	Setzepfandt	Willet
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	
Dicklich	Kronebusch	Peterson, C.C.	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Keefe was excused from the Session of today. Mr. Lindgren was excused from the Session of today from 11:30 a.m. to 1:30 p.m. Mr. Frederick was excused from the Session of today from 11:30 a.m. to 12:00 noon. Messrs. Berg, Pillsbury and Sikorski were excused from the Session of today from 12:20 to 1:30 p.m. Mr. Purfeerst was excused from the Session of today from 12:15 to 2:30 p.m.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Johnson moved that the following members be excused for a Conference Committee on H.F. No. 1872:

Messrs. Johnson, Hanson, Ms. Berglin, Messrs. Sieloff and Setzepfandt.

The motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 9, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1574	390	March 9	March 9
233		391	March 9	March 9
1695		392	March 9	March 9

Sincerely,

Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 412, 1566, 1644, 1670, 1631, 1967, 2048, 2062, 1015, 1591, 1605, 1641, 1853, 1684, 1231 and 1256.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1621: A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.

Senate File No. 1621 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S.F. No. 1621, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act

with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1481: A bill for an act relating to state government; providing a one time early retirement insurance benefit option for certain state employees; amending Minnesota Statutes 1981 Supplement, Section 43A.24, Subdivision 2.

Senate File No. 1481 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Peterson, C.C. moved that S.F. No. 1481 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the rules of the Senate be so far suspended as to take up the Calendar immediately. The motion prevailed.

CALENDAR

H.F. No. 612: A bill for an act relating to cable communications; changing the definition of cable communications system; reducing the number of days available to the metropolitan council for review of cable service territory proposals; conforming the certificate of confirmation term to the franchise term; authorizing rules preventing obstruction of service to multiple unit dwellings; providing to municipalities the option concerning cable service rates information included in a franchise; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.03; 238.05, Subdivision 7, and by adding a subdivision; 238.09, Subdivisions 6 and 7, and by adding a subdivision; Section 238.12, Subdivisions 1 and 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 57 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson,R.W.	Stern
Bang	Dieterich	Luther	Petty	Stokowski
Belanger	Frank	Menning	Pillsbury	Stumpf
Benson	Frederickson	Merriam	Purfeerst	Taylor
Berg	Hughes	Moe, D. M.	Ramstad	Tennessen
Bernhagen	Humphrey	Moe, R. D.	Renneke	Ulland
Bertram	Kamrath	Nelson	Rued	Vega
Brataas	Knoll	Olhoft	Schmitz	Waldorf
Chmielewski	Knutson	Pehler	Setzepfandt	Willet
Dahl	Kroening	Penny	Sikorski	
Davies	Kronebusch	Peterson,C.C.	Solon	
Davis	Langseth	Peterson,D.L.	Spear	

So the bill passed and its title was agreed to.

S.F. No. 1698: A bill for an act relating to education; removing the requirement of commissioner of education's approval when the proceeds of the capital expenditure levy are used to rent or lease buildings for school purposes; removing general procedures requiring and governing commissioner of education's approval of contracts for rental ot school rooms, buildings or other facilities; amending Minnesota Statutes 1980, Section 123.78, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 11a; repealing Minnesota Statutes 1980, Section 123.37, Subdivisions 3 to 14.

Mr. Knutson moved that S.F. No. 1698 be stricken from the Calendar and returned to the Committee on Education. The motion prevailed.

H.F. No. 1897: A bill for an act relating to fairs, carnivals and circuses; clarifying the food handling license requirements applicable to fairs, carnivals and circuses; changing the exclusion from minimum wage coverage for certain fair, carnival or circus workers; updating and clarifying certain powers and duties of the state agricultural society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, Subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; 37.22; 177.23, Subdivision 7; proposing new law coded in Minnesota Statutes, Chapter 28A; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

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 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stern
Belanger	Engler	Lessard	Petty	Stokowski
Benson	Frank	Luther	Pillsbury	Stumpf
Berg	Frederickson	Menning	Purfeerst	Taylor
Bernhagen	Hughes	Moe, D. M.	Ramstad	Tennessen
Bertram	Humphrey	Moe, R. D.	Renneke	Ulland
Brataas	Kamrath	Nelson	Rued	Vega
Chmielewski	Knoll	Olhoft	Schmitz	Waldorf
Dahl	Knutson	Pehler	Setzepfandt	Wegener
Davies	Kroening	Penny	Sikorski	Willet
Davis	Kronebusch	Peterson,C.C.	Solon	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

H.F. No. 1625: A bill for an act relating to retirement; public employees retirement association; changing the reduction factors for early retirement; amending Minnesota Statutes 1980, Section 353.30, Subdivisions 1 and 1a; Minnesota Statutes 1981 Supplement, Section 353.30, Subdivision 1c; repealing Minnesota Statutes 1980, Section 353.30, Subdivision 1b.

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 38 and nays 25, as follows:

Those who voted in the affirmative were:

Belanger	Hughes	Luther	Peterson,D.L.	Stokowski
Benson	Humphrey	Menning	Purfeerst	Stumpf
Berglin	Johnson	Moe, R. D.	Setzepfandt	Ulland
Chmielewski	Kroening	Nelson	Sieloff	Vega
Davis	Kronebusch	Olhoft	Sikorski	Wegener
Dicklich	Langseth	Pehler	Solon	Willet
Engler	Lantry	Penny	Spear	
Frank	Lessard	Peterson,C.C.	Stern	

Those who voted in the negative were:

Ashbach	Brataas	Kamrath	Peterson,R.W.	Rued
Bang	Dahl	Knoll	Petty	Schmitz
Berg	Davies	Knutson	Pillsbury	Taylor
Bernhagen	Dieterich	Merriam	Ramstad	Tennessen
Bertram	Frederickson	Moe, D. M.	Renneke	Waldorf

So the bill passed and its title was agreed to.

H.F. No. 1455: A bill for an act relating to real estate brokers and salespersons; providing for the automatic transfer of a salesperson's license under certain circumstances; amending Minnesota Statutes 1980, Section 82.20, Subdivision 9.

With the unanimous consent of the Senate, Mr. Merriam moved that the amendment made to H.F. No. 1455 by the Committee on Rules and Administration in the report adopted March 5, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1455 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:

Ashbach	Dicklich	Kronebusch	Peterson,C.C.	Solon
Bang	Dieterich	Langseth	Peterson,D.L.	Spear
Belanger	Engler	Lantry	Peterson,R.W.	Stern
Berg	Frank	Lessard	Petty	Stokowski
Berglin	Frederickson	Luther	Pillsbury	Stumpf
Bernhagen	Hughes	Merriam	Purfeerst	Taylor
Bertram	Humphrey	Moe, D. M.	Ramstad	Tennessen
Brataas	Johnson	Moe, R. D.	Renneke	Ulland
Chmielewski	Kamrath	Nelson	Rued	Vega
Dahl	Knoll	Olhoft	Schmitz	Waldorf
Davies	Knutson	Pehler	Setzepfandt	Wegener
Davis	Kroening	Penny	Sikorski	Willet

So the bill passed and its title was agreed to.

H.F. No. 2156: A bill for an act relating to education; authorizing the state university board to lease land on Mankato state university campus; permitting Mankato state university to lease a building; transferring title for a building to the state; proposing new law coded in Minnesota Statutes, Chapter 136.

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:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stern
Belanger	Engler	Lessard	Petty	Stokowski
Benson	Frank	Luther	Pillsbury	Stumpf
Berg	Frederickson	Menning	Purfeerst	Taylor
Berglin	Hughes	Merriam	Ramstad	Tennessen
Bernhagen	Humphrey	Moe, D. M.	Renneke	Ulland
Bertram	Johnson	Moe, R. D.	Rued	Vega
Brataas	Kamrath	Nelson	Schmitz	Waldorf
Chmielewski	Knoll	Olhoft	Setzepfandt	Wegener
Dahl	Knutson	Pehler	Sieloff	Willet
Davies	Kroening	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

H.F. No. 1579: A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Brainerd.

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:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stern
Belanger	Engler	Lessard	Petty	Stokowski
Benson	Frank	Luther	Pillsbury	Stumpf
Berg	Frederickson	Menning	Purfeerst	Taylor
Berglin	Hughes	Merriam	Ramstad	Tennessen
Bernhagen	Humphrey	Moe, D. M.	Renneke	Ulland
Bertram	Johnson	Moe, R. D.	Rued	Vega
Brataas	Kamrath	Nelson	Schmitz	Waldorf
Chmielewski	Knoll	Olhoft	Setzepfandt	Wegener
Dahl	Knutson	Pehler	Sieloff	Willet
Davies	Kroening	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

H.F. No. 1993: A bill for an act relating to intoxicating liquor; veteran's organization licenses in first class cities; amending Minnesota Statutes 1980, Section 340.11, 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 59 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Peterson,D.L.	Spear
Bang	Dicklich	Kronebusch	Peterson,R.W.	Stern
Belanger	Dieterich	Langseth	Petty	Stokowski
Benson	Engler	Lantry	Pillsbury	Stumpf
Berg	Frank	Lessard	Purfeerst	Taylor
Berglin	Frederickson	Luther	Ramstad	Tennessen
Bernhagen	Hughes	Merriam	Rued	Ulland
Bertram	Humphrey	Moe, D. M.	Schmitz	Vega
Brataas	Johnson	Moe, R. D.	Setzepfandt	Waldorf
Chmielewski	Kamrath	Nelson	Sieloff	Wegener
Dahl	Knoll	Pehler	Sikorski	Willet
Davies	Knutson	Penny	Solon	

Messrs. Menning; Olhoft; Peterson, C.C. and Renneke voted in the nega-

tive.

So the bill passed and its title was agreed to.

H.F. No. 685: A bill for an act relating to crimes; providing photographic records of evidence shall be admissible as evidence; providing for the return of stolen property; proposing new law coded in Minnesota Statutes, Chapter 609.

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:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stern
Belanger	Engler	Lessard	Petty	Stokowski
Benson	Frank	Luther	Pillsbury	Stumpf
Berg	Frederickson	Menning	Purfeerst	Taylor
Berglin	Hughes	Merriam	Ramstad	Tennessen
Bernhagen	Humphrey	Moe, D. M.	Renneke	Ulland
Bertram	Johnson	Moe, R. D.	Rued	Vega
Brataas	Kamrath	Nelson	Schmitz	Waldorf
Chmielewski	Knoll	Olhoft	Setzepfandt	Wegener
Dahl	Knutson	Pehler	Sieloff	Willet
Davies	Kroening	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

S.F. No. 1738: A bill for an act relating to crimes; prohibiting possession of obscene works appealing to pedophiles; prescribing penalties; amending Minnesota Statutes 1980, Section 617.246, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 617.

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:

Ashbach	Dieterich	Lantry	Peterson,R.W.	Stokowski
Bang	Engler	Lessard	Petty	Stumpf
Belanger	Frank	Luther	Pillsbury	Taylor
Benson	Frederickson	Menning	Purfeerst	Tennessen
Berg	Hughes	Merriam	Ramstad	Ulland
Berglin	Humphrey	Moe, D. M.	Renneke	Vega
Bernhagen	Johnson	Moe, R. D.	Rued	Waldorf
Bertram	Kamrath	Nelson	Schmitz	Wegener
Brataas	Knoll	Olhoft	Setzepfandt	Willet
Chmielewski	Knutson	Pehler	Sieloff	
Dahl	Kroening	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	
Dicklich	Langseth	Peterson,D.L.	Stern	

So the bill passed and its title was agreed to.

H.F. No. 1743: A bill for an act relating to courts; authorizing courts to obtain the presence of persons confined in state institutions for court appearances; proposing new law coded in Minnesota Statutes, Chapter 589.

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:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stern
Belanger	Engler	Lessard	Petty	Stokowski
Benson	Frank	Luther	Pillsbury	Stumpf
Berg	Frederickson	Menning	Purfeerst	Taylor
Berglin	Hughes	Merriam	Ramstad	Tennessen
Bernhagen	Humphrey	Moe, D. M.	Renneke	Ulland
Bertram	Johnson	Moe, R. D.	Rued	Vega
Brataas	Kamrath	Nelson	Schmitz	Waldorf
Chmielewski	Knoll	Olhoft	Setzepfandt	Wegener
Dahl	Knutson	Pehler	Sieloff	Willet
Davies	Kroening	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

H.F. No. 1803: A bill for an act relating to juveniles; providing for termination of jurisdiction over juveniles; providing for the apprehension of juvenile absconders and escapees; amending Minnesota Statutes 1980, Sections 242.19; 260.181, Subdivision 4; and Minnesota Statutes 1981 Supplement, Sections 4.12, by adding subdivisions; and 242.44.

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:

Ashbach	Dieterich	Langseth	Peterson,D.L.	Spear
Bang	Engler	Lantry	Peterson,R.W.	Stern
Belanger	Frank	Lessard	Petty	Stokowski
Benson	Frederick	Luther	Pillsbury	Stumpf
Berglin	Frederickson	Menning	Purfeerst	Taylor
Bernhagen	Hughes	Merriam	Ramstad	Tennessen
Bertram	Humphrey	Moe, D. M.	Renneke	Ulland
Brataas	Johnson	Moe, R. D.	Rued	Vega
Chmielewski	Kamrath	Nelson	Schmitz	Waldorf
Dahl	Knoll	Olhoft	Setzepfandt	Wegener
Davies	Knutson	Pehler	Sieloff	Willet
Davis	Kroening	Penny	Sikorski	
Dicklich	Kronebusch	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

S.F. No. 1451: A bill for an act relating to metropolitan government; providing for the establishment and operation of a water planning and management program in the metropolitan area; requiring watershed and local water management plans; providing for the establishment and operation of watershed management organizations; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; authorizing counties, cities, and towns to bond for certain watershed improvements; authorizing taxes; amending Minnesota Statutes 1980, Sections 112.35, by adding a subdivision; 112.37, Subdivision 1, and by adding a subdivision; 112.42, Subdivision 3 and by adding a subdivision; 112.43, by adding a subdivision; Laws 1981, Chapter 291, Section 2, Subdivisions 1, 2, and by adding subdivisions; 4, Subdivision 1; 5, Subdivision 2; 7; 8, Subdivi-

sions 1, 2, and by adding a subdivision; and 24; proposing new law coded in Minnesota Statutes, Chapter 473.

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:

Ashbach	Dicklich	Kronebusch	Peterson,C.C.	Spear
Bang	Dieterich	Langseth	Peterson,D.L.	Stern
Belanger	Engler	Lantry	Peterson,R.W.	Stokowski
Benson	Frank	Lessard	Petty	Stumpf
Berg	Frederick	Luther	Pillsbury	Taylor
Berglin	Frederickson	Menning	Purfeerst	Tennessen
Bernhagen	Hughes	Merriam	Ramstad	Ulland
Bertram	Humphrey	Moe, D. M.	Renneke	Vega
Brataas	Johnson	Moe, R. D.	Rued	Waldorf
Chmielewski	Kamrath	Nelson	Schmitz	Wegener
Dahl	Knoll	Olhoft	Setzepfandt	Willet
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	

So the bill passed and its title was agreed to.

H.F. No. 1699: A bill for an act relating to education; requiring all public elementary and secondary schools to provide instructional programs in chemical abuse; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.

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 40 and nays 18, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Luther	Peterson,D.L.	Stern
Berglin	Hanson	Merriam	Peterson,R.W.	Stokowski
Brataas	Hughes	Moe, D. M.	Petty	Taylor
Dahl	Humphrey	Moe, R. D.	Ramstad	Tennessen
Davies	Knoll	Nelson	Rued	Ulland
Davis	Kroening	Pehler	Setzepfandt	Vega
Dicklich	Langseth	Penny	Solon	Wegener
Dieterich	Lantry	Peterson,C.C.	Spear	Willet

Those who voted in the negative were:

Ashbach	Bertram	Frederickson	Lessard	Schmitz
Bang	Chmielewski	Kamrath	Menning	Waldorf
Benson	Engler	Knutson	Olhoft	
Bernhagen	Frederick	Kronebusch	Renneke	

So the bill passed and its title was agreed to.

H.F. No. 1799: A bill for an act relating to health; providing for evaluation of certain changes in certificate of need review; requiring certain price information to be reported and disseminated; requiring monitoring; amending the thresholds of review; providing for additional waivers; requiring reports; amending Minnesota Statutes 1980, Sections 145.833, Subdivision 5; 145.835, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Sections 250.05, Subdivision 4; 447.45, Subdivision 1; and 474.03; proposing

new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; and Minnesota Statutes 1981 Supplement, Sections 62D.22, Subdivision 6; 145.834; and 145.845.

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 11, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Kronebusch	Penny	Tennessen
Bang	Frederick	Langseth	Peterson,D.L.	Ulland
Belanger	Frederickson	Lantry	Petty	Vega
Benson	Hanson	Lessard	Ramstad	Waldorf
Bernhagen	Hughes	Luther	Renneke	Wegener
Bertram	Humphrey	Menning	Rued	Willet
Brataas	Kamrath	Moe, R. D.	Solon	
Chmielewski	Knoll	Nelson	Stern	
Davis	Knutson	Olhoft	Stokowski	
Engler	Kroening	Pehler	Taylor	

Those who voted in the negative were:

Berglin	Dicklich	Merriam	Peterson,C.C.	Setzepfandt
Dahl	Dieterich	Moe, D. M.	Peterson,R.W.	Spear
Davies				

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1443: A bill for an act relating to agriculture; prohibiting the trafficking in skunks; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 145.

Senate File No. 1443 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Setzepfandt moved that the Senate do not concur in the amendments by the House to S. F. No. 1443, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concur-

rence of the Senate is respectfully requested:

S.F. No. 1539: A bill for an act relating to state collective bargaining units; adopting a modified unit composition schedule for state employees; amending Minnesota Statutes 1980, Section 179.741, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 179.74, Subdivision 4.

Senate File No. 1539 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

CONCURRENCE AND REPASSAGE

Mr. Setzepfandt moved that the Senate concur in the amendments by the House to S.F. No. 1539 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1539: A bill for an act relating to state collective bargaining units; adopting a modified unit composition schedule for state employees; excluding certain employees from collective bargaining and providing other means of compensation; amending Minnesota Statutes 1980, Section 179.741, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 179.74, Subdivision 4.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Penny	Stokowski
Bang	Engler	Langseth	Peterson,C.C.	Taylor
Belanger	Frank	Lantry	Peterson,D.L.	Tennessen
Benson	Frederick	Lessard	Peterson,R.W.	Ulland
Bernhagen	Frederickson	Luther	Petty	Vega
Bertram	Hanson	Menning	Ramstad	Waldorf
Brataas	Hughes	Merriam	Renneke	Wegener
Chmielewski	Humphrey	Moe, D. M.	Rued	Willet
Dahl	Kamrath	Moe, R. D.	Schmitz	
Davies	Knoll	Nelson	Setzepfandt	
Davis	Knutson	Olhoft	Solon	
Dicklich	Kroening	Pehler	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 85: A bill for an act relating to towns; providing for separate election of town supervisors; amending Minnesota Statutes 1980, Section 367.03, by adding a subdivision.

Senate File No. 85 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

CONCURRENCE AND REPASSAGE

Mr. Setzepfandt moved that the Senate concur in the amendments by the House to S.F. No. 85 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 85: A bill for an act relating to towns; providing for election of town supervisors; amending Minnesota Statutes 1980, Section 367.03, Subdivision 2.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Penny	Stokowski
Bang	Engler	Langseth	Peterson,D.L.	Taylor
Belanger	Frank	Lantry	Peterson,R.W.	Tennessen
Benson	Frederick	Lessard	Petty	Ulland
Bernhagen	Frederickson	Luther	Ramstad	Vega
Bertram	Hanson	Menning	Renneke	Waldorf
Brataas	Hughes	Merriam	Rued	Wegener
Chmielewski	Humphrey	Moe, D. M.	Schmitz	Willet
Dahl	Kamrath	Moe, R. D.	Setzepfandt	
Davies	Knoll	Nelson	Solon	
Davis	Knutson	Olhoft	Spear	
Dicklich	Kroening	Pehler	Stern	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1821: A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.

Senate File No. 1821 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Renneke moved that the Senate do not concur in the amendments by the House to S.F. No. 1821, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1677: A bill for an act relating to municipal planning and zoning; prohibiting exclusion of manufactured homes and other types of single family dwellings; amending Minnesota Statutes 1980, Sections 394.25, Subdivision 3; and 462.357, Subdivision 1.

Senate File No. 1677 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate concur in the amendments by the House to S.F. No. 1677 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1677: A bill for an act relating to local government; changing municipal and county planning and zoning laws; prohibiting exclusion of manufactured homes and other types of single family dwellings; amending Minnesota Statutes 1980, Sections 394.25, Subdivision 3; and 462.357, Subdivision 1.

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

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

The roll was called, and there were yeas 46 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Olhoft	Tennessen
Bang	Dieterich	Kronebusch	Pehler	Ulland
Belanger	Frank	Langseth	Peterson,R.W.	Vega
Benson	Frederick	Lantry	Petty	Waldorf
Bertram	Hanson	Lessard	Rued	Wegener
Brataas	Hughes	Luther	Schmitz	Willet
Chmielewski	Humphrey	Merriam	Solon	
Dahl	Kamrath	Moe, D. M.	Spear	
Davies	Knoll	Moe, R. D.	Stern	
Davis	Knutson	Nelson	Stokowski	

Those who voted in the negative were:

Bernhagen	Frederickson	Penny	Ramstad	Taylor
Engler	Menning	Peterson,D.L.	Renneke	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1522: A bill for an act relating to local government; changing the filing of the bond of the town clerk and the town treasurer; permitting towns to self insure in the same way as other political subdivisions; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Sections 367.10; 367.15; 368.01; Subdivisions 1, 30, and by adding subdivisions; 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; 462.36, Subdivision 1; 471.59, by adding a subdivision; and 471.98, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462.

Senate File No. 1522 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Wegener moved that the Senate do not concur in the amendments by the House to S.F. No. 1522, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1691: A bill for an act relating to housing and redevelopment authorities; clarifying the need for a conflict of interest disclosure statement; amending the method of determining a quorum when a conflict of interest exists; providing penalties; amending Minnesota Statutes 1981 Supplement, Section 462.432, Subdivisions 1 and 2.

Senate File No. 1691 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

CONCURRENCE AND REPASSAGE

Mr. Petty moved that the Senate concur in the amendments by the House to S.F. No. 1691 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1691: A bill for an act relating to housing and redevelopment authorities; clarifying the need for a conflict of interest disclosure statement;

amending the method of determining a quorum when a conflict of interest exists; providing for membership on the Duluth housing and redevelopment authority; providing penalties; granting powers to authorities created pursuant to special laws; amending Minnesota Statutes 1980, Section 462.445, by adding a subdivision; amending Minnesota Statutes 1981 Supplement, Section 462.432, Subdivisions 1 and 2.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Knutson	Nelson	Solon
Bang	Dieterich	Kroening	Olhoft	Spear
Belanger	Engler	Kronebusch	Pehler	Stern
Benson	Frank	Langseth	Penny	Stokowski
Bernhagen	Frederick	Lantry	Peterson,C.C.	Tennessen
Bertram	Frederickson	Lessard	Peterson,D.L.	Ulland
Brataas	Hanson	Luther	Peterson,R.W.	Vega
Chmielewski	Hughes	Menning	Petty	Waldorf
Dahl	Humphrey	Merriam	Ramstad	Wegener
Davies	Kamrath	Moe, D. M.	Renneke	Willet
Davis	Knoll	Moe, R. D.	Schmitz	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1702: A bill for an act relating to corrections; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.

Senate File No. 1702 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Knutson moved that the Senate do not concur in the amendments by the House to S.F. No. 1702, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1840: A bill for an act relating to commerce; providing for a determination of when certain property held by a financial institution or business organization is presumed abandoned; amending Minnesota Statutes 1980, Sections 345.32, as amended; and 345.39, as amended.

Senate File No. 1840 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

CONCURRENCE AND REPASSAGE

Mr. Tennessen moved that the Senate concur in the amendments by the House to S.F. No. 1840 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1840: A bill for an act relating to commerce; providing an alternative distribution of assets following voluntary dissolution of a cooperative association; providing for a determination of when certain property held by a financial institution or business organization is presumed abandoned; amending Minnesota Statutes 1980, Sections 308.14, by adding a subdivision; 345.32, as amended; and 345.39, as amended.

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

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

The roll was called, and there were yeas 47 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Pehler	Solon
Bang	Engler	Langseth	Penny	Spear
Belanger	Frank	Lantry	Peterson,C.C.	Stern
Benson	Frederick	Luther	Peterson,D.L.	Stokowski
Bernhagen	Frederickson	Menning	Peterson,R.W.	Taylor
Bertram	Hughes	Merriam	Petty	Tennessen
Brataas	Humphrey	Moe, D. M.	Ramstad	Waldorf
Dahl	Kamrath	Moe, R. D.	Renneke	
Davies	Knutson	Nelson	Rued	
Davis	Kroening	Olhoft	Schmitz	

Messrs. Chmielewski, Dieterich, Vega and Willet voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1758: A bill for an act relating to crimes; prohibiting conspiracies to violate controlled substances laws; clarifying the crime of escape from jail; prescribing penalties; amending Minnesota Statutes 1980, Section 609.485, Subdivision 3; proposing new law coded in Minnesota Statutes 1980, Chapter 152.

Senate File No. 1758 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Hanson moved that the Senate do not concur in the amendments by the House to S. F. No. 1758, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2000: A bill for an act relating to the city of Brooklyn Center; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program.

Senate File No. 2000 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Luther moved that the Senate do not concur in the amendments by the House to S. F. No. 2000, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House wishes to recall for the purpose of further consideraton House File No. 1840.

H.F. No. 1840: A bill for an act relating to public welfare; allowing payment of claims for medical assistance to be made against homestead property which is part of an estate; amending Minnesota Statutes 1980, Sections 510.05; 524.3-805; and Minnesota Statutes 1981 Supplement, Section 525.145.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 10, 1982

Mr. Penny moved that the Message on H.F. No. 1840 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1573:

H.F. No. 1573: A bill for an act relating to crimes; prohibiting the manufacture, sale, transfer and delivery of simulated controlled substances; prohibiting their manufacture, sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes,

Chapter 152.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Swanson, Vanasek and Reif have been appointed as such committee on the part of the House.

House File No. 1573 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1982

Mr. Frank moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1573, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2136:

H.F. No. 2136: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; fixing the boundaries of state parks and trails; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; proposing new law coded in Minnesota Statutes, Chapter 84.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Sieben, M.; Kahn; Anderson, G.; Carlson, L. and Nelsen, B. have been appointed as such committee on the part of the House.

House File No. 2136 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1982

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2136, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 438:

H.F. No. 438: A bill for an act relating to retirement; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; authorizing an amendment to the articles of incorporation of the

Minneapolis teachers retirement fund association; allowing a surviving spouse to elect a joint and survivor annuity under certain circumstances; amending Minnesota Statutes 1981 Supplement, Section 354.46, Subdivision 2.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Sarna, Kaley, Reding, Rice and Rodriguez, F. have been appointed as such committee on the part of the House.

House File No. 438 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1982

Mr. Peterson, C.C. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 438, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1727, 352 and 1176.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 10, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1727: A bill for an act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6; providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 480.01; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; and Minnesota Statutes 1981 Supplement, Sections 204B.06, Subdivision 6; 204B.34, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapters 480A; and 632; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1669.

H.F. No. 352: A bill for an act relating to crimes; establishing classifications for the crime of burglary; prescribing penalties for burglary offenses; affirming the right of victims to bring actions against offenders; establishing the right of a victim to request restitution; providing for implementation of victim and witness rights by law; providing penal sanctions and judicial mechanisms to deter intimidation of witnesses; requiring criminal justice agencies to inform victims of financial assistance and social services; providing for minimal victim participation in the criminal process; providing penalties; amending Minnesota

Statutes 1980, Sections 241.26, Subdivisions 5 and 6; 243.23, Subdivision 3; 571.55, by adding a subdivision; 609.115; 609.498; and 631.425, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapters 609 and 611A; repealing Minnesota Statutes 1980, Section 609.58.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1175, now on Special Orders.

H.F. No. 1176: A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; authorizing rewards for information on violations; providing for pipeline testing; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 115B; proposing new law coded in Minnesota Statutes, Chapter 116.

Mr. Merriam moved that H.F. No. 1176 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

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

S.F. No. 579: A bill for an act relating to public welfare; requiring licensure for adult day care facilities; amending Minnesota Statutes 1980, Sections 245.782, Subdivision 2; 245.783, by adding a subdivision; 245.791; 256B.02, Subdivision 7; and Minnesota Statutes 1981 Supplement, Section 256B.02, Subdivision 8, as amended.

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

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1980, Section 144A.01, Subdivision 7, is amended to read:

Subd. 7. "Uncorrected violation" means *(a)* a violation of a statute or rule or any other deficiency for which a notice of noncompliance has been issued and fine assessed *and allowed to be recovered* pursuant to section 144A.10, subdivision 6, *or (b) the issuance of two or more correction orders, within a 12 month period, for a violation of the same provision of a statute or rule.*

Sec. 2. Minnesota Statutes 1980, Section 144A.04, Subdivision 4, is amended to read:

Subd. 4. The controlling persons of a nursing home may not include any person who was a controlling person of another nursing home during any period of time in the previous two year period*:*

(a) during which time of control that other nursing home incurred the following number of uncorrected violations ~~for which violations a fine was assessed and allowed to be recovered~~:

~~(a)~~ *(1)* two or more uncorrected violations which created an imminent risk ~~of harm to a nursing home resident~~ *to direct resident care or safety*; or

~~(b) Ten~~ *(2) five* or more uncorrected violations of any nature *for which the fines are in the two highest daily fine categories prescribed in rule; or*

(b) who was convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care, during that period.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions related to the operation of the nursing home which incurred the uncorrected violations.

Sec. 3. Minnesota Statutes 1980, Section 144A.04, Subdivision 6, is amended to read:

Subd. 6. A nursing home may not employ as a managerial employee or as its licensed administrator any person who was a managerial employee or the licensed administrator of another facility during any period of time in the previous two year period:

(a) during which time of employment that other nursing home incurred the following number of uncorrected violations which were in the jurisdiction and control of the managerial employee or the administrator ~~and for which violations a fine was assessed and allowed to be recovered~~:

~~(a)~~ *(1)* two or more uncorrected violations which created an imminent risk ~~of harm to a nursing home resident~~ *to direct resident care or safety*; or

~~(b) Ten~~ *(2) five* or more uncorrected violations of any nature *for which the fines are in the two highest daily fine categories prescribed in rule; or*

(b) who was convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care, during that period.

Sec. 4. Minnesota Statutes 1980, Section 144A.08, Subdivision 3, is amended to read:

Subd. 3. [PENALTY.] Any controlling person who establishes, conducts, manages or operates a nursing home which incurs the following number of uncorrected violations, in any two year period~~, for which violations a fine was assessed and allowed to be recovered~~:

(a) Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or

(b) ~~Ten~~ *Five* or more uncorrected violations of any nature, is guilty of a misdemeanor.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions as to the operation of the nursing home which incurred the uncorrected violations.

Sec. 5. Minnesota Statutes 1980, Section 144A.10, Subdivision 4, is amended to read:

Subd. 4. [CORRECTION ORDERS.] Whenever a duly authorized repre-

sentative of the commissioner of health finds upon inspection of a nursing home, that the facility or a controlling person or an employee of the facility is not in compliance with sections *144.651*, 144A.01 to 144A.17, *or 626.557* or the rules promulgated thereunder, a correction order shall be issued to the facility. The correction order shall state the deficiency, cite the specific rule or statute violated, state the suggested method of correction, and specify the time allowed for correction. The commissioner of health by rule shall establish a schedule of allowable time periods for correction of nursing home deficiencies. *If the commissioner finds that the nursing home had uncorrected violations and that two or more of the uncorrected violations create a risk to resident care, safety, or rights, the commissioner shall notify the commissioner of public welfare who shall review reimbursement to the nursing home to determine the extent to which the state has paid for substandard care.*

Sec. 6. Minnesota Statutes 1980, Section 144A.11, Subdivision 2, is amended to read:

Subd. 2. [MANDATORY PROCEEDINGS.] The commissioner of health shall initiate proceedings to suspend or revoke a nursing home license or shall refuse to renew a license if within the preceding two years:

The nursing home has incurred the following number of uncorrected violations ~~for which violations a fine was assessed and allowed to be recovered~~:

~~(a)~~ *(1)* Two or more uncorrected violations which created an imminent risk ~~of harm to a nursing home resident~~ *to direct resident care or safety, violated the patients' bill of rights, section 144.651, or violated the vulnerable adults reporting act, section 626.557*; or

~~(b) Ten~~ *(2) Five* or more uncorrected violations of any nature *for which the fines are in the two highest daily fine categories prescribed in rule.*

Sec. 7. Minnesota Statutes 1980, Section 144A.11, is amended by adding a subdivision to read:

Subd. 3a. [MANDATORY REVOCATION.] *Notwithstanding the provisions of subdivision 3, the commissioner shall revoke a nursing home license if a controlling person is convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care. The commissioner shall notify the nursing home 30 days in advance of the date of revocation.*''

Page 1, line 24, delete ''1980'' and insert ''1981 Supplement''

Page 2, line 1, delete the stricken ''245.813'' and delete the underlining from ''245.812''

Page 2, line 19, delete ''245.813'' and insert ''245.812''

Page 6, line 27, delete ''*may*'' and insert ''*shall*''

Page 6, line 28, delete ''*1 to 6*'' and insert ''*8 to 13*''

Page 6, line 32, delete ''*6*'' and insert ''*13*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete ''public welfare'' and insert ''care for the elderly''

Page 1, line 2, after the semicolon, insert ''strengthening qualifications for

persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation for substandard care;''

Page 1, line 3, after the semicolon, insert ''revising a penalty;''

Page 1, line 4, after ''Sections'' insert ''144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision;''

Page 1, line 5, delete ''245.791;''

Page 1, line 6, delete ''and'' and delete ''Section'' and insert ''Sections 245.791; and''

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. 1460: A bill for an act relating to safety; imposing an additional fee for two-wheeled vehicle endorsements for motorcycle safety programs; providing for the disposition of the proceeds of the additional fee; exempting from the motor vehicle excise tax certain purchasers of motorized bicycles for resale; establishing an advisory committee on motorcycle safety; prescribing duties of the commissioners of public safety and education; establishing a fund; making a standard appropriation; amending Minnesota Statutes 1980, Sections 171.06, by adding a subdivision; 297B.035, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 126.

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

Page 1, line 24, before the period, insert ''*; provided that any fee receipts in excess of $300,000 in a fiscal year shall be credited 90 percent to the trunk highway fund and ten percent to the general fund, as provided in section 171.26*''

Page 2, delete lines 10 to 16

Page 2, line 17, delete ''*Subd. 2.*'' and insert ''*Subdivision 1.*''

Page 2, lines 20 and 21, delete ''*with the advice of the advisory committee on motorcycle safety*''

Page 2, line 26, delete ''*3*'' and insert ''*2*''

Page 2, line 35, delete ''*4*'' and insert ''*3*''

Page 3, lines 2, 5, and 8, delete ''*2 and 3*'' and insert ''*1 and 2*''

Amend the title as follows:

Page 1, lines 7 and 8, delete ''establishing an advisory committee on motorcycle safety;''

Page 1, lines 10 and 11, delete ''making a standard appropriation'' and insert ''appropriating money''

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

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 1556: A bill for an act relating to public safety; prohibiting the sale, use, manufacture and possession of high penetration bullets; prohibiting the sale and possession of armor-piercing bullets; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for March 5, 1982, be adopted; that committee recommendation being

"the bill be amended and when so amended the bill do pass." Amendments adopted. Report adopted.

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S.F. No. 1891: A bill for an act relating to real property; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the governor; authorizing the governor to declare by proclamation a public economic emergency under certain conditions, limiting its duration, and providing nullifying powers in the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments; proposing new law coded as Minnesota Statutes, Chapter 582A.

Reports the same back with the recommendation that the report from the Committee on Commerce, shown in the Journal for March 8, 1982, be adopted; that committee recommendation being

"the bill be amended and when so amended the bill do pass." Amendments adopted. Report adopted.

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

S.F. No. 862: A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities.

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

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

S.F. No. 1669: A bill for an act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6; and Article VIII, Section 2; providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 480.01; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; and Minnesota Statutes 1981 Supplement, Sections 204B.06, Subdivision 6; 204B.34, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapters 480A and 632; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.

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

Page 2, line 15, after "*temporarily*" insert "*by the supreme court*"

Page 2, line 16, delete "*upon its request*"

Pages 17 and 18, delete section 28

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

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

H.F. No. 1840 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1840	1712				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1840 be amended as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 32, and Laws 1981, Third Special Session Chapter 3, Section 17, is amended to read:

Subdivision 1. Medical assistance may be paid for any person:

(1) Who is eligible for or receiving public assistance, or a woman who is pregnant, as medically verified, and who would be eligible for assistance under the aid to families with dependent children program if the child had been born and living with the woman; or

(2) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

(3) Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and disabled, or aid to families with dependent children and is in need of medical assistance; or

(4) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

(5) Who is residing in a hospital for treatment of mental disease or tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

(6) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

(7) Who alone, or together with his spouse, does not own real property other

than the homestead. For the purposes of this section, "homestead" means the house owned and occupied by the applicant as his dwelling place, together with the land upon which it is situated and an area no greater than two contiguous lots in a platted or laid out city or town or 80 contiguous acres in unplatted land. ~~Occupancy or exemption shall be determined as provided in chapter 510 and applicable law, including continuing exemption by filing notice under section 510.07.~~

If the owner ceases to occupy the homestead for more than 24 continuous months due to admission into a hospital or nursing home, and no spouse or child who is under age 21 or is blind or disabled occupies the homestead during the owner's absence, the owner shall be deemed to have abandoned the homestead. If the owner or his legal representative files a notice with the county recorder before the 24 month period expires, the owner shall not be deemed to have abandoned the homestead for an additional 24 months from the date of filing. The notice must be executed, witnessed, and acknowledged as in the case of a deed, describe the premises and claim them as his homestead. The local welfare agency shall notify the owner or his legal representative of this option to file notice and shall provide information and any assistance the owner needs to file the notice properly. When the second 24 month period expires, the owner shall be deemed to have abandoned the homestead. Real estate not used as a home may not be retained unless it produces net income applicable to the family's needs or the family is making a continuing effort to sell it at a fair and reasonable price or unless sale of the real estate would net an insignificant amount of income applicable to the family's needs, or unless the commissioner determines that sale of the real estate would cause undue hardship; and

(8) Who individually does not own more than $2,000 in cash or liquid assets, or if a member of a household with two family members (husband and wife, or parent and child), does not own more than $4,000 in cash or liquid assets, plus $200 for each additional legal dependent. The value of the following shall not be included:

(a) the homestead, and (b) one motor vehicle licensed pursuant to chapter 168 and defined as: (1) passenger automobile, (2) station wagon, (3) motorcycle, (4) motorized bicycle or (5) truck of the weight found in categories A to E, of section 168.013, subdivision 1e; and

(9) Who has or anticipates receiving an annual income not in excess of $2,600 for a single person, or $3,250 for two family members (husband and wife, parent and child, or two siblings), plus $625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application, or during the three months prior to the month of application, incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In computing income to determine eligibility of persons who are not residents of long term care facilities, the commissioner shall disregard increases in income of social security or supplementary security income recipients due solely to increases required by sections 215(i) and 1617 of the social security act, and shall disregard income of disabled persons that is also disregarded in determining eligibility for supplemental aid under section 256D.37, subdivision 1, unless prohibited by federal law or regulation. If prohibited, the commissioner shall first seek a waiver. In excess income cases, eligibility shall be limited to a

period of six months beginning with the first of the month in which these medical obligations are first incurred; and

(10) Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may be made to cover the monthly unmet medical need. In licensed nursing home and state hospital cases, income over and above that required for justified needs, determined pursuant to a schedule of contributions established by the commissioner of public welfare, is to be applied to the cost of institutional care. The commissioner of public welfare may establish a schedule of contributions to be made by the spouse of a nursing home resident to the cost of care and shall seek a waiver from federal regulations which establish the amount required to be contributed by either spouse when one spouse is a nursing home resident; and

(11) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from automobile accident coverage and private health care coverage to the costs of medical care for himself, his spouse, and children. The state agency may require from any applicant or recipient of medical assistance the assignment of any rights accruing under private health care coverage. Any rights or amounts so assigned shall be applied against the cost of medical care paid for under this chapter. Any assignment shall not be effective as to benefits paid or provided under automobile accident coverage and private health care coverage prior to receipt of the assignment by the person or organization providing the benefits.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 256B.15, is amended to read:

256B.15 [CLAIMS AGAINST ESTATES.]

If a person receives any medical assistance ~~hereunder~~ *under this chapter*, on his death, ~~if hu is single, or on the death of the person and his surviving spouse, if he is married, and only at a time when he has no~~ *unless there is (a) a surviving spouse or (b) a* surviving child who is under 21 or is blind or ~~totally~~ disabled, the total amount paid for medical assistance ~~rendered~~ for the person, after age 65, without interest, shall be filed as a claim against the *person's* estate ~~of the person~~ in the court having jurisdiction to probate the estate. The claim shall be considered an expense of the last illness of the decedent for the purpose of section 524.3-805. Any statute of limitations that purports to limit any county agency or the state agency, or both, to recover for medical assistance ~~granted hereunder~~ shall not apply to any claim made ~~hereunder~~ for reimbursement ~~for any medical assistance granted hereunder~~ *under this section*. Counties may retain one-half of the nonfederal share of medical assistance collections from estates that are directly attributable to county effort.''

Page 1, line 15, delete ''*filed pursuant to*'' and insert '' *arising under*''

Page 1, line 15, after ''*256B.15*'' insert a comma

Page 2, line 32, after ''death'' reinstate the stricken semicolon

Page 3, delete lines 6 and 7 and insert:

''*This act is effective the day following final enactment for all medical*

assistance granted after that date.''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete ''payment of''

Page 1, line 4, after the semicolon insert ''specifying abandonment of homestead for medical assistance;''

Page 1, line 6, delete ''Section'' and insert ''Sections 256B.06, Subdivision 1, as amended; 256B.15 and''

And when so amended H.F. No. 1840 will be identical to S.F. No. 1712, and further recommends that H.F. No. 1840 be given its second reading and substituted for S.F. No. 1712, 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. 1115 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		**CONSENT CALENDAR**		**CALENDAR**	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1115	1839				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1115 be amended as follows:

Page 1, line 20, after ''174.27'' insert ''*to*''

Page 2, lines 4 and 6, delete the first ''*to*''

Page 2, line 8, delete ''*where such activities are cost-effective, to*''

Page 2, line 9, delete ''*to*''

Page 2, line 10, after ''*use*'' insert ''*where such activities are cost effective*''

Page 2, line 11, delete the first ''*to*''

Page 2, line 13, delete ''*consistent with the above objectives, to*''

Page 2, line 14, before the period insert ''*to the extent they are consistent with the other objectives stated above*''

Page 2, delete line 18

Page 2, line 19, delete everything before ''*provided*'' and insert '' *transportation service*''

Page 2, line 19, before the period insert ''*but does not include elderly and handicapped service, as defined in subdivision 13 of this section, provided by that transit authority*''

Page 2, line 20, delete everything after "*a*" and insert " *transportation service*"

Page 2, delete line 21

Page 2, line 22, delete "*except*"

Page 2, line 23, delete "*for*" and insert "*but does not include*"

Page 2, line 23, after "*commission*" insert a comma

Page 2, line 24, delete everything after "*174.22*" and insert ", *subdivision 4, or elderly and handicapped service, as defined in subdivision 13 of this section*"

Page 2, line 25, delete everything before the period

Page 2, line 26, after "*a*" insert "*transportation*"

Page 2, line 28, after "*a*" insert "*transportation*"

Page 2, line 31, after "*means*" insert "*transportation*"

Page 2, line 32, after "*urbanized*" insert "*or large urbanized*"

Page 3, line 3, after "*Subd. 7.*" insert "[RULEMAKING; TOTAL OPERATING COST.]"

Page 3, after line 12, insert:

"Sec. 4. Minnesota Statutes 1980, Section 174.23, is amended by adding a subdivision to read:

Subd. 8. [PROGRAM ADMINISTRATION.] *The commissioner shall assign the administration of the programs set forth in sections 174.21 to 174.27 to a single division within the department of transportation.*"

Page 3, after line 22, insert:

"Sec. 6. Minnesota Statutes 1980, Section 174.24, Subdivision 2, is amended to read:

Subd. 2. [ELIGIBILITY; APPLICATIONS.] Any legislatively established public transit commission or authority, any county or statutory or home rule charter city providing financial assistance to or operating public transit, any private operator of public transit, or any combination thereof is eligible to receive financial assistance through the public transit ~~subsidy~~ *participation* program."

Page 3, line 34, after "assistance" insert a comma

Page 4, line 1, after "determine" insert "*total operating cost and correspondingly*"

Page 4, line 4, after "system" insert a comma

Page 4, line 11, after "~~system~~" begin a new paragraph

Page 4, line 14, after "district" insert a comma

Page 4, line 18, after "standards" insert "*and operating deficit*"

Page 4, line 19, before the period insert "*as determined by the commissioner*"

Page 4, line 32, delete everything after "*service*"

Page 4, line 33, delete everything before the comma

Page 4, line 33, after "*urbanized*" insert "*area service*"

Page 4, line 34, after "*rural*" insert "*area*"

Page 5, line 5, delete "*this*" and insert "*the*"

Page 5, line 5, after "*total*" insert "*assistance*"

Page 5, line 7, after the period begin a new paragraph

Page 5, line 12, after "*hardship*" insert a comma

Page 5, line 20, delete "*he*" and insert "*, the commissioner*"

Page 5, delete section 6

Page 6, line 3, before "PAYMENT" insert "METHOD OF"

Page 8, line 4, delete "*6, 7, 8 and 9*" and insert "*3, 4, 8, 9, and 10*"

Page 8, line 5, delete "*3, 4 and 5*" and insert "*5, 6, and 7*"

Renumber the sections in sequence

Amend the title as follows:

Delete lines 2 through 13 and insert:

"relating to transportation; modifying the purpose of certain programs relating to public transit assistance and transportation management; defining certain terms applicable to certain public transit assistance and transportation management programs; requiring the commissioner of transportation to define by rule total operating cost; providing for the administration of certain programs; providing for the distribution of assistance under the public transit participation program; changing eligibility requirements for replacement transit service; amending Minnesota Statutes 1980, Section 174.21; 174.22, by adding subdivisions; 174.23, by adding subdivisions; 174.24, Subdivisions 1, 2, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 174.24, Subdivision 3; and 174.265, Subdivision 4; repealing Minnesota Statutes 1980, Sections 174.25 and 174.26."

And when so amended H.F. No. 1115 will be identical to S.F. No. 1839, and further recommends that H.F. No. 1115 be given its second reading and substituted for S.F. No. 1839, 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. 1477 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1477	1450				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1477 be amended as follows:

Delete page 2, line 24 to page 3, line 30, and insert:

"84.83 [DISPOSITION OF RECEIPTS.]

Fees from registration of snowmobiles shall be deposited ~~with the state treasurer to the credit of the general~~ *in the grant-in-aid snowmobile trail* fund. *Subject to appropriation by the legislature, the grant-in-aid snowmobile trail fund is available only for expenditure by the commissioner for grants-in-aid to counties and municipalities for construction and maintenance of snowmobile trails and associated administrative costs of the department.*

Sec. 4. [FUND TRANSFER.]

The amount of fees collected under section 1 during the biennium ending June 30, 1983, which is attributable to the fee schedule in effect before the enactment of this act shall be transferred from the snowmobile trail fund to the general fund."

Amend the title as follows:

Page 1, line 2, delete "the"

Page 2, line 3, delete "fee" and insert "fees" and delete "the proceeds thereof for stated" and insert "collections for recreational"

Page 1, line 4, delete everything after the first semicolon

Page 1, delete lines 5 and 6

Page 1, line 7, delete "appropriating money;"

And when so amended H.F. No. 1477 will be identical to S.F. No. 1450, and further recommends that H.F. No. 1477 be given its second reading and substituted for S.F. No. 1450, 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. 1939 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1939	1633				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1939 be amended as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 1980, Section 161.117, is amended to read:

161.117 [TRUNK HIGHWAYS; ADDITIONAL ROUTES.]

There may be added by order of the commissioner of transportation to the trunk highway system *a* new ~~routes~~ *route* described as follows:

~~(1) Route No. 380. Beginning at a point on Route No. 390 at its intersection with Shepard Road in the city of St. Paul; thence extending in a northeasterly direction generally following along the course of Shepard Road to a point on Route No. 112; thence extending in a northeasterly direction to a point on Route No. 392 easterly of the downtown area of St. Paul; providing a connector route between Route No. 390 and Route Nos. 112 and 392;~~

~~(2)~~ Route No. 382. Beginning at a point on Route No. 390 at its junction with Route No. 111, thence extending in a general northerly direction, ~~within~~ *generally along* the corridor of the right of way already acquired on May 31, 1975, for Route No. 390, to a point on Short Line Road; thence extending in a northeasterly direction within said corridor of right of way to the intersection of Pleasant Avenue and Kellogg Boulevard in the city of St. Paul."

Page 3, delete lines 2 to 12 and insert:

"Subdivision 1. The commissioner of transportation ~~is authorized to~~ *shall* construct a four-lane parkway ~~with limited access~~, *with necessary auxiliary lanes for on and off ramps,* along the right of way of Route No. 382 *from West Seventh Street* in the city of St. Paul~~, which parkway may be connected with Route No. 392 by a roadway that is not a controlled access highway as defined in section 160.02~~ *to downtown St. Paul. The parkway shall have a direct connection to interstate Route No. 392*. The commissioner shall not construct any highway on Route No. 382 or connection to Route No. 392 other than that described in this subdivision.

Sec. 4. Minnesota Statutes 1980, Section 161.1245, is amended by adding a subdivision to read:

Subd. 2a. No connection of Route No. 382 shall be made to the Short Line Road until a full environmental impact statement is completed by the city of St. Paul to reflect the impact of such a connection."

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 2 to 7 and insert "relating to transportation; removing a route from the trunk highway system; changing the descriptions of certain trunk highway routes; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; prohibiting a certain highway connection until a full environmental impact statement is made; amending Minnesota Statutes 1980, Sections 161.117; 161.12; 161.1245, Subdivision 1, and by adding a subdivision."

And when so amended H.F. No. 1939 will be identical to S.F. No. 1633, and further recommends that H.F. No. 1939 be given its second reading and substituted for S.F. No. 1633, 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. 1702 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1702	1897				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1702 be amended as follows:

Page 1, line 10, delete "*homes*" and insert "*home*"

Page 1, line 11, delete "*funds*" and insert "*appropriations*"

And when so amended H.F. No. 1702 will be identical to S.F. No. 1897, and further recommends that H.F. No. 1702 be given its second reading and substituted for S.F. No. 1897, 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. 1789 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				1789	1714

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.

CONFIRMATION

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which were referred the following appointments as reported in the Journal for February 8, 1982:

BOARD OF ANIMAL HEALTH

Kenneth E. Neeser

MINNESOTA WATER RESOURCES BOARD

Duane R. Ekman

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

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

Mr. Merriam from the Committee on Agriculture and Natural Resources, to which were referred the following appointments as reported in the Journal for February 15, 1982:

CONFIRMATION

STATE SOIL AND WATER CONSERVATION BOARD

Glen L. Brown
William H. Bryson
Walfred Bernhardson
Russell L. Ruud

BOARD OF ANIMAL HEALTH

C.H. Contag

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

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

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

S.F. No. 1962: A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6 and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, Subdivision 1.

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

Page 3, line 20, after the period, insert the language beginning on line 21

Page 3, line 24, after the period, insert the language beginning on line 25

Page 3, delete lines 28 to 32 and insert "*fund and is appropriated to*"

Page 4, line 6, delete "*$20,000*" and insert "*$10,000*"

Page 4, line 7, after the period, insert "*No condition two bond shall be required under this subdivision after June 30, 1983.*"

Page 5, line 28, after the period, insert "*This clause expires July 1, 1983.*"

Page 9, line 1, delete "*2 to 7*" and insert "*1 to 6*"

Page 12, line 14, delete "*2 to 7*" and insert "*1 to 6*"

Page 12, line 19, after "*sections*" delete "*2*"

Page 12, line 20, delete "*to 7*" and insert "*1 to 6*"

Page 12, lines 24 and 26, delete "*2 to 7*" and insert "*1 to 6*"

Page 13, line 23, strike everything after "fee"

Page 13, strike lines 24 and 25

Page 13, lines 26 to 31, strike the old language and delete the new language and insert "*set by the commissioner.*"

Page 13, line 33, delete "*4*" and insert "*3*"

Page 15, line 2, strike the second "of" and delete "*$90*" and strike "for each elevator." and insert "*set by the commissioner. The amount of the fee shall be set to cover the costs of administering and enforcing this chapter. A license*"

Page 15, line 3, strike "The application"

Page 15, line 27, delete "*4*" and insert "*3*"

Page 16, line 10, strike ", the fee shall be" and delete " *$50*" and strike "for each"

Page 16, line 11, strike "license and" and insert a period

Page 16, line 17, after the period, insert "*The license fee shall be set by the commissioner in an amount sufficient to cover the costs of administering and enforcing this chapter.*"

Page 16, line 19, delete "*4*" and insert "*3*"

Page 17, after line 13, insert:

"Sec. 10. [APPROPRIATIONS CANCELLED.]

The sums appropriated from the general fund to the commissioner of agriculture for the administration and enforcement of grain and public terminal warehouse regulations in Minnesota Statutes, Chapters 231, 232, 233, and 236, for the fiscal year ending June 30, 1983, are cancelled and shall be credited to the general fund."

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

Page 17, line 19, delete "*July 1*" and insert "*June 30*"

Page 17, line 23, after "232.19;" insert "*and*"

Page 17, line 25, after the period, insert "*Section 2, subdivision 5, is repealed July 1, 1983.*"

Renumber the sections in sequence

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. 1771: A bill for an act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; amending Minnesota Statutes 1980, Section 256.74, Subdivision 1, as amended.

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

follows:

Page 3, line 33, after "*need*" insert "*for persons with earned income*"

Page 3, line 34, delete "*45*" and insert "*35*"

Page 3, line 36, delete "*69*" and insert "*74*"

Page 4, line 7, after "*the*" insert "*increased*"

Page 4, line 10, delete "*maximum payment amount*" and insert "*standard of need in effect on January 1, 1982*"

Page 4, line 11, after the period, insert "*Unearned income shall be subtracted from the maximum payment amount for an assistance unit of the appropriate size and composition to determine the grant amount.*"

Page 4, line 14, delete everything after "*the*"

Page 4, line 15, delete everything before the period and insert "*standard of need in effect on January 1, 1982*"

Page 4, after line 15, insert:

"Sec. 2. Minnesota Statutes 1980, Section 256.74, Subdivision 1a, as added by Laws 1981, Third Special Session Chapter 3, Section 12, is amended to read:

Subd. 1a. [STEPPARENT'S INCOME.] In determining income available, the county agency shall take into account the remaining income of the dependent child's stepparent who lives in the same household after disregarding:

(1) The first $75 of the stepparent's gross earned income. The commissioner shall prescribe by rule lesser amounts to be disregarded for stepparents who are not engaged in full-time employment or not employed throughout the month;

(2) An amount for support of the stepparent and any other individuals whom the stepparent claims as dependents for tax purposes and who live in the same household but whose needs are not considered in determining eligibility for assistance under sections 256.72 to 256.87. The amount equals the standard of need for a family *with no earned income* of the same composition as the stepparent and these other individuals;

(3) Amounts the stepparent actually paid to individuals not living in the same household but whom the stepparent claims as dependents for tax purposes; and

(4) Alimony or child support, or both, paid by the stepparent for individuals not living in the same household.

Sec. 3. Minnesota Statutes 1980, Section 256B.04, is amended by adding a subdivision to read:

Subd. 14. [COMPETITIVE BIDDING.] *The commissioner shall utilize volume purchase through competitive bidding under the provisions of Minnesota Statutes, Chapter 16, to provide the following items:*

(1) Eyeglasses;

(2) Hearing aids and supplies; and

(3) Durable medical equipment, including but not limited to:

(a) hospital beds;

(b) commodes;

(c) glide-about chairs;

(d) patient lift apparatus;

(e) wheelchairs and accessories;

(f) oxygen administration equipment;

(g) respiratory therapy equipment; and

(h) electronic diagnostic, therapeutic and life support systems.

Sec. 4. Minnesota Statutes 1980, Section 256B.05, Subdivision 2, is amended to read:

Subd. 2. In administering the medical assistance program, no county welfare department shall pay a fee or charge for medical, dental, surgical, hospital, nursing, licensed nursing home care, medicine, or medical supplies in excess of the schedules of maximum fees and charges as established by the state agency. ~~The maximum fee schedule for physicians shall be the usual and customary fee.~~

Sec. 5. Minnesota Statutes 1980, Section 256B.06, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding any law to the contrary, a migrant ~~agricultural~~ worker who meets all of the eligibility requirements of this section other than that he has a permanent place of abode in another state, shall be eligible for medical assistance and shall have his medical needs met by the county in which he resides at the time of making application.

Sec. 6. Minnesota Statutes 1980, Section 256B.14, is amended to read:

256B.14 [RELATIVE'S RESPONSIBILITY.]

Subdivision 1. [IN GENERAL.] Subject to the provisions of section 256B.06, ~~the financial responsibility of a relative for an applicant or recipient of medical assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant who is under 18 years of age~~ *responsible relative means the spouse of a medical assistance recipient or parent of a minor recipient of medical assistance.*

Subd. 2. [ACTIONS TO OBTAIN PAYMENT.] *The state agency shall promulgate rules to determine the ability of responsible relatives to contribute partial or complete repayment of medical assistance furnished to recipients for whom they are responsible. These rules shall not require repayment when payment would cause undue hardship to the responsible relative or his or her immediate family. The county agency shall give the responsible relative notice of the amount of the repayment. If the state agency or county agency finds that notice of the payment obligation was given to the responsible relative, but that the relative failed or refused to pay, a cause of action exists against the responsible relative for that portion of medical assistance granted after notice was given to the responsible relative, which the relative was determined to be able to pay.*

The action may be brought by the state agency or the county agency in the

county where assistance was granted, for the assistance, together with the costs of disbursements incurred due to the action.

In addition to granting the county or state agency a money judgment, the court may, upon a motion or order to show cause, order continuing contributions by a responsible relative found able to repay the county or state agency. The order shall be effective only for the period of time during which the recipient receives medical assistance from the county or state agency.

Sec. 7. Minnesota Statutes 1980, Section 256B.19, Subdivision 1, is amended to read:

Subdivision 1. The cost of medical assistance paid by each county of financial responsibility shall be borne as follows: Payments shall be made by the state to the county for that portion of medical assistance paid by the federal government and the state on or before the 20th day of each month for the succeeding month upon requisition from the county showing the amount required for the succeeding month. Ninety percent of the expense of assistance not paid by federal funds available for that purpose shall be paid by the state and ten percent shall be paid by the county of financial responsibility.

For counties where health maintenance organizations are under contract to the state to provide services to medical assistance recipients, the division of the nonfederal share of medical assistance expenses for payments made to health maintenance organizations in the form of prepaid capitation payments, this division of medical assistance expenses shall be 95 percent by the state and five percent by the county of financial responsibility.

State contracts with health maintenance organizations shall assure medical assistance recipients of at least the comprehensive health maintenance services defined in section 62D.02, subdivision 7. The contracts shall require health maintenance organizations to provide information to the commissioner concerning the number of people receiving services, the number of encounters, the type of services received, evidence of an operational quality assurance program pursuant to section 62D.04 and information about utilization. Persons who become eligible for medical assistance after July 1, 1982 and who choose to receive services from a health maintenance organization under contract to the state pursuant to this section shall be guaranteed six months medical assistance eligibility.

Sec. 8. Minnesota Statutes 1980, Section 256B.27, Subdivision 3, is amended to read:

Subd. 3. The commissioner of public welfare, with the written consent of the recipient, shall be allowed access to all personal medical records of medical assistance recipients solely for the purposes of investigating whether or not: (a) a vendor of medical care has submitted a claim for reimbursement, a cost report or a rate application which the vendor knows to be false in whole or in part; or (b) the medical care was medically necessary. The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to such records. ~~To the extent feasible, the commissioner shall contract with a review organization, as defined in section 145.61, in determining whether or not the medical care provided was medically necessary~~ *The determination of abuse or provision of services not medically necessary shall be made by the commissioner in consultation with a review organi-*

zation as defined in section 145.61 or other advisory committees of vendors as appointed by the commissioner on the recommendation of appropriate professional organizations. Notwithstanding any other law to the contrary, a vendor of medical care shall not be subject to any civil or criminal liability for providing access to medical records to the commissioner of public welfare pursuant to this section.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 256.966, is amended to read:

256.966 [MEDICAL CARE PAYMENTS; ALLOWABLE INCREASE IN COST PER SERVICE UNIT.]

Subdivision 1. [IN GENERAL.] For the biennium ending June 30, 1983, the annual increase in the cost per service unit paid to any vendor under medical assistance and general assistance medical care shall not exceed eight percent. The period for measuring growth shall be the state fiscal year.

Subd. 2. [HEALTH MAINTENANCE ORGANIZATIONS.]

Notwithstanding the provisions of subdivision 1, rates paid to health maintenance organizations may increase beyond eight percent. The actual rate paid per month to health maintenance organizations shall not exceed 85 percent of the average monthly per capita fee for service payments made on behalf of eligible recipients who qualify to be members of the health maintenance organization who choose not to be members. Rates shall be calculated by the department of public welfare.

Sec. 10. [APPROPRIATION; REPORT.]

The sum of $25,000 is appropriated from the general fund to the commissioner of public welfare for the biennium ending June 30, 1983 to implement and coordinate the state, county, and health maintenance organization administrative arrangements required in section 6 and to prepare a report to the legislature by January 15, 1984, on the cost effectiveness of the program.''

Page 4, line 17, delete ''*Section 1 is*'' and insert ''*Sections 1 and 2 are*''

Page 4, line 20, after the period, insert ''*Sections 3, 5, 7, and 8 are effective the day following final enactment. Sections 4, 6, and 9 are effective July 1, 1982.*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert ''modifying certain provisions relating to medical assistance; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money;'' and delete ''Section'' and insert ''Sections''

Page 1, line 6, delete ''Subdivision'' and insert ''Subdivisions'' and before the period, insert '', and 1a, as added; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivison 3; and Minnesota Statutes 1981 Supplement, Section 256.966''

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. 2065: A bill for an act relating to public welfare; clarifying certain provisions of the general assistance program; amending Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1980, Section 144A.01, Subdivision 7, is amended to read:

Subd. 7. "Uncorrected violation" means *(a)* a violation of a statute or rule or any other deficiency for which a notice of noncompliance has been issued and fine assessed *and allowed to be recovered* pursuant to section 144A.10, subdivision 6, *or (b) the issuance of two or more correction orders, within a 12 month period, for a violation of the same provision of a statute or rule.*

Sec. 2. Minnesota Statutes 1980, Section 144A.04, Subdivision 4, is amended to read:

Subd. 4. The controlling persons of a nursing home may not include any person who was a controlling person of another nursing home during any period of time in the previous two year period*:*

(a) during which time of control that other nursing home incurred the following number of uncorrected violations ~~for which violations a fine was assessed and allowed to be recovered~~:

~~(a)~~ *(1)* two or more uncorrected violations which created an imminent risk ~~of harm to a nursing home resident~~ *to direct resident care or safety*; or

~~(b) Ten~~ *(2) five* or more uncorrected violations of any nature *for which the fines are in the two highest daily fine categories prescribed in rule; or*

(b) who was convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care, during that period.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions related to the operation of the nursing home which incurred the uncorrected violations.

Sec. 3. Minnesota Statutes 1980, Section 144A.04, Subdivision 6, is amended to read:

Subd. 6. A nursing home may not employ as a managerial employee or as its licensed administrator any person who was a managerial employee or the licensed administrator of another facility during any period of time in the previous two year period*:*

(a) During which time of employment that other nursing home incurred the following number of uncorrected violations which were in the jurisdiction and control of the managerial employee or the administrator ~~and for which violations a fine was assessed and allowed to be recovered~~:

~~(a)~~ *(1)* two or more uncorrected violations which created an imminent risk ~~of harm to a nursing home resident~~ *to direct resident care or safety*; or

~~(b) Ten~~ *(2) five* or more uncorrected violations of any nature *for which the*

fines are in the two highest daily fine categories prescribed in rule; or

(b) who was convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care, during that period.

Sec. 4. Minnesota Statutes 1980, Section 144A.08, Subdivision 3, is amended to read:

Subd. 3. [PENALTY.] Any controlling person who establishes, conducts, manages or operates a nursing home which incurs the following number of uncorrected violations, in any two year period~~, for which violations a fine was assessed, and allowed to be recovered~~:

(a) Two or more uncorrected violations which created an imminent risk of harm to a nursing home resident; or

(b) ~~Ten~~ *Five* or more uncorrected violations of any nature, is guilty of a misdemeanor.

The provisions of this subdivision shall not apply to any controlling person who had no legal authority to affect or change decisions as to the operation of the nursing home which incurred the uncorrected violations.

Sec. 5. Minnesota Statutes 1980, Section 144A.10, Subdivision 4, is amended to read:

Subd. 4. [CORRECTION ORDERS.] Whenever a duly authorized representative of the commissioner of health finds upon inspection of a nursing home, that the facility or a controlling person or an employee of the facility is not in compliance with sections *144.651,* 144A.01 to 144A.17, *or 626.557* or the rules promulgated thereunder, a correction order shall be issued to the facility. The correction order shall state the deficiency, cite the specific rule or statute violated, state the suggested method of correction, and specify the time allowed for correction. The commissioner of health by rule shall establish a schedule of allowable time periods for correction of nursing home deficiencies. *If the commissioner finds that the nursing home had uncorrected violations and that two or more of the uncorrected violations create a risk to resident care, safety, or rights, the commissioner shall notify the commissioner of public welfare who shall review reimbursement to the nursing home to determine the extent to which the state has paid for substandard care.*

Sec. 6. Minnesota Statutes 1980, Section 144A.11, Subdivision 2, is amended to read:

Subd. 2. [MANDATORY PROCEEDINGS.] The commissioner of health shall initiate proceedings to suspend or revoke a nursing home license or shall refuse to renew a license if within the preceding two years the nursing home has incurred the following number of uncorrected violations ~~for which violations a fine was assessed and allowed to be recovered~~:

~~(a)~~ *(1)* two or more uncorrected violations which created an imminent risk ~~of harm to a nursing home resident~~ *to direct resident care or safety, violated the patients' bill of rights, section 144.651, or violated the vulnerable adults reporting act, section 626.557*; or

~~(b) Ten~~ *(2) five* or more uncorrected violations of any nature *for which the fines are in the two highest daily fine categories prescribed in rule.*

Sec. 7. Minnesota Statutes 1980, Section 144A.11, is amended by adding a

subdivision to read:

Subd. 3a. [MANDATORY REVOCATION.] *Notwithstanding the provisions of subdivision 3, the commissioner shall revoke a nursing home license if a controlling person is convicted of a felony that relates to operation of the nursing home or directly affects resident safety or care. The commissioner shall notify the nursing home 30 days in advance of the date of revocation.*''

Page 1, after line 9, insert:

''Subdivision 1. [STANDARDS.] Each person or family whose income and resources are less than the standard of assistance established by the commissioner~~, and who is not eligible for the federally aided assistance programs of emergency assistance or aid to families with dependent children, or any successor to those programs,~~ shall be eligible for and entitled to general assistance ~~if the person or family is:~~

~~(a) A person suffering from an illness, injury, or incapacity which is both medically certified and prevents the individual from engaging in suitable employment, if a plan for rehabilitation approved by the local agency through its director or designated representative is being followed when the situation is certified as temporary;~~

~~(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness or incapacity of another member of the household;~~

~~(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is pursuant to a plan developed or approved by the local agency through its director or designated representative;~~

~~(d) A person who resides in a shelter facility described in subdivision 3;~~

~~(e) A person who is or may be eligible for displaced homemaker services, programs, or assistance under section 4.40. In determining eligibility of the person for general assistance, income received as a stipend shall be disregarded as provided in section 4.40;~~

~~(f) A person who is unable to secure suitable employment due to inability to communicate in the English language, and who, if assigned to a language skills program by the local agency, is participating in that program;~~

~~(g) A person not described in clause (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally ill; or~~

~~(h) A person who is unable to secure suitable employment due to a lack of marketable skills as determined by the local agency, and who, if assigned to a vocational counseling, vocational rehabilitation, or work training program by the local agency, is participating in that program. Eligibility for general assistance under clause (h) of this subdivision is limited to five weeks per calendar year~~*; provided that no individual shall be eligible for general assistance if the individual is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, or any successor to the above.*''

Page 1, line 10, delete ''Subdivision 1. [STANDARDS.]'' and insert:

''Sec. 9. Minnesota Statutes 1980, Section 256D.05, is amended by adding

a subdivision to read:

Subd. 1a. [TEMPORARY STANDARDS.] *Notwithstanding the provisions of subdivision 1, from the day following final enactment of this act until June 30, 1983,*''

Page 1, line 10, to page 2, line 25, underline the old language and delete the stricken language

Page 2, delete lines 26 and 27 and insert ''*due to a lack of marketable skills and who, if assigned to a*''

Page 2, underline lines 28 to 31

Page 3, after line 4, insert:

''*This subdivision is repealed July 1, 1983.*''

Page 3, delete lines 5 to 16 and insert:

''Sec. 10. [APPROPRIATIONS.]''

$12,000 is reappropriated from Laws 1981, Chapter 360, Article I, Section 2, to the commissioner of public welfare for the purposes of the statewide hearing impaired program.''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete ''public'' and insert ''health and'' and after the semicolon, insert ''strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations;''

Page 1, line 3, after the semicolon, insert ''revising a penalty; reappropriating money;''

Page 1, line 3, after ''amending'' insert ''Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision;''

Page 1, line 5, before the period, insert '', and by adding a subdivision''

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

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

H.F. No. 2005 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
2005	1901				

Pursuant to Rule 49, the Committee on Rules and Administration recom-

mends that H.F. No. 2005 be amended as follows:

Page 2, line 21, delete "*availability of*"

Page 2, line 21, after "*personnel*" insert "*availability*"

Page 2, line 31, delete "*for providing*" and insert "*to provide*"

Page 2, line 35, delete "*full*"

Page 2, line 36, after "5" delete the comma

Page 3, delete line 1

Page 3, line 2, delete everything before the period

Page 3, line 2, delete "*show the*" and insert "*allocate*"

Page 3, line 3, delete everything before the first "*the*"

Page 3, line 5, delete "*that*" and insert "*the*"

Page 3, line 6, delete "*which*" and insert "*that*"

Page 3, line 10, delete "*any appropriated*" and insert " *amounts*"

Page 3, line 11, delete "*funds*"

Page 3, line 17, delete "*which*" and insert "*that*"

Page 4, delete sections 8 and 9, and insert:

"Sec. 8. Minnesota Statutes 1981 Supplement, Section 43A.18, is amended by adding a subdivision to read:

Subd. 9. [ALLOCATION; STATE EMPLOYEES.] *The commissioner of finance, in consultation with the commissioner of employee relations, shall allocate the amounts appropriated by the legislature for comparability adjustments to the proper accounts for distribution to incumbents of classes that have been approved for comparability adjustments.*

Amounts appropriated for purposes of comparability adjustments for state employees shall be distinct within the amounts appropriated for salary supplements or other employee compensation. Amounts appropriated for the purpose of comparability adjustments but not used for that purpose shall revert to the appropriate fund."

Amend the title as follows:

Page 1, line 7, after "Subdivision 8" insert ", and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 137"

And when so amended H.F. No. 2005 will be identical to S.F. No. 1901, and further recommends that H.F. No. 2005 be given its second reading and substituted for S.F. No. 1901, 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. 1834 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1834	1789				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1834 be amended as follows:

Page 4, line 16, delete "*1979,*"

And when so amended H.F. No. 1834 will be identical to S.F. No. 1789, and further recommends that H.F. No. 1834 be given its second reading and substituted for S.F. No. 1789, 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. 579, 1460, 1556, 1891, 862, 1669, 1962, 1771 and 2065 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1840, 1115, 1477, 1939, 1702, 1789, 2005 and 1834 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Dahl moved that H. F. No. 1704 be withdrawn from the Committee on Rules and Administration and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 1556. The motion prevailed.

Mr. Schmitz moved that S.F. No. 1515, No. 35 on Special Orders, be stricken and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Rued, for Mr. Sieloff, moved that S.F. No. 1143, No. 64 on Special Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Wegener moved that S.F. No. 2081, No. 36 on Special Orders, be stricken and returned to the Committee on Agriculture and Natural Resources. The motion prevailed.

Mr. Engler moved that S.F. No. 1846, No. 5 on Special Orders, be stricken and returned to the Committee on Agriculture and Natural Resources. The motion prevailed.

Mr. Humphrey moved to adopt Senate Concurrent Resolution No. 12, pursuant to the report from the Committee on Rules and Administration adopted March 4, 1982.

Senate Concurrent Resolution No. 12: A Senate concurrent resolution expressing the importance of clean air and urging the Minnesota Pollution Control Agency to maintain strong air quality standards that will fully provide the necessary protection for the State of Minnesota.

WHEREAS, the Minnesota Pollution Control Agency is currently considering revisions to the State's ambient air quality standards; and,

WHEREAS, clean air is fundamentally important to the health and well-being of the citizens, environment, and economy of Minnesota; and,

WHEREAS, continued exposure to air pollutants at even moderate levels can result in chronic health problems of many types, affecting large numbers of people, especially the very young and very old; and,

WHEREAS, the citizens of Minnesota have a right to a guarantee that the air they breathe does not contain levels of pollutants that will result in actual or potential harm to their health; and,

WHEREAS, air pollution can cause substantial damage to Minnesota's resources, including vegetation, animals, property, and materials; and,

WHEREAS, air pollution across the country has been shown to result in large economic costs in terms of medical treatment, lost worker productivity, and decreased property values; and,

WHEREAS, air pollution may cause significant damage to the agriculture, forestry, and recreation industries, with a resulting negative impact on a major portion of the State's economic base; and,

WHEREAS, acid rain in particular is becoming recognized as a far more serious problem than previously known, resulting from emissions of sulfur dioxide and representing a threat to some of Minnesota's most important resources; and,

WHEREAS, the setting of standards has resulted in substantial improvements in the State's air quality with consequent benefits to health, welfare, and environment; and,

WHEREAS, the State's standards for air quality have been consistent with, and have contributed to, Minnesota's nationally known high quality of life; and,

WHEREAS, opinion polls have consistently shown overwhelming public support for continued strong protection of the environment in general and air quality in particular, even if that protection results in economic costs; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring, that the Minnesota Pollution Control Agency should, on the basis of the best available scientific evidence, support strong air quality standards that will fully provide the necessary protection for the health and well-being of the citizens, economy, and environment of Minnesota.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare enrolled copies of this resolution, to be authenticated by his signature and those of the President of the Senate, Speaker of the House of Representatives, and Chief Clerk of the House of Representatives, and transmit it to the

Chairman of the Minnesota Pollution Control Agency.

The motion prevailed. So the resolution was adopted.

Mr. Dicklich introduced—

Senate Resolution No. 80: A Senate resolution urging the Federal Energy Regulatory Commission to hold hearings in Minnesota whenever increases in natural gas rates are being considered.

WHEREAS, the Federal Energy Regulatory Commission is empowered by federal law to establish, review, and enforce rates for the transportation of natural gas; and,

WHEREAS, the transportation rates are ultimately reflected in the price of natural gas to the ultimate consumer; and,

WHEREAS, the cost of natural gas to consumers is of crucial importance to Minnesota since the state is completely dependent on energy transported from outside the state; and,

WHEREAS, the commission holds public hearings before considering rate increases; and,

WHEREAS, in order for Minnesotans to effectively present their views at any hearings, it is necessary that public hearings be held in Minnesota; NOW, THEREFORE,

BE IT RESOLVED that the Federal Energy Regulatory Commission is urged to hold public hearings in Minnesota whenever the establishment, review, or enforcement of rates and charges for the transportation and sale of natural gas by a producer or gatherer doing business in Minnesota or by a natural gas pipeline or natural gas company doing business in Minnesota is to be considered.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to enroll this resolution, to be authenticated by his signature and that of the President, and present it to the Chairman of the Federal Energy Regulatory Commission.

Mr. Dicklich moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Ramstad introduced—

Senate Resolution No. 81: A Senate resolution congratulating the Wayzata High School ice hockey team for winning the 1982 Lake Conference, North Division Championship.

Referred to the Committee on Rules and Administration.

Mr. Pehler moved that S.F. No. 1800, No. 67 on Special Orders, be stricken and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Pehler then moved that S.F. No. 1915, No. 39 on Special Orders, be stricken and returned to the Committee on Finance. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction

and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Peterson, C.C. introduced—

S.F. No. 2226: A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; proposing new law coded in Minnesota Statutes, Chapter 65B.

Referred to the Committee on Commerce.

Messrs. Spear and Stern introduced—

S.F. No. 2227: A bill for an act relating to crimes; prohibiting certain actions taken on the basis of race, color, ancestry, national origin, sex, sexual preference, religion, or creed; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 609.

Referred to the Committee on Judiciary.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 16: Messrs. Davies, Sieloff and Lessard.

S.F. No. 358: Messrs. Tennessen, Bang, Davies, Sikorski and Benson.

S.F. No. 155: Mr. Purfeerst, Mrs. Brataas and Mr. Peterson, R.W.

H.F. No. 492: Messrs. Pehler, Humphrey and Benson.

S.F. No. 1499: Messrs. Bertram, Schmitz and Frederickson.

S.F. No. 1964: Messrs. Knoll; Spear; Pillsbury; Moe, D.M. and Nelson.

S.F. No. 1671: Messrs. Bernhagen, Merriam and Luther.

S.F. No. 1239: Messrs. Moe, D.M.; Spear and Renneke.

H.F. No. 1712: Messrs. Frederickson, Solon and Mrs. Lantry.

H.F. No. 1817: Messrs. Engler, Purfeerst and Schmitz.

H.F. No. 1804: Messrs. Renneke, Willet and Menning.

H.F. No. 1499: Messrs. Spear, Hanson and Peterson, D.L.

S.F. No. 1443: Mr. Setzepfandt, Mrs. Lantry and Mr. Nelson.

H.F. No. 1573: Mr. Frank, Mrs. Lantry and Mr. Ramstad.

H.F. No. 253: Messrs. Tennessen; Peterson, R.W. and Benson.

S.F. No. 1621: Messrs. Merriam, Davis and Engler.

S.F. No. 1821: Messrs. Renneke, Sikorski and Moe, D.M.

H.F. No. 438: Messrs. Peterson, C.C.; Renneke; Moe, D.M.; Spear and Frederickson.

S.F. No. 1522: Messrs. Wegener, Rued and Davies.

S.F. No. 2000: Messrs. Luther; Peterson, R.W. and Engler.

S.F. No. 1758: Messrs. Hanson, Davies, Merriam, Knutson and Peterson, R.W.

S.F. No. 452: Messrs. Spear, Dahl and Ms. Berglin.

S.F. No. 1702: Messrs. Solon, Knutson and Renneke.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Chmielewski moved that H.F. No. 1262 be withdrawn from the Committee on Employment and re-referred to the Committee on Rules and Administration. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 3:00 p.m. The motion prevailed.

The hour of 3:00 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Spear moved that the following members be excused for a Conference Committee on H.F. No. 1499:

Messrs. Spear, Hanson and Peterson, D.L. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 2170: A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract in order to correct a survey error.

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:

Ashbach	Dicklich	Langseth	Penny	Taylor
Belanger	Dieterich	Lantry	Peterson,D.L.	Tennessen
Benson	Engler	Lessard	Peterson,R.W.	Ulland
Berg	Frank	Luther	Petty	Vega
Berglin	Frederick	Menning	Purfeerst	Waldorf
Bernhagen	Frederickson	Merriam	Ramstad	Wegener
Bertram	Hughes	Moe, D. M.	Rued	Willet
Brataas	Humphrey	Moe, R. D.	Schmitz	
Chmielewski	Kamrath	Nelson	Sieloff	
Davies	Knoll	Olhoft	Spear	
Davis	Kronebusch	Pehler	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1572: A bill for an act relating to health; establishing the right to complete information on all alternative treatments for patients with breast cancer; amending Minnesota Statutes 1980, Section 144.651.

Ms. Berglin moved to amend H.F. No. 1572, as amended pursuant to Rule 49, adopted by the Senate March 8, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1504.)

Page 5, line 6, delete everything after "*with*"

Page 5, line 7, delete "*that is effective*" and insert "*each of those methods*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1572 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 39 and nays 18, as follows:

Those who voted in the affirmative were:

Berglin	Frederickson	Luther	Peterson,C.C.	Stokowski
Chmielewski	Hanson	Menning	Peterson,D.L.	Stumpf
Davies	Hughes	Merriam	Peterson,R.W.	Tennessen
Davis	Knoll	Moe, D. M.	Petty	Vega
Dicklich	Kroening	Moe, R. D.	Ramstad	Waldorf
Dieterich	Langseth	Nelson	Schmitz	Wegener
Engler	Lantry	Olhoft	Spear	Willet
Frank	Lessard	Penny	Stern	

Those who voted in the negative were:

Ashbach	Berg	Frederick	Pillsbury	Sieloff
Bang	Bernhagen	Kamrath	Renneke	Ulland
Belanger	Bertram	Knutson	Rued	
Benson	Brataas	Kronebusch	Setzepfandt	

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

SPECIAL ORDER

S.F. No. 1508: A bill for an act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.

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:

Ashbach	Dicklich	Langseth	Penny	Solon
Bang	Dieterich	Lantry	Peterson,C.C.	Spear
Belanger	Engler	Lessard	Peterson,D.L.	Stern
Benson	Frank	Luther	Peterson,R.W.	Stokowski
Berg	Frederick	Menning	Purfeerst	Stumpf
Bernhagen	Frederickson	Merriam	Ramstad	Tennessen
Bertram	Hughes	Moe, D. M.	Renneke	Ulland
Brataas	Kamrath	Moe, R. D.	Rued	Vega
Chmielewski	Knutson	Nelson	Schmitz	Waldorf
Davies	Kroening	Olhoft	Setzepfandt	Willet
Davis	Kronebusch	Pehler	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1550: A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bang	Dieterich	Lantry	Peterson,D.L.	Sieloff
Belanger	Engler	Lessard	Peterson,R.W.	Solon
Benson	Frank	Luther	Petty	Spear
Berg	Frederickson	Menning	Pillsbury	Stern
Bernhagen	Hanson	Merriam	Purfeerst	Stokowski
Bertram	Hughes	Moe, R. D.	Ramstad	Tennessen
Chmielewski	Kamrath	Nelson	Renneke	Vega
Davies	Kroening	Pehler	Rued	Waldorf
Davis	Kronebusch	Penny	Schmitz	Willet
Dicklich	Langseth	Peterson,C.C.	Setzepfandt	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that H.F. No. 1176 be taken from the table. The motion prevailed.

CALL OF THE SENATE

Mr. Merriam imposed a call of the Senate for the balance of the proceedings on H.F. No. 1176. The Sergeant at Arms was instructed to bring in the absent members.

SUSPENSION OF RULES

Mr. Merriam 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. 1176 and that the rules of the Senate be so far suspended as to give H.F. No. 1176 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1176: A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; authorizing rewards for information on violations; providing for pipeline testing; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 115B; proposing new law coded in Minnesota Statutes, Chapter 116.

H.F. No. 1176 was read the second time.

Mr. Merriam moved to amend H.F. No. 1176 as follows:

Delete everything after the enacting clause, and delete the title, of H. F. No. 1176, and insert the language after the enacting clause, and the title, of S. F. No. 1031, the Fourth Engrossment.

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1176 as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 18, line 11, delete "*under section 3 or under any other law*" and insert "*against any responsible person who may be liable under section 3*"

Page 24, line 7, delete "*21*" and insert "*20*"

Page 32, line 5, delete "*18*" and insert "*17*"

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 31, after line 9, insert:

"Sec. 26. [APPLICATION TO CERTAIN ACTIONS.]

(a) The provisions of sections 1 to 12 do not apply to any legal action by any

person who may be liable for the release of a hazardous substance brought before January 1, 1982, for the purpose of allocating liability for that release between that person and any other person who may be liable for the release.

(b) In any action brought after January 1, 1982, which arises out of the same facts as an action described in clause (a), sections 1 to 12 shall not be applied in order to change the allocation of liability between the parties as determined in the prior action or in a bona fide binding settlement of the prior action by the parties.''

Page 32, line 8, delete ''*23 and 26*'' and insert ''*24 and 27*''

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 14, line 1, delete ''*on*''

Page 14, line 2, delete everything after ''*known*'' and insert ''*was used as the site of a hazardous waste disposal facility as defined in section 115A.03, subdivision 10, or*''

Page 14, line 3, delete ''*contaminated*'' and insert ''*subject to extensive contamination*''

The motion prevailed. So the amendment was adopted.

Mr. Merriam then moved to amend H. F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 29, after line 31, insert:

''Sec. 23. Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1, is amended to read:

Subdivision 1. [CERTIFICATE.] ~~Except as provided in subdivision 2,~~ By December 15, 1982, on the basis of and consistent with its hazardous waste management plan adopted under section 115A.11, the board shall issue a certificate or certificates of need for disposal facilities for hazardous wastes in the state. The certificate or certificates shall indicate the types and volumes of waste for which disposal facilities are and will be needed through the year 2000 and the number, types, sizes, general design and operating specifications, and function or use of the disposal facilities needed in the state. The board shall certify need only to the extent that the board has determined that there are no feasible and prudent alternatives including waste reduction, separation, pretreatment, processing, and resource recovery which would minimize adverse impact upon natural resources, provided that the board shall require the establishment of at least one commercial disposal facility in the state. Economic considerations alone shall not justify certification nor the rejection of alternatives. Alternatives that are speculative and conjectural shall not be deemed to be feasible and prudent. The certificate or certificates shall not be subject to the provisions of chapter 15 but shall be the final determination required on the

matters decided by the certificate or certificates and shall have the force and effect of law. The certificate or certificates shall not be amended for five years. The board and the permitting agencies, in reviewing and selecting sites, completing environmental impact statements, and issuing approvals and permits for waste disposal facilities described in the certificate or certificates of need, shall not reconsider matters determined in the certification. The board and the permitting agencies shall be required to make a final decision approving the establishment of facilities consistent with the certification. The board and the permitting agencies shall be required to make a final decision approving the establishment of at least one commercial disposal facility for hazardous waste in the state."

Page 32, after line 3, insert:

"Sec. 28. [REPEALER.] *Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2, is repealed.*"

Page 32, line 8, delete "*23 and 26*" and insert "*24 and 27*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 14, after "13;" insert "115A.24, Subdivision 1;"

Page 1, line 15, before the period insert "; repealing Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 11, after line 30, insert:

"*Subd. 4.* [RIGHT TO APPORTIONMENT.] *Any person has the right at the initial proceedings or trial to have the trier of fact apportion liability as provided in this section.*"

The motion prevailed. So the amendment was adopted.

Mr. Wegener moved to amend H.F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S.F. No.1031.)

Page 6, after line 27, insert:

"*Any person who has acted reasonably under the circumstances involved in the release or threatened release of a hazardous substance shall be liable under applicable state and federal laws, including common law, for any economic loss, personal injury or disease resulting from the release or threatened release.*"

The question was taken on the adoption of the amendment.

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

Mr. Merriam moved that those not voting be excused from voting. The

motion prevailed.

The roll was called, and there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Kroening	Moe, R. D.	Setzepfandt
Bang	Chmielewski	Kronebusch	Olhoft	Sieloff
Belanger	Engler	Langseth	Pillsbury	Taylor
Benson	Frederick	Lessard	Ramstad	Ulland
Berg	Frederickson	Lindgren	Renneke	Waldorf
Bernhagen	Kamrath	Menning	Rued	Wegener
Bertram	Knutson	Merriam	Schmitz	

Those who voted in the negative were:

Berglin	Frank	Luther	Peterson,R.W.	Stokowski
Dahl	Hanson	Moe, D. M.	Petty	Stumpf
Davies	Humphrey	Nelson	Sikorski	Tennessen
Davis	Johnson	Pehler	Solon	Vega
Dicklich	Knoll	Penny	Spear	Willet
Dieterich	Lantry	Peterson,C.C.	Stern	

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved that H.F. No. 1176 be laid on the table. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1965: A bill for an act relating to the environment; amending various provisions of the waste management act; authorizing the commissioner of administration to acquire certain development rights; defining terms for purposes of the resource recovery program; prohibiting the waste management board from certifying the use of facilities for disposal of radioactive waste; stating various policies and requirements relating to solid and hazardous waste plans and facility permits; prescribing standards, procedures, approvals, and supervision relating to designations of resource recovery facilities; requiring the board to place its highest priority on alternatives to land disposal of hazardous waste; allowing the removal of the moratorium on development at certain sites; directing a study of solid waste utilization in the St. Cloud area; appropriating money; amending Minnesota Statutes 1980, Sections 115A.08, by adding a subdivision; 115A.15, Subdivisions 2, 6, and by adding a subdivision; 115A.42; 115A.46; 115A.62; 115A.69, Subdivision 10; 115A.70, Subdivisions 1, 2, and 3; 116.07, Subdivision 4b; 400.16; 400.162; 473.149, Subdivision 1; 473.153, by adding subdivisions; 473.802; 473.803, Subdivision 1, and by adding a subdivision; 473.811, Subdivision 7, and by adding a subdivision; 473.823, Subdivision 3; 473.827, Subdivision 1, and by adding a subdivision; 473.831, Subdivision 2; Minnesota Statutes 1981 Supplement,

Sections 115A.06, Subdivisions 4 and 13; 115A.11, Subdivision 1; 115A.21, Subdivision 3; 115A.24, Subdivision 1, and by adding a subdivision; 473.803, Subdivision 1a; and 473.831, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 115A; repealing Minnesota Statutes 1980, Section 473.827, Subdivisions 2, 3, 4, 5, and 6.

Senate File No. 1965 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S.F. No. 1965, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1663:

H.F. No. 1663: A bill for an act relating to law libraries; recodifying the laws governing county law libraries; amending Minnesota Statutes 1980, Sections 140.34; 140.35; 140.36; 140.37; 140.38; 140.39; 140.40; 140.44; 140.45; 140.46; and 480.09, Subdivision 5; proposing new law coded in Minnesota Statutes 1980, Chapter 140; repealing Minnesota Statutes 1980, Sections 140.01 to 140.20; 140.212 to 140.33; 140.41 to 140.435; Minnesota Statutes 1981 Supplement, Section 140.21.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Voss, Jude and Luknic have been appointed as such committee on the part of the House.

House File No. 1663 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1982

Mr. Peterson, R.W. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1663, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1902:

H.F. No. 1902: A bill for an act relating to Ramsey County; permitting the county to establish a small business set-aside program.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Rodriguez, F.; Kelly and Kostohryz have been appointed as such committee on the part of the House.

House File No. 1902 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1982

Mrs. Lantry moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1902, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1484:

H.F. No. 1484: A bill for an act relating to highway traffic regulations; providing for administrative driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; authorizing revocations prior to judicial review; revising the procedure for hearings and appeals on administrative revocations; authorizing introduction into evidence certain peace officer records and reports; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 5, 5a, 6, 7, and by adding subdivisions; and 171.19.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

Vanasek, Levi, Jude, Vellenga and Johnson, D. have been appointed as such committee on the part of the House.

House File No. 1484 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1982

Mr. Davies moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1484, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2125: A bill for an act relating to real property; providing that covenants, conditions, restrictions or extensions thereof annexed to a grant, devise or conveyance of land that are or become nominal shall not operate as a basis of forfeiture; providing for the modification and extension of contracts for deed; providing dates for applicable laws relating to termination of con-

tracts; removing a time limitation on the duration of covenants, conditions and restrictions; amending Minnesota Statutes 1980, Sections 500.20, Subdivision 1; 559.21, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 508; repealing Minnesota Statutes 1980, Section 500.20, Subdivision 2.

Senate File No. 2125 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S.F. No. 2125 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2125 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,R.W.	Stern
Belanger	Dieterich	Lantry	Petty	Stokowski
Berg	Engler	Lessard	Pillsbury	Stumpf
Bernhagen	Frank	Lindgren	Ramstad	Taylor
Bertram	Frederickson	Luther	Renneke	Tennessen
Brataas	Humphrey	Menning	Rued	Vega
Chmielewski	Kamrath	Moe, D. M.	Schmitz	Waldorf
Dahl	Knoll	Moe, R. D.	Sieloff	Wegener
Davies	Knutson	Olhoft	Sikorski	Willet
Davis	Kronebusch	Penny	Solon	

Mr. Merriam voted in the negative.

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2136: Messrs. Willet, Menning, Luther, Engler and Nelson.

S.F. No. 1965: Messrs. Merriam, Willet and Engler.

H.F. No. 1484: Messrs. Davies; Ulland; Peterson, R.W.; Dieterich and Olhoft.

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 7:30 p.m. The motion prevailed.

The hour of 7:30 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Penny moved that the Senate do now recess until 7:55 p.m. The motion prevailed.

The hour of 7:55 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.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Dieterich moved that the following members be excused for a Conference Committee on H.F. No. 1555:

Messrs. Dieterich, Langseth, Rued, Hughes and Merriam. The motion prevailed.

MEMBERS EXCUSED

Mr. Lindgren was excused from this evening's Session. Messrs. Hughes and Purfeerst were excused from the Session of today at 5:30 p.m. Mr. Olhoft was excused from the Session of today from 4:00 to 4:30 p.m. and from 7:30 to 10:00 p.m. Mr. Tennessen was excused from this evening's Session until 9:00 p.m. Mr. Frank was excused from this evening's Session from 8:50 to 9:20 p.m. Mrs. Kronebusch was excused from this evening's Session until 8:45 p.m. Mr. Sikorski was excused from this evening's session from 12:10 a.m. to 12:15 a.m. Mr. Pillsbury was excused from this evening's session at 12:20 a.m.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1902: Mrs. Lantry, Messrs. Waldorf and Hughes.

H.F. No. 1663: Messrs. Peterson, R.W.; Tennessen and Merriam.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H.F. No. 2136:

Messrs. Willet, Luther, Nelson, Menning and Engler. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 1365: A bill for an act relating to cities; authorizing city rehablitation loan programs for small and medium sized commercial buildings; and providing for the issuance of revenue bonds to finance the programs; authorizing a housing and commercial rehabilitation interest reduction program; amending Minnesota Statutes 1980, Sections 462.421, Subdivision 14; 462.445, by adding subdivisions; and 462.545, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 459.

Mr. Pehler moved that the amendment made to H.F. No. 1365 by the Committee on Rules and Administration in the report adopted March 6, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1365 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 39 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Knutson	Peterson,D.L.	Spear
Belanger	Davies	Kroening	Peterson,R.W.	Stern
Benson	Davis	Lantry	Petty	Stokowski
Berg	Dicklich	Lessard	Pillsbury	Taylor
Berglin	Frank	Moe, D. M.	Ramstad	Vega
Bertram	Frederickson	Moe, R. D.	Renneke	Waldorf
Brataas	Humphrey	Pehler	Schmitz	Wegener
Chmielewski	Kamrath	Penny	Sieloff	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1547: A bill for an act relating to intoxicating liquor; town board approval of certain county liquor licenses; amending Minnesota Statutes 1980, Section 340.119, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 340.11, Subdivision 10.

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 40 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Knutson	Peterson,D.L.	Sieloff
Belanger	Davies	Kroening	Peterson,R.W.	Spear
Benson	Davis	Lantry	Petty	Stern
Berg	Dicklich	Lessard	Pillsbury	Stokowski
Berglin	Frank	Moe, D. M.	Ramstad	Taylor
Bertram	Frederickson	Moe, R. D.	Renneke	Vega
Brataas	Humphrey	Pehler	Schmitz	Waldorf
Chmielewski	Kamrath	Penny	Setzepfandt	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 546: A bill for an act relating to insurance; extending the insurance division revolving fund; providing for a program of continuing education; establishing a continuing insurance education advisory committee; authorizing the commissioner of insurance to promulgate rules to implement the program; requiring certain disclosures on credit insurance policies and application; amending Minnesota Statutes 1980, Sections 60A.03, Subdivision 6; and 62B.06, Subdivisions 2, 3 and 4; and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 60A.

Mr. Petty moved to amend H.F. No. 546, the unofficial engrossment, as follows:

Pages 13 and 14, delete section 6 and insert:

"Sec. 6. Minnesota Statutes 1980, Section 62B.06, is amended by adding a subdivision to read:

Subd. 6. A statement in substantially the following form in bold face type of a minimum size of 12 points shall be provided to the borrower:

CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE ARE NOT REQUIRED TO OBTAIN CREDIT. YOU MAY BUY ANY INSURANCE FROM ANYONE YOU CHOOSE OR YOU MAY USE EXISTING INSURANCE. THE CREDIT LIFE INSURANCE AND CREDIT ACCIDENT AND HEALTH INSURANCE AVAILABLE THROUGH THIS CREDITOR HAD AN ACTUAL LOSS RATIO DURING THE CALENDAR YEAR LAST REPORTED TO THE DEPARTMENT OF COMMERCE OF..... PERCENT. THIS MEANS THAT, ON THE AVERAGE, $..... OF EVERY $100 IN PREMIUMS PAID TO THE INSURANCE COMPANY WERE RETURNED AS BENEFITS TO POLICYHOLDERS DURING THAT YEAR.

The lender shall have 30 days after the insurance company submits its report of losses to the department of commerce for the previous calendar year to change its disclosure to reflect the current loss ratio."

Amend the title as follows:

Page 1, line 10, delete "Subdivisions 2 and" and insert "Subdivision"

Page 1, line 10, after "4" insert ", and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

Mr. Petty then moved to amend H.F. No. 546, the unofficial engrossment,

as follows:

Page 6, line 32, delete the colon

Page 6, line 33, delete "APPLICATION"

Page 6, after line 33, insert:

"*Subdivision 1.* [LEGISLATIVE INTENT.] *It is desirable and necessary public policy to require continuing education for insurance agents to ensure that the public, through the insurance agents with whom it deals, has access to the most current and complete information on insurance products and the protections they can offer, related areas of personal finance, and the laws and rules governing insurance in this state.*"

Page 7, line 8, delete "*shall*" and insert "*does*"

Page 7, line 12, delete "*Minnesota Statutes, Chapter*" and insert "*chapter*"

Page 9, after line 5, insert:

"*Subd. 6.* [POWERS OF THE COMMISSIONER.]"

Page 9, after line 11, insert:

"*Subd. 7.* [CRITERIA FOR PROGRAM APPROVAL.] *(a) The commissioner shall approve for credit a course, program of instruction, or seminar only to the extent it is designed to impart substantive and procedural knowledge of the insurance field. The burden of demonstrating that the course, program of instruction, or seminar satisfies this requirement is on the individual or organization seeking approval.*

(b) The commissioner shall not approve a course, program of instruction, or seminar (1) that is designed to prepare students for a license examination; (2) in mechanical office or business skills, including typing, speedreading, use of calculators or other machines or equipment; (3) in sales promotion, including meetings held in conjunction with the general business of the licensed agent; or (4) in motivation, salesmanship, psychology, or time management."

Page 9, line 14, delete "*Minnesota Statutes, Chapter 15*" and insert "*the administrative procedure act, sections 15.041 to 15.052*"

Renumber the subdivisions in sequence

Page 16, line 5, after "*to*" delete "*5*" and insert "*8*"

Page 16, line 6, delete "*10*" and insert "*13*"

Page 16, line 8, delete "*6*" and insert "*9*"

Page 16, line 8, delete "*7*" and insert "*10*"

Page 16, line 9, delete "*8*" and insert "*11*"

Page 16, line 9, delete "*9*" and insert "*12*"

The motion prevailed. So the amendment was adopted.

H.F. No. 546 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 39 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Kronebusch	Petty	Stern
Bang	Davis	Lantry	Pillsbury	Stokowski
Belanger	Dicklich	Moe, R. D.	Ramstad	Stumpf
Benson	Frank	Pehler	Renneke	Taylor
Bernhagen	Frederick	Penny	Setzepfandt	Ulland
Bertram	Hanson	Peterson,C.C.	Sieloff	Vega
Brataas	Humphrey	Peterson,D.L.	Sikorski	Waldorf
Dahl	Kroening	Peterson,R.W.	Spear	

Those who voted in the negative were:

Berg	Frederickson	Knoll	Schmitz	Wegener
Chmielewski	Kamrath	Lessard		

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

SPECIAL ORDER

H.F. No. 1698: A bill for an act relating to public welfare; delaying the duty of the commissioner of administration to sell certain land and buildings; amending Laws 1981, Chapter 360, Article I, Section 2, 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 45 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Knoll	Peterson,D.L.	Sikorski
Bang	Davies	Kroening	Peterson,R.W.	Spear
Belanger	Davis	Kronebusch	Petty	Stern
Benson	Dicklich	Lantry	Pillsbury	Stokowski
Berg	Frederick	Lessard	Ramstad	Taylor
Bernhagen	Frederickson	Moe, R. D.	Renneke	Ulland
Bertram	Hanson	Pehler	Schmitz	Vega
Brataas	Humphrey	Penny	Setzepfandt	Waldorf
Chmielewski	Kamrath	Peterson,C.C.	Sieloff	Wegener

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1894: A bill for an act relating to municipal housing; authorizing the planning, implementation, and financing of rehabilitation and energy improvement loans; providing for the allocation of mortgage bonds; amending Minnesota Statutes 1980, Sections 462C.01; 462C.02, Subdivisions 3, 4 and 5, and by adding subdivisions; 462C.03, as amended; 462C.04, Subdivision 2; 462C.05, Subdivisions 2 and 5; 462C.07, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 462C.05, Subdivisions 1 and 3; and 462C.09; repealing Minnesota Statutes 1981 Supplement, Section 462C.07, Subdivision 2.

Mr. Knoll moved that the amendment made to H.F. No. 1894 by the Committee on Rules and Administration in the report adopted March 10, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was

stricken.

Mr. Knoll then moved to amend H.F. No. 1894 as follows:

Page 7, line 30, delete the comma

Page 7, line 31, delete "*, or*" and insert "*. The single family housing program may also provide loans*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1894 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 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Moe, R. D.	Renneke	Tennessen
Belanger	Frederickson	Pehler	Schmitz	Ulland
Benson	Humphrey	Penny	Sikorski	Vega
Berg	Kamrath	Peterson,C.C.	Solon	Waldorf
Bertram	Knoll	Peterson,D.L.	Spear	Wegener
Chmielewski	Knutson	Peterson,R.W.	Stern	
Dahl	Kroening	Petty	Stokowski	
Davies	Kronebusch	Pillsbury	Stumpf	
Davis	Lantry	Ramstad	Taylor	

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

Mr. Knoll moved that S.F. No. 1942 be stricken from Special Orders and returned to its author. The motion prevailed.

SPECIAL ORDER

H.F. No. 1278: A bill for an act relating to public employment labor relations; clarifying the definition of "employer"; amending Minnesota Statutes 1980, Section 179.63, 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 34 and nays 19, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Luther	Peterson,C.C.	Stern
Bang	Hanson	Menning	Peterson,R.W.	Stokowski
Belanger	Humphrey	Moe, D. M.	Petty	Tennessen
Chmielewski	Knoll	Moe, R. D.	Schmitz	Ulland
Dahl	Kroening	Nelson	Sikorski	Vega
Davies	Lantry	Olhoft	Solon	Waldorf
Dicklich	Lindgren	Penny	Spear	

Those who voted in the negative were:

Benson	Engler	Knutson	Peterson,D.L.	Taylor
Bernhagen	Frederick	Kronebusch	Pillsbury	Wegener
Bertram	Frederickson	Lessard	Ramstad	Willet
Davis	Kamrath	Pehler	Renneke	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1919: A bill for an act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivision 4; 40.036; 40.07, Subdivision 9; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.

Mr. Penny moved to amend H.F. No. 1919, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1847.)

Page 5, after line 24, insert:

"Sec. 7. Minnesota Statutes 1980, Section 105.463, is amended to read:

105.463 [CONTRACTOR'S RESPONSIBILITY.]

It is unlawful for any agent, servant, or employee of another to ~~undertake work for which a permit is required pursuant to section 98.48, subdivision 9, this chapter, or section 106.021,~~ *construct, reconstruct, remove, make any change in any reservoir, dam or waterway obstruction on any public water, or in any manner to change or diminish the course, current or cross-section of any public waters* unless ~~a copy of the permit authorizing such work is posted on or near the premises upon which such work is conducted~~ *the agent, servant or employee has (a) obtained a signed statement from the landowner that all permits required for the work have been obtained or that no permit is required, and (b) mailed a copy of the statement to the office of the department for the region in which the proposed work is located.* ~~The~~ Violation of this section constitutes a separate and independent offense from any other provided by sections 105.37 to 105.55.

The commissioner of natural resources shall develop a suitable form to be distributed to contractors' associations and county auditors for the purposes of this section, which shall include a listing of the activities for which a permit is required, a description of the penalties for violating this chapter, the mailing addresses and telephone numbers of the various regional offices of the department of natural resources, a statement that water inventory maps completed pursuant to section 105.391, subdivision 1, are on file with the auditors of the various counties, and spaces for a description of the work and the names, mailing addresses, and phone numbers of the person authorizing the work and the agent, servant, or employee proposing to undertake it.

Sec. 8. Minnesota Statutes 1980, Section 106.041, is amended to read:

106.041 [PETITIONERS' BOND.]

Upon the filing of a petition and before any action is taken thereon, one or more of the petitioners shall make and file a bond payable, in case of a county drainage system, to the county, and in case of a judicial drainage system, to the counties named in the petition, in the sum of not less than ~~$2,000~~ *$10,000*, with good and sufficient sureties, to be approved by the officer with whom the same is filed, conditioned to pay all costs and expenses which may be incurred in case the proceedings are dismissed or for any reason no contract is entered into for the construction of the improvement petitioned for.

Sec. 9. Minnesota Statutes 1980, Section 106.631, Subdivision 2, is amended to read:

Subd. 2. [PROCEDURE ON APPEAL.] (a) Any person appealing on the first or second ground named, may include and have considered and determined benefits or damages affecting property other than his own. Notice of such appeal shall be served upon the owner or occupant of such other property or upon the attorney who represents such owner in the proceedings. Such notice of appeal shall also be served upon the auditor or clerk.

(b) To render the appeal effectual, the appellant shall file with the auditor or clerk within 30 days after the filing of such final order a notice of appeal which shall state the particular benefits or damages appealed from and the ground upon which the appeal is taken. The notice of appeal shall be accompanied by an appeal bond to the county where the property is located of not less than ~~$250~~ *$10,000* with sufficient surety to be approved by the auditor or clerk, conditioned that the appellant will duly prosecute the appeal and pay all costs and disbursements which may be adjudged against him and abide the order of the court. Within 30 days after such filing, the auditor, in case of a county drainage proceeding, shall return and file with the clerk of the district court the original notice and appeal bond.

(c) The issues raised by the appeal shall stand for trail by jury and shall be tried and determined at the next term of the district court held within the county in which the proceedings were commenced, or in such other county in which the appeal shall be heard, beginning after the filing of the appeal; and shall take precedence of all other matters of a civil nature in court. If there be more than one appeal triable in one county, the court may, on its own motion or upon the motion of a party in interest, consolidate two or more appeals and try them together, but the rights of the appellants shall be separately determined. If the appellant fails to prevail, the cost of the trial shall be paid by the appellant. In case of appeal as to damages or benefits to property situated in the county other than the county where the drainage proceedings are pending, and if the appellant so requests, the trial shall be held at the next term of the district court of the county wherein the lands are situated. In such case, the clerk of the district court where the appeal is filed, shall make, certify and file in the office of the clerk of the district court of the county where the trial is to be had, a transcript of the papers and documents on file in his office in the proceedings so far as they pertain to the matters on account of which the appeal is taken. After the final determination of such appeal, the clerk of the district court where the action is tried, shall certify and return the verdict to the district court of the county where the proceedings were instituted.

(d) The clerk of the district court shall file a certified copy of the final determination of any such appeal with the auditor of the county affected.

(e) An appeal on the third ground may be to the district court of any county wherein lands are affected. Such appeal shall be made within 30 days after the order allowing or disallowing the claim and shall be governed as far as applicable by the provisions of this subdivision."

Page 13, line 32, delete "*9*" and insert "*12*"

Page 13, line 33, delete "*sections 1 to 13 are*" and insert "*this act is*"

Renumber the sections in sequence

Correct internal references

Amend the title as follows:

Page 1, line 11, after "districts;" insert "raising the petitioners' bond in certain drainage project cases and the appellant's bond in the case of certain appeals; clarifying the responsibility imposed on certain water project contractors;"

Page 1, line 19, after "Subdivision 9;" insert "105.463; 106.041; 106.631, Subdivision 2;"

The motion prevailed. So the amendment was adopted.

Mr. Wegener moved to amend H.F. No. 1919, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1847.)

Page 11, line 15, delete "*11*" and insert "*40.07, subdivision 9,*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1919 was then progressed.

SPECIAL ORDER

H.F. No. 1737: A bill for an act relating to retirement; local police and salaried firefighters relief association; providing minimum disability benefit coverage for police officers and firefighters in certain local relief associations; providing for the recomputation of a disability benefit as a service pension upon the attainment of a certain age; providing service credit for periods of disability in certain instances; requiring the provision of less hazardous duty employment positions for marginally disabled police officers and firefighters; requiring offsets from disability benefits in certain instances; authorizing the establishment and operation of the West St. Paul firefighters relief association; validating prior actions by the West St. Paul firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974, Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 423A.

Mr. Spear moved to amend H.F. No. 1737, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1661.)

Page 6, line 15, after "*attorney fees*" insert a comma and delete "*or*" and

after "*medical benefits*" insert "*or rehabilitation benefits*"

The motion prevailed. So the amendment was adopted.

Mr. Vega moved to amend H.F. No. 1737, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1661.)

Page 1, after line 20, insert:

"Section 1. Minnesota Statutes 1980, Section 176.021, Subdivision 5, is amended to read:

Subd. 5. [ACCUMULATED CREDITS, ADDITIONAL PAYMENTS.] If employees of the state or a county, city or other political subdivision of the state who are entitled to the benefits of the workers' compensation law have, at the time of compensable injury, accumulated credits under a vacation, sick leave or overtime plan or system maintained by the governmental agency by which they are employed, the appointing authority may provide for the payment of additional benefits to such employees from their accumulated vacation, sick leave or overtime credits. Such additional payments to an employee may not exceed the amount of the total sick leave, vacation or overtime credits accumulated by the employee and shall not result in the payment of a total weekly rate of compensation that exceeds the weekly wage of the employee. Such additional payments to any employee shall be charged against the sick leave, vacation and overtime credits accumulated by such employee. *Employees of a county, city or other political subdivision entitled to the benefits of the workers' compensation law may receive additional benefits pursuant to a collective bargaining agreement or other plan, entered into or in effect on or after January 1, 1980, providing payments by or on behalf of the employer and these additional benefits may be unrelated to any accumulated sick leave, holiday or overtime credits and need not be charged against any accumulation; provided that the additional payments shall not result in the payment of a total weekly rate of compensation that exceeds the weekly wage of the employee.* The commissioner of the department of labor and industry for the state or the governing body of any county, city or other political subdivision to which the provisions of this chapter apply, may adopt rules and regulations not inconsistent with this chapter for carrying out the provisions hereof relating to payment of additional benefits to employees from accumulated sick leave, vacation ~~or~~, overtime credits *or other sources*."

Page 11, line 29, delete "*6*" and insert "*7*"

Page 11, line 30, delete "*7*" and insert "*8*" and delete "*19*" and insert "*20*"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, delete "retirement" and insert "employee benefits"

Page 1, line 2, after the semicolon, insert "permitting political subdivisions to provide additional benefits to those provided under workers' compensation law;"

Page 1, line 17, after the semicolon, insert "amending Minnesota Statutes 1980, Section 176.021, Subdivision 5;"

The motion prevailed. So the amendment was adopted.

H.F. No. 1737 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lindgren	Peterson,R.W.	Stokowski
Bang	Frank	Luther	Petty	Stumpf
Belanger	Frederickson	Menning	Pillsbury	Taylor
Benson	Humphrey	Moe, D. M.	Ramstad	Tennessen
Berg	Kamrath	Moe, R. D.	Renneke	Ulland
Bernhagen	Knoll	Nelson	Schmitz	Vega
Bertram	Knutson	Olhoft	Setzepfandt	Waldorf
Brataas	Kroening	Pehler	Sikorski	Wegener
Chmielewski	Kronebusch	Penny	Solon	Willet
Dahl	Lantry	Peterson,C.C.	Spear	
Davis	Lessard	Peterson,D.L.	Stern	

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

SPECIAL ORDER

H.F. No. 2066: A bill for an act relating to local government; providing for city facilities related to armories; authorizing issuance of bonds; proposing new law coded in Minnesota Statutes, Chapter 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 53 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Lantry	Peterson,D.L.	Stokowski
Bang	Engler	Lessard	Peterson,R.W.	Stumpf
Belanger	Frank	Lindgren	Petty	Taylor
Benson	Frederick	Luther	Pillsbury	Tennessen
Berg	Frederickson	Menning	Ramstad	Ulland
Bernhagen	Humphrey	Moe, D. M.	Renneke	Vega
Bertram	Kamrath	Moe, R. D.	Schmitz	Waldorf
Brataas	Knoll	Nelson	Sikorski	Wegener
Chmielewski	Knutson	Olhoft	Solon	Willet
Dahl	Kroening	Pehler	Spear	
Davies	Kronebusch	Penny	Stern	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1469: A bill for an act relating to commerce; revising and modernizing laws relating to hotels; providing for the rights and duties of innkeepers and their guests; prohibiting certain practices; imposing penalties; amending Minnesota Statutes 1980, Section 363.03, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 327; repealing Minnesota Statutes 1980, Sections 327.01 to 327.095.

Mr. Belanger moved to amend H. F. No. 1469, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1449.)

Page 3, line 14, delete everything after the period

Page 3, line 15, delete "*in subdivision 6,*"

Page 3, line 17, delete "*$1,000*" and insert "*the actual value of the receptacle and its contents or the amount of the actual injury to the receptacle and its contents*"

Page 4, line 6, delete "*to 3*" and insert "*and 2*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1469 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Lantry	Peterson,R.W.	Stumpf
Bang	Dicklich	Lindgren	Petty	Taylor
Belanger	Engler	Luther	Pillsbury	Tennessen
Benson	Frank	Menning	Ramstad	Ulland
Berg	Frederick	Merriam	Renneke	Vega
Bernhagen	Frederickson	Moe, R. D.	Schmitz	Waldorf
Bertram	Kamrath	Nelson	Sikorski	Wegener
Brataas	Knoll	Olhoft	Solon	Willet
Chmielewski	Knutson	Pehler	Spear	
Dahl	Kroening	Penny	Stern	
Davies	Kronebusch	Peterson,D.L.	Stokowski	

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

SPECIAL ORDER

H.F. No. 1611: A bill for an act relating to garnishment; authorizing an employer to recover expenses incurred for administering garnishment of an employee's wages; amending Minnesota Statutes 1980, Section 571.57.

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 7, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Lindgren	Petty	Taylor
Bang	Davis	Luther	Pillsbury	Ulland
Belanger	Engler	Menning	Ramstad	Vega
Benson	Frederick	Moe, R. D.	Renneke	Waldorf
Berg	Frederickson	Nelson	Schmitz	Wegener
Bernhagen	Kamrath	Olhoft	Sikorski	Willet
Bertram	Knoll	Pehler	Solon	
Brataas	Kronebusch	Penny	Spear	
Chmielewski	Lantry	Peterson,D.L.	Stokowski	
Dahl	Lessard	Peterson,R.W.	Stumpf	

Those who voted in the negative were:

Dicklich	Kroening	Moe, D. M.	Stern	Tennessen
Frank	Merriam			

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

CALL OF THE SENATE

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

RECONSIDERATION

Mr. Spear moved that the vote whereby S.F. No. 1637 failed to pass the Senate on March 9, 1982, be now reconsidered. The motion prevailed.

S.F. No. 1637: A bill for an act relating to state investment policy; prohibiting certain investments in countries not following human rights standards; proposing new law coded in Minnesota Statutes, Chapter 11A.

Mr. Taylor moved to amend S.F. No. 1637 as follows:

Page 2, after line 15, insert:

"*Any financial institution that, after January 1, 1983, participates in any loans to the government of the Republic of South Africa or any South African government agency or to any South African national corporation, shall not be allowed to participate in purchasing any bonds offered for sale by the state of Minnesota.*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Frederickson	Menning	Ulland
Bang	Bertram	Kamrath	Penny	
Belanger	Brataas	Knutson	Peterson,D.L.	
Benson	Chmielewski	Kronebusch	Rued	
Berg	Frederick	Lindgren	Taylor	

Those who voted in the negative were:

Berglin	Kroening	Nelson	Renneke	Tennessen
Dahl	Langseth	Olhoft	Schmitz	Vega
Davies	Lantry	Pehler	Setzepfandt	Waldorf
Davis	Lessard	Peterson,C.C.	Sikorski	Wegener
Dieterich	Luther	Peterson,R.W.	Spear	Willet
Frank	Merriam	Petty	Stern	
Humphrey	Moe, D. M.	Pillsbury	Stokowski	
Knoll	Moe, R. D.	Ramstad	Stumpf	

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

S.F. No. 1637 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 29, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Moe, D. M.	Petty	Tennessen
Dahl	Humphrey	Moe, R. D.	Schmitz	Ulland
Davies	Johnson	Nelson	Sikorski	Vega
Dicklich	Knoll	Olhoft	Solon	Willet
Dieterich	Kroening	Pehler	Spear	
Frank	Lantry	Penny	Stern	
Frederickson	Luther	Peterson,C.C.	Stokowski	
Hanson	Merriam	Peterson,R.W.	Stumpf	

Those who voted in the negative were:

Ashbach	Bertram	Kamrath	Menning	Setzepfandt
Bang	Brataas	Knutson	Peterson,D.L.	Sieloff
Belanger	Chmielewski	Kronebusch	Pillsbury	Taylor
Benson	Davis	Langseth	Ramstad	Waldorf
Berg	Engler	Lessard	Renneke	Wegener
Bernhagen	Frederick	Lindgren	Rued	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that H.F. No. 1176 be taken from the table. The motion prevailed.

CALL OF THE SENATE

Mr. Merriam imposed a call of the Senate for the balance of the proceedings on H.F. No. 1176. The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to rule 22, Mr. Waldorf moved to be excused from voting on questions relating to H.F. No. 1176. The motion prevailed.

RECONSIDERATION

Having voted on the prevailing side, Mr. Merriam moved that the vote whereby the Wegener amendment to H.F. No. 1176 was adopted by the Senate on March 11, 1982, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 33 and nays 26, as follows:

Those who voted in the affirmative were:

Dahl	Hughes	Menning	Penny	Stokowski
Davies	Humphrey	Merriam	Peterson,C.C.	Stumpf
Davis	Knoll	Moe, D. M.	Peterson,R.W.	Tennessen
Dicklich	Kroening	Moe, R. D.	Petty	Vega
Dieterich	Langseth	Nelson	Setzepfandt	Willet
Frank	Lantry	Olhoft	Sikorski	
Hanson	Luther	Pehler	Stern	

Those who voted in the negative were:

Ashbach	Bertram	Kamrath	Pillsbury	Ulland
Bang	Brataas	Knutson	Ramstad	Wegener
Belanger	Chmielewski	Kronebusch	Renneke	
Benson	Engler	Lessard	Rued	
Berg	Frederick	Lindgren	Sieloff	
Bernhagen	Frederickson	Peterson,D.L.	Taylor	

The motion prevailed.

The question recurred on the Wegener amendment.

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

The roll was called, and there were yeas 27 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Knutson	Ramstad	Taylor
Bang	Chmielewski	Kronebusch	Renneke	Ulland
Belanger	Engler	Lessard	Rued	Wegener
Benson	Frederick	Lindgren	Setzepfandt	
Bernhagen	Frederickson	Peterson,D.L.	Sieloff	
Bertram	Kamrath	Pillsbury	Solon	

Those who voted in the negative were:

Berglin	Hanson	Lantry	Olhoft	Spear
Dahl	Hughes	Luther	Pehler	Stern
Davies	Humphrey	Menning	Penny	Stokowski
Davis	Johnson	Merriam	Peterson,C.C.	Stumpf
Dicklich	Knoll	Moe, D. M.	Peterson,R.W.	Tennessen
Dieterich	Kroening	Moe, R. D.	Petty	Vega
Frank	Langseth	Nelson	Schmitz	Willet

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

Mr. Sieloff moved to amend H. F. No. 1176, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 5, line 36, delete "*10*" and insert "*11*"

Page 8, after line 30, insert:

"*Subd. 9.* [LIABILITY LIMITS.] *The liability of any person under this section shall not exceed $250,000 to any plaintiff and $500,000 for all claims arising out of the same release or threatened release.*"

Renumber the subdivisions in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 41, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Kamrath	Pillsbury	Wegener
Bang	Brataas	Knutson	Renneke	
Belanger	Chmielewski	Kronebusch	Rued	
Berg	Engler	Lindgren	Sieloff	
Bernhagen	Frederickson	Peterson,D.L.	Ulland	

Those who voted in the negative were:

Benson	Hughes	Menning	Peterson,R.W.	Stokowski
Berglin	Humphrey	Merriam	Petty	Stumpf
Dahl	Johnson	Moe, D. M.	Ramstad	Taylor
Davies	Knoll	Moe, R. D.	Schmitz	Tennessen
Davis	Kroening	Nelson	Setzepfandt	Vega
Dicklich	Langseth	Olhoft	Sikorski	
Dieterich	Lantry	Pehler	Solon	
Frank	Lessard	Penny	Spear	
Hanson	Luther	Peterson,C.C.	Stern	

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

Mr. Ulland moved to amend H. F. No. 1176, as amended by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 5, line 36, delete "*10*" and insert "*11*"

Page 8, after line 30, insert:

"*Subd. 9.* [LIABILITY LIMITS.] *The liability of any person under this section shall not exceed $2,500,000 to any plaintiff and $5,000,000 for all claims arising out of the same release or threatened release.*"

Renumber the subdivisions in sequence

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 22 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Frederickson	Peterson,D.L.	Taylor
Bang	Brataas	Kamrath	Ramstad	Ulland
Belanger	Chmielewski	Knutson	Renneke	
Berg	Engler	Kronebusch	Rued	
Bernhagen	Frederick	Lindgren	Sieloff	

Those who voted in the negative were:

Benson	Hughes	Menning	Peterson,R.W.	Stumpf
Berglin	Humphrey	Merriam	Petty	Tennessen
Dahl	Johnson	Moe, D. M.	Schmitz	Vega
Davies	Knoll	Moe, R. D.	Setzepfandt	Willet
Davis	Kroening	Olhoft	Sikorski	
Dieterich	Langseth	Pehler	Spear	
Frank	Lantry	Penny	Stern	
Hanson	Luther	Peterson,C.C.	Stokowski	

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

Mr. Davies moved to amend H.F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1031.)

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

Pages 5 and 6, delete subdivision 1 and insert:

"*Subdivision 1.* [GENERAL RULE.] *Except as otherwise provided in subdivisions 3 to 10 and section 4, any person who is responsible for a release or threatened release of a hazardous substance from a facility, as an alternative to liability based upon any other provision or rule of law, shall be strictly liable, jointly and severally, for the following costs and damages which result from the release or threatened release or to which the release or threatened release significantly contributes:*

(a) All reasonable and necessary costs of removal, or remedial action incurred by the state, a political subdivision of the state or the United States;

(b) Any other reasonable and necessary costs or expenses incurred by any

person to remove a hazardous substance; and

(c) All damages for actual economic loss or loss of natural resources resulting from such a release including:

(1) Any injury to, destruction of, or loss of any real or personal property, including relocation costs;

(2) Any loss of use of real or personal property;

(3) Any injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction, or loss;

(4) Any loss of past or future income or profits resulting from personal injury or disease or from injury to or destruction of real or personal property or natural resources without regard to the ownership of the property or resources; and

(5) All medical expenses, rehabilitation costs or burial expenses due to personal injury or disease.''

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 38 and nays 20, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lessard	Penny	Sieloff
Bang	Frank	Lindgren	Peterson,C.C.	Stern
Belanger	Frederickson	Menning	Peterson,D.L.	Stumpf
Berg	Hanson	Merriam	Petty	Tennessen
Bernhagen	Johnson	Moe, D. M.	Ramstad	Ulland
Brataas	Knutson	Moe, R. D.	Renneke	Willet
Davies	Kroening	Olhoft	Schmitz	
Davis	Langseth	Pehler	Setzepfandt	

Those who voted in the negative were:

Benson	Dahl	Humphrey	Lantry	Sikorski
Berglin	Dieterich	Kamrath	Luther	Spear
Bertram	Frederick	Knoll	Peterson,R.W.	Stokowski
Chmielewski	Hughes	Kronebusch	Rued	Vega

The motion prevailed. So the amendment was adopted.

Mr. Rued moved to amend H. F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1031.)

Page 8, delete lines 3 to 11 and insert:

''*Subd. 5.* [OWNERS OF REAL PROPERTY.] *An owner of real property is liable for damages under subdivision 1, clause (c), if the plaintiff shows by a preponderance of the evidence that the owner knew or reasonably should have known that a hazardous substance was present on the property before the release or threatened release, unless the owner notified the agency of the release or threatened release as soon as practicable after he knew about it.*''

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Kamrath	Peterson,D.L.	Ulland
Bang	Brataas	Knutson	Ramstad	Wegener
Belanger	Chmielewski	Kronebusch	Renneke	
Benson	Engler	Lessard	Rued	
Berg	Frederick	Lindgren	Sieloff	
Bernhagen	Frederickson	Menning	Taylor	

Those who voted in the negative were:

Berglin	Hanson	Lantry	Penny	Spear
Dahl	Hughes	Luther	Peterson,C.C.	Stern
Davies	Humphrey	Merriam	Peterson,R.W.	Stokowski
Davis	Johnson	Moe, D. M.	Petty	Stumpf
Dicklich	Knoll	Moe, R. D.	Schmitz	Tennessen
Dieterich	Kroening	Olhoft	Setzepfandt	Vega
Frank	Langseth	Pehler	Sikorski	Willet

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

Mr. Ulland moved to amend H.F. No. 1176, as amended by the Senate March 11, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1031.)

Page 5, line 36, delete "*10*" and insert "*9*"

Page 8, delete subdivision 9

Renumber the subdivisions in sequence

Pages 30 and 31, delete sections 24 and 25

Page 32, line 8, delete "*26*" and insert "*24*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 11, delete "466.01, by adding a"

Page 1, line 12, delete everything before "Minnesota"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 14 and nays 44, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Knoll	Ramstad	Sieloff
Bang	Frederick	Kronebusch	Renneke	Ulland
Belanger	Kamrath	Peterson,D.L.	Rued	

Those who voted in the negative were:

Benson	Dieterich	Langseth	Pehler	Stern
Berglin	Frank	Lantry	Penny	Stokowski
Bernhagen	Frederickson	Lessard	Peterson,C.C.	Stumpf
Bertram	Hanson	Luther	Peterson,R.W.	Taylor
Chmielewski	Hughes	Menning	Petty	Tennessen
Dahl	Humphrey	Merriam	Schmitz	Vega
Davies	Johnson	Moe, D. M.	Setzepfandt	Wegener
Davis	Knutson	Moe, R. D.	Sikorski	Willet
Dicklich	Kroening	Olhoft	Spear	

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

H.F. No. 1176 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.

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

The roll was called, and there were yeas 51 and nays 12, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Lantry	Penny	Stokowski
Benson	Engler	Lessard	Peterson,C.C.	Stumpf
Berglin	Frank	Lindgren	Peterson,R.W.	Taylor
Bernhagen	Hanson	Luther	Petty	Tennessen
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Humphrey	Merriam	Schmitz	Vega
Chmielewski	Johnson	Moe, D. M.	Setzepfandt	Willet
Dahl	Knoll	Moe, R. D.	Sikorski	
Davies	Knutson	Nelson	Solon	
Davis	Kroening	Olhoft	Spear	
Dicklich	Langseth	Pehler	Stern	

Those who voted in the negative were:

Bang	Frederick	Kronebusch	Renneke	Sieloff
Belanger	Frederickson	Peterson,D.L.	Rued	Wegener
Berg	Kamrath			

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that S. F. No. 1031, No. 62 on Special Orders, be stricken and laid on the table. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 155: A bill for an act relating to public welfare; providing for retention of certain receipts by state hospitals; amending Minnesota Statutes 1980, Section 246.57.

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

Luknic, McCarron and Samuelson.

Senate File No. 155 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 358: A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1980, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

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

Otis, Wynia, Jude, Sarna and Halberg.

Senate File No. 358 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1239: A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

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

Reding, Rice and Kaley.

Senate File No. 1239 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1758: A bill for an act relating to crimes; prohibiting conspiracies to violate controlled substances laws; clarifying the crime of escape from jail; prescribing penalties; amending Minnesota Statutes 1980, Section 609.485, Subdivision 3; proposing new law coded in Minnesota Statutes 1980, Chapter 152.

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

Kelly, Battaglia, Jude, Schreiber and Halberg.

Senate File No. 1758 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1821: A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.

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

Laidig, McCarron and Rice.

Senate File No. 1821 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1964: A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; amending Minnesota Statutes 1980, Section 299D.03, Subdivision 2; repealing Minnesota Statutes 1980, Sections 299C.041; and 299D.03, Subdivision 3.

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

Simoneau; Sieben, M.; Rose; Halberg and Norton.

Senate File No. 1964 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Without objection, the Senate reverted to the Order of Business of Reports of Committees and Second Reading of House Bills.

REPORTS OF COMMITTEES

Mr. Moe, R.D. from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

H.F. No. 1532: A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live

birth; proposing new law coded in Minnesota Statutes, Chapter 145.

Reports the same back with the recommendation that the report from the Committee on Judiciary, shown in the Journal for March 9, 1982, be adopted; that committee recommendation being

"the bill be amended and when so amended the bill do pass."

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

SECOND READING OF HOUSE BILLS

H.F. No. 1532 was read the second time.

NOTICE OF RECONSIDERATION

Mr. Petty gave notice of his intention to move for reconsideration of the vote whereby H.F. No. 546 was passed by the Senate March 11, 1982.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Friday, March 12, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

EIGHTY-EIGHTH DAY

St. Paul, Minnesota, Friday, March 12, 1982

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. John G. Donahue.

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

Ashbach	Dieterich	Langseth	Peterson, D.L.	Stern
Bang	Engler	Lantry	Peterson, R.W.	Stokowski
Belanger	Frank	Lessard	Petty	Stumpf
Benson	Frederick	Lindgren	Pillsbury	Taylor
Berg	Frederickson	Luther	Purfeerst	Tennessen
Berglin	Hanson	Menning	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Renneke	Vega
Bertram	Humphrey	Moe, D.M.	Rued	Waldorf
Brataas	Johnson	Moe, R.D.	Schmitz	Wegener
Chmielewski	Kamrath	Nelson	Setzepfandt	Willet
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	
Dicklich	Kronebusch	Peterson, C.C.	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Mr. Keefe was excused from the Session of today.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on H.F. No. 1484:

Messrs. Dieterich, Ulland, Olhoft, Davies and Peterson, R.W. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

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

excused for a Conference Committee on S.F. No. 1964:

Messrs. Knoll, Spear, Pillsbury, Nelson and Moe, D.M. The motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 10, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1107, 1088, 1514 and 272.

Sincerely yours,

Albert H. Quie, Governor

March 10, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
272		393	March 10	March 10
1514		394	March 10	March 10
1107		395	March 10	March 10
1088		396	March 10	March 10

Sincerely,

Joan Anderson Growe
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1888.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concur-

rence of the Senate is respectfully requested:

S.F. No. 1715: A bill for an act relating to the city of Minneapolis; providing duties of the civil service commission; providing for positions in the unclassified service; permitting the city to change the name of the housing and redevelopment authority; permitting the transfer of certain employees to employment of the housing and redevelopment authority; establishing terms for transfer of the employees; permitting certain employees to purchase service credit from the Minneapolis employees retirement fund; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding subdivisions; and Laws 1980, Chapter 595, Section 2, Subdivision 1 and Section 3, by adding a subdivision.

Senate File No. 1715 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

CONCURRENCE AND REPASSAGE

Mr. Petty moved that the Senate concur in the amendments by the House to S.F. No. 1715 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1715 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Penny	Solon
Bang	Engler	Lantry	Peterson,C.C.	Stern
Belanger	Frank	Lessard	Peterson,D.L.	Stokowski
Benson	Frederickson	Lindgren	Petty	Stumpf
Berg	Hanson	Luther	Pillsbury	Taylor
Berglin	Hughes	Menning	Purfeerst	Tennessen
Bernhagen	Humphrey	Merriam	Ramstad	Ulland
Bertram	Kamrath	Moe, D. M.	Renneke	Vega
Chmielewski	Knoll	Moe, R. D.	Schmitz	Waldorf
Dahl	Knutson	Nelson	Setzepfandt	Willet
Davis	Kroening	Pehler	Sikorski	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1886: A bill for an act relating to energy; changing the definition of large energy facility; amending Minnesota Statutes 1980, Section 116H.02, Subdivision 5.

Senate File No. 1886 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

CONCURRENCE AND REPASSAGE

Mr. Dahl moved that the Senate concur in the amendments by the House to S.F. No. 1886 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No.1886: A bill for an act relating to the public utilities commission; specifying the role of the department of energy, planning and development before the public utilities commission; clarifying and assigning certain public utilities commission responsibilities; defining "district heating systems" for purposes of the program of loans to municipalities for establishing and improving district heating systems; amending Minnesota Statutes 1980, Sections 116H.02, Subdivision 5; 218.021, Subdivision 1; 218.041, Subdivision 4; and 218.071, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 116H.11, by adding a subdivision; 116H.13, Subdivision 8; 116H.31, Subdivisions 1 and 2; 216B.241, Subdivision 2; 218.031, Subdivision 1; 218.041, Subdivision 2 and 465.74, by adding a subdivision.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Kroening	Penny	Stern
Bang	Engler	Kronebusch	Peterson,C.C.	Stokowski
Belanger	Frank	Langseth	Peterson,D.L.	Stumpf
Benson	Frederick	Lantry	Petty	Taylor
Berg	Frederickson	Lindgren	Pillsbury	Tennessen
Berglin	Hanson	Luther	Purfeerst	Ulland
Bernhagen	Hughes	Menning	Ramstad	Vega
Bertram	Humphrey	Merriam	Renneke	Waldorf
Brataas	Johnson	Moe, D. M.	Schmitz	Wegener
Chmielewski	Kamrath	Moe, R. D.	Setzepfandt	Willet
Dahl	Knoll	Nelson	Sikorski	
Davis	Knutson	Pehler	Solon	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 303: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, by adding a section to authorize at the track parimutuel betting on races if authorized by law; proposing an amendment to the Minnesota Constitution by repealing Article XIII, Section 5, the prohibition against lotteries.

Senate File No. 303 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. Purfeerst moved that the Senate do not concur in the amendments by the House to S. F. No. 303, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1451: A bill for an act relating to metropolitan government; providing for the establishment and operation of a water planning and management program in the metropolitan area; requiring watershed and local water management plans; providing for the establishment and operation of watershed management organizations; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; authorizing counties, cities, and towns to bond for certain watershed improvements; authorizing taxes; amending Minnesota Statutes 1980, Sections 112.35, by adding a subdivision; 112.37, Subdivision 1, and by adding a subdivision; 112.42, Subdivision 3 and by adding a subdivision; 112.43, by adding a subdivision; Laws 1981, Chapter 291, Section 2, Subdivisions 1, 2, and by adding subdivisions; 4, Subdivision 1; 5, Subdivision 2; 7; 8, Subdivisions 1, 2, and by adding a subdivision; and 24; proposing new law coded in Minnesota Statutes, Chapter 473.

Senate File No. 1451 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. Merriam moved that S.F. No. 1451 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1666: A bill for an act relating to legal services; providing for a surcharge on civil filing fees; authorizing the supreme court to appoint an advisory committee; authorizing the distribution of the surcharge funds to qualified programs providing legal services to certain persons; requiring a report to the legislature; proposing new law coded in Minnesota Statutes, Chapter 480.

Senate File No. 1666 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

CONCURRENCE AND REPASSAGE

Mr. Hanson moved that the Senate concur in the amendments by the House to S.F. No. 1666 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1666: A bill for an act relating to legal services; providing for a surcharge on civil filing fees; authorizing the supreme court to appoint an advisory committee; authorizing the distribution of the surcharge funds to qualified programs providing legal services to certain persons; requiring a report to the legislature; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 375.167, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 480.

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

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

The roll was called, and there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Peterson,D.L.	Stokowski
Bang	Engler	Lantry	Petty	Stumpf
Belanger	Frank	Lessard	Pillsbury	Taylor
Benson	Frederick	Lindgren	Purfeerst	Tennessen
Berg	Frederickson	Luther	Ramstad	Ulland
Berglin	Hanson	Menning	Renneke	Vega
Bernhagen	Hughes	Merriam	Rued	Waldorf
Bertram	Humphrey	Moe, D. M.	Schmitz	Wegener
Brataas	Johnson	Moe, R. D.	Setzepfandt	Willet
Chmielewski	Kamrath	Nelson	Sikorski	
Dahl	Knoll	Pehler	Solon	
Davis	Kroening	Penny	Stern	

Mr. Knutson voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1859: A bill for an act relating to forestry; establishing a forest resource management policy and plan; realignment of forestry boundaries; establishing a forest management fund and accounting system; changing certain procedures for timber sales from state and tax-forfeited lands; extending certain timber permits; making various changes in forestry laws; amending Minnesota Statutes 1980, Sections 16A.125, Subdivision 5; 89.001, and by adding subdivisions; 89.01, Subdivision 6; 89.021, Subdivision 1; 89.036; 89.37, Subdivisions 2, 3, 3a, and 4; 90.201; 90.251, Subdivisions 1 and 4; 197.447; 282.01, Subdivisions 1 and 3; 282.02; and 282.132; Minnesota Statutes 1981 Supplement, Section 282.04, Subdivision 1; Laws 1981, Chapter 305, Section 11; proposing new law coded in Minnesota Statutes, Chapters 88, 89, 90, and 282; repealing Minnesota Statutes 1980, Sections

282.031; 282.032; 282.033; 282.034; 282.035; 282.036; and 282.037.

Senate File No. 1859 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. Willet moved that S.F. No. 1859 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1894: A bill for an act relating to energy; changing the duties of the commissioner of the department of energy, planning and development; expanding the scope of certain energy education programs; changing certain residential energy sales programs; providing for wind energy conversion systems in county and municipal zoning law; creating wind easements; amending Minnesota Statutes 1980, Sections 116H.02, by adding a subdivision; 116H.15, Subdivisions 1 and 3; 394.25, Subdivision 3; 462.357, Subdivision 1; 500.30; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.088, Subdivision 1; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.128; 116H.15, Subdivision 2; 116H.18; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1.

Senate File No. 1894 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. Waldorf moved that the Senate do not concur in the amendments by the House to S. F. No. 1894, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1699:

H.F. No. 1699: A bill for an act relating to education; requiring all public elementary and secondary schools to provide instructional programs in chemical abuse; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

McEachern, Long and Levi have been appointed as such committee on the part of the House.

House File No. 1699 is herewith transmitted to the Senate with the request

that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1982

Mr. Davis moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1699, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1799:

H.F. No. 1799: A bill for an act relating to health; providing for evaluation of certain changes in certificate of need review; requiring certain price information to be reported and disseminated; requiring monitoring; amending the thresholds of review; providing for additional waivers; requiring reports; amending Minnesota Statutes 1980, Sections 145.833, Subdivision 5; 145.835, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Sections 250.05, Subdivision 4; 447.45, Subdivision 1; and 474.03; proposing new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; and Minnesota Statutes 1981 Supplement, Sections 62D.22, Subdivision 6; 145.834; and 145.845.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Swanson; Sieben, M. and Kaley have been appointed as such committee on the part of the House.

House File No. 1799 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1982

Mr. Solon moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1799, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1897:

H.F. No. 1897: A bill for an act relating to the state agricultural society; updating and clarifying certain powers and duties of the society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; and 37.22; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

And the House respectfully requests that a Conference Committee of three

members be appointed thereon:

Rice, Wynia and Laidig have been appointed as such committee on the part of the House.

House File No. 1897 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1982

Mr. Chmielewski moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1897, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1702: A bill for an act relating to corrections; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.

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

Johnson, D.; Laidig and Battaglia.

Senate File No. 1702 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1443: A bill for an act relating to agriculture; prohibiting the trafficking in skunks; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 145.

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

Reif, Begich and Welch.

Senate File No. 1443 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 2000: A bill for an act relating to the city of Brooklyn Center; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program.

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

Ellingson, Jacobs and Schreiber.

Senate File No. 2000 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1671: A bill for an act relating to environment; providing for the chairmanship, staff, and administration of the environmental quality board; amending Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.

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

Munger, Hanson and Dean.

Senate File No. 1671 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 16: A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisement; amending Minnesota Statutes 1980, Section 524.3-706.

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

Norton, Jude and Peterson, B.

Senate File No. 16 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1522: A bill for an act relating to local government; changing the filing of the bond of the town clerk and the town treasurer; permitting towns to self insure in the same way as other political subdivisions; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Sections 367.10; 367.15; 368.01, Subdivisions 1, 30, and by adding subdivisions; 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; 462.36, Subdivision 1; 471.59, by adding a subdivision; and 471.98, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462.

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

Brinkman, Voss and Niehaus.

Senate File No. 1522 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1621: A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.

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

Voss, McCarron and Schreiber.

Senate File No. 1621 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 11, 1982

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1684, 930, 1017, 2000, 2065, 2080 and 2188.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 11, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1684: A bill for an act relating to gambling; permitting local governments to fix the compensation of bingo security workers by ordinance; amending Minnesota Statutes 1980, Section 349.17, Subdivision 1.

Referred to the Committee on General Legislation and Administrative Rules.

H.F. No. 930: A bill for an act relating to the collection and dissemination of data; classifying data as private, confidential, nonpublic, and protected nonpublic; amending Minnesota Statutes 1980, Sections 15.162, Subdivision 4; 15.1621, Subdivision 1; 15.1642, Subdivision 5; 15.165, Subdivision 2; 15.1678; 15.1679; 15.1691, Subdivision 6; 15.1692, Subdivision 2; 169.09, Subdivision 13; 268.12, Subdivision 12; Minnesota Statutes 1981 Supplement, Sections 15.1682; 15.1699; 15.775, Subdivision 2; 15.781, Subdivisions 1, 2, and 4; and 15.784, Subdivision 2; proposing new law coded in Chapter 15.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 198, now on the Calendar.

H.F. No. 1017: A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities; amending Minnesota Statutes 1980, Section 222.49.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 862, now on Special Orders.

H.F. No. 2000: A bill for an act relating to health and welfare; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the general assistance program; revising a penalty; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2065, now on Special Orders.

H.F. No. 2065: A bill for an act relating to public welfare; providing for regulation of aversive or deprivation procedures for behavior modification of mentally retarded individuals; proposing new law coded in Minnesota Statutes, Chapter 245.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1928, now on Special Orders.

H.F. No. 2080: A bill for an act relating to economic development; provid-

ing for a Minnesota conference on job formation; appropriating money.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1815, now on Special Orders.

H.F. No. 2188: A bill for an act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; amending Minnesota Statutes 1980, Section 256.74, Subdivisions 1, as amended; and 1a, as amended.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1771, now on Special Orders.

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

H.F. No. 1542 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1542	1685				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1542 be amended as follows:

Page 2, line 13, delete everything after "*area*"

Page 2, delete lines 14 and 15

Page 2, delete "*24W*"

Page 2, line 25, delete the comma and delete ". *If*"

Page 2, delete line 26

Page 2, line 27, delete everything before the period

Page 3, line 13, delete everything after "*objects*"

Page 2, line 14, delete everything before the period

Page 4, delete lines 17 to 31 and insert:

"Subd. 2. *The commission shall prepare an annual budget. The budget may provide for expenditures in an amount not exceeding six-tenths of one mill times the current assessed valuation of the metropolitan area.* ~~Each county in the district shall levy a special tax each year in order to defray its share of the cost of the activities of the commission, which share shall be based on population. Such levy where necessary may be made separate from the general levy of the county and may be made at any time of the year, however,~~ *The commission may levy a tax on all taxable property in the district as defined in section 473.702 to provide funds for the purposes of sections 473.701 to 473.716. The tax shall not exceed six-tenths of one mill. The auditor of each county in the*

district shall add the amount of the levy made by the district to other taxes of the county for collection by the county treasurer with other taxes. When collected, the county treasurer shall make settlement of the tax with the district in the same manner as other taxes are distributed to political subdivisions. No ~~participating~~ county shall levy any tax for mosquito control except under sections 473.701 to ~~473.717~~ *473.716. The levy shall be in addition to other taxes authorized by law and shall be disregarded in the calculation of limits on taxes imposed by chapter 275.*''

Page 4, line 36, delete ''*Carver,*''

And when so amended H.F. No. 1542 will be identical to S.F. No. 1685, and further recommends that H.F. No. 1542 be given its second reading and substituted for S.F. No. 1685, 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. 352 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
352	1175				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 352 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 352, the third engrossment, and insert the language after the enacting clause of S.F. No. 1175, the first engrossment. Further, delete the title of H.F. No. 352, the third engrossment, and insert the title of S.F. No. 1175, the first engrossment.

And when so amended H.F. No. 352 will be identical to S.F. No. 1175, and further recommends that H.F. No. 352 be given its second reading and substituted for S.F. No. 1175, 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. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for January 19, 1981:

STATE BOARD OF EDUCATION

Margaret W. Marvin
William J. Ridley

STATE BOARD FOR COMMUNITY COLLEGES

Elna H. Ponto

Reports the same back with the recommendation that the appointments be

confirmed.

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

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for May 14, 1981:

STATE BOARD OF EDUCATION

Beverly J. Carpenter
Louis R. Smerling
Marilyn Witty

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

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

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for February 4, 1982:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Leonard J. Rogge
Herbert M. Stellner, Jr.

COUNCIL ON QUALITY EDUCATION

Anna F. Barker
Moira Boyne Rummel

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

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

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for February 8, 1982:

STATE UNIVERSITY BOARD

Christine P. Fritsche

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Peter H. Seed

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

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

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for February 15, 1982:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Archie Chelseth
Douglas H. Sillers
Gretchen Taylor

STATE UNIVERSITY BOARD

Bernard A. Miller
Elizabeth A. Pegues

STATE BOARD FOR COMMUNITY COLLEGES

John Edel, Jr.
Toyse A. Kyle
Sung Won Son

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

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

Mr. Hughes from the Committee on Education, to which was referred the following appointment as reported in the Journal for February 19, 1982:

DEPARTMENT OF EDUCATION
COMMISSIONER

John J. Feda

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. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for March 2, 1982:

STATE BOARD OF EDUCATION

Henry J. Bromelkamp
Erling O. Johnson
Ruth A. Myers

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

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

Mr. Hughes from the Committee on Education, to which were referred the following appointments as reported in the Journal for March 9, 1982:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Arthur F. Gillen
Robert W. Hatch

Reports the same back with the recommendation that the appointments be

confirmed.

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

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1897: Messrs. Chmielewski, Solon and Frederickson.

H.F. No. 1799: Messrs. Solon, Waldorf and Lindgren.

H.F. No. 1699: Messrs. Davis, Vega and Rued.

S.F. No. 1894: Messrs. Waldorf, Dahl and Bernhagen.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 1542 and 352 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Kamrath introduced—

Senate Resolution No. 82: A Senate resolution congratulating the Lancers wrestling team from Canby High School for winning the 1982 Region 3 High School wrestling championship.

Referred to the Committee on Rules and Administration.

Mr. Bang moved that S.F. No. 2027, No. 49 on Special Orders, be stricken and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Davis moved that S.F. No. 1365, No. 27 on Special Orders, be stricken and returned to the Committee on Education. The motion prevailed.

Mr. Bertram moved that S.F. No. 1499 be recalled from the House of Representatives for further consideration. The motion prevailed.

S.F. No. 1538 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1538

A bill for an act relating to peace officers; providing for appointment of peace officers, constables and deputy constables in towns; requiring towns to notify the peace officers standards and training board before employing law enforcement officers; amending Minnesota Statutes 1980, Sections 367.03, Subdivisions 1, 2, and 3; 367.22; 367.40, Subdivisions 3 and 4; 367.41; Minnesota Statutes 1981 Supplement, Section 367.42, Subdivision 1; repealing Minnesota Statutes 1981 Supplement, Section 382.28.

March 10, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1538, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1538 be further amended as follows:

Page 1, after line 13, insert:

"Section 1. Minnesota Statutes 1980, Section 214.04, Subdivision 3, is amended to read:

Subd. 3. The executive secretary of each health related and non-health related board shall be the chief administrative officer for the board but he shall not be a member of the board. He shall maintain the records of the board, account for all fees received by it, supervise and direct employees servicing the board, and perform other services as directed by the board. The executive secretaries and other employees of the following boards shall be hired by the board, and the executive secretaries shall be in the unclassified civil service: dentistry; medical examiners; nursing; pharmacy; accountancy; architecture, engineering, land surveying and landscape architecture; barber examiners; cosmetology; electricity; ~~and~~ teaching*; and peace officer standards and training*. The executive secretaries serving the remaining boards shall be hired by those boards, and shall be in the unclassified civil service except for part-time executive secretaries, who are not required to be in the unclassified service. Boards not requiring a full-time executive secretary may employ such services on a part-time basis. To the extent practicable the sharing of part-time executive secretaries by boards being serviced by the same department is encouraged. Persons providing services to those boards not listed in this subdivision, except executive secretaries of the boards and employees of the attorney general, shall be classified civil service employees of the department servicing the board. To the extent practicable the commissioner shall insure that staff services are shared by the boards being serviced by the department. If necessary, a board may hire part-time, temporary employees to administer and grade examinations.

Sec. 2. Minnesota Statutes 1980, Section 326.337, Subdivision 1, is amended to read:

Subdivision 1. It is unlawful for the holder of a license knowingly to commit any of the following acts within or without the state of Minnesota: To incite, encourage, or aid in the incitement or encouragement of any person who has become a party to any strike to do unlawful acts or to incite, stir up, create, or aid in the inciting of discontent or dissatisfaction among the employees of any person, firm, or corporation with the intention of having them strike; to interfere with or prevent lawful and peaceful picketing during strikes; to interfere with, restrain or coerce employees in the exercise of their right to form, join, or assist any labor organization of their own choosing; to interfere with or hinder the lawful or peaceful collective bargaining between employees and employers; to pay, offer or give any money, gratuity, favor, consideration, or other thing of value, directly or indirectly, to any person for any verbal or written report of the lawful activities of employees in the exercise of their right of self-organization and their right to form, join, or assist labor organizations and

to bargain collectively through representatives of their own choosing; to advertise for, recruit, furnish or replace, or offer to furnish or replace, for hire or reward, within or without Minnesota, any help or labor, skilled or unskilled, or to furnish or offer to furnish armed guards, other than armed guards regularly employed for the protection of payrolls, property, or premises, for service upon property which is being operated in anticipation of or during the course or existence of a strike, or furnish armed guards upon the highways, for persons involved in labor disputes, or to furnish or offer to furnish to employers or their agents any arms, munitions, tear gas implements, or any other weapons; to use in any manner the words "police", "constable", "*highway* patrol," "*state patrol,*" "*trooper,*" "law enforcement", or the name of the local city, county or state on any vehicle, badge, emblem, stationery, advertising of any private detective or protective agent as defined in section 326.338 and no vehicle, emblem, or badge shall be designed or worn as imitative of any such vehicle, emblem, or badge used by a police department, highway patrol, constable, or peace officer, or to send letters or literature to employers offering to eliminate labor unions, or distribute or circulate any list of members of a labor organization, or to advise any person of the membership of an individual in a labor organization for the express purpose of preventing those so listed or named from obtaining or retaining employment. Any person who violates the provisions of this subdivision is guilty of a gross misdemeanor.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 357.09, Subdivision 2, is amended to read:

Subd. 2. When mileage is allowed the sheriff it shall be computed from the place where the court is usually held and shall be at the rate provided *to state employees* pursuant to section ~~43.327~~ *43A.18*, plus eight cents per mile notwithstanding any other provisions of law to the contrary."

Renumber the remaining sections

Amend the title as follows:

Page 1, line 2, after "peace officers" insert ", private detectives, and protective agents; providing for unclassified civil service status of employees of board of peace officer standards and training; clarifying the use by certain protective agents and private detectives of the word "patrol" in their names; correcting a statutory reference"

Page 1, line 7, after "Sections" insert "214.04, Subdivision 3; 326.337, Subdivision 1;"

Page 1, line 9, delete "Section" and insert "Sections 357.09, Subdivision 2; and"

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

Senate Conferees: (Signed) Myrton O. Wegener, Dave Rued, Bob Lessard

House Conferees: (Signed) Arlene I. Lehto, Robert E. Vanasek, David M. Jennings

Mr. Wegener moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1538 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1538 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson,C.C.	Spear
Bang	Engler	Lantry	Peterson,D.L.	Stern
Belanger	Frank	Lessard	Peterson,R.W.	Stokowski
Benson	Frederick	Lindgren	Petty	Stumpf
Berg	Frederickson	Luther	Pillsbury	Tennessen
Berglin	Hanson	Menning	Purfeerst	Ulland
Bernhagen	Humphrey	Merriam	Ramstad	Vega
Bertram	Johnson	Moe, R. D.	Renneke	Waldorf
Chmielewski	Kamrath	Nelson	Rued	Wegener
Dahl	Knoll	Olhoft	Setzepfandt	Willet
Davies	Knutson	Pehler	Sieloff	
Davis	Kroening	Penny	Sikorski	

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

RECONSIDERATION

Mr. Petty moved that the vote whereby H.F. No. 546 was passed by the Senate on March 11, 1982, be now reconsidered. The motion prevailed.

H.F. No. 546: A bill for an act relating to insurance; extending the insurance division revolving fund; providing for a program of continuing education; establishing a continuing insurance education advisory committee; authorizing the commissioner of insurance to promulgate rules to implement the program; requiring certain disclosures on credit insurance policies and application; amending Minnesota Statutes 1980, Sections 60A.03, Subdivision 6; and 62B.06, Subdivisions 2, 3 and 4; and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 60A.

Mr. Petty moved to amend H.F. No. 546, the unofficial engrossment, as follows:

Strike the Petty amendment to pages 13 and 14, and strike the title amendment, adopted by the Senate March 11, 1982, and amend H.F. No. 546, the unofficial engrossment as follows:

Page 16, after line 3, insert:

"Sec. 8. Minnesota Statutes 1980, Section 62B.06, is amended by adding a subdivision to read:

Subd. 6. The creditor shall have 30 days after the insurance company submits its report of losses to the department of commerce for the previous calendar year to change its disclosure to reflect the current loss ratio."

Page 16, line 7, delete "*and 7*" and insert "*to 8*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after "4" insert ", and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

H.F. No. 546 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 53 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson,D.L.	Spear
Bang	Dieterich	Lessard	Peterson,R.W.	Stern
Belanger	Engler	Lindgren	Petty	Stokowski
Benson	Frank	Luther	Pillsbury	Stumpf
Berg	Frederickson	Menning	Purfeerst	Tennessen
Berglin	Hanson	Merriam	Ramstad	Ulland
Bernhagen	Hughes	Moe, R. D.	Renneke	Vega
Brataas	Humphrey	Nelson	Rued	Waldorf
Dahl	Kroening	Olhoft	Setzepfandt	Willet
Davies	Kronebusch	Penny	Sikorski	
Davis	Langseth	Peterson,C.C.	Solon	

Those who voted in the negative were:

Bertram	Kamrath	Knutson	Pehler	Wegener
Chmielewski	Knoll			

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Peterson, C.C. moved that S.F. No. 1481 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Peterson, C.C. moved that the Senate concur in the amendments by the House to S.F. No. 1481 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1481: A bill for an act relating to state government; providing a one time early retirement insurance benefit option for certain state employees; providing that certain other early retirement incentives may be negotiated; amending Minnesota Statutes 1981 Supplement, Section 43A.24, Subdivision 2.

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

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

The roll was called, and there were yeas 44 and nays 8, as follows:

Those who voted in the affirmative were:

Belanger	Engler	Langseth	Pehler	Solon
Benson	Frank	Lantry	Penny	Spear
Berglin	Frederickson	Lessard	Peterson,C.C.	Stern
Bernhagen	Hanson	Lindgren	Peterson,D.L.	Stokowski
Bertram	Hughes	Luther	Peterson,R.W.	Stumpf
Chmielewski	Humphrey	Menning	Pillsbury	Vega
Davies	Kamrath	Moe, R. D.	Purfeerst	Wegener
Davis	Kroening	Nelson	Schmitz	Willet
Dieterich	Kronebusch	Olhoft	Sikorski	

Those who voted in the negative were:

Brataas	Knutson	Petty	Tennessen	Waldorf
Knoll	Merriam	Ramstad		

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Ramstad moved that H.F. No. 1685 be withdrawn from the Committee on Veterans' Affairs, given a second reading and placed at the top of Special Orders. The motion prevailed.

H.F. No. 1685: A bill for an act relating to the military; providing for the administration of oaths and acknowledgments by a member of the armed forces of the United States; amending Minnesota Statutes 1980, Sections 192.205, by adding a subdivision; and 358.32.

H.F. No. 1685 was read the second time.

SUSPENSION OF RULES

Mr. Ramstad 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. 1685 and that the rules of the Senate be so far suspended as to give H.F. No. 1685, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 1685 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:

Ashbach	Dieterich	Langseth	Peterson,D.L.	Stokowski
Bang	Engler	Lantry	Peterson,R.W.	Stumpf
Belanger	Frank	Lessard	Petty	Tennessen
Benson	Frederickson	Lindgren	Pillsbury	Ulland
Berg	Hanson	Luther	Purfeerst	Vega
Berglin	Hughes	Merriam	Ramstad	Waldorf
Bernhagen	Humphrey	Moe, D. M.	Renneke	Wegener
Bertram	Kamrath	Moe, R. D.	Schmitz	Willet
Chmielewski	Knoll	Nelson	Setzepfandt	
Dahl	Knutson	Olhoft	Sieloff	
Davis	Kroening	Pehler	Sikorski	
Dicklich	Kronebusch	Peterson,C.C.	Stern	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Messrs. Moe, D.M.; Humphrey; Ms. Berglin; Messrs. Moe, R.D. and Solon introduced—

Senate Resolution No. 83: A Senate resolution memorializing the life and work of Roy Wilkins.

Mr. Moe, R.D moved that Senate Resolution No. 83 be laid on the table. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe,

R.D. moved that the Senate take up the Calendar. The motion prevailed.

CALENDAR

H.F. No. 1789: A bill for an act relating to the environment; limiting and reducing emissions of sulphur dioxide in the state; requiring adoption of an acid deposition control standard and plan by the pollution control agency; requiring reports; imposing an assessment on utilities; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 116.

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 3, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lantry	Peterson,R.W.	Stumpf
Belanger	Frank	Lessard	Petty	Taylor
Benson	Frederick	Lindgren	Purfeerst	Tennessen
Berg	Frederickson	Luther	Ramstad	Ulland
Bernhagen	Hanson	Merriam	Renneke	Vega
Brataas	Hughes	Moe, D. M.	Schmitz	Waldorf
Chmielewski	Humphrey	Moe, R. D.	Setzepfandt	Wegener
Dahl	Knoll	Nelson	Sieloff	Willet
Davies	Knutson	Olhoft	Sikorski	
Davis	Kroening	Pehler	Spear	
Dicklich	Kronebusch	Peterson,C.C.	Stern	
Dieterich	Langseth	Peterson,D.L.	Stokowski	

Messrs. Bertram, Kamrath and Pillsbury voted in the negative.

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R. D. moved that the the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Peterson, C.C. introduced—

S.F. No. 2228: A bill for an act relating to children; requiring reporting of certain chemical abuse; imposing a penalty; proposing new law coded in Minnesota Statutes, Chapter 260.

Referred to the Committee on Judiciary.

Mr. Lindgren introduced—

S.F. No. 2229: A bill for an act relating to local government; providing cities with authority relating to water, sanitary sewer and storm sewer systems; amending Minnesota Statutes 1980, Section 444.075, Subdivisions 1 and 3.

Referred to the Committee on Local Government and Urban Affairs.

Messrs. Renneke, Bernhagen and Dahl introduced—

S.F. No. 2230: A bill for an act relating to taxation; redefining agricultural alcohol gasoline; changing the amount and duration of tax reduction for agricultural alcohol gasoline; providing for reciprocity with certain other states; amending Minnesota Statutes 1980, Sections 296.01, Subdivision 24; and 296.02, Subdivision 7.

Referred to the Committee on Taxes and Tax Laws.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 1:15 p.m. The motion prevailed.

The hour of 1:15 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.

MEMBERS EXCUSED

Mrs. Stokowski was excused from the Session of today from 1:15 to 1:45 p.m.. Mr. Menning was excused from the Session of today from 3:10 to 5:45 p.m. Mr. Dieterich was excused from the Session of today from 4:00 to 5:00 p.m.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Peterson, C.C. moved that the following members be excused for a Conference Committee on H.F. No. 438:

Messrs. Peterson, C.C.; Renneke; Frederickson; Moe, D.M. and Spear. The motion prevailed.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 303: Messrs. Purfeerst, Nelson, Dicklich, Vega and Ramstad.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that the name of Mr. Lessard be added as a co-author to S.F. No. 1451. The motion prevailed.

SPECIAL ORDER

H.F. No. 1760: A bill for an act relating to crimes; expanding criminal

responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; 626A.05, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 41 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Lessard	Peterson,D.L.	Tennessen
Bang	Dieterich	Lindgren	Peterson,R.W.	Vega
Belanger	Engler	Luther	Petty	Waldorf
Benson	Frank	Menning	Pillsbury	Wegener
Berg	Johnson	Moe, R. D.	Ramstad	Willet
Berglin	Kamrath	Nelson	Rued	
Bernhagen	Kronebusch	Olhoft	Schmitz	
Brataas	Langseth	Pehler	Setzepfandt	
Chmielewski	Lantry	Penny	Sikorski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1919: A bill for an act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivision 4; 40.036; 40.07, Subdivision 9; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.

Mr. Setzepfandt moved to amend H.F. No. 1919, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1847.)

Page 6, after line 9, insert:

"Sec. 8. Minnesota Statutes 1980, Section 40.03, Subdivision 2, as amended by Laws 1981, Third Special Session, Chapter 2, Article I, Section 13, is amended to read:

Subd. 2. [EMPLOYEES.] The department of natural resources shall provide administrative functions of this section. The commissioner of natural

resources shall make available by separate budget to the state soil and water conservation board the staff services, funds for operation, and office space necessary for the administration and coordination of its functions. The state board shall be responsible to the commissioner for reporting purposes in regard to staff functions and operations which relate to department activities.

The commissioner of natural resources shall, ~~with the advice~~ *subject to approval* of the state board, provide an administrative officer and other necessary permanent and temporary technical experts, agents and employees. The state board shall ~~recommend~~ *determine* the personnel's qualifications and duties ~~to the commissioner of natural resources~~, and recommend compensation to the commissioner of employee relations. The state board may call upon the attorney general for necessary legal services. It shall have authority to delegate to its chairman or to one or more of its other officers or members or administrative officer any of its own powers and duties it may deem proper. The administrative officer is ~~in the unclassified service~~ *responsible to the state board and may be dismissed by the commissioner of natural resources only upon the advice and recommendation of the state board.* All permanent personnel of the state board are employees of the department of natural resources and are in the classified service of the state ~~,~~ except ~~for the administrative officer or~~ as otherwise required by statute. In order to perform its duties, the state board may request information from the supervising officer of any state agency or state institution of higher education, including the state universities, the community colleges, and the post-secondary vocational technical schools. The supervising officer shall comply with the state board's request to the extent possible considering available appropriations and may assign agency or institution employees to compile existing information and to complete special reports, surveys, or studies concerning the problems specified in section 40.02."

Page 13, line 30, delete "*12*" and insert "*16*"

Page 13, line 32, delete "*12*" and insert "*13*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 19, after "4" insert "and Subdivision 2, as amended"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

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

Mr. Wegener moved to amend H.F. No. 1919, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1847.)

Page 4, after line 23, insert:

"*An agency action is not subject to review under this section or section 5 if the action is reviewed as required by chapter 116D and the environmental*

review rules adopted under that chapter, or if a political subdivision is required by law to review and approve the action.''

The motion prevailed. So the amendment was adopted.

Mr. Setzepfandt moved to amend H.F. No. 1919, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1847.)

Page 3, line 6, delete ''*minimizing*'' and insert ''*eliminating*''

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

RECONSIDERATION

Having voted on the prevailing side, Mr. Penny moved that the vote whereby the Setzepfandt amendment to H.F. No. 1919 was adopted on March 12, 1982, be now reconsidered. The motion did not prevail.

H.F. No. 1919 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:

Bang	Dicklich	Kroening	Pehler	Sikorski
Belanger	Dieterich	Kronebusch	Penny	Solon
Benson	Engler	Langseth	Peterson, C.C.	Spear
Berg	Frank	Lantry	Peterson, D.L.	Stern
Berglin	Frederick	Lessard	Peterson, R.W.	Stokowski
Bernhagen	Frederickson	Lindgren	Petty	Stumpf
Bertram	Hughes	Luther	Purfeerst	Tennessen
Brataas	Humphrey	Menning	Renneke	Ulland
Chmielewski	Johnson	Merriam	Rued	Vega
Dahl	Kamrath	Moe, D.M.	Schmitz	Waldorf
Davies	Knoll	Moe, R.D.	Setzepfandt	Wegener
Davis	Knutson	Olhoft	Sieloff	Willet

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

SPECIAL ORDER

H.F. No. 1546: A bill for an act relating to juveniles; providing for the detention of juveniles for whom a motion to refer for prosecution is pending before the court; amending Minnesota Statutes 1980, Section 260.173, 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Langseth	Peterson, D.L.	Solon
Benson	Frank	Lantry	Peterson, R.W.	Stern
Berglin	Frederick	Lessard	Petty	Stokowski
Bernhagen	Hughes	Lindgren	Pillsbury	Stumpf
Bertram	Humphrey	Luther	Purfeerst	Ulland
Brataas	Johnson	Menning	Ramstad	Vega
Chmielewski	Kamrath	Merriam	Rued	Waldorf
Dahl	Knoll	Moe, R.D.	Schmitz	Wegener
Davies	Knutson	Olhoft	Setzepfandt	Willet
Davis	Kroening	Pehler	Sieloff	
Dicklich	Kronebusch	Penny	Sikorski	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Willet moved that S.F. No. 1859 be taken from the table. The motion prevailed.

S.F. No. 1859: A bill for an act relating to forestry; establishing a forest resource management policy and plan; realignment of forestry boundaries; establishing a forest management fund and accounting system; changing certain procedures for timber sales from state and tax-forfeited lands; extending certain timber permits; making various changes in forestry laws; amending Minnesota Statutes 1980, Sections 16A.125, Subdivision 5; 89.001, and by adding subdivisions; 89.01, Subdivision 6; 89.021, Subdivision 1; 89.036; 89.37, Subdivisions 2, 3, 3a, and 4; 90.201; 90.251, Subdivisions 1 and 4; 197.447; 282.01, Subdivisions 1 and 3; 282.02; and 282.132; Minnesota Statutes 1981 Supplement, Section 282.04, Subdivision 1; Laws 1981, Chapter 305, Section 11; proposing new law coded in Minnesota Statutes, Chapters 88, 89, 90, and 282; repealing Minnesota Statutes 1980, Sections 282.031; 282.032; 282.033; 282.034; 282.035; 282.036; and 282.037.

CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S.F. No. 1859 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1859 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Bang	Dieterich	Langseth	Peterson, R.W.	Stokowski
Benson	Frank	Lantry	Petty	Stumpf
Berg	Frederick	Lessard	Pillsbury	Tennessen
Berglin	Hanson	Lindgren	Purfeerst	Ulland
Bernhagen	Hughes	Luther	Ramstad	Vega
Bertram	Humphrey	Menning	Rued	Waldorf
Brataas	Johnson	Merriam	Schmitz	Wegener
Chmielewski	Kamrath	Moe, R.D.	Setzepfandt	Willet
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Sikorski	
Davis	Kroening	Penny	Solon	
Dicklich	Kronebusch	Peterson, D.L.	Stern	

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Purfeerst moved that the following members be excused for a Conference Committee on S.F. No. 155:

Messrs. Purfeerst; Peterson, R.W. and Mrs. Brataas. The motion prevailed.

SPECIAL ORDER

H.F. No. 1492: A bill for an act relating to natural resources; authorizing an addition to Split Rock Creek Recreation Area and authorizing land acquisition in relation thereto.

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:

Ashbach	Dicklich	Kronebusch	Penny	Stern
Bang	Dieterich	Langseth	Peterson, D.L.	Stokowski
Benson	Frank	Lantry	Petty	Stumpf
Berglin	Frederick	Lessard	Pillsbury	Tennessen
Bernhagen	Hanson	Lindgren	Purfeerst	Vega
Bertram	Hughes	Luther	Ramstad	Waldorf
Brataas	Humphrey	Menning	Rued	Wegener
Chmielewski	Kamrath	Merriam	Schmitz	Willet
Dahl	Knoll	Moe, R.D.	Setzepfandt	
Davies	Knutson	Olhoft	Sieloff	
Davis	Kroening	Pehler	Sikorski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1553: A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.

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:

Ashbach	Davis	Kronebusch	Penny	Stokowski
Bang	Dicklich	Langseth	Peterson, D.L.	Stumpf
Belanger	Dieterich	Lantry	Petty	Tennessen
Benson	Engler	Lessard	Pillsbury	Ulland
Berg	Frank	Lindgren	Ramstad	Vega
Berglin	Frederick	Luther	Rued	Waldorf
Bernhagen	Hanson	Menning	Schmitz	Wegener
Bertram	Hughes	Merriam	Setzepfandt	Willet
Brataas	Humphrey	Moe, R.D.	Sieloff	
Chmielewski	Kamrath	Nelson	Sikorski	
Dahl	Knoll	Olhoft	Solon	
Davies	Kroening	Pehler	Stern	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1941: A bill for an act relating to agriculture; setting a standard of proof and procedures for decision and appeal for claims of damage to livestock by endangered species; amending Minnesota Statutes 1980, Section 3.737, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Kroening	Nelson	Sikorski
Bang	Engler	Kronebusch	Olhoft	Solon
Belanger	Frank	Langseth	Pehler	Stern
Berglin	Frederick	Lantry	Penny	Stokowski
Bernhagen	Hanson	Lessard	Peterson, D.L.	Stumpf
Bertram	Hughes	Lindgren	Petty	Tennessen
Chmielewski	Humphrey	Luther	Ramstad	Vega
Davies	Johnson	Menning	Rued	Waldorf
Davis	Kamrath	Merriam	Setzepfandt	Wegener
Dicklich	Knutson	Moe, R.D.	Sieloff	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1690: A bill for an act relating to public welfare; requiring the commissioner of public welfare to promulgate rules which establish foster care maintenance payments by the state; establishing a state goal for the reduction of the number of children in residential facilities for more than 24 months; requiring the commissioner of public welfare to comply with the requirements of Title IV-E of the federal Social Security Act in order to obtain adoption assistance funds for eligible children; expanding the eligibility for medical assistance to include children receiving foster care maintenance payments under Title IV-E of the federal Social Security Act; authorizing the transfer of funds; amending Minnesota Statutes 1980, Sections 256.82; 257.071, by adding a subdivision; and 259.40, Subdivisions 2, 3, and 10; Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Kroening	Nelson	Sieloff
Bang	Engler	Kronebusch	Olhoft	Sikorski
Belanger	Frank	Langseth	Pehler	Solon
Berglin	Frederick	Lantry	Penny	Stern
Bernhagen	Hughes	Lessard	Peterson, D.L.	Stokowski
Bertram	Humphrey	Lindgren	Petty	Stumpf
Chmielewski	Johnson	Luther	Ramstad	Tennessen
Davies	Kamrath	Menning	Rued	Vega
Davis	Knoll	Merriam	Schmitz	Willet
Dicklich	Knutson	Moe, R.D.	Setzepfandt	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1702: A bill for an act relating to veterans; providing for the furnishing of chiropractic care to residents of the Minnesota veterans home; proposing new law coded in Minnesota Statutes, Chapter 198.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Langseth	Pehler	Stern
Berglin	Frederick	Lantry	Penny	Stokowski
Bernhagen	Hughes	Lessard	Peterson,D.L.	Stumpf
Bertram	Humphrey	Lindgren	Petty	Tennessen
Chmielewski	Johnson	Luther	Rued	Vega
Davies	Kamrath	Menning	Schmitz	Wegener
Davis	Knoll	Merriam	Setzepfandt	Willet
Dicklich	Knutson	Moe, R. D.	Sieloff	
Dieterich	Kroening	Nelson	Sikorski	
Engler	Kronebusch	Olhoft	Solon	

So the bill passed and its title was agreed to.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Ms. Berglin moved that the following members be excused for a Conference Committee on S.F. No. 378:

Ms. Berglin, Messrs. Ramstad and Peterson, R.W. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Davis moved that the following members be excused for a Conference Committee on H.F. No. 1699:

Messrs. Davis, Rued and Vega. The motion prevailed.

SPECIAL ORDER

H.F. No. 1115: A bill for an act relating to transportation; providing for the distribution of assistance under the public transit participation program; defining terms; changing eligibility requirements for replacement transit service; providing for public transit contract procedures; amending Minnesota Statutes 1980, Sections 174.21; 174.22, by adding subdivisions; 174.23, by adding a subdivision; 174.24, Subdivision 1, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 174.24, Subdivisions 3, and 3a, as amended; and 174.265, Subdivision 4; repealing Minnesota Statutes 1980, Sections 174.25; and 174.26.

Mr. Menning moved to amend H. F. No. 1115 as follows:

Page 6, after line 9, insert:

"Sec. 8. Minnesota Statutes 1981 Supplement, Section 174.24, Subdivision 3a, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 17, is amended to read:

Subd. 3a. [TRANSIT COMMISSION.] The commissioner shall provide financial assistance by contract to the metropolitan transit commission from appropriations provided for that purpose. In order to receive financial assistance, the commission shall provide to the commissioner all financial records and other information and shall permit any inspection reasonably necessary to identify the revenues, costs, and service plan upon which the appropriation is based. *The metropolitan transit commission shall not operate a shuttle bus service for the purpose of providing transit service for athletic events at the Hubert H. Humphrey Metrodome operated by the metropolitan sports facilities commission, unless total operating costs, other than costs for providing transportation for handicapped persons, are recovered from non-state sources.*''

Page 8, line 13, delete ''*and 10*'' and insert ''*10, and 11*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 17, delete ''Subdivision 3'' and insert ''Subdivisions 3 and 3a, as amended''

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 15 and nays 29, as follows:

Those who voted in the affirmative were:

Benson	Lantry	Luther	Pehler	Solon
Bertram	Lessard	Menning	Penny	Ulland
Kamrath	Lindgren	Olhoft	Peterson,D.L.	Willet

Those who voted in the negative were:

Bang	Davies	Johnson	Petty	Stern
Belanger	Dicklich	Kroening	Pillsbury	Stokowski
Berg	Dieterich	Kronebusch	Ramstad	Stumpf
Bernhagen	Engler	Merriam	Setzepfandt	Tennessen
Brataas	Frank	Moe, R. D.	Sieloff	Waldorf
Dahl	Humphrey	Nelson	Sikorski	

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

H.F. No. 1115 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kronebusch	Olhoft	Sikorski
Belanger	Frank	Langseth	Pehler	Solon
Berg	Frederickson	Lantry	Penny	Stern
Bernhagen	Humphrey	Lindgren	Peterson,C.C.	Stokowski
Bertram	Johnson	Luther	Peterson,D.L.	Stumpf
Dahl	Kamrath	Menning	Petty	Tennessen
Davies	Knoll	Merriam	Ramstad	Ulland
Dicklich	Knutson	Moe, R. D.	Setzepfandt	Waldorf
Dieterich	Kroening	Nelson	Sieloff	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1576: A bill for an act relating to commerce; regulated loans; applying the statutory provisions relating to conventional loan defaults to regulated loans; clarifying the method for the computation of interest; allowing the combination of loans of different maturities and interest rates; prohibiting attorney's fees except in connection with mortgage foreclosures; placing certain restrictions on the procurement of insurance in connection with a loan; providing miscellaneous technical and clarifying amendments; and eliminating a duplicative provision; amending Minnesota Statutes 1980, Section 53.04, Subdivision 5; and Minnesota Statutes 1981 Supplement, Sections 53.01; 53.04, Subdivision 3a; 56.12; 56.131, Subdivisions 1, 3, and 5; 56.155; 334.02; and 334.03; proposing new law coded in Minnesota Statutes, Chapter 56.

Mr. Tennessen moved to amend H. F. No. 1576, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1507.)

Page 2, line 6, after "3a." insert "*(a)*"

Page 2, line 15, delete "*No*"

Page 2, delete lines 16 to 25

Page 2, line 26, do not start a new paragraph

Page 2, after line 28, insert:

"*(b) Loans made under this section at a rate of interest not in excess of that provided for in paragraph (a) may be secured by real or personal property, or both. If the proceeds of a loan made after August 1, 1984 are used in whole or in part to satisfy the balance owed on a contract for deed, the rate of interest charged on the loan shall not exceed the rate provided in section 47.20, subdivision 4a. If the proceeds of a loan secured by a first lien on the borrower's primary residence are used to finance the purchase of the borrower's primary residence, the loan must comply with the provisions of section 47.20.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1576 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 42 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Peterson,D.L.	Stokowski
Bang	Engler	Langseth	Petty	Stumpf
Belanger	Frank	Lantry	Ramstad	Tennessen
Bernhagen	Frederickson	Lindgren	Schmitz	Ulland
Bertram	Humphrey	Merriam	Setzepfandt	Waldorf
Brataas	Johnson	Moe, R. D.	Sieloff	Willet
Chmielewski	Knoll	Nelson	Sikorski	
Dahl	Knutson	Olhoft	Solon	
Davies	Kroening	Peterson,C.C.	Stern	

Mr. Penny voted in the negative.

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

SPECIAL ORDER

H.F. No. 1523: A bill for an act relating to driver licensing; allowing certain reports to be made to the commissioner of public safety; proposing new law coded in Minnesota Statutes, Chapter 171.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 45 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Knutson	Moe, R.D.	Sieloff
Bang	Davies	Kroening	Nelson	Solon
Belanger	Dicklich	Kronebusch	Olhoft	Stern
Benson	Engler	Langseth	Penny	Stokowski
Berg	Frank	Lantry	Peterson, D.L.	Stumpf
Bernhagen	Frederickson	Lessard	Petty	Tennessen
Bertram	Hanson	Lindgren	Ramstad	Ulland
Brataas	Humphrey	Luther	Schmitz	Waldorf
Chmielewski	Knoll	Merriam	Setzepfandt	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 534: A bill for an act relating to the collection and dissemination of data; administration of the state archives and state and local government records; classifying data; providing a penalty; amending Minnesota Statutes 1980, Sections 15.17; 138.161; 138.17, Subdivisions 1, 6, 7, and by adding subdivisions; 138.19; 138.20; 138.21; proposing new law coded in Minnesota Statutes, Chapter 138; repealing Minnesota Statutes 1980, Sections 16.66 and 138.18.

Mr. Chmielewski moved to amend H.F. No. 534 as follows:

Page 1, after line 12, insert:

"Section 1. Minnesota Statutes 1980, Section 15.1693, Subdivision 2, is amended to read:

Subd. 2. Except as provided in ~~subdivision~~ *subdivisions* 4 *and 5*, educational data is private data on individuals and shall not be disclosed except as follows:

(a) Pursuant to section 15.163;

(b) Pursuant to a valid court order;

(c) Pursuant to a statute specifically authorizing access to the private data;

(d) To disclose information in health and safety emergencies pursuant to the provisions of 20 U.S.C., Section 1232g(b)(1)(I) and 45 C.F.R., Section 99.36 which are in effect on July 1, 1979;

(e) Pursuant to the provisions of 20 U.S.C., Sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and 45 C.F.R., Sections 99.31, 99.32, 99.33, 99.34 and 99.35 which are in effect on July 1, 1979; or

(f) To appropriate health authorities but only to the extent necessary to

administer immunization programs.

Sec. 2. Minnesota Statutes 1980, Section 15.1693, is amended by adding a subdivision to read:

Subd. 5. [RELEASE TO ARMED FORCES RECRUITERS.] *(a) The responsible authority may release the names, addresses, telephone numbers and dates of birth of students attending secondary school to a recruiting officer for any branch of the United States armed forces who requests the information.*

(b) Prior to the release of the information in clause (a), the school board shall give, by mailing to the parent or the student who is over 18 years of age, notice of the categories of personally identifiable information which is to be released, including the right of the parent or the student who is over 18 years of age to refuse to permit the release, and the period of time within which a parent or a student who is over 18 years of age must inform the responsible authority in writing that the information is not to be released with respect to that student.

(c) The responsible authority may require the recruiting officer to pay the cost of mailing the notice required in clause (b) and to pay the actual cost of making and compiling the information in clause (a).

(d) The recruiting officer shall use the information in clause (a) to provide information regarding military service to students and shall not use it for any other purpose or release the information to any person or organization other than individuals within the recruiting services of the United States armed forces.

(e) Release of information under this subdivision shall not require the responsible authority to release the information to any other person or organization.''

Page 10, line 7, delete ''*Sections 1 through 13*'' and insert ''*This act*''

Renumber the sections in sequence and correct internal references

Amend the title as follows:

Page 1, line 2, after the semicolon, insert ''requiring the disclosure of names, addresses, telephone numbers and dates of birth of students in secondary schools to recruiting officers for any branch of the United States armed forces unless the parents request in writing that the information not be released; requiring certain procedures to be followed prior to release; restricting the dissemination of disclosed information;''

Page 1, line 5, after ''Sections'' insert ''15.1693, Subdivision 2, and by adding a subdivision;''

Mr. Tennessen questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question recurred on the Chmielewski amendment. The motion did not prevail. So the amendment was not adopted.

H.F. No. 534 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Davies	Kroening	Peterson, D.L.	Stokowski
Bang	Dicklich	Kronebusch	Petty	Stumpf
Belanger	Dieterich	Lantry	Pillsbury	Taylor
Benson	Engler	Lessard	Ramstad	Tennessen
Berg	Frank	Lindgren	Renneke	Ulland
Berglin	Frederickson	Luther	Schmitz	Waldorf
Bertram	Hughes	Merriam	Sieloff	Wegener
Brataas	Kamrath	Moe, R.D.	Solon	Willet
Chmielewski	Knoll	Olhoft	Spear	
Dahl	Knutson	Peterson, C.C.	Stern	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1994: A bill for an act relating to financial institutions; permitting certain shared appreciation mortgages; providing that the mortgage becomes due and payable upon its sale or transfer; authorizing bank or trust company investment in community welfare projects; amending Minnesota Statutes 1980, Section 48.61, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 47.20, Subdivision 4b.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Davies	Lindgren	Pillsbury	Stumpf
Bang	Dicklich	Luther	Ramstad	Taylor
Belanger	Engler	Merriam	Renneke	Tennessen
Benson	Frank	Moe, R. D.	Rued	Ulland
Berg	Frederick	Olhoft	Schmitz	Vega
Berglin	Frederickson	Pehler	Sieloff	Waldorf
Bernhagen	Humphrey	Peterson,C.C.	Solon	Wegener
Bertram	Kamrath	Peterson,D.L.	Spear	Willet
Chmielewski	Kronebusch	Peterson,R.W.	Stern	
Dahl	Lantry	Petty	Stokowski	

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1499: A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; proposing new law coded in Minnesota Statutes, Chapter 168.

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

Osthoff, Hokanson and Peterson, D.

Senate File No. 1499 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1965: A bill for an act relating to the environment; amending various provisions of the waste management act; authorizing the commissioner of administration to acquire certain development rights; defining terms for purposes of the resource recovery program; prohibiting the waste management board from certifying the use of facilities for disposal of radioactive waste; stating various policies and requirements relating to solid and hazardous waste plans and facility permits; prescribing standards, procedures, approvals, and supervision relating to designations of resource recovery facilities; requiring the board to place its highest priority on alternatives to land disposal of hazardous waste; allowing the removal of the moratorium on development at certain sites; directing a study of solid waste utilization in the St. Cloud area; appropriating money; amending Minnesota Statutes 1980, Sections 115A.08, by adding a subdivision; 115A.15, Subdivisions 2, 6, and by adding a subdivision; 115A.42; 115A.46; 115A.62; 115A.69, Subdivision 10; 115A.70, Subdivisions 1, 2, and 3; 116.07, Subdivision 4b; 400.16; 400.162; 473.149, Subdivision 1; 473.153, by adding subdivisions; 473.802; 473.803, Subdivision 1, and by adding a subdivision; 473.811, Subdivision 7, and by adding a subdivision; 473.823, Subdivision 3; 473.827, Subdivision 1, and by adding a subdivision; 473.831, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 115A.06, Subdivisions 4 and 13; 115A.11, Subdivision 1; 115A.21, Subdivision 3; 115A.24, Subdivision 1, and by adding a subdivision; 473.803, Subdivision 1a; and 473.831, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 115A; repealing Minnesota Statutes 1980, Section 473.827, Subdivisions 2, 3, 4, 5, and 6.

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

Long, Dahlvang and Rees.

Senate File No. 1965 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 1550: A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Anderson, I.; Brinkman and Evans have been appointed as such committee on the part of the House.

House File No. 1550 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Lessard moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1550, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

Pursuant to Joint Rule 3.02, the Conference Committee on H.F. No. 356 was discharged after adjournment May 18, 1981 and the bill was laid on the table.

H.F. No. 356: A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties; proposing new law coded in Minnesota Statutes 1980, Chapter 609.

I have the honor to announce that on March 12, 1982, H.F. No. 356 was taken from the table and new House conferees were appointed.

Kahn, Vanasek and Laidig have been appointed as such committee on the part of the House.

House File No. 356 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Luther moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 356, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 2190: A bill for an act relating to education; changing the requirements for membership on the higher education coordinating board; allowing the regional management information centers to be considered governmental units for purposes of the joint powers law; requiring the approval of a plan for spending federal education block grant funds for state administrative purposes; allowing the immigration history research center to use donated services or donated property to meet its matching requirements; broadening the planning

process relating to declining enrollments in higher education; repealing mandates; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; 471.59, by adding a subdivision; Laws 1981, Chapter 359, Section 2, Subdivision 8; and Section 9, Subdivision 12; Third Special Session Chapter 2, Article I, Section 6, Subdivision 1; repealing Minnesota Statutes, Sections 120.17, Subdivision 10; and 121.12.

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

Sieben, M.; Samuelson; Kahn; Carlson, L. and Forsythe have been appointed as such committee on the part of the House.

House File No. 2190 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Willet moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2190, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 1885: A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Brandl, Wynia and Onnen have been appointed as such committee on the part of the House.

House File No. 1885 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Moe, R.D., for Mr. Sikorski, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1885, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Knoll moved that the following members be excused for a Conference Committee on S.F. No. 1964:

Messrs. Knoll, Spear, Nelson, Pillsbury and Moe, D.M. The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 588: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; revising certain restrictions on highway bonds.

Senate File No. 588 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Schmitz moved that the Senate concur in the amendments by the House to S.F. No. 588 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 588 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 51 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Penny	Stokowski
Bang	Dicklich	Kronebusch	Peterson,C.C.	Stumpf
Belanger	Engler	Lantry	Peterson,D.L.	Taylor
Benson	Frank	Lessard	Petty	Tennessen
Berg	Frederick	Lindgren	Pillsbury	Ulland
Berglin	Frederickson	Luther	Ramstad	Vega
Bernhagen	Hughes	Merriam	Renneke	Waldorf
Bertram	Humphrey	Moe, R. D.	Schmitz	
Brataas	Kamrath	Nelson	Setzepfandt	
Chmielewski	Knoll	Olhoft	Sieloff	
Dahl	Knutson	Pehler	Solon	

Mr. Davies voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1765: A bill for an act relating to game and fish; removing the restriction upon issuance of wild turkey licenses; amending Minnesota Statutes 1980, Section 100.271, Subdivision 3a.

Senate File No. 1765 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Engler moved that the Senate concur in the amendments by the House to S.F. No. 1765 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1765: A bill for an act relating to game and fish; removing the restriction upon issuance of wild turkey licenses; amending Minnesota Statutes 1980, Section 100.271, Subdivision 3a; and Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 98.

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

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

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

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Olhoft	Sieloff
Bang	Engler	Kronebusch	Pehler	Solon
Belanger	Frank	Langseth	Penny	Stokowski
Benson	Frederick	Lantry	Peterson,C.C.	Stumpf
Berg	Frederickson	Lessard	Peterson,D.L.	Tennessen
Bernhagen	Hughes	Lindgren	Petty	Ulland
Bertram	Humphrey	Luther	Pillsbury	Vega
Chmielewski	Kamrath	Merriam	Purfeerst	Waldorf
Dahl	Knoll	Moe, D. M.	Ramstad	Willet
Davies	Knutson	Moe, R. D.	Schmitz	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1948: A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.

Senate File No. 1948 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12,1982

Mr. Luther moved that the Senate do not concur in the amendments by the House to S. F. No. 1948, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe,

R.D. moved that the Senate revert to the Order of Business of Reports of Committees. The motion prevailed.

REPORTS OF COMMITTEES

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

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

H.F. No. 1220: A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.

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

Delete everything after the enacting clause and insert:

"ARTICLE I

Section 1. Minnesota Statutes 1980, Section 62A.10, Subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] Group accident and health insurance is hereby declared to be that form of accident and health insurance covering not less than two employees nor less than ten members, and which may include the employee's or member's dependents, consisting of husband, wife, children, and actual dependents residing in the household, written under a master policy issued to any governmental corporation, unit, agency, or department thereof, or to any corporation, copartnership, individual, employer, or to any association having a constitution or bylaws and formed in good faith for purposes other than that of obtaining insurance under the provisions of this chapter, where officers, members, employees, or classes or divisions thereof, may be insured for their individual benefit.

Any insurer authorized to write accident and health insurance in this state shall have power to issue group accident and health policies.

If an employee and his dependents are insured under a group policy, as the result of employment eligibility for insurance, eligibility for coverage shall not be terminated if the employee ceases to be employed as a result of a personal injury as defined in section 176.011, subdivision 16.

Sec. 2. Minnesota Statutes 1980, Section 62C.14, is amended by adding a subdivision to read:

Subd. 16. No subscriber's individual contract or any group contract shall terminate an individual's or the individual's dependent's eligibility for coverage because the individual is no longer employed as the result of a personal injury as defined in section 176.011, subdivision 16.

Sec. 3. Minnesota Statutes 1980, Section 62D.10, is amended by adding a subdivision to read:

Subd. 5. No health plan shall terminate eligibility for coverage of an enrol-

lee or his dependents because the enrollee is no longer employed as the result of a personal injury as defined in section 176.011, subdivision 16.

Sec. 4. [79.212] [INSURERS TO OFFER DEDUCTIBLES.]

Each insurer licensed to transact workers compensation pursuant to section 60A.06, subdivision 1, clause (5), paragraph (b), shall offer workers' compensation policies which employers may purchase at a lower premium than the premium which would result from use of the schedule of rates approved by the commissioner. These policies shall contain a deductible which specifies the amount of benefits payable by the employer on each occurrence which results in personal injury.

These policies shall require the insurer to pay all benefits due under the policy. The employer shall deposit the amount of the deductible with the insurer at the inception of the policy period. The insurer shall pay all losses when due utilizing the amounts deposited as specified by the deductible in the policy. The insurer may require the employer to deposit additional funds if the deposited funds are depleted. Each policy shall clearly state the maximum total liability of the employer under the deductible for the policy period.

All interest income earned on the funds deposited with the insurer by the employer shall be credited to the employer. The policy shall provide that funds deposited by the employer, together with the credited interest income, which are not expected to be paid out by the insurer due to claims incurred during the policy period shall be returned to the employer or credited to the next policy period.

The minimum deductible that shall be required is $1,000 per occurrence and $5,000 total liability per year.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 79.25, Subdivision 1, is amended to read:

Subdivision 1. When any rejected risk is called to its attention and it appears that the risk is in good faith entitled to coverage the commissioner of insurance shall fix the initial premium therefor and may fix an additional charge to compensate the agent of record for his services and, upon its payment, the commissioner of insurance shall enter into a service contract with one or more qualified ~~members of the association~~ *insurance companies*, or qualified group self-insurance administrators licensed pursuant to section 176.181, subdivision 2, clause (2)(a), whose duty it shall be to issue a policy, or a group self-insurance administration contract, containing the usual and customary provisions found in such policies or contracts therefor, but for which undertaking all ~~members of the association~~ *insurers licensed pursuant to section 60A.06, subdivision 1, clause (5)(b)* shall be reinsurers as among themselves in the amount which the compensation insurance written in this state during the preceding calendar year by that ~~member~~ *insurer* bears to the total compensation insurance written in this state during the preceding year by all the ~~members of the association~~ *licensed insurers*. The assigned risk plan shall be treated as a group self-insurer member of the reinsurance association for the purposes of sections 79.34 to 79.40 and shall be deemed to have selected the higher retention limit provided in section 79.34, subdivision 2. A qualified ~~member~~ *insurer* or group self-insurance administrator shall possess sufficient financial, professional, administrative and personnel resources to serve the policies or

self-insurance contracts contemplated in the service contract.

Policies and contracts of coverage issued pursuant to this subdivision shall be deemed to meet the mandatory insurance requirements of section 176.181, subdivision 2.

Sec. 6. Minnesota Statutes 1980, Section 79.25, is amended by adding a subdivision to read:

Subd. 3. [ANNUAL ASSESSMENT.] *The commissioner shall annually assess from each insurer licensed pursuant to section 60A.06, subdivision 1, clause (5)(b), an amount sufficient to fully fund the obligations of the assigned risk plan. The assessment of each insurer shall be in an amount that the compensation insurance written in this state by that insurer during the preceding calendar year bears to the total compensation insurance written in this state by all licensed insurers during the preceding calendar year.*

Sec. 7. Minnesota Statutes 1981 Supplement, Section 79.34, Subdivision 2, is amended to read:

Subd. 2. The reinsurance association shall provide and each member shall accept indemnification for 100 percent of the amount of ultimate loss sustained in each loss occurrence relating to one or more claims arising out of a single compensable event, including aggregate losses related to a single event or occurrence which constitutes a single loss occurrence, under chapter 176 on and after October 1, 1979, in excess of $300,000 or $100,000 retention limit, at the option of the member. In case of occupational disease causing disablement on and after October 1, 1979, each person suffering such disablement shall be considered to be involved in a separate loss occurrence. ~~The lesser retention limit shall be increased to the nearest $10,000, on January 1, 1982 and on each January 1 thereafter by the percentage increase in the statewide average weekly wage, as determined in accordance with section 176.011, subdivision 20. On January 1, 1982 and on each January 1 thereafter, the greater retention limit shall be increased by the amount necessary to retain a $200,000 difference between the two retention limits.~~ *Any increase in the retention limits which have occurred since October 1, 1979, is hereby revoked.* Ultimate loss as used in this section means the actual loss amount which a member is obligated to pay and which is paid by the member for workers' compensation benefits payable under chapter 176 and shall not include claim expenses, assessments, damages or penalties. A loss is incurred by the reinsurance association on the date on which the accident or other compensable event giving rise to the loss occurs, and a member is liable for a loss up to its retention limit in effect at the time that the loss was incurred, except that members which are determined by the reinsurance association to be controlled by or under common control with another member, and which are liable for claims from one or more employees entitled to compensation for a single compensable event, including aggregate losses relating to a single loss occurrence, may aggregate their losses and obtain indemnification from the reinsurance association for the aggregate losses in excess of the higher retention limit in effect at the time the loss was incurred. Each member is liable for payment of its ultimate loss and shall be entitled to indemnification from the reinsurance association for the ultimate loss in excess of the member's retention limit in effect at the time of the loss occurrence.

A member that chooses the higher retention limit shall retain the liability for

all losses below the higher retention limit itself and shall not transfer the liability to any other entity or reinsure or otherwise contract for reimbursement or indemnification for losses below its retention limit, except in the following cases: (a) when the reinsurance or contract is with another member which, directly or indirectly, through one or more intermediaries, control or are controlled by or are under common control with the member; (b) when the reinsurance or contract provides for reimbursement or indemnification of a member if and only if the total of all claims which the member pays or incurs, but which are not reimbursable or subject to indemnification by the reinsurance association for a given period of time, exceeds a dollar value or percentage of premium written or earned and stated in the reinsurance agreement or contract; (c) when the reinsurance or contract is a pooling arrangement with other insurers where liability of the member to pay claims pursuant to chapter 176 is incidental to participation in the pool and not as a result of providing workers' compensation insurance to employers on a direct basis under chapter 176; (d) when the reinsurance or contract is limited to all the claims of a specific insured of a member which are reimbursed or indemnified by a reinsurer which, directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with the insured of the member so long as any subsequent contract or reinsurance of the reinsurer relating to the claims of the insured of a member is not inconsistent with the bases of exception provided under clauses (a), (b) and (c) above; or (e) when the reinsurance or contract is limited to all claims of a specific self-insurer member which are reimbursed or indemnified by a reinsurer which, directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with the self-insurer member so long as any subsequent contract or reinsurance of the reinsurer relating to the claims of the self-insurer member are not inconsistent with the bases for exception provided under clauses (a), (b) and (c) above.

Whenever it appears to the commissioner that any member that chooses the higher retention limit has participated in the transfer of liability to any other entity or reinsured or otherwise contracted for reimbursement or indemnification of losses below its retention limit in a manner inconsistent with the bases for exception provided under clauses (a), (b), (c), (d), and (e), the commissioner may, after giving notice and an opportunity to be heard, order the member to pay to the state of Minnesota an amount not to exceed twice the difference between the reinsurance premium for the higher and lower retention limit applicable to the member for each year in which the prohibited reinsurance or contract was in effect. Any member subject to this penalty provision shall continue to be bound by its selection of the higher retention limit for purposes of membership in the reinsurance association.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 79.63, Subdivision 1, is amended to read:

Subdivision 1. [ADMINISTRATION.] The commissioner shall ~~appoint~~ *contract with* a licensed data service organization to ~~administer~~ *make assignments, gather data, collect assessments, and perform other services for* the assigned risk plan. ~~The appointed data service organization shall submit to the commissioner for approval a plan and rules for administering the assigned risk plan, including a method or formula by which the organization is to be paid for administrative services.~~

Sec. 9. Minnesota Statutes 1981 Supplement, Section 79.63, Subdivision 2, is amended to read:

Subd. 2. [REJECTION; NOTICE.] An insurer that refuses to write insurance for an applicant shall furnish the applicant a written notice of refusal and shall file a copy of the notice of refusal with the data service organization ~~appointed~~ *contracted with* pursuant to subdivision 1. ~~Servicing insurers designated pursuant to subdivision 3 shall accept and insure any applicant for workers' compensation insurance assigned pursuant to subdivision 3.~~

Sec. 10. Minnesota Statutes 1981 Supplement, Section 79.63, Subdivision 4, is amended to read:

Subd. 4. [PENALTY.] The commissioner may revoke the license of an insurer or agent for refusing or failing to provide an applicant with written refusal pursuant to subdivision 2 or for any other violation of this section or of the approved rules ~~of a data service organization~~ *concerning the assigned risk plan*.

Sec. 11. Minnesota Statutes 1980, Section 147.20, is amended to read:

147.20 [RESIDENT PHYSICIANS.]

No person shall act as a resident physician without first obtaining such temporary certificate for graduate training and any violation of this section shall be a gross misdemeanor; provided, however, that the provisions of this section shall not apply to a doctor of medicine or doctor of osteopathy duly licensed and registered in this state to practice medicine in all of its branches, nor to a doctor of medicine duly enrolled and regularly attending the graduate school *or post graduate program of the medical school* of the University of Minnesota including the Mayo foundation.

Sec. 12. Minnesota Statutes 1980, Section 176.011, Subdivision 3, is amended to read:

Subd. 3. [~~DAILY~~ *WEEKLY* WAGE.] "~~Daily~~ *Weekly* wage" means the ~~daily~~ *weekly* wage of the employee in the employment in which he was engaged at the time of injury but does not include tips and gratuities paid directly to an employee by a customer of the employer and not accounted for by the employee to the employer. *Occasional overtime is not to be considered, but if the overtime is regular or frequent throughout the year, it shall be taken into consideration.* If the amount of the ~~daily~~ *weekly* wage received or to be received by the employee in the employment in which he was engaged at the time of injury was irregular or difficult to determine, or if the employment was part time, the ~~daily~~ *weekly* wage shall be computed by dividing the total amount the employee actually earned in such employment in the last 26 weeks, by the total number of ~~days~~ *weeks* in which the employee actually performed any of the duties of such employment, provided further, that in the case of the construction industry, mining industry, or other industry where the hours of work are affected by seasonal conditions, ~~the weekly wage shall not be less than five times the daily wage~~ *weeks where the employee worked less than the lesser of 40 hours or the normal number of hours worked in a week shall not be included in weeks worked*. Where board or allowances other than tips and gratuities are made to an employee in addition to wages as a part of the wage contract they are deemed a part of his earnings and computed at their value to the employee. In the case of persons performing services for municipal corporations in the case

of emergency, then the normal working ~~day~~ *week* shall be considered and computed as ~~eight hours~~ *five days*, and in cases where ~~such~~ *the* services are performed gratis or without fixed compensation the ~~daily~~ *weekly* wage of the person injured shall, for the purpose of calculating compensation payable under this chapter, be taken to be the usual going wage paid for similar services in municipalities where ~~such~~ *the* services are performed by paid employees. If, at the time of injury, the employee was regularly employed by two or more employers, the employee's earnings in all such employments shall be included in the computation of ~~daily~~ *weekly* wage.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 176.011, Subdivision 9, is amended to read:

Subd. 9. [EMPLOYEE.] "Employee" means any person who performs services for another for hire; and includes the following:

(1) an alien;

(2) a minor;

(3) a sheriff, deputy sheriff, constable, marshal, policeman, firefighter, a county highway engineer, and a peace officer while engaged in the enforcement of peace or in and about the pursuit or capture of any person charged with or suspected of crime and any person requested or commanded to aid an officer in arresting any person, or in retaking any person who has escaped from lawful custody, or in executing any legal process in which case, for purposes of calculating compensation payable under this chapter, the daily wage of the person requested or commanded to assist an officer or to execute a legal process shall be the prevailing wage for similar services where the services are performed by paid employees;

(4) a county assessor;

(5) an elected or appointed official of the state, or of any county, city, town, school district or governmental subdivision therein but an officer of a political subdivision elected or appointed for a regular term of office or to complete the unexpired portion of any such regular term, shall be included only after the governing body of the political subdivision has adopted an ordinance or resolution to that effect;

(6) an executive officer of a corporation except an officer of a family farm corporation as defined in section 500.24, subdivision 1, clause (c), nor shall it include an executive officer of a closely held corporation who is referred to in section 176.012;

(7) a voluntary uncompensated worker, other than an inmate, rendering services in state institutions under the commissioner of public welfare and state institutions under the commissioner of corrections similar to those of officers and employees of these institutions, and whose services have been accepted or contracted for by the commissioner of public welfare or the commissioner of corrections as authorized by law, shall be employees within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death for similar services in institutions where the services are performed by paid employees;

(8) a voluntary uncompensated worker engaged in peace time in the civil defense program when ordered to training or other duty by the state or any political subdivision thereof, shall be an employee. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death for similar services where the services are performed by paid employees;

(9) a voluntary uncompensated worker participating in a program established by a county welfare board shall be an employee within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid in the county at the time of the injury or death for similar services where the services are performed by paid employees working a normal day and week;

(10) a voluntary uncompensated worker accepted by the commissioner of natural resources who is rendering services as a volunteer pursuant to section 84.089 shall be an employee. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of injury or death for similar services where the services are performed by paid employees;

(11) a member of the military forces, as defined in section 190.05, while in "active service" or "on duty" as defined in section 190.05, when the service or duty is ordered by state authority *and the member is compensated for the service from state funds*. The daily wage of the member for the purpose of calculating compensation payable under this chapter shall be based on the member's usual earnings in civil life. If there is no evidence of previous occupation or earning, the trier of fact shall consider the member's earnings as a member of the military forces;

(12) a voluntary uncompensated worker, accepted by the director of the Minnesota historical society, rendering services as a volunteer, pursuant to chapter 138, shall be an employee. The daily wage of the worker, for the purposes of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of injury or death for similar services where the services are performed by paid employees;

(13) a voluntary uncompensated worker, other than a student, who renders services at the Minnesota school for the deaf or the Minnesota braille and sight-saving school, and whose services have been accepted or contracted for by the state board of education, as authorized by law, shall be an employee within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death for similar services in institutions where the services are performed by paid employees;

(14) a voluntary uncompensated worker, other than a resident of the veterans home, who renders services at a Minnesota veterans home, and whose services have been accepted or contracted for by the commissioner of veterans affairs, as authorized by law, is an employee within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death

for similar services in institutions where the services are performed by paid employees;

(15) a worker who renders in-home attendant care services to a physically handicapped person, and who is paid directly by the commissioner of public welfare for these services, shall be an employee of the state within the meaning of this subdivision, but for no other purpose;

(16) those students enrolled in and regularly attending the medical school of the University of Minnesota, whether in the graduate school program or the post graduate program, as provided in section 147.20, notwithstanding that the students shall not be considered employees for any other purpose. In the event of the student's injury or death, the weekly wage of the student for the purpose of calculating compensation payable under chapter 176, shall be the annualized educational stipend awarded to the student, divided by 52 weeks. The institution in which the student is enrolled shall be considered the "employer" for the limited purpose of determining responsibility for paying benefits payable under chapter 176.

In the event it is difficult to determine the ~~daily~~ *weekly* wage as provided in this subdivision, then the trier of fact may determine the wage upon which the compensation is payable.

Sec. 14. Minnesota Statutes 1980, Section 176.011, Subdivision 9a, is amended to read:

Subd. 9a. [EMPLOYEE.] For purposes of this chapter "employee" does not include farmers or members of their family who exchange work with other farmers in the same community, *nor does it include a person who elects not to be covered under section 176.012.*

Sec. 15. Minnesota Statutes 1980, Section 176.012, is amended to read:

176.012 [ELECTION OF COVERAGE.]

(a) The persons, partnerships and corporations described in this section may elect to provide the insurance coverage required by this chapter.

~~(a)~~ *(1)* An owner or owners of a business or farm may elect coverage for themselves.

~~(b)~~ *(2)* A partnership owning a business or farm may elect coverage for any partner.

~~(c)~~ *(3)* A family farm corporation as defined in section 500.24, subdivision 2, clause (c) may elect coverage for any executive officer.

~~(d)~~ *(4)* A closely held corporation which had less than 22,880 hours of payroll in the previous calendar year may elect coverage for any executive officer if that executive officer is also an owner of at least 25 percent of the stock of the corporation.

(5) The owner of a commercial vehicle as defined in clause (b), who elects not to be covered by this chapter pursuant to clause (b).

The persons, partnerships and corporations described in this section may also elect coverage for an employee who is a spouse, parent or child, regardless of age, of an owner, partner, or executive officer, who is eligible for coverage under this section. Coverage may be elected for a spouse, parent or child

whether or not coverage is elected for the related owner, partner or executive director and whether or not the person, partnership or corporation employs any other person to perform a service for hire. Any person for whom coverage is elected pursuant to this section shall be included within the meaning of the term employee for the purposes of this chapter.

Notice of election of coverage or of termination of election under this section shall be provided in writing to the insurer. Coverage or termination of coverage is effective the day following receipt of notice by the insurer or at a subsequent date if so indicated in the notice. The insurance policy shall be endorsed to indicate the names of those persons for whom coverage has been elected or terminated under this section. An election of coverage under this section shall continue in effect as long as a policy or renewal policy of the same insurer is in effect.

(b) A person who is the owner of a commercial vehicle and leases that vehicle to a person, partnership, or corporation and who is hired by that person, partnership, or corporation to drive the vehicle may elect to be deemed an independent contractor, notwithstanding the provisions of section 176.205, subdivision 3, clause (c), and notwithstanding the fact that the owner of the vehicle works under another person's direction.

An election made pursuant to this clause shall be valid only if there is a signed written agreement between the person who elects not to be covered as an employee and the person, partnership, or corporation who hires that person.

For the purposes of this chapter, a person who elects not to be covered shall be deemed to be an independent contractor and shall be deemed not to be an employee, notwithstanding section 176.011, subdivision 9.

Nothing in this clause shall be construed to limit the application of the remainder of section 176.205.

For the purposes of this clause, "owner" and "commercial vehicle" have the meanings as defined in section 65B.43.

(c) Nothing in this section shall be construed to limit the responsibilities of owners, partnerships or corporations to provide coverage for their employees, if any, as required under this chapter.

Sec. 16. Minnesota Statutes 1981 Supplement, Section 176.021, Subdivision 3, is amended to read:

Subd. 3. [COMPENSATION, COMMENCEMENT OF PAYMENT.] All employers shall commence payment of compensation at the time and in the manner prescribed by this chapter without the necessity of any agreement or any order of the division. Except for medical, burial, and other non-periodic benefits, payments shall be made as nearly as possible at the intervals when the wage was payable, provided, however, that payments for permanent partial disability shall be governed by subdivision 3a. If doubt exists as to the eventual permanent partial disability, payment, pursuant to subdivision 3a, shall be then made when due for the minimum permanent partial disability ascertainable, and further payment shall be made upon any later ascertainment of greater permanent partial disability. At the time of any tender of the lump sum payment, the employee and employer shall be furnished with a copy of the medical report upon which the payment is based, together with a statement by the

insurer as to whether the tendered payment is for minimum permanent partial disability or final and eventual disability. Compensation for permanent partial disability is payable in addition to compensation for ~~temporary~~ total disability, *rehabilitation* and temporary partial disability pursuant to section 176.101, subdivisions 1 and 2, as provided in subdivision 3a. ~~Compensation for permanent partial disability is payable concurrently and in addition to compensation for permanent total disability pursuant to section 176.101, subdivision 5, as provided in subdivision 3a.~~ Compensation for permanent partial disability shall be withheld pending completion of payment for ~~temporary~~ total and temporary partial disability but shall not be withheld ~~pending payment of compensation for permanent total disability, and~~ *when it is determined by a qualified rehabilitation consultant pursuant to section 176.102 that the employee's condition precludes the development of a rehabilitation plan, except that after an employee has received total disability benefits for 104 weeks, not necessarily consecutive, compensation for permanent partial disability shall be paid.* No credit shall be taken for payment of permanent partial disability against liability for ~~temporary total or permanent~~ total disability. Liability on the part of an employer or his insurer for disability of a ~~temporary~~ total~~,~~ *or* temporary partial~~, and permanent total~~ nature shall be considered as a continuing product and part of the employee's inability to earn or reduction in earning capacity due to injury or occupational disease and shall be payable accordingly, subject to subdivision 3a. Permanent partial disability is payable for functional loss of use or impairment of function, permanent in nature, and payment therefore shall be separate, distinct, and in addition to payment for any other compensation, subject to subdivision 3a. The right to receive ~~temporary~~ total, temporary partial, *or* permanent partial ~~or permanent total~~ disability payments shall vest in the injured employee or his dependents under this chapter or, if none, in his legal heirs at the time the disability can be ascertained and the right shall not be abrogated by the employee's death prior to the making of the payment.

Sec. 17. Minnesota Statutes 1981 Supplement, Section 176.021, Subdivision 3a, is amended to read:

Subd. 3a. [PERMANENT PARTIAL BENEFITS, PAYMENT.] Payments for permanent partial disability as provided in section 176.101, subdivision 3, shall be made in the following manner:

(a) If the employee returns to work, payment shall be made by lump sum;

(b) If ~~temporary~~ total *disability* payments have ceased, but the employee has not returned to work, payment shall be made at the same intervals as ~~temporary~~ total *disability* payments were made;

(c) If ~~temporary~~ total disability payments ~~cease because the employee is receiving payments for permanent total disability or because~~ *have not ceased and* the employee is retiring or has retired from the work force, then payment shall be made by lump sum;

(d) If the employee completes a rehabilitation plan pursuant to section 176.102, but the employer does not furnish the employee with work he can do in his permanently partially disabled condition, and the employee is unable to procure such work with another employer, then payment shall be made by lump sum.

Sec. 18. Minnesota Statutes 1980, Section 176.021, is amended by adding a

subdivision to read:

Subd. 3b. [DISPUTE RESOLUTION.] *When the examinations by the employee's physician and the employer's physician produce disability ratings that differ, the employer shall, when it is due, pay the benefit established by the examination conducted by the employer's physician. If there is no settlement and a hearing is held, the compensation judge shall accept one of the two original disability ratings as the appropriate basis for determining permanent partial benefits and shall not accept any other rating. Each dispute shall be resolved by accepting the rating that is closest to the one that would be obtained if an evaluation were conducted in accordance with the standards established in section 37.*

Sec. 19. Minnesota Statutes 1980, Section 176.021, Subdivision 5, is amended to read:

Subd. 5. [ACCUMULATED CREDITS, ADDITIONAL PAYMENTS.] If employees of the state or a county, city or other political subdivision of the state who are entitled to the benefits of the workers' compensation law have, at the time of compensable injury, accumulated credits under a vacation, sick leave or overtime plan or system maintained by the governmental agency by which they are employed, the appointing authority may provide for the payment of additional benefits to such employees from their accumulated vacation, sick leave or overtime credits. Such additional payments to an employee may not exceed the amount of the total sick leave, vacation or overtime credits accumulated by the employee and shall not result in the payment of a total weekly rate of compensation that exceeds the weekly wage of the employee. Such additional payments to any employee shall be charged against the sick leave, vacation and overtime credits accumulated by such employee. *Employees of a county, city or other political subdivision entitled to the benefits of the workers' compensation law may receive additional benefits pursuant to a collective bargaining agreement or other plan entered into or in effect on or after January 1, 1980, providing payments by or on behalf of the employer and these additional benefits may be unrelated to any accumulated sick leave, holiday or overtime credits and need not be charged against any accumulation; provided that the additional payments shall not result in the payment of a total weekly rate of compensation that exceeds the weekly wage of the employee.* The commissioner of the department of labor and industry for the state or the governing body of any county, city or other political subdivision to which the provisions of this chapter apply, may adopt rules and regulations not inconsistent with this chapter for carrying out the provisions hereof relating to payment of additional benefits to employees from accumulated sick leave, vacation ~~or~~, overtime credits *or other sources*.

Sec. 20. Minnesota Statutes 1980, Section 176.041, Subdivision 1, is amended to read:

Subdivision 1. [EMPLOYMENTS EXCLUDED.] This chapter does not apply to persons employed by any common carrier by railroad engaged in interstate or foreign commerce, which persons are covered by the Federal Employers' Liability Act (45 U.S.C. 51-60) or other comparable federal law; persons employed by family farms as defined by section 176.011, subdivision 11a, the spouse, parent and child, regardless of age, of a farmer employer working for him; partners engaged in any farm operation or partners engaged in

a business and the spouse, parent, and child, regardless of age, of any of the partners of the farm operation or business; an executive officer of a family farm corporation; an executive officer of a closely held corporation referred to in section 176.012; any spouse, parent, or child, regardless of age, of an executive officer of a family farm corporation as defined in section 500.24, subdivision 2, employed by that family farm corporation; any spouse, parent, or child, regardless of age, of an executive officer of a closely held corporation referred to in section 176.012; *nor does it include a person who elects not to be covered pursuant to section 176.012, clause (b);* or other farmers or members of their families exchanging work with the farmer employer or family farm corporation operator in the same community, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless the veteran's organizations elect by resolution to provide coverage under this chapter for the officers or members. Neither shall the chapter apply to any person employed as a household worker in, for, or about, a private home or household who earns less than $500 in cash in any three month period from a single private home or household provided that any household worker who has earned $500 or more from his present employer in any three month period within the previous year shall be covered by this chapter regardless of whether or not he has in the present quarter earned $500. This chapter does not apply to those persons employed by a corporation where those persons are related by blood or marriage, within the third degree of kindred according to the rules of civil law, to all of the officers of the corporation, and if the corporation files a written election with the commissioner of labor and industry to have those persons excluded from this chapter. This chapter does not apply to a nonprofit association which does not pay more than $500 in salary or wages in a year.

Sec. 21. Minnesota Statutes 1980, Section 176.101, Subdivision 1, is amended to read:

Subdivision 1. [~~TEMPORARY~~ TOTAL DISABILITY.] For injury producing temporary total disability, 66 2/3 percent of the ~~daily~~ *weekly* wage at the time of injury (1) provided that ~~during the year commencing on October 1, 1979, and each year thereafter, commencing on October 1,~~ the maximum weekly benefits payable shall be *100 percent of* the statewide average weekly wage for the period ending December 31, of the preceding year.

~~(2) The minimum weekly compensation benefits for temporary total disability shall be not less than 50 percent of the statewide average weekly wage or the injured employee's actual weekly wage, whichever is less.~~ In no case shall a weekly benefit be less than 20 percent of the statewide average weekly wage.

This ~~compensation~~ *benefit* shall be ~~paid~~ *payable* during the period of disability, payment to be made at the intervals when the wage was payable, as nearly as may be~~:~~ *, until the injured employee is:*

(1) Medically recovered from the personal injury and able to substantially perform the duties of the preinjury job or a job utilizing similar skills. For the purposes of this clause "substantially perform the duties of the preinjury job" means that an employee is able to meet the minimum standards of output or productivity established for the preinjury job. The employer shall have the

option of altering or reducing these standards to accommodate any temporary or permanent physical limitations of an employee as a means of establishing a job utilizing similar skills. If an employer is unable to offer employment to the employee after the employee has medically recovered and no other employer has offered a job meeting the requirements of this clause, total disability benefits shall be continued until all other workers performing the same job with the employer at the time of injury but who have less seniority than the injured employee have been laid off. If benefits are terminated due to the layoff and the employee is eligible for permanent partial benefits for at least 50 weeks, benefits shall be payable for an additional period of time until either an offer of employment is made to the employee which is consistent with the employee's work experience and which is within the employee's physical capabilities or the time established for the weeks of permanent partial disability shown below has elapsed.

Weeks of Permanent Partial Disability	*Maximum Benefit Period*
50 - 199 weeks	*6 months*
200 weeks or more	*12 months;*

(2) Receiving temporary partial disability benefits; or

(3) Receiving rehabilitation benefits.

Where an employee is totally disabled for part of a week, the benefit shall be equal to the same portion of the weekly benefit as the days of total disability are to the number of days in the employee's normal work week.

Sec. 22. Minnesota Statutes 1980, Section 176.101, Subdivision 2, is amended to read:

Subd. 2. [TEMPORARY PARTIAL DISABILITY.] In all cases of temporary partial disability the compensation shall be 66 2/3 percent of the difference between the ~~daily~~ *weekly* wage of the worker at the time of injury and the wage he is able to earn in his partially disabled condition. This compensation shall be paid during the period of disability *and upon the employee's return to work*, payment to be made at the intervals when the wage was payable, as nearly as may be, and subject to a maximum compensation equal to *100 percent of* the statewide average weekly wage. ~~If the employer does not furnish the worker with work which he can do in his temporary partially disabled condition and he is unable to procure such work with another employer, after reasonably diligent effort, the employee shall be paid at the full compensation rate for his or her temporary total disability.~~

Sec. 23. Minnesota Statutes 1981 Supplement, Section 176.101, Subdivision 3, is amended to read:

Subd. 3. [PERMANENT PARTIAL DISABILITY.] For permanent partial disability compensation shall be ~~that~~ *66 2/3 percent of the weekly wage for the disability and for the weeks* ~~named~~ *listed* in the following schedule, subject to a *total* maximum *weekly* compensation equal to ~~the statewide weekly wage:~~ *$267. The maximum period of compensation shall be 500 weeks.*

(1) For the loss of a thumb, ~~66 2/3 percent of the daily wage at the time of injury during~~ 65 weeks;

(2) For the loss of a first finger, commonly called index finger, ~~66 2/3~~

~~percent of the daily wage at the time of injury during~~ 40 weeks;

(3) For the loss of a second finger, ~~66 2/3 percent of the daily wage at the time of injury during~~ 35 weeks;

(4) For the loss of a third finger, ~~66 2/3 percent of the daily wage at the time of injury during~~ 25 weeks;

(5) For the loss of a fourth finger, commonly called the little finger, ~~66 2/3 percent of the daily wage at the time of injury during~~ 20 weeks;

(6) The loss of the first phalange of the thumb or of any finger, is considered equal to the loss of one-half of the thumb or finger and compensation shall be paid at the prescribed rate during one-half the time specified for the loss of the thumb or finger;

(7) The loss of one and one-half or more phalanges is considered equal to the loss of the entire finger or thumb; but in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand;

(8) For the loss of a great toe, ~~66 2/3 percent of the daily wage at the time of injury during~~ 35 weeks;

(9) For the loss of a toe other than a great toe, ~~66 2/3 percent of the daily wage at the time of injury during~~ 15 weeks;

(10) The loss of the first phalange of any toe is considered equal to the loss of one-half of the toe, and compensation shall be paid at the prescribed rate during one-half the time specified for the loss of the toe;

(11) The loss of one and one-half or more phalanges is considered equal to the loss of the entire toe;

(12) For the loss of a hand, not including the wrist movement, ~~66 2/3 percent of the daily wage at the time of injury during~~ 195 weeks;

(13) For the loss of a hand, including wrist movement, ~~66 2/3 percent of the daily wage at the time of injury during~~ 220 weeks;

(14) For the loss of an arm, ~~66 2/3 percent of the daily wage at the time of injury during~~ 270 weeks;

(15) Amputation of the arm below the elbow is considered the loss of a hand, including wrist movement, if enough of the forearm remains to permit the use of an effective artificial member, otherwise it is considered the loss of an arm;

(16) For the loss of a foot, not including ankle movement, ~~66 2/3 percent of the daily wage at the time of injury during~~ 140 weeks;

(17) For the loss of a foot, including ankle movement, ~~66 2/3 percent of the daily wage at the time of injury during~~ 165 weeks;

(18) For the loss of a leg, if enough of the leg remains to permit the use of an effective artificial member, ~~66 2/3 percent of the daily wage at the time of injury during~~ 195 weeks;

(19) For the loss of a leg so close to the hip that no effective artificial member can be used, ~~66 2/3 percent of the daily wage at the time of injury during~~ 220 weeks;

(20) Amputation of a leg below the knee is considered as equal to the loss of a foot, including ankle movement, if enough of the lower leg remains to permit the use of an effective artificial member, otherwise it is considered as equal to the loss of a leg;

(21) For the loss of an eye, ~~66 2/3 percent of the daily wage at the time of injury during~~ 160 weeks;

(22) For the loss of two eyes, 450 weeks;

~~(22)~~ *(23)* For the complete permanent loss of hearing in one ear, ~~66 2/3 percent of the daily wage at the time of injury during 85~~ *50* weeks;

~~(23)~~ *(24)* For the complete permanent loss of hearing in both ears, ~~66 2/3 percent of the daily wage at the time of injury during 170~~ *200* weeks;

~~(24) For the loss of an eye and a leg, 66 2/3 percent of the daily wage at the time of injury during 475 weeks;~~

~~(25) For the loss of an eye and an arm, 66 2/3 percent of the daily wage at the time of injury during 475 weeks;~~

~~(26) For the loss of an eye and a hand, 66 2/3 percent of the daily wage at the time of injury during 450 weeks;~~

~~(27) For the loss of an eye and a foot, 66 2/3 percent of the daily wage at the time of injury during 400 weeks;~~

~~(28) For the loss of two arms, other than at the shoulder, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(29) For the loss of two hands, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(30) For the loss of two legs, other than so close to the hips that no effective artificial member can be used, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(31) For the loss of two feet, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(32) For the loss of one arm and the other hand, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(33) For the loss of one hand and one foot, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(34) For the loss of one leg and the other foot, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(35) For the loss of one leg and one hand, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(36) For the loss of one arm and one foot, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(37) For the loss of one arm and one leg, 66 2/3 percent of the daily wage at the time of injury during 500 weeks;~~

~~(38)~~ *(25)* For loss of the voice mechanism, ~~66 2/3 percent of the daily wage at the time of injury during~~ 500 weeks;

~~(39)~~ *(26)* For head injuries, 66 2/3 percent of the ~~daily~~ *weekly* wage at the time of injury for that proportion of 500 weeks which is represented by its percentage of the permanent partial disability to the entire body ~~as is determined from competent testimony at a hearing before a compensation judge or as determined by the workers' compensation court of appeals in cases on appeal~~;

~~(40)~~ *(27)* For permanent partial disability resulting from injury to any internal organ ~~until such time as the commissioner of labor and industry shall promulgate a schedule of internal organs and thereafter for internal organs covered by the schedule of internal organs established by the commissioner~~, 66 2/3 percent of the ~~daily~~ *weekly* wage at time of injury for that proportion of 500 weeks, not to exceed 500 weeks~~, as determined by the commissioner~~, which is the proportionate amount of permanent partial disability caused to the entire body by the injury ~~as is determined from competent testimony at a hearing before a compensation judge or the workers' compensation court of appeals~~;

~~(41)~~ *(28)* For disfigurement or scarring not resulting from the loss of a member or other injury specifically compensated, affecting the employability or advancement opportunity of the injured person in the employment in which he was injured or other employment for which the employee is then qualified or for which the employee has become qualified, 66 2/3 percent of the ~~daily~~ *weekly* wage at the time of injury ~~during the period the parties agree to or the compensation judge or the workers' compensation court of appeals in cases on appeal determines~~, not exceeding 90 weeks;

~~(42)~~ *(29)* For permanent partial disability resulting from injury to the back, 66 2/3 percent of the daily wage at the time of injury for that proportion of 350 weeks which is represented by the percentage of the permanent partial disability ~~as is determined from competent testimony at a hearing before a compensation judge, the commissioner, or the workers' compensation court of appeals~~;

~~(43) When an employee sustains concurrent injuries resulting in concurrent disabilities he shall receive compensation only for the injury which entitled him to the largest amount of compensation, but this does not affect liability for disfigurement affecting the employability of the injured person or liability for the concurrent loss of more than one member, for which members compensations are provided in the specific schedule and in subdivision 5;~~

~~(44)~~ *(30)* In all cases of permanent partial disability it is considered that the permanent loss of the use of a member is equivalent to and draws the same compensation as the loss of that member, but the compensation in and by this schedule provided shall be in lieu of all other compensation in these cases, except as otherwise provided by this section;

In the event a worker has been awarded or is entitled to receive compensation for loss of use of a member under any workers' compensation law, and thereafter sustains loss of the member under circumstances entitling him to compensation therefor under this subdivision, the amount of compensation awarded, or that he is entitled to receive, for the loss of use, is to be deducted from the compensation due under the schedules of this section for the loss of the member, provided, that the amount of compensation due for the loss of the member caused by the subsequent accident is in no case less than 25 percent of the compensation payable under the schedule of this section for the loss of the member;

~~(45) In cases of permanent partial disability due to injury to a member, resulting in less than total loss of the member, not otherwise compensated in this schedule, compensation shall be paid at the prescribed rate during that part of the time specified in the schedule for the total loss of the member which the extent of the injury to the member bears to its total loss;~~

~~(46) In cases of permanent partial disability caused by simultaneous injury to two or more members, the applicable schedules in this subdivision shall be increased by 15 percent. This clause shall not apply when the injuries are compensated under paragraphs 22 to 37 inclusive, of this subdivision. In cases of partial disability due to injury to both eyes resulting in less than total loss of vision in one or both eyes compensation shall be paid at the prescribed rate during that part of 450 weeks which the extent of the combined injury to both eyes bears to the complete loss of industrial vision;~~

~~(47) The commissioner may make or revise rules for the determination of the extent of the impairment of the industrial use of one or both eyes taking into account all primary coordinate factors of vision. These rules shall be made or revised after consultation with experts on industrial vision and after public notice to and hearing of interested parties;~~

~~(48)~~ *(31)* For permanent partial disability resulting from injury to the body as a whole due to burns, 66 2/3 percent of the ~~daily~~ *weekly* wage at the time of injury, for that proportion of 350 weeks which is represented by the percentage of the permanent partial disability ~~as is determined from competent testimony at a hearing before a compensation judge or as determined by the workers' compensation court of appeals in cases on appeal, the compensation to be paid in addition to the compensation as employee would otherwise be entitled to for loss of use of a member in accordance with this section~~;

~~(49)~~ *(32)* In all cases of permanent partial disability not enumerated in this schedule the compensation shall be 66 2/3 percent of ~~the difference between~~ the ~~daily~~ *weekly* wage of the worker at the time of the injury ~~and the daily wage he is able to earn in his partially disabled condition, subject to a maximum equal to the statewide average weekly wage, and continue during disability~~, not to exceed 350 weeks; ~~and if the employer does not furnish the worker with work which he can do in his permanently partially disabled condition and he is unable to secure such work with another employer after a reasonably diligent effort, the employee shall be paid at his or her maximum rate of compensation for total disability.~~

(33) In cases of permanent partial disability due to injury to a member, resulting in less than total loss of the member, not otherwise compensated in this schedule, compensation shall be paid at the prescribed rate during that part of the time specified in the schedule for the total loss of the member which the extent of the injury to the member bears to its total loss.

Sec. 24. Minnesota Statutes 1980, Section 176.101, Subdivision 5, is amended to read:

Subd. 5. [TOTAL DISABILITY.] The total and permanent loss of the sight of both eyes, the loss of both arms at the shoulder, the loss of both legs so close to the hips that no effective artificial members can be used, complete and permanent paralysis, total and permanent loss of mental faculties, or any other injury which ~~totally~~ incapacitates the employee from working at ~~an~~ *the same or*

a similar occupation which brings ~~him~~ *the employee* an income constitutes total disability.

Sec. 25. Minnesota Statutes 1980, Section 176.101, is amended by adding subdivisions to read:

Subd. 7. [HEALTH INSURANCE COVERAGE.] *If at the time of injury the employee or the employee and his or her dependents are covered under an accident and health insurance policy, or a contract issued pursuant to chapter 62C, 62D, or any plan defined in section 62E.02, subdivision 22, for which the employer paid premiums or contributions, the employee and applicable dependents shall be entitled to coverage under that plan or policy, during the period for which total disability benefits are paid pursuant to subdivisions 1 or 4, for up to one year after the time of injury, provided the employee continues to pay any share of the premium which was payable by the employee prior to the injury.*

Subd. 8. [SOCIAL SECURITY OFFSET.] *Benefits from any government disability program, or any old age benefits program for which the employee is eligible shall reduce benefits otherwise payable under subdivision 1 provided, however, that the offset shall be applied only to the extent that the government benefits will fully replace the amount of the reduction in the benefits payable under subdivision 1. If an employee may be eligible for these benefits but has not made application, then the employer shall notify the employee of the possible eligibility and if no application has been made within 30 days of the notice, the payment of benefits under this chapter shall be interrupted until application is made. These benefits shall be paid in full after the application has been made.*

Sec. 26. Minnesota Statutes 1980, Section 176.102, Subdivision 1, is amended to read:

Subdivision 1. [SCOPE.] ~~Vocational~~ Rehabilitation ~~shall train an~~ *is intended to restore the injured* employee, *through physical and vocational rehabilitation,* so he may ~~be returned~~ *return* to ~~a job related to his former employment or to a job in another work area which produces an economic status as close as possible to that he would have enjoyed without disability~~ *suitable gainful employment.* ~~Rehabilitation to a job with a higher economic status than would have occurred without disability is permitted if it can be demonstrated that this rehabilitation is necessary to increase the likelihood of reemployment. Economic status is to be measured not only by opportunity for immediate income but also by opportunity for future income.~~

"Suitable gainful employment" for the purposes of this section is employment that is reasonably obtainable and offers an opportunity to restore the injured employee as soon as possible and as nearly as possible to a job related to his former employment or to a job in another work field in which he could produce earnings as close as possible to those he received at the time of the personal injury.

Rehabilitation for employment which may produce earnings greater than those the employee received at the time of personal injury is permitted if it can be demonstrated that this rehabilitation is necessary for re-employment. Consideration shall be given to the employee's qualifications including but not limited to age, education, previous work history, interest, and transferable

skills.

Sec. 27. Minnesota Statutes 1980, Section 176.102, is amended by adding a subdivision to read:

Subd. 1b. [REHABILITATION PRIORITIES.] *The following priorities are established for use in exploring alternative rehabilitation plans. No higher numbered priority shall be utilized unless all lower numbered priorities have been determined by the qualified rehabilitation consultant to be unlikely to result in returning the employee to suitable gainful employment; provided, if a lower numbered priority is clearly inappropriate for the employee, the next higher numbered priority shall be utilized. If the employer has indicated that no job will be available for the injured employee, priorities one and two shall not be utilized.*

Priority 1 is modification of the previous job with the same employer, including a transitional return to work.

Priority 2 is a new job with the same employer in keeping with any limitations or restrictions of the employee.

Priority 3 is modification of the previous job with a new employer.

Priority 4 is a new job with a new employer as a result of direct job placement based upon transferable skills.

Priority 5 is a new job with a new employer involving on-the-job training.

Priority 6 is retraining and job placement consistent with the purposes of rehabilitation.

Sec. 28. Minnesota Statutes 1980, Section 176.102, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATORS.] The commissioner ~~of labor and industry~~ shall hire a director of *medical and* rehabilitation services in the classified service. The commissioner ~~of labor and industry~~ is responsible for supervising *medical and* rehabilitation services, including the selection and delivery of services. The commissioner ~~of labor and industry~~ may hire qualified personnel to assist in ~~his~~ *these* duties ~~under this section~~ and may delegate ~~his~~ *those* duties and performance.

Sec. 29. Minnesota Statutes 1980, Section 176.102, Subdivision 3, is amended to read:

Subd. 3. [REVIEW PANEL.] There is created a rehabilitation review panel composed of the commissioner ~~of labor and industry~~ or ~~his~~ *a* designee, who shall serve as an ex officio member and two members each from labor, employers, insurers, vocational rehabilitation, and medicine and one member representing chiropractors. The members shall be appointed by the governor and shall serve ~~four year~~ *four-year* terms which may be renewed. Compensation for members shall be governed by section 15.0575. The panel shall select a chairman. The panel shall ~~(a)~~ review and make a determination with respect to *(a)* appeals regarding rehabilitation plans *and benefits*; *and* (b) ~~hold~~ *appeals regarding certification approval or* revocation ~~of certification approval hearings; (c)~~. *The panel shall* continuously study *medical and* rehabilitation *services and delivery*; and ~~(d)~~ *develop and* recommend *medical and* rehabilitation rules ~~as necessary~~ to the commissioner ~~of labor and industry~~. A majority vote

of those attending a panel hearing under subdivision 6 shall constitute the decision of the board.

Sec. 30. Minnesota Statutes 1980, Section 176.102, Subdivision 4, is amended to read:

Subd. 4. [REHABILITATION PLAN; DEVELOPMENT.] (*a*) Within ~~30~~ *15* days of the time an employer or his insurer has medical information that an employee is unable due to a personal injury or occupational disease to return to his preinjury occupation ~~the employer shall provide rehabilitation consultation for the employee. The employee, however, has the final decision on which rehabilitation agency is to be utilized pursuant to the provisions of this section. The consultation shall be done by any person or public or private institution approved by the commissioner of labor and industry. If the consultant determines rehabilitation would significantly reduce or eliminate the decrease in employability, the employer or insurer in conjunction with the rehabilitation consultant shall submit a specific plan of rehabilitation to the commissioner. If the employer does not provide rehabilitation consultation, when required by this section, within the time specified by this subdivision, the commissioner of labor and industry shall notify the employer and insurer that should they fail to provide rehabilitation consultation within 15 days from the receipt of the commissioner's notice, the division of vocational rehabilitation shall be authorized to provide the rehabilitation consultation for the employee. If the employee refuses to submit to any reasonable examinations and evaluative procedures to determine the need for and the details of a plan of rehabilitation, the amount of compensation may be reduced or the right to compensation may be suspended by an order of the division or workers' compensation court of appeals in a matter before it. In developing a plan, consideration shall be given to the employee's age, education, previous work history, interests and skills.~~ , *or in any event, if within 90 days after the personal injury the employee has not returned to work, the employer shall refer the employee to a qualified rehabilitation consultant for a determination of whether rehabilitation is necessary to carry out the purposes of this section. If the employer knows, or in any case as soon as possible, the employer shall inform the employee, the insurer, the qualified rehabilitation consultant, and the division that no job will be available. If rehabilitation is determined to be necessary, the employee and employer shall enter into a program as prescribed in a rehabilitation plan. A copy of the plan, including a target date for return to work, shall be submitted to the department of labor and industry. If, within 30 days of the first consultation with a qualified rehabilitation consultant, the employee objects to the employer's selection of that qualified rehabilitation consultant, the employee must notify the employer and the commissioner in writing of his objection.*

Upon receipt of the notice of objection, the commissioner shall schedule an administrative conference for the purpose of determining which qualified rehabilitation counselor may be mutually acceptable. The employee, however, has the final decision on which qualified rehabilitation consultant is to be utilized.

(b) If the employer does not provide rehabilitation evaluation as required by this section within 75 days from the date of injury, the commissioner shall notify the employer that if the employer fails to appoint a qualified rehabilitation consultant within 15 days to conduct a rehabilitation evaluation, the commissioner shall appoint a qualified rehabilitation consultant to provide the

evaluation at the expense of the employer unless the commissioner determines the evaluation is not required. The commissioner may assess a penalty of up to $5,000, to be paid to the special compensation fund by any employer if the commissioner has appointed a qualified rehabilitation consultant and return to work has not been accomplished within 180 days, subject to the limitations in clause (c) below.

(c) If the employee's condition does not permit determination of the employee's need for rehabilitation or a rehabilitation plan cannot be developed within 90 days after the injury, a further rehabilitation evaluation by a qualified rehabilitation consultant is required six months following the date of injury. If the employee's condition still precludes development of a rehabilitation plan at this time, a further evaluation by a qualified rehabilitation consultant shall be conducted in six months and then at yearly intervals as long as no rehabilitation plan has been developed. The commissioner may waive further mandatory evaluations after the second evaluation if he determines in a case that evaluations are not likely to accomplish the purposes of this subdivision. If after two years from the date of injury a rehabilitation plan has not been developed, the employer may determine the time of a subsequent evaluation. Those evaluations shall not occur more frequently than once per year and are not mandatory for the employee, unless directed by the commissioner.

Sec. 31. Minnesota Statutes 1980, Section 176.102, Subdivision 5, is amended to read:

Subd. 5. [ON THE JOB TRAINING.] ~~On the job training is to be given consideration in developing a rehabilitation plan especially where it would produce an economic status similar to that enjoyed prior to disability.~~ When a rehabilitation plan includes on the job training, the employee shall receive compensation while employed in an amount equal to the after tax wage the employee received at the time of the personal injury. ~~This compensation shall be paid in whole or in part by the insurer liable for compensation for the employee's personal injury. The amount of compensation to be paid by this insurer shall be determined in the rehabilitation plan prepared pursuant to this section. Any difference between the amount of compensation the insurer is paying and the after tax wage the employee received at the time of the personal injury shall be paid by the on the job employer, but in no case shall this employer's amount exceed the prevailing wage for the job.~~ After tax wage shall be determined by subtracting federal and state income tax from the employee's gross wage.

A rehabilitation plan which includes on the job training shall ~~attempt to~~ create an incentive for an *on the job training* employer to hire the employee for on the job training. This incentive ~~may~~ *shall* be in the form of reducing the ~~on the job training employer's~~ wages paid to the employee *by the on the job training employer* to a level which is *80 percent or* less than the prevailing wage for the job, provided that the total compensation from the insurer, required by this section, and the wages paid by the on the job training employer is not less than the after tax wage received by the employee at the time of the personal injury. ~~The compensation from the insurer and the on the job training employer paid pursuant to this subdivision is in lieu of temporary total disability payments and the additional compensation provided in subdivision 11.~~ *The difference between the after tax wage from the preinjury job and the wage from the on the job training shall be paid by the employer liable for compensation for*

the employee's injury but it shall not exceed 100 percent of the statewide average weekly wage at the time of injury. The compensation from the liable employer and the on the job training employer paid according to this subdivision is in lieu of other benefits required to be paid by subdivision 11.

Sec. 32. Minnesota Statutes 1980, Section 176.102, Subdivision 6, is amended to read:

Subd. 6. [PLAN, APPROVAL *AND APPEAL.*] The commissioner ~~of labor and industry~~ shall *review and* approve, *modify* or reject rehabilitation plans *developed under subdivision 4*. ~~Any persons aggrieved by~~ A decision of the commissioner may ~~appeal~~ *be appealed* to the rehabilitation *review* panel within 30 days of the commissioner's decision. The decision of the panel may be appealed to the workers' compensation court of appeals. ~~The panel may approve or reject the decision of the commissioner. If it rejects the commissioner's decision it may formulate its own rehabilitation plan.~~

Sec. 33. Minnesota Statutes 1980, Section 176.102, Subdivision 7, is amended to read:

Subd. 7. [PLAN IMPLEMENTATION; REPORTS.] Upon request by the commissioner, ~~insurer or~~ employer, *or qualified rehabilitation consultant, medical and rehabilitation* reports *of an employee's progress under a plan* shall be made by the provider of the *medical and* rehabilitation service to the commissioner ~~of labor and industry~~, insurer and employer ~~of an employee's progress under a plan~~.

Sec. 34. Minnesota Statutes 1980, Section 176.102, Subdivision 8, is amended to read:

Subd. 8. [PLAN MODIFICATION.] Upon request ~~of~~ *to the commissioner by* the employer, ~~the insurer, or~~ employee ~~to the commissioner~~, *or the qualified rehabilitation consultant*, the plan may be suspended, terminated or altered upon a showing of good cause ~~therefor~~, including:

(a) a physical impairment that does not allow the employee to pursue the ~~vocation being trained for~~ *rehabilitation plan*;

(b) the employee's performance level indicates ~~he cannot complete~~ the plan *will not be* successfully *completed*; or

(c) an employee does not cooperate with a plan.

An employee may request a change in a rehabilitation plan once because he *or she* feels ~~he is not suited~~ *ill-suited* for the type of work for which ~~training~~ *rehabilitation* is being provided if the request is made within 90 days of the start of the plan. Any decision of the commissioner regarding a change in a plan may be appealed to the *rehabilitation review* panel within 15 days of the decision.

Sec. 35. Minnesota Statutes 1980, Section 176.102, Subdivision 9, is amended to read:

Subd. 9. [PLAN, COSTS.] An employer is liable for the following rehabilitation expenses under this section:

(a) Cost of ~~vocational~~ rehabilitation ~~diagnosis~~ *evaluation* and preparation of a plan;

(b) Cost of all rehabilitation services and supplies necessary for implementation of the plan;

(c) Reasonable cost of tuition, books and travel; and, in addition, reasonable costs of board ~~and~~, lodging *and custodial day care* when rehabilitation requires residence away from the employee's customary residence; ~~and~~

(d) Reasonable costs of travel and daycare during the job interview process;

(e) Reasonable cost for moving expenses of the employee and family if a job is found in a geographic area beyond reasonable commuting distance after a diligent search within the present community. Relocation shall not be paid more than once, and relocation shall not be required if the new job is located within the same standard metropolitan statistical area as the employee's job at the time of injury; and

~~(d)~~ *(f)* Any other expense agreed to be paid.

Sec. 36. Minnesota Statutes 1980, Section 176.102, Subdivision 10, is amended to read:

Subd. 10. [REHABILITATION; CONSULTANTS.] The commissioner shall approve rehabilitation consultants who may propose and implement plans if they satisfy rules ~~promulgated~~ *adopted* by the commissioner for rehabilitation consultants. A consultant may be an individual or public or private entity, *but may not be a vendor or the agent of a vendor of rehabilitation services except that any public or private nonprofit health care institution, licensed under section 144.50, or its wholly-owned subsidiary, which prior to the enactment of section 176.102 provided rehabilitation services as well as rehabilitation plan development and monitoring, may continue to provide rehabilitation services to injured workers as a qualified rehabilitation consultant and registered rehabilitation vendor simultaneously. The entities shall be known as qualified vendor/consultants and have all the rights and responsibilities of qualified rehabilitation consultants and registered rehabilitation vendors.*

Sec. 37. Minnesota Statutes 1980, Section 176.102, Subdivision 11, is amended to read:

Subd. 11. [COMPENSATION DURING REHABILITATION.] ~~The insurer or employer shall pay up to 156 weeks of compensation during rehabilitation under a plan in an amount equal to 125 percent of the employee's rate for temporary total disability. This payment is in lieu of payment for temporary total, temporary partial, or permanent total disability to which the employee might otherwise be entitled for this period under this chapter, but shall be considered to be the equivalent of temporary total disability for the purposes of section 176.132. If on the job training is part of the rehabilitation program, the weeks during which the insurer or employer pays compensation pursuant to subdivision 5 shall be subtracted from the 156 weeks of retraining compensation which has been paid, if any, pursuant to this subdivision. This subdivision shall not apply to retraining benefits for which liability has been established prior to July 1, 1979.~~ *The commissioner shall determine eligibility for rehabilitation services and rehabilitation benefits while the employee is participating in a rehabilitation plan. Rehabilitation benefits shall include payment in an amount equal to the employee's benefit for total or temporary partial disability, whichever is appropriate, and shall be in lieu of the compensation for those disabilities. All rehabilitation benefits payable under chapter 176 shall be*

discontinued and forfeited for any time during which the employee refuses to submit to any reasonable examinations and evaluative procedures to determine the need for and details of a plan of rehabilitation, or refuses to participate in rehabilitation evaluation as required by this section or does not make a good faith effort to participate in a rehabilitation plan.

Sec. 38. Minnesota Statutes 1980, Section 176.102, is amended by adding a subdivision to read:

Subd. 11a. [BENEFIT DURATION DURING REHABILITATION.] *Unless the employee has returned to work, benefits during rehabilitation shall continue as provided in subdivision 11 until the sooner of the following:*

(a) The rehabilitation plan has been completed and after 90 days the employer or another employer has offered the injured employee a job which is consistent with the employee's work experience or the skills developed in the rehabilitation plan and which is within the physical capabilities of the employee, at which time benefits shall cease or temporary partial disability benefits shall begin, whichever is appropriate; or

(b) The rehabilitation plan has been completed and 180 days have elapsed at which time benefits shall cease unless the employee is eligible for permanent partial benefits for at least 50 weeks. If the employee is eligible, benefits shall be payable for an additional period of time until either an offer of employment is made to the employee which is consistent with the employee's work experience or the skills developed in the rehabilitation plan and which is within the employee's physical capabilities or the time established for the weeks of permanent partial disability shown below has elapsed.

Weeks of Permanent Partial Disability After Completion of Rehabilitation Plan	*Maximum Benefit Period After Completion of Rehabilitation Plan*
50 - 99 weeks	*6 months*
100 - 199 weeks	*12 months*
200 - 299 weeks	*24 months*
300 weeks or more	*duration of the disability*

Sec. 39. Minnesota Statutes 1980, Section 176.102, Subdivision 12, is amended to read:

Subd. 12. [RULES.] The commissioner shall ~~promulgate~~ *adopt* rules necessary to implement this section including rules relating to qualifications necessary to be an approved rehabilitation consultant *and rules relating to the requirements to be an approved registered vendor of rehabilitation services.*

Sec. 40. [176.1021] [REHABILITATION FUND.]

Subdivision 1. [CREATION.] *The workers' compensation rehabilitation fund is created for the purposes provided in section 176.102.*

Subd. 2. [PAYMENTS.] *On and after July 1, 1983, when an employee is referred to a qualified rehabilitation consultant or to a registered vendor of rehabilitation services, as provided in section 176.102, all fees, costs and expenses for services rendered by a rehabilitation consultant or a vendor shall be paid from the workers' compensation rehabilitation fund.*

Subd. 3. [FINANCING.] *The commissioner shall assess each insurer, self-insurer and group self-insurer in the manner provided by section 176.131, subdivision 10, and in an amount as the commissioner determines is necessary according to the rules adopted pursuant to subdivision 4.*

Sums paid to the commissioner pursuant to this section shall be deposited with the state treasurer for the benefit of the workers' compensation rehabilitation fund and be used to make the payments required in subdivision 2. Any interest or profit accruing from the investment of these sums shall be credited to the workers' compensation rehabilitation fund.

Subd. 4. [RULES.] *Prior to July 1, 1983, the commissioner shall by rule adopt a method for determining the amount of assessment to be made to assure that the fund retains a balance sufficient to meet the obligations imposed on it by this section.*

The commissioner shall also adopt rules relating to the procedures required of qualified rehabilitation consultants and vendors of rehabilitation for claiming and obtaining reimbursement.

Subd. 5. [STATE TREASURER, CUSTODIAN.] *The state treasurer shall be the custodian of the workers' compensation rehabilitation fund and the workers' compensation division, compensation judges, the workers' compensation court of appeals or district court in cases before them shall direct the distribution of the fund, including any refunds of any deposits made by mistake or under circumstances required by justice.*

Sec. 41. [176.103] [ADDITIONAL DISABILITY BENEFIT.]

Subdivision 1. Any employee who, as a result of personal injury, has not returned to employment within two years following the date of the personal injury and is totally disabled shall be eligible to apply to the department of labor and industry for additional benefits if each of the following conditions exist:

(a) The employee has been evaluated for rehabilitation as provided by section 176.102 and the determination has been made and approved by the department that, as a result of the injury, it is highly improbable that the employee can be sufficiently rehabilitated to allow a return to work;

(b) The employee's weekly wage at the time of injury was at a level that did not represent the weekly wage that could be reasonably expected by the employee in the future due to substantial evidence supportive of a likelihood that the employee would not have remained in employment which provided a weekly wage similar to the weekly wage at the time of injury because of a demonstrated commitment to enter an occupation different from the one in which the employee was employed at the time of injury. The burden of proof for establishing this shall be with the employee; and

(c) The employee shall demonstrate substantial financial need.

Subd. 2. An application shall be considered by a workers' compensation judge who shall consider the evidence and determine the employee's eligibility for additional benefits based on the evidence. If the workers' compensation judge determines that the employee is eligible for additional benefits, the judge shall order that an amount shall be paid to the employee from the special compensation fund, subject to the following restrictions:

(a) Any additional benefit ordered shall be paid on a periodic basis so as to coincide with the ongoing benefit paid by the employer and shall commence at a date following the order; and

(b) The total workers' compensation benefit paid to the employee shall not exceed the statewide average weekly wage in effect at the time of injury, subject to the adjustment pursuant to section 176.645.

Sec. 42. Minnesota Statutes 1980, Section 176.105, is amended by adding a subdivision to read:

Subd. 4. The commissioner shall by rule adopt procedures to determine the percentage of a partial loss of function of a part of the body described in section 176.101, subdivision 3.

If permanent rules have not been adopted by January 1, 1984, the American Medical Association's Guides to the Evaluation of Permanent Impairment, published by the American Medical Association and copyrighted in 1977, shall serve as the rules for the percentage of partial loss of function of the scheduled part of the body and shall be effective until permanent rules are adopted.

The rules adopted pursuant to this subdivision shall:

(a) Promote objectivity and consistency in the evaluation of permanent functional impairment due to personal injury and in the assignment of a numerical rating to the functional impairment;

(b) Establish relative values of the various partial disabilities with the maximum number of weeks for the total disability of a body part fixed in section 176.101, subdivision 3.

(c) Establish a procedure such that a discreet number of percentage ratings for a partial disability are possible between zero and one hundred, providing that the number of possible rating values shall not exceed 20.

The commissioner shall consider the following factors in developing rules for the evaluation and rating of functional disability and the schedule for permanent partial disability benefits:

(a) The workability and simplicity of the procedures with respect to the evaluation of functional disability;

(b) The consistency of the procedures with accepted medical standards;

(c) Rules, guidelines, and schedules that exist in other states or that have been developed by professional associations or organizations and are related to the evaluation of permanent partial disability or to a schedule of benefits for functional disability;

(d) The effect the rules may have on reducing litigation;

(e) The treatment of pre-existing conditions with respect to the evaluation of permanent functional disability provided that any pre-existing conditions must be objectively determined by medical evidence.

If an employee suffers permanent functional disability of more than one scheduled body part due to personal injury incurred in a single occurrence, the total number of weeks of benefit to which the employee is entitled shall be determined by the following formula so as to ensure that the maximum number

of weeks payable for all functional disability combined shall not exceed 500 weeks:

A + [1.0 - (A/500)]B

where:

A = the number of weeks awardable for the permanent partial disability to the first body part, and

B = the number of weeks otherwise awardable for the second body part.

Sec. 43. Minnesota Statutes 1980, Section 176.111, Subdivision 1, is amended to read:

Subdivision 1. [PERSONS WHOLLY DEPENDENT, PRESUMPTION.] For the purposes of this chapter the following persons are conclusively presumed to be wholly dependent:

(a) spouse, unless it ~~be~~ *is* shown that the spouse and decedent were voluntarily living apart at the time of the injury or death; *or unless it is shown that the deceased employee's average weekly wage at the time of personal injury was less than 35 percent of the sum of the average weekly wages of the employee and spouse at the time of personal injury, in which case the benefit due under this section shall be the benefit otherwise payable multiplied by the percentage established below in column 2:*

Column 1 *Percent Earned by the Deceased Employee of the Sum of the Average Weekly Wages of the Injured Employee and Spouse at the Time of Injury*	*Column 2* *Percent of Benefits Otherwise Payable*
30-34	*95*
25-29	*90*
20-24	*80*
15-19	*70*
10-14	*50*
9 or less	*25*

(b) children under 18 years of age, or a child under the age of ~~25~~ *22* years who is regularly attending as a full time student at a high school, college, or university, or regularly attending as a full time student in a course of vocational or technical training.

Sec. 44. Minnesota Statutes 1980, Section 176.111, is amended by adding a subdivision to read:

Subd. 1a. [SURVIVING SPOUSE; REHABILITATION.] *Upon the request of a qualified dependent surviving spouse, rehabilitation services shall be provided by the employer. For the purposes of this subdivision a qualified dependent surviving spouse is a dependent surviving spouse who is in need of rehabilitation assistance to become self-supporting. The rehabilitation services shall be limited to those in section 176.102, subdivision 9. Rehabilitation services need not be provided if the request for the service is not received within two years of the employee's death or the youngest dependent child becoming 18 years of age, whichever is later.*

Sec. 45. Minnesota Statutes 1980, Section 176.111, is amended by adding a subdivision to read:

Subd. 9. [BENEFIT PERIOD; COMMENCEMENT.] *The ten year periods enumerated in subdivisions 7 and 8 shall begin to be counted upon the 18th birthday of the youngest surviving dependent child.*

Sec. 46. Minnesota Statutes 1980, Section 176.111, Subdivision 18, is amended to read:

Subd. 18. [BURIAL EXPENSE.] In all cases where death results to an employee from a personal injury arising out of and in the course of employment, the employer shall pay the expense of burial, not exceeding in amount ~~$1,000~~ *$2,500*. In case any dispute arises as to the reasonable value of the services rendered in connection with the burial, such reasonable value shall be determined and approved by the commissioner of the department of labor and industry, a compensation judge, or workers' compensation court of appeals, in cases upon appeal, before payment, after such reasonable notice to interested parties as is required by the commissioner of the department of labor and industry. If the deceased leave no dependents, no compensation is payable, except as provided by this chapter.

Sec. 47. Minnesota Statutes 1980, Section 176.111, is amended by adding a subdivision to read:

Subd. 22. [HEALTH INSURANCE COVERAGE.] *In any case where a dependent is eligible to receive benefits under this section and was also covered under an accident and health insurance policy or under a contract issued under chapter 62C or 62D or any plan defined in section 62E.02, subdivision 22, at the time of the employee's death, and where the cost of that coverage was partially or totally paid by the employer, the employer shall continue to pay the same proportion of the cost of maintaining coverage under that contract or plan for a period of one year, provided the dependent pays any proportion of the premium which was payable by the employee.*

Sec. 48. Minnesota Statutes 1980, Section 176.121, is amended to read:

176.121 [COMMENCEMENT OF COMPENSATION.]

In cases of temporary total or temporary partial disability no compensation shall be allowed for the three days after the disability commenced, except as provided by section 176.135, nor in any case unless the employer has actual knowledge of the injury or is notified thereof within the period specified in section 176.141. If such disability continues for ~~10~~ *seven* days or longer, such compensation shall be computed from the commencement of the disability.

Sec. 49. Minnesota Statutes 1980, Section 176.131, Subdivision 1, is amended to read:

Subdivision 1. If an employee incurs personal injury and suffers disability that is substantially greater, because of a pre-existing physical impairment, than what would have resulted from the personal injury alone, the employer shall pay all compensation provided by this chapter, but he shall be reimbursed from the special compensation fund for all compensation paid in excess of 52 weeks of monetary benefits and $2,000 in medical expenses, subject to the following exceptions:

If the personal injury alone results in permanent partial disability to a scheduled member under section 176.101, the monetary and medical expense limitations shall not apply and the employer shall be liable for ~~such~~ compensa-

tion, medical expense, and ~~retraining~~ *rehabilitation* attributable to the permanent partial disability, and he may be reimbursed from the compensation fund only for compensation paid in excess of ~~such~~ *the* disability.

Sec. 50. Minnesota Statutes 1980, Section 176.131, Subdivision 1a, is amended to read:

Subd. 1a. If an employee is employed in an on the job ~~retraining~~ *training* program pursuant to section 176.102 and the employee incurs a personal injury that aggravates the personal injury for which the employee has been certified to enter the on the job ~~retraining~~ *training* program, the on the job training employer shall pay the medical expenses and ~~compensation~~ *benefits* required by this chapter, but shall be reimbursed from the special compensation fund for the ~~compensation~~ *benefits* and medical expense that ~~is~~ *are* attributable to the aggravated injury. The employer, at the time of the personal injury for which the employee has been certified for ~~retraining~~ *rehabilitation*, is liable for the portion of the disability that is attributable to that injury.

Sec. 51. Minnesota Statutes 1980, Section 176.131, Subdivision 8, is amended to read:

Subd. 8. As used in this section the following terms have the meanings given them:

"Physical impairment" means any physical or mental condition that is permanent in nature, whether congenital or due to injury, disease or surgery and which is or is likely to be a hindrance or obstacle to obtaining employment provided that, physical impairment as used herein is limited to the following:

(a) Epilepsy,

(b) Diabetes,

(c) Hemophilia,

(d) Cardiac disease,

(e) Partial or entire absence of thumb, finger, hand, foot, arm or leg,

(f) Lack of sight in one or both eyes or vision in either eye not correctable to 20/40,

(g) Residual disability from poliomyelitis,

(h) Cerebral Palsy,

(i) Multiple Sclerosis,

(j) Parkinson's disease,

(k) Cerebral vascular accident,

(l) Chronic Osteomyelitis,

(m) Muscular Dystrophy,

(n) Thrombophlebitis,

(o) Any other physical impairment for which at least 50 weeks or more of weekly benefits would be payable as permanent partial disability if the physical impairment were evaluated according to standards used in workers' compensation proceedings, and

(p) Any other physical impairments of a permanent nature which the workers' compensation court of appeals may by rule prescribe;

''Compensation'' has the meaning defined in section 176.011;

''Employer'' includes insurer;

''Disability'' means, unless otherwise indicated, any condition causing either temporary total, temporary partial, permanent total, permanent partial, death, medical expense, or ~~retraining~~ *rehabilitation*.

Sec. 52. Minnesota Statutes 1981 Supplement, Section 176.131, Subdivision 10, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 20, is amended to read:

Subd. 10. The special compensation fund is created for the purposes provided in this chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to monetary benefits of dependency compensation, the employer shall pay to the commissioner the sum of ~~$5,000~~ *$25,000* for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to at least ~~$5,000~~ *$25,000* in monetary benefits of dependency compensation, the employer shall pay to the commissioner for the benefit of the special compensation fund the difference between the amounts actually paid for the dependency benefits and ~~$5,000~~ *$25,000*; but in no event shall the employer pay the commissioner less than $1,000;

(2) ~~When an employee suffers a personal injury which results in permanent partial disability, temporary total disability, temporary partial disability, permanent total disability or death and which entitles him or his dependents to compensation under sections 176.101 or 176.111, the employer~~ *Each insurer, self-insurer and group self-insurer* shall~~, in addition to compensation provided therein,~~ *annually* pay to the commissioner for the benefit of the special compensation fund a ~~lump sum without interest deduction equal to a percent of the total compensation determined as provided in this subdivision as soon as the amount payable for the particular injury is determined, or arrived at by agreement of the parties, and the amount is approved by the commissioner.~~

~~The provisions of clauses (1) and (2) shall apply to all workers' compensation payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971.~~

~~Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence~~ *percentage of its standard earned premium as determined by the commissioner of insurance for the prior year. The commissioner of insurance shall provide the commissioner with the standard earned premium of each insurer, self-insurer and group self-insurer by April 15. The commissioner shall inform each insurer, self-insurer and group self-insurer of the amount due by June 1.*

In determining the percentage of the total compensation *standard earned premium* required to be paid ~~by the employer to the commissioner for the benefit of the special compensation fund as provided in clause (2) beginning September 30, 1981 and each September 30 thereafter,~~ the commissioner *of*

insurance shall ~~use the following schedule:~~

~~Balance in the Fund~~	~~Permissible Range of Rate Adjustment~~
~~Less than $2,000,000~~	~~± 1 percent to ± 7 percent~~
~~At least $2,000,000 but less than $3,000,000~~	~~0 percent to ± 6 percent~~
~~At least $3,000,000 but less than $4,000,000~~	~~-2 percent to ± 4 percent~~
~~At least $4,000,000 but less than $5,000,000~~	~~-5 percent to ± 3 percent~~
~~At least $5,000,000 but less than $6,000,000~~	~~-6 percent to ± 2 percent~~
~~$6,000,000 or more~~	~~-7 percent to ± 2 percent~~

~~In determining the actual adjustment, the commissioner shall take into account his estimate of the likely amount of expenditures to be made from the fund in the next calendar year~~ *estimate the total claims expected to be made against the special fund for the period beginning July 1 and shall divide that number by the total standard earned premium reported to the commissioner of insurance. The percentage due July 1, 1982, and July 1, 1983, shall be six and one-half percent. The assessment due July 1, 1982, shall be in lieu of any other assessment authorized for 1982 by this section and any other assessment is void and shall be of no effect. The maximum increase in any year shall be two percent.*

Sums paid to the commissioner pursuant to the provisions hereof, shall be deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by this chapter. All money heretofore arising from the provisions of this section or similar law shall be transferred to this special compensation fund. Any interest or profit accruing from investment of these sums shall be credited to the special compensation fund.

The state treasurer shall be the custodian of this special fund and the workers' compensation division, compensation judges, the workers' compensation court of appeals or district court in cases before them shall direct the distribution thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of clause (1) and dependency later is shown, or if deposit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under circumstances that justice requires a refund thereof, the state treasurer is authorized to refund the deposit under order of the workers' compensation division, a compensation judge, the workers' compensation court of appeals or a district court. There is appropriated to the persons entitled to the refunds from the fund an amount sufficient to make the refund and payment.

The attorney general shall be the attorney for the special compensation fund and shall be its legal advisor and shall represent the fund in actions by it or against it before the division, a compensation judge, the workers' compensation court of appeals or district court or the supreme court.

The accounting, investigation, and legal costs necessary for the administration of the programs financed by the special compensation fund shall be paid from the fund during each biennium commencing July 1, 1981. Staffing and expenditures related to the administration of the special compensation fund shall be approved through the regular budget and appropriations process.

Sec. 53. Minnesota Statutes 1980, Section 176.132, Subdivision 1, is amended to read:

Subdivision 1. [ELIGIBLE RECIPIENTS.] An employee who has suffered personal injury *prior to December 31, 1980* for which benefits are payable under section 176.101 and who has been totally disabled for more than 104 weeks shall be eligible for supplementary benefits as hereinafter prescribed after 104 weeks have elapsed and for the remainder of his total disablement *except, that an employee who was injured after October 1, 1975, and who is not eligible to receive supplementary benefits on January 1, 1983, shall not receive supplementary benefits*. Regardless of the number of weeks of total disability, no totally disabled person shall be ineligible for supplementary benefits after four years have elapsed since the first date of his total disability, provided that all periods of disability are caused by the same injury.

Sec. 54. Minnesota Statutes 1981 Supplement, Section 176.132, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT.] (a) The supplementary benefit payable under this section *as of January 1, 1983,* shall be the difference between the amount the employee receives on or after January 1, 1976, under section 176.101, subdivision 1 or subdivision 4, and ~~65 percent of the statewide average weekly wage as computed annually~~ *$184. The figure $184 shall be adjusted pursuant to section 176.645.*

(b) In the event an eligible recipient is currently receiving no ~~compensation~~ *benefits* or is receiving a reduced level of ~~compensation~~ *benefits* because of a credit being applied as the result of a third party liability or damages, the employer or insurer shall ~~compute the offset credit as if the individual were entitled to the actual benefit or 65 percent of the statewide average weekly wage as computed annually, whichever is greater. If this results in the use of a higher credit than otherwise would have been applied and the employer or insurer becomes liable for compensation benefits which would otherwise not have been paid, the additional benefits resulting shall be handled according to this section~~ *pay the difference between the reduced level of benefits and $184. The figure $184 shall be adjusted pursuant to section 176.645.*

(c) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of a valid agreement in settlement of a claim, no supplementary benefit shall be payable under this section. Attorney's fees shall be allowed in settlements of claims for supplementary benefits in accordance with this chapter.

(d) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of prior limitations in the maximum amount payable for permanent total disability or because of reductions resulting from the simultaneous receipt of old age or disability benefits, the supplementary benefit shall be payable for the difference between the actual amount of compensation currently being paid and ~~65 percent of the statewide average weekly wage as computed annually~~ *$184. The figure $184 shall be adjusted pursuant to section 176.645.*

(e) In the event that an eligible recipient is receiving simultaneous benefits from any government disability program, the amount of supplementary benefits payable under this section shall be reduced by five percent. If the individ-

ual does not receive the maximum benefits for which he is eligible under other governmental disability programs due to the provisions of 42 U.S.C. 424a (d), this reduction shall not apply.

Sec. 55. Minnesota Statutes 1981 Supplement, Section 176.133, is amended to read:

176.133 [ATTORNEY'S FEES, SUPPLEMENTARY BENEFITS.]

~~Attorney's~~ *No attorney* fees ~~may~~ *shall* be *permitted or* approved by a compensation judge or by the workers' compensation court of appeals from the supplementary workers' compensation benefits provided by section 176.132 ~~if~~ *unless* the case *solely* involves the obtaining of supplementary workers' compensation benefits. When ~~such~~ *attorney* fees are allowed an amount equal to 25 percent of that portion of the fee which is in excess of $250 shall be added to the employee's benefit as provided in section 176.081 rather than deducted as a portion ~~thereof~~ *of the benefit*. The fees shall be determined according to section 176.081.

Sec. 56. Minnesota Statutes 1980, Section 176.135, Subdivision 1a, is amended to read:

Subd. 1a. [NON-EMERGENCY SURGERY; SECOND SURGICAL OPINION.] The employer is required to furnish surgical treatment pursuant to subdivision 1 only after the employee has obtained two surgical opinions concerning whether the surgery is reasonably required to cure and relieve the effects of the personal injury or occupational disease. If at least one of the opinions affirms that the surgery is reasonably required, the employee may choose to undergo the surgery at the employer's expense. A second surgical opinion is not required in cases of emergency surgery ~~or when the employer and employee agree that the opinion is not necessary~~.

Sec. 57. Minnesota Statutes 1981 Supplement, Section 176.136, is amended to read:

176.136 [MEDICAL FEE REVIEW.]

The commissioner of insurance shall by rule establish procedures for determining whether or not the charge for a health service is excessive. In order to accomplish this purpose, the commissioner of insurance shall consult with insurers, associations and organizations representing the medical and other providers of treatment services and other appropriate groups. The procedures established by the commissioner of insurance shall limit the charges allowable for medical, chiropractic, podiatric, surgical, hospital and other health care provider treatment or services, as defined and compensable under section 176.135, to the ~~75th~~ *60th* percentile of usual and customary fees or charges based upon billings for each class of health care provider during all of the calendar year preceding the year in which the determination is made of the amount to be paid the health care provider for the billing. The procedures established by the commissioner for determining whether or not the charge for a health service is excessive shall be structured to encourage providers to develop and deliver services for rehabilitation of injured workers. The procedures shall incorporate the provisions of sections 144.701, 144.702, and 144.703 to the extent that the commissioner finds that these provisions effectively accomplish the intent of this section or are otherwise necessary to insure that quality hospital care is available to injured employees. If the commissioner

of insurance, a compensation judge, the workers' compensation court of appeals or a district court determines that the charge for a health service or medical service is excessive, no payment in excess of the reasonable charge for that service shall be made under this chapter nor may the provider collect or attempt to collect from the injured employee or any other insurer or government amounts in excess of the amount payable under this chapter; however, the commissioner of insurance shall by rule establish procedures allowing for a provider to appeal such determination. The commissioner of insurance shall contract with a review organization as defined in section 145.61 for the purposes listed in section 145.61, subdivision 5, and report to the legislature by January 15, 1983 and thereafter on January 15 of every odd-numbered year, regarding the delivery of medical and health care services, including rehabilitation services, under the workers' compensation laws of this state.

The commissioner of insurance shall also establish by rule standards and a procedure for determining whether a provider of health care services, including a provider of medical, chiropractic, podiatric, surgical, hospital or other services, is performing procedures or providing services at a level or with a frequency that is excessive, based upon accepted medical standards for quality health care.

If it is determined by the commissioner of insurance that the level or frequency of procedures or services of a provider is excessive according to the standards established by the rules, the provider shall not be paid for any excessive procedures or services by an insurer, self-insurer or group self-insurer. In addition, the provider shall not be reimbursed or attempt to collect reimbursement for the excessive procedures or services from any other source, including the employee, another insurer, the special compensation fund or any government program.

A provider who is determined by the commissioner of insurance to be consistently performing procedures or providing services at an excessive level shall be prohibited from receiving any further reimbursement for procedures or services provided pursuant to chapter 176. A prohibition imposed on a provider pursuant to this clause shall be grounds for revocation of the provider's license or certificate of registration to provide health care in Minnesota by the commissioner of health or other appropriate licensing body.

The rules adopted pursuant to this section shall require insurers, self-insurers and group self-insurers to report a reasonable amount of medical data necessary to implement the procedures required by this section.

The commissioner of insurance shall also conduct a study of the qualifications and background of rehabilitation consultants and vendors providing services under section 176.102 for the purpose of determining whether there are adequate professional standards provided, including safeguards to protect against conflicts of interest.

The commissioner of insurance shall adopt temporary rules in order to implement the provisions of this ~~subdivision~~ *section*.Notwithstanding the provisions of section 15.0412, subdivision 4, and any amendments, the temporary rules adopted by the commissioner of insurance pursuant to this subdivision may be extended for an additional 180 days if the procedures for adoption of a rule pursuant to section 15.0412, subdivisions 4 to 4g, or 4h, and other provisions of the administrative procedure act related to final agency action and

rule adoption have not been concluded.

Sec. 58. [176.146] [NOTICE TO INSURERS; PENALTY.]

The employer of any employee who suffers a personal injury shall inform the insurer of the occurrence of the injury within three days of notice of the injury. Notice shall be made on forms provided by the insurer. Consistent failure by the employer to provide notice shall entitle the insurer to cancel, upon 15 days notice to the employer, any effective policy insuring the employer's liability under chapter 176, at which time any unearned premium paid by the employer to the insurer shall be returned to the employer.

Sec. 59. Minnesota Statutes 1981 Supplement, Section 176.182, is amended to read:

176.182 [BUSINESS LICENSES OR PERMITS; COVERAGE REQUIRED.]

Every state ~~or local~~ licensing agency shall withhold the issuance of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of section 176.181, subdivision 2.

Neither the state nor any governmental subdivision thereof shall enter into any contract *for the doing of any public work* before receiving from all other contracting parties acceptable evidence of compliance with the workers' compensation insurance coverage requirement of section 176.181, subdivision 2.

This section shall not be construed to create any liability on the part of the state or any governmental subdivision to pay workers' compensation benefits or to indemnify the special compensation fund, an employer, or insurer who pays workers' compensation benefits.

Sec. 60. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 2, is amended to read:

Subd. 2. [GRANT OF EXTENSION.] Upon application made within 30 days after the date on which the first payment was due, the commissioner may grant an extension of time within which to determine liability. The extension shall not exceed 30 days. *No grant of an extension of time by the commissioner shall relieve the employer of the obligation to commence the payment of benefits within 14 days as required by subdivision 1.*

Sec. 61. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 3, is amended to read:

Subd. 3. [PAYMENTS TO SPECIAL COMPENSATION FUND.] Where an employer or insurer fails to begin payment of compensation, charges for treatment under section 176.135 or ~~retraining~~ *rehabilitation* expenses under 176.102, subdivision 9, or to file a denial of liability, or to request an extension of time within 30 days after the date on which the first payment was due, he shall pay to the special compensation fund an amount equal to the total amount of compensation to which the employee is entitled because of the injury. In addition, each day subsequent to the end of the period and until a compensation payment is made to the injured employee, the person responsible for payment of compensation shall pay to the special compensation fund an amount equal to the total compensation to which the injured employee is

entitled.

Sec. 62. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 7, is amended to read:

Subd. 7. [INTEREST.] Any payment of compensation, charges for treatment under section 176.135 or retraining expenses under 176.102, subdivision 9 not made when due shall bear interest at the *greater of the* rate of ~~eight~~ *18* percent per annum *or the rate set by section 549.09, subdivision 1,* from the due date to the date the payment is made.

Sec. 63. Minnesota Statutes 1980, Section 176.225, Subdivision 1, is amended to read:

Subdivision 1. [GROUNDS.] Upon reasonable notice and hearing or opportunity to be heard, the division or upon appeal, the workers' compensation court of appeals or the supreme court may award compensation, in addition to the total amount of compensation award, of up to 25 percent of that total amount where an employer or insurer has:

(a) instituted a proceeding or interposed a defense which does not present a real controversy but which is frivolous or for the purpose of delay; or,

(b) unreasonably or vexatiously delayed payment; or,

(c) neglected or refused to pay compensation; or,

(d) intentionally underpaid compensation.

In any case of an award made pursuant to this subdivision, there shall be added to the compensation award an amount equal to 18 percent per annum interest computed from the date of injury.

Sec. 64. Minnesota Statutes 1981 Supplement, Section 176.225, Subdivision 5, is amended to read:

Subd. 5. [PENALTY.] Where the employer is guilty of inexcusable delay in making payments, *including but not limited to the grounds listed in clauses (a) to (d) of subdivision 1,* the payments which are found to be delayed shall be increased by 10 percent. Withholding amounts unquestionably due because the injured employee refuses to execute a release of his right to claim further benefits will be regarded as inexcusable delay in the making of compensation payments. If any sum ordered by the department to be paid is not paid when due, and no appeal of the order is made, the sum shall bear interest at the rate of ~~12~~ *18* percent per annum. Any penalties paid pursuant to this section shall not be considered as a loss or expense item for purposes of a petition for a rate increase made pursuant to chapter 79.

Sec. 65. Minnesota Statutes 1980, Section 176.231, Subdivision 10, is amended to read:

Subd. 10. [FAILURE TO FILE REQUIRED REPORT, PENALTY.] Where an employer, physician, ~~or~~ surgeon *or health provider* has failed to file with the commissioner of the department of labor and industry any report required by this section in the manner and within the time limitations prescribed, he shall forfeit to the state ~~$50~~ *$200* for each such failure.

The attorney general shall sue in a civil action to collect this penalty upon notification of the matter by the commissioner of the department of labor and

industry. The commissioner of the department of labor and industry shall certify to the attorney general each failure to report immediately upon its occurrence.

Penalties collected by the state under this subdivision shall be paid into the state treasury.

Sec. 66. Minnesota Statutes 1980, Section 176.235, is amended by adding a subdivision to read:

Subd. 3. [NOTICE TO EMPLOYEE OF RIGHTS AND DUTIES.] *Upon notice that an employee has suffered a personal injury, the employer shall provide the employee with a brochure or letter, which shall be prepared and provided by the insurer or group self insurer, if any, explaining the rights and obligations of the employee and employer, the assistance available to the employee, and the operation of the workers' compensation system. The brochure shall meet the readability standards of chapter 72C.*

In addition, the brochure or letter shall include the names of persons the employee may contact if questions or problems arise regarding the employee's rights or obligations under chapter 176. This brochure or letter shall be provided to the employee within seven days after the employer becomes aware of the personal injury. Any brochure shall be approved by the commissioner of insurance prior to use. The workers' compensation advisory council shall prepare a prototype brochure. The workers' compensation insurance rating association of Minnesota may prepare and submit brochures for approval on behalf of its members.

Sec. 67. [176.236] [EMPLOYER REEMPLOYMENT RESPONSIBILITY.]

Subdivision 1. [TARGET DATE.] *Each employer who employs a worker who becomes disabled due to a personal injury shall be responsible for the reemployment of that employee as required by this section. The employer shall, as soon as possible following the personal injury, establish in conjunction with the injured employee a target date upon which the injured worker will return to work.*

Subd. 2. [JOB ASSISTANCE.] *The employer shall, if possible, provide a job to the employee on or before the return to work target date which is consistent with any physical limitations of the employee. The employer shall not refuse to offer employment for any reason which is based on the employee's conduct prior to the personal injury.*

Subd. 3. [ASSISTANCE PLAN.] *If the employer is unable to provide a job, the employer shall, as soon as possible, but at least four weeks prior to the return to work target date, inform the employee that no job will be available, but if the employee has entered upon a rehabilitation plan, the employer shall, as soon as possible, but no later than four weeks after commencing the plan, inform the employee, insurer, and the division that no job will be available. The employer shall also provide assistance to the employee in finding another job which is consistent with the employee's skills and which is within the physical capabilities of the employee. A plan for assistance shall be filed with the commissioner at the time the employer informs the employee that no offer of employment can be made. A plan for approval filed pursuant to section 176.102 shall be sufficient.*

Subd. 4. [PENALTY.] *An employer failing to provide reemployment or to provide assistance as required in subdivision 3 shall be required to pay to the special compensation fund an amount equal to all of the benefits paid as required in section 176.101 for the first year following the date of injury. This amount shall not be reimbursed by an insurer or group self-insurer unless the failure of the employer to provide assistance results from the failure of the insurer or group self-insurer to carry out its responsibilities under its contract with the employer.*

Subd. 5. [RULES.] *The commissioner shall, by rule, establish the minimum provisions of the plan required in subdivision 3.*

Sec. 68. Minnesota Statutes 1980, Section 176.241, Subdivision 4, is amended to read:

Subd. 4. [ORDER.] When the hearing has been held, and ~~he~~ *the evidence* has *been* duly considered ~~the evidence~~, the person who held the hearing shall promptly enter an order directing the payment of further compensation or confirming the termination of compensation. Where the order confirms a termination of compensation, the commissioner of labor and industry shall notify the employer of the action. This notification relieves the employer from further liability for compensation subject to the right of review afforded by this chapter, and to the right of the division to set aside the order at any time prior to the review and grant a new hearing pursuant to this chapter. *Where the order directs the payment of further compensation, the order shall provide that the amount of compensation shall bear interest at the rate of 18 percent per annum computed from the date of the termination of benefits.*

Sec. 69. Minnesota Statutes 1981 Supplement, Section 176.331, is amended to read:

176.331 [AWARD BY DEFAULT.]

Where an adverse party has failed to file and serve an answer, if the petitioner presents proof of such fact, the compensation judge shall enter whatever award or order to which petitioner is entitled on the basis of the facts alleged in the petition, but the compensation judge may require proof of an alleged fact. If the commissioner requires such proof, he shall request the chief hearing examiner to assign the matter to a compensation judge to summarily hear and determine the same and to promptly make an award or order.

Where in such a default case the petition does not state facts sufficient to support an award, the compensation judge shall give the petitioner or his attorney written notice of this deficiency. The petitioner may thereupon file another petition as in the case of an original petition.

If an award is made pursuant to this subdivision, the amount of the award shall include interest on the award at the rate of 18 percent per annum computed from the date compensation was due but not paid.

Sec. 70. Minnesota Statutes 1981 Supplement, Section 176.391, Subdivision 3, is amended to read:

Subd. 3. [REPORTS.] The report of a physician, surgeon, or other expert shall be filed with the commissioner and the compensation judge assigned to the matter if any. The report shall be made a part of the record of the case and be open to inspection ~~as such~~.

Unless otherwise ordered by a compensation judge medical expert testimony shall be offered by report only.

Sec. 71. Minnesota Statutes 1981 Supplement, Section 176.645, Subdivision 2, is amended to read:

Subd. 2. [TIME OF FIRST ADJUSTMENT.] For injuries occurring on or after October 1, 1981, the initial adjustment made pursuant to subdivision 1 shall be deferred until the first anniversary of the date of the injury, *except that for injuries occurring on or after January 1, 1983, the initial adjustment shall be deferred until the second anniversary of the date of injury.*

Sec. 72. Minnesota Statutes 1981 Supplement, Section 352E.04, is amended to read:

352E.04 [DISBURSEMENTS.]

Upon certification to the governor by the administrator of any state or governmental subdivision employing peace officers that a peace officer employed by that state or governmental subdivision within this state has been killed in the line of duty, leaving a spouse or one or more eligible dependents, the commissioner of finance shall, subject to the approval of the workers' compensation court of appeals, pay $50,000 as follows:

(a) If there is no dependent child, to the spouse;

(b) If there is no spouse, to the dependent child or children in equal shares;

(c) If there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the child or children, in equal shares;

(d) If there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares;

(e) If there is no surviving spouse or dependent child, children or parent, then there shall be no payment made from the peace officers benefit fund.

The benefit provided by this section is in addition to any other benefit that a spouse or dependent child is entitled to receive under another state or federal law and notwithstanding any law to the contrary shall not be offset by or against the other benefits.

Sec. 73. [RATE REDUCTION.]

Within ten days following final enactment the commissioner of insurance shall order a hearing pursuant to section 79.071, subdivision 1a. Upon completion of this hearing the commissioner shall order a reduction in the schedule of rates of at least 16 percent due to the changes made in this bill. The change shall be effective January 1, 1983. An additional reduction of ten percent shall be applied to the schedule of rates due to the repeal of section 79.211, subdivision 1.

Any percentage reduction in the schedule of rates shall include an equal percentage reduction in the profits and expenses available to insurers.

Any pending requests for a change in the schedule of rates shall result in a rate increase of no more than two and three-tenths percent, as a reflection of the change in the method of assessments for the special compensation fund and because the pending request for a rate increase has shown no consideration in

its calculations for the increase in premiums collected as a result of the increase in the wage base upon which the rates are based.

Sec. 74. [STUDY COMMISSION.]

Subdivision 1. [CREATION.] *A study commission is hereby created to study and report on:*

(a) the organization and operation of the department of labor and industry, workers' compensation division, including but not limited to:

(1) the procedures for handling reports of injuries, claims for compensation, notices of discontinuance petitions for hearings related to disputes in connection with claims for compensation, and other matters connected with the department's administration of the law; and

(2) the procedures followed for settlement conferences pursuant to section 176.305; and

(3) the progress and effect of the computerization of the records and information system of the division;

(b) the financial condition of the special compensation fund including any outstanding liabilities of the fund. The study shall reflect a calculation of the ultimate liability and the present value of the ultimate liability based on the following three alternate assumptions of an annual inflation rate: (1) two percent; (2) four percent; and (3) six percent. The cost of the study shall be paid from the assets of the special compensation fund;

(c) occupational disease, cumulative trauma and the apportionment of liability for benefits payable under chapter 176 when the personal injury does not arise solely out of and in the course of employment as these issues are related to workers' compensation in Minnesota; and

(d) the rehabilitation services of the workers' compensation division, including:

(1) the procedures followed with respect to the licensing, qualifications, and background of rehabilitation consultants and rehabilitation vendors utilized in the rehabilitation of injured employees;

(2) the administrative conference and settlement conference procedures followed by the division; and

(3) the role and effectiveness of the rehabilitation review panel.

Subd. 2. [MEMBERS.] *The commission shall consist of six members of the house of representatives appointed by the speaker and six members of the senate appointed by the subcommittee on committees.*

Subd. 3. [REPORT.] *The commission shall report its findings and recommendations to the governor and legislature not later than December 15, 1983. The report shall recommend any necessary changes in laws in order to improve the administration of the workers' compensation laws and the delivery of fair, efficient, and effective rehabilitation services to injured employees within the state.*

Subd. 4. [HEARINGS.] *The commission shall hold meetings and hearings at the times and places it designates to accomplish the purposes set forth in this*

section. It shall select a chairman and other officers from its membership as it deems necessary.

Subd. 5. [STAFF AND SERVICES.] *The commission shall make use of existing legislative facilities and staff of the house and senate research departments and senate counsel but it may also request the legislative coordinating commission to supply it with additional necessary staff, office space, and administrative services. All additional personnel shall be hired and supervised by the directors of the house and senate research departments and senate counsel. The commission shall have full authority to contract for expert services and opinions relevant to the purposes of this section.*

Sec. 75. Laws 1981, Chapter 346, Section 145, is amended to read:

Minnesota Statutes 1980, Sections 79.071, Subdivision 1; 79.074, Subdivision 1; 79.075; 79.076; 79.08; 79.09; 79.11; 79.12; 79.13; 79.14; 79.15; 79.16; 79.17; 79.171; 79.18; 79.19; 79.20; 79.21; 79.22, Subdivision 1; 79.221; 79.23; 79.24; ~~79.25;~~ 79.26; 79.27; 79.28; 79.29; 79.30; 79.32; and 79.33 are repealed effective July 1, 1983. Minnesota Statutes 1980, Sections 79.071, Subdivisions 2, 3, 4, 5, 6, and 7; 79.072; and 79.073 are repealed effective January 1, 1986. Minnesota Statutes 1980, Sections 176.006, Subdivisions 1a and 2; 175.0061; 175.09; 176.111, Subdivision 11; and 176.441, Subdivision 2, are repealed.

Sec. 76. [INSTRUCTIONS TO REVISOR.]

The revisor of statutes is instructed to substitute the words ''weekly wage'' in place of the words ''daily wage'' wherever the words ''daily wage'' appear in chapter 176 and in any other sections of Minnesota Statutes where the words ''daily wage'' are used in reference to workers' compensation benefits granted pursuant to chapter 176.

Sec. 77. [REPEALER.]

Minnesota Statutes 1980, Sections 79.211, Subdivision 1; 79.63, Subdivision 3; 176.011, Subdivisions 14 and 18; 176.095; 176.101, Subdivision 4; and 176.105, Subdivisions 2 and 3; Minnesota Statutes 1981 Supplement, Sections 176.102, Subdivision 1a; 176.105, Subdivision 1; and 176.152; are repealed.

That part of Section 176.101, Subdivision 3, which is numbered as clause (33) in section 23, is repealed effective January 1, 1984.

Sec. 78. [EFFECTIVE DATE.]

Sections 1 to 10, 12, 13, 16 to 39, 41, 43 to 51, and 53 to 72 are effective January 1, 1983. Sections 11, 14, 15, 40, 42 and 73 to 77 are effective the day after final enactment. Section 52 is effective retroactive to January 1, 1982.

ARTICLE II

Section 1. Minnesota Statutes 1980, Section 268.04, Subdivision 9, is amended to read:

Subd. 9. ''Employing unit'' means any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor of any of the foregoing, or the legal

representative of a deceased person, which has or subsequent to January 1, 1936, had in its employ one or more individuals performing services for it. All individuals performing services within this state for any employing unit which maintains two or more separate establishments within this state shall be deemed to be employed by a single employing unit for all the purposes of sections 268.03 to 268.24. Each individual employed to perform or assist in performing the work of any agent or individual employed by an employing unit shall be deemed to be employed by such employing unit for all the purposes of sections 268.03 to 268.24 whether such individual was hired or paid directly by such employing unit or by such agent or individual, provided the employing unit had actual or constructive knowledge of such work. *For the purposes of sections 268.03 to 268.24 any agency providing or authorizing the hiring of homeworkers, personal care attendants, or other individuals performing similar services in the private home of an individual is the employing unit of the homeworker, attendant or similar worker whether the agency pays the employee directly or provides funds to the recipient of the services to pay for the services.*

Sec. 2. Minnesota Statutes 1980, Section 268.04, Subdivision 25, is amended to read:

Subd. 25. [WAGES.] ''Wages'' means all remuneration for services, including commissions and bonuses, and tips and gratuities paid to an employee by a customer of an employer and accounted for by the employee to the employer, and the cash value of all remuneration in any medium other than cash, except that such term shall not include:

~~(1)~~ *(a)* For the purpose of determining contributions payable under section 268.06, subdivision 2, that part of the remuneration which exceeds ~~$7,000 during the calendar year of 1977, $7,500 during the calendar year of 1978 and~~ $8,000 during the calendar ~~year of~~ *years* 1979, *1980 and 1981* and *for* all subsequent calendar years *that part of the remuneration which exceeds 66 2/3 percent of the average annual wage rounded to the nearest $100 computed in accordance with the provisions of clause (f) of this subdivision*, paid to an individual by an employer with respect to covered employment in this state, or with respect to employment under the unemployment compensation law of any other state during any calendar year paid to such individual by such covered employer or his predecessor during such calendar year; provided, that if the term ''wages'' as contained in the federal unemployment tax act is amended to include remuneration in excess of the amount required to be paid hereunder to an individual by an employer under the federal act for any calendar year, wages for the purposes of sections 268.03 to 268.24 shall include remuneration paid in a calendar year up to an amount equal to the dollar limitation specified in the federal unemployment tax act. For the purposes of this clause, the term ''employment'' shall include service constituting employment under any employment security law of another state or of the federal government;

~~(2)~~ *(b)* The amount of any payment made to, or on behalf of, an employee under a plan or system established by an employer which makes provision for his employees generally or for a class or classes of his employees (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), on account of ~~(a)~~ *(1)* retirement or ~~(b)~~ *(2)* sickness or accident disability or ~~(c)~~ *(3)* medical and hospitalization expenses in connection with sickness or accident disability, or ~~(d)~~ *(4)* death, provided the

employee ~~(i)~~ has not the option to receive, instead of provision for such death benefit, any part of such payment, or if such death benefit is insured, any part of the premium (or contributions to premiums) paid by his employer and ~~(ii)~~ has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit, or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer;

~~(3)~~ *(c)* The payment by an employer (without deduction from the remuneration of the employee) ~~(a)~~ *(1)* of the tax imposed upon an employee under section 3101 of the federal internal revenue code, or ~~(b)~~ *(2)* of any payment required from an employee under a state unemployment compensation law~~;~~, *with respect to remuneration paid to an employee for domestic service in a private home of the employer or for agricultural labor;*

~~(4)~~ *(d)* Any payments made to a former employee during the period of active military service in the armed forces of the United States by such employer, whether legally required or not;

~~(5)~~ *(e)* Any payment made to, or on behalf of, an employee or his beneficiary ~~(a)~~ *(1)* from or to a trust described in section 401(a) of the federal internal revenue code which is exempt from tax under section 501(a) of such code at the time of such payment unless such payment is made to an employee of the trust as remuneration for services rendered as an employee and not as a beneficiary of the trust, or ~~(b)~~ *(2)* under or to an annuity plan which, at the time of such payment is a plan described in section 403(a) of the federal internal revenue code, or (c) under or to a bond purchase plan which, at the time of such payment, is a qualified bond purchase plan described in section 405(a) of the federal internal revenue code~~.~~ *;*

(f) On or before July 1 of each year the commissioner shall determine the average annual wage paid by employers subject to sections 268.03 to 268.24 in the following manner:

(1) The sum of the total monthly employment reported for the previous calendar year shall be divided by 12 to determine the average monthly employment;

(2) The sum of the total wages reported for the previous calendar year shall be divided by the average monthly employment to determine the average annual wage.

The average annual wage determined shall be effective for the calendar year next succeeding the determination.

Sec. 3. Minnesota Statutes 1980, Section 268.04, Subdivision 29, is amended to read:

Subd. 29. "Credit week" ~~with respect to any claim for benefits which establishes a benefit year subsequent to July 2, 1977,~~ is any week for which *the* wages *which* have been paid and wages *which* are due and payable but not paid ~~of $50 or more~~ by or from one or more employers to an employee for insured work~~.~~ *equal or exceed 30 percent of the average weekly wage computed to the nearest whole dollar. On or before June 30 of each year the commissioner shall determine the average weekly wage paid by employers subject to sections*

268.03 to 268.24 in the following manner:

(a) The sum of the total monthly employment reported for the previous calendar year shall be divided by 12 to determine the average monthly employment;

(b) The sum of the total wages reported for the previous calendar year shall be divided by the average monthly employment to determine the average annual wage; and

(c) The average annual wage shall be divided by 52 to determine the average weekly wage.

The average weekly wage as so determined computed to the nearest whole dollar shall apply to claims for benefits which establish a benefit year which begins subsequent to December 31 of the year of the computation.

Sec. 4. Minnesota Statutes 1980, Section 268.05, Subdivision 6, is amended to read:

Subd. 6. [ADVANCE ON FEDERAL FUNDS.] (1) The governor is hereby authorized to make application as may be necessary to secure any advance of funds by the secretary of the treasury of the United States in accordance with the authority extended under section 1201 of the social security act, as amended.

(2) Any amount transferred to the Minnesota unemployment compensation fund by the secretary of the treasury of the United States under the terms of any application made pursuant to this subdivision shall be repayable~~, without interest,~~ in the manner provided in sections 901(d) 1, 903(b) 2 and 1202 of the social security act, as amended.

Sec. 5. Minnesota Statutes 1980, Section 268.06, Subdivision 2, is amended to read:

Subd. 2. [RATES.] Each employer *who has an experience ratio of one-tenth of one percent or more as computed in subdivision 6* shall pay contributions equal to two and seven-tenths percent of wages paid and wages overdue and delayed beyond the usual time of payment from him with respect to employment occurring during each calendar year, except as may be otherwise prescribed in subdivisions ~~3~~ *3a* and 4. *Each employer who has an experience ratio of less than one-tenth of one percent shall pay contributions on only the first $8,000 in wages paid and wages overdue and delayed beyond the usual time of payment to each employee with respect to employment occurring during each calendar year.*

Sec. 6. Minnesota Statutes 1980, Section 268.06, Subdivision 3a, is amended to read:

Subd. 3a. [RATE FOR NEW EMPLOYERS.] Notwithstanding the provisions of subdivision 2, each employer, ~~subsequent to December 31, 1971,~~ who becomes subject to this law, shall pay contributions at a rate~~,~~ *:*

(a) Not exceeding two and seven-tenths percent, that is the higher of ~~(a)~~ *(1)* one percent and ~~(b)~~ *(2)* the state's three-year benefit cost rate for the 36 consecutive month period immediately preceding July 1 of each year *for each employer who becomes subject to this law prior to January 1, 1983.* For purposes of this ~~subdivision~~ *clause*, the state's three-year benefit cost rate shall

be computed annually and shall be derived by dividing the total dollar amount of benefits paid to claimants under this law during the 36 consecutive calendar months immediately preceding July 1 of each year by the total dollar amount of wages subject to contributions under this law during the same period. The rate so determined shall be applicable for the calendar year next succeeding each computation date.

(b) Not exceeding two and seven-tenths percent, that is the higher of (1) one percent and (2) the state's four-year benefit cost rate for the 48 consecutive month period immediately preceding July 1 of each year for each employer, except employers in the construction industry principally employing laborers and construction tradesmen, who becomes subject to this law subsequent to December 31, 1982 and prior to January 1, 1984. For purposes of this clause, the state's four-year benefit cost rate shall be computed and derived by dividing the total dollar amount of benefits paid to claimants under this law during the 48 consecutive calendar months immediately preceding July 1 of 1982 by the total dollar amount of wages subject to contributions under this law during the same period. The rate so determined shall be applicable for the calendar year 1983.

Each construction employer described above who becomes subject to chapter 268 shall pay contributions at a rate, not exceeding 7.5 percent, that is the higher of (1) one percent, or (2) the state's four-year benefit cost rate for construction employers for the 48 consecutive month period immediately preceding July 1 of 1982. For purposes of this clause, the state's four-year benefit cost rate shall be computed and derived by dividing the total dollar amount of benefits paid to claimants of construction employers during the 48 consecutive calendar months immediately preceding July 1 of 1982 by the total dollar amount of wages of construction employers subject to contributions during the same period. The rate so determined shall be applicable for the calendar year 1983.

(c) Not exceeding two and seven-tenths percent, that is the higher of (1) one percent and (2) the state's five-year benefit cost rate for the 60 consecutive month period immediately preceding July 1 of 1983 and each year thereafter for each employer, except employers in the construction industry principally employing laborers and construction tradesmen, who becomes subject to this law on January 1, 1984 and thereafter. For purposes of this clause, the state's five-year benefit cost rate shall be computed annually and shall be derived by dividing the total dollar amount of benefits paid to claimants under this law during the 60 consecutive calendar months immediately preceding July 1 of 1983 and each year thereafter by the total dollar amount of wages subject to contributions under this law during the same period. The rate so determined shall be applicable for the calendar year next succeeding each computation date.

Each construction employer described above who becomes subject to chapter 268 shall pay contributions at a rate, not exceeding 7.5 percent, that is the higher of (1) one percent, or (2) the state's five-year benefit cost rate for construction employers for the 60 consecutive month period immediately preceding July 1 of 1983 and each year thereafter. For purposes of this clause, the state's five-year benefit cost rate shall be computed annually and shall be derived by dividing the total dollar amount of benefits paid to claimants of construction employers during the 60 consecutive calendar months immedi-

ately preceding July 1 of 1983 and each year thereafter by the total dollar amount of wages of construction employers subject to contributions during the same period. The rate so determined shall be applicable for the calendar year next succeeding each computation date.

Sec. 7. Minnesota Statutes 1980, Section 268.06, Subdivision 6, is amended to read:

Subd. 6. [COMPUTATION OF EACH EMPLOYER'S EXPERIENCE RATIO.] The commissioner shall, for the calendar year 1966, and for each calendar year thereafter, compute an experience ratio for each employer whose account has been chargeable with benefits;

(a) During the 36 consecutive calendar months immediately preceding July 1 of the preceding calendar year *for calendar years up to December 31, 1982*; except that, for any employer who has not been subject to the Minnesota employment services law for a period of time sufficient to meet the 36 consecutive months requirement, the commissioner shall compute an experience ratio if his account has been chargeable with benefits during at least the 12 consecutive calendar months immediately preceding July 1 of the preceding calendar year. Such experience ratio shall be the quotient obtained by dividing 1 1/4 times the total benefits charged to the employer's account during the period his account has been chargeable but not less than the 12 or more than the 36 consecutive calendar months ending on June 30 of the preceding calendar year, by his total taxable payroll for the same period on which all contributions due have been paid to the department of economic security on or before July 31 of the preceding calendar year. Such experience ratio shall be computed to the nearest one-tenth of a percent.

(b) During the 48 consecutive calendar months immediately preceding July 1, 1982 for the calendar year for 1983; except that, for any employer who has not been subject to the Minnesota employment services law for a period of time sufficient to meet the 48 consecutive months requirement, the commissioner shall compute an experience ratio if his account has been chargeable with benefits during at least the 12 consecutive calendar months immediately preceding July 1 of 1982. Such experience ratio shall be the quotient obtained by dividing 1 1/4 times the total benefits charged to the employer's account during the period his account has been chargeable but not less than the 12 or more than the 48 consecutive calendar months ending on June 30 of 1982, by his total taxable payroll for the same period on which all contributions due have been paid to the department of economic security on or before July 31 of 1982. Such experience ratio shall be computed to the nearest one-tenth of a percent.

(c) During the 60 consecutive calendar months immediately preceding July 1 of the preceding calendar year for 1984 and each year thereafter; except that, for any employer who has not been subject to the Minnesota employment services law for a period of time sufficient to meet the 60 consecutive months requirement, the commissioner shall compute an experience ratio if his account has been chargeable with benefits during at least the 12 consecutive calendar months immediately preceding July 1 of the preceding calendar year. Such experience ratio shall be the quotient obtained by dividing 1 1/4 times the total benefits charged to the employer's account during the period his account has been chargeable but not less than the 12 or more than the 60 consecutive calendar months ending on June 30 of the preceding calendar year for 1984

and each year thereafter, by his total taxable payroll for the same period on which all contributions due have been paid to the department of economic security on or before July 31 of the preceding calendar year. Such experience ratio shall be computed to the nearest one-tenth of a percent.

Sec. 8. Minnesota Statutes 1980, Section 268.06, Subdivision 8, is amended to read:

Subd. 8. [DETERMINATION OF CONTRIBUTION RATES.] For each calendar year the commissioner shall determine the contribution rate of each employer by adding the minimum rate to the experience ratio, except that if the ratio for the current calendar year exceeds *or falls short of* the experience ratio for the preceding calendar year by more than one and one-half percentage points *for 1982; two percentage points for 1983; two and one-half percentage points for 1984; and three percentage points for 1985 and each year thereafter*, the increase for the current year shall be limited to one and one-half percentage points *for 1982; two percentage points for 1983; two and one-half percentage points for 1984; and three percentage points for 1985 and each year thereafter.*

The minimum rate for all employers shall be one percent if the amount in the unemployment compensation fund is less than $80,000,000 on June 30 of the preceding calendar year; or nine-tenths of one percent if the fund is more than $80,000,000 but less than $90,000,000; or eight-tenths of one percent if the fund is more than $90,000,000 but less than $110,000,000; or seven-tenths of one percent if the fund is more than $110,000,000 but less than $130,000,000; or six-tenths of one percent if the fund is more than $130,000,000 but less than $150,000,000; or five-tenths of one percent if the fund is more than $150,000,000 but less than $170,000,000; or three-tenths of one percent if the fund is more than $170,000,000 but less than $200,000,000; or one-tenth of one percent if the fund is $200,000,000 or more; provided that no employer shall have a contribution rate of more than 7.5 percent.

For the purposes of this section the unemployment compensation fund shall not include any moneys advanced from the Federal Unemployment Account in the unemployment trust fund in accordance with Title XII of the Social Security Act, as amended. No employer first assigned an experience ratio in accordance with subdivision 6, shall have his contribution rate increased *or decreased* by more than one and one-half percentage points *for 1982; two percentage points for 1983; two and one-half percentage points for 1984; and three percentage points for 1985 and each year thereafter* over the contribution rate assigned for the preceding calendar year in accordance with subdivision 3a.

Sec. 9. Minnesota Statutes 1980, Section 268.06, Subdivision 19, is amended to read:

Subd. 19. [NOTICE OF RATE.] The commissioner shall mail to each employer notice of his rate of contributions as determined for any calendar year pursuant to this section. Such notice shall contain the contribution rate, factors used in determining the individual employer's experience rating, and such other information as the commissioner may prescribe. Unless reviewed in the manner hereinafter provided, the rate as determined or as modified by a redetermination, a decision of a referee, or the commissioner shall be final except for fraud and shall be the rate upon which contributions shall be computed for the calendar year for which such rate was determined, and shall not be subject

to collateral attack for any errors, clerical or otherwise, whether by way of claim for adjustment or refund, or otherwise. *If the legislature changes any of the factors used to determine the contribution rate of any employer for any year subsequent to the original mailing of such notice for the year, the earlier notice shall be void. The notice based on the new factors shall be deemed to be the only notice of rate of contributions for that year and shall be subject to the same finality, redetermination and review procedures as provided above.*

Sec. 10. Minnesota Statutes 1980, Section 268.06, Subdivision 22, is amended to read:

Subd. 22. [EMPLOYMENT EXPERIENCE RECORD TRANSFER.] (a) When an employing unit succeeds to or acquires the organization, trade or business or substantially all the assets of another employing unit which at the time of the acquisition was an employer subject to this law, and continues such organization, trade or business, the experience rating record of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(b) When an employing unit succeeds to or acquires a distinct severable portion of the organization, trade, business or assets which is less than substantially all of the employing enterprises of another employing unit, the successor employing unit shall acquire the experience rating record attributable to the portion to which it has succeeded, and the predecessor employing unit shall retain the experience rating record attributable to the portion which it has retained, if (1) the successor continues the organization, trade or business of the portion acquired, (2) the successor within 90 days of acquisition makes a written request to file an application as prescribed by the commissioner for the transfer of the experience rating record for the severable portion acquired from the predecessor (3) and within 90 days from the date the application is mailed to the successor the successor and predecessor employing units sign the application that furnishes the commissioner with sufficient information to substantiate the severable portion and to assign the total and taxable wages and benefit charges to the successor for experience rating purposes.

(c) An employing unit which succeeds to or acquires the organization, trade or business or substantially all of the assets of an employer shall notify the department ~~by certified mail~~ *in writing* of the acquisition not later than ~~ten~~ *30* days after the acquisition. Failure to give notice shall render the predecessor and successor employing unit jointly and severally liable for contributions due and unpaid by the predecessor.

(d) ~~Credits due to a predecessor as a result of overpayment of contributions under this subdivision may be granted to the successor upon assignment thereof by such predecessor in such form and in accordance with such regulations as may be prescribed by the commissioner.~~ Employment with a predecessor employer shall not be deemed to have been terminated if similar employment is offered by the successor employer and accepted by the employee.

(e) An official, designated by the commissioner, upon his own motion or upon application of an employing unit shall determine if an employing unit is a successor within the meaning of this subdivision and shall notify the employing unit of the determination. The determination shall be final unless the employing unit shall within 30 days after mailing of notice of determination to the employing unit's last known address file a written appeal. Proceedings on the

appeal shall be in accordance with section 268.12, subdivision 13.

(f) Notwithstanding subdivision 19, the commissioner may, after any determination of succession, recompute the rate of the employer for any prior year affected by the transfer of part or all of the experience rating record under this subdivision.

Sec. 11. Minnesota Statutes 1980, Section 268.06, Subdivision 25, is amended to read:

Subd. 25. [PAYMENTS TO FUND BY STATE AND POLITICAL SUBDIVISIONS IN LIEU OF CONTRIBUTIONS.] In lieu of contributions required of employers under this law, the state of Minnesota or its political subdivisions governed by this law shall pay into the unemployment compensation fund an amount equivalent to the amount of benefits ~~paid and one-half~~ *charged*, and as to weeks of unemployment beginning after January 1, 1979, all~~,~~ of the extended benefits paid ~~to individuals~~ based on wages paid by the state of Minnesota or such political subdivisions. If benefits paid an individual are based on wages paid by both the state of Minnesota or such political subdivisions and one or more other employers, the amount payable by the state of Minnesota or such political subdivisions to the fund shall bear the same ratio to total benefits paid to the individual as the base-period wages paid to the individual by the state of Minnesota or such political subdivisions bear to the total amount of base-period wages paid to the individual by all his base-period employers. The amount of payment required under this subdivision shall be ascertained by the commissioner at least four times per year. Payments shall be made and become due on the last day of the month next following the month in which the notice of benefits charged is mailed to the employer. Past due payments of amounts determined due under this subdivision shall be subject to the same interest charges and collection procedures that apply to past due contributions under ~~section~~ *sections* 268.16 *and 268.161*.

Sec. 12. Minnesota Statutes 1980, Section 268.06, Subdivision 28, is amended to read:

Subd. 28. [PAYMENT TO FUND BY NONPROFIT CORPORATION AND ALLOCATION OF BENEFIT COSTS BY BASE PERIOD REIMBURSERS.] (1) Benefits paid to employees of nonprofit organizations shall be financed in accordance with the provisions of this subdivision. For the purpose of this subdivision, a nonprofit organization is an organization (or group of organizations) described in section 501(c) (3) of the United States internal revenue code which is exempt from income tax under section 501(a) of such code. Any nonprofit organization which, pursuant to section 268.04, subdivision 10, clause (9) is, or becomes, subject to this law on or after January 1, 1972, shall pay contributions under the provisions of section 268.06, subdivision 1, unless it elects, in accordance with this paragraph, to pay to the commissioner for the unemployment fund an amount equal to the amount of regular benefits and ~~of one-half of~~ *the state share of* the extended benefits ~~paid~~ *charged*, that is attributable to service in the employ of such nonprofit organization, to individuals for weeks of unemployment which begin during the effective period of such election.

(a) Any nonprofit organization which is, or becomes, subject to this law on January 1, 1972, may elect to become liable for payments in lieu of contributions for a period of not less than two calendar years beginning with January 1,

1972; provided it files with the commissioner a written notice of its election within the 30 day period immediately following such date.

(b) Any nonprofit organization which becomes subject to this law after January 1, 1972, may elect to become liable for payments in lieu of contributions for a period of not less than two calendar years beginning with the date on which such subjectivity begins by filing a written notice of its election with the commissioner not later than 30 days immediately following the date of the determination of such subjectivity.

(c) Any nonprofit organization which makes an election in accordance with clause (a) or clause (b) will continue to be liable for payments in lieu of contributions until it files with the commissioner a written notice terminating its election not later than 30 days prior to the beginning of the calendar year for which such termination shall first be effective.

(d) Any nonprofit organization which has been paying contributions under this law for a period subsequent to January 1, 1972, may change to a reimbursable basis by filing with the commissioner not later than 30 days prior to the beginning of any calendar year a written notice of election to become liable for payments in lieu of contributions. Such election shall not be terminable by the organization for that and the next year.

(e) The commissioner may for good cause extend the period within which a notice of election, or a notice of termination, must be filed and may permit an election to be retroactive but not any earlier than with respect to benefits paid after December 31, 1971.

(f) The commissioner, in accordance with such regulations as he may prescribe, shall notify each nonprofit organization of any determination which he may make of its status as an employer and of the effective date of any election which it makes and of any termination of such election. Such determinations shall be final unless reviewed in accordance with the provisions of section 268.12, subdivision 13.

(2) Payments in lieu of contributions shall be made at the end of each calendar quarter, or at the end of any other period as determined by the commissioner and become due on the last day of the month next following the month in which the notice of benefits charged is mailed to the employer. The commissioner shall bill each nonprofit organization (or group of such organizations) which has elected to make payments in lieu of contributions for an amount equal to the full amount of regular benefits plus one-half of the amount of extended benefits ~~paid~~ *charged* during such quarter or other prescribed period that is attributable to service in the employ of such organization.

(3) Past due payments of amounts in lieu of contributions shall be subject to the same interest charges and collection procedures that apply to past due contributions under ~~section~~ *sections* 268.16 *and 268.161*.

(4) If any nonprofit organization is delinquent in making payments in lieu of contributions as required under this subdivision, the commissioner may terminate such organization's election to make payments in lieu of contributions as of the beginning of the next taxable year, and such termination shall be effective for that and the following taxable year.

~~(5) Any nonprofit organization which elects or has elected to make payments~~

~~in lieu of contributions into the unemployment compensation fund as provided in this subdivision shall not be liable to make such payments with respect to benefits paid any individual whose base period wage credits include wages for previously uncovered services as defined in section 268.07, subdivision 7 to the extent that the unemployment compensation fund is reimbursed for such benefits pursuant to section 121 of United States Public Law 94-566.~~

Sec. 13. Minnesota Statutes 1980, Section 268.07, Subdivision 2, is amended to read:

Subd. 2. [WEEKLY BENEFIT AMOUNT AND DURATION.] If the commissioner finds that an individual has earned 15, or more, credit weeks~~, and $750 or more in wage credits,~~ within the base period of employment in insured work with one or more employers, benefits shall be payable to such individual during his benefit year as follows:

(1) Weekly benefit amount shall be equal to 60 percent of the first $85, 40 percent of the next $85 and 50 percent of the remainder of the average weekly wage of such individual, computed to the nearest whole dollar~~, subject to a maximum of 62 percent of the average weekly wage paid to individuals by employers subject to the provisions of sections 268.03 to 268.24 as to claims for benefits which establish a benefit year subsequent to June 30, 1977 and prior to July 1, 1978. The maximum weekly benefit amount of claims for benefits which establish a benefit year subsequent to June 30, 1978 and prior to July 1, 1979 shall be 64 percent of said average weekly wage~~. The maximum weekly benefit amount of claims for benefits which establish a benefit year subsequent to July 1, 1979 shall be 66 2/3 percent of ~~said~~ *the* average weekly wage, *except as provided in clause (d).*

On or before June 30 of each year the commissioner shall determine the average weekly wage paid by employers subject to sections 268.03 to 268.24 in the following manner:

(a) The sum of the total monthly employment reported for the previous calendar year shall be divided by 12 to determine the average monthly employment.

(b) The sum of the total wages reported for the previous calendar year shall be divided by the average monthly employment to determine the average annual wage.

(c) The average annual wage shall be divided by 52 to determine the average weekly wage.

The maximum weekly benefit amount as so determined computed to the nearest whole dollar shall apply to claims for benefits which establish a benefit year which begins subsequent to June 30 of each year.

(d) The maximum weekly benefit amount for claims for benefits which establish a benefit year subsequent to June 30, 1982, and prior to July 1, 1983, shall be $184.

The maximum weekly benefit amount for claims for benefits which establish a benefit year subsequent to June 30, 1983, and prior to July 1, 1984, shall be $191.

(2) An individual's maximum amount of regular benefits payable in a ben-

efit year shall not exceed the lesser of (a) 26 times his weekly benefit amount or (b) 70 percent of the number of credit weeks earned by such an individual computed to the nearest whole week times his weekly benefit amount.

(3) Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less that part of his earnings, including holiday pay, payable to him with respect to such week which is in excess of $25. Such benefit, if not a multiple of $1, shall be computed to the next higher multiple of $1.

(4) The provisions of this subdivision shall apply to claims for benefits which establish a benefit year subsequent to June 30, ~~1975~~ *1982*.

Sec. 14. Minnesota Statutes 1980, Section 268.07, Subdivision 3, is amended to read:

Subd. 3. [WHEN WAGE CREDITS ARE NOT AVAILABLE.] (1) No individual may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed service in insured work as defined in section 268.04, subdivision 17, and earned remuneration for such service in an amount equal to not less than the minimum wage credits required to qualify for benefits.

(2) No employer who provided 90 percent or more of the wage credits in a claimant's base period shall be charged for benefits based upon earnings of such claimant during a subsequent base period unless he has employed such claimant in any part of such subsequent base period.

(3) Wages paid by an employing unit may not be used for benefit purposes by any individual who (a) individually or jointly with a spouse, parent or child owns or controls directly or indirectly 25 percent or more interest in the employing unit; or (b) is the spouse, parent or minor child of any individual who owns or controls directly or indirectly 25 percent or more interest in the employing unit; and (c) is not permanently separated from employment.

This clause shall be effective when the individual has been paid four times the individual's weekly benefit amount in the current benefit year.

(4) Wages paid by an employing unit may not be used for benefit purposes during the benefit year if the total amount of wage credits in the base period equal or exceed three times the average annual wage, as determined in subdivision 2, in the second year preceding the calendar year in which the individual's valid claim was established.

Sec. 15. Minnesota Statutes 1980, Section 268.071, Subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section, unless the context clearly requires otherwise:

(1) [EXTENDED BENEFIT PERIOD.] "Extended benefit period" means a period which

(a) Begins with the third week after ~~whichever of the following weeks occurs first: A week for which there is a national "on" indicator, or~~ a week for which there is a state "on" indicator; and

(b) Ends with either of the following weeks, whichever occurs later: The

third week after the first week for which there is ~~both a national "off" indicator and~~ a state "off" indicator; or the 13th consecutive week of ~~such~~ *the* period;

Provided, that no extended benefit period may begin ~~by reason of a state "on" indicator~~ before the 14th week following the end of a prior extended benefit period which was in effect with respect to this state.

~~(2) [NATIONAL "ON" INDICATOR.] There is a "national 'on' indicator" for a week if for the period consisting of such week and the immediately preceding 12 weeks, the rate of insured unemployment (seasonally adjusted) for all states equaled or exceeded four and one-half percent. The rate of insured unemployment, for the purposes of this clause, shall be determined by the secretary of labor by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of the period.~~

~~(3) [NATIONAL "OFF" INDICATOR.] There is a "national 'off' indicator" for a week if for the period consisting of such week and the immediately preceding 12 weeks, the rate of insured unemployment (seasonally adjusted) for all states was less than four and one-half percent. The rate of insured unemployment for the purposes of this clause, shall be determined by the secretary of labor by reference to the average monthly covered employment for the first four of the most recent six calendar quarters ending before the close of such period.~~

~~(4)~~ *(2)* [STATE "ON" INDICATOR.] There is a "state 'on' indicator" for this state for a week if the commissioner determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding 12 weeks, the rate of insured unemployment (not seasonally adjusted) under this law

(a) equaled or exceeded 120 percent of the average of such rates for the corresponding 13 week period ending in each of the preceding two calendar years, and

(b) equaled or exceeded ~~four~~ *five* percent.

~~With respect to benefits for weeks of unemployment beginning after March 30, 1977~~ The determination of whether there has been a state "on" ~~or "off"~~ indicator beginning any extended benefit period may be made as provided in clauses (a) and (b) above or a "state 'on' indicator" shall exist if the rate described in clause (b) equaled or exceeded ~~five~~ *six* percent irrespective of whether the percentage requirement provided by clause (a) is met or exceeded.

~~(5)~~ *(3)* [STATE "OFF" INDICATOR.] There is a "state 'off' indicator" for this state for a week if, for the period consisting of such week and the immediately preceding 12 weeks, *the rate of insured unemployment is less than six percent and* the requirements for a "state 'on' indicator" under clause ~~(4)~~ *(2)* of this subdivision are not satisfied.

~~(6)~~ *(4)* [RATE OF INSURED UNEMPLOYMENT.] "Rate of insured unemployment," for purposes of clauses ~~(4)~~ *(2)* and ~~(5)~~ *(3)*, means the percentage derived by dividing the average weekly number of individuals filing claims *for regular benefits* in this state for weeks of unemployment with respect to the most recent 13 consecutive week period, as determined by the commissioner on the basis of his reports to the United States secretary of labor, by the average

monthly employment covered under this law for the first four of the most recent six completed calendar quarters ending before the end of such 13 week period.

~~(7)~~ *(5)* [REGULAR BENEFITS.] "Regular benefits" means benefits payable to an individual under this law or under any other state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) other than extended benefits and additional benefits.

~~(8)~~ *(6)* [EXTENDED BENEFITS.] "Extended benefits" means benefits (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 U.S.C. chapter 85) payable to an individual under the provisions of this section for weeks of unemployment in his eligibility period.

~~(9)~~ *(7)* [ADDITIONAL BENEFITS.] "Additional benefits" means benefits payable to exhaustees by reason of conditions of high unemployment or by reason of other special factors under the provisions of any state law.

~~(10)~~ *(8)* [ELIGIBILITY PERIOD.] "Eligibility period" of an individual means the period consisting of the weeks in his benefit year which begin in an extended benefit period and, if his benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

~~(11)~~ *(9)* [EXHAUSTEE.] "Exhaustee" means an individual who, with respect to any week of unemployment in his eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were available to him under this law or any other state law (including dependents' allowances and benefits payable to federal civilian employees and ex-servicemen under 5 U.S.C. chapter 85) in his current benefit year that includes such week;

Provided, that, for the purposes of this paragraph, an individual shall be deemed to have received all of the regular benefits that were available to him although as a result of a pending appeal with respect to wage credits or credit weeks that were not considered in the original monetary determination in his benefit year, he may subsequently be determined to be entitled to added regular benefits; or

(b) His benefit year having expired prior to such week, has no, or insufficient, wages and/or employment on the basis of which he could establish a new benefit year that would include such week or having established a benefit year that includes such week, he is precluded from receiving regular compensation by reason of: (i) a state law provision which meets the requirements of section 3304 (a) (7) of the Internal Revenue Code of 1954, or (ii) a disqualification determination which cancelled wage credits or totally reduced his benefit rights, or (iii) benefits are not payable by reason of a seasonal limitation in a state unemployment insurance law; and

(c) Has no right to unemployment benefits or allowances, as the case may be, under the railroad unemployment insurance act, the trade expansion act of 1962, the automotive products act of 1965 and such other federal laws as are specified in regulations issued by the United States secretary of labor; and has not received and is not seeking unemployment benefits under the unemployment compensation law of Canada ~~or the Virgin Islands, prior to the day after the day on which the United States secretary of labor approves the Virgin~~

~~Islands law~~; but if he is seeking such benefits and the appropriate agency finally determines that he is not entitled to benefits under such law he is considered an exhaustee.

~~(12)~~ *(10)* [STATE LAW.] "State law" means the unemployment insurance law of any state, approved by the United States secretary of labor under section 3304 of the Internal Revenue Code of 1954.

Sec. 16. Minnesota Statutes 1980, Section 268.071, Subdivision 3, is amended to read:

Subd. 3. [ELIGIBILITY REQUIREMENTS FOR EXTENDED BENEFITS.] An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period only if the commissioner finds that with respect to such week:

(1) He is an "exhaustee" as defined in subdivision 1, clause ~~(11)~~ *(9)*;

(2) He has satisfied the requirements of this law for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits*; and*

(3) He has, during his base period earned wage credits available for benefit purposes of not less than 40 times his weekly benefit amount as determined pursuant to section 268.07, subdivision 2.

Sec. 17. Minnesota Statutes 1980, Section 268.071, Subdivision 5, is amended to read:

Subd. 5. [TOTAL EXTENDED BENEFIT AMOUNT.] The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be 50 percent of the total amount of regular benefits which were payable to him under this law in his applicable benefit year, *provided that at the expiration of his benefit year, his remaining balance of extended benefits shall be reduced, but not below zero, by the product arrived at by multiplying his weekly extended benefit amount by the number of weeks in his expired benefit year for which any trade readjustment allowance was paid him pursuant to sections 231 to 234 of the trade act of 1974, as amended.*

Sec. 18. Minnesota Statutes 1980, Section 268.071, Subdivision 6, is amended to read:

Subd. 6. [BEGINNING AND TERMINATION OF EXTENDED BENEFIT PERIOD.] (1) Whenever an extended benefit period is to become effective in this state ~~(or in all states)~~ as a result of a state ~~or a national~~ "on" indicator, or an extended benefit period is to be terminated in this state as a result of a state "off" indicator ~~and/or state and national "off" indicators,~~ the commissioner shall make an appropriate public announcement.

(2) Computations required by the provisions of subdivision 1, clause ~~(6)~~ *(4)* shall be made by the commissioner, in accordance with regulations prescribed by the United States secretary of labor.

(3) Except as otherwise provided, *the state share of the* benefits paid *to an individual* under this section shall ~~not~~ be charged to the employment experience record of ~~an~~ *the base period* employer *of the individual to the extent regular benefits were charged to the base period employer under sections 268.06, subdivision 5, and 268.09, subdivision 1, clause (4).*

(4) With respect to an employer which has elected to be a contributing employer under the provisions of section 268.06, subdivision 31, all benefits paid under this section which are based upon services for such contributing employer shall be charged to such contributing employer's account as to weeks of unemployment beginning after January 1, 1979.

Sec. 19. Minnesota Statutes 1980, Section 268.071, is amended by adding a subdivision to read:

Subd. 8. [INTERSTATE CLAIMS.] *An individual shall not be eligible for extended benefits for any week if:*

(a) Extended benefits are payable for that week pursuant to an interstate claim filed in any state under the interstate benefit payment plan; and

(b) No extended benefit period is in effect for the week in that state. This subdivision shall not apply to the first two weeks for which extended benefits are payable pursuant to an interstate claim filed under the interstate benefit payment plan to the individual from the extended benefit account established for the individual with respect to the benefit year.

Sec. 20. Minnesota Statutes 1980, Section 268.071, is amended by adding a subdivision to read:

Subd. 9. [ELIGIBILITY REQUIREMENTS.] *Notwithstanding the provisions of subdivision 2, an individual shall be ineligible for the payment of extended benefits for any week of unemployment in his eligibility period if the commissioner finds that during that week he failed to accept any offer of suitable work, failed to apply for any suitable work to which he was referred by the commissioner or failed to actively engage in seeking work.*

Any individual who has been found ineligible for extended benefits for any week by reason of this subdivision shall also be denied benefits for the week following the week in which the failure occurred and until he has been employed in each of four subsequent weeks, whether or not consecutive, and has earned remuneration of not less than four times his extended weekly benefit amount.

For the purpose of this subdivision "suitable work" means, with respect to any individual, any work which is within that individual's capabilities and which has a gross average weekly remuneration payable which exceeds the sum of the individual's weekly benefit amount as determined under subdivision 4 plus the amount, if any, of supplemental unemployment benefits, as defined in section 501(c) (17) (D) of the Internal Revenue Code of 1954, as amended, payable to the individual for that week. The work must pay wages not less than the higher of the minimum wage provided by section 6(a) (1) of the Fair Labor Standards Act of 1938, as amended, without regard to any exemption, or the applicable state or local minimum wage.

No individual shall be denied extended benefits for failure to accept an offer of or apply for any suitable work if: (a) the position was not offered to the individual in writing or was not listed with employment service; (b) the failure could not result in a denial of benefits under the definition of suitable work for regular benefit claimants in section 268.09, subdivision 2 to the extent that the criteria of suitability therein are not inconsistent with this subdivision; or (c) the individual furnishes satisfactory evidence to the commissioner that his

prospects for obtaining work in his customary occupation within a reasonably short period are good. If the evidence furnished is found to be satisfactory for this purpose, the determination of whether any work is suitable for the individual shall be made in accordance with the definition of suitable work for regular benefit claimants in section 268.09, subdivision 2, clause (a) without regard to the definition or special disqualification specified in this subdivision.

No work shall be found to be suitable work for an individual which does not accord with the labor standard provisions required by section 3304(a) (5) of the Internal Revenue Code of 1954, as amended, and set forth in section 268.09, subdivision 2, clauses (b) (1) (2) and (3).

For the purpose of this subdivision an individual is ''actively seeking work'' during any week if the individual has engaged in a systematic and sustained effort to obtain work during the week, and the individual furnishes tangible evidence that he has engaged in that effort during the week.

The employment service shall refer any claimant entitled to extended benefits under section 268.071 to any work which is suitable work for that individual under this subdivision.

Sec. 21. [268.072] [CHILD SUPPORT INTERCEPT OF UNEMPLOYMENT BENEFITS.]

Subdivision 1. [DEFINITIONS.] *As used in this section unless the context clearly requires otherwise:*

(a) ''Unemployment compensation'' means any compensation payable under chapter 268 including amounts payable by the commissioner pursuant to an agreement under any federal law providing for compensation, assistance, or allowance with respect to unemployment;

(b) ''Child support obligations'' means obligations which are being enforced by the public agency responsible for child support enforcement pursuant to a plan described in section 454 of the social security act which has been approved by the secretary of health and human services under part D of title IV of the social security act;

(c) ''Child support agency'' means the public agency responsible for child support enforcement pursuant to a plan described in section 454 of the social security act.

Subd. 2. [NOTICE OF CLAIM.] *An individual filing a new claim for unemployment compensation shall, at the time of filing the claim, disclose whether or not the individual owes child support obligations. If any individual discloses that he or she owes child support obligations, and is determined to be eligible for unemployment compensation, the commissioner shall notify the child support agency that the individual has been determined to be eligible for unemployment compensation.*

Subd. 3. [WITHHOLDING OF BENEFITS.] *The commissioner shall deduct and withhold from any unemployment compensation payable to an individual that owes child support obligations:*

(a) The amount specified by the individual to the commissioner to be deducted and withheld under this section, if neither clause (b) or (c) is applicable; or

(b) The amount determined pursuant to an agreement submitted to the commissioner under section 454 (20) (B) (i) of the social security act by the child support agency, unless (c) is applicable; or

(c) Any amount otherwise required to be so deducted and withheld from the unemployment compensation pursuant to "legal process" as defined in section 462(e) of the social security act, properly served upon the commissioner.

Subd. 4. [PAYMENT BY THE COMMISSIONER.] *Any amount deducted and withheld under subdivision 3 shall be paid by the commissioner to the public agency responsible for child support enforcement.*

Subd. 5. [EFFECT OF PAYMENTS.] *Any amount deducted and withheld under subdivision 3 shall for all purposes be treated as if it were paid to the individual as unemployment compensation and paid by the individual to the public agency responsible for child support enforcement in satisfaction of the individual's child support obligations.*

Subd. 6. [REIMBURSEMENT OF COSTS.] *Appropriate arrangements shall be made for reimbursement by the child support agency for the administrative costs incurred by the commissioner under this subdivision and sections 256.872 to 256.878 and 518.551 and 518.611 which are attributable to child support obligations being enforced by the public agency responsible for child support enforcement.*

Sec. 22. Minnesota Statutes 1980, Section 268.08, Subdivision 1, is amended to read:

Subdivision 1. [ELIGIBILITY CONDITIONS.] An individual shall be eligible to receive benefits with respect to any week of unemployment only if the commissioner finds that:

(1) He has registered for work at and thereafter has continued to report to an employment office, or agent of such office, in accordance with such regulations as the commissioner may prescribe; except that the commissioner may by regulation waive or alter either or both of the requirements of this clause as to types of cases or situations with respect to which he finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of sections 268.03 to 268.24;

(2) He has made a claim for benefits in accordance with such regulations as the commissioner may prescribe; and

(3) He was able to work and was available for work, and was actively seeking work, provided that individual's weekly benefit amount shall be reduced one-fifth for each day such individual is unable to work or unavailable for work; provided further that benefits ~~after December 31, 1971,~~ shall not be denied by application of this clause to an individual who is in training with the approval of the commissioner *or in training approved pursuant to section 236 of the Trade Act of 1974, as amended*;

An individual shall be deemed unavailable for work with respect to any week which occurs in a period when ~~his principal occupation is that of a~~ *he is a full-time* student in attendance at, or on vacation from an established school, college or university unless a majority of the credit weeks earned in his base period were for services performed during weeks in which he was attending school *as a full-time student.*

(4) He has been unemployed for a waiting period of one week during which he is otherwise eligible for benefits under sections 268.03 to 268.24, provided, however, payment for the waiting week shall be made to such individual after he has qualified for and been paid benefits for four weeks of unemployment in a benefit year which period of unemployment is terminated because of such individual's return to employment. No individual shall be required to serve a waiting period of more than one week within the one year period subsequent to filing a valid claim and commencing with the week within which such valid claim was filed.

Sec. 23. Minnesota Statutes 1980, Section 268.08, Subdivision 3, is amended to read:

Subd. 3. [NOT ELIGIBLE.] An individual shall not be eligible to receive benefits for any week with respect to which he is receiving, has received, or has filed a claim for remuneration in an amount equal to or in excess of his weekly benefit amount in the form of

(1) termination, severance, or dismissal payment or wages in lieu of notice whether legally required or not; provided that if a termination, severance, or dismissal payment is made in a lump sum, the employer may allocate such lump sum payment over a period equal to the lump sum divided by the employee's regular pay while employed by such employer; provided any such payment shall be applied for a period immediately following the last day of work but not to exceed 28 calendar days; or

(2) vacation allowance paid directly by the employer for a period of requested vacation, including vacation periods assigned by the employer under the provisions of a collective bargaining agreement, or uniform vacation shutdown; or

(3) compensation for loss of wages under the workers' compensation law of this state or any other state or under a similar law of the United States, or under other insurance or fund established and paid for by the employer; or

(4) *50 percent of the* pension payments from any fund, annuity or insurance ~~provided~~ *maintained or contributed to* by ~~or through~~ a base period employer ~~who contributed at least 50 percent of the premiums or contributions during the claimant's base period employment with the employer~~ *including the armed forces of the United States if the employee contributed to the fund, annuity or insurance and all of the pension payments if the employee did not contribute to the fund, annuity or insurance*; or

(5) *50 percent of* a primary insurance benefit under Title II of the social security act as amended, or similar old age benefits under any act of congress or this state or any other state~~, except that these benefits shall not be treated as deductible remuneration if the claimant has established a valid claim based on employment subsequent to the first receipt of these benefits; or~~

~~(6) that part of a pension in excess of $700 per month received as a consequence of service in the armed forces of the United States~~.

Provided, that if such remuneration is less than the benefits which would otherwise be due under sections 268.03 to 268.24, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration; provided, further, that if the appropriate agency of such

other state or the federal government finally determines that he is not entitled to such benefits, this provision shall not apply.

Sec. 24. Minnesota Statutes 1980, Section 268.08, Subdivision 6, is amended to read:

Subd. 6. [SERVICES PERFORMED FOR STATE, MUNICIPALITIES OR CHARITABLE CORPORATION.] Effective January 1, 1978 benefits based on service in employment defined in section 268.04, subdivision 12, clauses (7), (8) and (9), shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other service subject to this chapter; except that

(a) With respect to weeks of unemployment after December 31, 1977, benefits based upon service performed in an instructional, research, or principal administrative capacity for an institution of higher education or a public school, or a nonpublic school or the Minnesota school for the deaf or Minnesota braille and sight saving school *or in a public or nonpublic school*, for an educational cooperative service unit established under section 123.58, or any other educational service agency as defined in section 3304 (a) (6) (A) (IV) of the federal unemployment tax act, shall not be paid for any week of unemployment commencing during the period between two successive academic years or terms, or during a similar period between two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if the individual performs the services in the first of the academic years or terms and if there is a contract or a reasonable assurance that the individual will perform services in any such capacity for any institution of higher education, public school, nonpublic school, state deaf and sight saving schools, an educational cooperative service unit, other educational service agency, or developmental achievement center in the second of the academic years or terms, and

(b) With respect to service performed after December 31, 1977 in any capacity, other than those capacities described in clause (a) of this subdivision, for a public school or nonpublic school, or the Minnesota school for the deaf or Minnesota braille and sight saving school *or in a public or nonpublic school*, or for an educational cooperative service unit established under section 123.58, or any other educational service agency as defined in section 3304 (a) (6) (A) (IV) of the federal unemployment tax act, benefits shall not be paid on the basis of these services to any individual for any week which commences during a period between two successive academic years or terms if the individual performs the services in the first of the academic years or terms and there is a reasonable assurance that the individual will perform the services in the second of the academic years or terms, and

(c) With respect to any services described in clause (a) or (b), benefits payable on the basis of the services shall not be paid to any individual for any week which commences during an established and customary vacation period or holiday recess if the individual performs the services in the period immediately before the vacation period or holiday recess, and there is a reasonable assurance that the individual will perform the services in the period immediately following the vacation period or holiday recess.

Sec. 25. Minnesota Statutes 1980, Section 268.09, Subdivision 1, is amended to read:

Subdivision 1. [DISQUALIFYING CONDITIONS.] An individual *separated from employment under clauses (1), (2) and (3)* shall be disqualified for waiting week credit and benefits ~~for the duration of his unemployment and~~ until *4 calendar weeks have elapsed following his separation and* he has earned four times his weekly benefit amount in insured work ~~if he is separated from employment under any of the following conditions:~~ *unless the clause provides otherwise.*

(1) [VOLUNTARY LEAVE.] The individual voluntarily and without good cause attributable to the employer discontinued his employment with such employer. For the purpose of this clause, a separation from employment by reason of ~~its temporary nature or~~ *the expiration of a written employment agreement providing for the termination of the employment relationship within 15 weeks of its commencement shall be deemed voluntary, provided that the wages earned during the course of the employment relationship do not exceed $2,500, and provided that employment of 15 weeks duration or less has been the norm for most employment by that employer in that facility in the three years previous to the enactment of this section and provided further that separation for this reason shall disqualify the individual from being able to requalify for waiting week credit and benefits until he qualifies under section 268.07. But a separation from employment* for inability to pass a test or for inability to meet performance standards necessary for continuation of employment shall not be deemed voluntary.

(2) [DISCHARGE FOR MISCONDUCT.] The individual was discharged for misconduct, not amounting to gross misconduct connected with his work or for misconduct which interferes with and adversely affects his employment.

An individual shall not be disqualified under clauses (1) and (2) of this subdivision under any of the following conditions:

(a) The individual voluntarily discontinued his employment to accept work offering substantially better conditions of work or substantially higher wages or both;

(b) The individual is separated from employment due to his own serious illness provided that such individual has made reasonable efforts to retain his employment;

An individual who is separated from his employment due to his illness of chemical dependency which has been professionally diagnosed or for which he has voluntarily submitted to treatment and who fails to make consistent efforts to maintain the treatment he knows or has been professionally advised is necessary to control that illness has not made reasonable efforts to retain his employment.

(c) The individual accepts work from a base period employer which involves a change in his location of work so that said work would not have been deemed to be suitable work under the provisions of subdivision 2 and within a period of 13 weeks from the commencement of said work voluntarily discontinues his employment due to reasons which would have caused the work to be unsuitable under the provision of said subdivision 2;

(d) The individual left employment because he had reached mandatory retirement age and was 65 years of age or older; ~~or~~

(e) The individual is terminated by his employer because he gave notice of

intention to terminate employment within 30 days. This exception shall be effective only through the calendar week which includes the date of intended termination, provided that this exception shall not result in the payment of benefits for any week for which he receives his normal wage or salary which is equal to or greater than his weekly benefit amount;

(f) The individual is separated from employment due to the completion of an apprenticeship program, or segment thereof, approved pursuant to chapter 178.

(3) [DISCHARGE FOR GROSS MISCONDUCT.] The individual was discharged for gross misconduct connected with his work or gross misconduct which interferes with and adversely affects his employment and provided further that the commissioner is empowered to impose a total disqualification for the benefit year and to cancel part or all of the wage credits from the last employer from whom he was discharged for gross misconduct connected with his work.

For the purpose of this clause "gross misconduct" shall be defined as misconduct involving assault and battery or the malicious destruction of property or the theft of money or property of a value of $100 or more or arson or sabotage or embezzlement~~. However, no person shall be deemed to have been discharged for gross misconduct for purposes of this chapter unless (1) the person makes an admission to the conduct in writing or under oath, or (2) the person is found to have engaged in such conduct by an appeals tribunal established pursuant to section 268.10, or (3) the person has been convicted by a court of competent jurisdiction of acts constituting gross misconduct~~ *or any other act the commission of which amounts to a felony or gross misdemeanor*.

(4) [LIMITED OR NO CHARGE OF BENEFITS.] Benefits paid subsequent to an individual's separation under any of the foregoing clauses, excepting clauses (2)(c) ~~and~~ , (2)(e), *and 2(g),* shall not be used as a factor in determining the future contribution rate of the employer from whose employment such individual separated.

Benefits paid subsequent to an individual's failure, without good cause, to accept an offer of suitable re-employment shall not be used as a factor in determining the future contribution rate of the employer whose offer of re-employment he failed to accept or whose offer of re-employment was refused solely due to the distance of the available work from his residence, the individual's own serious illness or his other employment at the time of the offer.

(5) An individual who was employed by an employer shall not be disqualified for benefits under this subdivision for any acts or omissions occurring after his separation from employment with the employer.

(6) [DISCIPLINARY SUSPENSIONS.] *An individual shall be disqualified for waiting week credit and benefits for the duration of any disciplinary suspension of 30 days or less resulting from his own misconduct. Disciplinary suspensions of more than 30 days shall constitute a discharge from employment.*

Sec. 26. Minnesota Statutes 1980, Section 268.09, Subdivision 2, is amended to read:

Subd. 2. [FAILURE TO APPLY FOR OR ACCEPT SUITABLE WORK

OR RE-EMPLOYMENT.] An individual shall be disqualified for waiting week credit and benefits during the week of occurrence and until *4 calendar weeks have elapsed following his refusal or failure and* he has earned four times his weekly benefit amount in insured work if the commissioner finds that he has failed, without good cause, either to apply for available, suitable work of which he was advised by the employment office, or the commissioner or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the commissioner, or to accept suitable re-employment offered by a base period employer.

(a) In determining whether or not any work is suitable for an individual, the commissioner shall consider the degree of risk involved to his health, safety, and morals, his physical fitness and prior training, his experience, his length of unemployment and prospects of securing local work in his customary occupation, and the distance of the available work from his residence.

(b) Notwithstanding any other provisions of sections 268.03 to 268.24, no work shall be deemed suitable, and benefits shall not be denied thereunder to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(1) if the position offered is vacant due directly to a strike, lockout, or other labor dispute;

(2) if the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

(3) if as a condition of being employed the individual would be required to join a union or to resign from or refrain from joining any bona fide labor organization;

(4) if the individual is in training with the approval of the commissioner.

Sec. 27. Minnesota Statutes 1980, Section 268.09, is amended by adding a subdivision to read:

Subd. 8. [TRAINING APPROVED UNDER TRADE ACT OF 1974.] *An individual shall not be disqualified for benefits under subdivision 1, clause (1) of this section if he left work which was not suitable employment to enter approved training or disqualified under subdivision 2, if he is in approved training. For the purposes of this subdivision "suitable employment" is defined in and the criteria for approval of training are set forth in section 236 of the Trade Act of 1974, as amended.*

Sec. 28. Minnesota Statutes 1980, Section 268.10, Subdivision 1, is amended to read:

Subdivision 1. [FILING.] Claims for benefits shall be made in accordance with such regulations as the commissioner may prescribe. Each employer shall post and maintain printed statements of such regulations in places readily accessible to individuals in his service and shall make available to each such individual at the time he becomes unemployed, a printed statement of such regulations. Such printed statements shall be supplied by the commissioner to each employer without cost to him.

(1) Any employer upon separation of an employee from his employment for

any reason which may result in disqualification for benefits under section 268.09, shall furnish to such employee a separation notice which shall provide the employer's name, address, and employer account number as registered with the department, the employee's name and social security account number, the inclusive dates of his employment, and the reason for the separation. A copy of such separation notice shall be filed with the commissioner within ~~three~~ *seven* days of such separation. The commissioner shall require each individual filing a claim for benefits to establish a benefit year to furnish ~~such separation notices which he has received from all employers from whom such individual earned wage credits in the base period~~ *the reason for separation from all employers in his base period.*

(2) Upon the filing, by an individual, of a claim for benefits, the commissioner shall give notice to all such base period employers of the filing of such claim and request each such base period employer, within seven days after the mailing of such notice, to furnish the following information:

(a) The total wage credits earned in the base period;

(b) The number of credit weeks which end within the base period;

(c) The week ending dates for each calendar week within the base period in which the individual earned less than the amount required to make a credit week and the amount of earnings in each such week;

(d) The reason for the separation or separations of such individual from the employ of the employer in the base period; and

(e) Such employer's protest, if any, relating to the ineligibility or disqualification of such individual.

(3) If any base period employer, after the notice of filing of a claim and the request for wage and separation information has been duly mailed to his last known address, fails to file information as provided by items (a) through (e) of clause 2 of this subdivision within seven days, the commissioner shall:

(a) Determine the validity of an individual's claim based on the claimant's statements or any other available information. ~~Any~~ *An* employer shall be liable for a late filing fee of not less than $5 nor more than $25, as the commissioner may determine, to be paid to the department of economic security and credited to the contingent fund if he has failed without good cause to submit the wage and separation information as required in clause 2 of this subdivision within seven days after the request has been duly mailed to his last known address. In the absence of fraud, if a redetermination of validity of claim based on an employer's late report subsequently cancels or reduces the amount of benefits to which a claimant was entitled under the initial determination, the claimant shall not be required to make repayment to the fund of any benefits paid to him prior to such redetermination. ~~The commissioner shall not consider any issue of disqualification raised under clause (1) or (2) unless a protest was filed within the time limits specified in clause (2);~~ *and*

(b) Determine any issue of disqualification raised by clause (1) of this subdivision or by an employer's late report. If an employer fails to file a separation notice within the time limits prescribed in clause (1), any relief from benefit charges provided by section 268.09, subdivision 1, clause (4), shall apply to weeks of unemployment beginning after the filing of the late report.

Sec. 29. Minnesota Statutes 1980, Section 268.10, Subdivision 2, is amended to read:

Subd. 2. [EXAMINATION OF CLAIMS; DETERMINATION; APPEAL.] (1) An official, designated by the commissioner, shall promptly examine each claim for benefits filed to establish a benefit year pursuant to this section, and, on the basis of the facts found, shall determine whether or not such claims are valid, and if valid, the weekly benefit amount payable, the maximum benefit amount payable during the benefit year, and the date the benefit year terminates, and this determination shall be known as the determination of validity. Notice of the determination of validity or any redetermination as provided for in clause (4) shall be promptly given the claimant and all other interested parties. *If within the time limits for filing a protest an interested party notifies the department that an individual's weekly benefit amount as determined under section 268.07 exceeds the individual's weekly wages while employed by the interested party, the weekly benefit amount shall be the lesser of the amount derived by dividing the total base period wages earned in all credit weeks by the number of base period credit weeks computed to the nearest whole dollar or the amount as computed under section 268.07.* If within the time specified for the filing of wage and separation information as provided in subdivision 1, clause (2), the employer makes an allegation of disqualification or raises an issue of the chargeability to his account of benefits that may be paid on such claim, if the claim is valid, the issue thereby raised shall be promptly determined by said official and a notification of the determination delivered or mailed to the claimant and the employer. If an initial determination or an appeal tribunal decision or the commissioner's decision awards benefits, the benefits shall be paid promptly regardless of the pendency of any appeal period or any appeal or other proceeding which may thereafter be taken. Except as provided in clause (6), if an appeal tribunal decision modifies or reverses an initial determination awarding benefits, or if a commissioner's decision modifies or reverses an appeal decision awarding benefits, any benefits paid under the award of such initial determination or appeal tribunal decision shall be deemed erroneous payments.

(2) ~~If within the benefit year~~ *At any time within 15 months from the date of the filing of a claim for benefits by an individual,* an official of the department or any interested party or parties raises an issue of claimant's eligibility for benefits for any week or weeks in accordance with the requirements of the provisions of sections 268.03 to 268.24 or any official of the department or any interested party or parties or benefit year employer raises an issue of disqualification in accordance with the regulations of the commissioner, a determination shall be made thereon and a written notice thereof shall be given to the claimant and such other interested party or parties or benefit year employer.

(3) A determination issued pursuant to clauses (1) and (2) shall be final unless an appeal therefrom is filed by a claimant or employer within 15 days after the mailing of the notice of the determination to his last known address or personal delivery of the notice. Every notice of determination shall contain a prominent statement indicating in clear language the method of appealing the determination, the time within which such an appeal must be made, and the consequences of not appealing the determination. A timely appeal from a determination of validity in which the issue is whether an employing unit is an employer within the meaning of this chapter or whether services performed for

an employer constitute employment within the meaning of this chapter shall be subject to the provisions of section 268.12, subdivision 13.

(4) At any time within ~~one year~~ *15 months* from the date of the filing of a claim for benefits by an individual, the commissioner on his own motion may reconsider a determination *of validity* made thereon and make a redetermination thereof if he finds that an error in computation or identity or the crediting of wage credits has occurred in connection therewith or if the determination was made as a result of a nondisclosure or misrepresentation of a material fact.

(5) However, the commissioner may in his discretion refer any disputed claims directly to the appeal tribunal for hearing and determination in accordance with the procedure outlined in subdivision 3 and the effect and status of such determination in such a case shall be the same as though the matter had been determined upon an appeal to the tribunal from an initial determination.

(6) If an appeal tribunal decision affirms an initial determination awarding benefits or the commissioner affirms an appeal tribunal decision awarding benefits, the decision, if finally reversed, shall not result in a disqualification and benefits paid shall neither be deemed overpaid nor shall they be considered in determining any individual employer's future contribution rate under section 268.06.

Sec. 30. Minnesota Statutes 1980, Section 268.12, Subdivision 12, is amended to read:

Subd. 12. [INFORMATION.] Except as hereinafter otherwise provided, ~~information obtained~~ *data gathered* from any employing unit, *employer* or individual pursuant to the administration of sections 268.03 to 268.24, and from any determination as to the benefit rights of any individual shall be ~~held confidential and shall not be disclosed or be open to public inspection in any manner revealing the individual's or employing unit's identity. Any claimant or other interested party (or his legal representative) shall be supplied with information from the records of the department of economic security, to the extent necessary for the proper presentation of his claim, contention or refutation of any claim in which he is an interested party in any proceeding under these sections with respect thereto. Subject to such restrictions as the commissioner may by regulation prescribe, such information may be made available to any agency of this or any other state, or any federal agency charged with the administration of an employment and security law or the maintenance of a system of public employment offices, any agency of this state which is required by law to provide statistical information to the bureau of labor statistics of the United States department of labor, any local human rights department within the state which has enforcement powers, or the Bureau of Internal Revenue of the United States Department of the Treasury, and information obtained in connection with administration of the employment service may be made available to persons or agencies for purposes appropriate to the operation of a public employment service. Upon request therefor, the commissioner shall furnish to any agency of the United States charged with the administration of public works or assistance through public employment, and may furnish to any state agency similarly charged, or any local human rights department within the state which has enforcement powers, the name, address, ordinary occupation, and employment status of each recipient of benefits and such recipient's rights to further benefits under these sections. The commissioner may request the Comptroller of the Currency of the United States to cause an examination of the correctness of any return or report of any national banking association rendered pursuant to the provisions of these sections, and may in connection with such request, transmit any such report or return to the Comptroller of the Currency~~

~~of the United States as provided in section 3305(c) of the federal internal revenue code.~~

~~All letters, reports, communications, or any other matters, either oral or written, from an employer or his workers to each other or to the commissioner or any of his agents, representatives, or employees, which shall have been written or made in connection with the requirements and administration of sections 268.03 to 268.24 or the regulations thereunder, shall be absolutely privileged and shall not be made subject matter or basis for any suit for slander or libel in any court of this state~~ *private data on individuals or nonpublic data not on individuals as defined in section 15.162, subdivisions 5a and 5c and shall not be disclosed except pursuant to this subdivision or pursuant to a valid court order. This private data may be disseminated to and used by the following agencies without the consent of the subject of the data:*

(a) State and federal agencies specifically authorized access to the data by state or federal law;

(b) Any agency of this or any other state; or any federal agency charged with the administration of an employment security law or the maintenance of a system of public employment offices;

(c) Local human rights groups within the state which have enforcement powers;

(d) The Minnesota department of revenue on an interchangeable basis with the department of economic security subject to the following restrictions and notwithstanding any law to the contrary:

(1) The department of revenue may have access to department of economic security data on individuals and employing units only to the extent necessary for proper enforcement of tax laws; and

(2) The department of economic security may have access to department of revenue data pertaining only to individuals who have claimed benefits under sections 268.03 to 268.24 and only if the individuals are the subject of investigations based on other information available to the department of economic security. This clause shall not be construed to be a restriction on the exchange of information pertaining to corporations;

(e) Public and private agencies responsible for administering publicly financed assistance programs for the purpose of monitoring the eligibility of the program's recipients;

(f) The department of labor and industry for the purpose of determining the eligibility of the data subject;

(g) Local and state welfare agencies for monitoring the eligibility of the data subject for assistance programs; and

(h) Local, state and federal law enforcement agencies for the sole purpose of ascertaining the last known address and employment location of the data subject, provided the data subject is the subject of a criminal investigation.

Data on individuals, employers, and employing units which are collected, maintained, or used by the department in an investigation pursuant to section 268.18, subdivision 3 are confidential as to data on individuals and protected nonpublic data as defined in section 15.162, subdivisions 2a and 5d as to

nonindividual employers and employing units, and shall not be disclosed except pursuant to statute or valid court order or to a party named in a criminal proceeding, administrative or judicial, for preparation of a defense.

Data on individuals, employers, and employing units which are collected, maintained, or used by the department in the adjudication of a separation or eligibility issue pursuant to the administration of section 268.10, subdivision 2 are confidential as to data on individuals and protected nonpublic data as to nonindividual employers and employing units as defined in section 15.162, subdivisions 2a and 5d and shall not be disclosed except pursuant to the administration of section 268.10, subdivisions 3 to 8 or pursuant to a valid court order.

Aggregate data about employers compiled from individual job orders placed with the department of economic security are nonpublic data as defined in section 15.162, subdivision 5c if the commissioner determines that divulging the data would result in disclosure of the identity of the employer. The general aptitude test battery and the non-verbal aptitude test battery as administered by the department are also classified as nonpublic data.

Data on individuals collected, maintained or created because an individual applies for benefits or services provided by the energy assistance and weatherization programs administered by the department of economic security is private data on individuals and shall not be disseminated except pursuant to section 15.163, subdivision 4.

Data gathered by the department pursuant to the administration of sections 268.03 to 268.24 shall not be made the subject or the basis for any suit in any civil proceedings, administrative or judicial, unless the action is initiated by the department.

Sec. 31. Minnesota Statutes 1980, Section 268.12, Subdivision 13, is amended to read:

Subd. 13. [DETERMINATIONS.] (1) An official, designated by the commissioner, upon his own motion or upon application of an employing unit shall determine if an employing unit is an employer within the meaning of this chapter or as to whether services performed for it constitute employment within the meaning of this chapter, and shall notify the employing unit of such determination. Such determination shall be final unless the employing unit shall within 30 days after the mailing of notice of the determination to the employing unit's last known address file written appeal therefrom.

(2) The commissioner shall designate one or more representatives, herein referred to as referees, to conduct hearings on appeals. The employing unit and any claimant whose filed claim for benefits may be affected by a determination issued under clause (1) shall be interested parties to an appeal. The referee shall fix a time and place within this state for such hearing and shall give interested parties written notice thereof, by mail, not less than ten days prior to the time of such hearing. In the discharge of the duties imposed by this subdivision, the referee shall have power to administer oaths and affirmations, take depositions, certify to official acts, and issue subpoenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed necessary as evidence in connection with the subject matter of such hearing. The written report of any employee of the department

of economic security, made in the regular course of the performance of such employee's duties, shall be competent evidence of the facts therein contained and shall be prima facie correct, unless refuted by other credible evidence.

(3) Upon the conclusion of such hearing, the referee shall serve upon the interested parties by mail findings of fact and decision in respect thereto. The decision of the referee, together with his findings of fact and reasons in support thereof, shall be final unless an interested party shall within 30 days after the mailing of a copy thereof to the interested parties' last known addresses, file an appeal with the commissioner, or unless the commissioner, within 30 days after mailing of such decision, on his own motion orders the matter certified to him for review. Appeal from and review by the commissioner of the decision of the referee shall be had in the manner provided by regulation. The commissioner may without further hearing affirm, modify, or set aside the findings of fact or decision, or both, of the referee on the basis of the evidence previously submitted in the case, or direct the taking of additional evidence. The commissioner may disregard the findings of fact of the referee and examine the testimony taken and make such findings of fact as the evidence taken before the referee may, in the judgment of the commissioner, require, and make such decision as the facts so found by him may require. The commissioner shall notify the employing unit of his findings and decision by mail, mailed to the interested parties' last known addresses, and notice of such decision shall contain a statement setting forth the cost of certification of the record in the matter. The decision of the commissioner shall become final unless judicial review thereof is sought as provided by this subdivision. Any interested party to a proceeding before a referee or the commissioner may obtain a transcript of the testimony taken before the referee upon payment to the commissioner of the cost of such transcript to be computed at the rate of ten cents per 100 words.

(4) The district court of the county wherein the hearing before the referee was held shall, by writ of certiorari to the commissioner, have power to review all questions of law and fact presented by the record. The court shall not accept any new or additional evidence and shall not try the matter de novo. Such action shall be commenced within 30 days of the mailing of notice of the findings and decision of the commissioner to the interested parties affected thereby mailed to their last known addresses. The commissioner shall not be required to certify the record to the district court unless the party commencing such proceedings for review, as provided above, shall pay to the commissioner the cost of certification of the record computed at the rate of ten cents per 100 words less such amount as may have been previously paid by such party for a transcript. It shall be the duty of the commissioner upon receipt of such payment to prepare and certify to the court a true and correct typewritten copy of all matters contained in such record. The costs so collected by the commissioner shall be deposited by him in the employment services administration fund provided for in section 268.15.

The party commencing proceedings for review shall file his brief with the court and serve it upon the commissioner within 60 days of commencing proceedings. The commissioner shall file his brief with the court and serve it upon the party within 45 days of the service of the party's brief upon the commissioner. The party may file a reply brief with the court and serve it upon the commissioner within 15 days of the service of the commissioner's brief upon him. The proceedings shall be given precedence over all other civil cases

before the court.

The court may confirm or set aside the decision and determination of the commissioner. If the decision and determination is set aside and the facts found in the proceedings before the referee are sufficient, the court may enter such decision as is justified by law, or may remand the cause to the commissioner for further proceedings and may state the questions requiring further hearing, and give such other instructions as may be proper.

Any decision of the district court may be reviewed on certiorari by the supreme court provided the writ is issued and served upon the adverse party or parties within 30 days after the mailing of the notice of the decision.

(5) A final decision of the commissioner or referee, in the absence of appeal therefrom, shall be conclusive for all the purposes of sections 268.03 to 268.24 except as herein otherwise provided, and, together with the records therein made, shall be admissible in any subsequent judicial proceeding involving liability for contributions. A final decision of the commissioner or referee may be introduced in any proceeding involving a claim for benefits.

(6) In the event a final decision of the commissioner or referee determines the amount of contributions due under sections 268.03 to 268.24, then, if such amount, together with interest and penalties, is not paid within 30 days after such decision, the provisions of section ~~268.16, subdivision 3,~~ *19* shall apply; and the commissioner shall proceed thereunder, substituting a certified copy of the final decision in place of the contribution report therein provided.

Sec. 32. Minnesota Statutes 1980, Section 268.15, Subdivision 3, is amended to read:

Subd. 3. [CONTINGENT ACCOUNT.] There is hereby created in the state treasury a special account, to be known as the employment services contingent account, which shall not lapse nor revert to any other fund. Such account shall consist of all moneys appropriated therefor by the legislature, all moneys in the form of interest and penalties collected pursuant to section 268.16 and all moneys received in the form of voluntary contributions to this account and interest thereon. All moneys in such account shall be supplemental to all federal moneys that would be available to the commissioner but for the existence of this account. Moneys in this account are hereby appropriated to the commissioner and shall be expended in accordance with the provisions of section 3.30, in connection with the administration of sections 268.03 to 268.24. Whenever the commissioner expends moneys from said contingent account for the proper and efficient administration of the Minnesota employment services law for which funds have not yet been made available by the federal government, such moneys so withdrawn from the contingent account shall be replaced as hereinafter provided. Upon the deposit in the employment services administration fund of moneys which are received in reimbursement of payments made as above provided for said contingent account, the commissioner shall certify to the state treasurer the amount of such reimbursement and thereupon the state treasurer shall transfer such amount from the employment services administration fund to said contingent account. All moneys in this account shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as is provided by law for the other special accounts in the state treasury. The state treasurer shall be liable on his official bond for the faithful performance of his duties in connection

with the employment services contingent account provided for herein. Notwithstanding anything to the contrary contained herein, on June 30 of each year, *except 1982*, all amounts in excess of $300,000 in this account shall be paid over to the unemployment compensation fund established under section 268.05 and administered in accordance with the provisions set forth therein.

Sec. 33. Minnesota Statutes 1980, Section 268.16, Subdivision 1, is amended to read:

Subdivision 1. [INTEREST ON PAST DUE CONTRIBUTIONS.] If contributions or reimbursements to the unemployment fund are not paid on the date on which they are due the unpaid balance thereof shall bear interest at the rate of one *and one-half* percent per month or any part thereof. Contributions or reimbursements received by mail postmarked on a day following the date on which the law requires contributions to be paid shall be deemed to have been paid on the due date if there is substantial evidence tending to prove that the contribution was actually deposited in the United States mails properly addressed to the department with postage prepaid thereon on or before the due date. Interest collected pursuant to this subdivision shall be paid into the contingent account. Interest on contributions due under this subdivision may be waived in accordance with rules as the commissioner may adopt.

Sec. 34. Minnesota Statutes 1980, Section 268.16, Subdivision 2, is amended to read:

Subd. 2. [REPORTS; DELINQUENCIES; PENALTIES.] (1) Any employer who knowingly fails to make and submit to the department of economic security any report of wages paid by or due from him for insured work in the manner and at the time such report is required by regulations prescribed by the commissioner shall pay to the department of economic security for the contingent account a penalty in the amount of one *and one-half* percent of contributions accrued during the period for which such report is required, for each month from and after such date until such report is properly made and submitted to the department of economic security. In no case shall the amount of the penalty imposed hereby be less than $5 per month. The maximum penalty imposed hereby shall be $25 or the amount determined at the rate of one *and one-half* percent per month, whichever is greater. Any employing unit which fails to make and submit to the commissioner any report, other than one of wages paid or payable for insured work, as and when required by the regulations of the commissioner, shall be subject to a penalty in the sum of $10 payable to the department of economic security for the contingent account. All such penalties shall be in addition to interest and any other penalties provided for by sections 268.03 to 268.24 and shall be collected by civil action as hereinafter provided.

(2) If any employing unit required by sections 268.03 to 268.24 to make and submit contribution reports shall fail to do so within the time prescribed by these sections or by regulations under the authority thereof, or shall make, wilfully or otherwise, an incorrect, false or fraudulent contribution report, he shall, on the written demand of the commissioner, make such contribution report, or corrected report, within ten days after the mailing of such written demand and at the same time pay the whole contribution, or additional contribution, due on the basis thereof. If such employer shall fail within that time to make such report, or corrected report, the commissioner shall make for him a

report, or corrected report, from his own knowledge and from such information as he can obtain through testimony, or otherwise, and assess a contribution on the basis thereof, which contribution, plus penalties and interest which thereafter accrued (less any payments theretofore made) shall be paid within ten days after the commissioner has mailed to such employer a written notice of the amount thereof and demand for its payment. Any such contribution report or assessment made by the commissioner on account of the failure of the employer to make a report or corrected report shall be prima facie correct and valid, and the employer shall have the burden of establishing its incorrectness or invalidity in any action or proceeding in respect thereto. Whenever such delinquent employer shall file a report or corrected report, the commissioner may, if he finds it substantially correct, substitute it for the commissioner's report. If an employer has failed to submit any report of wages paid, or has filed an incorrect report, and the commissioner finds that such noncompliance with the terms of sections 268.03 to 268.24 was not wilful and that such employer was free from fraudulent intent, the commissioner shall limit the charge against such employer to the period of the year in which such condition has been found to exist and for the preceding calendar year.

~~(3) Any report required to be made by an employer under this subdivision or a rule or regulation promulgated pursuant thereto shall identify the employer name as it appears on all payroll checks issued by the employer in this state.~~

Sec. 35. [268.161] [CONTRIBUTION AND REIMBURSEMENT LIEN.]

Subdivision 1. [LIEN.] *Any contributions or reimbursements due under sections 268.03 to 268.24 and interest and penalties imposed with respect thereto, shall become a lien upon all the property, both real and personal, of the person liable therefor, within this state, except his homestead, from and after the filing by the commissioner of a notice of lien in the office of the county recorder of the county in which the property is situated, or in the case of personal property belonging to an individual who is not a resident of this state, or which is a corporation, partnership, or other organization, in the office of the secretary of state.*

The lien created under this section shall become effective with respect to personal property from and after the date of filing by the commissioner of a notice of the lien describing the property to which the lien attaches in the office of the county recorder of the county in which the commissioner believes the property is located at the time the lien is filed, and with the secretary of state.

The lien imposed on personal property by this section, even though properly filed, shall not be valid as against a purchaser with respect to tangible personal property purchased at retail or as against the personal property listed as exempt in sections 550.37, 550.38 and 550.39.

Subd. 2. [INJUNCTION FORBIDDEN.] *No suit shall lie to enjoin the assessment or collection of any contribution or reimbursement imposed by this chapter, or the interest and penalties imposed thereby.*

Subd. 3. [LEGAL ACTION.] *If after due notice any employer defaults in any payment of contributions, reimbursements, and interest due thereon or penalties for failure to file returns and other reports as required by the provisions of sections 268.03 to 268.24 or by any rule of the commissioner, the commissioner shall, unless he proceeds under one of the other subdivisions of*

this section, bring against the person liable for payment thereof an action at law, in the name of the state, for the recovery of the contribution, reimbursement, interest and penalties due in respect thereof under this chapter. The action shall be brought in the district court of the county of the residence or principal place of business within this state of the employer, or, in the case of an estate or trust, of the place of its principal administration, and for this purpose the place named in the report, if any, made by the employer shall be conclusive against the employer. If no place is named in the report, the action may be commenced in Ramsey county. The action shall be commenced by filing with the clerk of court a statement showing the name and address of the employer, if known, an itemized summary of the taxable wages on the basis of which the contribution has been computed, the contribution due and unpaid thereon, and the interest and penalties due with respect thereto under this chapter, and shall contain a prayer that the court adjudge the employer to be indebted on account of the contribution, interest, and penalties in the amount thereof specified in the statement. The clerk shall mail a copy of the statement by certified mail to the employer at the address given in the report, if any, and, if no address is given, then at his last known address, within five days after the same is filed, except that, if the employer's address is not known, notice to him shall be made by posting a copy of the statement for ten days in the place in the courthouse where public notices are regularly posted. The employer shall, if he desires to litigate the claim, or any part thereof, file a verified answer with the clerk setting forth his objections to the claim, or any part thereof. The answer shall be filed on or before the lapse of the 20th day after the date of mailing the statement. If notice has been given by posting, the answer shall be filed on or before the 20th day after the expiration of the period during which the notice was required to be posted. If no answer is filed within the specified time, the clerk, upon the filing of an affidavit of default, shall enter judgment for the state in the amount prayed for, plus costs of $10. If an answer be filed, the issues raised shall stand for trial as soon as possible after the filing of the answer, and the court shall determine the issues and direct judgment accordingly and, if the contribution, interest, or penalties are sustained to any extent over the amount rendered by the employer, shall assess $10 costs against the employer. The court shall disregard all technicalities and matters of form not affecting the substantial merits. The commissioner may call upon a county attorney or the attorney general to conduct the proceedings on behalf of the state. Execution shall be issued upon the judgment at the request of the commissioner, and the execution shall, in all other respects, be governed by the laws applicable to executions issued on judgments. Only the homestead and household goods of the judgment debtor shall be exempt from seizure and sale upon the execution.

Subd. 4. [COLLECTION BY CIVIL ACTION.] *(1) In addition to all other collection methods authorized, if, after due notice, any employer defaults in any payment of contributions or interest due thereon or penalties for failure to file returns and other reports as required by sections 268.03 to 268.24 or by any rule of the commissioner, the amount due shall be collected by civil action in the name of the state of Minnesota, and any money recovered shall be credited to the funds provided for under those sections. Any employer adjudged in default shall pay the costs of the action. Civil actions brought under this section to collect contributions, interest due thereon, or penalties from an employer shall be heard by the court at the earliest possible date. No action for the collection of contributions or interest thereon shall be commenced more than four years after the contributions have been reported by the employer or determined by the commissioner to be due and payable. In any action, judgment shall be entered against any defendant in default for the relief demanded*

in the complaint without proof, together with costs and disbursements, upon the filing of an affidavit of default.

(2) Any employing unit which is not a resident of this state and which exercises the privilege of having one or more individuals perform service for it within this state, and any resident employing unit which exercises that privilege and thereafter removes from this state, shall be deemed thereby to appoint the secretary of state as its agent and attorney for the acceptance of process in any civil action under this subdivision. In instituting an action against any employing unit, the commissioner shall cause process or notice to be filed with the secretary of state, together with a payment of a fee of $15 and that service shall be sufficient service upon the employing unit, and shall be of the same force and validity as if served upon it personally within this state. The commissioner shall forthwith send notice of the service of process or notice, together with a copy thereof, by certified mail, return receipt requested, to the employing unit at its last known address. The return receipt, the commissioner's affidavit of compliance with the provisions of this section, and a copy of the notice of service shall be appended to the original of the process filed in the court in which the civil action is pending.

Subd. 5. [RIGHT OF SETOFF.] *Upon certification by the commissioner to the commissioner of finance that an employer has an uncontested delinquent contribution or reimbursement liability owed to the department, and that the state has purchased personal services, supplies, contract services, or property from said employer, the commissioner of finance shall apply to the delinquent contribution or reimbursement liability funds sufficient to satisfy the unpaid liability from funds appropriated for payment of said obligation of the state or any of its agencies that are due and owing the employer. The credit shall not be made against any funds exempt under section 550.37 or owed the employer under chapter 256 or 256B.*

All funds, whether general or dedicated, shall be subject to setoff in the manner provided in this subdivision. Transfer of funds in payment of the obligations of the state or any of its agencies to an employer and any actions for the funds shall be had against the commissioner on the issue of the contribution or reimbursement liability. Nothing in this section shall be construed to limit the previously existing right of the state or any of its agencies to setoff.

Subd. 6. [CONTRIBUTION OR REIMBURSEMENT PRESUMED VALID.] *The contribution and reimbursement, as assessed by the commissioner, including any penalties, shall be presumed to be valid and correctly determined and assessed, and the burden shall be upon the employer to show its incorrectness or invalidity. The statement filed by the commissioner with the clerk of court, as provided in subdivision 3, or any other certificate by the commissioner of the amount of the contribution, reimbursement, interest and penalties as determined or assessed by him, shall be admissible in evidence and shall establish prima facie the facts set forth therein.*

Subd. 7. [CONFESSION OF JUDGMENT.] *(a) Any contribution report or form that is required to be filed with the commissioner concerning contributions or reimbursements due, shall contain a written declaration that it is made under the penalties of section 268.18, subdivision 3 for wilfully making a false report and shall contain a confession of judgment for the amount of the contribution or reimbursement shown due thereon to the extent not timely paid*

together with any interest and penalty due under chapter 268.

(b) The commissioner may, within four years after a report is filed, notwithstanding section 541.09, enter judgment after 20 days notice served upon the employer by mail at the address shown in the employer's report. The judgment shall be entered by the clerk of court of any county upon the filing of a photocopy or similar reproduction of that part of the contribution report or form containing the confession of judgment along with a statement of the commissioner or his agent that the contribution or reimbursement has not been paid.

Subd. 8. [LEVY.] *(a) If any contribution or reimbursement payable to the department is not paid when due, the amount may be collected by the commissioner, his duly authorized representative, or by the sheriff of any county to whom the commissioner has issued his warrant, who may levy upon all property and rights of property of the person liable for the contribution or reimbursement, except that which is exempt from execution pursuant to section 550.37. The terms ''contribution or reimbursement'' shall include any penalty, interest, and costs. The term ''levy'' includes the power of distraint and seizure by any means. Before a levy is made or warrant issued, notice and demand for payment of the amount due shall be given to the person liable for the contribution or reimbursement at least ten days prior to the levy or issuing of a warrant.*

(b) Upon the commissioner issuing a warrant, the sheriff shall proceed within 60 days to levy upon the rights to property of the employer within his county, except the homestead and household goods of the employer and property of the employer not liable to attachment, garnishment, or sale on any final process issued from any court under the provisions of section 550.37, and shall sell so much thereof as is required to satisfy the contribution, reimbursement, interest, and penalties, together with his costs. The sales shall, as to their manner, be governed by the law applicable to sales of like property on execution issued against property upon a judgment of a court of record. The proceeds of the sales, less the sheriff's costs, shall be turned over to the commissioner, who shall retain a part thereof as is required to satisfy the contribution, reimbursement, interest, penalties, and costs, and pay over any balance to the employer.

(c) If the commissioner has reason to believe that collection of the contribution or reimbursement is in jeopardy, notice and demand for immediate payment of the amount may be made by the commissioner. If the contribution or reimbursement is not paid, the commissioner may proceed to collect by levy or issue his warrant without regard to the ten day period provided herein.

(d) In making the execution of the levy and in collecting the contribution or reimbursement due, the commissioner shall have all of the powers provided in chapter 550 and in any other law for purposes of effecting an execution against property in this state. The sale of property levied upon and the time and manner of redemption therefrom shall be as provided in chapter 550. The seal of the court, subscribed by the clerk, as provided in section 550.04, shall not be required. The levy for collection of contributions or reimbursements may be made whether or not the commissioner has commenced a legal action for collection of the amount.

(e) Where a jeopardy assessment or any other assessment has been made by

the commissioner, the property seized for collection of the contribution or reimbursement shall not be sold until any determination of liability, rate or benefit charges has become final. No sale shall be made unless the contribution or reimbursement remain unpaid for a period of more than 30 days after the determination becomes final. Seized property may be sold at any time if:

(1) the employer consents in writing to the sale; or

(2) the commissioner determines that the property is perishable or may become greatly reduced in price or value by keeping, or that the property cannot be kept without great expense.

(f) Where a levy has been made to collect contributions or reimbursements pursuant to this subdivision and the property seized is properly included in a formal proceeding commenced under sections 524.3-401 to 524.3-505 and maintained under full supervision of the court, the property shall not be sold until the probate proceedings are completed or until the court so orders.

(g) The property seized shall be returned by the commissioner if the owner gives a surety bond equal to the appraised value of his interest in the property, as determined by the commissioner, or deposits with the commissioner security in a form and amount as he deems necessary to insure payment of the liability, but not more than twice the liability.

(h) Notwithstanding any other law to the contrary, if a levy or sale pursuant to this section would irreparably injure rights in property which the court determines to be superior to rights of the state in the property, the district court may grant an injunction to prohibit the enforcement of the levy or to prohibit the sale.

(i) Any person who fails or refuses to surrender without reasonable cause any property or rights to property subject to levy upon demand by the commissioner shall be personally liable to the department in an amount equal to the value of the property or rights not so surrendered, but not exceeding the amount of contribution or reimbursement for the collection of which the levy has been made. Any amount recovered under this subdivision shall be credited against the contribution or reimbursement liability for the collection of which the levy was made. The term ''person'' includes an officer or employee of a corporation or a member or employee of a partnership who, as an officer, employee, or member is under a duty to surrender the property or rights to property or to discharge the obligation.

(j) Any action taken by the commissioner pursuant to this subdivision shall not constitute an election by the department to pursue a remedy to the exclusion of any other remedy.

(k) After the commissioner has seized the property of any person, that person may, upon giving 48 hours notice to the commissioner and to the court, bring a claim for equitable relief before the district court for the release of the property to the employer upon terms and conditions as the court may deem equitable.

Subd. 9. [PERSONAL LIABILITY.] *Any officer or any employee having 20 percent ownership interest of a corporation which is an employer under sections 268.03 to 268.24 who has control of or supervision over the filing of and responsibility for filing contribution reports or of making payment of contributions under these sections, and who wilfully fails to file the reports or to*

make payments as required, shall be personally liable for contributions or reimbursement, including interest, penalties, and costs in the event the corporation does not pay to the department those amounts for which the employer is liable.

Any personal representative of the estate of a decedent or fiduciary who voluntarily distributes the assets filed therein without reserving a sufficient amount to pay the contributions, interest, and penalties due pursuant to chapter 268 shall be personally liable for the deficiency.

The personal liability of any person as provided herein shall survive dissolution, reorganization, bankruptcy, receivership, or assignment for the benefit of creditors.

An official designated by the commissioner shall make an initial determination as to the personal liability under this section. The determination shall be final unless the person found to be personally liable shall within 30 days after mailing of notice of determination to his last known address files a written appeal. Proceedings on the appeal shall be conducted in the same manner as an appeal from a determination of employer liability under section 268.12, subdivision 13.

Sec. 36. Minnesota Statutes 1980, Section 268.18, Subdivision 1, is amended to read:

Subdivision 1. [ERRONEOUS PAYMENTS.] Any claimant for benefits who, by reason of his own mistake or through the error of any individual engaged in the administration of sections 268.03 to 268.24, has received any sum as benefits to which he was not entitled under these sections, shall promptly return such benefits in cash to the nearest office of the Minnesota department of economic security. If such claimant fails to return such benefits, the department of economic security shall, as soon as it discovers such erroneous payment, determine the amount thereof and notify said individual to return the same~~, within a period of 20 days from the date of such notification~~. Unless the claimant files a written appeal with the department of economic security within 15 days after the mailing of the notice of determination to his last known address or personal delivery of the notice, the determination shall become final. If the claimant files an appeal with the department in writing within the time aforesaid the matter shall be set for hearing before an appeal tribunal of the department and heard as other benefit matters are heard in accordance with section 268.10 with the same rights of review as outlined for benefit cases in that section. ~~In the event that the claimant fails to return to the department within 20 days after the notification to do so, the benefits he received unlawfully,~~ The commissioner of the department of economic security is hereby authorized to deduct from any future benefits payable to ~~such~~ *the* claimant under these sections in *either* the current or any subsequent benefit year an amount equivalent to ~~such erroneous payment~~ *the overpayment determined or the overpayment may be collected without interest by civil action in the name of the commissioner. If a claimant has been overpaid benefits under the law of another state and that state certifies to the department the facts involved and that the individual is liable under its law to repay the benefits and requests the department to recover the overpayment, the commissioner is authorized to deduct from future benefits payable to the claimant in either the current or any subsequent benefit year an amount equivalent to the amount of overpayment*

determined by that state.

Sec. 37. Minnesota Statutes 1980, Section 268.18, Subdivision 2, is amended to read:

Subd. 2. [FRAUD.] Any claimant who files a claim for or receives benefits by knowingly and wilfully misrepresenting or misstating any material fact or by knowingly and wilfully failing to disclose any material fact which would make him ineligible for benefits under sections 268.03 to 268.24 is guilty of fraud. After the discovery of facts by the commissioner indicating fraud in claiming or obtaining benefits under sections 268.03 to 268.24, he is hereby authorized to make a determination that the claimant was ineligible for each week with reference to which benefits were claimed or obtained by fraud for the amount as was in excess of what the claimant would have been entitled to had he not made the fraudulent statements or failed to disclose any material facts. The commissioner also may disqualify an individual from benefits for one to 52 weeks in which the claimant is otherwise eligible for benefits following the week in which the fraud was determined. A disqualification imposed for fraud shall not be removed by subsequent insured work or the expiration of a benefit year but shall not apply to any week more than 104 weeks after the week in which the fraud was determined. Said claimant shall within 20 days from the date of mailing the notice of said determination to him repay in cash to the department of economic security any benefits so fraudulently obtained. Unless the claimant files a written appeal with the department of economic security within 15 days after the mailing of the notice of determination to his last known address or personal delivery of the notice. The determination shall become final. If the claimant shall appeal from such determination within the time above specified said matter shall be referred to an appeal tribunal for a hearing as in other benefit cases and thereafter the procedure for review shall be the same as set forth in section 268.10. ~~If the benefits so fraudulently obtained are not repaid to the department in cash within 20 days from the date of mailing the notice to the claimant of the determination.~~ The commissioner is hereby authorized to deduct from future benefits payable to the claimant in either the current or any subsequent benefit year an amount equivalent to the amount of overpayment determined *or the overpayment may be collected without interest by civil action in the name of the commissioner. If a claimant has been overpaid benefits under the law of another state and that state certifies to the department the facts involved and that the individual is liable to repay the benefits and requests the department to recover the overpayment, the commissioner is authorized to deduct from future benefits payable to the claimant in either the current or any subsequent benefit year an amount equivalent to the amount of overpayment determined by that state.*

Sec. 38. Minnesota Statutes 1980, Section 268.18, Subdivision 4, is amended to read:

Subd. 4. [CANCELLATION OF BENEFITS PAID THROUGH ERROR OR FRAUD.] When benefits paid through error or fraud are not repaid or deducted from subsequent benefit amounts as provided for in subdivisions 1 and 2 within six years after the date of the determination that benefits were paid through error or fraud *irrespective of subsequent partial recovery dates*, the commissioner may, in a manner he prescribes by regulation, cancel as uncollectible the ~~benefit payments~~ *overpayment balance*, and no administrative or legal proceedings shall be instituted under the Minnesota employment ser-

vices law to enforce collection of those amounts.

Sec. 39. Minnesota Statutes 1980, Section 268.18, is amended by adding subdivisions to read:

Subd. 5. [ERRONEOUS PAYMENTS; CHARGING.] *The amount of benefits paid and subsequently determined to have been paid: (a) erroneously by the claimant's own mistake; (b) through error by any individual engaged in the administration of sections 268.03 to 268.24; or (c) based upon the claimant's fraudulent statements or his failure to disclose any material facts, shall not be charged to or will be removed from an employer's experience rating account for all subsequent rate computations which have not become final under section 268.06, and shall not be charged to employers electing to reimburse the unemployment fund in accordance with section 268.06, for all benefits paid, based upon wages for services performed with the employer.*

Subd. 6. [EMPLOYER MISCONDUCT; PENALTY.] *If the commissioner finds that any employing unit or any employee, officer, or agent of any employing unit, is in collusion with any employee for the purpose of assisting the claimant to receive benefits illegally, the employing unit shall be penalized $500 or an amount equal to the amount of benefits determined to be overpaid, whichever is greater.*

If the commissioner finds that any part of any employer's contribution deficiency is due to fraud with intent to avoid payment of contributions to the fund, 50 percent of the total amount of the deficiency or $500, whichever is greater, shall be assessed as a penalty against the employer and collected in addition to the deficiency.

Penalties assessed under this section shall be in addition to any other penalties provided for by sections 268.03 to 268.24 and be subject to the same collection procedures that apply to past due contributions under this chapter. Penalties under this section shall be paid to the department and credited to the contingent fund.

The assessment of the penalty shall be final unless the employer files a written appeal with the department within 15 days after the notice of determination to his last known address. If the employer shall appeal from the determination within the time above specified, the matter shall be referred for a hearing as set forth in section 268.10.

Sec. 40. [INTEREST PAYMENTS.]

It is the policy of the state that interest payments due as a result of securing an advance of federal funds under section 268.05, subdivision 6, are a legal obligation of the state.

If the governor finds it necessary to make application to secure an advance of federal funds which result in interest charges due to be paid on October 1, 1982, the governor is authorized to incur the additional interest which will be charged if the initial interest charges cannot be paid in full when due.

It also is the policy of the state to avoid a special assessment on employers or a special appropriation of general funds in calendar year 1982 for payment of interest on advances of federal funds authorized under section 268.05, subdivision 6.

Moneys available in the employment services contingent account established

under section 268.15 may be expended, notwithstanding anything to the contrary in that section, for payment of either:

(a) All or part of the interest which may be due and which is payable on October 1, 1982; or

(b) All or part of additional interest which will be charged if the interest payment referred to in clause (a) cannot be paid in full when due.

For purposes of this section, the commissioner of finance shall approve payment of the amounts certified by the commissioner of economic security to be due for the interest charges, notwithstanding anything to the contrary in section 3.30.

Any moneys in excess of $300,000 in the employment services contingent account on June 30, 1982, shall not be paid over to the unemployment compensation fund, notwithstanding the provisions of section 268.15, subdivision 3, but shall remain in the contingent account solely for the purposes of this section until June 30, 1983.

Sec. 41. [REPEALER.]

Minnesota Statutes 1980, Section 268.07, Subdivision 4, is repealed. Minnesota Statutes 1980, Section 268.16, Subdivision 3, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 33, is repealed.

Sec. 42. [EFFECTIVE DATE.]

Sections 1, 4, 7, 10, 11, 13, 21, 24, 29 to 32, and 35 to 41 are effective on the day following final enactment. Sections 2, 5, 6, 8, and 9 are effective retroactive to January 1, 1982. Section 12 is effective retroactive to March 5, 1982. Section 3 is effective on January 1, 1983. Sections 23, 25, 26, and 28 are effective July 4, 1982. Sections 14, 33, and 34 are effective October 1, 1982. Section 4 is effective January 1, 1983. Sections 15 and 18, except for those portions of section 15 that amend and renumber existing clauses (4) and (5) of section 268.071, subdivision 1, which are effective September 25, 1982, are effective retroactive to August 13, 1981. Section 16 is effective September 25, 1982. Section 19 is effective retroactive to June 1, 1981. Section 20 is effective retroactive to March 31, 1981. Sections 17, 22, and 27 are effective retroactive to September 30, 1981.''

Correct internal cross references

Delete the title and insert:

''A bill for an act relating to workers' compensation; changing benefits; providing an election not to be covered for certain persons; requiring notices of injury; providing for rules related to excessive health care services; regulating supplemental benefits; providing for benefit adjustments; providing for interest on delayed benefit payments; providing for a legislative commission to study various aspects of workers' compensation; defining terms; providing for certain collective bargaining rights of public employees; providing for continuance of certain insurance coverages; providing for deductible workers' compensation insurance policies; providing for no increase in the retention limits of the reinsurance association; clarifying the responsibilities of governmental licensing and contracting agencies regarding workers' compensation insurance; establishing a credit week as a percentage of average weekly wages; defining

the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions; providing maximums and minimums; altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; amending Minnesota Statutes 1980, Sections 62A.10, Subdivision 1; 62C.14, by adding a subdivision; 62D.10, by adding a subdivision; 79.25, by adding a subdivision; 147.20; 176.011, Subdivisions 3 and 9a, and by adding subdivisions; 176.012; 176.021, Subdivision 5, and by adding a subdivision; 176.041, Subdivision 1; 176.101, Subdivisions 1, 2, 5 and by adding subdivisions; 176.102, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and by adding subdivisions; 176.105, by adding a subdivision; 176.111, Subdivisions 1 and 18, and by adding subdivisions; 176.121; 176.131, Subdivisions 1, 1a, and 8; 176.132, Subdivision 1; 176.135, Subdivision 1a; 176.225, Subdivision 1; 176.231, Subdivision 10; 176.235, by adding a subdivision; 176.241, Subdivision 4; 176.641; 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2 and 3; 268.071, Subdivisions 1, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1 and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 79.25, Subdivision 1; 79.34, Subdivision 2; 79.63, Subdivisions 1, 2, and 4; 176.011, Subdivision 9; 176.021, Subdivisions 3 and 3a; 176.101, Subdivision 3; 176.111, Subdivision 21; 176.131, Subdivision 10, as amended; 176.132, Subdivision 2; 176.133; 176.136; 176.182; 176.221, Subdivisions 2, 3, and 7; 176.225, Subdivision 5; 176.331; 176.391, Subdivision 3; 176.645, Subdivision 2; and 352E.04; proposing new law coded in Minnesota Statutes, Chapters 79; 176; and 268; repealing Minnesota Statutes 1980, Sections 79.211, Subdivision 1; 79.63, Subdivision 3; 176.011, Subdivisions 14 and 18; 176.095; 176.101, Subdivisions 4 and 5; 176.105, Subdivisions 2 and 3; 268.07, Subdivision 4; 268.16, Subdivision 3, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 33; and Minnesota Statutes 1981 Supplement, Sections 176.102, Subdivision 1a; 176.105, Sudivision 1; 176.152."

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

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

H.F. No. 1025 for comparison with companion Senate File, reports the

following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1025	1460				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1025 be amended as follows:

Page 1, line 13, delete "1981 Supplement" and insert "1980"

Page 1, line 20, delete "*a special*" and insert "*the*"

Page 1, line 20, delete "*account in the trunk*" and insert "*fund which is hereby created; provided that any fee receipts in excess of $300,000 in a fiscal year shall be credited 90 percent to the trunk highway fund and ten percent to the general fund, as provided in section 171.26.*"

Page 1, delete line 21

Page 1, line 25, delete "*to be deposited in*" and insert " *dedicated to*"

Page 1, line 25, delete "*account*" and insert "*fund*"

Page 1, before line 26, insert:

"Sec. 2. Minnesota Statutes 1980, Section 297B.035, is amended by adding a subdivision to read:

Subd. 4. Motorized bicycles, as defined in section 168.011, subdivision 27, purchased for resale in the ordinary course of business shall be exempt from the provisions of this chapter if the person purchasing the motorized bicycles has a permanent enclosed commercial building or structure either owned in fee or leased and is engaged in the business of selling motorized bicycles, either exclusively or in addition to any other occupation."

Delete page 1, line 27 to page 2, line 5

Page 2, line 6, delete "*Subd. 2.*" and insert "*Subdivision 1.*"

Page 2, line 9, delete everything before the period

Page 2, delete lines 14 and 15

Page 2, line 16, delete "*3*" and insert "*2*"

Page 2, line 20, after "*available*" insert a comma

Delete page 2, line 25 to page 3, line 3 and insert:

"*Subd. 3.* [APPROPRIATION.] *All funds in the motorcycle safety fund created by section 1 of this act are hereby annually appropriated to the commissioner of public safety to carry out the purposes of subdivisions 1 and 2. The commissioner of public safety may make grants from the fund to the commissioner of education at such times and in such amounts as he deems necessary to carry out the purposes of subdivisions 1 and 2. Not more than five percent of the funds so appropriated shall be expended to defray the administrative costs of carrying out the purposes of subdivisions 1 and 2, and not more than 50 percent of the money so appropriated shall be expended for the combined purpose of training and coordinating the activities of motorcycle safety instructors and making reimbursements to schools and other approved organi-*

zations.''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert ''exempting from the motor vehicle excise tax certain purchasers of motorized bicycles for resale;''

Page 1, line 6, delete ''commissioner'' and insert ''the commissioners''

Page 1, line 6, before the first semicolon insert ''and education''

Page 1, line 6, delete ''an account'' and insert ''a fund''

Page 1, line 7, delete ''1981'' and insert ''1980''

Page 1, line 8, delete ''Supplement, Section'' and insert ''Sections''

Page 1, line 8, after the semicolon insert ''297B.035, by adding a subdivision;''

And when so amended H.F. No. 1025 will be identical to S.F. No. 1460, and further recommends that H.F. No. 1025 be given its second reading and substituted for S.F. No. 1460, 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. 1704 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1704	1556				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1704 be amended as follows:

Page 1, line 8, after ''BULLETS'' insert ''PROHIBITED''

Page 1, line 10, delete ''*performing their official duties*''

Page 1, line 13, after ''*defense,*'' insert ''*recreational,*''

Delete page 1, line 17 to page 2, line 11 and insert: ''*.32, .357, .38, .41, or .44, which (1) can be loaded in a handgun that is auto-loading or has a revolving cylinder, (2) is comprised of any hard metal or hard metal alloy, or soft metal jacket with a hardened core comprised of any hard metal or hard metal alloy, which purposely reduces the normal expansion or mushrooming of the bullet's shape upon impact, and (3) penetrates a vest consisting of 18 layers of kevlar of type 29, 1000 denier, with a 31 by 31 linear thread count or equivalent, when fired from a handgun with a barrel length of not more than 5-1/2 inches in a test conducted by the bureau of criminal apprehension in accordance with the test procedures promulgated by the United States Department of Justice for determining the NILECJ standard for the ballistic resistance*

of police body armor as specified in NILECJ-STD-0101.01 (December 1978). "Metal-penetrating bullet" excludes any bullet composed of copper or brass jackets with lead or lead alloy cores and any bullet composed of lead or lead alloys.

Subd. 3. [SALE PROHIBITED.] *It is unlawful for any person to sell any metal-penetrating bullet of the arcane, KTW, or Winchester/Western AP brand name or manufacture. A violation of this subdivision is a gross misdemeanor.*

Subd. 4. [USE OR POSSESSION IN COMMISSION OF A CRIME.] *Any person who uses or possesses a metal-penetrating bullet during the commission of another felony is guilty of a separate felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than $3000, or both. Any sentence imposed under this subdivision shall not be served concurrently with the sentence for the other felony.*

Subd. 5. [EXCEPTIONS.] *The provisions of subdivision 3 do not apply to sales by any munitions manufacturer or its employees to agencies of the federal government or law enforcement agencies."*

Amend the title as follows:

Page 1, line 2, delete "making it a felony to use"

Page 1, line 3, delete everything before "the" and insert "prohibiting the sale of certain metal-penetrating bullets; prohibiting the possession or use of metal-penetrating bullets during"

And when so amended H.F. No. 1704 will be identical to S.F. No. 1556, and further recommends that H.F. No. 1704 be given its second reading and substituted for S.F. No. 1556, 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. 1727 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1727	1669				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1727 be amended as follows:

Page 1, line 22, after "*appeals,*" insert "*if established by the legislature,*"

Page 2, delete lines 5 to 9, and insert:

"*The legislature may establish a court of appeals and provide by law for the number of its judges, who shall not be judges of any other court, and its organization and for the manner of review of its decisions by the supreme court. The court of appeals shall have appellate jurisdiction over all courts, except the supreme court, and other appellate jurisdiction as prescribed by*

law.''

Page 2, line 13, delete everything after ''*temporarily*'' and insert ''*by the supreme court to act as judges of the court of appeals*''

Page 2, line 14, delete everything before the period

Page 2, before line 36, insert:

''*Subd. 5. If the amendment is adopted, Article VIII, Section 2, of the Minnesota Constitution will read:*

Sec. 2. The governor, secretary of state, treasurer, auditor, attorney general and the judges of the supreme *court, court of appeals* and district courts may be impeached for corrupt conduct in office or for crimes and misdemeanors; but judgment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit in this state. The party convicted shall also be subject to indictment, trial, judgment and punishment according to law.''

Page 3, line 4, after ''*to*'' insert ''*permit the Legislature to*''

Page 4, line 6, before ''*One*'' insert ''*By January 1, 1984,*''

Page 5, line 9, delete ''*chief*''

Page 5, line 10, delete ''*justice of the supreme court*'' and insert ''*governor*''

Page 5, delete line 17

Page 7, line 26, delete ''*such*'' and insert ''*a*'' and after ''*as*'' insert ''*designated by*''

Page 7, line 27, delete everything before the period

Page 8, line 35, before ''*The*'' insert ''*(a)*''

Page 9, before line 11, insert:

''*(b) Upon its own motion or upon the certification of the court of appeals, the supreme court may provide for accelerated review of any case if (i) the question presented is an important one upon which the court has not, but should rule, (ii) the lower courts have held a statute to be unconstitutional, (iii) the lower courts have so far departed from the accepted and usual course of justice as to call for an exercise of the court's supervisory powers, or (iv) the court of appeals has a backlog of cases.*''

Page 13, line 2, after ''*of*'' insert ''*the*''

Page 13, line 12, delete ''*such time as*'' and ''*or she*''

Page 13, line 13, after the period insert ''*If a justice who was serving on August 1, 1983, is defeated for reelection by another person, that other person shall be deemed to have been in office as of August 1, 1983, for the purposes of this section.*''

Page 13, line 17, delete ''*Minnesota Statutes,*''

Page 13, line 20, delete ''*Minnesota Statutes,*''

Page 13, line 21, delete ''*such*'' and insert ''*that*''

Page 13, line 30, delete "*Minnesota Statutes,*"

Page 13, line 32, delete "*or subsequent editions*" and insert "*edition*"

Page 14, line 3, delete "*or subsequent editions*" and insert "*edition*"

Page 14, line 6, delete "*or subsequent editions*" and insert "*edition*"

Page 14, line 10, after "*punctuation,*" insert "*or to reflect subsequent amendments,*"

Page 17, delete lines 13 to 18

Amend the title as follows:

Page 1, line 4, after "6;" insert "and Article VIII, Section 2;"

Page 1, line 11, delete the semicolon after "480A"

And when so amended H.F. No. 1727 will be identical to S.F. No. 1669, and further recommends that H.F. No. 1727 be given its second reading and substituted for S.F. No. 1669, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 1220, 1025, 1704 and 1727 were read the second time.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 1176: A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; authorizing rewards for information on violations; providing for pipeline testing; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 115B; proposing new law coded in Minnesota Statutes, Chapter 116.

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

Long; Rothenberg; Harens; Anderson, I. and Johnson, D. have been appointed as such committee on the part of the House.

House File No. 1176 is herewith transmitted to the Senate with the request

that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1176, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1550: Messrs. Lessard, Kroening and Benson.

H.F. No. 2190: Messrs. Willet, Sikorski, Luther, Penny and Engler.

H.F. No. 1885: Messrs. Sikorski, Solon and Benson.

H.F. No. 356: Messrs. Luther, Davies and Ramstad.

S.F. No. 1948: Messrs. Luther, Merriam, and Peterson, R.W.

H.F. No. 1176: Messrs. Merriam; Davies; Pehler; Peterson, R.W. and Benson.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Renneke moved that the name of Mr. Benson be added as a co-author to S.F. No. 2230. The motion prevailed.

SPECIAL ORDER

H.F. No. 942: A bill for an act relating to welfare; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; changing the responsibility of relatives under certain circumstances; altering the method of charging for outpatient care; giving claims against estates of deceased patients or responsible relatives preferred status; amending Minnesota Statutes 1980, Sections 246.50, Subdivision 5; 246.51; 246.53; and 487.39, Subdivision 1.

Mr. Waldorf moved to amend H. F. No. 942, as amended by the Committee on Health, Welfare and Corrections, adopted by the Senate March 6, 1982 as follows:

Page 2, line 18, strike ", Education, and Welfare" and insert "*and Human Services*"

Page 3, lines 30 to 31, delete "*OR RELATIVE*"

In the committee amendment, delete the amendment to page 4, after line 4, and to page 4, line 5 and page 4, line 16

Page 4, line 5, delete "*either*"

Page 4, line 6, delete "*or 2*" and delete everything after "*be*"

Page 4, delete line 7 and insert "*considered an expense of the last illness for purposes of*"

Page 4, line 8, delete everything after "524.3-805"

Page 4, line 9, delete everything before the period

In the committee amendment, delete the amendment to page 4, line 11, and insert:

"Page 4, line 11, strike "such", strike "to", and after "than" insert "*needed to*""

In the committee amendment, delete the amendment to page 4, line 13, and insert:

"Page 4, line 13, strike "*such*" and insert "*a*" and strike "he shall have" and insert "*the commissioner has*" "

Page 5, after line 16, insert:

"Sec. 7. Minnesota Statutes 1981 Supplement, Section 510.05, is amended to read:

510.05 [LIMITATIONS.]

Such homestead exemption shall not extend to any mortgage lawfully obtained thereon, to any valid lien for taxes or assessments, *to a claim filed pursuant to section 256B.15 or section 246.53* or to any charge arising under the laws relating to laborers or materialmen's liens.

Sec. 8. Minnesota Statutes 1980, Section 524.3-805, is amended to read:

524.3-805 [CLASSIFICATION OF CLAIMS.]

(a) If the applicable assets of the estate are insufficient to pay all claims in full, the personal representative shall make payment in the following order:

(1) costs and expenses of administration;

(2) reasonable funeral expenses;

(3) debts and taxes with preference under federal law;

(4) reasonable and necessary medical and hospital expenses of the last illness of the decedent, including compensation of persons attending him;

(5) debts and taxes with preference under other laws of this state;

(6) all other claims.

(b) No preference shall be given in the payment of any claim over any other

claim of the same class, and a claim due and payable shall not be entitled to a preference over claims not due, *except that if claims for expenses of the last illness involve only claims filed under section 246.53 for costs of state hospital care and claims filed under section 256B.15, claims filed under section 246.53 have preference over claims filed under section 256B.15.*

Sec. 9. Minnesota Statutes 1981 Supplement, Section 525.145, is amended to read:

525.145 [DESCENT OF HOMESTEAD.]

(1) Where there is a surviving spouse the homestead, including a mobile 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; ~~in all other cases~~ *except that the homestead shall be subject to a claim filed pursuant to section 246.53 for state hospital care or 256B.15. 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. 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.''

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete everything before ''altering''

Page 1, line 8, delete ''or responsible''

Page 1, line 9, delete ''relatives'' and after ''status'' insert ''; allowing certain claims against estates for medical assistance in some instances''

In the committee amendment, delete the title amendment to page 1, line 11, and insert:

''Page 1, line 11, delete ''and'' and before the period insert ''; 524.3-805; Minnesota Statutes 1981 Supplement, Sections 246.511; 510.05; and 525.145''''

The motion prevailed. So the amendment was adopted.

H.F. No. 942 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Petty	Stumpf
Belanger	Frank	Lessard	Pillsbury	Taylor
Benson	Frederick	Lindgren	Purfeerst	Tennessen
Berg	Frederickson	Luther	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Renneke	Vega
Bertram	Johnson	Moe, D.M.	Rued	Waldorf
Brataas	Kamrath	Moe, R.D.	Schmitz	Willet
Chmielewski	Knutson	Nelson	Setzepfandt	
Davies	Kroening	Olhoft	Solon	
Davis	Kronebusch	Peterson, D.L.	Stokowski	

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

SPECIAL ORDER

H.F. No. 776: A bill for an act relating to insurance; requiring private passenger vehicle insurers to disclose surcharge plans; prohibiting payment of certain claims unless notice is given to the insured; proposing new law coded in Minnesota Statutes, Chapter 65B.

Mr. Davies moved to amend the amendment placed on H.F. No. 776 by the Committee on Commerce, adopted by the Senate March 3, 1982, as follows:

Delete the second amendment to page 2, line 14

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

H. F. No. 776 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kronebusch	Penny	Stokowski
Belanger	Frank	Langseth	Peterson,D.L.	Stumpf
Benson	Frederick	Lantry	Petty	Tennessen
Berg	Frederickson	Lessard	Purfeerst	Vega
Bernhagen	Hanson	Lindgren	Ramstad	Waldorf
Bertram	Hughes	Luther	Renneke	Willet
Brataas	Humphrey	Merriam	Rued	
Davies	Kamrath	Moe, D. M.	Schmitz	
Davis	Knutson	Moe, R. D.	Setzepfandt	
Dicklich	Kroening	Olhoft	Sieloff	

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Hanson moved that the following members be excused for a Conference Committee on S.F. No. 1758:

Messrs. Hanson, Merriam, Davies, Knutson and Peterson, R.W. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

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

excused for a Conference Committee on H.F. No. 1799:

Messrs. Solon, Waldorf and Lindgren. The motion prevailed.

SPECIAL ORDER

H.F. No. 1852: A bill for an act relating to waters; making the water well contractors and exploratory borers advisory council permanent; amending Minnesota Statutes 1980, Section 156A.06, 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 48 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Langseth	Peterson,C.C.	Stokowski
Belanger	Frank	Lantry	Peterson,D.L.	Stumpf
Berg	Frederick	Lessard	Petty	Taylor
Bernhagen	Frederickson	Lindgren	Purfeerst	Tennessen
Bertram	Hanson	Luther	Renneke	Ulland
Brataas	Hughes	Merriam	Rued	Vega
Chmielewski	Humphrey	Moe, D. M.	Schmitz	Waldorf
Davies	Knutson	Moe, R. D.	Setzepfandt	Willet
Davis	Kroening	Olhoft	Sieloff	
Dicklich	Kronebusch	Penny	Solon	

Messrs. Benson and Kamrath voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1867: A bill for an act relating to insurance; authorizing the commissioner to enjoin violations of chapter 60A; eliminating certain mandatory filings with the commissioner of insurance; providing certain exceptions to variable contract license requirements; amending Minnesota Statutes 1981 Supplement, Section 60A.17, Subdivisions 6c and 13; repealing Minnesota Statutes 1980, Section 72A.062.

Mr. Davies moved to amend H.F. No. 1867, as amended pursuant to Rule 49, adopted by the Senate March 10, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1855.)

Page 1, after line 11, insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 60A.11, Subdivision 17, is amended to read:

Subd. 17. [CORPORATE AND BUSINESS TRUST OBLIGATIONS.] Obligations issued, assumed or guaranteed by a corporation or business trust organized under the laws of the United States or any state of the United States, or the laws of Canada or any province of Canada, or obligations traded on a national securities exchange on the following conditions:

(a) A company may invest in any obligations traded on a national securities exchange;

(b) A company may also invest in any obligations which are secured by

adequate security located in the United States or Canada;

(c) A company may also invest in previously outstanding or newly issued obligations not qualifying for investment under paragraphs (a) or (b) if the corporation or business trust has qualified net earnings. If the obligations are not newly issued, neither principal nor interest payments on the obligations shall have been in arrears (1) for an aggregate of 90 days during the three year period preceding the date of investment, or (2) where the obligations have been outstanding for less than 90 days, during the period the obligations have been outstanding;

(d) A company may invest in federal farm loan bonds and may invest up to 20 percent of its total admitted assets in the obligations of farm mortgage debenture companies; and

(e) A company may not invest more than five percent of its admitted assets in the obligations of any one corporation or business trust; *provided, however, that a company may invest in the obligations of a corporation without regard to this paragraph if: (1) the company is wholly owned by the issuer and affiliates of the issuer of the obligations; (2) the company insures solely the issuer of the obligations and its affiliates; (3) the issuer has a net worth, determined on a consolidated basis, which equals or exceeds $100,000,000; and (4) the issuer and its affiliates forego any and all claims they may have against the Minnesota Insurance Guaranty Association pursuant to chapter 60C in the event of the insolvency of the company. This does not affect the rights of any unaffiliated third party claimant under section 60C.09, subdivision 1.*''

Page 5, line 8, delete ''2'' and insert ''*3*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert ''exempting captive insurers from certain investment limitations;''

Page 1, line 7, delete ''Section'' and insert ''Sections 60A.11, Subdivision 17;''

The motion prevailed. So the amendment was adopted.

H.F. No. 1867 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Benson	Engler	Kronebusch	Pehler	Setzepfandt
Berg	Frank	Langseth	Penny	Sieloff
Berglin	Frederick	Lantry	Peterson,C.C.	Solon
Bernhagen	Frederickson	Lessard	Peterson,D.L.	Stern
Bertram	Hanson	Lindgren	Peterson,R.W.	Stokowski
Brataas	Hughes	Luther	Petty	Stumpf
Chmielewski	Humphrey	Merriam	Purfeerst	Taylor
Dahl	Johnson	Moe, D. M.	Ramstad	Ulland
Davies	Kamrath	Moe, R. D.	Renneke	Waldorf
Davis	Kroening	Olhoft	Schmitz	Willet

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

SPECIAL ORDER

H.F. No. 1018: A bill for an act relating to agriculture; consolidating existing laws; providing for agricultural commodity research and promotion councils; establishing procedures; providing penalties; amending Minnesota Statutes 1980, Sections 17.53; 17.54; 17.56; 17.57; 17.58; 17.59, Subdivisions 1, and 2; 17.60; 17.62; 17.63; 17.64; and 17.67; amending Minnesota Statutes 1981 Supplement, Section 17.59, Subdivision 4; repealing Minnesota Statutes 1980, Sections 17.55; 17.601; 17.65; 17.68; 21A.01 to 21A.19, as amended; 29.14 to 29.16; 29.18; 29.19; 30.461 to 30.468, as amended; 30.472 to 30.479; 32B.01 to 32B.06; 32B.08 to 32B.11; 32B.13; Minnesota Statutes 1981 Supplement, Sections 29.17; 30.469; 30.47; 32B.07; and 32B.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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Olhoft	Schmitz
Belanger	Engler	Kronebusch	Pehler	Setzepfandt
Benson	Frank	Langseth	Penny	Solon
Berg	Frederick	Lantry	Peterson,C.C.	Stern
Berglin	Frederickson	Lessard	Peterson,D.L.	Stokowski
Bernhagen	Hughes	Lindgren	Peterson,R.W.	Stumpf
Bertram	Humphrey	Luther	Petty	Taylor
Chmielewski	Johnson	Merriam	Ramstad	Ulland
Dahl	Kamrath	Moe, D. M.	Renneke	Waldorf
Davies	Knutson	Moe, R. D.	Rued	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1719: A bill for an act relating to courts; authorizing the chief judge of the judicial district to fill vacancies in the office of judicial officer in St. Louis, Steele, Goodhue and Carlton counties; amending Minnesota Statutes 1981 Supplement, Section 487.08, Subdivision 2.

Mr. Chmielewski moved to amend the amendment placed on H.F. No. 1719 by the Committee on Judiciary, adopted by the Senate March 8, 1982, as follows:

Delete the committee amendment to page 1, line 17

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

H.F. No. 1719 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Belanger	Davis	Knutson	Olhoft	Sieloff
Benson	Engler	Kroening	Pehler	Solon
Berglin	Frank	Kronebusch	Penny	Stern
Bernhagen	Frederickson	Langseth	Peterson,C.C.	Stokowski
Bertram	Hanson	Lantry	Peterson,R.W.	Tennessen
Brataas	Hughes	Luther	Petty	Ulland
Chmielewski	Humphrey	Merriam	Renneke	Waldorf
Dahl	Johnson	Moe, D. M.	Rued	Willet
Davies	Kamrath	Moe, R. D.	Setzepfandt	

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

SPECIAL ORDER

H.F. No. 1975: A bill for an act relating to local government; permitting towns to issue off-sale liquor licenses; amending Minnesota Statutes 1980, 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Langseth	Pehler	Sieloff
Belanger	Frank	Lantry	Penny	Stern
Benson	Frederick	Lessard	Peterson,C.C.	Stokowski
Berglin	Frederickson	Lindgren	Peterson,R.W.	Taylor
Bernhagen	Hughes	Luther	Petty	Tennessen
Bertram	Humphrey	Merriam	Ramstad	Ulland
Brataas	Johnson	Moe, D. M.	Renneke	Waldorf
Chmielewski	Kamrath	Moe, R. D.	Rued	Wegener
Dahl	Kroening	Nelson	Schmitz	Willet
Davis	Kronebusch	Olhoft	Setzepfandt	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that S.F. No. 1947, No. 15 on Special Orders, be stricken and returned to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Moe, R.D. moved that S.F. No. 1288, No. 33 on Special Orders, be stricken and returned to the Committee on Agriculture and Natural Resources. The motion prevailed.

SPECIAL ORDER

H.F. No. 1477: A bill for an act relating to snowmobiles; increasing the registration fee and appropriating the proceeds thereof for stated purposes; registration of collectors' snowmobiles; requiring a study; creating a snowmobile trails and enforcement account in the state treasury; appropriating money; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3, and by adding a subdivision; and 84.83.

Mr. Luther moved that the amendment made to H.F. No. 1477 by the Committee on Rules and Administration in the report adopted March 11, 1982,

pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Luther moved to amend H.F. No. 1477 as follows:

Page 3, line 6, delete "and"

Page 3, after line 6, insert:

"*(3) For snowmobile safety programs;*"

Page 6, line 7, delete "*(3)*" and insert "*(4)*"

Page 3, after line 14, insert:

"Sec. 5. [PLAN.]

The department of natural resources shall propose a plan and recommendations to the legislature by January 1, 1983, on methods of collecting fees from users of state trails, including but not limited to cross-country skiers, horseback riders, and hikers. For purposes of this section, "state trails" means those trails established pursuant to section 86A.05, subdivision 4, and grant-in-aid trails."

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

H.F. No. 1477 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kroening	Penny	Stokowski
Belanger	Engler	Kronebusch	Peterson,C.C.	Stumpf
Benson	Frank	Lantry	Peterson,D.L.	Taylor
Berglin	Frederick	Lessard	Petty	Tennessen
Bernhagen	Frederickson	Luther	Ramstad	Ulland
Bertram	Hughes	Moe, D. M.	Rued	Willet
Brataas	Humphrey	Moe, R. D.	Schmitz	
Dahl	Johnson	Olhoft	Sieloff	
Davis	Kamrath	Pehler	Stern	

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

SPECIAL ORDER

H.F. No. 2058: A bill for an act relating to public welfare; providing for classification, access, and destruction of certain child abuse report records; clarifying the classification of reports regarding vulnerable adults; amending Minnesota Statutes 1980, Sections 626.556, Subdivisions 3, 7, and by adding a subdivision; 626.557, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 626.556, 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 40 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Humphrey	Olhoft	Sieloff
Bang	Davis	Johnson	Pehler	Stern
Belanger	Dieterich	Kamrath	Penny	Stokowski
Benson	Engler	Kroening	Peterson,C.C.	Stumpf
Berg	Frank	Kronebusch	Peterson,D.L.	Taylor
Berglin	Frederick	Lantry	Petty	Tennessen
Bernhagen	Frederickson	Lessard	Ramstad	Ulland
Brataas	Hughes	Moe, R. D.	Rued	Willet

Mr. Bertram voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1961: A bill for an act relating to agriculture; providing for the licensing and regulation of certain grain buyers; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 223; repealing Minnesota Statutes 1980, Chapter 223, as amended; and Sections 232.01; 232.02, as amended; 232.04; and 232.06, 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Knoll	Penny	Stern
Bang	Dieterich	Kroening	Peterson,C.C.	Stokowski
Belanger	Engler	Kronebusch	Peterson,D.L.	Taylor
Benson	Frank	Langseth	Petty	Tennessen
Berg	Frederick	Lantry	Pillsbury	Ulland
Berglin	Frederickson	Lessard	Ramstad	Willet
Bernhagen	Hughes	Luther	Rued	
Bertram	Humphrey	Moe, R. D.	Schmitz	
Brataas	Johnson	Olhoft	Setzepfandt	
Dahl	Kamrath	Pehler	Spear	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1962: A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6 and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Penny	Sieloff
Bang	Dieterich	Kronebusch	Peterson,C.C.	Spear
Belanger	Engler	Langseth	Peterson,D.L.	Stern
Benson	Frank	Lantry	Petty	Stokowski
Berg	Frederick	Lessard	Pillsbury	Taylor
Berglin	Frederickson	Luther	Ramstad	Tennessen
Bernhagen	Hughes	Moe, D. M.	Renneke	Ulland
Bertram	Humphrey	Moe, R. D.	Rued	Willet
Brataas	Johnson	Olhoft	Schmitz	
Dahl	Kamrath	Pehler	Setzepfandt	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1532: A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; proposing new law coded in Minnesota Statutes, Chapter 145.

Mr. Kroening moved to amend H.F. No. 1532 by striking the amendment placed on H.F. No. 1532 by the Committee on Judiciary, adopted by the Senate March 11, 1982.

CALL OF THE SENATE

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

The question recurred on the Kroening amendment.

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

The roll was called, and there were yeas 36 and nays 21, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Langseth	Purfeerst	Taylor
Benson	Frederickson	Lantry	Renneke	Vega
Berg	Humphrey	Lessard	Rued	Waldorf
Bernhagen	Johnson	Menning	Schmitz	Willet
Bertram	Kamrath	Merriam	Sieloff	
Dahl	Knoll	Pehler	Solon	
Davis	Kroening	Penny	Stokowski	
Engler	Kronebusch	Peterson,D.L.	Stumpf	

Those who voted in the negative were:

Ashbach	Dicklich	Luther	Pillsbury	Ulland
Bang	Dieterich	Moe, D. M.	Ramstad	
Berglin	Frederick	Moe, R. D.	Spear	
Brataas	Hanson	Peterson,R.W.	Stern	
Davies	Knutson	Petty	Tennessen	

The motion prevailed. So the amendment was adopted.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 7:45 p.m. The motion prevailed.

The hour of 7:45 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

MEMBERS EXCUSED

Mr. Humphrey was excused from this evening's Session. Mr. Spear was excused from this evening's Session until 10:00 p.m. Mr. Stern was excused from the Session of today from 7:45 to 8:45 p.m.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Purfeerst moved that the following members be excused for a Conference Committee on S.F. No. 303:

Messrs. Purfeerst, Dicklich, Vega, Ramstad and Nelson. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H.F. No. 1176:

Messrs. Merriam; Benson; Davies; Peterson, R.W. and Pehler. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Waldorf moved that the following members be excused for a Conference Committee on S.F. No. 1894:

Messrs. Waldorf, Bernhagen and Dahl. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H.F. No. 2190:

Messrs. Willet, Luther, Penny, Sikorski and Engler. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1538, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1538: A bill for an act relating to peace officers; providing for appointment of peace officers, constables and deputy constables in towns; requiring towns to notify the peace officers standards and training board before employing law enforcement officers; amending Minnesota Statutes 1980, Sections 367.03, Subdivisions 1, 2, and 3; 367.22; 367.40, Subdivisions 3 and 4; 367.41; Minnesota Statutes 1981 Supplement, Section 367.42, Subdivision 1; repealing Minnesota Statutes 1981 Supplement, Section 382.28.

Senate File No. 1538 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1894: A bill for an act relating to energy; changing the duties of the commissioner of the department of energy, planning and development; expanding the scope of certain energy education programs; changing certain residential energy sales programs; providing for wind energy conversion systems in county and municipal zoning law; creating wind easements; amending Minnesota Statutes 1980, Sections 116H.02, by adding a subdivision; 116H.15, Subdivisions 1 and 3; 394.25, Subdivision 3; 462.357, Subdivision 1; 500.30; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.088, Subdivision 1; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.128; 116H.15, Subdivision 2; 116H.18; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1.

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

Nelson, K.; Evans and Wynia

Senate File No. 1894 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1611:

H.F. No. 1611: A bill for an act relating to garnishment; authorizing an employer to recover expenses incurred for administering garnishment of an employee's wages; amending Minnesota Statutes 1980, Section 571.57.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Forsythe, Dempsey and Jude have been appointed as such committee on the part of the House.

House File No. 1611 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Ashbach, for Mr. Bang, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1611, and that a Conference Committee of 3 members be appointed by the Subcommittee on Com-

mittees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1809: A bill for an act relating to crimes; providing for the protection of the victims of criminal sexual conduct, intrafamilial sexual abuse, or use of a minor to prepare an obscene work; amending Minnesota Statutes 1981 Supplement, Section 15.791, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 631.

Senate File No. 1809 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Ms. Berglin moved that the Senate concur in the amendments by the House to S.F. No. 1809 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1809: A bill for an act relating to crimes; providing for the protection of the victims of criminal sexual conduct and intrafamilial sexual abuse; classifying data; specifying the competency of witnesses; amending Minnesota Statutes 1981 Supplement, Sections 15.791, Subdivision 9; and 595.02; proposing new law coded in Minnesota Statutes, Chapters 15 and 631.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Peterson,C.C.	Sikorski
Bang	Dieterich	Langseth	Peterson,D.L.	Solon
Belanger	Engler	Lantry	Petty	Stokowski
Berg	Frank	Lessard	Pillsbury	Stumpf
Berglin	Frederickson	Luther	Purfeerst	Taylor
Bernhagen	Hanson	Menning	Ramstad	Tennessen
Bertram	Johnson	Moe, D. M.	Renneke	Ulland
Brataas	Kamrath	Moe, R. D.	Rued	Vega
Chmielewski	Knoll	Nelson	Schmitz	Waldorf
Dahl	Knutson	Olhoft	Setzepfandt	Wegener
Davis	Kroening	Penny	Sieloff	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concur-

rence of the Senate is respectfully requested:

S.F. No. 639: A bill for an act relating to metropolitan government; requiring that metropolitan council boundaries be redrawn after each federal census; amending Minnesota Statutes 1980, Section 473.123, Subdivision 2.

Senate File No. 639 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. Schmitz moved that the Senate do not concur in the amendments by the House to S. F. No. 639, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2006: A bill for an act relating to gambling; providing an exception for certain nonprofit organizations to the annual limitation on prizes awarded from the conduct of raffles; amending Minnesota Statutes 1980, Sections 349.17, Subdivision 1; and 349.26, Subdivision 9, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 349.26, Subdivision 15.

Senate File No. 2006 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Ms. Berglin moved that the Senate concur in the amendments by the House to S.F. No. 2006 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2006: A bill for an act relating to gambling; providing an exception for certain nonprofit organizations to the annual limitation on prizes awarded from the conduct of raffles; amending Minnesota Statutes 1980, Section 349.26, Subdivision 9, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 349.26, Subdivision 15.

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

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

The roll was called, and there were yeas 38 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson,D.L.	Stokowski
Bang	Frank	Langseth	Petty	Stumpf
Belanger	Frederick	Lantry	Pillsbury	Tennessen
Berglin	Hanson	Luther	Rued	Ulland
Bertram	Johnson	Moe, D. M.	Schmitz	Waldorf
Brataas	Knoll	Moe, R. D.	Setzepfandt	Wegener
Chmielewski	Knutson	Pehler	Sieloff	
Davis	Kroening	Peterson,C.C.	Sikorski	

Those who voted in the negative were:

Berg	Frederickson	Lessard	Olhoft	Renneke
Bernhagen	Kamrath	Menning		

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1588: A bill for an act relating to state and local government organization and relations; creating an advisory council on local government; prescribing its duties; proposing new law coded as Minnesota Statutes, Chapter 15B.

Senate File No. 1588 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Wegener moved that the Senate concur in the amendments by the House to S.F. No. 1588 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1588: A bill for an act relating to state and local government organization and relations; creating an advisory council on local government; prescribing its duties; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 15B.

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

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

The roll was called, and there were yeas 38 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Dahl	Knoll	Pehler	Sieloff
Bang	Davis	Knutson	Peterson,C.C.	Sikorski
Belanger	Frank	Kronebusch	Peterson,D.L.	Solon
Berg	Frederick	Lantry	Pillsbury	Stern
Bernhagen	Frederickson	Menning	Renneke	Ulland
Bertram	Hanson	Moe, D. M.	Rued	Wegener
Brataas	Hughes	Moe, R. D.	Schmitz	
Chmielewski	Johnson	Olhoft	Setzepfandt	

Those who voted in the negative were:

Berglin	Kroening	Luther	Stokowski	Tennessen
Dieterich	Langseth	Petty	Stumpf	Waldorf
Kamrath				

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 744: A bill for an act relating to natural resources; changing and clarifying administrative provisions regarding watershed districts; increasing per diem for district managers; stating procedures for adopting rules by managers; requiring revision of certain plans every ten years; allowing cash bonds; clarifying emergency procedures; amending Minnesota Statutes 1980, Sections 105.71, Subdivision 1a, and by adding subdivisions; 106.271; 106.471, Subdivision 1; 112.35, Subdivision 19; 112.37, Subdivision 1; 112.39, Subdivision 1; 112.42, Subdivisions 3, 5 and 6; 112.43, Subdivisions 1, 3, and by adding a subdivision; 112.46; 112.47; 112.48, Subdivisions 1, 2, and 4; 112.49, Subdivisions 1 and 7; 112.58; 112.61, Subdivision 3; 112.62, Subdivision 1; 112.64; 112.65, Subdivision 2; and 112.801, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 112.53, Subdivision 1.

Senate File No. 744 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Hanson moved that the Senate concur in the amendments by the House to S.F. No. 744 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 744: A bill for an act relating to natural resources; changing and clarifying administrative provisions regarding watershed districts; increasing per diem for district managers; stating procedures for adopting rules by managers; requiring revision of certain plans every ten years; allowing cash bonds; clarifying emergency procedures; amending Minnesota Statutes 1980, Sections 106.271; 106.471, Subdivision 1; 112.35, Subdivision 19; 112.37, Subdivision 1; 112.39, Subdivision 1; 112.42, Subdivisions 3, 5 and 6; 112.43, Subdivisions 1, 3, and by adding a subdivision; 112.46; 112.47; 112.48, Subdivisions 1, 2, and 4; 112.49, Subdivisions 1 and 7; 112.58; 112.61, Subdivision 3; 112.62, Subdivision 1; 112.64; 112.65, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 112.53, Subdivision 1.

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

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

The roll was called, and there were yeas 44 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Pehler	Sieloff
Belanger	Frank	Langseth	Peterson,C.C.	Sikorski
Berg	Frederickson	Lantry	Peterson,D.L.	Stern
Berglin	Hanson	Lessard	Petty	Stokowski
Bernhagen	Hughes	Luther	Pillsbury	Stumpf
Bertram	Kamrath	Menning	Renneke	Tennessen
Brataas	Knoll	Moe, D. M.	Rued	Ulland
Chmielewski	Knutson	Moe, R. D.	Schmitz	Wegener
Davis	Kroening	Olhoft	Setzepfandt	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1955: A bill for an act relating to tax forfeited land; restoring certain funds to the real estate assurance account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 284.28, Subdivision 8.

Senate File No. 1955 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Tennessen moved that the Senate concur in the amendments by the House to S.F. No. 1955 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1955 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 38 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Petty	Stokowski
Belanger	Frank	Langseth	Pillsbury	Stumpf
Berg	Frederickson	Lantry	Renneke	Taylor
Berglin	Hughes	Lessard	Rued	Tennessen
Bertram	Johnson	Luther	Schmitz	Ulland
Brataas	Kamrath	Moe, R. D.	Setzepfandt	Wegener
Chmielewski	Knoll	Olhoft	Sikorski	
Davis	Kroening	Peterson,D.L.	Stern	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 536: A bill for an act relating to local government; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; amending Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.

Senate File No. 536 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. Chmielewski moved that the Senate do not concur in the amendments by the House to S. F. No. 536, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Sikorski moved that the name of Mr. Luther be added as a co-author to S.F. No. 1596. The motion prevailed.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Moe, R.D., Chairman of the Subcommittee on Bill Scheduling, designated H.F. No. 1220 a Special Order to be heard immediately.

SUSPENSION OF RULES

Mr. Peterson, C.C. 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. 1220 and that the rules of the Senate be so far suspended as to give H.F. No. 1220, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 1220: A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.

CALL OF THE SENATE

Mr. Ashbach imposed a call of the Senate for the balance of the proceedings on H.F. No. 1220. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Peterson, C.C. moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Amend the title as follows:

Page 129, line 9, delete "workers' compensation" and insert "employment"

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

Mr. Peterson, C.C. then moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 54, line 28, after "*the*" delete "*commissioner of health*"

Page 54, line 29, delete "*or other*"

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

Mr. Wegener moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 2, line 33, delete "*$1,000*" and insert "*$500*"

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

Mr. Pehler moved to amend the amendment placed on H. F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 82, after line 17, insert:

"Sec. 14. Minnesota Statutes 1980, Section 268.07, is amended by adding a subdivision to read:

Subd. 2a. [EXCEPTION.] *Notwithstanding the provisions of subdivision 2, if the commissioner finds that an individual has earned credit weeks in seasonal employment, benefits shall be payable if the commissioner finds that the individual has earned 15 credit weeks in employment which is not seasonal, in addition to any credit weeks in seasonal employment. For the purposes of this subdivision, "seasonal employment" means employment with a single employer in the recreation or tourist industry which is available with the employer for 15 consecutive weeks or less each calendar year.*"

Page 83, after line 13, insert:

"*(5) Wages paid in seasonal employment, as defined in subdivision 2a, are not available for benefit purposes during weeks in which there is no seasonal employment available with the employer.*"

Page 96, line 17, delete "*unless*"

Page 96, line 18, delete everything before the period

Page 96, lines 22 and 23, reinstate the stricken language

Page 96, lines 23 to 34, delete the new language

Renumber the sections in sequence

Correct internal cross references

Amend the title accordingly

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

Mr. Frederick moved to amend the amendment placed on H. F. No. 1220,

by the Committee on Rules and Administration, adopted by the Senate on March 12, 1982,as follows:

Delete everything after the enacting clause and insert:

"Section 1. [176.096] [TOTAL DISABILITY BENEFITS.]

Subdivision 1. [PURPOSE.] *Total disability benefits are paid for the purpose of replacing a portion of wages lost due to a personal injury.*

Subd. 2. [BENEFIT.] *(a) For the first five weeks of total disability the benefit shall be 70 percent of the employee's spendable weekly wage at the time of injury.*

(b) After the first five weeks of total disability the benefit shall be 80 percent of the employee's spendable weekly wage at the time of injury.

(c) Notwithstanding any other provisions of chapter 176 or chapter 79, the first five days of disability benefit shall be the liability of the employer and shall not be reimbursed by any insurer or group self insurance program, except where three or more employees are injured in the same incident, in which case, the insurer shall be liable for the first five days of benefits for all workers injured in the incident.

(d) Where total disability is not continuous, benefits shall be paid pursuant to clause (a) until the total number of normal working days not actually worked is equal to the number of days the employee would normally have worked in a five-week period. If the number of days an employee normally works in a week is irregular or difficult to determine, then the total number of days worked in the 26 weeks preceding the personal injury including employer paid vacations, holiday, and sick leave shall be divided by 26 to determine the number of days an employee normally works in a week. If the employee was seasonally employed, then the total number of days worked during the 26 weeks preceding the personal injury shall be divided by the number of weeks that the employee worked to determine the number of days the employee normally works in a week.

(e) Where an employee is totally disabled for part of a week, the benefit shall be equal to the same portion of the weekly benefit as the days of total disability are to the number of days in a normal work week provided that a normal work week shall be determined as in paragraph (d).

(f) Payment shall be made as nearly as possible at the intervals when the wage was payable.

Subd. 3. [MAXIMUM BENEFIT.] *The maximum weekly benefit for total disability shall be 150 percent of the statewide average weekly wage at the time of injury.*

Subd. 4. [HEALTH INSURANCE COVERAGE.] *If at the time of injury the employee or the employee and his dependents are covered under an accident and health insurance policy, or a contract issued pursuant to chapter 62C, 62D, or any plan defined in section 62E.02, subdivision 22, for which the employer paid premiums or contributions, the employee and applicable dependents shall be entitled to coverage under that plan or policy during the period for which disability benefits are paid for up to one year after the time of injury, provided the employee continues to pay any share of the premium which*

was payable by the employee prior to the injury.

Subd. 5. [OFFSETS.] *Benefits from any government disability program, or any old age benefits program for which the employee is eligible shall reduce benefits otherwise payable under this subdivision by the amount of the government benefit. Each dollar received from these programs shall result in a reduction of the total disability benefit payable by one dollar. If an employee may be eligible for these benefits but has not made application, then the employer shall notify the employee of the possible eligibility and if no application has been made within 30 days of the notice, the payment of benefits under this chapter shall be interrupted until application is made. These benefits shall be paid in full after the application has been made. Any retirement or disability benefits from a retirement or pension plan from which the employee is eligible to receive benefits and to which the employer contributed shall serve to reduce the benefits payable under this subdivision in an amount equal to the disability or retirement benefit received multiplied by the fraction represented by the employer's contribution for that employee over the total contribution for that employee to the retirement or pension plan. If more than one offset provided by this subdivision is applicable, the offsets shall each be calculated as if the other offsets did not apply and all offsets totaled to reduce benefits under this section.*

Subd. 6. [PERIOD OF PAYMENT.] *(a) Total disability benefits shall be payable until the injured employee is:*

(1) Able to substantially perform the duties of the preinjury job or a job utilizing similar skills. For the purposes of this clause "substantially perform the duties of the preinjury job" means that an employee is able to meet the minimum standards of output or productivity established for the preinjury job. The employer shall have the option of altering or reducing these standards to accommodate any temporary or permanent physical limitations of an employee as a means of establishing a job utilizing similar skills;

(2) Eligible for partial disability benefits;

(3) Eligible for rehabilitation benefits; or

(4) Medically recovered from his personal injury and would otherwise be ineligible for total disability benefits but does not return to work for reasons other than the personal injury. If an employer is unable to offer employment to the employee after the employee has medically recovered because the employer no longer has a sufficient volume of work for the injured employee and no other employer has offered a job meeting the requirements of clause (1), total disability benefits shall be continued until all other workers performing the same job with the employer at the time of injury but who have less seniority than the injured employee have been laid off. If benefits are terminated due to the layoff the employee shall, notwithstanding any law to the contrary, immediately be eligible for benefits under sections 268.03 to 268.24 provided that the other eligibility criteria of that chapter have been satisfied.

Sec. 2. [176.098] [DEATH BENEFITS.]

Subdivision 1. [PURPOSE.] *If an employee dies as a result of a personal injury, death benefits shall be paid pursuant to this section. Death benefits shall be based on the deceased employee's spendable weekly wage at the time of injury.*

Subd. 2. [BENEFIT AMOUNT.] *(a) Death benefits shall be paid in an*

amount equal to 70 percent of the deceased employee's spendable weekly wage if no dependents other than the dependent spouse survive or if the deceased employee leaves one or more dependent orphans under the age of 18. The benefits payable to orphans shall cease when all orphans have reached the age of 18. Notwithstanding any other provisions of this section, benefits payable to a child who is mentally or physically incapacitated from earning an income and who is 18 or over shall continue as if the child were an orphan or until the child marries or dies.

(b) Death benefits shall be paid to the dependent spouse in an amount equal to 75 percent of the deceased employee's spendable weekly wage if the survivors include dependent children of the employee under 18. This benefit shall be reduced to 70 percent of the deceased employee's spendable weekly wage when all dependent children have reached the age of 18.

(c) If the deceased employee made regular periodic payments to a person who was claimed as a dependent by the deceased employee for purposes of payment of federal income taxes, benefits may be payable to this person, provided that the payment shall be deducted from the benefit payable to the dependent spouse or dependent children. The payment of benefits to persons eligible under this paragraph shall be made only upon an order of the commissioner or a compensation judge. Liability for the payment shall commence from the date of the order. In no event may the amount of benefits payable exceed actual payments made by the deceased employee to the person. The commissioner or a compensation judge may allocate the proportion of total payments to parties entitled to benefits under this paragraph. The benefits shall be allocated at the discretion of the commissioner or a compensation judge based on all of the facts of the case. The judge may deny benefits to persons other than the spouse or children.

Subd. 3. [BENEFIT ALLOCATION.] *When a death benefit is payable, the commissioner, compensation judge, workers' compensation court of appeals, or district court in cases upon appeal may determine what portion of the benefit is payable to each beneficiary and may order that any portion is to be paid to a guardian. The allocation shall be at the discretion of the commissioner, compensation judge, or court based on all the facts of the case. This subdivision shall not increase the death benefits over the amount which would otherwise have been payable if no allocation of benefits was made after any deductions under subdivision 11 and if no allocations of benefits have been made.*

Subd. 4. [MAXIMUM BENEFIT.] *The maximum weekly total death benefit for all dependents shall be 150 percent of the statewide average weekly wage in effect at the time of injury.*

Subd. 5. [COMMENCEMENT OF PAYMENT.] *Benefit payments shall begin within 30 days of the death of the employee.*

Subd. 6. [ALTERNATIVE SETTLEMENTS.] *Lump sum settlements or other settlement arrangements for periodic payment of benefits in lieu of all or part of the future benefits payable may be made only if the dependent and the employer agree to the settlement, or if upon the request of either party, a compensation judge determines that payment by settlement is justified by the financial needs of the dependent. Any alternative settlement agreed to where the dependent is not represented by an attorney shall be approved by the commissioner or by a compensation judge. An alternative settlement shall not*

occur if there are dependent children under the age of 18.

Subd. 7. [MAXIMUM SPOUSAL BENEFIT PERIOD.] *Any dependent surviving spouse eligible to receive death benefits shall receive those benefits for not more than the period of time prescribed in the following table.*

Age of Spouse at time of Employee's Death	*Maximum Benefit Years*
Less than 30	*5*
30-35	*7*
36-50	*10*
More than 50	*15*

The benefit years shall begin to be counted at the time of the first payment, except in the case where there are dependent surviving children, in which case the benefit years shall begin to be counted upon the 18th birthday of the youngest surviving dependent child. Benefits payable to other dependents shall cease when the spouse is no longer eligible for benefits.

Subd. 8. [HEALTH INSURANCE COVERAGE.] *In any case where a dependent is eligible to receive benefits under this section and was also covered under an accident and health insurance policy or under a contract issued under chapter 62C or 62D or any plan defined in section 62E.02, subdivision 22, at the time of the employee's death, and where the cost of that coverage was partially or totally paid by the employer, the employer shall continue to pay the same proportion of the cost of maintaining coverage under that contract or plan for a period of one year, provided the dependent pays any proportion of the premium which was payable by the employee.*

Subd. 9. [REHABILITATION.] *Upon the request of a qualified dependent spouse, rehabilitation services shall be provided by the employer. For the purposes of this subdivision, a "qualified dependent spouse" is a dependent spouse who is in need of rehabilitation services to become self-supporting. The rehabilitation services shall be limited to those in section 4, subdivision 10. Rehabilitation services need not be provided if the request for the service is not received within two years of the employee's death or the youngest dependent child becoming 18 years of age, whichever is later.*

Subd. 10. [REMARRIAGE OF SURVIVING SPOUSE.] *The remarriage of a surviving dependent spouse shall result in the immediate discontinuance of benefits to the spouse. If there are children, benefits shall continue to be payable under subdivision 2, clause (a), as if the children were orphans.*

Subd. 11. [OFFSETS.] *Benefits from any governmental old age or survivors benefits program for which the dependent spouse or dependent child are eligible based in part or in full upon the employment experience of the deceased employee shall reduce benefits otherwise payable under this section. Each dollar received from these programs shall result in a reduction of the death benefit payable by one dollar. If a dependent may be eligible for these benefits but has not made application, the payment of benefits under this chapter shall be interrupted until the application is made. These benefits shall be paid in full after the application has been made. Any benefits from a retirement or pension plan for which the dependent spouse or dependent child are eligible and to*

which the employer contributed shall reduce benefits payable under subdivision 1, by an amount equal to the retirement or pension benefit received multiplied by the fraction of the employer's contribution over the combined contribution for that employee to the retirement or pension plan. If more than one offset provided by this subdivision is applicable, the offsets shall each be calculated as if the other offsets did not apply and all offsets totaled to reduce benefits under this section.

Subd. 12. [BENEFIT REDUCTION.] *If the deceased employee's average weekly wage at the time of personal injury was less than 40 percent of the sum of the average weekly wages of the employee and spouse at the time of personal injury, the benefit due under this section shall be reduced by 2-1/2 percent for each 1 percent less than 40 percent the deceased employee's income was of the combined average weekly wage of the employee and the spouse at the time of personal injury.*

Subd. 13. [EXTENDED DISABILITY; REDUCTION OF BENEFITS.] *Benefits provided under this section which are payable when there are no dependent children or when all dependent children have reached the age of 18 shall be reduced by 50 percent if the deceased employee received total disability benefits for more than five but less than ten years preceding the employees's death. Death benefits which are payable when there are no dependent children or when all dependent children have reached the age of 18 shall not be provided to survivors if the deceased employee received total disability benefits for ten years or more. This subdivision shall not affect benefits provided for burial expenses or rehabilitation.*

Sec. 3. [176.099] [IMPAIRMENT BENEFITS.]

Subdivision 1. [PURPOSE.] *Impairment benefits are for the purpose of compensating employees whose personal injury results in a permanent impairment and to compensate employees for the non-economic consequences of permanent bodily impairment.*

Subd. 2. [ELIGIBILITY.] *Any employee with permanent impairment resulting from personal injury is eligible to receive impairment benefits only if total impairment to the whole body is determined to be 10 percent or greater.*

Subd. 3. [IMPAIRMENT RATINGS.] *An impairment rating shall represent the proportional impairment to the whole body resulting from all bodily impairments due to the personal injury. For the purposes of this section, impairment shall be expressed as a single rating between zero and one hundred percent except that all impairment ratings shall be rounded to the nearest percent which is evenly divisible by five and provided that percents of less than ten shall be zero. No rating of the degree of permanent impairment shall be made until either the employee has returned to work for a period of at least 30 days or a determination has been made according to subdivision 4 that return to work is not a prerequisite to the payment of benefits or the employee has completed a rehabilitation plan.*

Subd. 4. [PAYMENT OF BENEFITS.] *Impairment benefits shall be payable in a single lump sum amount after a determination of the degree of permanent impairment has been made and after the employee has returned to work for a period of 90 consecutive days during which no claims for total disability are made, except that time off work due to the actual evaluation of the*

degree of impairment shall not interrupt the 90 consecutive day period. Payment shall occur within five days of completion of the 90 day waiting period or within 30 days of the determination of the degree of permanent impairment, whichever is later. Return to work shall not be a prerequisite to the payment of impairment benefits if the commissioner determines, based on an evaluation by a qualified rehabilitation consultant, that it is highly improbable that the employee can be sufficiently rehabilitated to allow a return to work. Payment of impairment benefits, when the commissioner so determines, shall be made within 30 days after the determination of the degree of permanent impairment has been made.

Subd. 5. [PAYMENT PROCEDURE; NONCONTESTED.] *When an injured employee presents a report from the treating physician to the employer showing that the employee's condition qualifies the employee for benefits according to this section, the employer shall:*

(a) Pay the employee the benefit due as required by this section; or

(b) Within 15 days refer the employee to another physician of the employer's choice who shall perform an examination and issue a report within a reasonable period of time. If this second report indicates that the permanent impairment is within five percentage points of the permanent impairment reported in the original request for benefits, the employer shall immediately pay the benefits as requested by the employee.

Subd. 6. [DISPUTE RESOLUTION.] *When the two examinations produce impairment ratings that differ by more than five percentage points, the employer shall, when it is due, pay the impairment benefit established by the examination conducted pursuant to subdivision 5, clause (b). Upon the request of either party, a compensation judge shall order an evaluation of the employee by a third physician to assist in the resolution of the dispute under the provisions of section 176.155. The third physician shall evaluate the impairment using the American Medical Association guides. Upon receipt of the report of the third physician, or if no third examination is ordered, the compensation judge shall accept one of the two original impairment ratings as the appropriate basis for determining impairment benefits and shall not accept any other rating. Each dispute shall be resolved by accepting the rating that is closest to the one that would be obtained if an evaluation were conducted in accordance with the standards established in the most recent American Medical Association guides.*

Subd. 7. [REFINEMENT OF STANDARDS.] *If the commissioner determines that the standards and guidelines contained in the American Medical Association guides are inappropriate or insufficient, the commissioner shall by rule supplement the guides with additional standards or replace portions of the guides with more appropriate generally recognized medical standards.*

Subd. 8. [SUBSEQUENT DISABILITY; OFFSET FOR IMPAIRMENT BENEFITS.] *If an employee who had returned to work prior to the receipt of an impairment benefit receives total disability benefits subsequent to the receipt of impairment benefits, and if the subsequent disability is a result of the same injury or illness or an aggravation of the same injury or illness, then any total disability benefits provided shall be reduced by the impairment benefit received, provided no offset shall exceed 25 percent of a periodic payment.*

This offset shall apply to each periodic payment until the total offset equals the impairment benefit received. Upon again returning to work for a period of 90 days, the employee shall be reimbursed for the impairment benefits which were used to offset total disability benefits.

Subd. 9. [ADDITIONAL IMPAIRMENT.] *Once an employee has submitted a request for impairment benefits to an employer under subdivision 4, no additional request for impairment benefits shall be made unless further personal injury is caused in another single, identifiable event.*

Subd. 10. [DEPENDENTS' RIGHTS TO RECEIVE IMPAIRMENT BENEFITS.] *Impairment benefits shall not be paid if the injured employee dies as a result of the personal injury causing the permanent impairment and the death occurs within one year following the date of injury. If the death is not the result of the personal injury, and if an evaluation of permanent impairment had been completed, then the impairment benefit shall be payable to the deceased employee's dependents under chapter 176 or, if none, to the legal heirs at the time of death. If the degree of impairment has not been determined prior to death, the degree of permanent impairment shall be estimated from available medical records and shall be payable as stated above.*

Subd. 11. [IMPAIRMENT BENEFIT TABLE.] *Impairment benefit amounts shall vary according to the employee's age at the time of injury and the degree of permanent impairment. When impairment is caused by an occupational disease, the employee's age for the purposes of determination of the benefit payable shall be the employee's age on the date the examination resulting in the employee's request for benefits under this section was conducted. No request for additional impairment benefits resulting from the occupational disease shall be made once a payment for impairment benefits from an impairment due to occupational disease has been made. The benefit due shall be determined according to the following table. The benefit shall be the dollar amount in the cell located at the intersection of the appropriate row of impairment percentage and column of age at the date of injury provided that actual age shall be rounded to the nearest age contained in the table:*

IMPAIRMENT BENEFIT SCHEDULE
Benefit Amounts According to Age and Impairment

PERCENTAGE IMPAIRMENT	*AGE*					
	20	*25*	*30*	*35*	*40*	*45*
10	*2,500*	*2,400*	*2,250*	*2,150*	*2,000*	*1,900*
15	*3,000*	*2,800*	*2,700*	*2,600*	*2,400*	*2,200*
20	*4,000*	*3,800*	*3,600*	*3,400*	*3,200*	*3,000*
25	*5,500*	*5,200*	*5,000*	*4,700*	*4,400*	*4,100*
30	*7,000*	*6,600*	*6,300*	*6,000*	*5,600*	*5,200*
35	*9,000*	*8,500*	*8,100*	*7,600*	*7,200*	*6,800*
40	*11,000*	*10,400*	*9,900*	*9,400*	*8,800*	*8,200*
45	*13,500*	*12,800*	*12,200*	*11,500*	*10,800*	*10,100*
50	*16,000*	*15,200*	*14,400*	*13,600*	*12,800*	*12,000*
55	*20,000*	*19,000*	*18,000*	*17,000*	*16,000*	*15,000*
60	*24,000*	*22,800*	*21,600*	*20,400*	*19,200*	*18,000*
65	*28,000*	*26,600*	*25,200*	*23,800*	*22,400*	*21,000*
70	*32,000*	*30,400*	*28,800*	*27,200*	*25,600*	*24,000*
75	*36,000*	*34,200*	*32,400*	*30,600*	*28,800*	*27,000*
80	*40,000*	*38,000*	*36,000*	*34,000*	*32,000*	*30,000*

85	42,500	40,400	38,300	36,200	34,000	31,900
90	45,000	42,800	40,500	38,200	36,000	33,800
95/100	50,000	47,500	45,000	42,500	40,000	37,500

	50	55	60	65	70
10	1,750	1,650	1,500	1,400	1,250
15	2,100	2,000	1,800	1,600	1,500
20	2,800	2,600	2,400	2,200	2,000
25	3,800	3,600	3,300	3,000	2,800
30	4,900	4,600	4,200	3,800	3,500
35	6,300	5,800	5,400	5,000	4,500
40	7,700	7,200	6,600	6,000	5,500
45	9,400	8,800	8,100	7,400	6,600
50	11,200	10,400	9,600	8,800	8,000
55	14,000	13,000	12,000	11,000	10,000
60	16,800	15,600	14,400	13,200	12,000
65	19,600	18,200	16,800	15,400	14,000
70	22,400	20,800	19,200	17,600	16,000
75	25,200	23,400	21,600	19,800	18,000
80	28,000	26,000	24,000	22,000	20,000
85	29,800	27,600	25,500	23,400	21,300
90	31,500	29,200	27,000	24,800	22,500
95/100	35,000	32,500	30,000	27,500	25,000

Sec. 4. [176.085] [REHABILITATION.]

Subdivision 1. [PURPOSE.] *Rehabilitation services are intended to restore the injured employee, through physical and vocational rehabilitation, so that he may return to suitable gainful employment.*

"Suitable gainful employment" for the purposes of this section is that employment which is reasonably obtainable and which offers an opportunity to restore the injured employee as soon as possible and as nearly as possible to a job related to his former employment or to a job in another work field in which he could produce earnings as close as possible to those he received at the time of the personal injury.

Rehabilitation to a job which may produce earnings greater than those the employee received at the time of personal injury is permitted if it can be demonstrated that this rehabilitation is necessary for re-employment. Consideration shall be given to the employee's qualifications including but not limited to age, education, previous work history, interest, and transferable skills.

Subd. 2. [REHABILITATION PRIORITIES.] *The following priorities are established for use in exploring alternative rehabilitation plans. No higher numbered priority shall be utilized unless all lower numbered priorities have been determined by the qualified rehabilitation consultant to be unlikely to result in returning the employee to suitable gainful employment.*

Priority 1 is modification of previous job with the same employer, including a transitional return to work.

Priority 2 is a new job with the same employer in keeping with any limitations or restrictions of the employee.

Priority 3 is modification of the previous job with a new employer.

Priority 4 is a new job with a new employer as a result of direct job placement based upon transferable skills.

Priority 5 is a new job with a new employer involving on-the-job training.

Priority 6 is retraining and job placement consistent with the purposes of rehabilitation.

Subd. 3. [ADMINISTRATORS.] *The commissioner shall hire a director of medical and rehabilitation services in the classified service. The commissioner is responsible for supervising medical and rehabilitation services, including the selection and delivery of services. The commissioner may hire qualified personnel to assist in these duties and may delegate those duties and performance.*

Subd. 4. [REVIEW PANEL.] *There is created a rehabilitation review panel composed of the commissioner or a designee, who shall serve as an ex officio member and two members each from labor, employers, insurers, rehabilitation, and medicine and one member representing chiropractors. The members shall be appointed by the governor and shall serve four-year terms which may be renewed. Compensation for members shall be governed by section 15.0575. The panel shall select a chairman. The panel shall review and make a determination with respect to (a) appeals regarding rehabilitation plans and benefits; and (b) appeals regarding certification approval or revocation. The panel shall continuously study medical and rehabilitation services and delivery and develop and recommend medical and rehabilitation rules to the commissioner. A majority vote of those attending a panel hearing shall constitute the decision of the board.*

Subd. 5. [REHABILITATION PLAN; DEVELOPMENT.] *(a) Within 15 days of the time an employer has medical information that an employee is unable, due to a personal injury, to return to his preinjury occupation, or in any event, if within 90 days after the personal injury the employee has not returned to work, the employer shall refer the employee to a qualified rehabilitation consultant for a determination of whether rehabilitation is necessary to carry out the purposes of this section. If rehabilitation is determined to be necessary, the employee and employer shall enter into a program as prescribed in a rehabilitation plan. A copy of the plan, including a target date for return to work, shall be submitted to the department of labor and industry. If, within 30 days of the first consultation with a qualified rehabilitation consultant, the employee objects to the employer's selection of that qualified rehabilitation consultant, the employee must notify the employer and the commissioner in writing of his objection and request the selection of an alternative qualified rehabilitation consultant. If that qualified rehabilitation consultant is objectionable to the employer, and if a mutually acceptable qualified rehabilitation consultant cannot be found, the commissioner shall be notified by the employer in a timely manner that no mutually acceptable qualified rehabilitation consultant can be found. Upon receipt of this notice and within seven days, the commissioner shall provide the employee and employer with a list of three other qualified rehabilitation consultant's from which the employee and employer shall, within seven days, each disapprove one qualified rehabilitation consultant. The remaining qualified rehabilitation consultant shall be utilized.*

(b) If the employer does not provide rehabilitation evaluation as required by this section within 75 days from the date of injury, the commissioner shall notify the employer that if the employer fails to appoint a qualified rehabilitation consultant within 15 days to conduct a rehabilitation evaluation, the

commissioner shall appoint a qualified rehabilitation consultant to provide the evaluation at the expense of the employer unless the commissioner determines the evaluation is not required. The commissioner may assess a penalty of up to $5,000, to be paid to the special compensation fund by any employer if the commissioner has appointed a qualified rehabilitation consultant and return to work has not been accomplished within 180 days, subject to the limitations in (c) below.

(c) If the employee's condition does not permit determination of the employee's need for rehabilitation or a rehabilitation plan cannot be developed within 90 days after the injury, a further rehabilitation evaluation by a qualified rehabilitation consultant is required six months following the date of injury. If the employee's condition still precludes development of a rehabilitation plan at this time, a further evaluation by a qualified rehabilitation consultant shall be conducted in six months and then at yearly intervals as long as no rehabilitation plan has been developed. The commissioner may waive further mandatory evaluations after the second evaluation if he determines in a case that evaluations are not likely to accomplish the purposes of this subdivision. If after two years from the date of injury a rehabilitation plan has not been developed, the employer may determine the time of a subsequent evaluation. Those evaluations shall not occur more frequently than once per year and are not mandatory for the employee, unless directed by the commissioner.

Subd. 6. [ON-THE-JOB TRAINING.] *When a rehabilitation plan includes on-the-job training, the employee shall receive remuneration while so employed in an amount equal to the spendable weekly wage the employee received at the time of the personal injury. A rehabilitation plan which includes on-the-job training shall create an incentive for the on-the-job training employer to hire the employee for on-the-job training in the form of reducing the wages paid to the employee by the on-the-job training employer to 80 percent or less of the prevailing wage for the job. The difference between the spendable weekly wage from the preinjury job and spendable weekly wage from the on-the-job training shall be paid by the employer liable for compensation for the employee's injury but it shall not exceed 150 percent of the statewide average weekly wage at the time of injury. The compensation from the liable employer and the on-the-job training employer paid according to this subdivision is in lieu of other benefits required to be paid by subdivision 12.*

Subd. 7. [PLAN, APPROVAL AND APPEAL.] *All completed plans shall be submitted to the commissioner for review and approval. The commissioner may disapprove or modify rehabilitation plans. A decision and order by the commissioner may be appealed to the rehabilitation review panel within 30 days of the commissioner's decision. The decision of the rehabilitation review panel may be appealed to the workers' compensation court of appeals.*

Subd. 8. [PLAN IMPLEMENTATION; REPORTS.] *Upon request by the commissioner, employer, or qualified rehabilitation consultant, medical and rehabilitation reports of an employee's progress under a plan shall be made by the provider of the medical and rehabilitation service to the commissioner, insurer and employer. The employer shall be notified upon completion of the plan.*

Subd. 9. [PLAN MODIFICATION.] *Upon request of the employer, the employee, or the qualified rehabilitation consultant to the commissioner, the*

plan may be suspended, terminated, or altered upon a showing of good cause including:

(a) A physical impairment that does not allow the employee to pursue the rehabilitation plan;

(b) The employee's performance level indicates the plan will not successfully be completed; or

(c) An employee does not cooperate with a plan.

An employee may request a change in a rehabilitation plan once because the employee feels ill-suited for the type of work for which rehabilitation is being provided if the request is made within 90 days of the start of the plan. Any decision of the commissioner regarding a change in a plan may be appealed to the rehabilitation review panel within 15 days of the decision.

Subd. 10. [PLAN; COSTS.] *An employer is liable for the following rehabilitation expenses under this section:*

(a) Cost of rehabilitation evaluation and preparation of a plan;

(b) Cost of all rehabilitation services and supplies necessary for implementation of the plan;

(c) Reasonable cost of tuition, books, travel and day care; and reasonable costs of board and lodging when rehabilitation requires residence away from the employee's customary residence;

(d) Reasonable costs of travel and daycare during job interview process;

(e) Reasonable cost for moving expenses of the employee and family if a job is found in a geographic area beyond reasonable commuting distance after a diligent search within the present community. Relocation shall not be paid more than once, and relocation shall not be required if the new job is located within the same standard metropolitan statistical area as the employee's job at the time of injury; and

(f) Any other expense agreed to be paid.

Subd. 11. [REHABILITATION; CONSULTANTS.] *The commissioner shall approve rehabilitation consultants who may propose and implement plans if they satisfy rules promulgated by the commissioner for rehabilitation consultants. A consultant may be an individual or public or private entity, but may not be a vendor of rehabilitation services.*

Subd. 12. [COMPENSATION DURING REHABILITATION.] *The commissioner shall determine eligibility for rehabilitation and benefits while the employee is participating in a rehabilitation plan. Rehabilitation benefits shall include payment in an amount equal to the employee's benefit for total or partial disability, whichever is appropriate, and shall be in lieu of compensation. All rehabilitation benefits payable under chapter 176 shall be discontinued and forfeited for any time during which the employee refuses to submit to any reasonable examinations and evaluative procedures to determine the need for and details of a plan of rehabilitation, or refuses to participate in rehabilitation evaluation as required by this section or does not make a good faith effort to participate in a rehabilitation plan.*

Subd. 13. [BENEFIT DURATION DURING REHABILITATION.] *Unless*

the employee has returned to work, benefits during rehabilitation shall continue as provided in subdivision 12 until the sooner of the following:

(a) The rehabilitation plan has been completed and within 90 days the employer or another employer has offered the employee employment consistent with the skills developed in the rehabilitation plan at a job in which the employee is capable of performing, at which time benefits shall cease or partial disability benefits shall begin, whichever is appropriate; or

(b) The rehabilitation plan has been completed and after 90 days the employer or another employer has offered the injured employee any job which is within the physical capabilities of the employee, at which time benefits shall cease or partial disability shall begin, whichever is appropriate; or

(c) The rehabilitation plan has been completed and 180 days have elapsed at which time benefits shall cease unless a permanent impairment exists. If a permanent impairment exists, for which benefits are payable under section 3, benefits shall be payable for an additional period of time until either an offer of employment is made to the employee which is within the employee's physical capabilities or the time established for the impairment percentages shown below has elapsed.

Permanent Impairment Remaining After Completion of Rehabilitation Plan	*Maximum Benefit Period After Completion of Rehabilitation Plan*
10 - 20 percent	*12 months*
25 - 40 percent	*24 months*
45 - 60 percent	*36 months*
65 - 80 percent	*48 months*
85 percent and higher	*60 months*

Subd. 14. [RULES.] *The commissioner shall adopt rules necessary to implement this section including rules relating to qualifications necessary to be an approved rehabilitation consultant.*

Sec. 5. [176.097] [PARTIAL DISABILITY BENEFITS.]

Subdivision 1. [PURPOSE.] *Partial disability benefits are paid for the following purposes:*

(a) Facilitating return to work of an employee who suffered a personal injury. The benefits payable according to this section replace a portion of wages lost due to a personal injury after an employee returns to work and when the employee's return to employment is in a reduced capacity, as evidenced by the fact that the employee's current spendable wages are less than the spendable wages of the employee prior to the injury; and

(b) Providing ongoing supplements to the income of injured employees who, because of a permanent impairment are unable to earn income at least equal to their preinjury wage.

Subd. 2. [BENEFIT.] *When the employee returns to work, benefits for partial disability shall be payable at the rate of 80 percent of the difference between the employee's current spendable weekly wage and the preinjury spendable weekly wage.*

Subd. 3. [MAXIMUM BENEFIT.] *The maximum weekly benefit for partial*

disability shall be 150 percent of the statewide average weekly wage.

Subd. 4. [PERIOD OF PAYMENT.] *(a) Partial disability benefits shall be paid for the period beginning on the date the employee returns to work. Payment shall be made as nearly as possible at the intervals when the wage is payable.*

(b) Partial disability benefits shall continue for up to 90 days of the first day of return to work unless the personal injury results in a permanent impairment of ten percent or more of the whole body as determined by application of the American Medical Association guides. If no permanent impairment determination has been made but the impairment clearly exists, payment under this section shall continue for a period of time provided by the minimum expected disability. If the duration of payment of the partial disability was longer or shorter than provided by this section, as evidenced by the final determination of the degree of permanent impairment, an adjustment shall be made to the impairment award. Excessive payments shall be subtracted from the impairment benefit. Payments due but not paid shall be paid in addition to the impairment benefit with interest payments of 12 percent per annum.

(c) Workers whose personal injury results in a permanent impairment, for which benefits are payable under section 3, shall be eligible for benefits for a period of time reflecting the severity of their permanent impairment. The maximum duration of partial disability eligibility shall be determined according to the impairment percentages shown below:

Percentage of impairment	*Additional benefit duration beyond initial 90 days*
10 percent	*90 days*
15 percent	*180 days*
20 percent	*270 days*

For each five percent impairment beyond 20 percent, the duration period shall be extended an additional 180 days.

(d) An employee who becomes unemployed for reasons other than the personal injury while receiving partial disability benefits shall continue to receive benefits under this section, except that current spendable weekly wage shall be assumed to equal spendable weekly wage at the time the unemployment commenced. If the employee is laid off because the employer no longer has adequate work for all current employees, the unemployment shall be deemed to be caused by other than the personal injury if all other workers performing the same job but who have less seniority than the injured employee have been laid off.

Sec. 6. Minnesota Statutes 1980, Section 62A.10, Subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] Group accident and health insurance is hereby declared to be that form of accident and health insurance covering not less than two employees nor less than ten members, and which may include the employee's or member's dependents, consisting of husband, wife, children, and actual dependents residing in the household, written under a master policy issued to any governmental corporation, unit, agency, or department thereof, or to any corporation, copartnership, individual, employer, or to any associa-

tion having a constitution or bylaws and formed in good faith for purposes other than that of obtaining insurance under the provisions of this chapter, where officers, members, employees, or classes or divisions thereof, may be insured for their individual benefit.

Any insurer authorized to write accident and health insurance in this state shall have power to issue group accident and health policies.

If an employee and his dependents are insured under a group policy, as the result of employment eligibility for insurance, coverage shall not be terminated if the employee ceases to be employed as a result of a personal injury as defined in section 176.011, subdivision 10.

Sec. 7. Minnesota Statutes 1980, Section 62C.14, is amended by adding a subdivision to read:

Subd. 16. No subscriber's individual contract or any group contract shall terminate an individual's or the individual's dependent's eligibility for coverage because the individual is no longer employed as the result of a personal injury as defined in section 176.011, subdivision 10.

Sec. 8. Minnesota Statutes 1980, Section 62D.10, is amended by adding a subdivision to read:

Subd. 5. No health plan shall terminate coverage of an enrollee or his dependents because the enrollee is no longer employed as the result of a personal injury as defined in section 176.011, subdivision 10.

Sec. 9. Minnesota Statutes 1980, Section 176.011, Subdivision 3, is amended to read:

Subd. 3. [~~DAILY~~ *WEEKLY* WAGE.] "~~Daily~~ *Weekly* wage" means the ~~daily~~ *weekly* wage of the employee in the employment in which he was engaged at the time of injury but does not include tips and gratuities paid directly to an employee by a customer of the employer and not accounted for by the employee to the employer. *Occasional overtime is not to be considered, but if the overtime is regular or frequent throughout the year, it shall be taken into consideration.* If the amount of the ~~daily~~ *weekly* wage received or to be received by the employee in the employment in which he was engaged at the time of injury was irregular or difficult to determine, or if the employment was part time, the ~~daily~~ *weekly* wage shall be computed by dividing the total amount the employee actually earned in such employment in the last 26 weeks, by the total number of ~~days~~ *weeks* in which the employee actually performed any of the duties of such employment, provided further, that in the case of the construction industry, mining industry, or other industry where the hours of work are affected by seasonal conditions, ~~the weekly wage shall not be less than five times the daily wage~~ *weeks where the employee worked less than the lesser of 40 hours or the normal number of hours worked in a week shall not be included in weeks worked.* Where board or allowances other than tips and gratuities are made to an employee in addition to wages as a part of the wage contract they are deemed a part of his earnings and computed at their value to the employee. In the case of persons performing services for municipal corporations in the case of emergency, then the normal working ~~day~~ *week* shall be considered and computed as ~~eight hours~~ *five days*, and in cases where ~~such~~ *the* services are performed gratis or without fixed compensation the ~~daily~~ *weekly* wage of the person injured shall, for the purpose of calculating compensation payable

under this chapter, be taken to be the usual going wage paid for similar services in municipalities where ~~such~~ *the* services are performed by paid employees. If, at the time of injury, the employee was regularly employed by two or more employers, the employee's earnings in all such employments shall be included in the computation of ~~daily~~ *weekly* wage.

Sec. 10. Minnesota Statutes 1980, Section 176.011, is amended by adding a subdivision to read:

Subd. 23. [SPENDABLE WEEKLY WAGE.] *"Spendable weekly wage" means weekly wage minus the sum of: (a) the amount which would be withheld according to withholding tables in effect on the January 1 preceding the personal injury, as described in the Internal Revenue Code of 1954, as amended, assuming that the maximum number of exemptions for dependency apply as the worker would be entitled to receive at the time of injury; and (b) the amount which would be withheld according to withholding tables in effect on the January 1 preceding the injury under Minnesota Statutes, Chapter 290, and related rules, assuming that the maximum number of exemptions for dependency apply as the worker would be entitled to receive at the time of injury; and (c) an amount equal to the amount required on the January 1 preceding the injury, by the Social Security Act of 1935 and any related amendments, to be deducted or withheld from the weekly wage of the employee as if the weekly wage were earned at the beginning of the calendar year in which the injury occurred.*

Sec. 11. Minnesota Statutes 1980, Section 176.011, is amended by adding a subdivision to read:

Subd. 24. [PERMANENT IMPAIRMENT.] *"Permanent impairment" means permanent anatomic or functional abnormality or loss as the result of a personal injury, which exists after maximum medical rehabilitation has been achieved and which is considered stable or nonprogressive.*

Sec. 12. Minnesota Statutes 1981 Supplement, Section 176.021, Subdivision 3, is amended to read:

Subd. 3. [COMPENSATION, COMMENCEMENT OF PAYMENT.] All employers shall commence payment of compensation at the time and in the manner prescribed by this chapter without the necessity of any agreement or any order of the division. Except for medical, burial, and other non-periodic benefits, payments shall be made as nearly as possible at the intervals when the wage was payable~~, provided, however, that payments for permanent partial disability shall be governed by subdivision 3a. If doubt exists as to the eventual permanent partial disability, payment, pursuant to subdivision 3a, shall be then made when due for the minimum permanent partial disability ascertainable, and further payment shall be made upon any later ascertainment of greater permanent partial disability. At the time of any tender of the lump sum payment, the employee and employer shall be furnished with a copy of the medical report upon which the payment is based, together with a statement by the insurer as to whether the tendered payment is for minimum permanent partial disability or final and eventual disability. Compensation for permanent partial disability is payable in addition to compensation for temporary total disability and temporary partial disability pursuant to section 176.101, subdivisions 1 and 2, as provided in subdivision 3a. Compensation for permanent partial disability is payable concurrently and in addition to compensation for perma-~~

~~nent total disability pursuant to section 176.101, subdivision 5, as provided in subdivision 3a. Compensation for permanent partial disability shall be withheld pending completion of payment for temporary total and temporary partial disability but shall not be withheld pending payment of compensation for permanent total disability, and no credit shall be taken for payment of permanent partial disability against liability for temporary total or permanent total disability. Liability on the part of an employer or his insurer for disability of a temporary total, temporary partial, and permanent total nature shall be considered as a continuing product and part of the employee's inability to earn or reduction in earning capacity due to injury or occupational disease and shall be payable accordingly, subject to subdivision 3a. Permanent partial disability is payable for functional loss of use or impairment of function, permanent in nature, and payment therefore shall be separate, distinct, and in addition to payment for any other compensation, subject to subdivision 3a. The right to receive temporary total, temporary partial, permanent partial or permanent total disability payments shall vest in the injured employee or his dependents under this chapter or, if none, in his legal heirs at the time the disability can be ascertained and the right shall not be abrogated by the employee's death prior to the making of the payment~~.

Sec. 13. Minnesota Statutes 1980, Section 176.111, Subdivision 18, is amended to read:

Subd. 18. [BURIAL EXPENSE.] In all cases where death results to an employee from a personal injury arising out of and in the course of employment, the employer shall pay the expense of burial, not exceeding in amount ~~$1,000~~ *$2,500*. In case any dispute arises as to the reasonable value of the services rendered in connection with the burial, such reasonable value shall be determined and approved by the commissioner of the department of labor and industry, a compensation judge, or workers' compensation court of appeals, in cases upon appeal, before payment, after such reasonable notice to interested parties as is required by the commissioner of the department of labor and industry. If the deceased leave no dependents, no compensation is payable, except as provided by this chapter.

Sec. 14. Minnesota Statutes 1980, Section 176.131, Subdivision 1, is amended to read:

Subdivision 1. If an employee incurs personal injury and suffers disability that is substantially greater, because of a pre-existing physical impairment, than what would have resulted from the personal injury alone, the employer shall pay all compensation provided by this chapter, but he shall be reimbursed from the special compensation fund for all compensation paid in excess of 52 weeks of ~~monetary~~ benefits and $2,000 in medical expenses, subject to the following exceptions:

If the personal injury alone results in permanent ~~partial disability to a scheduled member under section 176.101, the monetary and medical expense limitations shall not apply and~~ *impairment for which payment is due pursuant to section 3* the employer shall be liable for ~~such compensation, medical expense,~~ *the payment for the permanent impairment* and ~~retraining~~ *rehabilitation* attributable to the ~~permanent partial disability,~~ *personal injury* and he may be reimbursed from the compensation fund only for compensation ~~paid in excess of such disability~~ *for medical expenses and total disability benefits*.

Sec. 15. Minnesota Statutes 1980, Section 176.131, Subdivision 1a, is amended to read:

Subd. 1a. If an employee is employed in an on the job ~~retraining~~ *training* program pursuant to section 176.102 and the employee incurs a personal injury that aggravates the personal injury for which the employee has been certified to enter the on the job ~~retraining~~ *training* program, the on the job training employer shall pay the medical expenses and ~~compensation~~ *benefits* required by this chapter, but shall be reimbursed from the special compensation fund for the ~~compensation~~ *benefits* and medical expense that ~~is~~ *are* attributable to the aggravated injury. The employer, at the time of the personal injury for which the employee has been certified for ~~retraining~~ *rehabilitation*, is liable for ~~the portion of the disability that is attributable to that injury~~ *all other benefits and medical expenses required by chapter 176*.

Sec. 16. Minnesota Statutes 1980, Section 176.131, Subdivision 8, is amended to read:

Subd. 8. As used in this section the following terms have the meanings given them:

"Physical impairment" means any physical or mental condition that is permanent in nature, whether congenital or due to injury, disease or surgery and which is or is likely to be a hindrance or obstacle to obtaining employment provided that, physical impairment as used herein is limited to the following:

(a) Epilepsy,

(b) Diabetes,

(c) Hemophilia,

(d) Cardiac disease,

(e) Partial or entire absence of thumb, finger, hand, foot, arm or leg,

(f) Lack of sight in one or both eyes or vision in either eye not correctable to 20/40,

(g) Residual disability from poliomyelitis,

(h) Cerebral Palsy,

(i) Multiple Sclerosis,

(j) Parkinson's disease,

(k) Cerebral vascular accident,

(l) Chronic Osteomyelitis,

(m) Muscular Dystrophy,

(n) Thrombophlebitis,

(o) Any other physical impairment ~~for~~ which *is* at least ~~50 weeks or more of weekly benefits would be payable as permanent partial disability if the physical impairment were evaluated according to standards used in workers' compensation proceedings~~ *25 percent or more of the whole body as determined according to the standards established in the American Medical Association guides*, and

(p) Any other physical impairments of a permanent nature which the workers' compensation court of appeals may by rule prescribe;

~~"Compensation" has the meaning defined in section 176.011;~~

"Employer" includes insurer;

"Disability" means, unless otherwise indicated, any condition causing either ~~temporary~~ total~~,~~ ~~temporary~~ *or* partial *disability*, ~~permanent total, permanent partial,~~ death, medical expense, or ~~retraining~~ *rehabilitation*.

Sec. 17. Minnesota Statutes 1981 Supplement, Section 176.131, Subdivision 10, is amended to read:

Subd. 10. The special compensation fund is created for the purposes provided in this chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to monetary benefits of dependency compensation, the employer shall pay to the commissioner the sum of ~~$5,000~~ *$25,000* for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to at least ~~$5,000~~ *$25,000* in monetary benefits of dependency compensation, the employer shall pay to the commissioner for the benefit of the special compensation fund the difference between the amounts actually paid for the dependency benefits and ~~$5,000~~ *$25,000*; but in no event shall the employer pay the commissioner less than $1,000;

(2) When an employee suffers a personal injury which results in permanent ~~partial disability~~ *impairment*, ~~temporary~~ total disability, ~~temporary~~ partial disability, ~~permanent total disability~~ or death and which entitles him or his dependents to compensation under ~~sections 176.101 or 176.111~~ *chapter 176*, the employer shall, in addition to compensation provided therein, pay to the commissioner for the benefit of the special compensation fund a lump sum without interest deduction equal to a percent of the total compensation determined as provided in this subdivision as soon as the amount payable for the particular injury is determined, or arrived at by agreement of the parties, and the amount is approved by the commissioner.

The provisions of clauses (1) and (2) shall apply to all workers' compensation ~~payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971~~ *benefit payment pursuant to sections 1, 2, 3, and 5*.

Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence.

In determining the percentage of the total compensation required to be paid by the employer to the commissioner for the benefit of the special compensation fund as provided in clause (2) beginning September 30, 1981 and each September 30 thereafter, the commissioner shall use the following schedule:

Balance in the Fund	Permissible Range of Rate Adjustment
Less than $2,000,000	+ 1 percent to + 7 percent
At least $2,000,000	0 percent to + 6 percent

but less than $3,000,000	
At least $3,000,000 but less than $4,000,000	-2 percent to +4 percent
At least $4,000,000 but less than $5,000,000	-5 percent to +3 percent
At least $5,000,000 but less than $6,000,000	-6 percent to +2 percent
$6,000,000 or more	-7 percent to +2 percent

In determining the actual adjustment, the commissioner shall take into account his estimate of the likely amount of expenditures to be made from the fund in the next calendar year.

Sums paid to the commissioner pursuant to the provisions hereof, shall be deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by this chapter. All money heretofore arising from the provisions of this section or similar law shall be transferred to this special compensation fund. Any interest or profit accruing from investment of these sums shall be credited to the special compensation fund.

The state treasurer shall be the custodian of this special fund and the workers' compensation division, compensation judges, the workers' compensation court of appeals or district court in cases before them shall direct the distribution thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of clause (1) and dependency later is shown, or if deposit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under circumstances that justice requires a refund thereof, the state treasurer is authorized to refund the deposit under order of the workers' compensation division, a compensation judge, the workers' compensation court of appeals or a district court. There is appropriated to the persons entitled to the refunds from the fund an amount sufficient to make the refund and payment.

Costs within the department for the accounting, investigation, and legal procedures necessary for the administration of the programs financed by the special compensation fund shall come as appropriated from the fund during each biennium commencing July 1, 1981. Staffing and expenditures related to the administration of the special compensation fund shall be approved through the regular budget and appropriations process.

Sec. 18. Minnesota Statutes 1980, Section 176.132, Subdivision 1, is amended to read:

Subdivision 1. [ELIGIBLE RECIPIENTS.] An employee who has suffered personal injury *prior to December 31, 1980* for which benefits are payable under section 176.101 and who has been totally disabled for more than 104 weeks shall be eligible for supplementary benefits as hereinafter prescribed after 104 weeks have elapsed and for the remainder of his total disablement *except, that an employee who was injured after October 1, 1975 and who is not eligible to receive supplementary benefits on January 1, 1983, shall not receive supplementary benefits*. Regardless of the number of weeks of total disability,

no totally disabled person shall be ineligible for supplementary benefits after four years have elapsed since the first date of his total disability, provided that all periods of disability are caused by the same injury.

Sec. 19. Minnesota Statutes 1981 Supplement, Section 176.132, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT.] (a) The supplementary benefit payable under this section *as of January 1, 1983* shall be the difference between the amount the employee receives on or after January 1, 1976, under section 176.101, subdivision 1 or subdivision 4, and ~~65 percent of the statewide average weekly wage as computed annually~~ *$184. The figure $184 shall be adjusted pursuant to section 176.645.*

(b) In the event an eligible recipient is currently receiving no ~~compensation~~ *benefits* or is receiving a reduced level of ~~compensation~~ *benefits* because of a credit being applied as the result of a third party liability or damages, the employer or insurer shall ~~compute the offset credit as if the individual were entitled to the actual benefit or 65 percent of the statewide average weekly wage as computed annually, whichever is greater. If this results in the use of a higher credit than otherwise would have been applied and the employer or insurer becomes liable for compensation benefits which would otherwise not have been paid, the additional benefits resulting shall be handled according to this section~~ *pay the difference between the reduced level of benefits and $184. The figure $184 shall be adjusted pursuant to section 176.645.*

(c) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of a valid agreement in settlement of a claim, no supplementary benefit shall be payable under this section. Attorney's fees shall be allowed in settlements of claims for supplementary benefits in accordance with this chapter.

(d) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of prior limitations in the maximum amount payable for permanent total disability or because of reductions resulting from the simultaneous receipt of old age or disability benefits, the supplementary benefit shall be payable for the difference between the actual amount of compensation currently being paid and ~~65 percent of the statewide average weekly wage as computed annually~~ *$184. The figure $184 shall be adjusted pursuant to section 176.645.*

(e) In the event that an eligible recipient is receiving simultaneous benefits from any government disability program, the amount of supplementary benefits payable under this section shall be reduced by five percent. If the individual does not receive the maximum benefits for which he is eligible under other governmental disability programs due to the provisions of 42 U.S.C. 424a (d), this reduction shall not apply.

Sec. 20. [176.138] [MEDICAL DATA; RELEASE TO INSURER AND EMPLOYER.]

For the purpose of facilitating the prompt determination and delivery of benefits payable under chapter 176, any data describing the medical condition of an employee which are related to the personal injury shall be made available to the employer. Notwithstanding sections 15.163 and 15.1698 or any other laws related to the privacy of medical data, the release of those data to the

employer or insurer shall not require prior approval, written or otherwise, on the part of the employee. Upon receiving written request from the employer, insurer, or any agent of the employer or insurer, the data related to the medical condition of an employee suffering a personal injury shall be provided, by the holder of the data, to the employer. The data shall be provided within five days of receiving the request. The employer or insurer shall inform the employee of the request for these data at the time it is made and shall not release these data to anyone other than the employee.

Sec. 21. [176.146] [NOTICE TO INSURERS; PENALTY.]

The employer of any employee who suffers a personal injury shall inform the insurer of the occurrence of the injury within three days of notice of the injury. Notice shall be made on forms provided by the insurer. Consistent failure by the employer to provide notice shall entitle the insurer to cancel, upon 15 days notice to the employer, any effective policy insuring the employer's liability under chapter 176, at which time any unearned premium paid by the employer to the insurer shall be returned to the employer.

Sec. 22. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 1, is amended to read:

Subdivision 1. [COMMENCEMENT OF PAYMENT.] Within 14 days of notice to or knowledge by the employer of an injury compensable under this chapter the payment of compensation due pursuant to section ~~176.101, subdivision~~ 1, shall commence. Commencement of payment by an employer or insurer does not waive any rights to any defense the employer may have on any claim or incident either with respect to the compensability of the claim under chapter 176 or the amount of the compensation due. Where there are multiple employers, the first employer shall pay, unless it is shown that the injury has arisen out of employment with the second or subsequent employer. When the employer determines that the disability is not a result of a personal injury, payment of compensation may be discontinued upon notice of discontinuance pursuant to section 176.241. Upon the determination, payments made may be recovered by the employer if the commissioner finds that the employee's claim of work related disability was not made in good faith.

Sec. 23. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 2, is amended to read:

Subd. 2. [GRANT OF EXTENSION.] Upon application made within 30 days after the date on which the first payment was due, the commissioner may grant an extension of time within which to determine liability. The extension shall not exceed 30 days. *No grant of an extension of time by the commissioner shall relieve the employer of the obligation to commence the payment of benefits within 14 days as required by subdivision 1.*

Sec. 24. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 3, is amended to read:

Subd. 3. [PAYMENTS TO SPECIAL COMPENSATION FUND.] Where an employer or insurer fails to begin payment of compensation, charges for treatment under section 176.135 or ~~retraining~~ *rehabilitation* expenses under ~~176.102~~ *section 4*, subdivision ~~9~~ *10*, or to file a denial of liability, or to request an extension of time within 30 days after the date on which the first payment was due, he shall pay to the special compensation fund an amount equal to the

total amount of compensation to which the employee is entitled because of the injury. In addition, each day subsequent to the end of the period and until a compensation payment is made to the injured employee, the person responsible for payment of compensation shall pay to the special compensation fund an amount equal to the total compensation to which the injured employee is entitled.

Sec. 25. Minnesota Statutes 1980, Section 176.235, is amended by adding a subdivision to read:

Subd. 3. [NOTICE TO EMPLOYEE OF RIGHTS AND DUTIES.] *Upon notice that an employee has suffered a personal injury, the employer shall provide the employee with a brochure or letter, which shall be prepared and provided by the insurer or group self insurer, if any, explaining the rights and obligations of the employee and employer, the assistance available to the employee, and the operation of the workers' compensation system. The brochure shall meet the readability standards of chapter 72C.*

In addition, the brochure or letter shall include the names of persons the employee may contact if questions or problems arise regarding the employee's rights or obligations under chapter 176. This brochure or letter shall be provided to the employee within seven days after the employer becomes aware of the personal injury. After the effective date of this subdivision any obligations previously assigned to the department of labor and industry regarding the mailing of workers' compensation informational brochures shall end. Any brochure shall be approved by the commissioner of insurance prior to use. The workers' compensation advisory council shall prepare a prototype brochure. The workers' compensation insurance rating association of Minnesota may prepare and submit brochures for approval on behalf of its members.

Sec. 26. [176.236] [EMPLOYER REEMPLOYMENT RESPONSIBILITY.]

Subdivision 1. [TARGET DATE.] *Each employer which employs a worker who becomes disabled due to a personal injury shall be responsible for the reemployment of an employee disabled as the result of a personal injury as required by this section. The employer shall, as soon as possible following the personal injury, establish in conjunction with the injured employee a target date upon which the injured worker will return to work.*

Subd. 2. [JOB ASSISTANCE.] *The employer shall, if possible, provide a job to the employee on or before the return to work target date which is consistent with any physical limitations of the employee. The employer shall not refuse to offer employment for any reason which is based on the employee's conduct prior to the personal injury.*

Subd. 3. [ASSISTANCE PLAN.] *If the employer is unable to provide a job, the employer shall as soon as possible, but at least four weeks prior to the return to work target date, inform the employee that no job will be available. The employer shall also provide assistance to the employee in finding another job which is within the physical capabilities of the employee. A plan for assistance shall be filed with the commissioner at the time the employer informs the employee that no offer of employment can be made. A plan for approval filed pursuant to section 4 shall be sufficient.*

Subd. 4. [PENALTY.] *An employer failing to provide reemployment or to*

provide assistance as required in subdivision 3 shall be required to pay to the special compensation fund an amount equal to all of the benefits paid as required in section 1 for the first year following the date of injury. This amount shall not be reimbursed by an insurer or group self-insurer.

Subd. 5. [RULES.] *The commissioner shall, by rule, establish the minimum provisions of the plan required in subdivision 3.*

Subd. 6. [LIMITATIONS.] *This section shall not create any liabilities or other requirements for the payment of benefits under chapter 176 than are specifically contained within the section.*

Sec. 27. Minnesota Statutes 1980, Section 176.641, is amended to read:

176.641 [ACCIDENTS OR INJURIES ARISING PRIOR TO EFFECTIVE DATE.]

All rights and liabilities arising on account of accidents or injuries occurring prior to the taking effect of this chapter shall be governed by the then existing law *except, that the payment of benefits pursuant to section 176.132 on and after the effective date of sections 1 to 30 shall be made according to sections 1 to 30.*

Sec. 28. Minnesota Statutes 1981 Supplement, Section 176.645, Subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] For injuries occurring after October 1, 1975 for which benefits are payable under ~~section 176.101, subdivisions 1, 2 and 4, and section 176.111, subdivision 5~~ *sections 1; 2; and 3, subdivision 12, and for benefits payable pursuant to section 176.132*, the total benefits due the employee or any dependents shall be adjusted in accordance with this section. On October 1, 1981, and thereafter on the anniversary of the date of the employee's injury the total benefits due shall be adjusted by multiplying the total benefits due prior to each adjustment by a fraction, the denominator of which is the statewide average weekly wage for December 31, of the year two years previous to the adjustment and the numerator of which is the statewide average weekly wage for December 31, of the year previous to the adjustment. For injuries occurring after October 1, 1975, all adjustments provided for in this section shall be included in computing any benefit due under this section. Any limitations of amounts due for daily or weekly compensation under this chapter shall not apply to adjustments made under this section. No adjustment increase made on October 1, 1977 or thereafter under this section shall exceed six percent a year. In those instances where the adjustment under the formula of this section would exceed this maximum the increase shall be deemed to be six percent.

Sec. 29. [176.83] [SPECIAL COMPENSATION FUND; STUDY OF FINANCIAL CONDITION.]

The commissioner of the department of labor and industry shall study the financial condition of the special compensation fund including any outstanding liabilities of the fund. A report containing the findings of the study shall be prepared and presented to the legislature no later than January 15, 1983. The cost of the study and report shall not exceed $30,000 and shall be paid from the assets of the special compensation fund.

Sec. 30. [OCCUPATIONAL DISEASE AND APPORTIONMENT OF IN-

JURIES; STUDY.]

The commissioner of insurance shall study occupational disease, cumulative trauma and the apportionment of liability for benefits payable under chapter 176 when the personal injury does not arise solely out of and in the course of employment as these issues are related to workers' compensation in Minnesota. A report containing the findings of the study shall be prepared and presented to the legislature no later than January 15, 1983.

Sec. 31. [REPEALER.]

Minnesota Statutes 1980, Sections 79.211, Subdivision 1; 176.011, Subdivisions 14 and 18; 176.095; 176.101, as amended by Laws 1981, Chapter 346, Section 75; 176.102, as amended by Laws 1981, Chapter 346, Section 76; 176.105, as amended by Laws 1981, Chapter 346, Section 77; 176.111, as amended by Laws 1981, Chapter 346, Sections 78 to 83; 176.235, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3a; 176.152, are repealed.

Sec. 32. [EFFECTIVE DATE.]

Sections 1 to 28 and 31 are effective January 1, 1983. Sections 29 and 30 are effective the day following their final enactment."

Delete the title and insert:

"A bill for an act relating to workers' compensation; changing benefits; providing for rehabilitation; requiring notices of injury; providing for the release of medical data; regulating supplemental benefits; providing for benefit adjustments; providing for various studies; defining terms; providing for continuance of certain insurance coverages; amending Minnesota Statutes 1980, Sections 62A.10, Subdivision 10; 62C.14, by adding a subdivision; 62D.10, by adding a subdivision; 176.011, Subdivision 3, and by adding subdivisions; 176.111, Subdivision 18; 176.131, Subdivisions 1, 1a, and 8; 176.132, Subdivision 1; 176.235, by adding a subdivision; and 176.641; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.221, Subdivisions 1, 2, and 3; and 176.645, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 176; repealing Minnesota Statutes 1980, Sections 176.011, Subdivisions 14 and 18; 176.095; 176.101, as amended; 176.102, as amended; 176.105, as amended; 176.111, as amended; and 176.235, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3a; and 176.152."

The question was taken on the adoption of the amendment.

Mr. Moe, R.D. moved that those not voting be excused from voting. The motion prevailed.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Knutson	Peterson,D.L.	Sieloff
Bang	Brataas	Kronebusch	Pillsbury	Taylor
Belanger	Engler	Langseth	Ramstad	Ulland
Benson	Frederick	Lindgren	Renneke	Wegener
Berg	Frederickson	Menning	Rued	
Bernhagen	Kamrath	Olhoft	Setzepfandt	

Those who voted in the negative were:

Berglin	Hanson	Merriam	Petty	Stumpf
Chmielewski	Hughes	Moe, D. M.	Purfeerst	Tennessen
Dahl	Johnson	Moe, R. D.	Schmitz	Vega
Davies	Knoll	Nelson	Sikorski	Waldorf
Davis	Kroening	Pehler	Solon	Willet
Dicklich	Lantry	Penny	Spear	
Dieterich	Lessard	Peterson,C.C.	Stern	
Frank	Luther	Peterson,R.W.	Stokowski	

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

Mr. Frederick then moved to amend the amendment placed on H. F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate on March 12, 1982, as follows:

Page 1, after line 7, insert:

"Section. 1. [176.096] [TOTAL DISABILITY BENEFITS.]

Subdivision 1. [PURPOSE.] *Total disability benefits are paid for the purpose of replacing a portion of wages lost due to a personal injury.*

Subd. 2. [BENEFIT.] *(a) For total disability the benefit shall be as follows:*

(1) For employees whose weekly wage at the time of injury was $150 or less, the benefit shall be equal to 90 percent of the employee's spendable weekly wage;

(2) For employees whose weekly wage at the time of injury was $151 or more, the benefit shall be equal to the greater of the benefit which would have been payable if the employee's weekly wage was $150 or 80 percent of the employee's spendable weekly wage.

(b) Where total disability is not continuous, benefits shall be paid pursuant to clause (a) until the total number of normal working days not actually worked is equal to the number of days the employee would normally have worked in a five-week period. If the number of days an employee normally works in a week is irregular or difficult to determine, then the total number of days worked in the 26 weeks preceding the personal injury including employer paid vacations, holiday, and sick leave shall be divided by 26 to determine the number of days an employee normally works in a week. If the employee was seasonally employed, then the total number of days worked during the 26 weeks preceding the personal injury shall be divided by the number of weeks that the employee worked to determine the number of days the employee normally works in a week.

(c) Where an employee is totally disabled for part of a week, the benefit shall be equal to the same portion of the weekly benefit as the days of total disability are to the number of days in a normal work week provided that a normal work week shall be determined as in paragraph (d).

(d) Payment shall be made as nearly as possible at the intervals when the wage was payable.

Subd. 3. [MAXIMUM BENEFIT.] *The maximum weekly benefit for total disability shall be 125 percent of the statewide average weekly wage at the time of injury.*

Subd. 4. [HEALTH INSURANCE COVERAGE.] *If at the time of injury the*

employee or the employee and his dependents are covered under an accident and health insurance policy, or a contract issued pursuant to chapter 62C, 62D, or any plan defined in section 62E.02, subdivision 22, for which the employer paid premiums or contributions, the employee and applicable dependents shall be entitled to coverage under that plan or policy during the period for which disability benefits are paid for up to one year after the time of injury, provided the employee continues to pay any share of the premium which was payable by the employee prior to the injury.

Subd. 5. [OFFSETS.] *Any benefits otherwise payable pursuant to this section shall be reduced by the following:*

(a) Benefits from any government disability program, or any old age benefits program for which the employee is eligible;

(b) Any benefit payment from a public or private sector pension or retirement fund or program, whether or not the fund or program is a qualified plan within the meaning of section 401 of the Internal Revenue Code of 1954, as amended, which is payable at an age prior to the attainment of the normal retirement age specified in the benefit plan of the fund or program, or the age for the receipt of a retirement annuity or pension which is not reduced for early retirement, and which is payable on account of the injury, illness or accident of the person which renders the person incapable of continued employment;

(c) Any benefit payment pursuant to a disability benefit plan or program, whether provided pursuant to a contract with an insurance carrier, self insured by the employer with reserves or self insured by the employer without reserves, which is provided to the person by virtue of employment by that employer and which is financed in whole or in part by the employer.

The benefit payable pursuant to this section shall be reduced by one dollar for each dollar received from these benefit sources. If an employee may be eligible for these benefits but has not made application, then the employer shall notify the employee of the possible eligibility and if no application has been made within 30 days of the notice, the payment of benefits under this chapter shall be interrupted until application is made. These benefits shall be paid in full after the application has been made. If an employee may be eligible for these benefits but has not made application, then the employer shall notify the employee of the possible eligibility and if no application has been made within 30 days of the notice, the payment of benefits under this chapter shall be interrupted until application is made. These benefits shall be paid in full after the application has been made. If the employee was required to make contributions to finance the benefit coverage for which an offset pursuant to this subdivision is required, the amount of the benefit payment which will reduce the total disability benefit pursuant to this section shall be that fraction of the benefit payment which bears the same proportional relationship that the employer contribution bears to the total contribution for the plan, fund or program. If there are benefit payments from more than one of these benefit sources, each shall reduce the benefit otherwise payable pursuant to this section and the remainder after all reductions shall be the reduced benefit payable pursuant to this section.

Subd. 6. [PERIOD OF PAYMENT.] *(a) Total disability benefits shall be payable until the injured employee is:*

(1) Able to substantially perform the duties of the preinjury job or a job

utilizing similar skills. For the purposes of this clause "substantially perform the duties of the preinjury job" means that an employee is able to meet the minimum standards of output or productivity established for the preinjury job. The employer shall have the option of altering or reducing these standards to accommodate any temporary or permanent physical limitations of an employee as a means of establishing a job utilizing similar skills;

(2) Eligible for partial disability benefits;

(3) Eligible for rehabilitation benefits; or

(4) Medically recovered from his personal injury and would otherwise be ineligible for total disability benefits but does not return to work for reasons other than the personal injury. If an employer is unable to offer employment to the employee after the employee has medically recovered because the employer no longer has a sufficient volume of work for the injured employee and no other employer has offered a job meeting the requirements of clause (1), total disability benefits shall be continued until all other workers performing the same job with the employer at the time of injury but who have less seniority than the injured employee have been laid off. If benefits are terminated due to the layoff the employee shall, notwithstanding any law to the contrary, immediately be eligible for benefits under sections 268.03 to 268.24 provided that the other eligibility criteria of that chapter have been satisfied.

Sec. 2. [176.098] [DEATH BENEFITS.]

Subdivision 1. [PURPOSE.] *If an employee dies as a result of a personal injury, death benefits shall be paid pursuant to this section. Death benefits shall be based on the deceased employee's spendable weekly wage at the time of injury.*

Subd. 2. [BENEFIT AMOUNT.] *(a) Death benefits shall be paid in an amount equal to 60 percent of the deceased employee's spendable weekly wage if no dependents other than the dependent spouse survive or if the deceased employee leaves one or more dependent orphans under the age of 18. The benefits payable to orphans shall cease when all orphans have reached the age of 18. Notwithstanding any other provisions of this section, benefits payable to a child who is mentally or physically incapacitated from earning an income and who is 18 or over shall continue as if the child were an orphan or until the child marries or dies.*

(b) Death benefits shall be paid to the dependent spouse in an amount equal to 80 percent of the deceased employee's spendable weekly wage if the survivors include dependent children of the employee under 18. This benefit shall be reduced to 60 percent of the deceased employee's spendable weekly wage when all dependent children have reached the age of 18.

(c) If the deceased employee made regular periodic payments to a person who was claimed as a dependent by the deceased employee for purposes of payment of federal income taxes, benefits may be payable to this person, provided that the payment shall be deducted from the benefit payable to the dependent spouse or dependent children. The payment of benefits to persons eligible under this paragraph shall be made only upon an order of the commissioner or a compensation judge. Liability for the payment shall commence from the date of the order. In no event may the amount of benefits payable exceed actual payments made by the deceased employee to the person. The

commissioner or a compensation judge may allocate the proportion of total payments to parties entitled to benefits under this paragraph. The benefits shall be allocated at the discretion of the commissioner or a compensation judge based on all of the facts of the case. The judge may deny benefits to persons other than the spouse or children.

Subd. 3. [BENEFIT ALLOCATION.] *When a death benefit is payable, the commissioner, compensation judge, workers' compensation court of appeals, or district court in cases upon appeal may determine what portion of the benefit is payable to each beneficiary and may order that any portion is to be paid to a guardian. The allocation shall be at the discretion of the commissioner, compensation judge, or court based on all the facts of the case. This subdivision shall not increase the death benefits over the amount which would otherwise have been payable if no allocation of benefits was made after any deductions under subdivision 11 and if no allocations of benefits have been made.*

Subd. 4. [MAXIMUM BENEFIT.] *The maximum weekly total death benefit for all dependents shall be 125 percent of the statewide average weekly wage in effect at the time of injury.*

Subd. 5. [COMMENCEMENT OF PAYMENT.] *Benefit payments shall begin within 30 days of the death of the employee.*

Subd. 6. [ALTERNATIVE SETTLEMENTS.] *Lump sum settlements or other settlement arrangements for periodic payment of benefits in lieu of all or part of the future benefits payable may be made only if the dependent and the employer agree to the settlement, or if upon the request of either party, a compensation judge determines that payment by settlement is justified by the financial needs of the dependent. Any alternative settlement agreed to where the dependent is not represented by an attorney shall be approved by the commissioner or by a compensation judge. An alternative settlement shall not occur if there are dependent children under the age of 18.*

Subd. 7. [MAXIMUM SPOUSAL BENEFIT PERIOD.] *Any dependent surviving spouse eligible to receive death benefits shall receive those benefits for not more than the period of time prescribed in the following table.*

Age of Spouse at time of Employee's Death	*Maximum Benefit Years*
Less than 30	*5*
30-35	*7*
36-50	*10*
More than 50	*15*

The benefit years shall begin to be counted at the time of the first payment, except in the case where there are dependent surviving children, in which case the benefit years shall begin to be counted upon the 18th birthday of the youngest surviving dependent child. Benefits payable to other dependents shall cease when the spouse is no longer eligible for benefits.

Subd. 8. [HEALTH INSURANCE COVERAGE.] *In any case where a dependent is eligible to receive benefits under this section and was also covered under an accident and health insurance policy or under a contract issued under chapter 62C or 62D or any plan defined in section 62E.02, subdivision 22, at*

the time of the employee's death, and where the cost of that coverage was partially or totally paid by the employer, the employer shall continue to pay the same proportion of the cost of maintaining coverage under that contract or plan for a period of one year, provided the dependent pays any proportion of the premium which was payable by the employee.

Subd. 9. [REHABILITATION.] *Upon the request of a qualified dependent spouse, rehabilitation services shall be provided by the employer. For the purposes of this subdivision, a "qualified dependent spouse" is a dependent spouse who is in need of rehabilitation services to become self-supporting. The rehabilitation services shall be limited to those in section 4, subdivision 10. Rehabilitation services need not be provided if the request for the service is not received within two years of the employee's death or the youngest dependent child becoming 18 years of age, whichever is later.*

Subd. 10. [REMARRIAGE OF SURVIVING SPOUSE.] *The remarriage of a surviving dependent spouse shall result in the immediate discontinuance of benefits to the spouse. If there are children, benefits shall continue to be payable under subdivision 2, clause (a), as if the children were orphans.*

Subd. 11. [OFFSETS.] *Any benefits otherwise payable pursuant to this section shall be reduced by the following:*

(a) Benefits from any governmental old age or survivors benefits program for which the dependent spouse or dependent child are eligible based in part or in full upon the employment experience of the deceased employee shall reduce benefits otherwise payable under this section;

(b) Any benefit payment from a public or private sector pension or retirement fund or program, whether or not the fund or program is a qualified plan within the meaning of section 401 of the Internal Revenue Code of 1954, as amended, which is payable at an age prior to the attainment of the normal retirement age specfied in the benefit plan of the fund or program, or the age for the receipt of a retirement annuity or pension which is not reduced for early retirement, and which is payable on account of the injury, illness or accident of the person which renders the person incapable of continued employment;

(c) Any benefit payment pursuant to a disability benefit plan or program, whether provided pursuant to a contract with an insurance carrier, self insured by the employer with reserves or self insured by the employer without reserves, which is provided to the person by virtue of employment by that employer and which is financed in whole or in part by the employer.

The benefit payable pursuant to this section shall be reduced by one dollar for each dollar received from these benefit sources. If a dependent may be eligible for these benefits but has not made application then the employer shall notify the dependent of the possible eligibility and if no application has been made within 30 days of the notice, the payment of benefits under this chapter shall be interrupted until the application is made. These benefits shall be paid in full after the application has been made. If the employee was required to make contributions to finance the benefit coverage for which an offset pursuant to this subdivision is required, the amount of the benefit payment which will reduce the benefit pursuant to this section shall be that fraction of the benefit payment which bears the same proportional relationship that the employer contribution bears to the total contribution of the plan, fund or program. If

there are benefit payments from more than one of these benefit sources, each shall reduce the benefit otherwise payable pursuant to this section and the remainder after all reductions shall be the reduced benefit payable pursuant to this section.

Subd. 12. [BENEFIT REDUCTION.] *If the deceased employee's average weekly wage at the time of personal injury was less than 35 percent of the sum of the average weekly wages of the employee and spouse at the time of personal injury, the benefit due under this section shall be the benefit otherwise payable multiplied by the percentage established below in column 2:*

Column 1	*Column 2*
Percent Earned by the Deceased Employee of the Sum of the Average Weekly Wages of the Injured Employee and Spouse at the Time of Injury	*Percent of Benefits Otherwise Payable*
30-34	*95*
25-29	*90*
20-24	*80*
15-19	*70*
10-14	*50*
9 or less	*25*

Sec. 3. [176.099] [IMPAIRMENT BENEFITS.]

Subdivision 1. [PURPOSE.] *Impairment benefits are for the purpose of compensating employees whose personal injury results in a permanent impairment and to compensate employees for the non-economic consequences of permanent bodily impairment.*

Subd. 2. [ELIGIBILITY.] *Any employee with permanent impairment resulting from personal injury is eligible to receive impairment benefits only if total impairment to the whole body is determined to be 10 percent or greater.*

Subd. 3. [IMPAIRMENT RATINGS.] *An impairment rating shall represent the proportional impairment to the whole body resulting from all bodily impairments due to the personal injury. For the purposes of this section, impairment shall be expressed as a single rating between zero and one hundred percent except that all impairment ratings shall be rounded to the nearest percent which is evenly divisible by five and provided that percents of less than five shall be zero. No rating of the degree of permanent impairment shall be made until either the employee has returned to work for a period of at least 30 days or a determination has been made according to subdivision 4 that return to work is not a prerequisite to the payment of benefits or the employee has completed a rehabilitation plan.*

Subd. 4. [PAYMENT OF BENEFITS.] *Impairment benefits shall be payable in a single lump sum amount after a determination of the degree of permanent impairment has been made and after the employee has returned to work for a period of 90 consecutive days during which no claims for total disability are made, except that time off work due to the actual evaluation of the degree of impairment shall not interrupt the 90 consecutive day period. Payment shall occur within five days of completion of the 90 day waiting period or within 30 days of the determination of the degree of permanent impairment, whichever is later. Return to work shall not be a prerequisite to the payment of impairment benefits if the commissioner determines, based on an evaluation by*

a qualified rehabilitation consultant, that it is highly improbable that the employee can be sufficiently rehabilitated to allow a return to work. Payment of impairment benefits, when the commissioner so determines, shall be made within 30 days after the determination of the degree of permanent impairment has been made.

Subd. 5. [PAYMENT PROCEDURE; NONCONTESTED.] *When an injured employee presents a report from the treating physician to the employer showing that the employee's condition qualifies the employee for benefits according to this section, the employer shall:*

(a) Pay the employee the benefit due as required by this section; or

(b) Within 15 days refer the employee to another physician of the employer's choice who shall perform an examination and issue a report within a reasonable period of time. If this second report indicates that the permanent impairment is within five percentage points of the permanent impairment reported in the original request for benefits, the employer shall immediately pay the benefits as requested by the employee.

Subd. 6. [DISPUTE RESOLUTION.] *When the two examinations produce impairment ratings that differ by more than five percentage points, the employer shall, when it is due, pay the impairment benefit established by the examination conducted pursuant to subdivision 5, clause (b). Upon the request of either party, a compensation judge shall order an evaluation of the employee by a third physician to assist in the resolution of the dispute under the provisions of section 176.155. The third physician shall evaluate the impairment using the American Medical Association guides. Upon receipt of the report of the third physician, or if no third examination is ordered, the compensation judge shall accept one of the two original impairment ratings as the appropriate basis for determining impairment benefits and shall not accept any other rating. Each dispute shall be resolved by accepting the rating that is closest to the one that would be obtained if an evaluation were conducted in accordance with the standards established in the most recent American Medical Association guides.*

Subd. 7. [REFINEMENT OF STANDARDS.] *If the commissioner determines that the standards and guidelines contained in the American Medical Association guides are inappropriate or insufficient, the commissioner shall by rule supplement the guides with additional standards or replace portions of the guides with more appropriate generally recognized medical standards.*

Subd. 8. [SUBSEQUENT DISABILITY; OFFSET FOR IMPAIRMENT BENEFITS.] *If an employee who had returned to work prior to the receipt of an impairment benefit receives total disability benefits subsequent to the receipt of impairment benefits, and if the subsequent disability is a result of the same injury or illness or an aggravation of the same injury or illness, then any total disability benefits provided shall be reduced by the impairment benefit received, provided no offset shall exceed 25 percent of a periodic payment. This offset shall apply to each periodic payment until the total offset equals the impairment benefit received. Upon again returning to work for a period of 90 days, the employee shall be reimbursed for the impairment benefits which were used to offset total disability benefits.*

Subd. 9. [ADDITIONAL IMPAIRMENT.] *Once an employee has submit-*

ted a request for impairment benefits to an employer under subdivision 4, no additional request for impairment benefits shall be made unless further personal injury is caused in another single, identifiable event.

Subd. 10. [DEPENDENTS' RIGHTS TO RECEIVE IMPAIRMENT BENEFITS.] *Impairment benefits shall not be paid if the injured employee dies as a result of the personal injury causing the permanent impairment and the death occurs within one year following the date of injury. If the death is not the result of the personal injury, and if an evaluation of permanent impairment had been completed, then the impairment benefit shall be payable to the deceased employee's dependents under chapter 176 or, if none, to the legal heirs at the time of death. If the degree of impairment has not been determined prior to death, the degree of permanent impairment shall be estimated from available medical records and shall be payable as stated above.*

Subd. 11. [IMPAIRMENT BENEFIT TABLE.] *Impairment benefit amounts shall vary according to the employee's degree of permanent impairment. No request for additional impairment benefits resulting from an occupational disease shall be made once a payment for impairment benefits from an impairment due to occupational disease has been made. The benefit due shall be determined according to the following table:*

IMPAIRMENT BENEFIT SCHEDULE

Benefit Amounts According to Impairment

Percentage Impairment 5 10 15 20 25
Benefit Amount 1,000 2,500 3,000 4,000 5,500

Percentage Impairment 30 35 40 45 50
Benefit Amount 7,500 10,000 12,500 16,000 19,500

Percentage Impairment 55 60 65 70 75
Benefit Amount 30,000 40,800 51,500 62,200 73,900

Percentage Impairment 80 85 90 95/100
Benefit Amount 88,900 100,000 110,000 133,000

Each of the benefit amounts in this table shall be increased by an amount equal to 85 percent of the increase in the statewide average weekly wage which is in effect on January 1 of each year beginning January 1, 1985. The amount of the increase shall be equal to the difference between the amount of the statewide average weekly wage in effect on January 1 of the preceding calendar year and the amount determined by the department of economic security on July 1 of the preceding calendar year.

Sec. 4. [176.085] [REHABILITATION.]

Subdivision 1. [PURPOSE.] *Rehabilitation services are intended to restore the injured employee, through physical and vocational rehabilitation, so that he may return to suitable gainful employment.*

"Suitable gainful employment" for the purposes of this section is that

employment which is reasonably obtainable and which offers an opportunity to restore the injured employee as soon as possible and as nearly as possible to a job related to his former employment or to a job in another work field in which he could produce earnings as close as possible to those he received at the time of the personal injury.

Rehabilitation to a job which may produce earnings greater than those the employee received at the time of personal injury is permitted if it can be demonstrated that this rehabilitation is necessary for re-employment. Consideration shall be given to the employee's qualifications including but not limited to age, education, previous work history, interest, and transferable skills.

Subd. 2. [REHABILITATION PRIORITIES.] *The following priorities are established for use in exploring alternative rehabilitation plans. No higher numbered priority shall be utilized unless all lower numbered priorities have been determined by the qualified rehabilitation consultant to be unlikely to result in returning the employee to suitable gainful employment.*

Priority 1 is modification of previous job with the same employer, including a transitional return to work.

Priority 2 is a new job with the same employer in keeping with any limitations or restrictions of the employee.

Priority 3 is modification of the previous job with a new employer.

Priority 4 is a new job with a new employer as a result of direct job placement based upon transferable skills.

Priority 5 is a new job with a new employer involving on-the-job training.

Priority 6 is retraining and job placement consistent with the purposes of rehabilitation.

Subd. 3. [ADMINISTRATORS.] *The commissioner shall hire a director of medical and rehabilitation services in the classified service. The commissioner is responsible for supervising medical and rehabilitation services, including the selection and delivery of services. The commissioner may hire qualified personnel to assist in these duties and may delegate those duties and performance.*

Subd. 4. [REVIEW PANEL.] *There is created a rehabilitation review panel composed of the commissioner or a designee, who shall serve as an ex officio member and two members each from labor, employers, insurers, rehabilitation, and medicine and one member representing chiropractors. The members shall be appointed by the governor and shall serve four-year terms which may be renewed. Compensation for members shall be governed by section 15.0575. The panel shall select a chairman. The panel shall review and make a determination with respect to (a) appeals regarding rehabilitation plans and benefits; and (b) appeals regarding certification approval or revocation. The panel shall continuously study medical and rehabilitation services and delivery and develop and recommend medical and rehabilitation rules to the commissioner. A majority vote of those attending a panel hearing shall constitute the decision of the board.*

Subd. 5. [REHABILITATION PLAN; DEVELOPMENT.] *(a) Within 15 days of the time an employer has medical information that an employee is*

unable, due to a personal injury, to return to his preinjury occupation, or in any event, if within 90 days after the personal injury the employee has not returned to work, the employer shall refer the employee to a qualified rehabilitation consultant for a determination of whether rehabilitation is necessary to carry out the purposes of this section. If rehabilitation is determined to be necessary, the employee and employer shall enter into a program as prescribed in a rehabilitation plan. A copy of the plan, including a target date for return to work, shall be submitted to the department of labor and industry. If, within 30 days of the first consultation with a qualified rehabilitation consultant, the employee objects to the employer's selection of that qualified rehabilitation consultant, the employee must notify the employer and the commissioner in writing of his objection and request the selection of an alternative qualified rehabilitation consultant. If that qualified rehabilitation consultant is objectionable to the employer, and if a mutually acceptable qualified rehabilitation consultant cannot be found, the commissioner shall be notified by the employer in a timely manner that no mutually acceptable qualified rehabilitation consultant can be found. Upon receipt of this notice and within seven days, the commissioner shall provide the employee and employer with a list of three other qualified rehabilitation consultant's from which the employee and employer shall, within seven days, each disapprove one qualified rehabilitation consultant. The remaining qualified rehabilitation consultant shall be utilized.

(b) If the employer does not provide rehabilitation evaluation as required by this section within 75 days from the date of injury, the commissioner shall notify the employer that if the employer fails to appoint a qualified rehabilitation consultant within 15 days to conduct a rehabilitation evaluation, the commissioner shall appoint a qualified rehabilitation consultant to provide the evaluation at the expense of the employer unless the commissioner determines the evaluation is not required. The commissioner may assess a penalty of up to $5,000, to be paid to the special compensation fund by any employer if the commissioner has appointed a qualified rehabilitation consultant and return to work has not been accomplished within 180 days, subject to the limitations in (c) below.

(c) If the employee's condition does not permit determination of the employee's need for rehabilitation or a rehabilitation plan cannot be developed within 90 days after the injury, a further rehabilitation evaluation by a qualified rehabilitation consultant is required six months following the date of injury. If the employee's condition still precludes development of a rehabilitation plan at this time, a further evaluation by a qualified rehabilitation consultant shall be conducted in six months and then at yearly intervals as long as no rehabilitation plan has been developed. The commissioner may waive further mandatory evaluations after the second evaluation if he determines in a case that evaluations are not likely to accomplish the purposes of this subdivision. If after two years from the date of injury a rehabilitation plan has not been developed, the employer may determine the time of a subsequent evaluation. Those evaluations shall not occur more frequently than once per year and are not mandatory for the employee, unless directed by the commissioner.

Subd. 6. [ON-THE-JOB TRAINING.] *When a rehabilitation plan includes on-the-job training, the employee shall receive remuneration while so employed in an amount equal to the spendable weekly wage the employee received at the time of the personal injury. A rehabilitation plan which includes on-the-*

job training shall create an incentive for the on-the-job training employer to hire the employee for on-the-job training in the form of reducing the wages paid to the employee by the on-the-job training employer to 80 percent or less of the prevailing wage for the job. The difference between the spendable weekly wage from the preinjury job and spendable weekly wage from the on-the-job training shall be paid by the employer liable for compensation for the employee's injury but it shall not exceed 125 percent of the statewide average weekly wage at the time of injury. The compensation from the liable employer and the on-the-job training employer paid according to this subdivision is in lieu of other benefits required to be paid by subdivision 12.

Subd. 7. [PLAN, APPROVAL AND APPEAL.] *All completed plans shall be submitted to the commissioner for review and approval. The commissioner may disapprove or modify rehabilitation plans. A decision and order by the commissioner may be appealed to the rehabilitation review panel within 30 days of the commissioner's decision. The decision of the rehabilitation review panel may be appealed to the workers' compensation court of appeals.*

Subd. 8. [PLAN IMPLEMENTATION; REPORTS.] *Upon request by the commissioner, employer, or qualified rehabilitation consultant, medical and rehabilitation reports of an employee's progress under a plan shall be made by the provider of the medical and rehabilitation service to the commissioner, insurer and employer. The employer shall be notified upon completion of the plan.*

Subd. 9. [PLAN MODIFICATION.] *Upon request of the employer, the employee, or the qualified rehabilitation consultant to the commissioner, the plan may be suspended, terminated, or altered upon a showing of good cause including:*

(a) A physical impairment that does not allow the employee to pursue the rehabilitation plan;

(b) The employee's performance level indicates the plan will not successfully be completed; or

(c) An employee does not cooperate with a plan.

An employee may request a change in a rehabilitation plan once because the employee feels ill-suited for the type of work for which rehabilitation is being provided if the request is made within 90 days of the start of the plan. Any decision of the commissioner regarding a change in a plan may be appealed to the rehabilitation review panel within 15 days of the decision.

Subd. 10. [PLAN; COSTS.] *An employer is liable for the following rehabilitation expenses under this section:*

(a) Cost of rehabilitation evaluation and preparation of a plan;

(b) Cost of all rehabilitation services and supplies necessary for implementation of the plan;

(c) Reasonable cost of tuition, books and travel; and reasonable costs of board and lodging when rehabilitation requires residence away from the employee's customary residence;

(d) Reasonable costs of travel during job interview process;

(e) Reasonable cost for moving expenses of the employee and family if a job

is found in a geographic area beyond reasonable commuting distance after a diligent search within the present community. Relocation shall not be paid more than once, and relocation shall not be required if the new job is located within the same standard metropolitan statistical area as the employee's job at the time of injury; and

(f) Any other expense agreed to be paid.

Subd. 11. [REHABILITATION; CONSULTANTS.] *The commissioner shall approve rehabilitation consultants who may propose and implement plans if they satisfy rules promulgated by the commissioner for rehabilitation consultants. A consultant may be an individual or public or private entity, but may not be a vendor of rehabilitation services.*

Subd. 12. [COMPENSATION DURING REHABILITATION.] *The commissioner shall determine eligibility for rehabilitation and benefits while the employee is participating in a rehabilitation plan. Rehabilitation benefits shall include payment in an amount equal to the employee's benefit for total or partial disability, whichever is appropriate, and shall be in lieu of compensation. All rehabilitation benefits payable under chapter 176 shall be discontinued and forfeited for any time during which the employee refuses to submit to any reasonable examinations and evaluative procedures to determine the need for and details of a plan of rehabilitation, or refuses to participate in rehabilitation evaluation as required by this section or does not make a good faith effort to participate in a rehabilitation plan.*

Subd. 13. [BENEFIT DURATION DURING REHABILITATION.] *Unless the employee has returned to work, benefits during rehabilitation shall continue as provided in subdivision 12 until the sooner of the following:*

(a) The rehabilitation plan has been completed and within 90 days the employer or another employer has offered the employee employment consistent with the skills developed in the rehabilitation plan at a job in which the employee is capable of performing, at which time benefits shall cease or partial disability benefits shall begin, whichever is appropriate; or

(b) The rehabilitation plan has been completed and after 90 days the employer or another employer has offered the injured employee any job which is within the physical capabilities of the employee, at which time benefits shall cease or partial disability shall begin, whichever is appropriate; or

(c) The rehabilitation plan has been completed and 180 days have elapsed at which time benefits shall cease unless a permanent impairment exists. If a permanent impairment exists, for which benefits are payable under section 3, benefits shall be payable for an additional period of time until either an offer of employment is made to the employee which is within the employee's physical capabilities or the time established for the impairment percentages shown below has elapsed.

Permanent Impairment Remaining After Completion of Rehabilitation Plan	*Maximum Benefit Period After Completion of Rehabilitation Plan*
5 - 20 percent	*12 months*
25 - 40 percent	*24 months*
45 - 60 percent	*36 months*

65 - 80 percent	*48 months*
85 percent and higher	*60 months*

Subd. 14. [RULES.] *The commissioner shall adopt rules necessary to implement this section including rules relating to qualifications necessary to be an approved rehabilitation consultant.*

Sec. 5. [176.097] [PARTIAL DISABILITY BENEFITS.]

Subdivision 1. [PURPOSE.] *Partial disability benefits are paid for the following purposes:*

(a) Facilitating return to work of an employee who suffered a personal injury. The benefits payable according to this section replace a portion of wages lost due to a personal injury after an employee returns to work and when the employee's return to employment is in a reduced capacity, as evidenced by the fact that the employee's current spendable wages are less than the spendable wages of the employee prior to the injury; and

(b) Providing ongoing supplements to the income of injured employees who, because of a permanent impairment are unable to earn income at least equal to their preinjury wage.

Subd. 2. [BENEFIT.] *When the employee returns to work, benefits for partial disability shall be payable at the rate of 85 percent of the difference between the employee's current spendable weekly wage and the preinjury spendable weekly wage.*

Subd. 3. [MAXIMUM BENEFIT.] *The maximum weekly benefit for partial disability shall be 125 percent of the statewide average weekly wage.*

Subd. 4. [PERIOD OF PAYMENT.] *(a) Partial disability benefits shall be paid for the period beginning on the date the employee returns to work. Payment shall be made as nearly as possible at the intervals when the wage is payable.*

(b) Partial disability benefits shall continue for up to 90 days of the first day of return to work unless the personal injury results in a permanent impairment of five percent or more of the whole body as determined by application of the American Medical Association guides. If no permanent impairment determination has been made but the impairment clearly exists, payment under this section shall continue for a period of time provided by the minimum expected disability. If the duration of payment of the partial disability was longer or shorter than provided by this section, as evidenced by the final determination of the degree of permanent impairment, an adjustment shall be made to the impairment award. Excessive payments shall be subtracted from the impairment benefit. Payments due but not paid shall be paid in addition to the impairment benefit with interest payments of 18 percent per annum.

(c) Workers whose personal injury results in a permanent impairment, for which benefits are payable under section 3, shall be eligible for benefits for a period of time reflecting the severity of their permanent impairment. The maximum duration of partial disability eligibility shall be determined according to the impairment percentages shown below:

Percentage of impairment	*Additional benefit duration beyond initial 90 days*
5 to 10 percent	*90 days*

15 percent	*180 days*
20 percent	*270 days*

For each five percent impairment beyond 20 percent, the duration period shall be extended an additional 180 days.

(d) An employee who becomes unemployed for reasons other than the personal injury while receiving partial disability benefits shall continue to receive benefits under this section, except that current spendable weekly wage shall be assumed to equal spendable weekly wage at the time the unemployment commenced. If the employee is laid off because the employer no longer has adequate work for all current employees, the unemployment shall be deemed to be caused by other than the personal injury if all other workers performing the same job but who have less seniority than the injured employee have been laid off.

Sec. 6. Minnesota Statutes 1980, Section 62A.10, Subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENTS.] Group accident and health insurance is hereby declared to be that form of accident and health insurance covering not less than two employees nor less than ten members, and which may include the employee's or member's dependents, consisting of husband, wife, children, and actual dependents residing in the household, written under a master policy issued to any governmental corporation, unit, agency, or department thereof, or to any corporation, copartnership, individual, employer, or to any association having a constitution or bylaws and formed in good faith for purposes other than that of obtaining insurance under the provisions of this chapter, where officers, members, employees, or classes or divisions thereof, may be insured for their individual benefit.

Any insurer authorized to write accident and health insurance in this state shall have power to issue group accident and health policies.

If an employee and his dependents are insured under a group policy, as the result of employment eligibility for insurance, eligibility for coverage shall not be terminated if the employee ceases to be employed as a result of a personal injury as defined in section 176.011, subdivision 10.

Sec. 7. Minnesota Statutes 1980, Section 62C.14, is amended by adding a subdivision to read:

Subd. 16. No subscriber's individual contract or any group contract shall terminate an individual's or the individual's dependent's eligibility for coverage because the individual is no longer employed as the result of a personal injury as defined in section 176.011, subdivision 10.

Sec. 8. Minnesota Statutes 1980, Section 62D.10, is amended by adding a subdivision to read:

Subd. 5. No health plan shall terminate eligibility for coverage of an enrollee or his dependents because the enrollee is no longer employed as the result of a personal injury as defined in section 176.011, subdivision 10.

Sec. 9. [79.212] [INSURERS TO OFFER DEDUCTIBLES.]

Each insurer licensed to transact workers compensation pursuant to

60A.06, subdivision 1, clause (5), paragraph (b), shall offer workers' compensation policies which employers may purchase at a lower premium than the premium which would result from use of the schedule of rates approved by the commissioner. These policies shall contain a deductible which specifies the amount of benefits payable by the employer on each occurrence which results in personal injury.

These policies shall require the insurer to pay all benefits due under the policy. The employer shall deposit the amount of the deductible with the insurer at the inception of the policy period. The insurer shall pay all losses when due utilizing the amounts deposited as specified by the deductible in the policy. The insurer may require the employer to deposit additional funds if the deposited funds are depleted. Each policy shall clearly state the maximum total liability of the employer under the deductible for the policy period.

All interest income earned on the funds deposited with the insurer by the employer shall be credited to the employer. The policy shall provide that funds deposited by the employer, together with the credited interest income, which are not expected to be paid out by the insurer due to claims incurred during the policy period shall be returned to the employer or credited to the next policy period.

The minimum deductible that shall be required is $1,000 per occurrence and $5,000 total liability per year.

Sec. 10. Minnesota Statutes 1981 Supplement, Section 79.25, Subdivision 1, is amended to read:

Subdivision 1. When any rejected risk is called to its attention and it appears that the risk is in good faith entitled to coverage the commissioner of insurance shall fix the initial premium therefor and may fix an additional charge to compensate the agent of record for his services and, upon its payment, the commissioner of insurance shall enter into a service contract with one or more qualified ~~members of the association~~ *insurance companies*, or qualified group self-insurance administrators licensed pursuant to section 176.181, subdivision 2, clause (2)(a), whose duty it shall be to issue a policy, or a group self-insurance administration contract, containing the usual and customary provisions found in such policies or contracts therefor, but for which undertaking all ~~members of the association~~ *insurers licensed pursuant to section 60A.06, subdivision 1, clause (5)(b)* shall be reinsurers as among themselves in the amount which the compensation insurance written in this state during the preceding calendar year by that ~~member~~ *insurer* bears to the total compensation insurance written in this state during the preceding year by all the ~~members of the association~~ *licensed insurers*. The assigned risk plan shall be treated as a group self-insurer member of the reinsurance association for the purposes of sections 79.34 to 79.40 and shall be deemed to have selected the higher retention limit provided in section 79.34, subdivision 2. A qualified ~~member~~ *insurer* or group self-insurance administrator shall possess sufficient financial, professional, administrative and personnel resources to serve the policies or self-insurance contracts contemplated in the service contract.

Policies and contracts of coverage issued pursuant to this subdivision shall be deemed to meet the mandatory insurance requirements of section 176.181, subdivision 2.

Sec. 11. Minnesota Statutes 1981 Supplement, Section 79.25, is amended

by adding a subdivision to read:

Subd. 3. [ANNUAL ASSESSMENT.] *The commissioner shall annually assess from each insurer licensed pursuant to section 60A.06, subdivision 1, clause (5)(b), an amount sufficient to fully fund the obligations of the assigned risk plan. The assessment of each insurer shall be in an amount that the compensation insurance written in this state by that insurer during the preceding calendar year bears to the total compensation insurance written in this state by all licensed insurers during the preceding calendar year.*

Sec. 12. Minnesota Statutes 1981 Supplement, Section 79.63, Subdivision 1, is amended to read:

Subdivision 1. [ADMINISTRATION.] The commissioner shall ~~appoint~~ *contract with* a licensed data service organization to ~~administer~~ *make assignments, gather data, collect assessments, and perform other services for* the assigned risk plan. ~~The appointed data service organization shall submit to the commissioner for approval a plan and rules for administering the assigned risk plan, including a method or formula by which the organization is to be paid for administrative services.~~

Sec. 13. Minnesota Statutes 1981 Supplement, Section 79.63, Subdivision 2, is amended to read:

Subd. 2. [REJECTION; NOTICE.] An insurer that refuses to write insurance for an applicant shall furnish the applicant a written notice of refusal and shall file a copy of the notice of refusal with the data service organization ~~appointed~~ *contracted with* pursuant to subdivision 1. ~~Servicing insurers designated pursuant to subdivision 3 shall accept and insure any applicant for workers' compensation insurance assigned pursuant to subdivision 3.~~

Sec. 14. Minnesota Statutes 1981 Supplement, Section 79.63, Subdivision 4, is amended to read:

Subd. 4. [PENALTY.] The commissioner may revoke the license of an insurer or agent for refusing or failing to provide an applicant with written refusal pursuant to subdivision 2 or for any other violation of this section or of the approved rules ~~of a data service organization~~ *concerning the assigned risk plan.*

Sec. 15. Minnesota Statutes 1980, Section 176.011, Subdivision 3, is amended to read:

Subd. 3. [~~DAILY~~ *WEEKLY* WAGE.] "~~Daily~~ *Weekly* wage" means the ~~daily~~ *weekly* wage of the employee in the employment in which he was engaged at the time of injury but does not include tips and gratuities paid directly to an employee by a customer of the employer and not accounted for by the employee to the employer. *Occasional overtime is not to be considered, but if the overtime is regular or frequent throughout the year, it shall be taken into consideration.* If the amount of the ~~daily~~ *weekly* wage received or to be received by the employee in the employment in which he was engaged at the time of injury was irregular or difficult to determine, or if the employment was part time, the ~~daily~~ *weekly* wage shall be computed by dividing the total amount the employee actually earned in such employment in the last 26 weeks, by the total number of ~~days~~ *weeks* in which the employee actually performed any of the duties of such employment, provided further, that in the case of the construc-

tion industry, mining industry, or other industry where the hours of work are affected by seasonal conditions, ~~the weekly wage shall not be less than five times the daily wage~~ *weeks where the employee worked less than the lesser of 40 hours or the normal number of hours worked in a week shall not be included in weeks worked.* Where board or allowances other than tips and gratuities are made to an employee in addition to wages as a part of the wage contract they are deemed a part of his earnings and computed at their value to the employee. In the case of persons performing services for municipal corporations in the case of emergency, then the normal working ~~day~~ *week* shall be considered and computed as ~~eight hours~~ *five days*, and in cases where ~~such~~ *the* services are performed gratis or without fixed compensation the ~~daily~~ *weekly* wage of the person injured shall, for the purpose of calculating compensation payable under this chapter, be taken to be the usual going wage paid for similar services in municipalities where ~~such~~ *the* services are performed by paid employees. If, at the time of injury, the employee was regularly employed by two or more employers, the employee's earnings in all such employments shall be included in the computation of ~~daily~~ *weekly* wage.

Sec. 16. Minnesota Statutes 1981 Supplement, Section 176.011, Subdivision 9, is amended to read:

Subd. 9. [EMPLOYEE.] "Employee" means any person who performs services for another for hire; and includes the following:

(1) an alien;

(2) a minor;

(3) a sheriff, deputy sheriff, constable, marshal, policeman, firefighter, a county highway engineer, and a peace officer while engaged in the enforcement of peace or in and about the pursuit or capture of any person charged with or suspected of crime and any person requested or commanded to aid an officer in arresting any person, or in retaking any person who has escaped from lawful custody, or in executing any legal process in which case, for purposes of calculating compensation payable under this chapter, the daily wage of the person requested or commanded to assist an officer or to execute a legal process shall be the prevailing wage for similar services where the services are performed by paid employees;

(4) a county assessor;

(5) an elected or appointed official of the state, or of any county, city, town, school district or governmental subdivision therein but an officer of a political subdivision elected or appointed for a regular term of office or to complete the unexpired portion of any such regular term, shall be included only after the governing body of the political subdivision has adopted an ordinance or resolution to that effect;

(6) an executive officer of a corporation except an officer of a family farm corporation as defined in section 500.24, subdivision 1, clause (c), nor shall it include an executive officer of a closely held corporation who is referred to in section 176.012;

(7) a voluntary uncompensated worker, other than an inmate, rendering services in state institutions under the commissioner of public welfare and state institutions under the commissioner of corrections similar to those of officers

and employees of these institutions, and whose services have been accepted or contracted for by the commissioner of public welfare or the commissioner of corrections as authorized by law, shall be employees within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death for similar services in institutions where the services are performed by paid employees;

(8) a voluntary uncompensated worker engaged in peace time in the civil defense program when ordered to training or other duty by the state or any political subdivision thereof, shall be an employee. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death for similar services where the services are performed by paid employees;

(9) a voluntary uncompensated worker participating in a program established by a county welfare board shall be an employee within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid in the county at the time of the injury or death for similar services where the services are performed by paid employees working a normal day and week;

(10) a voluntary uncompensated worker accepted by the commissioner of natural resources who is rendering services as a volunteer pursuant to section 84.089 shall be an employee. The daily wage of the worker for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of injury or death for similar services where the services are performed by paid employees;

(11) a member of the military forces, as defined in section 190.05, while in "active service" or "on duty" as defined in section 190.05, when the service or duty is ordered by state authority *and the member is compensated for the service from state funds*. The daily wage of the member for the purpose of calculating compensation payable under this chapter shall be based on the member's usual earnings in civil life. If there is no evidence of previous occupation or earning, the trier of fact shall consider the member's earnings as a member of the military forces;

(12) a voluntary uncompensated worker, accepted by the director of the Minnesota historical society, rendering services as a volunteer, pursuant to chapter 138, shall be an employee. The daily wage of the worker, for the purposes of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of injury or death for similar services where the services are performed by paid employees;

(13) a voluntary uncompensated worker, other than a student, who renders services at the Minnesota school for the deaf or the Minnesota braille and sight-saving school, and whose services have been accepted or contracted for by the state board of education, as authorized by law, shall be an employee within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death for similar services in

institutions where the services are performed by paid employees;

(14) a voluntary uncompensated worker, other than a resident of the veterans home, who renders services at a Minnesota veterans home, and whose services have been accepted or contracted for by the commissioner of veterans affairs, as authorized by law, is an employee within the meaning of this subdivision. In the event of injury or death of the voluntary uncompensated worker, the daily wage of the worker, for the purpose of calculating compensation payable under this chapter, shall be the usual going wage paid at the time of the injury or death for similar services in institutions where the services are performed by paid employees;

(15) a worker who renders in-home attendant care services to a physically handicapped person, and who is paid directly by the commissioner of public welfare for these services, shall be an employee of the state within the meaning of this subdivision, but for no other purpose.

(16) those students enrolled in and regularly attending the medical school of the University of Minnesota, whether in the graduate school program or the post graduate program, as provided in section 147.20, notwithstanding that the students shall not be considered employees for any other purpose. In the event of the student's injury or death, the weekly wage of the student for the purpose of calculating compensation payable under chapter 176, shall be the annualized educational stipend awarded to the student, divided by 52 weeks. The institution in which the student is enrolled shall be considered the "employer" for the limited purpose of determining responsibility for paying benefits payable under chapter 176.

In the event it is difficult to determine the ~~daily~~ *weekly* wage as provided in this subdivision, then the trier of fact may determine the wage upon which the compensation is payable.

Sec. 17. Minnesota Statutes 1980, Section 176.011, is amended by adding a subdivision to read:

Subd. 23. [SPENDABLE WEEKLY WAGE.] *(a) "Spendable weekly wage" means weekly wage minus the sum of: (1) the amount which would be withheld according to withholding tables in effect on the January 1 preceding the personal injury, as described in the Internal Revenue Code of 1954, as amended, assuming that the maximum number of exemptions for dependency apply as the worker would be entitled to receive at the time of injury; and (2) the amount which would be withheld according to withholding tables in effect on the January 1 preceding the injury under Minnesota Statutes, Chapter 290, and related rules, assuming that the maximum number of exemptions for dependency apply as the worker would be entitled to receive at the time of injury; and (3) an amount equal to the amount required on the January 1 preceding the injury, by the Social Security Act of 1935 and any related amendments, to be deducted or withheld from the weekly wage of the employee as if the weekly wage were earned at the beginning of the calendar year in which the injury occurred.*

(b) Where there is a dispute as to the correct number of exemptions for dependency which should apply under clause (a), the spendable weekly wage shall be determined according to the minimum number of exemptions to which the employee would be entitled at the time of injury. Upon a final determination

of the correct number of exemptions which apply, any additional benefit payable to the employee shall include interest payable at the rate of 18 percent per annum based on the amount of difference due.

Sec. 18. Minnesota Statutes 1980, Section 176.011, is amended by adding a subdivision to read:

Subd. 24. [PERMANENT IMPAIRMENT.] *"Permanent impairment" means permanent anatomic or functional abnormality or loss as the result of a personal injury, which exists after maximum medical rehabilitation has been achieved and which is considered stable or nonprogressive.*

Sec. 19. Minnesota Statutes 1981 Supplement, Section 176.021, Subdivision 3, is amended to read:

Subd. 3. [COMPENSATION, COMMENCEMENT OF PAYMENT.] All employers shall commence payment of compensation at the time and in the manner prescribed by this chapter without the necessity of any agreement or any order of the division. Except for medical, burial, and other non-periodic benefits, payments shall be made as nearly as possible at the intervals when the wage was payable~~, provided, however, that payments for permanent partial disability shall be governed by subdivision 3a. If doubt exists as to the eventual permanent partial disability, payment, pursuant to subdivision 3a, shall be then made when due for the minimum permanent partial disability ascertainable, and further payment shall be made upon any later ascertainment of greater permanent partial disability. At the time of any tender of the lump sum payment, the employee and employer shall be furnished with a copy of the medical report upon which the payment is based, together with a statement by the insurer as to whether the tendered payment is for minimum permanent partial disability or final and eventual disability. Compensation for permanent partial disability is payable in addition to compensation for temporary total disability and temporary partial disability pursuant to section 176.101, subdivisions 1 and 2, as provided in subdivision 3a. Compensation for permanent partial disability is payable concurrently and in addition to compensation for permanent total disability pursuant to section 176.101, subdivision 5, as provided in subdivision 3a. Compensation for permanent partial disability shall be withheld pending completion of payment for temporary total and temporary partial disability but shall not be withheld pending payment of compensation for permanent total disability, and no credit shall be taken for payment of permanent partial disability against liability for temporary total or permanent total disability. Liability on the part of an employer or his insurer for disability of a temporary total, temporary partial, and permanent total nature shall be considered as a continuing product and part of the employee's inability to earn or reduction in earning capacity due to injury or occupational disease and shall be payable accordingly, subject to subdivision 3a. Permanent partial disability is payable for functional loss of use or impairment of function, permanent in nature, and payment therefore shall be separate, distinct, and in addition to payment for any other compensation, subject to subdivision 3a. The right to receive temporary total, temporary partial, permanent partial or permanent total disability payments shall vest in the injured employee or his dependents under this chapter or, if none, in his legal heirs at the time the disability can be ascertained and the right shall not be abrogated by the employee's death prior to the making of the payment~~.

Sec. 20. Minnesota Statutes 1980, Section 176.021, Subdivision 5, is

amended to read:

Subd. 5. [ACCUMULATED CREDITS, ADDITIONAL PAYMENTS.] If employees of the state or a county, city or other political subdivision of the state who are entitled to the benefits of the workers' compensation law have, at the time of compensable injury, accumulated credits under a vacation, sick leave or overtime plan or system maintained by the governmental agency by which they are employed, the appointing authority may provide for the payment of additional benefits to such employees from their accumulated vacation, sick leave or overtime credits. Such additional payments to an employee may not exceed the amount of the total sick leave, vacation or overtime credits accumulated by the employee and shall not result in the payment of a total weekly rate of compensation that exceeds the weekly wage of the employee. Such additional payments to any employee shall be charged against the sick leave, vacation and overtime credits accumulated by such employee. *Employees of a county, city or other political subdivision entitled to the benefits of the workers' compensation law may receive additional benefits pursuant to a collective bargaining agreement or other plan entered into or in effect on or after January 1, 1980, providing payments by or on behalf of the employer and these additional benefits may be unrelated to any accumulated sick leave, holiday or overtime credits and need not be charged against any accumulation; provided that the additional payments shall not result in the payment of a total weekly rate of compensation that exceeds the weekly wage of the employee; and provided further that the authority to make payments not related to leave accumulations shall expire on January 1, 1983, unless affirmatively negotiated by the parties.* The commissioner of the department of labor and industry for the state or the governing body of any county, city or other political subdivision to which the provisions of this chapter apply, may adopt rules and regulations not inconsistent with this chapter for carrying out the provisions hereof relating to payment of additional benefits to employees from accumulated sick leave, vacation ~~or~~, overtime credits *or other sources*.

Sec. 21. Minnesota Statutes 1980, Section 176.111, Subdivision 18, is amended to read:

Subd. 18. [BURIAL EXPENSE.] In all cases where death results to an employee from a personal injury arising out of and in the course of employment, the employer shall pay the expense of burial, not exceeding in amount ~~$1,000~~ *$2,500*. In case any dispute arises as to the reasonable value of the services rendered in connection with the burial, such reasonable value shall be determined and approved by the commissioner of the department of labor and industry, a compensation judge, or workers' compensation court of appeals, in cases upon appeal, before payment, after such reasonable notice to interested parties as is required by the commissioner of the department of labor and industry. If the deceased leave no dependents, no compensation is payable, except as provided by this chapter.

Sec. 22. Minnesota Statutes 1980, Section 176.121, is amended to read:

176.121 [COMMENCEMENT OF COMPENSATION.]

In cases of ~~temporary~~ total or ~~temporary~~ partial disability no compensation shall be allowed for the three days after the disability commenced, except as provided by section 176.135, nor in any case unless the employer has actual knowledge of the injury or is notified thereof within the period specified in

section 176.141. If such disability continues for ~~10~~ *seven* days or longer, such compensation shall be computed from the commencement of the disability.

Sec. 23. Minnesota Statutes 1980, Section 176.131, Subdivision 1, is amended to read:

Subdivision 1. If an employee incurs personal injury and suffers disability that is substantially greater, because of a pre-existing physical impairment, than what would have resulted from the personal injury alone, the employer shall pay all compensation provided by this chapter, but he shall be reimbursed from the special compensation fund for all compensation paid in excess of 52 weeks of ~~monetary~~ benefits and $2,000 in medical expenses, subject to the following exceptions:

If the personal injury alone results in permanent ~~partial disability to a scheduled member under section 176.101, the monetary and medical expense limitations shall not apply and~~ *impairment for which payment is due pursuant to section 3* the employer shall be liable for ~~such compensation, medical expense,~~ *the payment for the permanent impairment* and ~~retraining~~ *rehabilitation* attributable to the ~~permanent partial disability,~~ *personal injury* and he may be reimbursed from the compensation fund only for compensation ~~paid in excess of such disability~~ *for medical expenses and total disability benefits.*

Sec. 24. Minnesota Statutes 1980, Section 176.131, Subdivision 1a, is amended to read:

Subd. 1a. If an employee is employed in an on the job ~~retraining~~ *training* program pursuant to section 176.102 and the employee incurs a personal injury that aggravates the personal injury for which the employee has been certified to enter the on the job ~~retraining~~ *training* program, the on the job training employer shall pay the medical expenses and ~~compensation~~ *benefits* required by this chapter, but shall be reimbursed from the special compensation fund for the ~~compensation~~ *benefits* and medical expense that ~~is~~ *are* attributable to the aggravated injury. The employer, at the time of the personal injury for which the employee has been certified for ~~retraining~~ *rehabilitation*, is liable for ~~the portion of the disability that is attributable to that injury~~ *all other benefits and medical expenses required by chapter 176.*

Sec. 25. Minnesota Statutes 1980, Section 176.131, Subdivision 8, is amended to read:

Subd. 8. As used in this section the following terms have the meanings given them:

"Physical impairment" means any physical or mental condition that is permanent in nature, whether congenital or due to injury, disease or surgery and which is or is likely to be a hindrance or obstacle to obtaining employment provided that, physical impairment as used herein is limited to the following:

(a) Epilepsy,

(b) Diabetes,

(c) Hemophilia,

(d) Cardiac disease,

(e) Partial or entire absence of thumb, finger, hand, foot, arm or leg,

(f) Lack of sight in one or both eyes or vision in either eye not correctable to 20/40,

(g) Residual disability from poliomyelitis,

(h) Cerebral Palsy,

(i) Multiple Sclerosis,

(j) Parkinson's disease,

(k) Cerebral vascular accident,

(l) Chronic Osteomyelitis,

(m) Muscular Dystrophy,

(n) Thrombophlebitis,

(o) Any other physical impairment ~~for~~ which *is* at least ~~50 weeks or more of weekly benefits would be payable as permanent partial disability if the physical impairment were evaluated according to standards used in workers' compensation proceedings~~ *25 percent or more of the whole body as determined according to the standards established in the American Medical Association guides*, and

(p) Any other physical impairments of a permanent nature which the workers' compensation court of appeals may by rule prescribe;

~~"Compensation" has the meaning defined in section 176.011;~~

"Employer" includes insurer;

"Disability" means, unless otherwise indicated, any condition causing either ~~temporary~~ total~~, temporary~~ *or* partial *disability*, ~~permanent total, permanent partial,~~ death, medical expense, or ~~retraining~~ *rehabilitation*.

Sec. 26. Minnesota Statutes 1981 Supplement, Section 176.131, Subdivision 10, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 20, is amended to read:

Subd. 10. The special compensation fund is created for the purposes provided in this chapter in the following manner:

(1) In every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to monetary benefits of dependency compensation, the employer shall pay to the commissioner the sum of ~~$5,000~~ *$25,000* for the benefit of the special compensation fund; in every case of death of an employee resulting from personal injury arising out of and in the course of employment where there are no persons entitled to at least ~~$5,000~~ *$25,000* in monetary benefits of dependency compensation, the employer shall pay to the commissioner for the benefit of the special compensation fund the difference between the amounts actually paid for the dependency benefits and ~~$5,000~~ *$25,000*; but in no event shall the employer pay the commissioner less than $1,000;

(2) ~~When an employee suffers a personal injury which results in permanent partial disability, temporary total disability, temporary partial disability, permanent total disability or death and which entitles him or his dependents to compensation under sections 176.101 or 176.111, the employer~~ *Each insurer*,

self-insurer and group self-insurer shall~~, in addition to compensation provided therein,~~ *annually* pay to the commissioner for the benefit of the special compensation fund a ~~lump sum without interest deduction equal to a percent of the total compensation determined as provided in this subdivision as soon as the amount payable for the particular injury is determined, or arrived at by agreement of the parties, and the amount is approved by the commissioner.~~

~~The provisions of clauses (1) and (2) shall apply to all workers' compensation payments, exclusive of medical costs, paid under sections 176.101 and 176.111 for all injuries or death occurring on or after June 1, 1971.~~

~~Personal injuries that occurred prior to June 1, 1971 shall be assessed at the rate in effect on the date of occurrence~~ *percentage of its standard earned premium as determined by the commissioner of insurance for the prior year. The commissioner of insurance shall provide the commissioner with the standard earned premium of each insurer, self-insurer and group self-insurer by April 15. The commissioner shall inform each insurer, self-insurer and group self-insurer of the amount due by June 1.*

In determining the percentage of the total compensation *standard earned premium* required to be paid ~~by the employer to the commissioner for the benefit of the special compensation fund as provided in clause (2) beginning September 30, 1981 and each September 30 thereafter,~~ the commissioner *of insurance* shall ~~use the following schedule:~~

~~Balance in the Fund~~	~~Permissible Range of Rate Adjustment~~
~~Less than $2,000,000~~	~~± 1 percent to ± 7 percent~~
~~At least $2,000,000 but less than $3,000,000~~	~~0 percent to ± 6 percent~~
~~At least $3,000,000 but less than $4,000,000~~	~~-2 percent to ± 4 percent~~
~~At least $4,000,000 but less than $5,000,000~~	~~-5 percent to ± 3 percent~~
~~At least $5,000,000 but less than $6,000,000~~	~~-6 percent to ± 2 percent~~
~~$6,000,000 or more~~	~~-7 percent to ± 2 percent~~

~~In determining the actual adjustment, the commissioner shall take into account his estimate of the likely amount of expenditures to be made from the fund in the next calendar year~~ *estimate the total claims expected to be made against the special fund for the period beginning July 1 and shall divide that number by the total standard earned premium reported to the commissioner of insurance. The percentage due July 1, 1982, and July 1, 1983, shall be 6.5 percent. The assessment due July 1, 1982, shall be in lieu of any other assessment authorized for 1982 by this section and any other assessment is void and shall be of no effect. The maximum increase in any year shall be two percent.*

Sums paid to the commissioner pursuant to the provisions hereof, shall be deposited with the state treasurer for the benefit of the special compensation fund and be used to pay the benefits provided by this chapter. All money heretofore arising from the provisions of this section or similar law shall be

transferred to this special compensation fund. Any interest or profit accruing from investment of these sums shall be credited to the special compensation fund.

The state treasurer shall be the custodian of this special fund and the workers' compensation division, compensation judges, the workers' compensation court of appeals or district court in cases before them shall direct the distribution thereof, the same to be paid as other payments of compensation are paid. In case deposit is or has been made under the provisions of clause (1) and dependency later is shown, or if deposit is or has been made pursuant to either clause (1) or (2) by mistake or inadvertence, or under circumstances that justice requires a refund thereof, the state treasurer is authorized to refund the deposit under order of the workers' compensation division, a compensation judge, the workers' compensation court of appeals or a district court. There is appropriated to the persons entitled to the refunds from the fund an amount sufficient to make the refund and payment.

The attorney general shall be the attorney for the special compensation fund and shall be its legal advisor and shall represent the fund in actions by it or against it before the division, a compensation judge, the workers' compensation court of appeals or district court or the supreme court.

The accounting, investigation, and legal costs necessary for the administration of the programs financed by the special compensation fund shall be paid from the fund during each biennium commencing July 1, 1981. Staffing and expenditures related to the administration of the special compensation fund shall be approved through the regular budget and appropriations process.

Sec. 27. Minnesota Statutes 1980, Section 176.132, Subdivision 1, is amended to read:

Subdivision 1. [ELIGIBLE RECIPIENTS.] An employee who has suffered personal injury *prior to December 31, 1980* for which benefits are payable under section 176.101 and who has been totally disabled for more than 104 weeks shall be eligible for supplementary benefits as hereinafter prescribed after 104 weeks have elapsed and for the remainder of his total disablement *except, that an employee who was injured after October 1, 1975 and who is not eligible to receive supplementary benefits on January 1, 1983, shall not receive supplementary benefits*. Regardless of the number of weeks of total disability, no totally disabled person shall be ineligible for supplementary benefits after four years have elapsed since the first date of his total disability, provided that all periods of disability are caused by the same injury.

Sec. 28. Minnesota Statutes 1981 Supplement, Section 176.132, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT.] (a) The supplementary benefit payable under this section *as of January 1, 1983* shall be the difference between the amount the employee receives on or after January 1, 1976, under section 176.101, subdivision 1 or subdivision 4, and ~~65 percent of the statewide average weekly wage as computed annually~~ *$184. The figure $184 shall be adjusted pursuant to section 176.645*.

(b) In the event an eligible recipient is currently receiving no ~~compensation~~ *benefits* or is receiving a reduced level of ~~compensation~~ *benefits* because of a credit being applied as the result of a third party liability or damages, the

employer or insurer shall ~~compute the offset credit as if the individual were entitled to the actual benefit or 65 percent of the statewide average weekly wage as computed annually, whichever is greater. If this results in the use of a higher credit than otherwise would have been applied and the employer or insurer becomes liable for compensation benefits which would otherwise not have been paid, the additional benefits resulting shall be handled according to this section~~ *pay the difference between the reduced level of benefits and $184. The figure $184 shall be adjusted pursuant to section 176.645.*

(c) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of a valid agreement in settlement of a claim, no supplementary benefit shall be payable under this section. Attorney's fees shall be allowed in settlements of claims for supplementary benefits in accordance with this chapter.

(d) In the event an eligible recipient is receiving no compensation or is receiving a reduced level of compensation because of prior limitations in the maximum amount payable for permanent total disability or because of reductions resulting from the simultaneous receipt of old age or disability benefits, the supplementary benefit shall be payable for the difference between the actual amount of compensation currently being paid and ~~65 percent of the statewide average weekly wage as computed annually~~ *$184. The figure $184 shall be adjusted pursuant to section 176.645.*

(e) In the event that an eligible recipient is receiving simultaneous benefits from any government disability program, the amount of supplementary benefits payable under this section shall be reduced by five percent. If the individual does not receive the maximum benefits for which he is eligible under other governmental disability programs due to the provisions of 42 U.S.C. 424a (d), this reduction shall not apply.

Sec. 29. Minnesota Statutes 1981 Supplement, Section 176.133, is amended to read:

176.133 [ATTORNEY'S FEES, SUPPLEMENTARY BENEFITS.]

~~Attorney's~~ *No attorney* fees ~~may~~ *shall* be *permitted or* approved by a compensation judge or by the workers' compensation court of appeals from the supplementary workers' compensation benefits provided by section 176.132 ~~if~~ *unless* the case *solely* involves the obtaining of supplementary workers' compensation benefits. When ~~such~~ *attorney* fees are allowed an amount equal to 25 percent of that portion of the fee which is in excess of $250 shall be added to the employee's benefit as provided in section 176.081 rather than deducted as a portion ~~thereof~~ *of the benefit*. The fees shall be determined according to section 176.081.

Sec. 30. [176.138] [MEDICAL DATA; RELEASE TO INSURER AND EMPLOYER.]

For the purpose of facilitating the prompt determination and delivery of benefits payable under chapter 176, any data describing the medical condition of an employee which are related to the personal injury shall be made available to the employer. Notwithstanding sections 15.163 and 15.1698 or any other laws related to the privacy of medical data, the release of those data to the employer or insurer shall not require prior approval, written or otherwise, on the part of the employee. Upon receiving written request from the employer,

insurer, or any agent of the employer or insurer, the data related to the medical condition of an employee suffering a personal injury shall be provided, by the holder of the data, to the employer. The data shall be provided within seven working days of receiving the request. The employer or insurer shall inform the employee of the request for these data at the time it is made and shall not release these data to anyone other than the employee.

Sec. 31. [176.146] [NOTICE TO INSURERS; PENALTY.]

The employer of any employee who suffers a personal injury shall inform the insurer of the occurrence of the injury within three days of notice of the injury. Notice shall be made on forms provided by the insurer. Consistent failure by the employer to provide notice shall entitle the insurer to cancel, upon 15 days notice to the employer, any effective policy insuring the employer's liability under chapter 176, at which time any unearned premium paid by the employer to the insurer shall be returned to the employer.

Sec. 32. Minnesota Statutes 1981 Supplement, Section 176.182, is amended to read:

176.182 [BUSINESS LICENSES OR PERMITS; COVERAGE REQUIRED.]

Every state ~~or local~~ licensing agency shall withhold the issuance of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of section 176.181, subdivision 2.

Neither the state nor any governmental subdivision thereof shall enter into any contract *for the doing of any public work* before receiving from all other contracting parties acceptable evidence of compliance with the workers' compensation insurance coverage requirement of section 176.181, subdivision 2.

This section shall not be construed to create any liability on the part of the state or any governmental subdivision to pay workers' compensation benefits or to indemnify the special compensation fund, an employer, or insurer who pays workers' compensation benefits.

Sec. 33. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 1, is amended to read:

Subdivision 1. [COMMENCEMENT OF PAYMENT.] Within 14 days of notice to or knowledge by the employer of an injury compensable under this chapter the payment of compensation due pursuant to section ~~176.101, subdivision~~ 1, shall commence. Commencement of payment by an employer or insurer does not waive any rights to any defense the employer may have on any claim or incident either with respect to the compensability of the claim under chapter 176 or the amount of the compensation due. Where there are multiple employers, the first employer shall pay, unless it is shown that the injury has arisen out of employment with the second or subsequent employer. When the employer determines that the disability is not a result of a personal injury, payment of compensation may be discontinued upon notice of discontinuance pursuant to section 176.241. Upon the determination, payments made may be recovered by the employer if the commissioner finds that the employee's claim of work related disability was not made in good faith.

Sec. 34. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivi-

sion 2, is amended to read:

Subd. 2. [GRANT OF EXTENSION.] Upon application made within 30 days after the date on which the first payment was due, the commissioner may grant an extension of time within which to determine liability. The extension shall not exceed 30 days. *No grant of an extension of time by the commissioner shall relieve the employer of the obligation to commence the payment of benefits within 14 days as required by subdivision 1.*

Sec. 35. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 3, is amended to read:

Subd. 3. [PAYMENTS TO SPECIAL COMPENSATION FUND.] Where an employer or insurer fails to begin payment of compensation, charges for treatment under section 176.135 or ~~retraining~~ *rehabilitation* expenses under ~~176.102~~ *section 4*, subdivision ~~9~~ *10*, or to file a denial of liability, or to request an extension of time within 30 days after the date on which the first payment was due, he shall pay to the special compensation fund an amount equal to the total amount of compensation to which the employee is entitled because of the injury. In addition, each day subsequent to the end of the period and until a compensation payment is made to the injured employee, the person responsible for payment of compensation shall pay to the special compensation fund an amount equal to the total compensation to which the injured employee is entitled.

Sec. 36. Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 7, is amended to read:

Subd. 7. [INTEREST.] Any payment of compensation, charges for treatment under section 176.135 or retraining expenses under 176.102, subdivision 9 not made when due shall bear interest at the *greater of the* rate of ~~eight~~ *18* percent per annum *or the rate set by section 549.09, subdivision 1,* from the due date to the date the payment is made.

Sec. 37. Minnesota Statutes 1980, Section 176.225, Subdivision 1, is amended to read:

Subdivision 1. [GROUNDS.] Upon reasonable notice and hearing or opportunity to be heard, the division or upon appeal, the workers' compensation court of appeals or the supreme court may award compensation, in addition to the total amount of compensation award, of up to 25 percent of that total amount where an employer or insurer has:

(a) instituted a proceeding or interposed a defense which does not present a real controversy but which is frivolous or for the purpose of delay; or,

(b) unreasonably or vexatiously delayed payment; or,

(c) neglected or refused to pay compensation; or,

(d) intentionally underpaid compensation.

In any case of an award made pursuant to this subdivision, there shall be added to the compensation award an amount equal to 18 percent per annum interest computed from the date of injury.

Sec. 38. Minnesota Statutes 1981 Supplement, Section 176.225, Subdivision 5, is amended to read:

Subd. 5. [PENALTY.] Where the employer is guilty of inexcusable delay in making payments, *including but not limited to the grounds listed in clauses (a) to (d) of subdivision 1*, the payments which are found to be delayed shall be increased by 10 percent. Withholding amounts unquestionably due because the injured employee refuses to execute a release of his right to claim further benefits will be regarded as inexcusable delay in the making of compensation payments. If any sum ordered by the department to be paid is not paid when due, and no appeal of the order is made, the sum shall bear interest at the rate of ~~12~~ *18* percent per annum. Any penalties paid pursuant to this section shall not be considered as a loss or expense item for purposes of a petition for a rate increase made pursuant to chapter 79.

Sec. 39. Minnesota Statutes 1980, Section 176.231, Subdivision 10, is amended to read:

Subd. 10. [FAILURE TO FILE REQUIRED REPORT, PENALTY.] Where an employer, physician, ~~or~~ surgeon *or health provider* has failed to file with the commissioner of the department of labor and industry any report required by this section in the manner and within the time limitations prescribed, he shall forfeit to the state ~~$50~~ *$200* for each such failure.

The attorney general shall sue in a civil action to collect this penalty upon notification of the matter by the commissioner of the department of labor and industry. The commissioner of the department of labor and industry shall certify to the attorney general each failure to report immediately upon its occurrence.

Penalties collected by the state under this subdivision shall be paid into the state treasury.

Sec. 40. Minnesota Statutes 1980, Section 176.235, is amended by adding a subdivision to read:

Subd. 3. [NOTICE TO EMPLOYEE OF RIGHTS AND DUTIES.] *Upon notice that an employee has suffered a personal injury, the employer shall provide the employee with a brochure or letter, which shall be prepared and provided by the insurer or group self-insurer, if any, explaining the rights and obligations of the employee and employer, the assistance available to the employee, and the operation of the workers' compensation system. The brochure shall meet the readability standards of chapter 72C.*

In addition, the brochure or letter shall include the names of persons the employee may contact if questions or problems arise regarding the employee's rights or obligations under chapter 176. This brochure or letter shall be provided to the employee within seven days after the employer becomes aware of the personal injury. After the effective date of this subdivision any obligations previously assigned to the department of labor and industry regarding the mailing of workers' compensation informational brochures shall end. Any brochure shall be approved by the commissioner of insurance prior to use. The workers' compensation advisory council shall prepare a prototype brochure. The workers' compensation insurance rating association of Minnesota may prepare and submit brochures for approval on behalf of its members.

Sec. 41. [176.236] [EMPLOYER REEMPLOYMENT RESPONSIBILITY.]

Subdivision 1. [TARGET DATE.] *Each employer which employs a worker*

who becomes disabled due to a personal injury shall be responsible for the reemployment of an employee disabled as the result of a personal injury as required by this section. The employer shall, as soon as possible following the personal injury, establish in conjunction with the injured employee a target date upon which the injured worker will return to work.

Subd. 2. [JOB ASSISTANCE.] *The employer shall, if possible, provide a job to the employee on or before the return to work target date which is consistent with any physical limitations of the employee. The employer shall not refuse to offer employment for any reason which is based on the employee's conduct prior to the personal injury.*

Subd. 3. [ASSISTANCE PLAN.] *If the employer is unable to provide a job, the employer shall as soon as possible, but at least four weeks prior to the return to work target date, inform the employee that no job will be available. The employer shall also provide assistance to the employee in finding another job which is within the physical capabilities of the employee. A plan for assistance shall be filed with the commissioner at the time the employer informs the employee that no offer of employment can be made. A plan for approval filed pursuant to section 4 shall be sufficient.*

Subd. 4. [PENALTY.] *An employer failing to provide reemployment or to provide assistance as required in subdivision 3 shall be required to pay to the special compensation fund an amount equal to all of the benefits paid as required in section 1 for the first year following the date of injury. This amount shall not be reimbursed by an insurer or group self-insurer.*

Subd. 5. [RULES.] *The commissioner shall, by rule, establish the minimum provisions of the plan required in subdivision 3.*

Subd. 6. [LIMITATIONS.] *This section shall not create any liabilities or other requirements for the payment of benefits under chapter 176 than are specifically contained within the section.*

Sec. 42. Minnesota Statutes 1980, Section 176.241, Subdivision 4, is amended to read:

Subd. 4. [ORDER.] When the hearing has been held, and ~~he~~ *the evidence* has *been* duly considered ~~the evidence~~, the person who held the hearing shall promptly enter an order directing the payment of further compensation or confirming the termination of compensation. Where the order confirms a termination of compensation, the commissioner of labor and industry shall notify the employer of the action. This notification relieves the employer from further liability for compensation subject to the right of review afforded by this chapter, and to the right of the division to set aside the order at any time prior to the review and grant a new hearing pursuant to this chapter. *Where the order directs the payment of further compensation, the order shall provide that the amount of compensation shall bear interest at the rate of 18 percent per annum computed from the date of the termination of benefits.*

Sec. 43. Minnesota Statutes 1981 Supplement, Section 176.331, is amended to read:

176.331 [AWARD BY DEFAULT.]

Where an adverse party has failed to file and serve an answer, if the petitioner presents proof of such fact, the compensation judge shall enter whatever

award or order to which petitioner is entitled on the basis of the facts alleged in the petition, but the compensation judge may require proof of an alleged fact. If the commissioner requires such proof, he shall request the chief hearing examiner to assign the matter to a compensation judge to summarily hear and determine the same and to promptly make an award or order.

Where in such a default case the petition does not state facts sufficient to support an award, the compensation judge shall give the petitioner or his attorney written notice of this deficiency. The petitioner may thereupon file another petition as in the case of an original petition.

If an award is made pursuant to this subdivision, the amount of the award shall include interest on the award at the rate of 18 percent per annum computed from the date compensation was due but not paid.

Sec. 44. Minnesota Statutes 1981 Supplement, Section 176.391, Subdivision 3, is amended to read:

Subd. 3. [REPORTS.] The report of a physician, surgeon, or other expert shall be filed with the commissioner and the compensation judge assigned to the matter if any. The report shall be made a part of the record of the case and be open to inspection ~~as such~~.

Unless otherwise ordered by a compensation judge medical expert testimony shall be offered by report only.

Sec. 45. Minnesota Statutes 1980, Section 176.641, is amended to read:

176.641 [ACCIDENTS OR INJURIES ARISING PRIOR TO EFFECTIVE DATE.]

All rights and liabilities arising on account of accidents or injuries occurring prior to the taking effect of this chapter shall be governed by the then existing law *except, that the payment of benefits pursuant to section 176.132 on and after the effective date of sections 1 to 30 shall be made according to sections 1 to 30.*

Sec. 46. Minnesota Statutes 1981 Supplement, Section 176.645, Subdivision 1, is amended to read:

Subdivision 1. [AMOUNT.] For injuries occurring after October 1, 1975 for which benefits are payable under ~~section 176.101, subdivisions 1, 2 and 4, and section 176.111, subdivision 5~~ *sections 1; 2; and 3, subdivision 12, and for benefits payable pursuant to section 176.132*, the total benefits due the employee or any dependents shall be adjusted in accordance with this section. On October 1, 1981, and thereafter on the anniversary of the date of the employee's injury the total benefits due shall be adjusted by multiplying the total benefits due prior to each adjustment by a fraction, the denominator of which is the statewide average weekly wage for December 31, of the year two years previous to the adjustment and the numerator of which is the statewide average weekly wage for December 31, of the year previous to the adjustment. For injuries occurring after October 1, 1975, all adjustments provided for in this section shall be included in computing any benefit due under this section. Any limitations of amounts due for daily or weekly compensation under this chapter shall not apply to adjustments made under this section. No adjustment increase made on October 1, 1977 or thereafter under this section shall exceed six percent a year. In those instances where the adjustment under the formula of

this section would exceed this maximum the increase shall be deemed to be six percent.

Sec. 47. Minnesota Statutes 1981 Supplement, Section 352E.04, is amended to read:

352E.04 [DISBURSEMENTS.]

Upon certification to the governor by the administrator of any state or governmental subdivision employing peace officers that a peace officer employed by that state or governmental subdivision within this state has been killed in the line of duty, leaving a spouse or one or more eligible dependents, the commissioner of finance shall, subject to the approval of the workers' compensation court of appeals, pay $50,000 as follows:

(a) If there is no dependent child, to the spouse;

(b) If there is no spouse, to the dependent child or children in equal shares;

(c) If there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the child or children, in equal shares;

(d) If there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares;

(e) If there is no surviving spouse or dependent child, children or parent, then there shall be no payment made from the peace officers benefit fund.

The benefit provided by this section is in addition to any other benefit that a spouse or dependent child is entitled to receive under another state or federal law and notwithstanding any law to the contrary shall not be offset by or against the other benefits.

Sec. 48. [176.83] [SPECIAL COMPENSATION FUND; STUDY OF FINANCIAL CONDITION.]

The commissioner of the department of labor and industry shall study the financial condition of the special compensation fund including any outstanding liabilities of the fund. A report containing the findings of the study shall be prepared and presented to the legislature no later than January 15, 1983. The cost of the study and report shall not exceed $30,000 and shall be paid from the assets of the special compensation fund.

Sec. 49. [OCCUPATIONAL DISEASE AND APPORTIONMENT OF INJURIES; STUDY.]

The commissioner of insurance shall study occupational disease, cumulative trauma and the apportionment of liability for benefits payable under chapter 176 when the personal injury does not arise solely out of and in the course of employment as these issues are related to workers' compensation in Minnesota. A report containing the findings of the study shall be prepared and presented to the legislature no later than January 15, 1983.

Sec. 50. [DEPARTMENT OF LABOR AND INDUSTRY STUDY COMMISSION.]

Subdivision 1. [CREATION.] *A study commission is hereby created to study and report on:*

(a) The organization and operation of the department of labor and industry,

workers' compensation division, including but not limited to:

(1) The procedures for handling reports of injuries, claims for compensation, notices of discontinuance petitions for hearings related to disputes in connection with claims for compensation, and other matters connected with the department's administration of the law; and

(2) The procedures followed for settlement conferences pursuant to section 176.305; and

(3) The progress and effect of the computerization of the records and information system of the division; and

(b) The rehabilitation services of the workers' compensation division, including:

(1) The procedures followed with respect to the licensing, qualifications, and background of rehabilitation consultants utilized in the rehabilitation of injured employees;

(2) The administrative conference and settlement conference procedures followed by the division; and

(3) The role and effectiveness of the rehabilitation review panel.

Subd. 2. [MEMBERS.] *The commission shall consist of six members of the house of representatives appointed by the speaker and six members of the senate appointed by the subcommittee on committees.*

Subd. 3. [REPORT.] *The commission shall report its findings and recommendations to the governor and legislature not later than December 15, 1983. The report shall recommend any necessary changes in laws in order to improve the administration of the workers' compensation laws and the delivery of fair, efficient, and effective rehabilitation services to injured employees within the state.*

Subd. 4. [HEARINGS.] *The commission shall hold meetings and hearings at the times and places it designates to accomplish the purposes set forth in this section. It shall select a chairman and other officers from its membership as it deems necessary.*

Subd. 5. [STAFF AND SERVICES.] *The commission shall make use of existing legislative facilities and staff of the house and senate research departments and senate counsel but it may also request the legislative coordinating commission to supply it with additional necessary staff, office space, and administrative services. All additional personnel shall be hired and supervised by the directors of the house and senate research departments and senate counsel. The commission shall have full authority to contract for expert services and opinions relevant to the purposes of this section.*

Sec. 51. [REPEALER.]

Minnesota Statutes 1980, Sections 79.211, Subdivision 1; 176.011, Subdivisions 14 and 18; 176.095; 176.101, as amended by Laws 1981, Chapter 346, Section 75; 176.102, as amended by Laws 1981, Chapter 346, Section 76; 176.105, as amended by Laws 1981, Chapter 346, Section 77; 176.111, as amended by Laws 1981, Chapter 346, Sections 78 to 83; 176.235, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 176.021, Sub-

division 3a; 176.152, are repealed.

Sec. 52. [EFFECTIVE DATE.]

Sections 1 to 47 and 51 are effective January 1, 1983. Sections 48 to 50 are effective the day following their final enactment."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Knutson	Peterson,D.L.	Sieloff
Bang	Brataas	Kronebusch	Pillsbury	Taylor
Belanger	Engler	Langseth	Ramstad	Ulland
Benson	Frederick	Lessard	Renneke	
Berg	Frederickson	Lindgren	Rued	
Bernhagen	Kamrath	Menning	Schmitz	

Those who voted in the negative were:

Berglin	Hanson	Moe, D. M.	Petty	Stumpf
Chmielewski	Hughes	Moe, R. D.	Purfeerst	Tennessen
Dahl	Johnson	Nelson	Setzepfandt	Vega
Davies	Knoll	Olhoft	Sikorski	Waldorf
Davis	Kroening	Pehler	Solon	Wegener
Dicklich	Lantry	Penny	Spear	Willet
Dieterich	Luther	Peterson,C.C.	Stern	
Frank	Merriam	Peterson,R.W.	Stokowski	

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

Mr. Taylor moved to amend the amendment placed on H.F. No. 1220 as follows:

Strike all the amendments adopted by the Committee on Rules and Administration on March 12, 1982.

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Knutson	Penny	Renneke
Bang	Brataas	Kronebusch	Peterson,C.C.	Rued
Belanger	Engler	Langseth	Peterson,D.L.	Sieloff
Benson	Frederick	Lindgren	Pillsbury	Taylor
Berg	Frederickson	Menning	Purfeerst	Ulland
Bernhagen	Kamrath	Olhoft	Ramstad	

Those who voted in the negative were:

Berglin	Hanson	Moe, D. M.	Sikorski	Vega
Chmielewski	Hughes	Moe, R. D.	Solon	Waldorf
Dahl	Johnson	Nelson	Spear	Wegener
Davis	Kroening	Pehler	Stern	Willet
Dicklich	Lantry	Petty	Stokowski	
Dieterich	Lessard	Schmitz	Stumpf	
Frank	Luther	Setzepfandt	Tennessen	

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

Mr. Taylor then moved to amend the amendment placed on H. F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 53, line 9, reinstate the stricken "75th" and delete " *60th*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knutson	Pillsbury	Sieloff
Bang	Frank	Kronebusch	Purfeerst	Solon
Belanger	Frederick	Lessard	Ramstad	Taylor
Benson	Frederickson	Lindgren	Renneke	Ulland
Berg	Hughes	Peterson,D.L.	Rued	
Bernhagen	Kamrath	Peterson,R.W.	Schmitz	
Brataas	Knoll	Petty	Setzepfandt	

Those who voted in the negative were:

Berglin	Dieterich	Menning	Penny	Tennessen
Bertram	Hanson	Merriam	Peterson,C.C.	Vega
Chmielewski	Johnson	Moe, D. M.	Sikorski	Waldorf
Dahl	Kroening	Moe, R. D.	Spear	Wegener
Davies	Langseth	Nelson	Stern	Willet
Davis	Lantry	Olhoft	Stokowski	
Dicklich	Luther	Pehler	Stumpf	

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

Mr. Sieloff moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 65, line 16, delete "*79.211, Subdivision 1;*"

Amend the title amendment as follows:

Page 130, line 21, delete "79.211, Subdivision 1;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Berg	Kroening	Petty	Ulland
Bang	Bertram	Kronebusch	Pillsbury	
Belanger	Engler	Lindgren	Rued	
Benson	Knutson	Peterson,D.L.	Sieloff	

Those who voted in the negative were:

Berglin	Frederickson	Luther	Purfeerst	Stokowski
Bernhagen	Hanson	Menning	Ramstad	Taylor
Brataas	Hughes	Moe, D. M.	Renneke	Tennessen
Chmielewski	Johnson	Moe, R. D.	Schmitz	Vega
Dahl	Kamrath	Nelson	Setzepfandt	Waldorf
Davis	Knoll	Olhoft	Sikorski	Wegener
Dicklich	Langseth	Pehler	Solon	Willet
Dieterich	Lantry	Penny	Spear	
Frank	Lessard	Peterson,C.C.	Stern	

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

Mr. Taylor then moved to amend the amendment placed on H. F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 74, line 22, after "percent" strike "if"

Page 74, strike lines 23 to 34

Page 74, line 35, strike everything before the semicolon and insert "*for 1982; nine-tenths of one percent for 1983; and seventy-five one-hundredths of one percent for 1984 and each year thereafter*"

Page 74, line 36, after "percent" insert "*for 1982; 8.5 percent for 1983; and 9.5 percent for 1984 and each year thereafter*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

Bang	Engler	Langseth	Pillsbury	Tennessen
Belanger	Frederick	Lindgren	Ramstad	Ulland
Benson	Frederickson	Menning	Renneke	
Berg	Kamrath	Olhoft	Rued	
Bernhagen	Knutson	Peterson,D.L.	Sieloff	
Bertram	Kronebusch	Petty	Taylor	

Those who voted in the negative were:

Berglin	Frank	Moe, D. M.	Schmitz	Vega
Brataas	Hanson	Moe, R. D.	Setzepfandt	Waldorf
Chmielewski	Hughes	Nelson	Sikorski	Wegener
Dahl	Johnson	Pehler	Solon	Willet
Davies	Knoll	Penny	Spear	
Davis	Kroening	Peterson,C.C.	Stern	
Dicklich	Lantry	Peterson,R.W.	Stokowski	
Dieterich	Luther	Purfeerst	Stumpf	

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

Mr. Taylor then moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 80, line 34, strike "15, or more,"

Page 80, line 35, strike "credit weeks" and strike "within the base"

Page 80, line 36, strike "period of employment" and insert "*a minimum of 20 credit weeks during the base period of a benefit year beginning during favorable economic conditions or a minimum of 15 credit weeks during the base period of a benefit year beginning during unfavorable economic conditions,*"

Page 81, line 1, strike "during his benefit"

Page 81, line 2, strike "year"

Page 82, after line 17, insert:

"*(5) For purposes of this subdivision, there are "unfavorable economic conditions" beginning with the third week after any week for which the rate of insured unemployment as determined by section 268.071, subdivision 1,*

clause (4), equals or exceeds four percent and 120 percent of the average of such rates for the corresponding 13 week period ending in each of the preceding two calendar years. Economic conditions are "favorable" beginning with any week when the requirements for "unfavorable economic conditions" are not met; or the 14th week after "unfavorable economic conditions" began, whichever occurs later."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 40, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kronebusch	Ramstad	Taylor
Belanger	Frederick	Langseth	Renneke	Ulland
Benson	Frederickson	Lindgren	Rued	
Berg	Kamrath	Peterson,D.L.	Schmitz	
Brataas	Knutson	Pillsbury	Sieloff	

Those who voted in the negative were:

Berglin	Hanson	Menning	Peterson,C.C.	Stern
Bertram	Hughes	Merriam	Peterson,R.W.	Stokowski
Chmielewski	Johnson	Moe, D. M.	Petty	Stumpf
Dahl	Knoll	Moe, R. D.	Purfeerst	Tennessen
Davies	Kroening	Nelson	Setzepfandt	Vega
Davis	Lantry	Olhoft	Sikorski	Waldorf
Dieterich	Lessard	Pehler	Solon	Wegener
Frank	Luther	Penny	Spear	Willet

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

Mr. Taylor then moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 80, line 34, strike "15" and insert "*18*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 39, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Frederickson	Olhoft	Rued
Bang	Bertram	Kamrath	Peterson,D.L.	Sieloff
Belanger	Brataas	Kronebusch	Pillsbury	Taylor
Benson	Engler	Langseth	Ramstad	Ulland
Berg	Frederick	Lindgren	Renneke	

Those who voted in the negative were:

Berglin	Hanson	Menning	Peterson,R.W.	Stokowski
Chmielewski	Hughes	Merriam	Petty	Stumpf
Dahl	Johnson	Moe, D. M.	Purfeerst	Tennessen
Davies	Knoll	Moe, R. D.	Schmitz	Vega
Davis	Kroening	Nelson	Setzepfandt	Waldorf
Dicklich	Lantry	Pehler	Sikorski	Wegener
Dieterich	Lessard	Penny	Spear	Willet
Frank	Luther	Peterson,C.C.	Stern	

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

Mr. Taylor then moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March

12, 1982, as follows:

Page 96, line 14, delete "*4*" and insert "*8*"

Page 99, line 18, delete "*4*" and insert "*8*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

Ashbach	Bertram	Knutson	Pillsbury	Tennessen
Bang	Brataas	Kronebusch	Ramstad	Ulland
Belanger	Engler	Menning	Renneke	Wegener
Benson	Frederick	Merriam	Rued	
Berg	Frederickson	Olhoft	Sieloff	
Bernhagen	Kamrath	Peterson,D.L.	Taylor	

Those who voted in the negative were:

Berglin	Hanson	Luther	Petty	Stumpf
Chmielewski	Hughes	Moe, D. M.	Purfeerst	Vega
Dahl	Johnson	Moe, R. D.	Schmitz	Waldorf
Davies	Knoll	Nelson	Setzepfandt	Willet
Davis	Kroening	Pehler	Sikorski	
Dicklich	Langseth	Penny	Spear	
Dieterich	Lantry	Peterson,C.C.	Stern	
Frank	Lessard	Peterson,R.W.	Stokowski	

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

Mr. Taylor then moved to amend the amendment placed on H.F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 66, after line 22, insert:

"Sec. 2. Minnesota Statutes 1980, Section 268.04, Subdivision 23, is amended to read:

Subd. 23. "Unemployment". An individual shall be deemed "unemployed" in any week during which he performs no service and with respect to which no wages are payable to him, or in any week of less than full time work *or a week of full time work by a seasonal worker* if the wages payable to him with respect to such week are less than his weekly benefit amount. Any individual unemployed as a result of a uniform vacation shutdown shall not be deemed to be voluntarily unemployed. The commissioner may, in his discretion, prescribe regulations relating to the payment of benefits to such unemployed individuals."

Page 82, line 12, after "$25" insert "*or in the case of a seasonal worker, as defined in section 268.09, subdivision 2, earnings in excess of $50*"

Page 99, line 33, after the period, insert "*Any wage equaling or exceeding the applicable state or federal minimum wage shall not be deemed an unsuitable wage for a seasonal worker in the off season. For purposes of this clause (a) "seasonal worker" means a claimant whose employer customarily suspends or significantly curtails operations for regularly recurring periods or whose usual occupation cannot be performed for any employer in the labor market area because climatic conditions prohibit performance of the normal duties of the occupation.*"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 21 and nays 38, as follows:

Those who voted in the affirmative were:

Ashbach	Bernhagen	Kamrath	Ramstad	Ulland
Bang	Bertram	Kronebusch	Renneke	
Belanger	Brataas	Menning	Rued	
Benson	Engler	Peterson,D.L.	Schmitz	
Berg	Frederickson	Pillsbury	Taylor	

Those who voted in the negative were:

Berglin	Hanson	Luther	Peterson,R.W.	Stumpf
Chmielewski	Hughes	Moe, D. M.	Petty	Tennessen
Dahl	Johnson	Moe, R. D.	Purfeerst	Vega
Davies	Knoll	Nelson	Setzepfandt	Waldorf
Davis	Kroening	Olhoft	Sikorski	Wegener
Dicklich	Langseth	Pehler	Solon	Willet
Dieterich	Lantry	Penny	Spear	
Frank	Lessard	Peterson,C.C.	Stokowski	

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

Mr. Tennessen moved to amend the amendment placed on H. F. No. 1220, by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 107, line 10, after the period, insert "*The data provided by the department of revenue shall be limited to the amount of gross income earned by an individual, the total amount of earnings from each employer and the employers' names. Upon receipt of the data, the department of economic security may not disseminate the data to any individual or agency except in connection with a prosecution for violation of the provisions of sections 268.03 to 268.24.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1220 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 32 and nays 32, as follows:

Those who voted in the affirmative were:

Bertram	Hughes	Merriam	Peterson,R.W.	Tennessen
Chmielewski	Knoll	Moe, R. D.	Petty	Waldorf
Dahl	Langseth	Nelson	Schmitz	Wegener
Davies	Lantry	Olhoft	Setzepfandt	Willet
Davis	Lessard	Pehler	Sikorski	
Dieterich	Luther	Penny	Spear	
Hanson	Menning	Peterson,C.C.	Stern	

Those who voted in the negative were:

Ashbach	Brataas	Kamrath	Purfeerst	Stumpf
Bang	Dicklich	Knutson	Ramstad	Taylor
Belanger	Engler	Kroening	Renneke	Ulland
Benson	Frank	Kronebusch	Rued	Vega
Berg	Frederick	Moe, D. M.	Sieloff	
Berglin	Frederickson	Peterson,D.L.	Solon	
Bernhagen	Johnson	Pillsbury	Stokowski	

So the bill, as amended, failed to pass.

RECONSIDERATION

Mr. Solon moved that the vote whereby H.F. No. 1220 failed to pass the Senate on March 12, 1982, be now reconsidered.

Mr. Moe, R.D. moved that the Senate do now recess until 1:30 a.m.

Mr. Ulland moved that the Senate do now adjourn until 11:00 a.m., Saturday, March 13, 1982. The motion did not prevail.

RECESS

The question recurred on the motion of Mr. Moe, R.D. that the Senate do now recess until 1:30 a.m. The motion prevailed.

The hour of 1:30 a.m. having arrived, the President called the Senate to order.

The question recurred on the motion of Mr. Solon to reconsider the vote whereby H.F. No. 1220 failed to pass the Senate on March 12, 1982. The motion prevailed.

H.F. No. 1220 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 36 and nays 28, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Moe, D. M.	Petty	Tennessen
Bertram	Knoll	Moe, R. D.	Schmitz	Waldorf
Chmielewski	Langseth	Nelson	Setzepfandt	Wegener
Dahl	Lantry	Olhoft	Sikorski	Willet
Davies	Lessard	Pehler	Solon	
Davis	Luther	Penny	Spear	
Dieterich	Menning	Peterson,C.C.	Stern	
Hanson	Merriam	Peterson,R.W.	Stokowski	

Those who voted in the negative were:

Ashbach	Brataas	Johnson	Pillsbury	Stumpf
Bang	Dicklich	Kamrath	Purfeerst	Taylor
Belanger	Engler	Knutson	Ramstad	Ulland
Benson	Frank	Kroening	Renneke	Vega
Berg	Frederick	Kronebusch	Rued	
Bernhagen	Frederickson	Peterson,D.L.	Sieloff	

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference

Committee on:

S.F. No. 639: Messrs. Schmitz, Stumpf and Vega.

S.F. No. 536: Messrs Chmielewski, Setzepfandt and Mrs. Brataas.

H.F. No. 1611: Messrs. Bang, Lessard and Peterson, R.W.

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

Without objection, the Senate reverted to Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1207: A bill for an act relating to intoxicating liquor; providing an exemption from the multiple interest limitation on off-sale licenses for pre-existing franchise agreements; authorizing the issuance of two additional wine licenses outside the liquor patrol limit of the city of St. Paul; amending Minnesota Statutes 1980, Section 340.13, Subdivision 3.

Senate File No. 1207 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Stern moved that the Senate concur in the amendments by the House to S.F. No. 1207 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1207: A bill for an act relating to intoxicating liquor; providing an exemption from the multiple interest limitation on off-sale licenses for pre-existing franchise agreements; amending Minnesota Statutes 1980, Section 340.13, Subdivision 3.

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

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

The roll was called, and there were yeas 43 and nays 16, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kronebusch	Penny	Stokowski
Benson	Frank	Langseth	Petty	Stumpf
Berglin	Frederick	Lantry	Pillsbury	Tennessen
Bertram	Hanson	Lessard	Purfeerst	Vega
Chmielewski	Hughes	Luther	Schmitz	Waldorf
Dahl	Johnson	Moe, D. M.	Setzepfandt	Wegener
Davis	Knoll	Moe, R. D.	Sikorski	Willet
Dicklich	Knutson	Olhoft	Spear	
Dieterich	Kroening	Pehler	Stern	

Those who voted in the negative were:

Bang	Frederickson	Merriam	Peterson,R.W.	Rued
Bernhagen	Kamrath	Peterson,C.C.	Ramstad	Solon
Brataas	Menning	Peterson,D.L.	Renneke	Ulland
Davies				

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

MOTIONS AND RESOLUTIONS - CONTINUED

Messrs. Dicklich, Johnson, Lessard, Solon and Ulland introduced—

Senate Resolution No. 84: A Senate resolution urging the President and Congress of the United States to resist attempts by the World Bank to assist on the construction of a taconite facility in Brazil.

Mr. Dicklich moved that Senate Resolution No. 84 be laid on the table. The motion prevailed.

MEMBERS EXCUSED

Mr. Lindgren was excused from this evening's Session at 12:30 a.m.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Saturday, March 13, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

EIGHTY-NINTH DAY

St. Paul, Minnesota, Saturday, March 13, 1982

The Senate met at 11:00 a.m. and was called to order by the President.

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.

CALL OF THE SENATE

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

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

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

Ashbach	Dicklich	Kronebusch	Penny	Sikorski
Bang	Dieterich	Langseth	Peterson, C.C.	Solon
Belanger	Engler	Lantry	Peterson, D.L.	Spear
Benson	Frank	Lessard	Peterson, R.W.	Stern
Berg	Frederick	Lindgren	Petty	Stokowski
Berglin	Frederickson	Luther	Pillsbury	Stumpf
Bernhagen	Hanson	Menning	Purfeerst	Taylor
Bertram	Hughes	Merriam	Ramstad	Tennessen
Brataas	Johnson	Moe, D.M.	Renneke	Ulland
Chmielewski	Kamrath	Moe, R.D.	Rued	Vega
Dahl	Knoll	Nelson	Schmitz	Waldorf
Davies	Knutson	Olhoft	Setzepfandt	Wegener
Davis	Kroening	Pehler	Sieloff	Willet

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Humphrey and Keefe were excused from the Session of today. Mr. Dahl was excused from the Session of today from 11:00 a.m to 1:00 p.m. Mr. Stern was excused from the Session of today from 11:00 a.m. to 5:30 p.m. Mr. Lindgren was excused from the Session of today from 5:00 to 7:00 p.m. Messrs. Lessard and Sikorski were excused from the Session of today from 1:15 to 2:15 p.m.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H.F. No. 2136:

Messrs. Willet, Sikorski, Penny, Engler and Luther. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1950, 1078, 1424, 1740, 1949, 1561, 2051, 2054, 276, 1713, 1818 and 1837.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1706: A bill for an act relating to insurance; authorizing separate accounts for certain pension plans; amending Minnesota Statutes 1981 Supplement, Section 61A.282, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 61A.

Senate File No. 1706 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. Petty moved that the Senate do not concur in the amendments by the House to S.F. No. 1706, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1907: A bill for an act relating to real property; requiring certification by the municipality prior to transfer by the county auditor of certain unplatted properties; proposing new law coded in Minnesota Statutes, Chapter 272.

Senate File No. 1907 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. Merriam moved that the Senate do not concur in the amendments by the House to S.F. No. 1907, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House.

The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2141: A bill for an act relating to local government; allowing towns and cities to set license fees for cigarette sellers; amending Minnesota Statutes 1980, Section 461.12.

Senate File No. 2141 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Peterson, R.W. moved that the Senate concur in the amendments by the House to S.F. No. 2141 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2141: A bill for an act relating to local government; authorizing county boards to publish its official proceedings completely or partially; allowing towns and cities to set license fees for cigarette sellers; amending Minnesota Statutes 1980, Sections 375.12, Subdivision 1; and 461.12; repealing Minnesota Statutes 1980, Sections 461.03 to 461.06; and 461.14.

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

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

The roll was called, and there were yeas 46 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederickson	Lantry	Peterson,R.W.	Spear
Bang	Hanson	Lessard	Petty	Stumpf
Belanger	Hughes	Lindgren	Pillsbury	Tennessen
Benson	Johnson	Luther	Purfeerst	Ulland
Berg	Kamrath	Merriam	Ramstad	Vega
Berglin	Knoll	Moe, R. D.	Renneke	Wegener
Bertram	Knutson	Nelson	Rued	
Davies	Kroening	Olhoft	Setzepfandt	
Dicklich	Kronebusch	Peterson,C.C.	Sieloff	
Frank	Langseth	Peterson,D.L.	Solon	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1908: A bill for an act relating to waters and watercraft safety; amending the definition of watercraft; defining paddle boat; changing regis-

tration fees; amending Minnesota Statutes 1980, Sections 361.02, Subdivision 7, and by adding a subdivision; and 361.03, Subdivision 3.

Senate File No. 1908 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S.F. No. 1908 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1908: A bill for an act relating to waters and watercraft safety; clarifying certain watercraft definitions and changing registration fees; amending Minnesota Statutes 1980, Sections 361.02, by adding a subdivision; and 361.03, Subdivisions 3 and 12.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Lantry	Peterson,D.L.	Stokowski
Bang	Frank	Lindgren	Peterson,R.W.	Stumpf
Belanger	Frederick	Luther	Petty	Taylor
Benson	Frederickson	Menning	Pillsbury	Tennessen
Berg	Hanson	Merriam	Ramstad	Ulland
Berglin	Hughes	Moe, R. D.	Renneke	Vega
Bertram	Johnson	Nelson	Rued	Wegener
Chmielewski	Kamrath	Olhoft	Setzepfandt	Willet
Davies	Knutson	Pehler	Sikorski	
Davis	Kronebusch	Penny	Solon	
Dicklich	Langseth	Peterson,C.C.	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1503: A bill for an act relating to game and fish; fees for firearms safety courses; amending Minnesota Statutes 1980, Section 97.85, Subdivision 1.

Senate File No. 1503 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Peterson, R.W. moved that the Senate concur in the amendments by the House to S.F. No. 1503 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1503: A bill for an act relating to game and fish; fees for firearms safety and snowmobile courses; amending Minnesota Statutes 1980, Sections 84.86, Subdivision 1; and 97.85, Subdivision 1.

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

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

The roll was called, and there were yeas 47 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Luther	Petty	Stokowski
Bang	Frank	Menning	Pillsbury	Stumpf
Belanger	Frederick	Merriam	Purfeerst	Taylor
Berg	Hanson	Moe, D. M.	Ramstad	Tennessen
Berglin	Hughes	Moe, R. D.	Rued	Vega
Bertram	Kroening	Olhoft	Schmitz	Waldorf
Chmielewski	Kronebusch	Pehler	Setzepfandt	Willet
Davies	Langseth	Penny	Sieloff	
Davis	Lantry	Peterson,D.L.	Sikorski	
Dieterich	Lindgren	Peterson,R.W.	Solon	

Those who voted in the negative were:

Benson	Dicklich	Johnson	Renneke	Ulland
Bernhagen	Frederickson	Kamrath		

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1838: A bill for an act relating to administrative procedures; providing for notice of temporary rulemaking; amending Minnesota Statutes 1981 Supplement, Section 15.0412, Subdivision 5.

Senate File No. 1838 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

CONCURRENCE AND REPASSAGE

Mr. Lindgren moved that the Senate concur in the amendments by the House to S.F. No. 1838 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1838: A bill for an act relating to administrative procedures; providing for notice of temporary rulemaking; amending Minnesota Statutes 1981 Supplement, Section 15.0412, Subdivision 5; and 256B.02, Subdivision

8, as amended.

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

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

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

Those who voted in the affirmative were:

Ashbach	Frank	Lessard	Peterson,D.L.	Solon
Belanger	Frederick	Lindgren	Peterson,R.W.	Spear
Benson	Frederickson	Luther	Petty	Stokowski
Berg	Hanson	Menning	Pillsbury	Stumpf
Berglin	Hughes	Merriam	Purfeerst	Taylor
Bertram	Johnson	Moe, D. M.	Ramstad	Tennessen
Chmielewski	Kamrath	Moe, R. D.	Renneke	Ulland
Davies	Kroening	Nelson	Rued	Vega
Davis	Kronebusch	Olhoft	Schmitz	Waldorf
Dicklich	Langseth	Pehler	Sieloff	Willet
Dieterich	Lantry	Penny	Sikorski	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of five members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 303: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, by adding a section to authorize at the track parimutuel betting on races if authorized by law; proposing an amendment to the Minnesota Constitution by repealing Article XIII, Section 5, the prohibition against lotteries.

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

Reding, Kostohryz, Halberg, McDonald and Osthoff.

Senate File No. 303 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 12, 1982

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to the following House File:

H.F. No. 1760: A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; 626A.05, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement,

Section 609.53, Subdivision 2a.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Pogemiller, Lehto and Johnson, D. have been appointed as such committee on the part of the House.

House File No. 1760 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Petty moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1760, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2058:

H.F. No. 2058: A bill for an act relating to public welfare; providing for classification, access, and destruction of certain child abuse report records; clarifying the classification of reports regarding vulnerable adults; amending Minnesota Statutes 1980, Sections 626.556, Subdivisions 3, 7, and by adding a subdivision; 626.557, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 626.556, Subdivision 11.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Hokanson, Hokr and Samuelson have been appointed as such committee on the part of the House.

House File No. 2058 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Ms. Berglin moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2058, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 534:

H.F. No. 534: A bill for an act relating to the collection and dissemination of data; administration of the state archives and state and local government records; classifying data; providing a penalty; amending Minnesota Statutes 1980, Sections 15.17; 138.161; 138.17, Subdivisions 1, 6, 7, and by adding sub-

divisions; 138.19; 138.20; 138.21; proposing new law coded in Minnesota Statutes, Chapter 138; repealing Minnesota Statutes 1980, Sections 16.66 and 138.18.

And the House respectfully requests that a Conference Committee of three members be appointed thereon:

Clawson, Byrne and Dean have been appointed as such committee on the part of the House.

House File No. 534 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

Mr. Stumpf moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 534, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1804 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1804 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1804

A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; proposing new law coded in Minnesota Statutes, Chapter 344.

March 11, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1804, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1804 be further amended as follows:

Page 1, delete lines 8 to 10, and insert:

"*A town board may, by resolution, exempt adjoining owners or occupants*

from this chapter when the land of the adjoining owners or occupants considered together is less than 20 acres.''

Page 1, line 12, delete ''*governing body*'' and insert ''*town board*''

Page 1, line 14, delete ''*chapter 344*'' and insert ''*this chapter*''

Page 1, line 16, delete ''*governing body*'' and insert ''*town board*''

Page 1, line 18, delete ''*governing body*'' and insert ''*town board*''

Page 1, line 18, delete ''*such*'' and insert ''*the adoption of*''

Page 1, line 19, delete ''*voters*'' and insert ''*electors*''

Page 1, line 19, delete ''*a*'' and insert ''*an annual or special*''

Page 1, line 20, after ''*meeting*'' delete everything before the period

Page 1, line 21, delete ''*Chapter 344 governs*'' and insert '' *This chapter applies to*''

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

House Conferees: (Signed) Carl M. Johnson, Mary Murphy, Gary W. Laidig

Senate Conferees: (Signed) Earl W. Renneke, Gerald L. Willet, Marion (Mike) Menning

Mr. Renneke moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1804 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1804 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Lindgren	Pillsbury	Stokowski
Bang	Frank	Luther	Purfeerst	Stumpf
Belanger	Frederickson	Merriam	Ramstad	Taylor
Benson	Hanson	Moe, D. M.	Renneke	Tennessen
Berg	Hughes	Nelson	Rued	Vega
Bernhagen	Kamrath	Olhoft	Schmitz	Waldorf
Bertram	Knutson	Pehler	Setzepfandt	Wegener
Chmielewski	Kroening	Penny	Sieloff	Willet
Davies	Kronebusch	Peterson,D.L.	Sikorski	
Davis	Langseth	Peterson,R.W.	Solon	
Dicklich	Lantry	Petty	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1555 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1555 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1555

A bill for an act relating to education; providing for aids to education, tax levies, and the distribution of tax revenues; governing the recognition of school district property tax revenues and the computation of levies; granting certain powers and duties to school districts, the state board of education, and others; altering the method of distribution of transportation aid; altering aids for summer school; repealing certain administrative rules; reducing certain appropriations; appropriating money; amending Minnesota Statutes 1980, Sections 120.17, Subdivision 4a; 121.11, Subdivision 12; 121.908, Subdivision 3; 121.912, Subdivisions 2 and 3; 122.90, Subdivision 1; 123.37, Subdivision 1b; 123.741, Subdivision 1; 123.78, Subdivision 1; 124.19, Subdivision 1, and by adding a subdivision; 124.213, Subdivision 2; 124.32, Subdivisions 7 and 10; 126.262, Subdivision 1; 126.264, Subdivision 3; 126.265; 126.267; 134.34, by adding a subdivision; 275.125, Subdivision 1a, as added; 275.125, Subdivisions 2a, 2d, 2e, 5, as amended, 6b, 6c, 7a, 7c, 9, 19, 20, and by adding subdivisions; 275.48; 298.28, Subdivision 1; 475.61, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 120.17, Subdivisions 5a and 6; 121.904, Subdivisions 4 and 7; 122.531, Subdivision 6; 122.542, Subdivisions 3 and 4; 123.35, by adding a subdivision; 123.702, Subdivisions 1 and 1a; 123.705; 124.01, Subdivision 1; 124.17, Subdivision 2; 124.2121, Subdivisions 2, 4, and 5, as amended; 124.2122, Subdivisions 1, and 2, as amended; 124.2123, Subdivisions 1, 3, and by adding a subdivision; 124.2124, Subdivisions 1, as amended, and 3; 124.2125, Subdivision 1, as amended; 124.2126, Subdivision 3; 124.2128, Subdivisions 1 and 5; 124.2129, Subdivision 3, and by adding a subdivision; 124.213, Subdivision 2; 124.223; 124.225, as amended; 124.245, Subdivisions 1 and 1a; 124.251; 124.271, Subdivision 2a; 124.32, Subdivisions 1, 1a, and 5; 124.38, Subdivision 7; 124.5624, Subdivisions 3 and 4; 124.5627, Subdivisions 3, 4, and 5; 125.611, Subdivision 5; 136A.81, Subdivision 1; 275.125, Subdivisions 8 and 11b; Laws 1981, Chapter 358, Article II, Section 15, Subdivision 3; Article VII, Section 29, as amended; Third Special Session Chapter 2, Article II, Sections 1, 2, 15, and 20; Article IV, Sections 3, Subdivisions 2 and 3; 5, Subdivision 3, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 120 and 124; repealing Minnesota Statutes 1980, Sections 121.904, Subdivisions 4a and 4b, as added; 121.96; 123.37, Subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 128.05; Laws 1967, Chapters 251 and 253; and Laws 1976, Chapter 20, Section 8.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1555, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 1555 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE I

FOUNDATION AID

Section 1. [120.181] [TEMPORARY PLACEMENTS FOR CARE AND TREATMENT OF NON-HANDICAPPED PUPILS.] *The responsibility for providing instruction and transportation for a non-handicapped pupil who has a short-term or temporary physical or emotional illness or disability, as determined by the standards of the state board, and who is temporarily placed for care and treatment for that illness or disability, shall be determined in the following manner:*

(a) The school district of residence of the pupil shall be the district in which the pupil's parent or guardian resides or the district designated by the commissioner of education if neither parent nor guardian is living within the state.

(b) Prior to the placement of a pupil for care and treatment, the district of residence shall be notified and provided an opportunity to participate in the placement decision. When an immediate emergency placement is necessary and time does not permit resident district participation in the placement decision, the district in which the pupil is temporarily placed, if different from the district of residence, shall notify the district of residence of the emergency placement within 15 days of the placement.

(c) When a non-handicapped pupil is temporarily placed for care and treatment in a day program and the pupil continues to live within the district of residence during the care and treatment, the district of residence shall provide instruction and necessary transportation for the pupil. The district may provide the instruction at a school within the district of residence, at the pupil's residence, or in the case of a placement outside of the resident district, in the district in which the day treatment program is located by paying tuition to that district.

(d) When a non-handicapped pupil is temporarily placed in a residential program for care and treatment, the district in which the pupil is placed shall provide instruction for the pupil and necessary transportation within that district while the pupil is receiving instruction, and in the case of a placement outside of the district of residence, the nonresident district shall bill the district of residence for the actual cost of providing the instruction, excluding transportation costs.

(e) The district of residence shall receive foundation aid for the pupil and pay tuition and other instructional costs, excluding transportation costs, to the district providing the instruction. Transportation costs shall be paid by the district providing the transportation and the state shall pay transportation aid to that district. For purposes of computing state transportation aid, pupils governed by this subdivision shall be included in the handicapped transportation category.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 124.212, Subdivision

1, is amended to read:

Subdivision 1. [COMPONENTS.] Foundation aid for each school district for each school year shall equal the sum of the following:

(a) Basic foundation aid;

(b) Grandfather aid;

(c) Replacement aid;

(d) Discretionary aid;

(e) State school agricultural tax credit aid;

(f) Minimum aid; ~~and~~

(g) Foundation aid for shared time pupils; *and*

(h) Low fund balance aid.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 124.2122, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article II, Section 5, is amended to read:

Subdivision 1. [FORMULA ALLOWANCE.] "Foundation aid formula allowance" or "formula allowance" means the amount of revenue per pupil unit used in the computation of foundation aid for a particular school year and in the computation of permissible levies for use in that school year. The formula allowance shall be $1,333 for foundation aid for the 1981-1982 school year. The formula allowance shall be $1,346 for 1981 payable 1982 levies and for foundation aid for the 1982-1983 school year. *The formula allowance shall be $1,475 for the 1982 payable 1983 levies and for foundation aid for the 1983-1984 school year.*

Sec. 4. Minnesota Statutes 1981 Supplement, Section 124.2122, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article II, Section 6, is amended to read:

Subd. 2. [BASIC MAINTENANCE MILL RATE.] "Basic maintenance mill rate" means the mill rate applicable to the adjusted assessed valuation of a district, used in the computation of basic foundation aid for a particular school year and of the basic maintenance levy for use in that school year. The basic maintenance mill rate shall be .021 for the 1980 payable 1981 levy and for foundation aid for the 1981-1982 school year. The basic maintenance mill rate shall be .024 for 1981 payable 1982 levies and for foundation aid for the 1982-1983 school year. *The basic maintenance mill rate shall be .024 for the 1982 payable 1983 levies and for foundation aid for the 1983-1984 school year. A district may levy less than 24 mills. If a district levies at least 95 percent of an amount equal to 23 mills times the adjusted assessed valuation of the district, basic foundation aid shall be computed as though the district had levied 24 mills times the adjusted assessed valuation of the district.*

Sec. 5. Minnesota Statutes 1981 Supplement, Section 124.2124, Subdivision 1, is amended as follows:

Subdivision 1. [REPLACEMENT COMPONENTS.] (a) A district's "fluctuating enrollment replacement component" shall equal the amount of additional foundation aid or basic maintenance levy revenue the district would have

received for the 1980-1981 school year if declining or growing enrollment pupil units had been used in the computation of basic foundation aid for 1980-1981 pursuant to Minnesota Statutes 1980, Section 124.212, Subdivision 7c, Clause (1) or of the 1979 basic maintenance levy limitation pursuant to Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 2b or 2c.

(b) Beginning with the aid and levy revenue for the 1983-1984 school year, in any district where the actual number of pupil units increased from the 1979-1980 school year to the 1980-1981 school year, the district's "recomputed fluctuating enrollment replacement component" shall equal the amount of additional foundation aid or basic maintenance levy revenue the district would have received for the 1980-1981 school year if the district had qualified for the greater of either the 1980-1981 declining enrollment pupil units or the 1980-1981 growing enrollment pupil units to be used in the computation of basic foundation aid for 1980-1981 pursuant to Minnesota Statutes 1980, Section 124.212, Subdivision 7c, Clause (1) or of the 1979 basic maintenance levy limitation pursuant to Minnesota Statutes 1979 Supplement, Section 275.125, Subdivision 2b or 2c.

~~(b)~~ *(c)* A district's "sparsity replacement component" shall equal the amount of additional aid the district would have received for the 1980-1981 school year if Minnesota Statutes, 1979 Supplement, Section 124.224 had been effective for 1980-1981.

~~(c)~~ *(d)* A district's "basic replacement entitlement" shall equal the sum of *(1) the greater of (i)* its fluctuating enrollment replacement component, *or (ii) its recomputed fluctuating enrollment replacement component,* and *(2)* its sparsity replacement component~~,~~ *;* divided by its total pupil units in 1980-1981.

~~(d)~~ *(e)* "Replacement inflator" for any school year means the ratio of the foundation aid formula allowance for that school year to $1,265. For the 1981-1982 school year, however, the replacement inflator shall equal 107 percent.

~~(e)~~ *(f)* A district's "replacement allowance" for each school year shall equal its basic replacement entitlement times the replacement inflator for that school year.

~~(f)~~ *(g)* A district's "replacement levy limitation" means its levy limitation computed pursuant to section 275.125, subdivision 6c.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 124.2125, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article II, Section 8, is amended to read:

Subdivision 1. [DISCRETIONARY ALLOWANCE; DEFINITION.] "Discretionary allowance" means the amount of revenue per pupil unit used to compute discretionary aid for a particular school year and the discretionary levy for use in that school year. The discretionary allowance shall equal the formula allowance for the school year times the ratio of the discretionary mill rate to the basic maintenance mill rate for levies for use in that school year, rounded to the nearest cent. However, the discretionary allowance for the ~~1981-1982 school year shall equal $64.48, and the discretionary allowance for the~~ 1982-1983 school year shall ~~equal $138.52~~ *be computed as though the formula allowance were $1,416.*

Sec. 7. Minnesota Statutes 1981 Supplement, Section 124.2125, Subdivision 2, is amended to read:

Subd. 2. [DISCRETIONARY MILL RATE.] "Discretionary mill rate" means the mill rate used to compute the discretionary levy, the discretionary allowance, and discretionary aid for use in a particular school year. The discretionary mill rate shall equal .001 for 1981-1982 aid. For the 1981 payable 1982 levy and 1982-1983 aid, ~~and for the levy and aid for succeeding years,~~ the discretionary mill rate shall ~~equal~~ *not exceed* .00225 in districts which levy pursuant to section 275.125, subdivision 7a, clause (2), and .001 in districts which levy pursuant to section 275.125, subdivision 7a, clause (3). *For the 1982 payable 1983 levy and 1983-1984 aid, and for the levy and aid for succeeding years, the discretionary mill rate shall not exceed .00250 in districts which levy pursuant to section 275.125, subdivision 7a, clause (2), and .001 in districts which levy pursuant to section 275.125, subdivision 7a, clause (3).*

Sec. 8. Minnesota Statutes 1981 Supplement, Section 124.2126, Subdivision 3, is amended to read:

Subd. 3. [MINIMUM AID.] A qualifying district's minimum aid for each school year shall equal its minimum guarantee for that school year, minus the sum of:

(1) The amount of the district's state school agricultural tax credit aid for that school year;

(2) The amount by which property taxes of the district for use in that school year are reduced by the homestead credit provisions in section 273.13, subdivisions 6, 7, and 14a;

(3) The amount by which property taxes of the district for use in that school year are reduced by the taconite homestead credit provisions in section 273.135; ~~and~~

(4) The amount by which property taxes of the district for use in that school year are reduced by the attached machinery provisions in section 273.138, subdivision 6;

(5) The amount by which property taxes of the district for use in that school year are reduced by the state paid wetlands credit provisions in section 273.115;

(6) The amount by which property taxes of the district for use in that school year are reduced by the state paid native prairie credit provisions in section 273.116; and

(7) The amount by which property taxes of the district for use in that school year are reduced by the credit for reduced assessment provisions in section 273.139.

Sec. 9. [124.21271] [LOW FUND BALANCE FOUNDATION AID.]

Subdivision 1. [LOW FUND BALANCE ALLOWANCE; DEFINITION.] *"Low fund balance allowance" means an amount of revenue per actual pupil unit equal to the lesser of*

(a) $60; or

(b) the difference between

(i) $316, and

(ii) the district's net unappropriated fund balance in all operating funds per actual pupil unit as of June 30 in the year the levy is certified.

The low fund balance allowance shall be used to determine the low fund balance aid for a particular school year, and the low fund balance levy for use in that school year.

Subd. 2. [LOW FUND BALANCE REVENUE.] *A district's low fund balance revenue for each school shall equal its low fund balance allowance for that school year, times the actual pupil units for the preceding school year.*

Subd. 3. [LOW FUND BALANCE AID.] *A district's low fund balance aid for each school year shall equal its low fund balance revenue for that year, minus its low fund balance levy limitation for the levy for use in that school year.*

Sec. 10. Minnesota Statutes 1981 Supplement, Section 124.2128, Subdivision 1, is amended to read:

Subdivision 1. [UNDERLEVIES.] A district's basic foundation, grandfather, replacement ~~or~~, discretionary *or low fund balance* aid, as applicable, for any school year when the actual amount of the corresponding levy for use in that year is less than the permitted amount, shall be reduced by a percentage equal to the difference between the actual amount and the permitted amount, divided by the permitted amount. This provision shall apply to basic foundation aid only for a school year when the actual amount of the basic maintenance levy for use in that year is less than 95 percent of the permitted amount.

Sec. 11. Minnesota Statutes 1981 Supplement, Section 124.2129, Subdivision 3, is amended to read:

Subd. 3. [NOTIFICATION OF RESIDENT DISTRICT.] ~~Any school~~ *A* district educating ~~children~~ *a pupil* who ~~are residents~~ *is a resident* of another ~~school~~ district shall notify the district of residence within 60 days of the date the ~~child~~ *pupil* is determined by the district to be a nonresident, but not later than ~~October 1~~ *August 1* following the end of the school year in which the ~~child~~ *pupil* is educated. If the district of residence does not receive a notification from the providing district pursuant to this subdivision, it shall not be liable to that district for any tuition billing received after ~~October 1~~ *August 1* of the next school year.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 2d, is amended to read:

Subd. 2d. [REFERENDUM LEVY.] (1) The levy authorized by subdivision 2a may be increased in any amount which is approved by the voters of the district at a referendum called for the purpose. Such a referendum may be called by the school board or shall be called by the school board upon written petition of qualified voters of the district. The referendum shall be held on a date set by the school board. Only one such election may be held to approve a levy increase which will commence in a specific school year. *However, more than one referendum may be held to approve a levy increase to commence in the 1983-1984 school year.* The question on the ballot shall state the maximum

amount of the increased levy in mills, the amount that will be raised by that millage in the first year it is to be levied, and that the millage shall be used to finance school operations. The question may designate a specific number of years for which the referendum authorization shall apply. If approved, the amount provided by the approved millage applied to each year's taxable valuation shall be authorized for certification for the number of years approved, if applicable, or until revoked *or reduced* by the voters of the district at a subsequent referendum.

(2) A referendum on the question of revoking *or reducing* the increased levy amount authorized pursuant to clause (1) of this subdivision may be called by the school board and shall be called by the school board upon the written petition of qualified voters of the district. A levy approved by the voters of the district pursuant to clause (1) of this subdivision must be made at least once before it is subject to a referendum on its revocation *or reduction* for subsequent years. Only one such revocation *or reduction* election may be held to revoke *or reduce* a levy for any specific year and for years thereafter.

(3) A petition authorized by ~~clauses~~ *clause* (1) ~~or (2)~~ shall be effective if signed by a number of qualified voters in excess of 15 percent, or ten percent if the school board election is held in conjunction with a general election, of the average number of voters at the two most recent district wide school elections. A referendum invoked by petition shall be held within three months of submission of the petition to the school board.

(4) A petition authorized by clause (2) shall be effective if signed by a number of qualified voters in excess of five percent of the residents of the school district as determined by the most recent census. A revocation or reduction referendum invoked by petition shall be held within three months of submission of the petition to the school board.

~~(4)~~ *(5)* Notwithstanding any law to the contrary, the approval of 50 percent plus one of those voting on the question is required to pass a referendum.

~~(5)~~ *(6)* Within 30 days after the district holds a referendum pursuant to this clause, the district shall notify the commissioner of education of the results of the referendum.

Sec. 13. Minnesota Statutes 1980, Section 275.125, is amended by adding a subdivision to read:

Subd. 6d. [LOW FUND BALANCE LEVY.] *(1) For purposes of this subdivision, the term "low fund balance revenue" shall have the meaning given it in section 9 of this article.*

(2) Each year, a district where the net unappropriated fund balance in all operating funds as of June 30 is less than $316 per actual pupil unit may levy an amount equal to

(a) the product obtained by multiplying

(i) the district's low fund balance revenue for the school year to which the levy is attributable, times

(ii) the lesser of

(A) one or

(B) the ratio of the district's adjusted assessed valuation for the preceding

year per total pupil unit in the school year to which the levy is attributable, to 75 percent of the equalizing factor for the school year to which the levy is attributable.

Sec. 14. Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 7a, is amended to read:

Subd. 7a. [DISCRETIONARY LEVY.] (1) For purposes of this subdivision, the terms "discretionary allowance" and "discretionary mill rate" shall have the meanings given them in section 124.2125.

(2) ~~In 1981 and~~ Each year ~~thereafter~~, a district which levies the maximum permissible amount pursuant to subdivision 2a and subdivision 6b may levy an additional amount which shall not exceed the lesser of (a) an amount equal to the discretionary mill rate times the district's adjusted assessed valuation for the preceding year or (b) the product obtained by multiplying the applicable discretionary allowance times the actual and AFDC pupil units in the district in the school year when the levy is certified.

(3) ~~In 1981 and~~ Each year ~~thereafter~~, a district which levies the maximum permissible amount pursuant to subdivision 2a and subdivision 6b, and where the net unappropriated balance in all operating funds as of the preceding June 30 is less than $165 per actual and AFDC pupil unit in the district in the school year when the levy is certified, may levy an amount which shall not exceed the lesser of (a) one mill times the district's adjusted assessed valuation for the preceding year or (b) the product obtained by multiplying the applicable discretionary allowance times the total number of pupil units in the district in the school year when the levy is certified, without holding a public hearing or conducting a referendum pursuant to clause (5).

(4) The board is not required to hold a public hearing or conduct a referendum on the levy authorized by this subdivision in any year when it levies pursuant to clause (3) or when the board proposes to levy an amount not to exceed an amount equal to the preceding year's adjusted assessed valuation times the largest number of EARC mills ~~previously levied by the district~~ *the district was previously authorized to levy* pursuant to this subdivision.

(5)(a) Except as provided in clause (3), the provisions of clause (5) shall apply to the levy authorization in this subdivision in any year when the board either proposes to levy pursuant to this subdivision for the first time or proposes to increase the number of mills which it levies against its adjusted assessed valuation pursuant to this subdivision to a number of mills greater than the largest number of mills previously levied against its adjusted assessed valuation pursuant to this subdivision.

(b) By July 15 in any year when clause (5) applies, the board of the district shall hold a public hearing on the need for the proposed levy or increase. At least three weeks published notice of the hearing in 10 point type or 5.0 agate type, with a larger headline, shall be given in the legal newspaper with the largest circulation in the district. The notice shall state the amount of the proposed levy or increase in dollars, in EARC mills and in auditor's mills and the estimated net unappropriated fund balance in the district's operating funds as of the June 30 before the levy or increase is certified.

(c) At the hearing, the district shall present its proposed revenue and expenditure budgets for the next two school years, the estimated net unappropriated

fund balances in all district funds as of the June 30 before the levy or increase is certified, and the estimated amount in dollars, in EARC mills and in auditor's mills of any reduction of the proposed levy which may be required by subdivision 7c. At the hearing, the board shall also hear all parties requesting to give testimony for and against the proposed levy or increase. Upon receipt of a petition within 30 days after the hearing, the board shall call a referendum on the proposed levy or increase. A petition shall be effective if signed by a number of qualified voters in ~~the district equal to the greater of 50 voters or 15 percent of the number of voters who voted in the district at the most recent regular school board election~~ *excess of three percent of the residents of the school district as determined by the most recent census.*

(d) The referendum shall be held on a date set by the school board, but no later than the September 20 before the levy is certified.

The ballot shall state substantially the following, as appropriate:

The board of ..... School District No. ..... has proposed (a discretionary levy in a maximum amount of ..... EARC mills which would raise) (to increase a discretionary levy from ..... EARC mills to .... EARC mills. This increase would provide an additional) $..... in the first year levied.

Shall the (increase in the) discretionary levy proposed by the Board of ..... School District No. ..... be approved?

..... Yes
..... No

(e) The approval of a majority of those voting on the question is required to pass the referendum.

(f) If a petition is not received or if the proposed levy or increase is approved at a referendum, the district may levy the amount provided by the number of mills proposed by the school board, in the year when the hearing or referendum is held and in succeeding years. If a proposed first time levy is not approved, except as provided in clause (3), the district may not levy pursuant to this subdivision in the year when the referendum is held and shall be required to comply with the provisions of clause (5) before levying pursuant to this subdivision in a subsequent year. If a proposed increase is not approved, the district may levy an amount not to exceed the amount provided by the largest number of EARC mills *the district was* previously ~~levied by the district~~ *authorized to levy* pursuant to this subdivision, applied to the preceding year's adjusted assessed valuation.

Sec. 15. Minnesota Statutes 1981 Supplement, Section 298.28, Subdivision 1, is amended to read:

Subdivision 1. [DISTRIBUTION.] The proceeds of the taxes collected under section 298.24, except the tax collected under section 298.24, subdivision 2, shall, upon certificate of the commissioner of revenue to the general fund of the state, be paid by the commissioner of revenue as follows:

(1) 2.5 cents per gross ton of merchantable iron ore concentrate, hereinafter referred to as "taxable ton", to the city or town in which the lands from which taconite was mined or quarried were located or within which the concentrate was produced. If the mining, quarrying, and concentration, or different steps in either thereof are carried on in more than one taxing district, the commis-

sioner shall apportion equitably the proceeds of the part of the tax going to cities and towns among such subdivisions upon the basis of attributing 40 percent of the proceeds of the tax to the operation of mining or quarrying the taconite, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of such operations performed in each such taxing district. His order making such apportionment shall be subject to review by the tax court at the instance of any of the interested taxing districts, in the same manner as other orders of the commissioner.

(2) 12.5 cents per taxable ton, less any amount distributed under clause (8), to the taconite municipal aid account in the apportionment fund of the state treasury, to be distributed as provided in section 298.282.

(3) 29 cents per taxable ton plus the increase provided in paragraph (c) to qualifying school districts to be distributed as follows:

(a) Six cents per taxable ton to the school districts in which the lands from which taconite was mined or quarried were located or within which the concentrate was produced. The commissioner shall follow the apportionment formula prescribed in clause (1).

(b) 23 cents per taxable ton, less any amount distributed under part (d), shall be distributed to a group of school districts comprised of those school districts wherein the taconite was mined or quarried or the concentrate produced or in which there is a qualifying municipality as defined by section 273.134 in direct proportion to school district tax levies as follows: each district shall receive that portion of the total distribution which its ~~permitted~~ *certified* levy for the prior year, computed pursuant to section 275.125, comprises of the sum of ~~permitted~~ *certified* levies for the prior year for all qualifying districts, computed pursuant to section 275.125. For purposes of distributions pursuant to this part, ~~permitted~~ *certified* levies for the prior year computed pursuant to section 275.125 shall not include the amount of any increased levy authorized by referendum pursuant to section 275.125, subdivision 2d.

(c) On July 15, 1982 and on July 15 in subsequent years, an amount equal to the increase derived by increasing the amount determined by clause (3)(b) in the same proportion as the increase in the steel mill products index over the base year of 1977 as provided in section 298.24, subdivision 1, clause (a), shall be distributed to any school district described in clause (3)(b) where a levy increase pursuant to section 275.125, subdivision 2d, is authorized by referendum, according to the following formula. Each district shall receive the product of:

(i) $150 times the pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), enrolled in the previous school year, less the product of two mills times the district's taxable valuation in the second previous year; times

(ii) the lesser of:

(A) one, or

(B) the ratio of the amount certified pursuant to section 275.125, subdivision 2d, in the previous year, to the product of two mills times the district's taxable valuation in the second previous year.

If the total amount provided by clause (3)(c) is insufficient to make the

payments herein required then the entitlement of $150 per pupil unit shall be reduced uniformly so as not to exceed the funds available. Any amounts received by a qualifying school district in any fiscal year pursuant to clause (3)(c) shall not be applied to reduce foundation aids which the district is entitled to receive pursuant to section 124.212 or the permissible levies of the district. Any amount remaining after the payments provided in this paragraph shall be paid to the commissioner of finance who shall deposit the same in the taconite environmental protection fund and the northeast Minnesota economic protection fund as provided in section 298.28, subdivision 1, clause 10.

(d) There shall be distributed to any school district the amount which the school district was entitled to receive under section 298.32 in 1975.

(4) 19.5 cents per taxable ton to counties to be distributed as follows:

(a) 15.5 cents per taxable ton shall be distributed to the county in which the taconite is mined or quarried or in which the concentrate is produced, less any amount which is to be distributed pursuant to part (b). The commissioner shall follow the apportionment formula prescribed in clause (1).

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, one cent per taxable ton of the tax distributed to the counties pursuant to part (a) and imposed on and collected from such taxpayer shall be distributed by the commissioner of revenue to the county in which the power plant is located.

(c) Four cents per taxable ton shall be paid to the county from which the taconite was mined, quarried or concentrated to be deposited in the county road and bridge fund. If the mining, quarrying and concentrating, or separate steps in any of those processes are carried on in more than one county, the commissioner shall follow the apportionment formula prescribed in clause (1).

(5) (a) 25.75 cents per taxable ton, less any amount required to be distributed under part (b), to the taconite property tax relief account in the apportionment fund in the state treasury, to be distributed as provided in sections 273.134 to 273.136.

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, .75 cent per taxable ton of the tax imposed and collected from such taxpayer shall be distributed by the commissioner of revenue to the county and school district in which the power plant is located as follows: 25 percent to the county and 75 percent to the school district.

(6) One cent per taxable ton to the state for the cost of administering the tax imposed by section 298.24.

(7) Three cents per taxable ton shall be deposited in the state treasury to the credit of the iron range resources and rehabilitation board account in the special revenue fund for the purposes of section 298.22. The amount determined in this clause shall be increased in 1981 and subsequent years in the same proportion as the increase in the steel mill products index as provided in section 298.24, subdivision 1. The amount distributed pursuant to this clause shall be

expended within or for the benefit of a tax relief area defined in section 273.134. No part of the fund provided in this clause may be used to provide loans for the operation of private business unless the loan is approved by the governor and the legislative advisory commission.

(8) .20 cent per taxable ton shall be paid in 1979 and each year thereafter, to the range association of municipalities and schools, for the purpose of providing an area wide approach to problems which demand coordinated and cooperative actions and which are common to those areas of northeast Minnesota affected by operations involved in mining iron ore and taconite and producing concentrate therefrom, and for the purpose of promoting the general welfare and economic development of the cities, towns and school districts within the iron range area of northeast Minnesota.

(9) the amounts determined under clauses (4)(a), (4)(c), and (5) shall be increased in 1979 and subsequent years in the same proportion as the increase in the steel mill products index as provided in section 298.24, subdivision 1.

(10) the proceeds of the tax imposed by section 298.24 which remain after the distributions in clauses (1) to (9) and parts (a) and (b) of this clause have been made shall be divided between the taconite environmental protection fund created in section 298.223 and the northeast Minnesota economic protection fund created in section 298.292 as follows: In 1981 and each year thereafter, two-thirds to the taconite environmental protection fund and one-third to the northeast Minnesota economic protection fund. The proceeds shall be placed in the respective special accounts in the general fund.

(a) In 1978 and each year thereafter, there shall be distributed to each city, town, school district, and county the amount that they received under section 294.26 in calendar year 1977.

(b) In 1978 and each year thereafter, there shall be distributed to the iron range resources and rehabilitation board the amounts it received in 1977 under section 298.22.

On or before October 10 of each calendar year each producer of taconite or iron sulphides subject to taxation under section 298.24 (hereinafter called "taxpayer") shall file with the commissioner of revenue and with the county auditor of each county in which such taxpayer operates, and with the chief clerical officer of each school district, city or town which is entitled to participate in the distribution of the tax, an estimate of the amount of tax which would be payable by such taxpayer under said law for such calendar year; provided such estimate shall be in an amount not less than the amount due on the mining and production of concentrates up to September 30 of said year plus the amount becoming due because of probable production between September 30 and December 31 of said year, less any credit allowable as hereinafter provided. Such estimate shall list the taxing districts entitled to participate in the distribution of such tax, and the amount of the estimated tax which would be distributable to each such district in the next ensuing calendar year on the basis of the last percentage distribution certified by the commissioner of revenue. If there be no such prior certification, the taxpayer shall set forth its estimate of the proper distribution of such tax under the law, which estimate may be corrected by the commissioner if he deems it improper, notice of such correction being given by him to the taxpayer and the public officers receiving such estimate. The officers with whom such report is so filed shall use the

amount so indicated as being distributable to each taxing district in computing the permissible tax levy of such county, city or school district in the year in which such estimate is made, and payable in the next ensuing calendar year, except that in 1978 and 1979 two cents per taxable ton, and in 1980 and thereafter, one cent per taxable ton of the amount distributed under clause (4)(c) shall not be deducted in calculating the permissible levy. Such taxpayer shall then pay, at the times payments are required to be made pursuant to section 298.27, as the amount of tax payable under section 298.24, the greater of (a) the amount shown by such estimate, or (b) the amount due under said section as finally determined by the commissioner of revenue pursuant to law. If, as a result of the payment of the amount of such estimate, the taxpayer has paid in any calendar year an amount of tax in excess of the amount due in such year under section 298.24, after application of credits for any excess payments made in previous years, all as determined by the commissioner of revenue, the taxpayer shall be given credit for such excess amount against any taxes which, under said section, may become due from the taxpayer in subsequent years. In any calendar year in which a general property tax levy subject to sections 275.125 or 275.50 to 275.59 has been made, if the taxes distributable to any such county, city or school district are greater than the amount estimated to be paid to any such county, city or school district in such year, the excess of such distribution shall be held in a special fund by the county, city or school district and shall not be expended until the succeeding calendar year, and shall be included in computing the permissible levies under sections 275.125 or 275.50 to 275.59, of such county, city or school district payable in such year. If the amounts distributable to any such county, city or school district, after final determination by the commissioner of revenue under this section are less than the amounts indicated by such estimates, such county, city or school district may issue certificates of indebtedness in the amount of the shortage, and may include in its next tax levy, in excess of the limitations of sections 275.125 or 275.50 to 275.59 an amount sufficient to pay such certificates of indebtedness and interest thereon, or, if no certificates were issued, an amount equal to such shortage.

There is hereby annually appropriated to such taxing districts as are stated herein, to the taconite property tax relief account and to the taconite municipal aid account in the apportionment fund in the state treasury, to the department of revenue, to the iron range resources and rehabilitation board, to the range association of municipalities and schools, to the taconite environmental protection fund, and to the northeast Minnesota economic protection fund, from any fund or account in the state treasury to which the money was credited, an amount sufficient to make the payment or transfer. The payment of the amount appropriated to such taxing districts shall be made by the commissioner of revenue on or before May 15 annually.

Sec. 16. [BASIC MAINTENANCE UNDERLEVIES.]

For the 1982-1983 and 1983-1984 school years, the deduction from basic foundation aid pursuant to Minnesota Statutes 1981 Supplement, Section 124.2128, Subdivision 1, shall be computed as though the basic maintenance mill rate for tax levies attributable to each of those school years were .023.

Sec. 17. [STATUTORY OPERATING DEBT EXCEPTION, 1983.]

Notwithstanding Minnesota Statutes 1980, Sections 121.914, Subdivision

2, and 121.917, for the purpose of determining school district expenditure limitations for fiscal year 1983, statutory operating debt shall be defined as operating debt that exceeds five percent of the district's expenditure amount for fiscal year 1983 for the funds considered under Minnesota Statutes 1980, Section 121.914, Subdivision 1. A district in which the net negative unappropriated fund balance in the operating funds, exclusive of the statutory operating debt account, as of June 30, 1983 is less than five percent of the district's unappropriated operating fund expenditures for fiscal year 1983 shall not be considered to have exceeded its expenditure limits and shall not be required to submit the special operating plan required by Minnesota Statutes 1980, Section 121.917, Subdivision 4. This section shall not be construed as altering statutory operating debt for fiscal years other than fiscal year 1983, or as altering the computation of the levies authorized in Minnesota Statutes 1980, Section 275.125, Subdivision 9a, or Laws 1976, Chapter 20, Subdivision 4.

Sec. 18. [EFFECTIVE DATE.]

Sections 1, 11, 12, and 14 are effective the day following final enactment.

ARTICLE II

TRANSPORTATION AID

Section 1. Minnesota Statutes 1980, Section 123.78, Subdivision 1, is amended to read:

Subdivision 1. [GENERAL PROVISIONS.] ~~The school board of any~~ *A* district ~~which is now or hereafter~~ eligible to receive state aid for transportation under ~~chapters 123 and~~ *chapter* 124, shall provide equal transportation within the district for all school children to any school when transportation is deemed necessary by ~~any~~ *the school* board ~~by reason~~ *because* of distance or traffic condition in like manner and form as provided in sections ~~123.16, subdivisions 3 and 4; 123.18; 123.37, subdivisions 3 and 4;~~ 123.39 ~~;~~ and 124.223, when applicable.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 124.223, is amended to read:

124.223 [TRANSPORTATION AID AUTHORIZATION.]

School transportation and related services for which state transportation aid is authorized are:

(1) [TO AND FROM SCHOOL; BETWEEN SCHOOLS.] ~~(a) Through the 1981-1982 school year, transportation or board of resident pupils who reside one mile or more from the public schools which they could attend, or transportation to, from, or between the schools they attend pursuant to a program approved by the commissioner of education, or who reside one mile or more from a nonpublic school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to nonpublic school pupils;~~

~~(b) Beginning in the 1982-1983 school year,~~ Transportation or board of resident elementary pupils who reside one mile or more from the public schools which they could attend; transportation or board of resident secondary pupils who reside two miles or more from the public schools which they could attend; transportation to, from, or between the schools the resident pupils attend pursuant to a program approved by the commissioner of education; transpor-

tation of resident elementary pupils who reside one mile or more from a nonpublic school actually attended; transportation of resident secondary pupils who reside two miles or more from a nonpublic school actually attended; but with respect to transportation of pupils to nonpublic schools actually attended, only to the extent permitted by sections 123.76 to 123.79;

(2) [OUTSIDE DISTRICT.] Transportation to and from or board and lodging in another district, of resident pupils of a district without a secondary school; the pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to and from a district having a classified secondary school at the expense of the district of the pupil's residence;

(3) [SECONDARY VOCATIONAL CENTERS.] Transportation to and from a state board approved secondary vocational center for secondary vocational classes for resident pupils of any of the districts who are members of or participating in programs at that center;

(4) [HANDICAPPED.] Transportation or board and lodging of a handicapped pupil when that pupil cannot be transported on a regular school bus, the conveying of handicapped pupils between home and school and within the school plant, necessary transportation of handicapped pupils from home or from school to other buildings, including hospitals and treatment centers where special instruction or services required by section 120.17 are provided, within or outside the district where services are provided, and necessary transportation for resident handicapped pupils required by section 120.17, subdivision 4a. Transportation of handicapped pupils between home and school shall not be subject to the requirement in clause (1) that ~~the pupil~~ *elementary pupils* reside at least one mile from school *and secondary pupils reside at least two miles from school* in order for the transportation to qualify for aid;

(5) [BOARD AND LODGING; NONRESIDENT HANDICAPPED.] When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(6) [SHARED TIME.] Transportation from one educational facility to another within the district for resident pupils enrolled on a shared time basis in educational programs approved by the commissioner of education, and necessary transportation required by section 120.17, subdivision 9 for resident handicapped pupils who are provided special instruction and services on a shared time basis;

(7) [FARIBAULT STATE SCHOOLS.] Transportation for residents to and from the Minnesota school for the deaf or the Minnesota braille and sight-saving school;

(8) [SUMMER SCHOOL.] Services described in clauses (1) to (7) and clauses (9) and (10) when provided in conjunction with a state board approved summer school program;

(9) [COOPERATIVE ACADEMIC AND VOCATIONAL.] Transportation to, from or between educational facilities located in any of two or more school districts jointly offering academic classes approved by the commissioner or secondary vocational classes not provided at a secondary vocational center which are approved by the commissioner for resident pupils of any of these districts; and

(10) [NONPUBLIC SUPPORT SERVICES.] Necessary transportation within district boundaries between a nonpublic school and a public school or a neutral site for nonpublic school pupils who are provided pupil support services pursuant to section 123.935.

Sec. 3. Minnesota Statutes 1980, Section 124.225, as amended by Laws 1981, Chapters 356, Section 167; 358, Article II, Sections 3 to 14; First Special Session Chapter 2, Section 8; and Third Special Session Chapter 2, Article II, Section 9, is amended to read:

124.225 [TRANSPORTATION AID ENTITLEMENT.]

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

(a) "FTE" means a transported full time equivalent pupil whose transportation is authorized for aid purposes by section 124.223.

~~(b) "Region" means development region as defined in section 462.384, subdivision 5, except that for purposes of this section, development regions 1 and 2 are one region, development regions 4 and 5 are one region, development regions 6E and 6W are one region, and development regions 7E and 7W are one region.~~

~~(c)~~ *(b)* "~~Total~~ Authorized cost *for regular transportation*" ~~or "total authorized expenditure"~~ means the sum of:

~~(i)~~ *(1)* all expenditures for transportation *in the regular category, as defined in clause (e)(1),* for which aid is authorized in section 124.223, plus

~~(ii)~~ *(2)* an amount equal to one year's depreciation on the district's school bus fleet and mobile units computed on a straight line basis at the rate of 12-1/2 percent per year of the cost of the fleet, plus

~~(iii)~~ *(3)* an amount equal to one year's depreciation on district school buses reconditioned by the department of corrections computed on a straight line basis at the rate of 33-1/3 percent per year of the cost to the district of the reconditioning, *plus*

(4) beginning in fiscal year 1984, an amount equal to one year's depreciation on the district's type three school buses, as defined in section 169.44, subdivision 15, which were purchased after July 1, 1982 for authorized transportation of pupils, with the prior approval of the commissioner, computed on a straight line basis at the rate of 20 percent per year of the cost of the type three school buses.

~~(d)~~ *(c)* "~~Total~~ *Adjusted* authorized predicted cost *per FTE*" means the ~~total~~ authorized cost predicted by a multiple regression formula determined by the department of education, *and adjusted pursuant to subdivision 7a.*

(d) "Aid entitlement per FTE" means the adjusted authorized predicted cost per FTE, inflated pursuant to subdivision 7b.

(e) "Transportation category" means a category of transportation service provided to pupils. Each category includes transportation provided during the regular school year and in conjunction with a state board approved summer school program. For purposes of this section, transportation categories are as follows:

~~(i)~~ *(1)* Regular transportation is transportation services provided under section 124.223, clauses (1) and (2), excluding transportation between schools under section 124.223, clause (1);

~~(ii)~~ *(2)* ~~Secondary vocational center~~ *During-day* transportation is transportation services *between schools* provided under section 124.223, clause ~~(3)~~ *(1), and transportation services provided under section 124.223, clauses (3) and (9), and transportation services provided under section 124.223, clause (6), excluding transportation provided for pupils attending shared time special education classes*;

~~(iii)~~ *(3)* Handicapped transportation is *transportation services for pupils attending shared time special education classes provided under section 124.223, clause (6), and* transportation services provided under section 124.223, clause (4), excluding board and lodging and excluding transportation to and from board and lodging facilities;

~~(iv)~~ *(4)* Board and lodging is services provided, in lieu of transportation, under section 124.223, clauses (4) and (5);

~~(v) Between schools transportation is transportation services between schools provided under section 124.223, clause (1);~~

~~(vi) Shared time regular transportation is transportation services provided under section 124.223, clause (6), excluding transportation provided for pupils attending shared time special education classes;~~

~~(vii) Shared time special education transportation is transportation services for pupils attending shared time special education classes provided under section 124.223, clause (6);~~

~~(viii)~~ *(5)* To and from board and lodging facility transportation is transportation services to and from board and lodging facilities provided under section 124.223, clauses (4) and (7);

~~(ix) Cooperative academic and vocational transportation is transportation services provided under section 124.223, clause (9);~~

~~(x)~~ *(6)* Nonpublic health, guidance and counseling transportation is transportation services provided under section 124.223, clause (10)~~;~~.

(f) ''Pupil weighting factor'' means the ratio of the actual ~~regional~~ *district* average cost per FTE in a particular transportation category *in the base year* to the actual ~~regional~~ *district* average cost per FTE in the regular transportation category *in the base year*.

(g) ''Weighted FTE's'' means the number of FTE's in each transportation category multiplied by the pupil weighting factor for that category.

(h) ''Mobile unit'' means a vehicle or trailer designed to provide facilities for educational programs and services, including diagnostic testing, guidance and counseling services and health services. A mobile unit located off nonpublic school premises is a neutral site as defined in section 123.932, subdivision 9.

(i) ''Percent excess handicapped FTE's transported'' means the result of the following computation for the current year:

one, minus the product of

(1) the ratio of the number of FTE pupils transported in the handicapped category in the state to the number of FTE pupils transported in the handicapped category in the district; times

(2) the ratio of the number of FTE pupils transported in the regular category in the district to the number of FTE pupils transported in the regular category in the state.

(j) "Current year" means the school year for which aid will be paid.

(k) "Base year" means the second school year preceding the school year for which aid will be paid.

(l) "Base cost" means the authorized regular transportation cost per FTE in the base year in the regular transportation category, excluding summer school transportation.

(m) "Predicted base cost" means the base cost as predicted by subdivision 3.

Subd. 1a. [WEIGHTING FACTORS.] For each school year, in computing transportation aid, the department of education shall establish *as needed* the pupil weighting factors for each transportation category for each ~~region~~ *district* using transportation cost data for the second prior school year. The department shall use the statewide pupil weighting factor for any transportation category for which a ~~region~~ *district* had no experience during the second prior school year.

Subd. 3. [FORMULA.] For each school year, the state shall pay to each school district for all pupil transportation and related services for which the district is authorized by law to receive state aid an amount determined according to this section. ~~A multiple regression formula shall be determined through stepwise~~ *The department of education shall conduct* multiple regression analysis ~~for each region by the department of education,~~ using the terms specified in subdivision 4a, to ~~maximize the amount of variance accounted for between the total actual authorized cost per weighted FTE for the second preceding school year and the total authorized predicted cost per weighted FTE for the second preceding school year~~ *predict the base cost for each district.* ~~The~~ *A* formula ~~determined for each region~~ *shall be derived based upon the regression analysis, but excluding the factors described in subdivision 4a, clauses (8), (9), and (10), except that in the 1982-1983 school year, these clauses shall not be excluded. This formula* shall be used to determine a ~~total authorized~~ predicted *base* cost ~~per weighted FTE for the second preceding school year~~ for each district ~~in the region~~. The amount determined for each district shall be adjusted according to the provisions of subdivisions ~~6~~ *7a* and ~~7a~~ *7b*.

Subd. 4a. [FORMULA TERMS.] To predict the ~~total authorized~~ *base* cost ~~per weighted FTE~~ for each district pursuant to subdivision 3, ~~each regional~~ *the* multiple regression formula shall use the following terms ~~and their squares~~ for each district ~~in the region~~:

(1) ~~The area of the district measured in square miles;~~

~~(2)~~ The district's average daily membership;

(2) The reciprocal of the district's average daily membership;

~~(3) The total number of authorized FTE's transported by the district;~~

~~(4) The total number of authorized FTE's transported by the district in the handicapped, shared time special education, and to and from board and lodging facility transportation categories as a percentage of the total number of authorized FTE's transported by the district;~~

~~(5) The number of authorized FTE's transported by the district in the board and lodging transportation category as a percentage of the total number of authorized FTE's transported by the district;~~

~~(6) The number of authorized FTE's transported by the district in the between schools transportation category as a percentage of the total number of authorized FTE's transported by the district;~~

~~(7) The number of authorized FTE's transported by the district in the shared time regular transportation category as a percentage of the total number of authorized FTE's transported by the district;~~

~~(8) The number of authorized FTE's transported by the district in the secondary vocational center transportation category as a percentage of the total number of authorized FTE's transported by the district;~~

~~(9)~~ *(3)* The *logarithm of the* number of authorized FTE's per square mile transported by the district in the regular transportation category;

~~(10) The number of authorized FTE's per square mile transported by the district in the handicapped transportation category;~~

~~(11) The number of authorized FTE's transported by the district in the regular transportation category as a percentage of the district's average daily membership;~~

~~(12) An index of the district's shape computed by the department of education based on a comparison of the perimeter of the district to the perimeter of a circle with the same square mile area as the district;~~

~~(13)~~ *(4)* The percentage of the district's square mile area which is classified by the commissioner of energy, planning and development as water covered ~~or~~, marshland, *or extractive*;

~~(14) The number of 40 acre parcels of land in the district which are contiguous to or intersected by unpaved roads, as a percentage of the number of 40 acre parcels of land in the district which are contiguous to or intersected by any roads, paved or unpaved. The number of 40 acre parcels of each type shall be obtained from the commissioner of energy, planning and development;~~

~~(15) The percentage of the district's square mile area which is classified by the state planning agency as having a slope of land exceeding six percent;~~

~~(16) The number of authorized FTE's transported to nonpublic schools by the district in the regular transportation category as a percentage of the total number of authorized FTE's transported by the district in the regular transportation category;~~

~~(17) The percentage of the district's square mile area which is classified by the state planning agency as extractive.~~

(5) The district's administrative overhead for transportation per authorized FTE transported in the regular transportation category;

(6) The number of schools to which pupils are transported in the regular

transportation category, either within or outside the district, divided by the number of authorized FTE's transported in the regular transportation category;

(7) Whether the district is non-rural, based upon criteria established by the department of education;

(8) Whether the district contracts for bus service, or transports pupils only on district-owned buses;

(9) The percentage of all regular transportation category bus routes using buses that are not owned by the district, if that percentage is not 100 percent;

(10) Whether the district operates a special bus to transport pupils to home from school who are involved in after-school activities.

~~Subd. 6. [INFLATION FACTORS.] The total authorized predicted cost per weighted FTE determined for a district under subdivision 3 for 1979-1980 shall be increased by 26 percent. The total authorized predicted cost per weighted FTE determined for a district under subdivision 3 for 1980-1981 shall be increased by 22 percent.~~

Subd. 7a. [*BASE YEAR* SOFTENING FORMULA.] (1) Each district's ~~adjusted total authorized~~ predicted *base* cost ~~per weighted FTE~~ determined for each school year according to subdivision ~~6~~ *3* shall be ~~compared to~~ *averaged with* the ~~total actual expenditure per weighted FTE for authorized transportation~~ *base cost* for that district for that year to determine the district's ~~aid entitlement~~ *adjusted authorized predicted cost* per ~~weighted~~ FTE for that year.

(2) ~~If the adjusted total authorized predicted cost per weighted FTE is greater than the district's actual authorized expenditure per weighted FTE, its aid entitlement per weighted FTE shall equal the adjusted predicted cost per weighted FTE minus 20 percent of the first $10 of difference between the adjusted total authorized predicted cost per weighted FTE and the actual expenditure per weighted FTE; minus 40 percent of the next $10; 60 percent of the next $10; minus 75 percent of the difference which exceeds $30.~~

~~(3) If the adjusted total authorized predicted cost per weighted FTE is less than the district's actual authorized expenditure per weighted FTE, its aid entitlement per weighted FTE shall equal the adjusted total authorized predicted cost per weighted FTE plus 20 percent of the first $10 of difference between the adjusted predicted cost per weighted FTE and the actual expenditure per weighted FTE; plus 40 percent of the next $10; plus 60 percent of the next $10; plus 75 percent of the difference which exceeds $30.~~ *Notwithstanding clause (1), for fiscal year 1983, the predicted base cost shall be adjusted as provided in this clause to determine adjusted authorized predicted cost per FTE for the base school year.*

(a) If the predicted base cost exceeds the base cost, the predicted base cost shall be decreased by 50 percent of the first $40 of difference between the base cost and the predicted base cost; 70 percent of the next $40 of difference; and 90 percent of any difference which exceeds $80, to determine the adjusted authorized predicted cost per FTE.

(b) If the predicted base cost is less than the base cost, the predicted base cost shall be increased by 50 percent of the first $40 of difference between the base cost and the predicted base cost; 70 percent of the next $40 of difference;

and 90 percent of any difference which exceeds $80, to determine the adjusted authorized predicted cost per FTE.

Subd. 7b. [INFLATION FACTORS.] *The adjusted authorized predicted cost per FTE determined for a district under subdivision 7a for the base year shall be increased by 22 percent to determine the district's aid entitlement per FTE for the 1982-1983 school year.*

Subd. 8a. [AID.] *A district's transportation aid shall be equal to the sum of its basic transportation aid pursuant to subdivision 8b, its excess handicapped transportation aid pursuant to subdivision 8c, its handicapped board and lodging aid pursuant to subdivision 8d, its to and from board and lodging aid pursuant to subdivision 8e, its nonpublic support services transportation aid pursuant to subdivision 8f, its during-day transportation aid pursuant to subdivision 8g, and its closed-school transportation aid pursuant to subdivision 8h, minus the amount raised by two mills times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy attributable to that school year. A district may levy less than two mills. Transportation aid shall be computed as if the district had levied two mills. If the total appropriation for transportation aid in any fiscal year after 1982 is insufficient to pay all districts the full amount of aid earned, the department of education shall reduce each district's aid in proportion to the number of resident pupils in average daily membership in the district to the state total average daily membership, and shall reduce the aid entitlement of off-formula districts in the same proportion. Aid for the 1982-1983 and 1983-1984 school years shall be reduced by the following amount: the product of*

(a) the number of nonhandicapped secondary pupils transported in the base year who live between one and two miles from the public school which they could attend or the nonpublic school actually attended, times

(b) 1.5, divided by the average distance to school for all FTE's transported in the district in the regular transportation category in the base year, times

(c) the district's aid entitlement per FTE determined according to subdivision 7b, times the ratio of average daily membership used in subdivision 8b.

Subd. ~~8a~~ *8b.* [*BASIC* AID COMPUTATION.] ~~Beginning with the 1982-1983 school year~~ *For the 1982-1983 and 1983-1984 school years,* a district's *basic transportation* aid pursuant to this section for ~~each~~ *the* school year shall equal the district's aid entitlement per ~~weighted~~ FTE determined according to subdivision ~~7a~~ *7b* times the total number of authorized weighted FTE's transported *in the regular and handicapped transportation categories* in the district in ~~that school~~ *the base* year~~, minus the amount raised by two mills times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy attributable to that school year~~ *times the ratio of average daily membership in the district in the current year to the average daily membership in the district in the base year.*

For the 1984-1985 school year and thereafter, a district's basic transportation aid pursuant to this section for each school year shall equal the district's aid entitlement per FTE determined according to subdivision 7b times the total number of authorized FTE's transported in the regular and handicapped categories in the district in the current school year.

Subd. ~~8b~~ *8c.* [EXCESS HANDICAPPED AID.] (a) ~~In addition to the~~

~~amount authorized in subdivision 8a,~~ For each school year, the state shall pay aid for the excess costs of providing transportation for handicapped students as provided in this subdivision to a district where~~:~~, *in the current school year,*

~~(1) the average daily membership in that year is 2,500 or fewer pupils,~~

~~(2) the total actual authorized expenditures exceed the aid entitlement, and~~

~~(3) the actual authorized expenditure per weighted FTE in the handicapped and board and lodging categories exceeds 140 percent of the aid entitlement per weighted handicapped and board and lodging FTE~~ *the ratio of FTE's transported in the handicapped category to the total number of FTE's transported in the regular transportation category exceeds the same ratio for the state as a whole.*

(b) This aid shall equal ~~80 percent of the difference between~~:

~~(1) the district's actual authorized expenditures for transporting handicapped and board and lodging FTE's and~~

~~(2) 140 percent of the district's aid entitlement for transportation of handicapped and board and lodging FTE's.~~

~~(3) For purposes of the computation of aid pursuant to this subdivision, the amounts of the actual authorized expenditure and the aid entitlement shall exclude amounts attributable to depreciation. Aid pursuant to this subdivision shall not exceed the difference between the district's total actual authorized expenditures and its total aid entitlement.~~

the product of the percent excess handicapped FTE's transported, times the difference between

(1) the district's actual cost for transportation of all pupils in the handicapped category in the current year, and

(2) the product of

(i) the district's aid entitlement per FTE determined according to subdivision 7b, times

(ii) the number of FTE's transported in the handicapped category in the district in the current year.

Provided that for the 1982-1983 and 1983-1984 school years, the number in (2)(ii) above shall be replaced by the following computation: the product of the number of FTE's transported in the handicapped category in the district in the base year, times its pupil weighting factor for the handicapped category, times the ratio of average daily membership in the district in the current year to average daily membership in the district in the base year.

Subd. 8d. [HANDICAPPED BOARD AND LODGING AID.] *For board and lodging of handicapped pupils, each district shall receive aid equal to the product of the number of FTE pupils boarded and lodged in the current year in the district in this transportation category, times the average of*

(a) the state average board and lodging cost per FTE pupil boarded and lodged in the base year, times the inflation factor for that year prescribed in subdivision 7b; and

(b) the district's actual cost per FTE pupil boarded and lodged in the current

year.

Subd. 8e. [TO AND FROM BOARD AND LODGING.] *For transportation of handicapped pupils to and from board and lodging facilities, the state shall pay aid to each district for each year equal to the lesser of*

(a) the sum of the distance in miles from the home of each pupil transported in this category to the board and lodging facility, times 36, times 24 cents; or

(b) the average of the amount in (a) and the district's actual cost for all transportation in this category in the current year.

Subd. 8f. [NONPUBLIC SUPPORT SERVICES AID.] *For the 1982-1983 and 1983-1984 school years, a district's nonpublic support services transportation aid shall equal the district's aid entitlement per FTE determined according to subdivision 7b, times its pupil weighting factor for the nonpublic support services transportation category, times the number of FTE pupils transported in the nonpublic support services category in the district in the base year, times the ratio of average daily membership in the district in the current year to average daily membership in the district in the base year. For the 1984-1985 school year and thereafter, a district's nonpublic support services transportation aid shall equal the district's aid entitlement per FTE determined according to subdivision 7b, times its pupil weighting factor for the nonpublic support services transportation category, times the number of FTE's transported in that category in the current year.*

Subd. 8g. [DURING-DAY TRANSPORTATION AID.] *For the 1982-1983 and 1983-1984 school years, a district's during-day transportation aid shall equal the district's aid entitlement per FTE determined according to subdivision 7b, times its pupil weighting factor for the during-day transportation category, times the number of FTE's transported in the during-day transportation category in the base year, times the ratio of average daily membership in the district in the current year to average daily membership in the district in the base year. For the 1984-1985 school year and thereafter, a district's during-day transportation aid shall equal the district's aid entitlement per FTE determined according to subdivision 7b, times its pupil weighting factor for the during-day transportation category, times the number of FTE's transported in the during-day transportation category in the current year.*

Subd. 8h. [CLOSED-SCHOOL TRANSPORTATION AID.] *For the 1982-1983 and 1983-1984 school years, a district's closed-school transportation aid shall equal the district's aid entitlement per FTE determined according to subdivision 7b, times the number of authorized FTE's transported in the regular category in the current school year who were not transported in the base year and would not have been transported in the current year but for school closings or altered school attendance boundaries. The total amount of transportation aid computed pursuant to this subdivision in each year shall not exceed $2,000,000. If this amount is insufficient to pay each qualifying district its full amount of aid pursuant to this subdivision, this amount shall be prorated among all qualifying districts in proportion to each district's number of FTE's for whom aid is claimed under this subdivision.*

Subd. 9. [DISTRICT REPORTS.] Each district shall report *data* to the department ~~before July 1 of each year an estimate for the next school year of the total number of FTE's transported by transportation category and an estimate~~

~~of the district's total actual authorized transportation expenditure by transportation category~~ *as required by the department to implement the transportation aid formula.* ~~The district's aid shall be determined for purposes of the first three transportation aid payments for the school year using these estimates. Before August 15 each year, each district shall provide the department with the information for the preceding school year which the department determines is necessary to compute the district's actual authorized expenditure per weighted FTE for purposes of the computation in subdivision 7a and the district's actual total number of weighted FTE's transported for purposes of the aid computation in subdivision 8a. The district's final transportation aid payment for the school year shall be based on these computations.~~ *If a district's final transportation aid payment is adjusted after the final aid payment has been made to all districts, the adjustment shall be made by increasing or decreasing the district's aid for the next fiscal year.*

Subd. 10. Any school district which owns school buses or mobile units shall transfer annually from the unappropriated fund balance account in its transportation fund to the appropriated fund balance account for bus purchases in its transportation fund at least an amount equal to 12-1/2 percent of the original cost of each *type one or type two* bus or mobile unit until the original cost of each *type one or type two* bus or mobile unit is fully amortized, *plus 20 percent of the original cost of each type three bus included in the district's authorized cost under the provisions of subdivision 1, clause (b)(4), until the original cost of each type three bus is fully amortized,* plus 33-1/3 percent of the cost to the district as of July 1 of each year for school bus reconditioning done by the department of corrections until the cost of the reconditioning is fully amortized*; provided, if the district's transportation aid is reduced pursuant to subdivision 8a because the appropriation for that year is insufficient, this amount shall be reduced in proportion to the reduction pursuant to subdivision 8a as a percentage of the sum of*

(1) the district's total transportation aid without the reduction pursuant to subdivision 8a, plus

(2) an amount equal to two mills times the adjusted assessed valuation of the district. Any school district may transfer any amount from the unappropriated fund balance account in its transportation fund to any other operating fund or to the appropriated fund balance account for bus purchases in its transportation fund.

Subd. 11. [PAYMENT SCHEDULE THROUGH 1982.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, for fiscal years through 1982, the state shall pay to each school district 30 percent of its estimated school transportation aid ~~entitlement~~ for the fiscal year on or before each of the following dates: August 31, December 31, and March 31. The final aid distribution to each district shall be made on or before October 31 of the following fiscal year.

Subd. 12. [PAYMENT SCHEDULE.] Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, starting in fiscal year 1983, the state shall pay each school district its estimated school transportation aid ~~entitlement~~ for the fiscal year according to the following schedule: 30 percent by August 31; 30 percent by December 31; and 25 percent by March 31. The final aid distribution to each district shall be made by

October 31 of the following fiscal year.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] Except as may otherwise be provided in this section, the words and phrases defined in sections 124.01, 124.212, 124.20 ~~and~~, 124.2121 to 124.2125, *124.225, and section 7 of Article III* when used in this section shall have the meanings ascribed to them in those sections.

Sec. 5. Minnesota Statutes 1980, Section 275.125, Subdivision 5, as amended by Laws 1981, Third Special Session Chapter 2, Article II, Section 10, is amended to read:

Subd. 5. [TRANSPORTATION LEVY.] For school transportation services, a school district may levy an amount not to exceed the amount raised by a levy of two mills times the adjusted assessed valuation of the taxable property of the district for the preceding year. A district may *also* levy under this subdivision for the amount necessary to eliminate any projected deficit in the appropriated fund balance account for bus purchases in its transportation fund as of June 30 in the school year when the levy is recognized as revenue. *A district which contracts for pupil transportation services may also levy an amount equal to $18 times the number of FTE pupils transported on contracted school buses in the preceding school year in the regular transportation category, which shall be placed in the transportation fund and used for any lawful purpose. A district may levy an amount equal to the estimated cost, in the school year beginning in the year in which the levy is certified, of transporting secondary pupils to and from school who live more than one mile but less than two miles from the public school which they could attend or from a nonpublic school actually attended.* A district may also levy for transportation costs or other related services which are ~~approved by the commissioner as~~ necessary because of extraordinary traffic hazards for the ~~current fiscal~~ *next school* year. *Levies authorized by this subdivision shall be computed according to procedures established by the commissioner.*

Sec. 6. Minnesota Statutes 1980, Section 275.125, is amended by adding a subdivision to read:

Subd. 5b. [TRANSPORTATION LEVY OFF-FORMULA ADJUSTMENT.] *In any fiscal year in which the transportation levy in a district attributable to that fiscal year of two mills times the adjusted assessed valuation of the district exceeds the transportation aid computation under section 124.225, subdivisions 8b, 8c, 8d, 8e, 8f, 8g, and 8h, the district's transportation levy limitation shall be adjusted as provided in this subdivision. In the year following that fiscal year, the district's transportation levy shall be reduced by an amount equal to the difference between (1) two mills times the adjusted assessed valuation of the district, and (2) the sum of the district's transportation aid computation pursuant to section 124.225, subdivisions 8b, 8c, 8d, 8e, 8f, 8g, and 8h, less the amount of any aid reduction due to an insufficient appropriation as provided in section 124.225, subdivision 8a. For the levies certified in 1983 and 1984, the following additional amount shall be subtracted:*

the product of

(a) the number of nonhandicapped secondary pupils transported in the base

year who live between one and two miles from the public school which they could attend or the nonpublic school actually attended, times

(b) 1.5, divided by the average distance to school for all FTE's transported in the district in the regular transportation category in the base year, times

(c) the district's aid entitlement per FTE determined according to section 124.225, subdivision 7b, times the ratio of average daily membership in the district in the current year to average daily membership in the district in the base year.

Sec. 7. [ADDITIONAL TRANSPORTATION LEVY, 1982.]

In 1982 only, a district may levy for transportation costs or other related services which are necessary because of extraordinary traffic hazards for the 1982-1983 school year. Levies authorized by this section shall be computed according to procedures established by the commissioner.

Sec. 8. Laws 1981, Chapter 358, Article II, Section 15, Subdivision 3, is amended to read:

Subd. 3. [CANCELLATION.] Any unexpended balance remaining from the appropriation in this section for 1982 shall cancel and shall not be available for the second year of the biennium. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated. If the appropriation amount attributable to ~~either~~ *the 1981-1982 school* year for any purposes indicated is insufficient, the aid for that year shall be prorated among all qualifying districts *in proportion to the sum of aid earned by each district, plus an amount equal to the amount raised by one mill times the 1979 adjusted assessed valuation of the district.* The state shall not be obligated for any amounts in excess of the total appropriations in ~~this section~~ *Laws 1981, Chapter 358, Article II, Section 15.*

Sec. 9. [REPEALER.]

Minnesota Statutes 1980, Section 121.96 is repealed.

Sec. 10. [EFFECTIVE DATE.]

Section 8 and the amendments to Minnesota Statutes 1981 Supplement, Section 124.225, Subdivision 9, in section 3, are effective the day following enactment.

ARTICLE III

SPECIAL EDUCATION

Section 1. Minnesota Statutes 1980, Section 120.17, Subdivision 4a, is amended to read:

Subd. 4a. [ATTENDANCE IN ANOTHER DISTRICT.] No resident of a district who is eligible for special instruction and services pursuant to this section shall be denied provision of this instruction and service because he attends a public school in another school district pursuant to section 123.39, subdivision 5, if his attendance is not subject to section ~~120.065~~ *120.075, 120.0751,* or ~~123.39, subdivision 5a~~ *120.0752.* If the pupil attends a public school located in a contiguous district and the district of attendance does not provide special instruction and services, the district of residence shall provide necessary transportation for the pupil between the boundary of the district of

residence and the educational facility where special instruction and services are provided within the district of residence. The district of residence may provide necessary transportation for the pupil between its boundary and the school attended in the contiguous district, but shall not pay the cost of transportation provided outside the boundary of the district of residence.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 120.17, Subdivision 5a, is amended to read:

Subd. 5a. [SUMMER PROGRAMS.] A district may provide summer programs for handicapped children living within the district and nonresident children temporarily placed in the district pursuant to subdivisions 6 or 7. Prior to March 31 or 30 days after the handicapped child is placed in the district, whichever is later, the providing district shall give notice to the district of residence of any nonresident children temporarily placed in the district pursuant to subdivisions 6 or 7, of its intention to provide these programs. Notwithstanding any contrary provisions in subdivisions 6 and 7, the school district providing the special instruction and services shall apply for special education aid for the summer program. For the purposes of computing the summer school revenue allowance as provided in section ~~124.20~~ *7 of this article*, pupils enrolled in these programs shall be counted by the district of residence and not by the district providing the programs. The unreimbursed actual cost of providing the program for nonresident handicapped children, including the cost of board and lodging, may be billed to the district of the child's residence and shall be paid by the resident district. Transportation costs shall be paid by the district responsible for providing transportation pursuant to subdivision 6 or 7 and transportation aid shall be paid to that district.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 120.17, Subdivision 6, is amended to read:

Subd. 6. [PLACEMENT IN ANOTHER DISTRICT; RESPONSIBILITY.] The responsibility for special instruction and services for a handicapped child temporarily placed in another district for care and treatment shall be determined in the following manner:

(a) The school district of residence of a child shall be the district in which his parent resides, if living, or his guardian, or the district designated by the commissioner of education if neither parent nor guardian is living within the state.

(b) When a child is temporarily placed for care and treatment in a day program located in another district and the child continues to live within the district of residence during the care and treatment, the district of residence is responsible for providing transportation and an appropriate educational program for the child. The district may provide the educational program at a school within the district of residence, at the child's residence, or in the district in which the day treatment center is located by paying tuition to that district.

(c) When a child is temporarily placed in a residential program for care and treatment, the nonresident district in which the child is placed is responsible for providing ~~transportation and~~ an appropriate educational program for the child *and necessary transportation within the district while the child is attending the educational program;* and shall bill the district of the child's residence for the actual cost of providing the program, as outlined in subdivision 4, except that

the board, lodging, and treatment costs incurred in behalf of a handicapped child placed outside of the school district of his residence by the commissioner of public welfare or the commissioner of corrections or their agents, for reasons other than for making provision for his special educational needs shall not become the responsibility of either the district providing the instruction or the district of the child's residence.

(d) The district of residence shall pay tuition and other program costs, not including transportation costs, to the district providing the instruction and services. The district of residence may claim foundation aid for the child as provided by law. Transportation costs shall be paid by the district responsible for providing the transportation and the state shall pay transportation aid to that district.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 121.904, Subdivision 7, is amended to read:

Subd. 7. [SUMMER SCHOOL REVENUE.] Summer school aids and the proceeds of the summer school levy for any summer school session shall be recognized as revenues and recorded as receivables in proportion to the total number of summer school days in each fiscal year in which the summer school session occurs; provided that nothing in this subdivision shall be construed to provide for a different rate of aid than that provided in section ~~124.20~~ *7 of this article*.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 124.01, Subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] For purposes of this chapter, the words defined in section 120.02 have the same meaning and the terms defined in sections 124.20, ~~and~~ 124.2121 to 124.2125 *and section 7 of this article* have the meanings attributed to them in those sections.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 124.17, Subdivision 2, is amended to read:

Subd. 2. [AVERAGE DAILY MEMBERSHIP.] Membership for pupils in grades kindergarten through twelve and for handicapped pre-kindergarten pupils shall mean the number of pupils on the current roll of the school, counted from the date of entry until withdrawal. The date of withdrawal shall mean the day the pupil permanently leaves the school or the date it is officially known that the pupil has left or has been legally excused. However, a pupil, regardless of age, who has been absent from school for 15 consecutive school days during the regular school year or for five consecutive school days during summer school or inter-session classes of flexible school year programs without receiving instruction in the home or hospital shall be dropped from the roll and classified as withdrawn. Nothing in this section shall be construed as waiving the compulsory attendance provisions cited in section 120.10. Average daily membership shall equal the sum for all pupils of the number of days of the school year each pupil is enrolled in the district's schools divided by the number of days the schools are in session. *Days of summer school or inter-session classes of flexible school year programs shall only be included in the computation of membership for handicapped pupils appropriately served at levels 4, 5, or 6 of the continuum of placement model described in 5 MCAR 1.0120 B.11.*

Sec. 7. [124.201] [FOUNDATION AID FOR SPECIAL EDUCATION SUMMER SCHOOL.]

Subdivision 1. [PROGRAMS.] *Foundation aid for handicapped pupils enrolled in (1) summer school classes which are not a part of the regular school term in hospitals, sanatoriums, and home instruction programs, (2) inter-session classes of flexible school year programs, (3) summer school classes in elementary and secondary schools, and (4) summer school instruction in teachers college laboratory schools or in the university laboratory school, shall be paid under the provisions of this section.*

Subd. 2. [DEFINITIONS.] *For the purposes of computing foundation aid for handicapped pupils enrolled in summer school and inter-session classes of flexible school year programs, the following phrases shall have the meanings given them.*

(1) "Summer school pupil units" means full-time equivalent pupil units for summer school classes and inter-session classes of flexible school year programs computed under the provisions of section 124.17. Only pupils who are handicapped and who are appropriately served at levels 4, 5, or 6 of the continuum of placement model described in 5 MCAR 1.0120 B.11. shall be included in the computation of summer school pupil units.

(2) "Summer school revenue allowance" means an amount equal to the product of the number of summer school pupil units in a district, times the foundation aid formula allowance as defined in section 124.2122 for the preceding regular school year.

(3) "Summer school aid" means aid for summer school and inter-session classes of flexible school year programs.

Subd. 3. [SUMMER SCHOOL AID.] *Each year a district shall receive summer school aid equal to the difference between*

(1) the product of

(a) the ratio of the district's actual levy to its permitted levy pursuant to section 26 of this article certified in the calendar year when the summer school program is offered; times

(b) the district's summer school revenue allowance; and

(2) the levy certified by the district pursuant to section 26 of this article in the calendar year when the summer school program is offered.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 124.273, Subdivision 1, is amended to read:

Subdivision 1. [*1981-1982* TEACHERS SALARIES.] ~~(a)~~ For the 1981-1982 school year, the department shall pay a school district 70 percent of the salary, calculated from the date of hire, of one full time equivalent teacher for each 45 pupils of limited English proficiency enrolled in the district, or a pro rata amount thereof for increments of fewer than 45 pupils. Notwithstanding the foregoing, the department shall pay 70 percent of the salary, calculated from the date of hire, of one-half of a full time equivalent teacher to a district with 22 or fewer pupils of limited English proficiency enrolled.

~~(b)~~ *Subd. 1a.* [1982-1983 TEACHERS SALARIES.] ~~Beginning in~~ *For* the

1982-1983 school year~~,~~ ~~and each year thereafter,~~ the department shall pay a school district ~~65~~ *60* percent of the salary, calculated from the date of hire, of one full time equivalent teacher for each 45 pupils of limited English proficiency enrolled in the district, or a pro rata amount thereof for increments of fewer than 45 pupils. Notwithstanding the foregoing, the department shall pay ~~65~~ *60* percent of the salary, calculated from the date of hire, of one-half of a full time equivalent teacher to a district with 22 or fewer pupils of limited English proficiency enrolled.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 124.273, is amended by adding a subdivision to read:

Subd. 1b. [1983-1984 TEACHERS SALARIES.] *For the 1983-1984 school year, and each year thereafter, the department shall pay a school district 65 percent of the salary, calculated from the date of hire, of one full time equivalent teacher for each 45 pupils of limited English proficiency enrolled in the district, or a pro rata amount thereof for increments of fewer than 45 pupils. Notwithstanding the foregoing, the department shall pay 65 percent of the salary, calculated from the date of hire, of one-half of a full time equivalent teacher to a district with 22 or fewer pupils of limited English proficiency enrolled.*

Sec. 10. Minnesota Statutes 1981 Supplement, Section 124.273, Subdivision 2, is amended to read:

Subd. 2. [*1981-1982* PROHIBITION.] ~~(a)~~ For the 1981-1982 school year, the department of education shall not pay a school district an amount exceeding 70 percent of the salaries paid to essential instructional personnel employed by the district in its educational program for pupils of limited English proficiency.

~~(b)~~ *Subd. 2a.* [1982-1983 PROHIBITION.] ~~Beginning in~~ *For* the 1982-1983 school year~~,~~ ~~and each year thereafter,~~ the department of education shall not pay a school district an amount exceeding ~~65~~ *60* percent of the salaries paid to essential instructional personnel employed by the district in its educational program for pupils of limited English proficiency.

Sec. 11. Minnesota Statutes 1981 Supplement, Section 124.273, is amended by adding a subdivision to read:

Subd. 2b. [1983-1984 PROHIBITION.] *Beginning in the 1983-1984 school year, and each year thereafter, the department of education shall not pay a school district an amount exceeding 65 percent of the salaries paid to essential instructional personnel employed by the district in its educational program for pupils of limited English proficiency.*

Sec. 12. Minnesota Statutes 1981 Supplement, Section 124.32, Subdivision 1, is amended to read:

Subdivision 1. [1981-1982 TEACHERS SALARIES.] ~~(a)~~ For the 1981-1982 ~~and 1982-1983~~ school ~~years~~ *year*, the state shall pay to any district for the employment in its educational program for handicapped children 68.8 percent of the salary of essential personnel for the normal school year for each full time, *part time or limited time* person employed, ~~or a pro rata amount for a part time person or a person employed for a limited time,~~ whether the essential personnel are employed by a district alone or jointly with another district.

Subd. 1a. [1982-1983 TEACHERS SALARIES.] *For the 1982-83 school*

year, the state shall pay to any district for the employment in its educational program for handicapped children 61 percent of the salary of essential personnel for the normal school year for each full time, part time or limited time person employed, whether the essential personnel are employed by a district alone or jointly with another district.

~~(b)~~ *Subd. 1b.* [1983-1984 TEACHERS SALARIES.] Beginning in the 1983-1984 school year and each year thereafter, the state shall pay to any district for the employment in its educational program for handicapped children 70 percent of the salary of essential personnel for the normal school year for each full time person employed, or a pro rata amount for a part time person or a person employed for a limited time, whether the essential personnel are employed by a district alone or jointly with another district.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 124.32, Subdivision 1a, is amended to read:

Subd. 1a. [FOUNDATION AID FORMULA ALLOWANCE.] For purposes of this section, "foundation aid formula allowance" shall have the meaning attributed to it in section 124.2122, subdivision 1, and "summer school revenue allowance" shall have the meaning attributed to it in section ~~124.20~~ *7 of this article*. For the purposes of computing foundation aid formula allowances pursuant to this section, each handicapped child shall be counted as prescribed in section 124.17, subdivision 1, clause (1) or (2).

Sec. 14. Minnesota Statutes 1981 Supplement, Section 124.32, Subdivision 1b, is amended to read:

Subd. 1b. [CONTRACT SERVICES.] (1) *Except for the 1982-1983 school year,* for special instruction or training and services provided for any pupil pursuant to section 120.17, subdivision 2, clause (h), by contract with public, private or voluntary agencies other than Minnesota school districts, the state shall pay each district 60 percent of the difference between the amount of the contract and the foundation aid formula allowance of the district for that pupil or a pro rata portion of the foundation aid formula allowance for pupils who receive services by contract on less than a full time basis.

(2) *Except for the 1982-1983 school year,* for special instruction or training and services provided for a pupil by such a contract as part of a summer school program, the state shall pay each district 60 percent of the difference between the amount of the contract and the summer school revenue allowance of the district attributable to that pupil.

Sec. 15. Minnesota Statutes 1980, Section 124.32, is amended by adding a subdivision to read:

Subd. 1c. [1982-1983 CONTRACT SERVICES.] *(1) For the 1982-1983 school year for special instruction or training and services provided for any pupil pursuant to section 120.17, subdivision 2, clause (h), by contract with public, private or voluntary agencies other than Minnesota school districts, the state shall pay each district 53.3 percent of the difference between the amount of the contract and the foundation aid formula allowance of the district for that pupil or a pro rata portion of the foundation aid formula allowance for pupils who receive services by contract on less than a full time basis.*

(2) For the 1982-1983 school year for special instruction or training and

services provided for a pupil by such a contract as part of a summer school program, the state shall pay each district 53.3 percent of the difference between the amount of the contract and the summer school revenue allowance of the district attributable to that pupil.

Sec. 16. Minnesota Statutes 1980, Section 124.32, Subdivision 2, is amended to read:

Subd. 2. [SUPPLY AND EQUIPMENT AID.] *Except for the 1982-1983 school year,* the state shall pay each district for supplies and equipment purchased or rented for use in the instruction of handicapped children an amount equal to one-half of the sum actually expended by the district but not to exceed an average of $50 in any one school year for each handicapped child receiving instruction.

Sec. 17. Minnesota Statutes 1980, Section 124.32, is amended by adding a subdivision to read:

Subd. 2a. [1982-1983 SUPPLY AND EQUIPMENT AID.] *For the 1982-1983 school year, the state shall pay each district for supplies and equipment purchased or rented for use in the instruction of handicapped children an amount equal to 44.4 percent of the sum actually expended by the district but not to exceed an average of $44.44 in any one school year for each handicapped child receiving instruction.*

Sec. 18. Minnesota Statutes 1981 Supplement, Section 124.32, Subdivision 5, is amended to read:

Subd. 5. [RESIDENTIAL AID.] When a handicapped child is placed in a residential facility approved by the commissioner and established primarily to serve handicapped children and when the child's educational program is approved by the commissioner, the state shall pay aid to the resident district under the provisions of this subdivision. *Except* for the *1982-1983* regular school year, the aid shall be an amount not to exceed 60 percent of the difference between the instructional costs charged to the resident district and the foundation aid formula allowance, for each handicapped child placed in a residential facility. *Except* for *1983* summer school programs, the aid for *summer school programs for* each handicapped child placed in a residential facility shall be an amount not to exceed 60 percent of the difference between the instructional costs charged to the resident district and the summer school revenue allowance in the resident district attributable to that child. No aid shall be paid pursuant to this subdivision for tuition charged a resident district pursuant to section 120.17, subdivision 7a, for a child placed at the Minnesota school for the deaf or the Minnesota braille and sight-saving school.

The following types of facilities may be approved by the commissioner:

(a) A residential facility operated by the state or public school district and designed to serve the low incidence handicapped, the multiple handicapped, or the most severely handicapped children within the state.

(b) A private, nonsectarian residential facility designed to provide educational services for handicapped children within the state.

(c) A state hospital or private nonsectarian residential center designed to provide care and treatment for handicapped children.

Sec. 19. Minnesota Statutes 1980, Section 124.32, is amended by adding a

subdivision to read:

Subd. 5a. [1982-1983 RESIDENTIAL AID.] *The aid for the 1982-1983 school year shall be paid according to subdivision 5, except that for the regular 1982-1983 school year the aid shall be an amount not to exceed 35.7 percent of the difference between the instructional costs charged to the resident district and the foundation aid formula allowance, for each handicapped child placed in a residential facility. For summer school programs in 1983, the aid for each handicapped child placed in a residential facility shall be an amount not to exceed 35.7 percent of the difference between the instructional costs charged to the resident district and the summer school revenue allowance in the resident district attributable to that child.*

Sec. 20. Minnesota Statutes 1980, Section 124.32, Subdivision 7, is amended to read:

Subd. 7. [PROGRAM AND AID APPROVAL.] Before ~~May 1~~ *June 1* of each year, each district providing special instruction and services to handicapped children shall submit to the commissioner an application for approval of these programs and their budgets for the next school year. The application shall include an enumeration of the costs proposed as eligible for state aid pursuant to this section and of the estimated number and grade level of handicapped children in the district who will receive special instruction and services during the next school year. The application shall also include any other information deemed necessary by the commissioner for the calculation of state aid and for the evaluation of the necessity of the program, the necessity of the personnel to be employed in the program, the amount which the program will receive from grants from federal funds, or special grants from other state sources, and the program's compliance with the rules and standards of the state board. The commissioner shall review each application ~~in order~~ to determine whether the program and the personnel to be employed in the program are actually necessary and essential to meet the district's obligation to provide special instruction and services to handicapped children pursuant to section 120.17. The commissioner shall not approve aid pursuant to this section for any program or for the salary of any personnel he determines to be unnecessary or unessential on the basis of this review. The commissioner may also withhold all or any portion of the aid for programs which receive grants from federal funds, or special grants from other state sources. ~~On or before July 1 of each year~~ *By August 31, when the first aid payment is made*, the commissioner shall approve, disapprove or modify each application, and notify each applying district of ~~his~~ *the* action and of the estimated amount of aid for the programs. The commissioner shall provide procedures for districts to submit additional applications for program and budget approval during the school year, for programs needed to meet any substantial changes in the needs of handicapped children in the district. Notwithstanding the provisions of section 124.15, the commissioner may modify or withdraw ~~his~~ *the* program or aid approval and withhold aid pursuant to this section without proceeding according to section 124.15 at any time ~~when he~~ *the commissioner* determines that the program does not comply with ~~the~~ rules ~~and standards~~ of the state board or that any facts concerning the program or its budget differ from the facts ~~presented~~ in the district's approved application.

Sec. 21. Minnesota Statutes 1980, Section 124.32, Subdivision 10, is amended to read:

Subd. 10. [SUMMER SCHOOL.] The state shall pay aid for summer school programs for handicapped children on the basis of the sections of Minnesota Statutes providing aid for handicapped children for the preceding school year. ~~On or before~~ *By* March 15 of each year, districts shall submit separate applications for program and budget approval for summer school programs. The review of these applications shall be as provided in subdivision 7. By May 1 of each year, the commissioner shall approve, disapprove or modify the applications and notify the districts of ~~his~~ *the* action and of the estimated amount of aid for the summer school programs. Aid for these programs shall be paid ~~on or before the October 1~~ *by November 15* after the summer when the programs are conducted.

Sec. 22. Minnesota Statutes 1980, Section 126.262, Subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] For purposes of sections *124.273 and* 126.261 to 126.269, the terms defined in this section shall have the meanings given them.

Sec. 23. Minnesota Statutes 1980, Section 126.264, Subdivision 3, is amended to read:

Subd. 3. [PARENTAL INVOLVEMENT.] A district which receives moneys pursuant to section ~~126.263~~ *124.273* shall encourage involvement of parents of pupils enrolled in the educational program for limited English proficient students in this program. The district shall solicit the views of parents about the program and its effects upon their children.

Sec. 24. Minnesota Statutes 1980, Section 126.265, is amended to read:

126.265 [GENERAL REQUIREMENTS FOR PROGRAMS.]

A district which receives aid pursuant to section ~~126.263~~ *124.273* shall comply with the following program requirements:

(a) To the extent possible, the district shall avoid isolating children of limited English proficiency for a substantial part of the school day; and

(b) In predominantly nonverbal subjects, such as art, music, and physical education, pupils of limited English proficiency shall be permitted to participate fully and on an equal basis with their contemporaries in public school classes provided for these subjects. To the extent possible, the school district shall assure to pupils enrolled in a program for limited English proficient students an equal and meaningful opportunity to participate fully with other pupils in all extracurricular activities.

Sec. 25. Minnesota Statutes 1980, Section 126.267, is amended to read:

126.267 [TECHNICAL ASSISTANCE.]

The state board of education shall provide technical assistance to school districts receiving aid pursuant to section ~~126.263~~ *124.273* and to post-secondary institutions for preservice and inservice training for bilingual education teachers and English as a second language teachers employed in educational programs for limited English proficient students, teaching methods, curriculum development, testing and testing mechanisms, and the development of instructional materials for these educational programs.

Sec. 26. Minnesota Statutes 1980, Section 275.125, is amended by adding a

subdivision to read:

Subd. 2h. [HANDICAPPED SUMMER SCHOOL LEVY.] *A district may levy for summer school programs for handicapped pupils an amount equal to the following product:*

(1) The district's summer school revenue allowance as defined in section 7, clause (2) of this article for the calendar year when the levy is certified, times

(2) the lesser of:

(a) one, or

(b) the ratio of

(i) the quotient derived by dividing the adjusted assessed valuation of the district in the third preceding year by the total pupil units in the district in the preceding regular school year, to

(ii) the equalizing factor for the preceding regular school year.

Sec. 27. [SUPERVISION.]

For the 1982-1983 school year, the rules on supervisory personnel of 5 MCAR 1.0122 D., D.1., D.2., D.3., and D.4. are suspended.

By February 1, 1983, the department of education shall report to the education committees of the legislature regarding the need to reinstate the rules or its recommendations for alternative rules for supervisory personnel.

Sec. 28. [STUDENT TO STAFF RATIOS; 1982-1983 SCHOOL YEAR.]

For the 1982-1983 school year, a school district may increase the student to staff ratios established pursuant to 5 MCAR 1.0122 C. by an amount not to exceed 20 percent. By February 1, 1983, the department shall report to the education committees of the legislature regarding recommendations on promulgating new student to staff rules which provide greater flexibility to school districts and which have cost containment features, including incentives for cooperation among school districts.

Sec. 29. [SPECIAL EDUCATION TEMPORARY GUIDELINES.]

The state board of education shall develop and test guidelines for districts to use in defining and serving the following groups of students: (a) students with learning disabilities, (b) students who are emotionally disturbed, and (c) students with special learning behavior problems. The department shall consider the feasibility of establishing entrance and exit criteria when developing and testing these guidelines. During the 1982-83 school year the department shall test the guidelines in a representative sample of districts statewide and report to the education committees of the legislature by February 1, 1984. The department shall report on the operation and fiscal impact of the guidelines.

The guidelines are only for the purposes of testing and determining proper policy for the department and do not represent a determination by the legislature or the department that the guidelines are permanent or binding. The guidelines shall not represent competent evidence in any legal proceeding arising in a state or federal court of law.

Sec. 30. [STUDENT ASSESSMENT CONFERENCE.]

Beginning with the 1982-1983 school year, the assessment requirement

established pursuant to 5 MCAR 1.0124 B.1.b. and 1.0126B shall be reduced to one assessment every three years.

Sec. 31. [PERIODIC REVIEW.]

Beginning with the 1982-1983 school year, the periodic review requirement established pursuant to 5 MCAR 1.0126 A.2. shall be reduced to one review each year.

Sec. 32. [APPROPRIATION REDUCTION; SPECIAL EDUCATION SUMMER SCHOOL.]

The general fund appropriation for fiscal year 1983 for summer school special education aid in Laws 1981, Chapter 358, Article III, Section 21, Subdivision 3, as amended by Laws 1981, Third Special Session Chapter 2, Article II, Section 2, is further reduced by $631,000. The remaining amount of the appropriation for summer school special education aid for 1983 shall not be used to reimburse school districts for summer school special education programs for pupils who are appropriately served at levels 2 or 3 of the continuum of placement model described in 5 MCAR 1.0120 B.11.

Sec. 33. [APPROPRIATION.]

There is appropriated from the general fund to the department of education for the year ending June 30, 1983, the sum of $1,047,000. This amount is for foundation aid for summer school programs for handicapped pupils. If this amount is not sufficient to meet all obligations, the department of education shall proportionately reduce the summer school revenue allowance and allocate the aid accordingly.

Sec. 34. [EFFECTIVE DATE.]

Sections 2, 3, 4, 5, 6, 7, 13, 20 and 29 are effective the day following final enactment.

ARTICLE IV

MISCELLANEOUS

Section 1. Minnesota Statutes 1980, Section 120.68, is amended to read:

120.68 [FOUR DAY SCHOOL WEEK.]

The state board of education, pursuant to sections 120.59 to 120.67, shall promulgate rules pursuant to chapter 15 permitting districts requesting to operate a four day week to qualify for a flexible school year program. ~~The rules shall not apply to a school district located entirely within the seven county metropolitan area.~~

Sec. 2. [120.84] [PERMANENT SCHOOL FUND ADVISORY COMMITTEE.]

A state permanent school fund advisory committee is established to advise the department of natural resources on the management of permanent school fund land, which is held in trust for the school districts of the state. The advisory committee shall consist of the following persons or their designees: the chairpersons of the education committees of the legislature, the chairpersons of the senate committee on finance and house committee on appropriations, the commissioner of education, one superintendent from a non-metro-

politan district, and one superintendent from a metropolitan area district. The school district superintendents shall be appointed by the commissioner of education.

The advisory committee shall review the policies of the department of natural resources on management of school trust fund lands and shall recommend necessary changes in policy and implementation in order to ensure provident utilization of the permanent school fund lands.

Sec. 3. [DEPARTMENT OF NATURAL RESOURCES; LAND MANAGEMENT POLICY.]

By February 1, 1983, the department of natural resources shall submit a report to the education committees of the legislature on its policy for the management of permanent school fund land.

Sec. 4. Minnesota Statutes 1980, Section 121.11, Subdivision 12, is amended to read:

Subd. 12. [ADMINISTRATIVE ~~REGULATIONS~~ *RULES.*] The state board shall ~~have power from time to time to make~~ *adopt* and enforce ~~such~~ rules ~~and regulations~~, consistent with this code, ~~as may be~~ appropriate for the administration and enforcement thereof. *Notwithstanding the provisions of section 15.0412, subdivision 1a, the state board may grant a variance to its rules upon application by a school district for purposes of implementing experimental programs in learning or school management which attempt to make better use of community resources or available technology.*

Sec. 5. Minnesota Statutes 1980, Section 121.908, Subdivision 3, is amended to read:

Subd. 3. Prior to June 30 of the calendar year following the submission of the unaudited financial statement, the school district shall provide to the commissioner and state auditor an audited financial statement prepared in a form which will allow comparison with and correction of *material differences in* the unaudited statement.

Sec. 6. Minnesota Statutes 1980, Section 123.32, Subdivision 1, is amended to read:

Subdivision 1. [DATE.] Unless a different date is permitted under the provisions of subdivision 22 *or section 7 of this article*, the annual election in independent districts shall be held on the third Tuesday in May.

Sec. 7. Minnesota Statutes 1980, Section 123.32, is amended by adding a subdivision to read:

Subd. 28. [ALTERNATIVE DATE.] *The board of any school district may by resolution provide for the holding of the annual election on the first Tuesday after the first Monday in November of any year. If the annual election is held in November, the terms of office of all board members shall be lengthened to expire on January 1.*

Sec. 8. Minnesota Statutes 1980, Section 123.37, Subdivision 1b, is amended to read:

Subd. 1b. [TRANSPORTATION; FUEL.] Notwithstanding the provisions of subdivision 1 or section 471.345, a contract for the transportation of school

children, *or a contract for the purchase, by June 30, 1983, of petroleum heating fuel or fuel for district owned vehicles* may be made by direct negotiation, by obtaining two or more written quotations for the service when possible, or upon sealed bids. At least 30 days before awarding a directly negotiated contract, the school district shall, by published notice, request quotations for the service to be provided. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. If a contract is made by direct negotiation, negotiations shall be open to the public. If a contract is made upon sealed bids, the procedure for advertising and awarding bids shall conform to the provisions of subdivision 1 except as otherwise provided in this subdivision.

Notwithstanding the provisions of subdivision 1 or section 574.26, a performance bond shall be required of a contractor on a contract for the transportation of school children only when and in the amount deemed necessary by and at the discretion of the school board.

Sec. 9. Minnesota Statutes 1980, Section 124.19, Subdivision 1, is amended to read:

Subdivision 1. [INSTRUCTIONAL TIME.] Every district which receives special state aid shall maintain school *in session* or provide instruction in other districts, in state university laboratory school or in the university laboratory school, *for* at least ~~a minimum term as defined by the state board. The normal school year when school is in session shall be not less than~~ 175 days, *not including summer school,* or ~~their~~ *the* equivalent in a district operating a flexible school year program. A district which holds school for ~~that period~~ *the required minimum number of days* and is otherwise qualified is entitled to special state aid as *provided* by law ~~provided~~. If school is *not* held ~~a less period such special~~ *for the required minimum number of days, special* state aid shall be reduced by the ratio that the difference between 175 days and the number of days school is held bears to 175 days, multiplied by 60 percent of the product of the ~~district's~~ foundation aid formula allowance times its pupil units for that year~~; but~~. *However,* districts maintaining ~~less~~ *school for fewer* than the required minimum number of days ~~of school in session~~ do not lose special state aid, if the circumstances causing ~~such~~ loss of school ~~time~~ *days* below the required minimum number of days ~~were~~ *are* beyond the control of the board and ~~provided~~, *if* proper evidence ~~has been~~ *is* submitted and a good faith attempt made to make up time lost ~~on account of~~ *due to* these circumstances. *The loss of school days resulting from a lawful employee strike shall not be considered a circumstance beyond the control of the board.* Days devoted to teachers' institutes or other meetings authorized or called by the commissioner may not be included as part of the required minimum number of days of school ~~in session~~. ~~Effective the 1979-1980 school year,~~ Not more than five days may be devoted to parent-teacher conferences or teachers' workshops as part of the required minimum number of days ~~school is in session~~, except that, for kindergarten classes , not more than ten days may be devoted to parent-teacher conferences or teachers' workshops as part of the required minimum number of days ~~school is in session~~.

Sec. 10. Minnesota Statutes 1980, Section 124.19, is amended by adding a subdivision to read:

Subd. 5. [SCHEDULE ADJUSTMENTS.] *(a) It is the intention of the*

legislature to encourage efficient and effective use of staff and facilities by school districts. School districts are encouraged to consider both cost and energy saving measures.

(b) Notwithstanding the provisions of subdivision 1 or 4, any district, including a district operating a program pursuant to sections 120.59 to 120.68 or 121.502 to 121.507, may adjust the annual school schedule throughout the calendar year so long as the number of instructional hours in the year is not less than the number specified in the rules of the state board.

Sec. 11. Minnesota Statutes 1981 Supplement, Section 125.611, Subdivision 5, is amended to read:

Subd. 5. [SCHOOL BOARD APPLICATION; LIMIT.] If the school board approves the teacher's application, the board shall apply to the commissioner of education for authorization to enter into a contract with the teacher for termination of his services and payment of an early retirement incentive. The school board's application shall be submitted on the form required by the commissioner and must be received by the commissioner by the March 15 immediately following the school board's approval of the teacher's application. The commissioner of education shall establish procedures for applications pursuant to this subdivision and shall approve or disapprove applications pursuant to this subdivision within the limits of the appropriation for the purposes of this section. The commissioner shall approve no more than 500 applications for early retirement incentives for teachers retiring at the end of each school year.

If more applications are received than can be approved within this limit, the commissioner may decide which applications to approve according to the order of receipt, a method ensuring participation by teachers from the maximum possible number of districts, random allotment or any combination of these methods. *If the number of applications approved by the commissioner by March 15 is less than 500 and is within the limits of the appropriation, additional applications submitted to the school board after February 1 may be considered for approval by the school board and commissioner according to the order of receipt.*

Applications pursuant to this subdivision shall include the annual salaries which would be paid to the teachers for whom the applications are made if they did not retire and any other information required by the commissioner of education.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 136A.81, Subdivision 1, is amended to read:

Subdivision 1. [FEES AND TUITION.] Except for an administration fee of $6 a credit hour, to be collected only when a course is taken for credit, a senior citizen who is a legal resident of Minnesota is entitled without payment of tuition or activity fees to attend courses offered for credit ~~or~~ , audit any courses offered for credit, *or enroll in any noncredit adult vocational education courses* in any state supported institution of higher education in Minnesota when space is available after all tuition-paying students have been accommodated. *For the purposes of sections 136A.80 and 136A.81, the term "noncredit adult vocational education courses" shall not include those adult vocational education courses designed and offered specifically and exclusively for*

senior citizens. Senior citizens enrolled under the provisions of sections 136A.80 and 136A.81 shall not be included by such institutions in their computation of full time equivalent students when requesting staff or appropriations. The enrollee shall pay laboratory or material fees.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 169.974, Subdivision 2, is amended to read:

Subd. 2. [LICENSE REQUIREMENTS.] No person shall operate a motorcycle on any street or highway unless he has a valid standard driver's license with a two-wheeled vehicle endorsement as provided by law. No such two-wheeled vehicle endorsement shall be issued unless the person applying therefor has in possession a valid two-wheeled vehicle instruction permit as provided herein, has passed a written examination and road test administered by the department of public safety for such endorsement, and, in the case of applicants under 18 years of age, shall present a certificate or other evidence of having successfully completed an approved two-wheeled vehicle driver's safety course in this or another state, in accordance with ~~such regulations as the commissioner of public safety shall promulgate~~ *rules promulgated by the state board of education for courses offered through the public schools, or rules promulgated by the commissioner of public safety for courses offered by a private or commercial school or institute*. The commissioner may waive the road test for any applicant if he determines that the applicant possesses a valid license to operate a two-wheeled vehicle issued by a jurisdiction that requires a comparable road test for license issuance. A two-wheeled vehicle instruction permit shall be issued to any person over 16 years of age, who is in possession of a valid driver's license, who is enrolled in an approved two-wheeled vehicle driver's safety course, and who has passed a written examination for such permit and has paid such fee as the commissioner of public safety shall prescribe. A two-wheeled vehicle instruction permit shall be effective for 45 days, and may be renewed under rules to be prescribed by the commissioner of public safety.

No person who is operating by virtue of a two-wheeled vehicle instruction permit shall:

(a) Carry any passengers on the streets and highways of this state on the motorcycle which he is operating;

(b) Drive the motorcycle at night time;

(c) Drive the motorcycle on any highway marked by the commissioner as an interstate highway pursuant to Title 23 of the United States Code.

(d) Drive the motorcycle without wearing protective headgear of a type approved by the commissioner of public safety.

Notwithstanding the provisions of this subdivision, the commissioner of public safety may, however, issue a special motorcycle permit, restricted or qualified in such manner as he shall deem proper, to any person demonstrating a need therefor and unable to qualify for a standard driver's license.

Sec. 14. Minnesota Statutes 1981 Supplement, Section 171.04, is amended to read:

171.04 [PERSONS NOT ELIGIBLE FOR DRIVER'S LICENSES.]

The department shall not issue a driver's license hereunder:

(1) To any person who is under the age of 16 years; to any person under 18 years unless such person shall have successfully completed a course in driver education, including both classroom and behind-the-wheel instruction, approved by the ~~department of public safety~~ *state board of education for courses offered through the public schools*, or, in the case of a course offered by a private, commercial driver education school or institute ~~employing driver education instructors~~, by the department of public safety~~,~~*;* except when such person has completed a course of driver education in another state or has a previously issued valid license from another state or country; nor to any person under 18 years unless the application of license is approved by either parent when both reside in the same household as the minor applicant, otherwise the parent having custody or with whom the minor is living in the event there is no court order for custody, or guardian having the custody of such minor, or in the event a person under the age of 18 has no living father, mother or guardian, the license shall not be issued to such person unless his application therefor is approved by his employer. ~~Behind-the-wheel~~ Driver education courses offered in any public school shall be open for enrollment to persons between the ages of 15 and 18 years residing in the school district or attending school therein. Any public school offering ~~behind-the-wheel~~ driver education courses may charge an enrollment fee for the ~~behind-the-wheel~~ driver education course which shall not exceed the actual cost thereof to the public school and the school district. The approval required herein shall contain a verification of the age of the applicant;

(2) To any person whose license has been suspended during the period of suspension except that a suspended license may be reinstated during the period of suspension upon the licensee furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act;

(3) To any person whose license has been revoked except upon furnishing proof of financial responsibility in the same manner as provided in the Minnesota no-fault automobile insurance act and if otherwise qualified;

(4) To any person who is a drug-dependent person as defined in section 254A.02, subdivision 5;

(5) To any person who has been adjudged legally incompetent by reason of mental illness, mental deficiency, or inebriation, and has not been restored to capacity, unless the department is satisfied that such person is competent to operate a motor vehicle with safety to persons or property;

(6) To any person who is required by this chapter to take an examination, unless such person shall have successfully passed such examination;

(7) To any person who is required under the provisions of the Minnesota no-fault automobile insurance act of this state to deposit proof of financial responsibility and who has not deposited such proof;

(8) To any person when the commissioner has good cause to believe that the operation of a motor vehicle on the highways by such person would be inimical to public safety or welfare;

(9) To any person when, in the opinion of the commissioner, such person is afflicted with or suffering from such physical or mental disability or disease as will affect such person in a manner to prevent him from exercising reasonable

and ordinary control over a motor vehicle while operating the same upon the highways; nor to a person who is unable to read and understand official signs regulating, warning, and directing traffic.

Sec. 15. Minnesota Statutes 1981 Supplement, Section 354.66, Subdivision 6, is amended to read:

Subd. 6. [INSURANCE.] A board of an employing district entering into an agreement authorized by this section shall take all steps necessary to assure continuance of any insurance programs furnished or authorized a full time teacher on an identical basis and with identical sharing of costs for a part time teacher pursuant to this section, *provided, however, that the requirements of this sentence may be modified by a collective bargaining agreement between a board and an exclusive representative pursuant to chapter 179.* Notwithstanding the provisions of section 43.47, subdivision 16, teachers as defined in section 136.88 employed on a less than 75 percent time basis pursuant to this section shall be eligible for state paid insurance benefits as if the teachers were employed full time.

Sec. 16. Minnesota Statutes 1980, Section 475.61, Subdivision 1, is amended to read:

Subdivision 1. [DEBT SERVICE RESOLUTION.] The governing body of any municipality issuing general obligations shall, prior to delivery of the obligations, levy by resolution a direct general ad valorem tax upon all taxable property in the municipality to be spread upon the tax rolls for each year of the term of the obligations. The tax levies for all years *for municipalities other than school districts* shall be specified and such that if collected in full they, together with estimated collections of special assessments and other revenues pledged for the payment of said obligations, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the obligations. *The tax levies for school districts shall be specified and such that if collected in full they, together with estimated collection of other revenues pledged for the payment of the obligations, will produce between five and six percent in excess of the amount needed to meet when due the principal and interest payments on the obligations; except that, with the permission of the commissioner of education, a school board may specify a tax levy in a higher amount if necessary because of anticipated tax delinquency.* Such resolution shall irrevocably appropriate the taxes so levied and any special assessments or other revenues so pledged to the municipality's debt service fund or a special debt service fund or account created for the payment of one or more issues of obligations. The governing body may, in its discretion, at any time after the obligations have been authorized, adopt a resolution levying only a portion of such taxes, to be filed, assessed, extended, collected, and remitted as hereinafter provided, and the amount or amounts therein levied shall be credited against the tax required to be levied prior to delivery of the obligations.

Sec. 17. Minnesota Statutes 1980, Section 475.61, Subdivision 3, is amended to read:

Subd. 3. [IRREVOCABILITY.] Tax levies so made and filed shall be irrevocable, except ~~that~~ *as provided in this subdivision.*

In each year when there is on hand any excess amount in the debt service fund of a school district at the time the district makes its property tax levies, the

amount shall be certified by the school board to the county auditor and the auditor shall reduce the amount otherwise to be included in the rolls next prepared by the amount certified. An amount shall be presumed to be excess if it, together with the levy required by subdivision 1, will exceed 106 percent in excess of the amount needed to meet when due the principal and interest payments on the obligations due before the second following July 1. This subdivision shall not limit a school board's authority to specify a tax levy in a higher amount if necessary because of anticipated tax delinquency.

If the governing body, *including the governing body of a school district,* in any year makes an irrevocable appropriation to the debt service fund of moneys actually on hand or if there is on hand any excess amount in the debt service fund, the recording officer may certify to the county auditor the fact and amount thereof and the auditor shall reduce by the amount so certified the amount otherwise to be included in the rolls next thereafter prepared.

Sec. 18. Minnesota Statutes 1980, Section 475.61, Subdivision 4, is amended to read:

Subd. 4. [SURPLUS FUNDS.] All such taxes shall be collected and remitted to the municipality by the county treasurer as other taxes are collected and remitted, and shall be used only for payment of the obligations on account of which levied or to repay advances from other funds used for such payments, except that any surplus remaining in the debt service fund when the obligations and interest thereon are paid may be appropriated to any other general purpose by the municipality. However, the amount of any surplus remaining in the debt service fund of a school district when the obligations and interest thereon are paid shall be used to reduce the maintenance levy authorized pursuant to section 275.125, subdivision 2a *except that from the effective date of this section of this article to June 30, 1983, a school district which has discontinued its levy for debt service may transfer to its general fund the amount of any surplus remaining in its debt service fund when the obligations and interest thereon are paid or when an escrow account for defeasance of the entire amount of the obligations and interest thereon has been established.*

Sec. 19. Laws 1981, Chapter 358, Article VII, Section 29, as amended by Laws 1981, Third Special Session Chapter 1, Article I, Section 10, is amended to read:

Sec. 29. [EXEMPTION FROM PUBLIC SALE.]

Notwithstanding Minnesota Statutes, Section 124.76, from June 1, 1981 until June 30, 1983, the requirements as to public sale of tax and aid anticipation certificates of indebtedness shall not apply to certificates which mature no later than ~~six~~ *twelve* months after their date of issue. The interest rate on these certificates may be determined by direct negotiation.

Sec. 20. Laws 1981, Third Special Session Chapter 2, Article II, Section 15 is amended to read:

Sec. 15. [REPAYMENT BY END OF FISCAL YEAR.]

Notwithstanding any law to the contrary, by June 30, 1982, the commissioner of finance shall draw warrants in favor of school districts, public library systems, multi-type library systems, educational cooperative service units or regional management information systems for any of the state aids, payments,

reimbursements and fund transfers that were suspended by the commissioner of education pursuant to section 13. *In the event moneys become available for partial repayment of suspended aid payments, reimbursements, and fund transfers before June 30, 1982, the commissioner of education may consider the cash flow needs of the individual recipients in determining which suspended amounts shall be repaid before June 30, 1982.*

Sec. 21. [TRANSFER FROM CAPITAL EXPENDITURE FUND.]

Notwithstanding the provisions of section 275.125, subdivision 11a or 11b, or any other law to the contrary, a school district may permanently transfer an amount not to exceed $50 per actual pupil unit from the capital expenditure fund to the general fund of the district. The transfer shall be made before June 30, 1983.

Sec. 22. [UNREQUESTED LEAVE OF ABSENCE.]

By March 1, 1983, the department of education shall evaluate existing law and state board rules governing supervisory and administrative personnel and shall assess whether these laws and rules have resulted in disproportionately small numbers of supervisory and administrative personnel being placed on unrequested leaves of absence, as compared with instructional personnel. The department may recommend changes in law or rule as necessary to ensure an equitable balance in placing district personnel on unrequested leaves of absence, which may include consolidation of administrative positions.

Sec. 23. [DRIVER EDUCATION RULES.]

By July 1, 1982, the state board of education shall adopt temporary rules pursuant to Minnesota Statutes, Section 15.0412, Subdivision 5, establishing criteria for approval of driver education courses offered through the public schools. Notwithstanding any law to the contrary, the temporary rules shall be effective until July 1, 1983 or until the state board adopts permanent rules, whichever is earlier.

Sec. 24. [REPEALER.]

Minnesota Statutes 1980, Section 128.05; Laws 1967, Chapters 251 and 253; and Laws 1976, Chapter 20, Section 8, are repealed.

Sec. 25. [EFFECTIVE DATE.]

Sections 1, 5, 6, 7, 8, 9, 10, 11, 12, 19, 20, 22, 23, and 24 are effective immediately.

ARTICLE V

VOCATIONAL EDUCATION

Section 1. Minnesota Statutes 1981 Supplement, Section 121.912, Subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS.] No school district shall permanently transfer money from an operating fund to a nonoperating fund except as provided in this subdivision. Permanent transfers may be made from an operating fund to any other fund to correct for prior fiscal years' errors discovered after the books have been closed for that year. Permanent transfers may be made from the general fund to eliminate deficits in another fund when that other fund is being discontinued. When a district discontinues operation of a

district-owned bus fleet or a substantial portion of a fleet, permanent transfers may be made from the fund balance account entitled "pupil transportation fund appropriated for bus purchases" to the capital expenditure fund, with the approval of the commissioner. The levy authorized pursuant to section 275.125, subdivision 11a, shall be reduced by an amount equal to the amount transferred. ~~Permanent transfers may be made from the general fund to the capital expenditure fund of a post-secondary vocational-technical school in the amount and for the purposes authorized by the state board for vocational education in approving the school's budget pursuant to section 124.561. The state board shall not approve any permanent transfer for the purpose of an acquisition or betterment of lands or buildings or a capital improvement which requires the expenditure of an amount equal to or greater than $50,000, which changes the perimeter walls of an existing facility, which adds more than 1,000 square feet to a post-secondary vocational facility, or which requires the issuance of school district bonds. The state board shall not approve the permanent transfer for any other purpose of any amount which exceeds $150,000.~~

Sec. 2. Minnesota Statutes 1980, Section 123.351, is amended by adding a subdivision to read:

Subd. 8a. [DISSOLUTION.] *The boards of each participating district may agree to dissolve a center effective at the end of any school year or at an earlier time as they may mutually agree. A dissolution shall be accomplished in accordance with any applicable provisions of the agreement establishing the center. Upon receipt of the dissolution resolutions from the boards of the participating districts, the center board shall file a certified copy with the county auditors of the counties affected. The dissolution shall not affect the continuing liability of the previously participating districts for bonded indebtedness incurred prior to the dissolution, or for other continuing obligations, including unemployment compensation.*

Sec. 3. Minnesota Statutes 1981 Supplement, Section 124.5621, Subdivision 12, is amended to read:

Subd. 12. [INSTRUCTIONAL AID FORMULA.] ~~In each fiscal~~ *Except for the 1982-1983 school* year, each district which operates an AVTI shall receive post-secondary vocational instructional aid computed according to the following formula:

(a) The instructional program allowance for that AVTI in the base year, multiplied by

(b) The AVTI staff compensation weighting for that AVTI, multiplied by

(c) 119 percent, multiplied by

(d) The student growth or decline factor for that AVTI.

Sec. 4. Minnesota Statutes 1980, Section 124.5621, is amended by adding a subdivision to read:

Subd. 12a. [1982-1983 INSTRUCTIONAL AID FORMULA.]

For the 1982-1983 school year, each district which operates an AVTI shall receive post-secondary vocational instructional aid computed according to the following formula:

(a) The instructional program allowance for that AVTI in the base year,

multiplied by

(b) The AVTI staff compensation weighting for that AVTI, multiplied by

(c) 109.5 percent, multiplied by

(d) The student growth or decline factor for that AVTI.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 124.5624, Subdivision 3, is amended to read:

Subd. 3. [EQUIPMENT AID.] "Post-secondary vocational equipment aid" means state funds, exclusive of post-secondary vocational instructional aid, supply aid, support services aid, debt service aid, and repair and betterment aid apportioned by the state board for vocational education to local school districts, *as necessary for the conduct of post-secondary vocational-technical training,* for the purpose of*:*

(a) acquisition or purchase of equipment or machinery;

(b) betterment, as defined in section 475.51, of equipment or machinery; ~~and~~

(c) paying leasing fees for computer systems hardware and related proprietary software, photocopy machines and telecommunications equipment~~.~~*; and*

(d) renting or leasing buildings for school purposes

~~as necessary for the conduct of post-secondary vocational-technical training~~.

Post-secondary vocational equipment aid shall be utilized solely for the purposes enumerated in this section.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 124.5624, Subdivision 4, is amended to read:

Subd. 4. [BUDGETS; EQUIPMENT AID ALLOCATION.] Each AVTI shall submit a budget before ~~January 1, 1982, and before~~ January 1 of each year ~~thereafter~~ detailing estimated costs for the following fiscal year in each applicable component activity of the AVTI's operations for each of the following expenditure categories: acquisition of equipment or machinery, betterment of equipment or machinery ~~and rents and leases~~, *leasing fees, and renting or leasing buildings for school purposes*, for all instructional programs and support services, including special needs programs and related instruction. Each budget shall also include anticipated revenues from the sale of equipment and other capital goods. A budget submitted pursuant to this section shall not include any revenues or expenditures which are included in the computation of an AVTI's instructional program cost or in the AVTI's budgets for post-secondary vocational support services aid, supply aid, or repair and betterment aid. The department of education shall recommend an allocation of equipment aid in each applicable component activity of the AVTI's operations for each of the expenditure categories and a total allocation of equipment aid for each AVTI, after a review of each AVTI budget. The state board shall review the recommendations of the department, authorize an allocation of equipment aid for each AVTI, and detail recommended levels of spending in each component activity for each expenditure category, through the consolidated public hearing process prescribed in section 124.561, subdivision 3a.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 124.5627, Subdivi-

sion 3, is amended to read:

Subd. 3. [REPAIR AND BETTERMENT AID.] (a) [DEFINITION.] "Post-secondary vocational repair and betterment aid" means state funds, exclusive of post-secondary vocational instructional aid, supply aid, support services aid, debt service aid, and equipment aid, apportioned by the state board for vocational education to local school districts for the purpose of reconstruction, improvement, remodeling and repair of the existing AVTI buildings and grounds, ~~and renting or leasing buildings for school purposes,~~ as necessary for the conduct of post-secondary vocational-technical training.

(b) [PROHIBITION.] Post-secondary vocational repair and betterment aid shall be utilized solely for the purposes enumerated in this section. The use of post-secondary vocational repair and betterment aid shall be governed by the provisions of section 121.21, subdivision 4a. Post-secondary vocational repair and betterment aid shall not be utilized for the acquisition or betterment of equipment or machinery.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 124.5627, Subdivision 4, is amended to read:

Subd. 4. [BUDGETS; AID ALLOCATION.] Each AVTI shall submit a budget before ~~January 1, 1982 and before~~ January 1 of each ~~subsequent~~ year detailing estimated costs for the following fiscal year ~~for rents and leases and~~ for each repair and betterment project proposed by the AVTI. A budget submitted pursuant to this section shall not include any revenues or expenditures which are included in the computation of an AVTI's instructional program cost or in the AVTI's budgets for post-secondary vocational support services aid, supply aid, or equipment aid. The department of education shall recommend an allocation of repair and betterment aid ~~for rents and leases and~~ for each project proposed by the AVTI as well as a total allocation of repair and betterment aid for each AVTI, after a review of each AVTI budget. The state board shall review the recommendations of the department, authorize an allocation of repair and betterment aid for each AVTI, and detail recommended levels of spending ~~for rents and leases and~~ for each project proposed by the AVTI, through the consolidated public hearing process prescribed in section 124.561, subdivision 3a. The amount of each AVTI's estimated net positive unappropriated aapital fund balance, as of June 30 of the fiscal year during which allocations are made, shall be taken into account by the state board in making these allocations. The allocation of post-secondary vocational repair and betterment aid by the state board shall not constitute approval of a project by the state board for the purposes of section 121.21, subdivision 4a.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 124.5627, Subdivision 5, is amended to read:

Subd. 5. [REPORT.] Before ~~August 1, 1982 and before~~ August 1 of each ~~subsequent~~ year, the commissioner shall issue a report on the repair and betterment aid allocation to each AVTI. This report shall include recommended aid allocations ~~for rents and leases and~~ for each repair and betterment project proposed by an AVTI and an explanation comparing the amount of the authorized repair and betterment aid allocation to the budget submitted for each AVTI. The fund balances used by the state board in determining the repair and betterment aid allocation shall be included.

These reports shall be transmitted to the education committees of the legis-

lature and to the directors of the AVTI's.

Sec. 10. Minnesota Statutes 1980, Section 124.572, Subdivision 2, is amended to read:

Subd. 2. [ADULT VOCATIONAL AID.] *Except for the 1982-1983 school year,* the state shall pay to any district or cooperative vocational center 75 percent of the salaries paid to essential, licensed personnel or personnel exempt from licensure pursuant to section 125.031 in that school year for services rendered in that district's or center's adult vocational education programs. In addition, the state shall pay 50 percent of the costs of necessary travel between instructional sites by adult vocational education teachers. The commissioner may withhold all or any portion of this aid for an adult vocational education program which receives moneys from any other source, and in no event shall a district or center receive a total amount of state aid for salaries and travel pursuant to this section which, when added to moneys from other sources, will provide the program an amount for salaries and travel which exceeds 100 percent of the amount of its expenditures for salaries and travel in the program.

Sec. 11. Minnesota Statutes 1980, Section 124.572, is amended by adding a subdivision to read:

Subd. 2a. [1982-1983 ADULT VOCATIONAL AID.] *The aid for the 1982-1983 school year shall be paid according to subdivision 2, except that the state shall pay 69 percent of salaries and 46.25 percent of necessary travel.*

Sec. 12. Minnesota Statutes 1981 Supplement, Section 124.573, Subdivision 2, is amended to read:

Subd. 2. [SALARIES, EQUIPMENT AND TRAVEL.] ~~In the 1981-1982 school year and each year thereafter~~ *Except for the 1982-1983 school year*, the state shall pay to any district or cooperative center 45 percent of the salaries paid to essential, licensed personnel in that school year for services rendered in that district's or center's secondary vocational education programs. ~~In addition~~ *Except for the 1982-1983 school year*, the state shall pay 45 percent of the costs of necessary travel between instructional sites by secondary vocational education teachers~~,~~ *and* 45 percent of the costs of necessary travel by secondary vocational education teachers accompanying students to and from vocational student organization meetings held within the state for educational purposes~~, and~~. *For the 1981-1982 school year, the state shall pay* 45 percent of the costs of necessary equipment for these programs. No secondary vocational equipment aid shall be paid ~~beginning with~~ *for* the 1982-1983 school year *and thereafter*. The commissioner may withhold all or any portion of this aid for a secondary vocational education program which receives funds from any other source~~, and~~. In no event shall a district or center receive a total amount of state aid pursuant to this section which, when added to funds from other sources, will provide the program an amount for salaries, equipment and travel which exceeds 100 percent of the amount of its expenditures for salaries, equipment and travel in the program.

Sec. 13. Minnesota Statutes 1980, Section 124.573, is amended by adding a subdivision to read:

Subd. 2a. [1982-1983 SALARIES AND TRAVEL.] *For the 1982-1983 school year, the state shall pay to any district or cooperative center 41.6 percent of the salaries paid to essential, licensed personnel in that school year*

for services rendered in that district's or center's secondary vocational education programs. In addition, the state shall pay 41.6 percent of the costs of necessary travel between instructional sites by secondary vocational education teachers, and 41.6 percent of the costs of necessary travel by secondary vocational education teachers accompanying students to and from vocational student organization meetings held within the state for educational purposes. The commissioner may withhold all or any portion of this aid for a secondary vocational education program which receives funds from any other source. In no event shall a district or center receive a total amount of state aid pursuant to this section which, when added to funds from other sources, will provide the program an amount for salaries, equipment and travel which exceeds 100 percent of the amount of its expenditures for salaries, equipment and travel in the program.

Sec. 14. Minnesota Statutes 1981 Supplement, Section 124.573, Subdivision 3a, is amended to read:

Subd. 3a. [AID FOR CONTRACTED SERVICES.] In addition to the provisions of subdivisions 2 and 3, a school district or cooperative center may contract with a public or private agency other than a Minnesota school district or cooperative center for the provision of secondary vocational education services. *Except for the 1982-1983 school year,* the state shall pay each district or cooperative center 40 percent of the amount of a contract entered into pursuant to this subdivision. The state board shall promulgate rules relating to program approval procedures and criteria for these contracts and aid shall be paid only for contracts approved by the commissioner of education. For the purposes of subdivision 4, the district or cooperative center contracting for these services shall be construed to be providing the services. For the purposes of subdivision 5, aid for these contracts shall be distributed on the same basis as aids for salaries and travel.

Sec. 15. Minnesota Statutes 1980, Section 124.573, is amended by adding a subdivision to read:

Subd. 3b. [1982-1983 AID FOR CONTRACTED SERVICES.] *For the 1982-1983 school year, the state shall pay 37 percent of the amount of a contract entered into pursuant to subdivision 3a.*

Sec. 16. Minnesota Statutes 1981 Supplement, Section 124.574, Subdivision 2, is amended to read:

Subd. 2. [*1981-1982* SALARIES.] ~~(a)~~ For the 1981-1982 ~~and 1982-1983~~ school ~~years~~ *year,* the state shall pay to any district or cooperative center 65 percent of the salaries paid to essential licensed personnel in that school year for services rendered in that district or center's secondary vocational education programs for handicapped children.

Subd. 2a. [1982-1983 SALARIES.] *For the 1982-1983 school year, the state shall pay to any district or cooperative center 60 percent of the salaries paid to essential licensed personnel in that school year for services rendered in that district's or center's secondary vocational education program for handicapped children.*

~~(b)~~ *Subd. 2b.* [~~1983-1984 AND THEREAFTER~~ SALARIES.] ~~Beginning in~~ *For* the 1983-1984 school year and each year thereafter, the state shall pay to any district or cooperative center 70 percent of the salaries paid to essential

licensed personnel in that school year for services rendered in that district or center's secondary vocational education programs for handicapped children.

Sec. 17. Minnesota Statutes 1980, Section 124.574, Subdivision 3, is amended to read:

Subd. 3. [EQUIPMENT, TRAVEL, AND SUPPLIES.] In addition to the provisions of subdivision 2, the state shall pay *for each school year, except for the 1982-1983 school year*:

(a) 50 percent of the costs of necessary equipment for these secondary vocational education programs for handicapped children;

(b) 50 percent of the costs of necessary travel between instructional sites by secondary vocational education teachers of handicapped children, but not including travel to and from local, regional, district, state or national vocational student organization meetings; and

(c) 50 percent of the costs of necessary supplies for these secondary vocational education programs for handicapped children, but not to exceed an average of $50 in any one school year for each handicapped child receiving these services.

Sec. 18. Minnesota Statutes 1980, Section 124.574, is amended by adding a subdivision to read:

Subd. 3a. [1982-1983 EQUIPMENT, TRAVEL, AND SUPPLIES.] *The aid for the 1982-1983 school year shall be paid according to the provisions of subdivision 3, except that the state shall pay (a) 46.25 percent of the cost of necessary equipment; (b) 46.25 percent of the cost of necessary travel between instructional sites; and (c) 46.25 percent of the cost of necessary supplies, but not to exceed an average of $46.25 in any one school year for each handicapped child receiving these services.*

Sec. 19. [EFFECTIVE DATE.]

Sections 2, 5, 6, 7, 8 and 9 are effective the day following final enactment. Section 1 is effective August 1, 1982.

ARTICLE VI

OTHER AIDS AND LEVIES

Section 1. Minnesota Statutes 1980, Section 121.88, is amended by adding a subdivision to read:

Subd. 5. [SUMMER SCHOOL PROGRAMS.] *Notwithstanding any law to the contrary, during the summer a school district may offer community education programs to elementary and secondary pupils. The district may use community education revenue received pursuant to sections 124.271 and 275.125, subdivision 8 and charge fees for the cost of the programs.*

Sec. 2. Minnesota Statutes 1981 Supplement, Section 122.542, Subdivision 3, is amended to read:

Subd. 3. [ALTERNATIVE EDUCATIONAL DELIVERY SYSTEM GRANTS.] (a) The council on quality education shall make a grant to Independent School District No. 362, Littlefork, to serve as a demonstration model in the development and implementation of an alternative educational delivery

system. The council shall provide supervision and coordination in the development and implementation of the demonstration model and in disseminating information about the model to other districts. Application for a grant pursuant to this subdivision shall be made in a manner prescribed by the council.

(b) Alternative educational delivery systems shall include but are not limited to:

(1) computer-assisted instruction;

(2) extension courses offered by correspondence;

(3) videotape courses; and

(4) audiovisual courses.

(c) The goals of alternative educational delivery systems shall include but not be limited to:

(1) expansion of curriculum in areas not otherwise available;

(2) elimination of traditional classes of uneconomic or insufficient size without a reduction of learning opportunities;

(3) provision of remedial instruction in basic skills.

(d) A grant made pursuant to this subdivision is to be used solely for development, implementation, and evaluation of the model, and to disseminate information about the model to other school districts in the state. The legislature does not intend that this grant is to be used for start-up costs of alternative educational delivery systems in other districts, nor does it intend to fund such start-up costs in the future. *However, the council on quality education may use a portion of the moneys appropriated for this grant to provide in-service training to other school districts for the purpose of replicating the demonstration model.*

Sec. 3. Minnesota Statutes 1981 Supplement, Section 122.542, Subdivision 4, is amended to read:

Subd. 4. [LOW-POWER TELEVISION SYSTEM GRANT.] (a) The council on quality education shall make a grant to Independent School District No. 790, Eagle Bend, to serve as a demonstration model in the development and implementation of a two-way, low-power television transmission system. The council shall provide supervision and coordination in the development, implementation, and evaluation of the model and in disseminating information about the model to other districts. Applications for this grant shall be made in a manner prescribed by this council.

(b) This grant is to be used solely for the development, implementation, and evaluation of the model and for disseminating information about the model to other school districts in the state. The legislature does not intend that this grant is to be used for start-up costs of two-way, low-power television transmission systems in other school districts nor does the legislature intend to fund such start-up costs in the future. *However, the council on quality education may use a portion of the moneys appropriated for this grant to provide in-service training to other school districts for the purpose of replicating the demonstration model.*

Sec. 4. Minnesota Statutes 1980, Section 123.35, is amended by adding a

subdivision to read:

Subd. 9a. [SUMMER SCHOOL CLASSES.] *The board may establish and maintain summer school programs and inter-session classes of flexible school year programs.*

Sec. 5. Minnesota Statutes 1981 Supplement, Section 123.702, Subdivision 1a, is amended to read:

Subd. 1a. [COMPONENTS.] ~~The~~ *A* screening ~~programs~~ *program* shall include at least the following components to the extent the school board determines they are financially feasible: developmental assessments, hearing and vision screening, ~~the~~ review of health history and immunization status ~~and nutritional and physical assessments. The school board may also provide additional components, including laboratory tests or dental assessments, in the screening program~~, *and assessments of height, weight and blood pressure*. All screening components shall be consistent with the standards of the state commissioner of health for early and periodic screening programs. No child shall be required to submit to any component of this screening program to be eligible for any other component. No screening program shall provide laboratory tests, a health history or a physical examination to any child who has been provided with those laboratory tests or a health history or physical examination within the previous 12 months. The school district shall request the results of any laboratory test, health history or physical examination within the 12 months preceding a scheduled screening clinic. *A school board may offer additional components such as nutritional, physical and dental assessments and laboratory tests. State aid shall not be paid for additional components.*

Sec. 6. Minnesota Statutes 1981 Supplement, Section 123.705, is amended to read:

123.705 [STATE AID.]

The department of education shall pay each school district for the cost of screening services provided pursuant to sections 123.701 to 123.705. The payment shall not exceed $28 per child screened in fiscal year 1982 and ~~$29~~ *$15* per child screened in fiscal year 1983. Any district may request and receive an advance payment equal to 50 percent of its estimated payment for screening eligible children.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 124.245, Subdivision 1, is amended to read:

Subdivision 1. [BASIC COMPUTATION.] (a) ~~In~~ *For* the 1981-1982 school year and each year thereafter, *except for the 1982-1983 school year,* the state shall pay a school district the difference by which an amount equal to $90 per pupil unit in that school year or, in districts where the actual number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), has increased from the prior year, $95 per pupil unit in that school year, exceeds the amount raised by seven mills times the adjusted assessed valuation of the taxable property in the district for the preceding year. ~~In order~~ To qualify for aid pursuant to this subdivision in any school year, a district must have levied the full seven EARC mills for use for capital expenditures in that year pursuant to section 275.125, subdivision 11a.

For the 1982-1983 school year the state shall pay a school district the

difference by which an amount equal to $89 per pupil unit in that school year or, in districts where the actual number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), has increased from the prior year, $94 per pupil unit in that school year, exceeds the amount raised by seven mills times the adjusted assessed valuation of the taxable property in the district for the preceding year. To qualify for aid pursuant to this subdivision in any school year, a district must have levied the full seven EARC mills for use for capital expenditures in that year pursuant to section 275.125, subdivision 11a.

(b) In the 1982-1983 school year and each year thereafter, the aid under clause (a) for any district which operates an approved secondary vocational education program or an approved senior secondary industrial arts program shall be computed using a dollar amount per pupil unit which is $5 higher than the amount specified in clause (a).

(c) If the sum of a district's capital expenditure levy under section 275.125, subdivision 11a, attributable to any school year starting in 1982-1983 and its capital expenditure equalization aid, if any, under this subdivision for that school year exceeds ~~$90~~ *$89* per pupil unit or, in districts where the actual number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), has increased from the prior year, ~~$95~~ *$94* per pupil unit, the amount of the excess may be expended only for the purpose of capital expenditures for equipment for secondary vocational education programs or senior secondary industrial arts programs.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 124.245, Subdivision 1a, is amended to read:

Subd. 1a. [*1982-1983* SPECIAL PURPOSE COMPUTATION.] ~~In~~ *For* the 1982-1983 school year ~~and each year thereafter~~, the state shall pay a school district the difference by which an amount equal to ~~$25~~ *$24.50* per pupil unit exceeds the amount raised by two mills times the adjusted assessed valuation of the taxable property in the district for the preceding year. ~~In order~~ To qualify for aid pursuant to this subdivision in any school year, a district must levy the maximum permissible amount pursuant to section 275.125, subdivision 11b for use in that year. Aid paid pursuant to this subdivision may be used only for the purposes for which the proceeds of the levy authorized in section 275.125, subdivision 11b may be used.

Sec. 9. Minnesota Statutes 1980, Section 124.245, is amended by adding a subdivision to read:

Subd. 1b. [SPECIAL PURPOSE COMPUTATION.] *For the 1983-1984 school year and each year thereafter, the state shall pay a school district the difference by which an amount equal to $25 per pupil unit exceeds the amount raised by two mills times the adjusted assessed valuation of the taxable property in the district for the preceding year. To qualify for aid pursuant to this subdivision in any school year, a district must levy the maximum permissible amount pursuant to section 275.125, subdivision 11b for use in that year. Aid paid pursuant to this subdivision may be used only for the purposes for which the proceeds of the levy authorized in section 275.125, subdivision 11b may be used.*

Sec. 10. Minnesota Statutes 1981 Supplement, Section 124.246, Subdivision 2, is amended to read:

Subd. 2. [AID.] *Except for the 1982-1983 school year,* an eligible district shall receive $1 for each pupil, in average daily membership, enrolled in a public elementary, secondary or area vocational-technical or nonpublic elementary or secondary school. Aid for nonpublic school pupils shall be paid to the district upon request by or on behalf of the pupils. No district shall receive less than $1,000.

Sec. 11. Minnesota Statutes 1981 Supplement, Section 124.246, is amended by adding a subdivision to read:

Subd. 2a. [1982-1983 AID.] *For the 1982-1983 school year an eligible district shall receive 92.5 cents for each pupil, in average daily membership, enrolled in a public elementary, secondary or area vocational-technical or nonpublic elementary or secondary school. Aid for nonpublic school pupils shall be paid to the district upon request by or on behalf of the pupils. No district shall receive less than $925.*

Sec. 12. Minnesota Statutes 1981 Supplement, Section 124.247, Subdivision 3, is amended to read:

Subd. 3. [AID.] A district which establishes a program for gifted and talented students shall receive for the purpose of this program an amount equal to $16.25, in the 1981-1982 school year, and ~~$17.50~~ *$16.18* in the 1982-1983 school year, times the number of gifted and talented students in the district. No more than 5 percent of the students enrolled in the district shall be counted as gifted and talented for the purpose of aid computations pursuant to this subdivision. No more than five percent of the moneys received by a district pursuant to this subdivision may be expended for the purpose of administration of the program for gifted and talented students.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 124.251, is amended to read:

124.251 [STATE AID; IMPROVED LEARNING PROGRAMS.]

A district which establishes, pursuant to sections 121.501 to 121.507, a principal-teacher, counselor-teacher or career teacher component of an improved learning program approved by the state board of education, shall receive state aid for the purpose of this program in an amount equal to the salary and fringe benefits for the number of days each principal-teacher, counselor-teacher or career teacher works beyond the regular contract period. The daily rate paid shall be the contract rate including fringe benefits earned by the principal-teacher, counselor-teacher or career teacher during the year in which the application is submitted. The state board shall not approve applications or pay aids in excess of the state appropriation for this program. In addition, the board shall make an effort to distribute aid as equally as possible between rural, suburban and urban districts. In addition to other aids or moneys, a school district may use summer school ~~foundation~~ revenue to fund an improved learning program.

Sec. 14. Minnesota Statutes 1981 Supplement, Section 124.26, Subdivision 1, is amended to read:

Subdivision 1. [COMPENSATION.] For evening schools and continuing education programs for adults established for persons over 16 years of age and not in attendance upon regular day schools, the state shall compensate any

district maintaining such programs in accordance with requirements established by the state board from funds appropriated for that purpose, or such funds combined with federal funds insofar as federal funds are available. The state shall pay these aids on a current funding basis. *Except for the 1982-1983 school year,* the portion of ~~such~~ *the* compensation from state appropriation shall be 90 percent of the compensation paid each teacher for ~~his~~ services in ~~such~~ *the* programs up to $8,000 per year based on the costs in that current year. All classes shall be tuition free when taught by teachers subsidized under this section and there shall be no charge for registration, materials and supplies. Evening school and continuing education programs are defined as those public day or evening school programs which are established for persons over 16 years of age not in attendance at the full time elementary or secondary schools and which qualify such persons for the high school diploma, the high school equivalency certificate or for academic achievement at the secondary level.

Sec. 15. Minnesota Statutes 1980, Section 124.26, is amended by adding a subdivision to read:

Subd. 1b. [1982-1983 COMPENSATION.] *For the 1982-1983 school year the portion of the compensation from state appropriation shall be 83.25 percent of the compensation paid each teacher for services in the programs up to $7,400 per year based on the costs in that current year.*

Sec. 16. Minnesota Statutes 1981 Supplement, Section 124.271, Subdivision 2, is amended to read:

Subd. 2. [AID.] In fiscal ~~years~~ *year* 1982 ~~and 1983~~ the state shall pay the greater of 65 cents per capita or $6,100 to each school district which is operating a community education program in compliance with the rules promulgated by the state board and which has levied at least the lesser of $1 per capita or $1 per capita reduced by any deduction to the community service levy made pursuant to section 275.125, subdivision 9, clause (2), for use in that year. *In fiscal year 1983, the state shall pay the greater of 60 cents per capita or $5,642 to each school district which is operating a community education program in compliance with the rules promulgated by the state board and which has levied at least the lesser of $1 per capita or $1 per capita reduced by any deduction to the community service levy made pursuant to section 275.125, subdivision 9, clause (2), for use in that year.*

Sec. 17. Minnesota Statutes 1981 Supplement, Section 124.38, Subdivision 7, is amended to read:

Subd. 7. [MAXIMUM EFFORT DEBT SERVICE LEVY.] "Maximum effort debt service levy" means the lesser of:

(1) A levy in whichever of the following amounts is applicable:

(a) In any school district granted a debt service loan after July 31, 1981 or granted a capital loan which is approved after July 31, 1981, a levy in a total dollar amount computed as 16 mills on the adjusted assessed value;

(b) In any school district granted a debt service loan before August 1, 1981 or granted a capital loan which was approved before August 1, 1981, a levy in a total dollar amount computed as 15 mills on the adjusted assessed value, until and unless the district receives an additional loan; or

(2) A levy in whichever of the following amounts is applicable:

(a) In any school district which received a debt service or capital loan from the state before January 1, 1965, a levy in a total dollar amount computed as 4.10 mills on the market value in each year, unless the district applies or has applied for an additional loan subsequent to January 1, 1965, or issues or has issued bonds on the public market, other than bonds refunding state loans, subsequent to January 1, 1967;

(b) In any school district granted a debt service or capital loan between January 1, 1965, and July 1, 1969, a levy in a total dollar amount computed as 5-1/2 mills on the market value in each year, until and unless the district receives an additional loan;

(c) In any school district granted a debt service or capital loan between July 1, 1969 and July 1, 1975, a levy in a total dollar amount computed as 6.3 mills on market value in each year until and unless the district has received an additional loan;

(d) In any school district ~~granted~~ *for which* a capital loan ~~between July 1, 1977 and June 2, 1981~~ *was approved prior to August 1, 1981*, a levy in a total dollar amount equal to the sum of the amount of the required debt service levy and an amount which when levied annually will in the opinion of the commissioner be sufficient to retire the remaining interest and principal on any outstanding loans from the state within 30 years of the original date when the capital loan was granted; provided, that the school board in any district affected by the provisions of clause (2)(d) may elect instead to determine the amount of its levy according to the provisions of clause (1); provided further that if a district's capital loan is not paid within 30 years because it elects to determine the amount of its levy according to the provisions of clause (2)(d), the liability of the district for the amount of the difference between the amount it levied under clause (2)(d) and the amount it would have levied under clause (1), and for interest on the amount of that difference, shall not be satisfied and discharged pursuant to section 124.43, subdivision 4.

Sec. 18. Minnesota Statutes 1980, Section 134.34, is amended by adding a subdivision to read:

Subd. 5. [MAINTENANCE OF EFFORT; EXCEPTION.] *Notwithstanding subdivision 4, a regional library system support grant may be made in fiscal year 1983 to a regional public library system for a participating city or county which decreases the dollar amount provided by it for operating purposes of public library service below the amount provided by it for 1981 if the amount provided by the city or county in 1982 is not less than the amount provided by it in 1980. A regional library system support grant may be made in fiscal year 1984 to a regional public library system for a participating city or county which decreases the dollar amount provided by it for operating purposes of public library service below the amount provided by it for 1982, if the amount provided by the city or county in 1983 is not less than the amount provided by it in 1981. This subdivision shall not affect the eligibility of cities or counties to declare all or part of their library levies as special levies under the provisions of section 275.50, subdivision 5, clause (c).*

Sec. 19. Minnesota Statutes 1980, Section 275.125, is amended by adding a subdivision to read:

Subd. 2g. [SUMMER SCHOOL LEVY.] *Beginning with the 1982 payable*

1983 levy, a district may levy for summer school an amount not to exceed $20 per actual pupil unit for the regular school year prior to the summer program. The levy shall be used for summer school programs offered in the year following the year the levy is certified.

Sec. 20. Minnesota Statutes 1980, Section 275.125, is amended by adding a subdivision to read:

Subd. 2h. [LEVY FOR 1982 SUMMER SCHOOL.] *In addition to the levy authorized in section 19 of this article, in 1982 a district may certify a levy, for 1982 summer school programs, in an amount not to exceed $20 per actual pupil unit for the regular school year prior to the summer program.*

Sec. 21. Minnesota Statutes 1980, Section 275.125, Subdivision 4, is amended to read:

Subd. 4. [MISCELLANEOUS LEVIES.] A school district may levy the amounts necessary to make payments for bonds issued and for interest thereon, including the bonds and interest thereon, issued as authorized by section 275.125, subdivision 3, clause (7) (C), as it read in Minnesota Statutes 1974; the amounts necessary for repayment of debt service loans and capital loans; the amounts necessary to pay the district's obligations under section 6.62; the amount authorized for liabilities of dissolved districts pursuant to section 122.45; the amounts necessary to pay the district's obligations under section 268.06, subdivision 25; *the amounts necessary to pay for job placement services offered to employees who may become eligible for benefits pursuant to section 268.08;* the amounts necessary to pay the district's obligations under section 127.05; the amounts authorized by section 122.531; and the amounts necessary to pay the district's obligations under section 122.533.

Sec. 22. Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 11a, is amended to read:

Subd. 11a. [CAPITAL EXPENDITURE LEVY.] (a) Each year a school district may levy an amount not to exceed the amount equal to $90 per pupil unit, or $95 per pupil unit in districts where the actual number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), has increased from the prior year. No levy under this clause shall exceed seven mills times the adjusted assessed valuation of the taxable property in the district for the preceding year.

(b) The proceeds of the tax may be used ~~only~~ to acquire land, to equip and re-equip buildings and permanent attached fixtures, *to rent or lease buildings for school purposes,* to pay leasing fees for computer systems hardware and related proprietary software, and to pay leasing fees for photocopy machines and telecommunications equipment. The proceeds of the tax may also be used for capital improvement and repair of school sites, buildings and permanent attached fixtures, energy assessments as required pursuant to section 116H.126, and for the payment of any special assessments levied against the property of the district authorized pursuant to section 435.19 or any other law or charter provision authorizing assessments against publicly owned property; provided that a district may not levy amounts to pay assessments for service charges, ~~including but not limited to~~ *such as* those described in section 429.101, whether levied pursuant to that section or pursuant to any other law or home rule provision. The proceeds of the tax may also be used for capital

expenditures ~~for the purpose of reducing~~ *to reduce* or ~~eliminating~~ *eliminate* barriers to or ~~increasing~~ *increase* access to school facilities by handicapped individuals. The proceeds of the tax may also be used to make capital improvements to schoolhouses to be leased pursuant to section 123.36, subdivision 10. *The proceeds of the tax may also be used to pay fees for capital outlay expenditures assessed and certified to each participating school district by the educational cooperative service unit board of directors.*

(c) Subject to the commissioner's approval, the tax proceeds may also be used to ~~rent or lease buildings for school purposes and to~~ acquire or construct buildings. The state board shall promulgate rules establishing the criteria to be used by the commissioner in approving and disapproving district applications requesting the use of capital expenditure tax proceeds for the ~~renting or leasing of buildings for school purposes and the~~ acquisition or construction of buildings. The approval criteria for purposes of building acquisition and construction shall include: the appropriateness of the proposal ~~with respect to~~ *for* the district's long term needs; the availability of adequate existing facilities; and the economic feasibility of bonding because of the proposed building's size or cost.

(d) The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

(e) The proceeds of the tax shall not be used for custodial or other maintenance services.

(f) Each year, subject to the seven mill limitation of clause (a) of this subdivision, a school district which operates an approved secondary vocational education program or an approved senior secondary industrial arts program may levy an additional amount equal to $5 per pupil unit for capital expenditures for equipment for these programs.

(g) For purposes of computing allowable levies under this subdivision and subdivision 11b, pupil units shall include those units identified in section 124.17, subdivision 1, clauses (1) and (2), and 98.5 percent of the units identified in Minnesota Statutes 1980, Section 124.17, Subdivision 1, Clauses (4) and (5) for 1980-1981.

Sec. 23. Minnesota Statutes 1980, Section 275.48, is amended to read:

275.48 [ADDITIONAL TAX LEVIES IN CERTAIN MUNICIPALITIES.]

~~Whenever~~ *When* by virtue of chapter 278, sections 270.07, 375.192, or otherwise, the assessed valuation of ~~any~~ *a* city, township or school district for ~~any~~ *a* taxable year is reduced after the taxes for ~~such~~ *the* year have been spread by the county auditor, and ~~whenever~~ *when* the mill rate ~~as~~ determined by the county auditor based ~~upon~~ *on* the original assessed valuation is applied ~~upon such~~ *on the* reduced ~~valuations~~ *valuation* and does not produce the full amount of taxes ~~as~~ actually levied and certified for ~~such~~ *that* taxable year ~~upon~~ *on* the original assessed ~~valuations~~ *valuation*, ~~such~~ *the* city, township or school district may include *an additional amount* in its tax levy made following final determination and notice of ~~such~~ *the* reduction in assessed valuation~~, an~~. *The* amount *shall* equal ~~to~~ the difference between the total amount of taxes actually levied and certified for ~~such~~ *that* taxable year upon the original assessed valuation, not exceeding the maximum amount which could be raised ~~upon such~~ *on the* assessed valuation as reduced, within existing mill limitations, if any, and

the amount of taxes collected for ~~such~~ *that* taxable year ~~upon such~~ *on the* reduced ~~valuations~~ *valuation*. The total tax levy authorized for a school district by this section shall be reduced by the total amount of any abatement adjustments received by the district pursuant to section 124.214, subdivision 2, in the same calendar year in which the levy is certified. ~~Prior to September 15 of each year, the commissioner of education shall certify to each county auditor the amount of any abatement adjustments paid in that year to each school district in that county.~~ *As part of the certification required by section 275.125, subdivision 10, the commissioner of education shall certify the amount of the abatement levy limitation adjustment for each school district headquartered in that county.*

Except for school districts, the amount of taxes so included shall be levied separately and shall be levied in addition to all limitations imposed by law; and further shall not result in any penalty in the nature of a reduction in state aid of any kind.

Sec. 24. Laws 1981, Chapter 358, Article VI, Section 46, Subdivision 8, is amended to read:

Subd. 8. [SCHOOL LUNCH AID.] For school lunch aid pursuant to section 124.646 there is appropriated:

~~$3,838,200~~ *$3,859,200*.....1982,

~~$4,085,500~~ *$4,064,500*.....1983.

Any unexpended balance remaining from the appropriations in this subdivision may be expended, in addition to the amounts appropriated in subdivision 9 of ~~this section~~ *Laws 1981, Chapter 358, Article VI, Section 46*, for food storage and transportation costs for U.S.D.A. donated commodities.

Sec. 25. Laws 1981, Chapter 358, Article VI, Section 46, Subdivision 9, is amended to read:

Subd. 9. [FOOD STORAGE AND TRANSPORTATION.] For food storage and transportation costs for U.S.D.A. donated commodities there is appropriated:

$765,300.....1982,

$880,100.....1983.

Any unexpended balance remaining from the appropriations in Laws 1981, Chapter 358, Article VI, Section 46, Subdivisions 8 and 9 for fiscal year 1982 because of decreased participation in the national school lunch program shall be prorated among the participating schools based on the number of fully paid student lunches served during the 1981-1982 school year.

Any unexpended balance remaining from the appropriations in Laws 1981, Chapter 358, Article VI, Section 46, Subdivisions 8 and 9 for fiscal year 1983 because of decreased participation in the national school lunch program shall be prorated, to the extent necessary to meet the state revenue matching requirement, among the participating schools based on the number of fully paid student lunches served during the 1982-1983 school year. If the total amount of the appropriations in Laws 1981, Chapter 358, Article VI, Section 46, Subdivisions 8 and 9 for fiscal year 1983 exceeds the state revenue matching requirement amount, any unexpended balance in excess of that amount shall

cancel and revert to the general fund.

Sec. 26. Laws 1981, Third Special Session Chapter 2, Article II, Section 1, is amended to read:

Section 1. [EDUCATION AID REDUCTIONS; SUMMARY.]

The sums set forth in the columns designated "APPROPRIATION REDUCTIONS" are reduced from the general fund appropriations to the department of education. The figures "1982" and "1983" when used in ~~section 2 of this article~~ *Laws 1981, Third Special Session Chapter 2, Article II, Section 2,* mean that the appropriation reductions listed are from the appropriations for the fiscal years ending June 30, 1982 or June 30, 1983, respectively.

SUMMARY OF REDUCTIONS

	1982	1983
EDUCATION AIDS	~~(-0-)~~	~~($160,900,000)~~
	($22,500)	*($160,877,500)*

APPROPRIATION REDUCTIONS

	1982	1983

Sec. 27. Laws 1981, Third Special Session Chapter 2, Article II, Section 2, is amended to read:

Sec. 2. [APPROPRIATION REDUCTIONS.]

The general fund appropriations in Laws 1981, Chapter 358, as amended by Laws 1981, First Special Session, Chapter 2, are reduced by the listed amounts. The appropriation reductions in this section are from the portion of the appropriation provided for the current year and not from the portion of the appropriation provided for the prior year.

(a) Foundation Aid	(-0-)	($68,481,500)

The appropriation reduction in paragraph (a) represents four and nine-tenths percent of the formula allowance for foundation aid for fiscal year 1983 payable in fiscal year 1983, plus a reduction due to the one mill levy increase authorized by this article.

(b) Summer School	(-0-)	(12,066,400)
(c) Transportation Aid	(-0-)	~~(34,655,400)~~ *(32,930,400)*

The appropriation reduction in paragraph (c) represents: (1) *the product of: (i) the sum of* the appropriation provided for fiscal year 1983 payable in fiscal year 1983 in Laws 1981, Chapter 358, Article II, Section 15, Subdivision 2, as amended by Laws 1981, First Special Session, Chapter 2, Section 9, Subdivision 2; plus ~~(2)~~ the proceeds of the ~~two mill~~ *one-mill* levy authorized by ~~this article~~ *Minnesota Statutes 1980, Section 275.125, Subdivision 5*; times ~~(3)~~ *(ii)* seven and one-half percent*; (2) plus a reduction due to the one-mill levy increase authorized by Laws 1981, Third Special Session Chapter 2, Article II, Section 12.*

(d) Special Education Aid	(-0-)	(7,076,000)
The appropriation reductions in paragraphs (d) to (k) represent seven and one-half percent of the appropriations provided for fiscal year 1983 payable in fiscal year 1983 in Laws 1981, Chapter 358, as amended by Laws 1981, First Special Session, Chapter 2.		
(e) Summer School Special Education Aid	(-0-)	(366,500)
(f) Handicapped Pupils Placed in Residential Facilities	(-0-)	(47,300)
(g) Limited English Proficiency Pupils Program Aid	(-0-)	(251,600)
(h) American Indian Language and Culture Program	(-0-)	(33,500)
(i) Hearing Impaired Support Services Aid	(-0-)	(3,000)
(j) Adult Education Aid	(-0-)	(84,600)
(k) Community Education Aid	(-0-)	(240,000)
(l) Post-Secondary Vocational Instructional Aids	(-0-)	(3,949,900)
The appropriation reductions in paragraphs (l) to (p) represent eight percent of the appropriations provided for fiscal year 1983 payable in fiscal year 1983 in Laws 1981, Chapter 358.		
(m) Post-Secondary Vocational Supply Aid	(-0-)	(1,186,300)
(n) Post-Secondary Vocational Support Services Aid	(-0-)	(1,215,300)
(o) Post-Secondary Vocational Equipment Aid	(-0-)	(729,600)
(p) Post-Secondary Vocational Repair and Betterment Aid	(-0-)	(95,200)
(q) Adult Vocational Education Aid	(-0-)	(481,400)
The appropriation reductions in paragraphs (q) to (ll) represent a reduction of seven and one-half percent of the appropriations provided for fiscal year 1983 payable in fiscal year 1983 in Laws 1981, Chapter 358.		
(r) Adult Vocational Programs in Energy Management for Building Operators	(-0-)	(3,300)
(s) Veteran Farmers Cooperative Training Programs	(-0-)	(44,200)
(t) Secondary Vocational Education Aid	(-0-)	(1,348,300)
(u) Secondary Vocational Programs for Handicapped Children	(-0-)	(159,700)

(v) Health and Developmental Screening Programs	(-0-)	(80,600)
(w) Abatement Aid	(-0-)	(224,100)
(x) Capital Expenditure Equalization Aid	(-0-)	(28,200)
(y) Special Purpose Capital Expenditure Equalization Aid	(-0-)	(4,400)
(z) Educational Cooperative Service Units	(-0-)	(57,700)
(aa) Gifted and Talented Students	(-0-)	(40,800)
(bb) Alternative Grants	(-0-)	(11,300)
(cc) Council on Quality Education Venture Fund Grants	(-0-)	(38,300)
(dd) Early Childhood and Family Education Programs	(-0-)	(95,600)
(ee) Basic Support Grants for Library Services	(-0-)	(273,000)
(ff) Multi-County Library Systems	(-0-)	(11,600)
(gg) Nonpublic Educational Aids	(-0-)	(288,600)
(hh) Indian Education Programs	(-0-)	(11,300)
(ii) Chemical Use Programs	(-0-)	(62,000)
(jj) Extended Leaves of Absence	(-0-)	(118,100)
(kk) Part-time Teaching	(-0-)	(5,700)
(ll) Early Retirement Incentives	(-0-)	(135,400)
(mm) Improved Learning Program	*(22,500)*	*(-0-)*

The appropriation reduction in paragraph (mm) represents a reduction of seven and one-half percent of the appropriation provided for fiscal year 1982 in Laws 1981, Chapter 358, Article VI, Section 46, Subdivision 19.

~~(mm)~~*(nn)* General Reduction	(-0-)	~~(26,894,300)~~ *(28,596,800)*

The commissioner of education shall apportion the reduction in paragraph ~~(mm)~~ *(nn)* among school districts, public library systems, multi-type library systems, *and* educational cooperative service units~~, and regional management information systems~~ in the same manner in which he apportioned the education aid reductions made in fiscal year 1981 pursuant to Minnesota Statutes 1980, Sections 16A.15, Subdivision 1, and 124.77, because funds in the state treasury were insufficient.

Sec. 28. Laws 1981, Third Special Session Chapter 2, Article II, Section 20, is amended to read:

Sec. 20. [EFFECTIVE DATE.]

Sections 1 to 9 and 11 to 19 are effective the day following final enactment. Section 10 is effective ~~for levies certified in 1982 payable 1983~~ *on July 1, 1982*.

Sec. 29. Laws 1981, Chapter 358, Article VI, Section 46, Subdivision 16 is amended to read:

Subd. 16. [NONPUBLIC AIDS.] For programs for nonpublic educational aid pursuant to sections 123.931 to 123.937, there is appropriated:

$4,109,800.....1982,
$3,848,460.....1983.

If the appropriation for fiscal year 1982 is insufficient, the appropriation for fiscal year 1983 is available to pay claims made in fiscal year 1982 for nonpublic aids.

Sec. 30. [APPROPRIATION REDUCTION; PRE-SCHOOL SCREENING.]

The general fund appropriation for fiscal year 1983 for health and developmental screening programs in Laws 1981, Chapter 358, Article VI, Section 46, Subdivision 2, as reduced by Laws 1981, Third Special Session Chapter 2, Article II, Section 2, is further reduced by $416,000.

Sec. 31. [APPROPRIATION.]

There is appropriated from the general fund to Independent School District No. 309, Pine Point School, the sum of $25,000 for fiscal year 1983. The money shall be used for repair of the Pine Point Experimental School.

Sec. 32. [REPEALER.]

Minnesota Statutes 1980, Section 123.37, Subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, are repealed.

Sec. 33. [EFFECTIVE DATE.]

Sections 1, 2, 3, 4, 13, 18, 24, 25, 26, 27, 28, and 29 are effective the day following final enactment.

ARTICLE VII

PROPERTY TAX SHIFT

Section 1. Minnesota Statutes 1980, Section 121.904, Subdivision 2, is amended to read:

Subd. 2. [APPLICABILITY TO PERIOD AND FUND.] *Except as provided in this section,* revenues shall be recorded in a manner which clearly indicates that they are applicable to a specific accounting period and fund.

Sec. 2. Minnesota Statutes 1980, Section 121.904, Subdivision 4, is amended to read:

Subd. 4. [RECOGNIZED AS RECEIVABLE.] All current levies of local taxes, including portions assumed by the state, shall be recognized as receivable at the beginning of the calendar year during which collection normally takes place. ~~Such receivables shall be reserved for use in the subsequent fiscal~~

~~year. Payments of current taxes including but not limited to March personal property tax settlements, received prior to July 1, shall be recorded as revenue to be earned as of July 1 with appropriate adjustments to the receivables and the reserves for such taxes. All current taxes received prior to July 1 plus the balance of the reserves shall be recognized as revenue on July 1.~~

Sec. 3. Minnesota Statutes 1980, Section 121.904, Subdivision 4a, as added by Laws 1981, Third Special Session Chapter 2, Article IV, Section 1, is amended to read:

Subd. 4a. [LEVY RECOGNITION; ~~PAYABLE 1983~~.] ~~(1) For taxes assessed in 1982, payable in 1983, all current levies of local taxes, including portions assumed by the state, shall be recognized as provided in this subdivision.~~

~~(2) One-third of the March and May property tax settlements shall be recognized as receivable and recorded as revenue in the same fiscal year during which collection normally takes place. These receivables shall be for use in the current fiscal year.~~

~~(3) Two-thirds of the March and May property tax settlements shall be recognized as receivable and shall be reserved for use in the fiscal year immediately following the fiscal year during which collection normally takes place.~~

~~(4) All of the October property tax settlements shall be recognized as receivable and recorded as revenue in the same fiscal year during which collection normally takes place. These receivables shall be for use in the current fiscal year.~~

(a) "School district tax settlement revenue" means the current, delinquent, and mobile home property tax receipts collected by the county and distributed to the school district, including distributions made pursuant to section 279.37, subdivision 7, and excluding the amount levied pursuant to section 275.125, subdivision 9a, and Laws 1976, Chapter 20, Section 4.

(b) In June of each year, the school district shall recognize as revenue, in the fund for which the levy was made, the lesser of:

(1) the June and July school district tax settlement revenue received in that calendar year; or

(2) the sum of the state aids and credits enumerated in section 9 of this article which are for the fiscal year payable in that fiscal year; or

(3) one-sixth of the amount of the spread levy in the current calendar year which remains after subtracting, by fund, the amounts levied for the following purposes:

(i) reducing or eliminating projected deficits in the appropriated fund balance accounts for unemployment insurance and bus purchases;

(ii) statutory operating debt pursuant to section 275.125, subdivision 9a, and Laws 1976, Chapter 20, Section 4; and

(iii) retirement and severance pay pursuant to section 275.125, subdivision 6a, and Laws 1975, Chapter 261, Section 4.

(c) In July of each year, the school district shall recognize as revenue that portion of the school district tax settlement revenue received in that calendar

year and not recognized as revenue for the previous fiscal year pursuant to clause (b).

(d) All other school district tax settlement revenue shall be recognized as revenue in the fiscal year of the settlement. Portions of the school district levy assumed by the state, including prior year adjustments and the amount to fund the school portion of the reimbursement made pursuant to section 273.425, shall be recognized as revenue in the fiscal year beginning in the calendar year for which the levy is payable.

Sec. 4. Minnesota Statutes 1980, Section 124.14, is amended by adding a subdivision to read:

Subd. 6. [ADJUSTMENT APPROPRIATION.] *There is annually appropriated from the general fund to the department of education any additional amounts necessary for the adjustments made pursuant to section 8 of this article.*

Sec. 5. Minnesota Statutes 1981 Supplement, Section 124.2121, Subdivision 5, as amended by Laws 1981, Third Special Session Chapter 2, Article IV, Section 4, is amended to read:

Subd. 5. [LEVY USE.] A levy "for use in a particular school year," "attributable to a particular school year," or "recognized as revenue in a particular school year," means *the* levy ~~as recognized pursuant to section 121.904~~ *certified in the calendar year ending in the school year preceding that particular school year, and payable in the calendar year in which that school year begins.*

Sec. 6. Minnesota Statutes 1980, Section 275.125, is amended by adding a subdivision to read:

Subd. 21. [REPORTING.] *For each tax settlement, the county auditor shall report to each school district by fund, the school district tax settlement revenue defined in section 3 of this article, clause (a), and the amount levied pursuant to subdivision 9a on the form specified in section 276.10. The county auditor shall send to the school district a copy of the spread levy report specified in section 275.124.*

Sec. 7. Laws 1981, Third Special Session Chapter 2, Article IV, Section 3, Subdivision 2, is amended to read:

Subd. 2. [AMOUNT OF REDUCTION.] State ~~aid~~ *aids and credits enumerated in section 9 of this article* due any school district in fiscal year 1983 for the 1982-1983 school year ~~under the provisions enumerated in subdivision 3~~ shall be reduced *in the order listed* by the *following* amount*: (1) the amount* the district ~~levied for taxes assessed in 1982, payable in 1983, which is to be recognized~~ *recognizes* as revenue ~~in~~ *for* fiscal year 1983 pursuant to section ~~1~~ *3 of this article, clause (b), minus (2) the amount the district received pursuant to Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 2d. The school district shall be notified of the amount, by fund, of the reductions to each aid payment made according to this section.* ~~The district levy against which the reduction is applied shall not include any levy portions that are assumed by the state. For purposes of computing this state aid reduction, the amount levied by the district shall not include the amounts levied to make payments for bonds issued and for interest thereon; the amounts levied for~~

~~repayment of debt service loans and capital loans; the amounts levied to pay the district's obligations under section 268.06, subdivision 25; and amounts levied pursuant to section 275.125, subdivisions 2d, 6a, 9a, 14a, and 20.~~

Sec. 8. Laws 1981, Third Special Session, Chapter 2, Article IV, Section 3, is amended by adding a subdivision to read:

Subd. 2a. [AMOUNT OF ADJUSTMENT.] *Beginning with fiscal year 1984 and each year thereafter, state aids and credits enumerated in section 9 of this article payable to any school district in a particular fiscal year for that fiscal year shall be adjusted, in the order listed, by an amount equal to (1) the amount the district recognized as revenue for the prior fiscal year pursuant to section 3 of this article, clause (b); minus (2) the amount the district recognizes as revenue for the current fiscal year pursuant to section 3 of this article, clause (b). Any loan amount authorized from the cash flow loan fund or payment from the permanent school fund shall not be adjusted pursuant to this section. The school district shall be notified of the amount of the adjustment made to each payment pursuant to this section.*

Sec. 9. Laws 1981, Third Special Session Chapter 2, Article IV, Section 3, Subdivision 3, is amended to read:

Subd. 3. [SUBTRACTION FROM AIDS.] The amount specified in subdivision 2 shall be subtracted from the following state ~~aid payments~~ *aids and credits* in the order listed in fiscal year 1983 . *The amount specified in section 8 of this article shall be used to adjust the following state aids and credits in the order listed*:

(a) Foundation aid as authorized in section 124.212, subdivision 1;

(b) Secondary vocational aid authorized in section 124.573;

(c) Special education aid authorized in section 124.32;

(d) Secondary vocational aid for handicapped children authorized in section 124.574;

(e) Gifted and talented aid authorized in section 124.247;

(f) Aid for pupils of limited English proficiency authorized in section 124.273;

(g) Aid for improved learning programs authorized in section 124.251;

(h) Aid for chemical use programs authorized in section 124.246;

(i) Transportation aid authorized in section 124.225;

(j) School lunch aid authorized in section 124.646;

(k) Community education programs aid authorized in section 124.271;

(l) Adult education aid authorized in section 124.26;

(m) Capital expenditure equalization aid authorized in section 124.245;

(n) Homestead credit ~~payments~~ authorized in section 273.13, subdivisions 6, 7, and 14a;

(o) ~~Taconite homestead credit payments authorized in section 273.135;~~ *Reduced assessment credit authorized in section 273.139;*

(p) Wetlands credit authorized in section 273.115;

(q) Native prairie credit authorized in section 273.116; and

(r) Attached machinery aid authorized in section 273.138, subdivision 3.

The commissioner of education shall schedule the timing of the reductions from state ~~aid payments~~ *aids and credits* specified in subdivision 2, *and the adjustments to state aids and credits specified in section 8 of this article, as close to the end of the fiscal year as possible and* in such a manner that will minimize the impact of this article on the cash flow needs of the school districts.

Sec. 10. Laws 1981, Third Special Session Chapter 2, Article IV, Section 3, Subdivision 4, is amended to read:

Subd. 4. [ACCOUNTING.] ~~Notwithstanding any law to the contrary, the amount of the levy subtracted from state aid payments shall be recognized and reported on the school district books of account in the same way that the state aid payments would have been recognized and reported.~~ *Each district shall establish an account which shall be designated "property tax recognition account". This account shall reflect the adjustments made pursuant to section 8 of this article according to the fiscal year specified.*

Sec. 11. Laws 1981, Third Special Session Chapter 2, Article IV, Section 5, Subdivision 3, is amended to read:

Subd. 3. [APPROPRIATION.] There is appropriated from the general fund to the department of education for the cash flow loan fund the sum of ~~$15,000,000~~ *$35,000,000*. This sum shall be transferred to the cash flow loan fund as needed.

Sec. 12. Laws 1981, Third Special Session Chapter 2, Article IV, Section 5, is amended by adding a subdivision to read:

Subd. 4. [CANCELLATION.] *The cash flow loan fund shall expire on June 29, 1983, and the entire balance in the fund, including any loan amounts that have been repaid by school districts, shall revert to the general fund on that date. Any delinquent loan payments received after June 29, 1983, shall be placed in the general fund.*

Sec. 13. [REPEALER.]

Minnesota Statutes 1980, Sections 121.904, Subdivision 4b, as added by Laws 1981, Third Special Session Chapter 2, Article IV, Section 2; and 275.125, Subdivision 1a, as added by Laws 1981, Third Special Session Chapter 2, Article IV, Section 7, are repealed."

Delete the title and insert:

"A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies, and the distribution of tax revenues; governing the recognition of school district property tax revenues; granting certain powers and duties to school boards, school districts, the state board of education, and others; altering the method of distribution of transportation aid; altering aids for summer school; reducing certain appropriations; appropriating money; amending Minnesota Statutes 1980, Sections 120.17, Subdivision 4a; 120.68; 121.11, Subdivision 12; 121.88, by adding a subdivision; 121.904, Subdivi-

sions 2, 4, and 4a, as added; 121.908, Subdivision 3; 123.32, Subdivision 1, and by adding a subdivision; 123.35, by adding a subdivision; 123.351, by adding a subdivision; 123.37, Subdivision 1b; 123.78, Subdivision 1; 124.14, by adding a subdivision; 124.19, Subdivision 1, and by adding a subdivision; 124.225, as amended; 124.245, by adding a subdivision; 124.26, by adding a subdivision; 124.32, Subdivisions 2, 7, and 10, and by adding subdivisions; 124.5621, by adding a subdivision; 124.572, Subdivision 2, and by adding a subdivision; 124.573, by adding subdivisions; 124.574, Subdivision 3, and by adding a subdivision; 126.262, Subdivision 1; 126.264, Subdivision 3; 126.265; 126.267; 134.34, by adding a subdivision; 275.125, Subdivisions 4 and 5, as amended, and by adding subdivisions; 275.48; 475.61, Subdivisions 1, 3, and 4; Minnesota Statutes 1981 Supplement, Sections 120.17, Subdivisions 5a and 6; 121.904, Subdivision 7; 121.912, Subdivision 1; 122.542, Subdivisions 3 and 4; 123.702, Subdivision 1a; 123.705; 124.01, Subdivision 1; 124.17, Subdivision 2; 124.212, Subdivision 1; 124.2121, Subdivision 5, as amended; 124.2122, Subdivision 1, as amended, and Subdivision 2, as amended; 124.2124, Subdivision 1; 124.2125, Subdivision 1, as amended, and Subdivision 2; 124.2126, Subdivision 3; 124.2128, Subdivision 1; 124.2129, Subdivision 3; 124.223; 124.245, Subdivisions 1 and 1a; 124.246, Subdivision 2, and by adding a subdivision; 124.247, Subdivision 3; 124.251; 124.26, Subdivision 1; 124.271, Subdivision 2; 124.273, Subdivisions 1, 2, and by adding subdivisions; 124.32, Subdivisions 1, 1a, 1b, and 5; 124.38, Subdivision 7; 124.5621, Subdivision 12; 124.5624, Subdivisions 3 and 4; 124.5627, Subdivisions 3, 4, and 5; 124.573, Subdivisions 2 and 3a; 124.574, Subdivision 2; 125.611, Subdivision 5; 136A.81, Subdivision 1; 169.974, Subdivision 2; 171.04; 275.125, Subdivisions 1, 2d, 7a, and 11a; 298.28, Subdivision 1; 354.66, Subdivision 6; Laws 1981, Chapter 358, Article II, Section 15, Subdivision 3, Article VI, Section 46, Subdivisions 8, 9, and 16, Article VII, Section 29, as amended, Third Special Session Chapter 2, Article II, Sections 1, 2, 15, and 20, Article IV, Section 3, Subdivisions 2, 3, 4, and by adding a subdivision, Article IV, Section 5, Subdivision 3, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 120 and 124; repealing Minnesota Statutes 1980, Sections 121.904, Subdivision 4b, as added; 121.96; 123.37, Subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14; and 128.05; 275.125, Subdivision 1a, as added; Laws 1967, Chapters 251 and 253; and Laws 1976, Chapter 20, Section 8."

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

House Conferees: (Signed) Bob McEachern, Bruce Anderson, John D. Tomlinson, David M. Jennings, Connie Levi

Senate Conferees: (Signed) Neil Dieterich, Gene Merriam, Jerome M. Hughes, Keith Langseth, Dave Rued

Mr. Dieterich moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1555 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1555 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 56 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lantry	Peterson,D.L.	Stokowski
Bang	Frank	Lindgren	Peterson,R.W.	Stumpf
Belanger	Frederickson	Luther	Petty	Tennessen
Benson	Hanson	Menning	Purfeerst	Ulland
Berg	Hughes	Merriam	Ramstad	Vega
Berglin	Johnson	Moe, D. M.	Rued	Waldorf
Bernhagen	Kamrath	Moe, R. D.	Schmitz	Wegener
Bertram	Knoll	Nelson	Setzepfandt	Willet
Brataas	Knutson	Olhoft	Sieloff	
Davies	Kroening	Pehler	Sikorski	
Dicklich	Kronebusch	Penny	Solon	
Dieterich	Langseth	Peterson,C.C.	Spear	

Messrs. Davis, Pillsbury and Renneke voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 253 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 253 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 253

A bill for an act relating to state lands and tax-forfeited land sales; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1980, Sections 92.06, Subdivision 1; 94.11; 282.01, Subdivision 4; 282.15; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 253, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendment and that H.F. No. 253 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 92.06, Subdivision 1, is amended to read:

Subdivision 1. [TERMS.] The terms of payment on the sale of all state

public lands shall be as follows: The purchaser shall pay in cash at the time of sale the appraised value of all timber. At least 15 percent of the purchase price of the land exclusive of timber shall be paid in cash at the time of sale and the balance in not to exceed 20 equal annual instalments, payable on June 1 each year following that in which the purchase was made, with interest ~~at four percent per annum~~ *at a rate equal to the rate in effect at the time under section 549.09* on the balances remaining ~~from time to time~~ unpaid, payable with the instalments or principal. Any instalment of principal or interest may be paid in advance, but part payment of an instalment shall not be accepted~~, and~~. For the purpose of computing interest any instalment of principal not paid on June 1 shall be credited as of *the following* June 1 ~~next following~~.

Sec. 2. Minnesota Statutes 1980, Section 94.11, is amended to read:

94.11 [TERMS OF PAYMENT.]

~~The terms of payment for all lots or tracts so sold shall be~~ Not less than ten percent of the purchase price ~~thereof~~ *shall be paid* at the time of sale with the balance payable as ~~hereinafter provided.~~ *follows:* If the purchase price of any lot or parcel is $5,000 or less, the balance shall be paid within 90 days of the date of sale. If the purchase price of any lot or parcel is in excess of $5,000, the balance shall be paid in ~~not less than~~ equal annual installments for not ~~to exceed~~ *more than* five years, at the option of the purchaser, with principal and interest payable annually in advance at ~~the rate of not less than six percent per annum~~ *a rate equal to the rate in effect at the time under section 549.09* on the unpaid balance, payable to the state treasury on or before June first each year. *Any installment of principal or interest may be prepaid.*

Sec. 3. Minnesota Statutes 1980, Section 282.15, is amended to read:

282.15 [SALES OF FORFEITED LANDS.]

~~Such~~ *The* sale shall be conducted by the auditor of the county ~~wherein such~~ *in which the* parcels lie ~~and~~. *The parcels* shall be sold to the highest bidder but not for less than the appraised value. ~~Such~~ *The* sales shall be for cash or on the following terms: The appraised value of all merchantable timber on ~~such~~ agricultural lands shall be paid for in full at the date of sale. At least 15 percent of the purchase price of the land shall be paid in cash at the time of purchase~~, and~~. The balance *shall be paid* in not ~~to exceed~~ *more than* 20 equal annual instalments, with interest at ~~the rate of eight percent per annum~~ *a rate equal to the rate in effect at the time under section 549.09* on the unpaid balance each year~~,~~ . Both principal and interest ~~to become~~ *are* due and payable on December 31 each year following that in which the purchase was made. The purchaser may pay any number of instalments of principal and interest on or before their due date. When the sale is on terms other than for cash in full, the purchaser shall receive from the county auditor a contract for deed, in ~~such~~ *a* form ~~as shall be~~ prescribed by the attorney general. The county auditor shall make a report to the commissioner of natural resources not more than 30 days after each public sale~~,~~ showing the lands sold at ~~such~~ *the* sales, and submit a copy of each contract of sale.

All lands sold pursuant to ~~the provisions hereof~~ *this section* shall, on the second day of January following the date of ~~such~~ *the* sale, be restored to the tax rolls and become subject to taxation in the same manner as ~~the same~~ *they* were assessed and taxed before becoming the absolute property of the state.

Sec. 4. Minnesota Statutes 1980, Section 282.222, Subdivision 4, is

amended to read:

Subd. 4. [TERMS OF SALE.] All sales under sections 282.221 to 282.226 shall be for cash or on the following terms: at least 15 percent of the purchase price shall be paid in cash at the time of the sale, and the balance ~~thereof~~ shall be paid in equal annual instalments over a period of 20 years, with interest at ~~the rate of eight percent per annum~~ *a rate equal to the rate in effect at the time under section 549.09*, payable annually, on the portion ~~from time to time~~ remaining unpaid, with privilege of prepayment of any instalment on any interest date. Sales on terms shall be evidenced by a certificate issued by the county auditor in ~~such~~ *a* form ~~as~~ *prescribed by* the attorney general ~~shall prescribe,~~. *The county auditor shall submit* a copy of ~~which shall be submitted~~ *the certificate* to the commissioner of natural resources ~~forthwith~~ *within 30 days*. The appraised value of all merchantable timber on such agricultural lands shall be paid for in cash in full at the time of sale. The county auditor shall report all sales to the commissioner of natural resources ~~forthwith~~ *within 30 days*. Failure of the purchaser to make any payment of any instalment or of any interest required under any contract within six months from the date on which ~~such~~ *the* payment ~~shall become~~ *is* due, or to pay ~~before they become delinquent~~ all taxes that may be levied upon the land ~~so~~ purchased *before they become delinquent*, shall constitute a default~~, and thereupon~~. *Upon default* the contract shall be deemed canceled and all right, title, and interest of the purchaser, his heirs, representatives, or assigns in the premises shall *automatically* terminate ~~without the doing by the state of any act or thing whatsoever~~. A record of ~~such~~ *the* default shall be made in the state land records kept by or under the direction of the commissioner of natural resources~~, and~~. A certificate of ~~such~~ *the* default may be made by or under the direction of the commissioner and filed with the county treasurer or recorded in the office of the county recorder of the county in which the premises are situated. Any ~~such~~ record or certificate shall be prima facie evidence of the facts ~~therein~~ stated~~, but~~ *in it*. The making of ~~such~~ *the* record or certificate ~~shall not be~~ *is not* essential to the taking effect of ~~such~~ *the* cancelation and termination~~, and thereupon~~. *Upon cancelation and termination,* the land described in the contract shall be subject to disposition as provided in this section~~, upon first~~ *after* having been reclassified and reappraised as provided by section 282.221. The county auditor shall report any ~~such~~ default to the commissioner of natural resources on or before June 30th of each year.

Sec. 5. [REPEALER.]

Minnesota Statutes 1980, Section 282.35, is repealed.''

Delete the title and insert:

''A bill for an act relating to state bonds and tax-forfeited land sales; changing the interest rate on unpaid sale balances; repealing an obsolete provision; amending Minnesota Statutes 1980, Sections 92.06, Subdivision 1; 94.11; 282.15; 282.222, Subdivision 4; and repealing Minnesota Statutes 1980, Section 282.35.''

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

House Conferees: (Signed) Bill Peterson, John J. Sarna, George C. Dahlvang

Senate Conferees: (Signed) Robert J. Tennessen, Randolph W. Peterson, Duane D. Benson

Mr. Tennessen moved that the foregoing recommendations and Conference Committee Report on H.F. No. 253 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 253 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Lantry	Peterson,D.L.	Spear
Bang	Engler	Lessard	Peterson,R.W.	Stokowski
Belanger	Frank	Lindgren	Petty	Stumpf
Benson	Frederickson	Luther	Pillsbury	Taylor
Berg	Hanson	Menning	Purfeerst	Tennessen
Berglin	Hughes	Merriam	Ramstad	Ulland
Bernhagen	Johnson	Moe, D. M.	Renneke	Vega
Bertram	Kamrath	Moe, R. D.	Rued	Waldorf
Brataas	Knoll	Nelson	Schmitz	Willet
Chmielewski	Knutson	Olhoft	Setzepfandt	
Davies	Kroening	Pehler	Sieloff	
Davis	Kronebusch	Penny	Sikorski	
Dicklich	Langseth	Peterson,C.C.	Solon	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1757, 1878, 2290, 2033 and 2271.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

FIRST READING OF HOUSE BILLS

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

H.F. No. 1757: A bill for an act relating to the University of Minnesota hospitals; limiting the amount of certain bonds previously authorized; amending Laws 1981, Chapter 275, Section 1, Subdivisions 1 and 9, and by adding a subdivision.

Referred to the Committee on Finance.

H.F. No. 1878: A bill for an act relating to the legislature; creating a legislative commission on science and technology; proposing new law coded in Minnesota Statutes, Chapter 3; and repealing Minnesota Statutes 1980, Section

3.351.

Referred to the Committee on Finance.

H.F. No. 2290: A bill for an act relating to the organization and operation of state government; supplementing appropriations for the expenses of the department of revenue; appropriating money.

Mr. Willet moved that H.F. No. 2290 be laid on the table. The motion prevailed.

H.F. No. 2033: A bill for an act relating to agriculture; providing for the licensing and regulation of certain grain buyers; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 223; repealing Minnesota Statutes 1980, Sections 223.04; 223.07 to 223.11; 232.01; 232.02, Subdivisions 4, 5, 6, 7, 8 and 9; 232.03; 232.04; and 232.06, Subdivision 5; Minnesota Statutes 1981 Supplement, Sections 223.01; 223.02; 223.03; 223.05; and 232.02, Subdivisions 1, 2 and 3.

Mr. Frederickson moved that H.F. No. 2033 be laid on the table. The motion prevailed.

H.F. No. 2271: A resolution memorializing the President of the United States and the Administrator of the Federal Aviation Administration against any attempt to prohibit local governments from restricting aircraft noise.

Referred to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

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

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

H.F. No. 2080 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
2080	1815				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2080 be amended as follows:

Page 1, line 19, delete "*community organizations,*"

Page 2, delete lines 7 to 9 and insert:

"*the house of representatives. Gifts to the conference are also appropriated to it for the purposes of this act. The*"

Page 2, line 13, delete "*The*"

Page 2, delete lines 14 to 17 and insert:

"*transferred by the governor, the senate, and the house of representatives to the conference are appropriated to the conference for the purposes of this act. These appropriations cancel March 31, 1983.*"

And when so amended H.F. No. 2080 will be identical to S.F. No. 1815, and further recommends that H.F. No. 2080 be given its second reading and substituted for S.F. No. 1815, 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. 1017 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
1017	862				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 1017 be amended as follows:

Page 2, line 12, delete "*; and*" and insert "*, provided that bonds issued and unpaid shall not at any time exceed $200,000,000 par value; and*"

Page 2, line 21, after "*authority*" insert "*up to a maximum of $200,000,000*"

Delete page 2, line 25 to page 3, line 14

Amend the title as follows:

Page 1, line 4, delete the semicolon and insert a period

Page 1, delete line 5

And when so amended H.F. No. 1017 will be identical to S.F. No. 862, and further recommends that H.F. No. 1017 be given its second reading and substituted for S.F. No. 862, 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. 2065 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
2065	1928				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 2065 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [245.825] [AVERSIVE AND DEPRIVATION PROCE-

DURES; REGULATION.]

Subdivision 1. [DEFINITIONS.] *For the purposes of this section, the following terms have the meanings given, unless the specific context indicates otherwise.*

(a) "Aversive procedure" means application by a facility staff person of noxious or painful stimuli, conditions, or activities.

(b) "Deprivation procedure" means withdrawal, withholding, or delaying by a facility staff person goods, services, activities, interpersonal contacts, or other rights or benefits to which a consumer is otherwise entitled.

Aversive and deprivation procedures do not include medical procedures or medication prescribed by a physician unless specifically intended to change behavior through imposition of pain or physical discomfort.

(c) "Facility" means a day care or residential facility for mentally retarded persons that is required to be licensed under sections 245.781 to 245.812.

(d) "Consumer" means an individual who resides at or receives services from a facility.

(e) "Substitute consent" means informed consent of a minor's parent or guardian, a guardian of the person of a ward, or a conservator of the person of a conservatee, who has legal authority to make decisions about aversive and deprivation procedures.

(f) "Facility staff person" means an owner, operator, or employee of a facility or volunteer or other person who provides services at a facility, or a person acting under the direction and control of such a person at or for the facility.

(g) "Mechanical restraint" means all forms of restraint used to restrict the movement of an individual or the movement or normal function of a portion of the individual's body, administered as part of a behaviorally contingent program. The term does not include time out from reinforcement.

Subd. 2. [IMMEDIATE HARM PREVENTION.] *This section shall not be construed to prohibit facility staff from taking reasonable actions that are not prohibited by subdivision 4, clause (d), to prevent immediate bodily harm to consumers or others or to control severely disruptive behavior. If these reasonable actions are repeated, they are subject to all provisions of this section.*

Subd. 3. [RULES.] *The commissioner of public welfare shall promulgate rules governing approval, administration, monitoring, and evaluation of aversive and deprivation procedures to consumers in or by facilities in accordance with this section. No provision of these rules shall encourage or require the use of aversive or deprivation procedures. The rules:*

(a) May designate public facilities under control of the commissioner as the location of the regional review committees established pursuant to subdivision 4, clause (d)(2);

(b) Shall prohibit the application of any aversive or deprivation procedures listed in subdivision 4, clause (d) in facilities except as authorized and monitored by the designated regional review committees under control of the commissioner;

(c) Shall authorize designated public regional facilities to provide consultation to private facilities regarding the provision of aversive or deprivation procedures;

(d) May specify protection for consumers or facilities in addition to, or more stringent than, required by this section;

(e) Shall specify minimum levels of competency required of individuals who design, administer, supervise, or approve administration of aversive or deprivation procedures. The levels of competency shall be sufficient to ensure safe and proper use of procedures and protection of consumers' rights;

(f) Shall specify or establish a system or systems, as the commissioner deems appropriate, for prior approval and monitoring of aversive and deprivation procedures proposed or administered by facilities. The system or systems shall be sufficient to ensure that consumers' rights are protected in administration of aversive and deprivation procedures and shall address, but not be limited to, issues of consent, denial of consent, and right to treatment. Where the facility has an operative interdisciplinary team, that team shall be involved in the system for monitoring and approval of aversive and deprivation procedures;

(g) Shall specify or establish processes to ensure that aversive and deprivation procedures used with respect to any consumer are monitored to determine their effectiveness in achieving stated behavior goals or treatment objectives, and that known possible side effects either do not occur or, if they are unavoidable, are anticipated, monitored, and minimized; and

(h) Shall include provisions to ensure that aversive and deprivation procedures are used only when necessary and expected to be effective in reaching agreed upon behavior goals and only as part of the consumer's treatment plan. A "behavioral treatment plan" is a plan designed to improve the consumer's behavior and should include treatment measures involving positive reinforcement and other appropriate psychological procedures. Aversive or deprivation procedures may be used only when positive procedures are not effective.

The commissioner may, by rule, classify aversive or deprivation procedures according to intrusiveness, risk involved, or otherwise and may specify different qualifications, systems, and safeguards for procedures in each classification. The commissioner shall ensure that consumers and their advocates are notified and allowed to participate in developing the rules, in accordance with the administrative procedures act, sections 15.041 to 15.052. The commissioner may further define the provisions of subdivision 4 by rule.

Subd. 4. [PROHIBITED PRACTICES.] *Any owner, operator, or employee of a facility or volunteer or other person who provides services at a facility shall not subject a consumer to aversive or deprivation procedures:*

(a) Except in accordance with any rules promulgated pursuant to subdivision 3;

(b) Unless the consumer or an individual authorized by law to give substitute consent has given informed consent in writing. "Informed consent" means that, at minimum, the nature of the proposed procedure, the risks and anticipated benefits, and the consequences of giving or withholding consent are explained orally and in writing in a manner that is understandable to the consumer or the individual authorized to give substitute consent. Consent may

be withdrawn at any time by written revocation. A facility shall not deny services to a consumer solely because the consumer or individual authorized to give substitute consent has refused to consent to aversive or deprivation procedures. Nothing in this paragraph shall be construed to limit a facility's discretion to deny services for reasons, other than failure to consent, permitted by applicable law and rule;

(c) That restrict, or threaten restriction of, the consumer's normal access to a nutritious diet, decent air to breathe, decent water to drink, appropriate sleeping conditions, medical care and satisfaction of medically determined needs, equipment, facilities, and services needed to maintain personal hygiene, available advocates, legal counsel, and next of kin, safety from physical harm, satisfactory shelter, satisfactory environmental temperature, and suitable clothing;

(d) That use or threaten use of noxious food, noxious air, noxious water, mechanical restraint, pain or physical discomfort caused by contact with the consumer's body, or substantial or frequent disruption of the consumer's daily routine of eating, sleeping, or habilitational or rehabilitational activities, unless:

(1) The consumer or an individual authorized to give substitute consent has given informed consent; and

(2) If regional review committees have been established, the proposal to administer the procedure to the consumer has been reviewed and approved by a regional review committee. The commissioner shall appoint all members of the committee and shall appoint two persons qualified to design and administer procedures using the substances or methods described in subdivision 4, clause (e), and one or more of the following: treatment and training staff, a medical director, program director or team member, a consumer advocate, a consumer, an objective observer, and an attorney knowledgeable in protection of consumers' rights. No member of the committee shall participate in proceedings relating to any proposal with which the member has any potential for conflict of interest;

(e) Except for purposes of treatment, behavior management, or protection; and

(f) Except in accordance with a previously written and approved plan for administering the procedures to the consumer that is monitored in accordance with subdivision 4.

Subd. 5. [INJUNCTION.] *A consumer has a civil cause of action against any facility or person who violates or permits a violation of subdivision 4 for injunctive relief. The court shall award reasonable attorney's fees and costs to any consumer awarded injunctive relief under this section.*

Sec. 2. [RULES.]

The commissioner of public welfare shall promulgate, no later than October 1, 1983, permanent rules to implement the provisions of section 1.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective on August 1, 1982."

Amend the title as follows:

Page 1, line 4, before the semicolon, insert "in order that the procedures are appropriately selected, planned, and implemented with due regard for human rights and needs"

And when so amended H.F. No. 2065 will be identical to S.F. No. 1928, and further recommends that H.F. No. 2065 be given its second reading and substituted for S.F. No. 1928, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2188 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
2188	1771				

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

Page 4, line 11, delete "*maximum payment amount*" and insert "*standard of need in effect on January 1, 1982*"

Page 4, lines 13 and 14, delete "*standard of need in effect on January 1, 1982*" and insert "*maximum payment amount*"

Page 5, after line 6, insert:

"Sec. 3. Minnesota Statutes 1980, Section 256B.04, is amended by adding a subdivision to read:

Subd. 14. [COMPETITIVE BIDDING.] *The commissioner shall utilize volume purchase through competitive bidding under the provisions of Minnesota Statutes, Chapter 16, to provide the following items:*

(1) Eyeglasses;

(2) Hearing aids and supplies; and

(3) Durable medical equipment, including but not limited to:

(a) hospital beds;

(b) commodes;

(c) glide-about chairs;

(d) patient lift apparatus;

(e) wheelchairs and accessories;

(f) oxygen administration equipment;

(g) respiratory therapy equipment; and

(h) electronic diagnostic, therapeutic and life support systems.

Sec. 4. Minnesota Statutes 1980, Section 256B.05, Subdivision 2, is amended to read:

Subd. 2. In administering the medical assistance program, no county welfare department shall pay a fee or charge for medical, dental, surgical, hospital, nursing, licensed nursing home care, medicine, or medical supplies in excess of the schedules of maximum fees and charges as established by the state agency. ~~The maximum fee schedule for physicians shall be the usual and customary fee.~~

Sec. 5. Minnesota Statutes 1980, Section 256B.06, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding any law to the contrary, a migrant ~~agricultural~~ worker who meets all of the eligibility requirements of this section other than that he has a permanent place of abode in another state, shall be eligible for medical assistance and shall have his medical needs met by the county in which he resides at the time of making application.

Sec. 6. Minnesota Statutes 1980, Section 256B.14, is amended to read:

256B.14 [RELATIVE'S RESPONSIBILITY.]

Subdivision 1. [IN GENERAL.] Subject to the provisions of section 256B.06, ~~the financial responsibility of a relative for an applicant or recipient of medical assistance shall not extend beyond the relationship of a spouse, or a parent of an applicant who is under 18 years of age~~ *responsible relative means the spouse of a medical assistance recipient or parent of a minor recipient of medical assistance.*

Subd. 2. [ACTIONS TO OBTAIN PAYMENT.] *The state agency shall promulgate rules to determine the ability of responsible relatives to contribute partial or complete repayment of medical assistance furnished to recipients for whom they are responsible. These rules shall not require repayment when payment would cause undue hardship to the responsible relative or his or her immediate family. The county agency shall give the responsible relative notice of the amount of the repayment. If the state agency or county agency finds that notice of the payment obligation was given to the responsible relative, but that the relative failed or refused to pay, a cause of action exists against the responsible relative for that portion of medical assistance granted after notice was given to the responsible relative, which the relative was determined to be able to pay.*

The action may be brought by the state agency or the county agency in the county where assistance was granted, for the assistance, together with the costs of disbursements incurred due to the action.

In addition to granting the county or state agency a money judgment, the court may, upon a motion or order to show cause, order continuing contributions by a responsible relative found able to repay the county or state agency. The order shall be effective only for the period of time during which the recipient receives medical assistance from the county or state agency.

Sec. 7. Minnesota Statutes 1980, Section 256B.19, Subdivision 1, is amended to read:

Subdivision 1. The cost of medical assistance paid by each county of finan-

cial responsibility shall be borne as follows: Payments shall be made by the state to the county for that portion of medical assistance paid by the federal government and the state on or before the 20th day of each month for the succeeding month upon requisition from the county showing the amount required for the succeeding month. Ninety percent of the expense of assistance not paid by federal funds available for that purpose shall be paid by the state and ten percent shall be paid by the county of financial responsibility.

For counties where health maintenance organizations are under contract to the state to provide services to medical assistance recipients, the division of the nonfederal share of medical assistance expenses for payments made to health maintenance organizations in the form of prepaid capitation payments, this division of medical assistance expenses shall be 95 percent by the state and five percent by the county of financial responsibility.

State contracts with health maintenance organizations shall assure medical assistance recipients of at least the comprehensive health maintenance services defined in section 62D.02, subdivision 7. The contracts shall require health maintenance organizations to provide information to the commissioner concerning the number of people receiving services, the number of encounters, the type of services received, evidence of an operational quality assurance program pursuant to section 62D.04 and information about utilization. Persons who become eligible for medical assistance after July 1, 1982 and who choose to receive services from a health maintenance organization under contract to the state pursuant to this section shall be guaranteed six months medical assistance eligibility.

Sec. 8. Minnesota Statutes 1980, Section 256B.27, Subdivision 3, is amended to read:

Subd. 3. The commissioner of public welfare, with the written consent of the recipient, shall be allowed access to all personal medical records of medical assistance recipients solely for the purposes of investigating whether or not: (a) a vendor of medical care has submitted a claim for reimbursement, a cost report or a rate application which the vendor knows to be false in whole or in part; or (b) the medical care was medically necessary. The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to such records. ~~To the extent feasible, the commissioner shall contract with a review organization, as defined in section 145.61, in determining whether or not the medical care provided was medically necessary~~ *The determination of abuse or provision of services not medically necessary shall be made by the commissioner in consultation with a review organization as defined in section 145.61 or other advisory committees of vendors as appointed by the commissioner on the recommendation of appropriate professional organizations.* Notwithstanding any other law to the contrary, a vendor of medical care shall not be subject to any civil or criminal liability for providing access to medical records to the commissioner of public welfare pursuant to this section.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 256.966, is amended to read:

256.966 [MEDICAL CARE PAYMENTS; ALLOWABLE INCREASE IN COST PER SERVICE UNIT.]

Subdivision 1. [IN GENERAL.] For the biennium ending June 30, 1983,

the annual increase in the cost per service unit paid to any vendor under medical assistance and general assistance medical care shall not exceed eight percent. The period for measuring growth shall be the state fiscal year.

Subd. 2. [HEALTH MAINTENANCE ORGANIZATIONS.]

Notwithstanding the provisions of subdivision 1, rates paid to health maintenance organizations may increase beyond eight percent. The actual rate paid per month to health maintenance organizations shall not exceed 85 percent of the average monthly per capita fee for service payments made on behalf of eligible recipients who qualify to be members of the health maintenance organization who choose not to be members. Rates shall be calculated by the department of public welfare.

Sec. 10. [APPROPRIATION; REPORT.]

The sum of $25,000 is appropriated from the general fund to the commissioner of public welfare for the biennium ending June 30, 1983 to implement and coordinate the state, county, and health maintenance organization administrative arrangements required in section 7 and to prepare a report to the legislature by January 15, 1984, on the cost effectiveness of the program.''

Page 5, line 11, after the period insert ''*Sections 3, 5, 7, and 8 are effective the day following final enactment. Sections 4, 6, and 9 are effective July 1, 1982.*''

Amend the title as follows:

Page 1, line 5, after the semicolon, insert ''modifying certain provisions relating to medical assistance; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money;''

Page 1, line 6, delete ''amended'' and insert ''added; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966''

And when so amended H.F. No. 2188 will be identical to S.F. No. 1771, and further recommends that H.F. No. 2188 be given its second reading and substituted for S.F. No. 1771, 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. 2000 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
2000	2065				

Pursuant to Rule 49, the Committee on Rules and Administration recom-

mends that H.F. No. 2000 be amended as follows:

Page 4, line 30, strike everything after "commissioner"

Page 4, strike lines 31 and 32

Page 4, line 33, strike "those programs,"

Page 4, line 34, strike everything after "assistance"

Strike page 4, line 35 to page 6, line 2

Page 6, delete lines 3 to 20 and insert

"; *provided that no individual shall be eligible for general assistance if the individual is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, or any successor to the above.*

Sec. 9. Minnesota Statutes 1980, Section 256D.05, is amended by adding a subdivision to read:

Subd. 1a. [TEMPORARY STANDARDS.] *Notwithstanding the provisions of subdivision 1, from the day following final enactment of this act until June 30, 1983, each person or family whose income and resources are less than the standard of assistance established by the commissioner, and who is not eligible for the federally aided assistance programs of emergency assistance or aid to families with dependent children, or any successor to those programs, shall be eligible for and entitled to general assistance if the person or family is:*

(a) A person who is suffering from a permanent or temporary illness, injury, or incapacity which is both medically certified and prevents the person from engaging in suitable employment, and who, if the medical certification establishes that the illness, injury, or incapacity is temporary and recommends a reasonable plan for rehabilitation, is following the plan;

(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness or incapacity of another member of the household;

(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is pursuant to a plan developed or approved by the local agency through its director or designated representative;

(d) A person who resides in a shelter facility described in subdivision 3;

(e) A person who is or may be eligible for displaced homemaker services, programs, or assistance under section 4.40. In determining eligibility of the person for general assistance, income received as a stipend shall be disregarded as provided in section 4.40;

(f) A person who is unable to secure suitable employment due to inability to communicate in the English language, and who, if assigned to a language skills program by the local agency, is participating in that program;

(g) A person not described in clause (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally ill or mentally retarded;

(h) A person who is unable to secure suitable employment due to a lack of

marketable skills and who, if assigned to a vocational counseling, vocational rehabilitation, or work training program by the local agency, is participating in that program. Eligibility for general assistance under clause (h) of this subdivision is limited to five weeks per calendar year;

(i) A person who has an application pending for the program of supplemental security income for the aged, blind and disabled or has been terminated from that program and has an appeal from that termination pending, and who has executed an interim assistance authorization agreement pursuant to the provisions of section 256D.06, subdivision 5; or

(j) A person who is unable to secure suitable employment because his advanced age significantly affects his ability to engage in substantial work.

This subdivision is repealed July 1, 1983.

Sec. 10. [APPROPRIATIONS.]

$12,000 is reappropriated from Laws 1981, Chapter 360, Article I, Section 2, to the commissioner of public welfare for the purposes of the statewide hearing impaired program.''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert ''appropriating money;''

Page 1, line 13, before the period, insert '', and by adding a subdivision''

And when so amended H.F. No. 2000 will be identical to S.F. No. 2065, and further recommends that H.F. No. 2000 be given its second reading and substituted for S.F. No. 2065, 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. 930 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F.No.	S.F.No.
				930	198

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H.F. No. 930 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 930, the second engrossment, and insert the language after the enacting clause of S.F. No. 198, the first engrossment. Further, delete the title of H.F. No. 930, the second engrossment, and insert the title of S.F. No. 198, the first engrossment.

And when so amended H.F. No. 930 will be identical to S.F. No. 198, and further recommends that H.F. No. 930 be given its second reading and substi-

tuted for S.F. No. 198, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 2080, 1017, 2065, 2188, 2000 and 930 were read the second time.

MOTIONS AND RESOLUTIONS

S.F. No. 1443 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1443

A bill for an act relating to agriculture; prohibiting the trafficking in skunks; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 145.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1443, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments.

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

Senate Conferees: (Signed) A. O. H. Setzepfandt, Marilyn M. Lantry, Tom A. Nelson

House Conferees: (Signed) Robert W. Reif, Joseph R. Begich, Richard J. Welch

Mr. Setzepfandt moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1443 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1443 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 53 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Langseth	Peterson,D.L.	Sikorski
Bang	Engler	Lantry	Peterson,R.W.	Spear
Belanger	Frank	Lessard	Petty	Stokowski
Benson	Frederickson	Lindgren	Pillsbury	Stumpf
Berg	Hanson	Luther	Purfeerst	Taylor
Bernhagen	Hughes	Merriam	Ramstad	Tennessen
Bertram	Kamrath	Moe, D. M.	Renneke	Ulland
Brataas	Knoll	Moe, R. D.	Rued	Waldorf
Chmielewski	Knutson	Nelson	Schmitz	Willet
Davies	Kroening	Olhoft	Setzepfandt	
Davis	Kronebusch	Pehler	Sieloff	

Those who voted in the negative were:

Dicklich	Johnson	Penny	Peterson,C.C.	Vega

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Merriam moved that S.F. No. 1451 be taken from the table. The motion prevailed.

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S.F. No. 1451 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1451: A bill for an act relating to storm and waste water management; providing for the establishment and operation of a water planning and management program in the metropolitan area; requiring watershed and local water management plans in the metropolitan area; providing for the establishment and operation of watershed management organizations in the metropolitan area; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; authorizing debt; authorizing taxes; amending Minnesota Statutes 1980, Sections 112.35, by adding a subdivision; 112.37, Subdivision 1, and by adding a subdivision; 112.42, Subdivision 3 and by adding a subdivision; 112.43, by adding a subdivision; 112.46; Laws 1981, Chapter 291, Section 2, Subdivisions 1 and 2, and by adding subdivisions; 4, Subdivision 1; 5, Subdivision 2; 7; 8, Subdivisions 1 and 2, and by adding a subdivision; and 24; proposing new law coded in Minnesota Statutes, Chapter 473.

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

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

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

Those who voted in the affirmative were:

Bang	Dieterich	Lessard	Peterson,R.W.	Stokowski
Belanger	Engler	Luther	Petty	Stumpf
Benson	Frank	Menning	Pillsbury	Taylor
Berg	Frederickson	Merriam	Purfeerst	Tennessen
Berglin	Hughes	Moe, D. M.	Ramstad	Ulland
Bernhagen	Johnson	Moe, R. D.	Renneke	Vega
Bertram	Kamrath	Nelson	Rued	Waldorf
Brataas	Knutson	Olhoft	Schmitz	Wegener
Chmielewski	Kroening	Pehler	Setzepfandt	Willet
Davies	Kronebusch	Penny	Sieloff	
Davis	Langseth	Peterson,C.C.	Sikorski	
Dicklich	Lantry	Peterson,D.L.	Spear	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Dicklich moved that Senate Resolution No. 84 be taken from the table. The motion prevailed.

Senate Resolution No. 84: A Senate resolution urging the President and Congress of the United States to resist attempts by the World Bank to assist on the construction of a taconite facility in Brazil.

WHEREAS, the taconite industry is the primary economic activity on the Iron Range Region employing the majority of workers from northeastern Minnesota; and,

WHEREAS, the present conditions of this mining industry is depressed causing thirty percent unemployment in northeast Minnesota; and,

WHEREAS, it has traditionally been the policy of the World Bank to deny loan requests which would potentially generate competition destructive to industries in the United States; and,

WHEREAS, application has been made to the World Bank for a loan for the construction of an iron ore production facility utilizing Brazilian ore; and,

WHEREAS, the Minnesota Senate believes that development of the taconite facility utilizing Brazilian ore would be extremely damaging to the economic security of the taconite industry in the State of Minnesota as well as iron ore producers elsewhere in the United States; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it recommends that the President and Congress of the United States take action to resist the loan application of Brazil to the World Bank for financing for the construction of iron ore producing facilities utilizing Brazilian ore.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the President, and that it be presented to the President of the United States and Minnesota's Senators and Representatives in Congress.

Mr. Dicklich moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Frederickson moved that H.F. No. 2033 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Frederickson 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. 2033 and that the rules of the Senate be so far suspended as to give H.F. No. 2033 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2033: A bill for an act relating to agriculture; providing for the licensing and regulation of certain grain buyers; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 223; repealing Minnesota Statutes 1980, Sections 223.04; 223.07 to 223.11; 232.01; 232.02, Subdivisions 4, 5, 6, 7, 8 and 9; 232.03; 232.04; and 232.06, Subdivision 5; Minnesota Statutes 1981 Supplement, Sections 223.01; 223.02; 223.03; 223.05; and 232.02, Subdivisions 1, 2 and 3.

H.F. No. 2033 was read the second time.

Mr. Frederickson moved to amend H.F. No. 2033 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 2033, and insert the language after the enacting clause, and the title, of S.F. No. 1961, the Second Engrossment.

The motion prevailed. So the amendment was adopted.

H.F. No. 2033 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:

Ashbach	Dieterich	Kronebusch	Penny	Solon
Belanger	Engler	Langseth	Peterson,C.C.	Spear
Berg	Frank	Lantry	Peterson,D.L.	Stokowski
Berglin	Frederickson	Lessard	Petty	Stumpf
Bernhagen	Hanson	Luther	Pillsbury	Taylor
Bertram	Hughes	Menning	Ramstad	Ulland
Brataas	Johnson	Merriam	Renneke	Vega
Chmielewski	Kamrath	Moe, D. M.	Rued	Waldorf
Dahl	Knoll	Moe, R. D.	Schmitz	Wegener
Davis	Knutson	Nelson	Setzepfandt	Willet
Dicklich	Kroening	Olhoft	Sieloff	

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

RECONSIDERATION

Mr. Frederickson moved that the vote whereby S.F. No. 1961 was passed by the Senate on March 12, 1982, be now reconsidered and that the bill be laid on the table. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2136 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2136 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 12, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 2136

A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; fixing the boundaries of state parks and trails; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; proposing new law coded in Minnesota Statutes, Chapter 84.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 2136, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 2136 be further amended as follows:

Page 1, delete lines 21 to 28

Page 2, delete lines 1 to 36, and insert:

"SUMMARY

ADMINISTRATION	$1,048,000
NATURAL RESOURCES	162,000
MILITARY AFFAIRS	350,000
VETERANS AFFAIRS	63,000
EDUCATION	752,300
STATE UNIVERSITIES	924,000
UNIVERSITY OF MINNESOTA	1,235,000

TRANSPORTATION	2,255,600
PUBLIC SAFETY	100,000
CORRECTIONS	300,000
BOND SALE EXPENSES	5,700
TOTAL	$7,195,600
Game and Fish Fund	100,000
Trunk Highway Fund	2,355,600
Building Fund	4,740,000

		APPROPRIATIONS
Sec. 2. [ADMINISTRATION.]		
Subdivision 1. To the commissioner of administration for the purposes specified in this section		$1,048,000
Subd. 2. Fire and Life Safety - Capitol building	$ 700,000	
Subd. 3. Replace roofs - Capitol complex	130,000	
Subd. 4. Reset steps and repair upper landing - Capitol building	108,000	
Subd. 5. Emergency alarm and lighting systems - Capitol complex	110,000	
Sec. 3. [NATURAL RESOURCES.] Subdivision 1. To the commissioner of natural resources or the commissioner of administration for the purposes specified in this section		162,000
Subd. 2. To the commissioner of administration for the Hibbing minerals office roof replacement	62,000	
Subd. 3. To the commissioner of natural resources for conversion to a wood pellet heating system at the French River hatchery	100,000	
The appropriation in this subdivision is from the game''		

Page 4, delete lines 23 to 37, and insert:

''Sec. 9. [TRANSPORTATION.]

Subdivision 1. To the commissioner of transportation for the purposes more specifically described in the following subdivisions of this section		2,255,600
Subd. 2. International Falls equipment storage	275,000	
Building and site acquisition costs shall not exceed $150,000.		

Subd. 3. Chemical storage sheds 35,600

Subd. 4. Energy saving modifications 420,000

Subd. 5. Construct north Minneapolis equipment storage facility to replace Hawthorne Avenue facility 900,000

Subd. 6. Sleepy Eye equipment storage 310,000

Subd. 7. Dodge Center equipment storage . . 315,000''

Page 4, line 38, delete ''6'' and insert ''8''

Page 5, after line 26, insert:

''Sec. 10. [PUBLIC SAFETY.] 100,000

To the commissioner of public safety to establish and equip a decentralized animated audio-visual traffic accident reconstruction system. This money shall be used in conjunction with federal grants or private contributions. This appropriation is from the trunk highway fund.''

Page 5, line 30, delete ''500,000'' and insert ''300,000''

Page 5, line 36, delete the comma

Page 5, line 38, delete ''and/or'' and insert '', or''

Page 5, line 40, before the period insert '', or both''

Page 5, line 56, delete ''6,000'' and insert ''5,700''

Page 6, line 5, delete ''$5,350,000'' and insert ''$4,740,000''

Page 7, after line 25, insert:

''Sec. 16. [REPLACEMENT BUILDING, ST. CLOUD STATE UNIVERSITY.]

The state university board is authorized to replace the existing building at the highway safety center at St. Cloud state university. Funding for the building shall be exclusively from earned revenue and shall not exceed $28,000. For purposes of this section, ''earned revenue'' includes user fees.''

Pages 7 and 8, delete section 17

Page 12, delete lines 6 to 21 and insert:

''Sec. 26. Minnesota Statutes 1980, Section 16A.63, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article VII, Section 1, is amended to read:

Subd. 2. [TEMPORARY FINANCING.] In anticipation of the receipt of proceeds of state bonds ~~to be credited to the Minnesota state building fund~~, the commissioner of finance may transfer amounts not in excess of the anticipated proceeds from the general fund to the Minnesota state building fund *or other state fund to which the proceeds are appropriated*. Upon receipt of the state bond proceeds in anticipation of which a general fund transfer has been made, the commissioner of finance shall transfer *to the general fund* from the ~~Minnesota state building~~ fund to ~~the general fund~~ *which the proceeds were appropriated* an amount equal to the sum originally traasferred from the general fund. There ~~is~~ *are* annually appropriated to the commissioner of finance from the general fund and *from* the ~~Minnesota state building fund~~ *proceeds of the bonds* sums sufficient to effect the transfers authorized by this subdivision.

Sec. 27. Minnesota Statutes 1980, Section 16A.64, Subdivision 4, is amended to read:

Subd. 4. All expenses incidental to the sale, printing, execution, and delivery of bonds pursuant to this section, including, but not limited to, actual and necessary travel and subsistence expenses of state officers and employees for such purposes, shall be paid from the Minnesota state building fund, and the amounts necessary therefor are appropriated from said fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, such expenses shall be ~~limited to~~ *first paid to the extent possible from* the amount so appropriated.

Sec. 28. Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 8, is amended to read:

Subd. 8. [APPROPRIATION FOR PAYMENT AND COSTS.] The principal of and interest and premium, if any, on all certificates of indebtedness issued hereunder, and all expenses incidental to the sale, guaranty of sale, placement, printing, execution, authorization, registration, and delivery thereof, including but not limited to actual and necessary travel and subsistence expenses of state officers and employees, *and costs arising from lines of credit obtained with respect to outstanding debt* shall be paid from the general fund and shall be included in the computation of current cash flow requirements and of amounts available for allotment pursuant to appropriations, and the amounts necessary for these purposes are appropriated from the general fund. These appropriations are irrevocable and shall not be canceled. *The commissioner of finance may enter into a covenant, on behalf of the state, for the security of the holders of certificates of indebtedness, for the segregation of cash and cash equivalent assets in a special account within the general fund for the payment of interest, principal, and premium, if any, in the amounts and at the times in advance of the due dates that the commissioner determines to be advisable for the state in marketing the certificates of indebtedness and to take action required under section 16A.15, subdivision 1, to enable the performance of the covenant.*"

Page 16, after line 25, insert:

"Sec. 34. Minnesota Statutes 1980, Section 180.03, Subdivision 2, is amended to read:

Subd. 2. Every person, firm or corporation that is or has been engaged in the business of mining or removing iron ore, taconite, semitaconite or other minerals except sand, crushed rock and gravel by the open pit method in any county which has appointed an inspector of mines pursuant to section 180.01 shall erect two inch by four inch mesh fencing along the outside perimeter of the excavation, open pit, or shaft of any mine in which mining operations have ceased for a period of six consecutive months or longer. The top and bottom wire shall not be less than 9 gauge and the filler wire shall not be less than 11 gauge. The fencing shall be not less than five feet in height with two strands of barbed wire six inches apart affixed to the top of the fence. The fence posts shall be no more than ten feet apart. In the case of open pit mines in which mining operations cease after November 1, 1979, and before March 1, 1980, the fencing shall be erected as soon as possible after March 1, 1980. Where mining operations cease on or after March 1, 1980, the fencing shall be erected forthwith. In the case of open pit mines in which mining operations had ceased

for a period of six consecutive months or longer before November 1, 1979, and not resumed, the fencing shall be erected within ~~three~~ *four* years after November 1, 1979. Any fencing required by an inspector of mines pursuant to subdivision 3 or other applicable law shall meet the standards of this section as a minimum. This subdivision does not apply to any excavation, open pit, or shaft, or any portion thereof, exempted from its application by the commissioner of natural resources pursuant to laws relating to mineland reclamation or exempted from its application by the county mine inspector pursuant to subdivision 4."

Page 16, line 27, delete "*Sections 1 to 30 are*" and insert "*This act is*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon insert "authorizing inter-fund borrowing in anticipation of bond proceeds; providing for bond sale expenses; authorizing covenants to secure certificates of indebtedness;"

Page 1, line 7, after the first semicolon insert "postponing the deadline for fencing certain open pit mines;"

Page 1, line 8, after the semicolon insert "16A.63, Subdivision 2, as amended; 16A.64, Subdivision 4;"

Page 1, line 9, after the last semicolon insert "180.03, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 8."

Page 1, delete lines 10 and 11

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

House Conferees: (Signed) Michael R. Sieben, Phylis L. Kahn, Glen H. Anderson, Lyndon R. Carlson, Bruce G. Nelson

Senate Conferees: (Signed) Gerald L. Willet, William P. Luther, Steve Engler, Tom A. Nelson

Mr. Willet moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2136 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2136: A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; authorizing inter-fund borrowing in anticipation of bond proceeds; providing for bond sale expenses; authorizing covenants to secure certificates of indebtedness; fixing the boundaries of state parks and trails; postponing the deadline for fencing certain open pit mines; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 16A.63, Subdivision 2, as amended; 16A.64, Subdivision 4; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; 180.03, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 8.

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

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

Conference Committee.

The roll was called, and there were yeas 57 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lessard	Peterson,D.L.	Spear
Belanger	Frank	Lindgren	Peterson,R.W.	Stokowski
Berg	Frederickson	Luther	Petty	Stumpf
Berglin	Hanson	Menning	Pillsbury	Taylor
Bernhagen	Hughes	Merriam	Purfeerst	Ulland
Bertram	Johnson	Moe, D. M.	Ramstad	Vega
Brataas	Knoll	Moe, R. D.	Renneke	Waldorf
Chmielewski	Knutson	Nelson	Rued	Wegener
Dahl	Kroening	Olhoft	Schmitz	Willet
Davis	Kronebusch	Pehler	Setzepfandt	
Dicklich	Langseth	Penny	Sieloff	
Dieterich	Lantry	Peterson,C.C.	Solon	

Mr. Kamrath voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 1840: A bill for an act relating to public welfare; allowing payment of claims for medical assistance to be made against homestead property which is part of an estate; amending Minnesota Statutes 1980, Sections 510.05; 524.3-805; and Minnesota Statutes 1981 Supplement, Section 525.145.

Mr. Penny moved that the amendment made to H.F. No. 1840 by the Committee on Rules and Administration in the report adopted March 11, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1840 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 0, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Kroening	Pehler	Setzepfandt
Bang	Dicklich	Kronebusch	Penny	Sieloff
Belanger	Dieterich	Langseth	Peterson,D.L.	Solon
Benson	Engler	Lantry	Peterson,R.W.	Spear
Berg	Frank	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hughes	Luther	Purfeerst	Tennessen
Bertram	Johnson	Merriam	Ramstad	Ulland
Brataas	Kamrath	Moe, D. M.	Renneke	Vega
Dahl	Knoll	Nelson	Rued	Waldorf
Davies	Knutson	Olhoft	Schmitz	Willet

So the bill passed and its title was agreed to.

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

CALENDAR

H.F. No. 930: A bill for an act relating to information practices of public bodies; regulating the treatment of government data; providing conditions for disclosure; enacting the uniform information practices code; providing penalties; amending Minnesota Statutes 1980, Sections 3.97, Subdivisions 9 and 11; 10A.02, Subdivision 11a; 72A.062, Subdivision 2; 115A.14, Subdivision 3; 123.704; 123.741, Subdivision 5; 136A.162; 144.1761, Subdivision 2; 144.216, Subdivision 2; 144.218; 144.225, Subdivision 1; 144.691, Subdivision 4; 144.693; 145.925, Subdivision 6; 147.073, Subdivision 1; 169.126, Subdivision 2; 241.44, Subdivision 1a; 241.66, Subdivision 1; 245.69, Subdivision 2; 256B.27, Subdivision 5; 268.40, Subdivision 3; 270A.11; 299F.055; 462A.065; and 626.557, Subdivisions 11 and 12; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 2; 144A.10, Subdivision 3; 197.603, Subdivision 2; 241.62, Subdivision 5; 362.53, Subdivision 17; 626.556, Subdivision 11; proposing new law coded as Minnesota Statutes, Chapter 16B; repealing Minnesota Statutes 1980, Sections 15.167; 15.1674; 15.1675; 15.1676; 15.1677; 15.1678; 15.1679; 15.1681; 15.1691; 15.1694; 15.1696; and 15.1697; and Minnesota Statutes 1981 Supplement, Sections 15.1611; 15.162; 15.1621; 15.163; 15.1642; 15.165; 15.166; 15.1671; 15.1672; 15.1673; 15.1682; 15.1683; 15.1692; 15.1693; 15.1695; 15.1698; 15.1699; 15.771; 15.772; 15.773; 15.774; 15.775; 15.776; 15.777; 15.778; 15.779; 15.781; 15.782; 15.783; 15.784; 15.785; 15.786; 15.787; 15.788; 15.789; 15.791; 15.792; and 15.793.

SUSPENSION OF RULES

Mr. Tennessen 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. 930 and that the rules of the Senate be so far suspended as to give H.F. No. 930, now on the Calendar, its third reading and place it on its final passage. The motion prevailed.

H.F. No. 930 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 8 and nays 47, as follows:

Those who voted in the affirmative were:

Belanger	Merriam	Pillsbury	Sieloff	Stumpf
Davies	Peterson,R.W.	Purfeerst		

Those who voted in the negative were:

Bang	Dieterich	Kroening	Pehler	Spear
Benson	Engler	Langseth	Penny	Stokowski
Berg	Frank	Lantry	Peterson,D.L.	Tennessen
Berglin	Frederick	Lessard	Petty	Ulland
Bernhagen	Frederickson	Lindgren	Ramstad	Vega
Bertram	Hughes	Luther	Renneke	Waldorf
Brataas	Johnson	Moe, D. M.	Rued	Willet
Dahl	Kamrath	Moe, R. D.	Schmitz	
Davis	Knoll	Nelson	Setzepfandt	
Dicklich	Knutson	Olhoft	Solon	

So the bill failed to pass.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1621 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1621

A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1621, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1621 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a, is amended to read:

Subd. 1a. State and other public employees and their spouses ~~who live or work outside the metropolitan area~~ *and other people who work in buildings owned or leased by the state* shall also be eligible for the employee transportation program established through this section; provided, however, that the driver and substitute driver of every van pool are state employees; and provided, further, that state employees constitute a majority of the members of every van pool. Available space in van pools must, whenever possible, be filled by state employees.

Sec. 2. Minnesota Statutes 1980, Section 394.22, Subdivision 12, is amended to read:

Subd. 12. "Official map" means a map adopted in accordance with section 394.361 which may show existing county roads and county state aid highways, proposed future county roads and highways ~~and~~, the area needed for widening existing county roads and highways, *and existing and future state trunk highway rights of way*. An official map may also show the location of existing public land and facilities and other land needed for future public purposes, including public facilities such as parks, playgrounds, schools, and other public buildings, civic centers, and travel service facilities. When requested in accordance with section 394.32, subdivision 3, an official map may include existing and planned public land uses within incorporated areas.

Sec. 3. Minnesota Statutes 1980, Section 462.352, Subdivision 10, is amended to read:

Subd. 10. "Official map" means a map adopted in accordance with section 462.359 ~~showing~~ *which may show* existing ~~streets,~~ *and* proposed future streets

~~and~~, *roads, and highways of the municipality and county*, the area needed for widening of existing streets, *roads, and highways* of the municipality *and county, and existing and future county state aid highways and state trunk highway rights of way*. An official map may also show the location of existing and future public land and facilities within the municipality. In counties in the metropolitan area as defined in section ~~473.122~~ *473.121*, official maps may for a period of up to five years designate the boundaries of areas reserved for purposes of soil conservation, water supply conservation, flood control and surface water drainage and removal including appropriate regulations protecting such areas against encroachment by buildings, other physical structures or facilities.

Sec. 4. Minnesota Statutes 1980, Section 473.167, is amended to read:

473.167 [~~APPROVAL OF~~ HIGHWAY PROJECTS.]

Subdivision 1. [CONTROLLED ACCESS HIGHWAYS; COUNCIL APPROVAL.] Before acquiring land for or constructing a controlled access highway in the area, hereinafter a project, the state transportation department or local government unit proposing such acquisition or construction shall submit to the council a statement describing the proposed project. The statement shall be in the form and detail required by the council. Immediately upon receipt of the statement, the council shall transmit a copy to the metropolitan transit commission, which shall review and evaluate the project in relationship to the development program and report its recommendations and comments to the council. The council shall also review the statement to ascertain its consistency with its policy plan and the development guide. No such project may be undertaken unless the council determines that it is consistent with the policy plan and development program. This approval shall be in addition to the requirements of any other statute, ordinance or regulation.

Subd. 2. [LOANS FOR ACQUISITION.] *The council may make loans to counties, towns, and statutory and home rule charter cities within the metropolitan area for the purchase of property within the right-of-way of a state trunk highway shown on an official map adopted pursuant to section 394.361 or 462.359 or for the purchase of property within the proposed right-of-way of a principal or intermediate arterial highway designated by the council as a part of the metropolitan highway system plan and approved by the council pursuant to subdivision 1. The loans shall be made by the council, from the fund established pursuant to this subdivision, for purchases approved by the council. The loans shall bear no interest. The council shall make loans only to avert the imminent conversion or the granting of approvals which would allow the conversion of property to uses which would jeopardize its availability for highway construction. The council shall not make loans for the purchase of property at a price which exceeds the fair market value of the property or which includes the costs of relocating or moving persons or property. A private property owner may elect to receive the purchase price either in a lump sum or in not more than four annual installments without interest on the deferred installments. If the purchase agreement provides for installment payments, the council shall make the loan in installments corresponding to those in the purchase agreement. The recipient of an acquisition loan shall convey the property for the construction of the highway at the same price which the recipient paid for the property. Upon notification by the council that the plan to construct the highway has been abandoned or the anticipated location of the*

highway changed, the recipient shall sell the property at market value in accordance with the procedures required for the disposition of the property. All rents and other money received because of the recipient's ownership of the property and all proceeds from the conveyance or sale of the property shall be paid to the council. The proceeds of the tax authorized by subdivision 3, all money paid to the council by recipients of loans, and all interest on the proceeds and payments shall be maintained as a separate fund. For administration of the loan program the council may expend from the fund each year an amount no greater than three percent of the amount that a metropolitan area tax levy of five one-hundredths of a mill would raise in that year.

Subd. 3. [TAX.] *The council may levy a tax on all taxable property in the metropolitan area, as defined in section 473.121, to provide funds for loans made pursuant to subdivision 2. The tax shall be certified by the council, levied, and collected in the manner provided by section 473.08. The tax shall be in addition to that authorized by section 473.249 and any other law and shall not affect the amount or rate of taxes which may be levied by the council or any metropolitan agency or local governmental unit. The amount of the levy shall be as determined and certified by the council, except as otherwise provided in this subdivision. The tax shall not be levied at a rate higher than five one-hundredths of one mill. The tax shall not be levied at a rate higher than that determined by the council to be sufficient, considering the other anticipated revenues of and disbursements from the loan fund, to produce a balance in the loan fund at the end of the next calendar year equal to twice the amount that a tax levy of five one-hundredths of a mill would raise in that year.*

Sec. 5. [APPROPRIATION; AMTRAK.]

$200,000 is appropriated from the general fund to the commissioner of transportation to assist the Amtrak North Star Line. This appropriation is available until June 30, 1983. Receipts from gifts, grants, and other contributions from public and private sources for the North Star Line are also appropriated to the commissioner of transportation for that purpose for the period ending June 30, 1983.

Sec. 6. [EFFECTIVE DATE.]

Sections 1 and 5 are effective the day after final enactment. Section 4 is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.''

Delete the title and insert:

''A bill for an act relating to transportation; changing eligibility for a state transportation program; providing for transportation information on official maps; providing conditions for purchase of land for transportation facilities; appropriating money for the Amtrak North Star Line; amending Minnesota Statutes 1980, Sections 394.22, Subdivision 12; 462.352, Subdivision 10; and 473.167; and Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.''

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

Senate Conferees: (Signed) Gene Merriam, Charles R. Davis, Steve Engler

House Conferees: (Signed) Gordon O. Voss, Paul McCarron, William Schreiber

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1621 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1621 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 29 and nays 29, as follows:

Those who voted in the affirmative were:

Berglin	Engler	Lantry	Olhoft	Solon
Chmielewski	Frank	Lessard	Pehler	Spear
Dahl	Hughes	Luther	Penny	Stokowski
Davies	Johnson	Moe, D.M.	Peterson, C.C.	Tennessen
Davis	Knoll	Moe, R.D.	Peterson, R.W.	Ulland
Dicklich	Langseth	Nelson	Petty	

Those who voted in the negative were:

Ashbach	Brataas	Kroening	Pillsbury	Sieloff
Belanger	Dieterich	Kronebusch	Purfeerst	Stumpf
Benson	Frederick	Lindgren	Ramstad	Taylor
Berg	Frederickson	Menning	Renneke	Vega
Bernhagen	Kamrath	Merriam	Rued	Waldorf
Bertram	Knutson	Peterson, D.L.	Schmitz	

So the bill, as amended by the Conference Committee, failed to pass.

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 1734: A bill for an act relating to courts; authorizing the continuance of the office of court referee in the second and fourth judicial districts; amending Minnesota Statutes 1981 Supplement, Section 484.70, 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 43 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kronebusch	Peterson,C.C.	Solon
Belanger	Frank	Langseth	Peterson,D.L.	Spear
Benson	Frederickson	Lantry	Petty	Stokowski
Berglin	Hanson	Lessard	Pillsbury	Stumpf
Bernhagen	Hughes	Lindgren	Purfeerst	Ulland
Chmielewski	Johnson	Luther	Ramstad	Vega
Dahl	Knoll	Moe, R. D.	Rued	Waldorf
Dicklich	Knutson	Nelson	Schmitz	
Dieterich	Kroening	Penny	Sieloff	

Those who voted in the negative were:

Bertram	Menning	Olhoft	Peterson,R.W.	Tennessen
Davis	Merriam	Pehler	Renneke	Willet

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 522: A bill for an act relating to family; clarifying circumstances in which parent with custody of child may move to another state; amending Minnesota Statutes 1980, Section 518.175, 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 55 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Langseth	Penny	Setzepfandt
Benson	Frederick	Lantry	Peterson,C.C.	Sieloff
Berglin	Frederickson	Lindgren	Peterson,D.L.	Sikorski
Bernhagen	Hanson	Luther	Peterson,R.W.	Spear
Bertram	Hughes	Menning	Petty	Stokowski
Chmielewski	Johnson	Merriam	Pillsbury	Stumpf
Dahl	Kamrath	Moe, D. M.	Purfeerst	Tennessen
Davis	Knoll	Moe, R. D.	Ramstad	Ulland
Dicklich	Knutson	Nelson	Renneke	Vega
Dieterich	Kroening	Olhoft	Rued	Waldorf
Engler	Kronebusch	Pehler	Schmitz	Willet

Mr. Lessard voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 788: A bill for an act relating to courts; conciliation courts; authorizing actions to recover amounts lost due to worthless checks in the county of issuance and where the plaintiff resides; amending Minnesota Statutes 1980, Section 487.30, by adding a subdivision; 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

Mr. Frederickson moved to amend the amendment placed on H.F. No. 788 by the committee on Judiciary, adopted by the Senate March 8, 1982, as follows:

In the inserted section 4, delete "*15*" and insert "*20*"

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

Mr. Merriam moved to amend the amendment placed on H. F. No. 788 by the committee on Judiciary, adopted by the Senate March 8, 1982, as follows:

After the amendment to page 1, line 20, insert:

"Page 1, after line 20, insert:

"Sec. 2. Minnesota Statutes 1980, Section 487.30, is amended by adding a subdivision to read:

Subd. 5. [SATISFACTION OF JUDGMENT.] *If (1) a conciliation court judgment has been docketed in county court for a period of at least 30 days, (2) the judgment is not satisfied, and (3) the parties have not otherwise agreed, the county court shall, upon the request of the judgment creditor, order the judgment debtor to mail to the judgment creditor information as to the nature, amount, identity, and location of all his assets, liabilities, and personal earn-*

ings. The information shall be provided on a form prescribed by the court and shall be sufficiently detailed to enable the judgment creditor to obtain satisfaction of the judgment by way of execution on nonexempt assets and earnings of the judgment debtor. The order shall contain a notice that failure to complete the form and mail it to the judgment creditor within seven days after service of the order may result in a citation for contempt of court unless the judgment is satisfied prior to the expiration of that period. A judgment debtor who intentionally fails to comply with the order of the court may be cited for civil contempt of court.

Sec. 3. Minnesota Statutes 1980, Section 487.30, is amended by adding a subdivision to read:

Subd. 6. [CLERK'S DUTIES.] *Under the supervision of the conciliation court judges, the clerk shall explain to litigants the procedures and functions of the conciliation court and shall assist them in filling out all forms and pleadings necessary for the presentation of their claims or counterclaims to the court. The clerk shall assist a judgment creditor in the preparation of the forms necessary to obtain satisfaction of a final judgment. The performance of duties described in this subdivision shall not constitute the practice of law.*''''

Before the inserted section 3, insert:

''Sec. 5. Minnesota Statutes 1980, Section 488A.13, Subdivision 2, is amended to read:

Subd. 2. [CLERK OF MUNICIPAL COURT; DUTIES; RECORDS.] (a) The clerk of the municipal court shall serve as the clerk of the conciliation court. He shall delegate deputy clerks of the municipal court to assist him in performing his duties under ~~this act~~ *sections 488A.12 to 488A.17.* The clerk shall keep ~~such~~ *the* records and accounts and perform ~~such~~ *other* duties ~~as may be~~ prescribed by the judges. He shall account for and pay over to the county of Hennepin all fees received by him in the same fashion as required in his capacity as clerk of municipal court.

Under the supervision of the conciliation court judges, the clerk shall explain to litigants the procedures and functions of the conciliation court and shall assist them in filling out all forms and pleadings necessary for the presentation of their claims or counterclaims to the court. The clerk shall assist a judgment creditor in the preparation of the forms necessary to obtain satisfaction of a final judgment. The performance of duties described in this subdivision shall not constitute the practice of law.

(b) The clerk may, upon the consent of all the judges of municipal court of the county of Hennepin, destroy or dispose of all the following files and records of ~~said~~ *the* court, which have been on file for more than 20 years:

(1) Complaint files;

(2) Transcript receipts;

(3) Cash receipt books;

(4) Cancelled checks.''

After the inserted section 7, insert:

''Sec. 10. Minnesota Statutes 1980, Section 488A.16, Subdivision 8, is

amended to read:

Subd. 8. [DOCKETING AND ENFORCEMENT IN MUNICIPAL COURT.] When a judgment has become finally effective under subdivision 2, the judgment creditor may obtain a transcript of the judgment from the clerk of conciliation court on payment of a fee of fifty cents ~~therefor~~ and file it with the clerk of the municipal court of the county of Hennepin. After filing of the transcript, the judgment becomes, and is enforceable as, a judgment of the municipal court. No writ of execution or garnishment summons may be issued out of conciliation court. *If (1) a conciliation court judgment has been docketed as a municipal court judgment for a period of at least 30 days, (2) the judgment is not satisfied, and (3) the parties have not otherwise agreed, the municipal court shall, upon the request of the judgment creditor, order the judgment debtor to mail to the judgment creditor information as to the nature, amount, identity, and location of all his assets, liabilities, and personal earnings. The information shall be provided on a form prescribed by the court and shall be sufficiently detailed to enable the judgment creditor to obtain satisfaction of the judgment by way of execution on nonexempt assets and earnings of the judgment debtor. The order shall contain a notice that failure to complete the form and mail it to the judgment creditor within seven days after service of the order may result in a citation for contempt of court unless the judgment is satisfied prior to the expiration of that period. A judgment debtor who intentionally fails to comply with the order of the court may be cited for civil contempt of court.*"

Before the inserted section 10, insert:

"Sec. 14. Minnesota Statutes 1980, Section 488A.30, Subdivision 2, is amended to read:

Subd. 2. [ADMINISTRATOR, DUTIES.] The administrator of the municipal court shall serve as the administrator of the conciliation court. He shall delegate necessary employees of the municipal court to assist him in performing his duties under ~~this act~~ *sections 488A.29 to 488A.34*. The administrator shall keep ~~such~~ *the* records and accounts and perform ~~such~~ *other* duties ~~as may be~~ prescribed by the judges. He shall account for and pay over to the county of Ramsey all fees received by him in the same fashion as required in his capacity as administrator of municipal court.

Under the supervision of the conciliation court judges, the administrator of the conciliation court shall explain to litigants the procedures and functions of the conciliation court and shall assist them in filling out all forms and pleadings necessary for the presentation of their claims or counterclaims to the court. The administrator shall assist judgment creditors in the preparation of the forms necessary to obtain satisfaction of a final judgment. The performance of duties described in this subdivision shall not constitute the practice of law."

After the inserted section 11, insert:

"Sec. 17. Minnesota Statutes 1980, Section 488A.33, Subdivision 7, is amended to read:

Subd. 7. [DOCKETING AND ENFORCEMENT IN MUNICIPAL COURT.] When a judgment has become final under subdivision 2, the judgment creditor may obtain a transcript of the judgment from the administrator of conciliation court and file it with the administrator of the municipal court upon

payment of the filing fees as prescribed for the municipal court. After filing of the transcript, the judgment becomes, and is enforceable as, a judgment of the municipal court. A transcript of a judgment payable in installments may not be ~~so~~ obtained and filed until 20 days after default in the payment of an installment. No writ of execution nor garnishment summons may be issued out of conciliation court. *If (1) a transcript of a judgment has been filed for a period of at least 30 days, (2) the judgment is not satisfied or an installment thereof remains overdue, and (3) the parties have not otherwise agreed, the municipal court shall, upon the request of the judgment creditor, order the judgment debtor to mail to the judgment creditor information as to the nature, amount, identity, and location of all his assets, liabilities, and personal earnings. The information shall be provided on a form prescribed by the court and shall be sufficiently detailed to enable the judgment creditor to obtain satisfaction of the judgment by way of execution on nonexempt assets and earnings of the judgment debtor. The order shall contain a notice that failure to complete the form and mail it to the judgment creditor within seven days after service of the order may result in a citation for contempt of court unless the judgment is satisfied prior to the expiration of that period. A judgment debtor who intentionally fails to comply with the order of the court may be cited for civil contempt of court.*''

Delete the title amendment and amend the title as follows:

''Page 1, line 5, after the semicolon, insert ''changing certain time limits; providing procedures for collection of conciliation court judgements;''

Page 1, line 6, delete ''a subdivision'' and insert ''subdivisions''

Page 1, line 7, delete ''and'' and insert ''488A.13, Subdivision 2; 488A.14, Subdivision 4; 488A.16, Subdivisions 2, 5, 6, and 8; 488A.17, Subdivisions 2 and 3;''

Page 1, line 7, before the period, insert ''; 488A.30, Subdivision 2; 488A.31, Subdivision 4; 488A.33, Subdivisions 2 and 7; 488A.34, Subdivision 12; and Minnesota Statutes 1981 Supplement, Section 488A.34, Subdivisions 2 and 12''''

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

H.F. No. 788 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 53 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Lindgren	Peterson,R.W.	Stokowski
Bang	Frederick	Luther	Petty	Stumpf
Belanger	Frederickson	Merriam	Pillsbury	Taylor
Benson	Hughes	Moe, D. M.	Purfeerst	Tennessen
Berg	Knoll	Moe, R. D.	Ramstad	Ulland
Bernhagen	Knutson	Nelson	Renneke	Vega
Bertram	Kroening	Olhoft	Rued	Waldorf
Dahl	Kronebusch	Pehler	Schmitz	Wegener
Davies	Langseth	Penny	Setzepfandt	Willet
Dieterich	Lantry	Peterson,C.C.	Sieloff	
Engler	Lessard	Peterson,D.L.	Sikorski	

Ms. Berglin and Mr. Spear voted in the negative.

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

SPECIAL ORDER

H.F. No. 879: A bill for an act relating to juveniles; removing certain children from definition of "delinquent child"; defining "runaway," "habitual truant," "juvenile petty offender," "juvenile alcohol or controlled substance offender"; simplifying certain pleading and notice procedures; providing hearing rights and dispositional alternatives; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 5, and by adding subdivisions; 260.111, Subdivision 1; 260.121, Subdivisions 1 and 2; 260.155, Subdivision 1; and 260.173, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 260.

Mr. Merriam moved to amend the amendment placed on H.F. No. 879 by the Committee on Judiciary, adopted by the Senate March 9, 1982, as follows:

In the amendment to page 1, line 21, delete "*21, 22, and*" and insert "*19 to*"

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

Mr. Dahl moved to amend H.F. No. 879, as amended by the Committee on Judiciary, adopted by the Senate March 9, 1982, as follows:

Page 1, line 20, strike "260.193, subdivision 1," and insert "*17*"

Page 1, line 21, delete "*and*"

Page 1, after line 29, insert:

"Sec. 2. Minnesota Statutes 1980, Section 260.015, Subdivision 6, is amended to read:

Subd. 6. [DEPENDENT CHILD.] "Dependent child" means a child:

(a) Who is without a parent, guardian, or other custodian; or

(b) Who is in need of special care and treatment required by his physical or mental condition and whose parent, guardian, or other custodian is unable to provide it; or

(c) Whose parent, guardian, or other custodian for good cause desires to be relieved of his care and custody; or

(d) Who is without proper parental care because of the emotional, mental, or physical disability, or state of immaturity of his parent, guardian, or other custodian*; or whose parent, guardian, or other custodian has failed or refused to obey an order made pursuant to section 260.185, subdivision 1, clause (a), (b), or (g)*."

Page 4, after line 13, insert:

"Sec. 10. Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3, is amended to read:

Subd. 3. A prima facie case that the public safety is not served or that the child is not suitable for treatment shall have been established if the child was at least 16 years of age at the time of the alleged offense and:

(1) Is alleged by delinquency petition to have committed an aggravated

felony against the person and (a) in committing the offense, the child acted with particular cruelty or disregard for the life or safety of another; or (b) the offense involved a high degree of sophistication or planning by the juvenile; or

(2) Is alleged by delinquency petition to have committed murder in the first degree; or

(3) Has been found by the court, pursuant to an admission in court or after trial, to have committed an offense within the preceding 24 months which would be a felony if committed by an adult, and is alleged by delinquency petition to have committed murder in the second or third degree, manslaughter in the first degree, criminal sexual conduct in the first degree or assault in the first degree; or

(4) Has been found by the court, pursuant to an admission in court or after trial, to have committed two offenses, not in the same behavioral incident, within the preceding 24 months which would be felonies if committed by an adult, and is alleged by delinquency petition to have committed manslaughter in the second degree, kidnapping, criminal sexual conduct in the second degree, arson in the first degree, aggravated robbery, or assault in the second degree; or

(5) *Has been found by the court, pursuant to an admission in court or after trial, to have committed two offenses, not in the same behavioral incident, within the preceding 24 months, one or both of which would be the felony of burglary of a dwelling if committed by an adult, and the child is alleged by the delinquency petition to have committed another burglary of a dwelling. For purposes of this subdivision, "dwelling" means a building which is, in whole or in part, usually occupied by one or more persons living there at night; or*

(6) Has previously been found by the court, pursuant to an admission in court or after trial, to have committed three offenses, none in the same behavioral incident, within the preceding 24 months which would be felonies if committed by an adult, and is alleged by delinquency petition to have committed any felony other than those described in clauses (2), (3) or (4).

For the purposes of this subdivision, "aggravated felony against the person" means a violation of any of the following provisions: sections 609.185; 609.19; 609.195; 609.20, subdivision 1 or 2; 609.221; 609.222; 609.223; 609.245; 609.25; 609.342; 609.343; 609.344, clause (c) or (d); 609.345, clause (c) or (d); 609.561; 609.58, subdivision 2, clause (b); or 609.713."

Page 5, line 32, before "person" insert "*natural*"

Page 5, line 34, strike ", upon request,"

Page 5, line 35, after the first comma, insert "*unless he or she otherwise requests,*"

Page 6, line 1, before the period, insert "*and that he may attend proceedings other than the disposition hearing, except where it is necessary that he be sequestered as a witness*"

Page 11, delete subdivision 6 added to page 11, after line 33, by the committee amendment

Renumber the subdivisions in sequence

Page 11, after line 36, insert:

"Sec. 15. [260.195] [OUT OF STATE PLACEMENTS.]

Subdivision 1. [PLACEMENT RESTRICTIONS.] *Except where a child is placed in the home of a relative, no child shall be placed by the juvenile court outside of the state of Minnesota if all or a part of the cost of the placement will be paid by the state of Minnesota or a county within this state, unless the court finds that the child has serious medical or psychological problems for which no treatment program, adequate for the child's needs and the public safety, exists in this state and the out-of-state placement is for the purpose of obtaining this treatment, or where there is no facility or program in this state adequate for the child's needs within a reasonable distance from the child's parent's or guardian's home.*

Subd. 2. [FINDINGS, REPORT.] *Whenever a placement of a child outside of the state of Minnesota is made pursuant to subdivision 1, the court shall make written findings of fact and conclusions of law on the issue of the necessity for the out-of-state placement. The court shall send a copy of these findings and conclusions to the commissioner of public welfare along with a report stating the length of anticipated placement, program costs, and the name and location of the program or institution where the child is placed. Any information contained in the findings and conclusions or report identifying a particular child are confidential and may be disclosed by the commissioner of public welfare only by order of the juvenile court. Any person violating this subdivision by releasing confidential information is guilty of a misdemeanor.*

Sec. 16. [260.196] [TRAFFIC OFFENSES.]

Subdivision 1. [TRAFFIC OFFENSE; DEFINITION.] *For purposes of this section, "traffic offense" means any violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law or ordinance.*

Subd. 2. [MAJOR TRAFFIC VIOLATION; DEFINITION.] *For purposes of this section, "major traffic violation" means violation of section 609.21 or a second or subsequent violation of section 169.121.*

Subd. 3. [TRAFFIC VIOLATIONS; JURISDICTION.] *A child who commits a traffic offense and at the time of the offense was 15 years old or older shall be subject to the laws and court procedures governing adult traffic violators, except that the court shall not commit a juvenile traffic offender to serve any incarceration sentence unless the court finds that the child has committed one or more major traffic violations and that the welfare of the child or the public safety would be better served by service of an incarceration sentence than by other dispositions available to the court, and the juvenile traffic offender shall not be under the jurisdiction of the juvenile court. A child under the age of 15 years who commits a traffic offense shall be under the jurisdiction of the juvenile court.*

Sec. 17. Minnesota Statutes 1980, Section 260.315, is amended to read:

260.315 [CONTRIBUTING TO NEGLECT OR DELINQUENCY.]

Subdivision 1. [ACTS CONSTITUTING.] Any person who by act, word or omission encourages, causes or contributes to the neglect or delinquency of a child, and ~~such~~ *the* act, word or omission is not by other provisions of law declared to be a felony, shall be guilty of a misdemeanor. *A person may be*

charged and convicted under this section although the child involved is not the subject of a delinquency or neglect proceeding.

Subd. 2. [EVIDENCE.] *In determining whether a person has contributed to the neglect or delinquency of a minor, the court may consider evidence, including but not limited to the following:*

(a) That the person harbored the child within the person's home for more than 24 hours, with knowledge that the child did not have his parent's, guardian's, or other custodian's consent to be there, without making a reasonable effort to notify the child's parent, guardian, or other custodian of the child's whereabouts;

(b) That the person charged intentionally assisted the child to absent from his or her home or other lawful placement without the consent of the child's parent, guardian, or other custodian by providing the child with transportation, food, shelter, or financial assistance to enable the child to absent.

Clauses (a) and (b) shall not apply to a shelter for runaways licensed by the commissioner of public welfare, which makes a reasonable effort to notify the parent or guardian of a runaway child within 24 hours after the child arrives at the shelter. A licensed shelter for runaways is not required to transport a child to his or her parents or to refuse shelter to a child even if the child's parent refuses to consent to the child's remaining at the shelter, but may permit the parent to remove the child from the shelter.

Subd. 3. [DEFENSE.] *If the wrongful conduct alleged as contributing to delinquency is harboring a child without the parent's, guardian's, or custodian's consent, it shall be a defense to a charge of contributing to the delinquency of a child that the person charged harbored the child in the person's home solely because the person reasonably believed that the child had been physically or sexually abused by the child's parent, guardian or other custodian; or by a person known to the parent, guardian, or other custodian and the parent, guardian, or other custodian failed or refused to report the abuse to proper authorities.*

Sec. 18. Minnesota Statutes 1980, Section 540.18, is amended to read:

Subdivision 1. The parent or guardian of the person of a minor who is under the age of 18 and who is living with the parent or guardian and who willfully or maliciously causes injury to any person or damage to any property is jointly and severally liable with such minor for such injury or damage to an amount not exceeding ~~$500~~ *$1,000*, if ~~such~~ *the* minor would have been liable for ~~such~~ *the* injury or damage if he had been an adult. Nothing in this subdivision shall be construed to relieve ~~such~~ *the* minor from personal liability for ~~such~~ *the* injury or damage. The liability provided in this subdivision is in addition to and not in lieu of any other liability which may exist at law. Recovery under this section shall be limited to special damages.

Subd. 1a. [TOTAL LIABILITY.] *The liability limit of $1,000 in subdivision 1 means that the combined liability of both parents or all guardians in the case where the child is living with two parents or more than one guardian at the time of the injury shall not exceed $1,000.*

Subd. 1b. [ACCESS TO JUVENILE COURT RECORDS.] *Notwithstanding the provisions of section 260.161, except when an action is brought in*

conciliation court, a person who brings an action or asserts a counterclaim or cross-claim against a person for civil damages under subdivision 1 may make a motion to the court in which the action was filed for permission to inspect the juvenile court records, if any, relating to the act which caused the injury for which the civil damages are claimed. The juvenile court shall make these records available to the court in which the civil action is pending, or certify to the court that no such record exists. The court in which the civil action is pending shall make an in camera inspection of those records and determine whether or not the interests of justice require that all or a portion of those records be disclosed to the moving party to obtain evidence to prove his or her claim or defense.

If the court decides that all or a portion of the juvenile court records should be disclosed to the moving party, the court may make any protective order it deems necessary to protect the confidentiality of the contents of the records.

Any person who obtains access to a juvenile court record pursuant to this subdivision shall not disclose any portion of its contents to any other person except as the court may authorize. The court shall not authorize disclosure to any person other than the parties to the civil action and their attorneys.

Any person who makes a disclosure not authorized by the court pursuant to this section is guilty of a misdemeanor.

Subd. 2. This section shall not apply to persons having custody or charge of any minor under the authority of the welfare or corrections department of the state.

Sec. 19. [REPEALER.]

Minnesota Statutes 1980, Section 260.193, is repealed.''

Page 12, line 2, delete ''*14*'' inserted by the committee amendment, and insert ''*20*''

Page 12, line 3, after the period, insert ''*The history of prior acts of delinquency committed before August 1, 1982, may be considered on motions for reference for prosecution for offenses committed on or after August 1, 1982.*''

Renumber the sections in sequence and correct any internal references

Amend the title as follows:

Page 1, line 8, after the semicolon, insert ''providing that commission of certain offenses constitutes prima facie evidence in reference for prosecution cases; providing a penalty;''

Page 1, line 9, delete ''Subdivision'' and insert ''Subdivisions'' and after ''5'' insert ''and 6''

Page 1, line 12, after the semicolon, insert ''260.315; 540.18; Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3;''

Page 1, line 13, before the period, insert ''; repealing Minnesota Statutes 1980, Section 260.193''

Mr. Davies requested division of the amendment as follows:

First portion:

Page 4, after line 13, insert:

"Sec. 10. Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3, is amended to read:

Subd. 3. A prima facie case that the public safety is not served or that the child is not suitable for treatment shall have been established if the child was at least 16 years of age at the time of the alleged offense and:

(1) Is alleged by delinquency petition to have committed an aggravated felony against the person and (a) in committing the offense, the child acted with particular cruelty or disregard for the life or safety of another; or (b) the offense involved a high degree of sophistication or planning by the juvenile; or

(2) Is alleged by delinquency petition to have committed murder in the first degree; or

(3) Has been found by the court, pursuant to an admission in court or after trial, to have committed an offense within the preceding 24 months which would be a felony if committed by an adult, and is alleged by delinquency petition to have committed murder in the second or third degree, manslaughter in the first degree, criminal sexual conduct in the first degree or assault in the first degree; or

(4) Has been found by the court, pursuant to an admission in court or after trial, to have committed two offenses, not in the same behavioral incident, within the preceding 24 months which would be felonies if committed by an adult, and is alleged by delinquency petition to have committed manslaughter in the second degree, kidnapping, criminal sexual conduct in the second degree, arson in the first degree, aggravated robbery, or assault in the second degree; or

(5) *Has been found by the court, pursuant to an admission in court or after trial, to have committed two offenses, not in the same behavioral incident, within the preceding 24 months, one or both of which would be the felony of burglary of a dwelling if committed by an adult, and the child is alleged by the delinquency petition to have committed another burglary of a dwelling. For purposes of this subdivision, "dwelling" means a building which is, in whole or in part, usually occupied by one or more persons living there at night; or*

(6) Has previously been found by the court, pursuant to an admission in court or after trial, to have committed three offenses, none in the same behavioral incident, within the preceding 24 months which would be felonies if committed by an adult, and is alleged by delinquency petition to have committed any felony other than those described in clauses (2), (3) or (4).

For the purposes of this subdivision, "aggravated felony against the person" means a violation of any of the following provisions: sections 609.185; 609.19; 609.195; 609.20, subdivision 1 or 2; 609.221; 609.222; 609.223; 609.245; 609.25; 609.342; 609.343; 609.344, clause (c) or (d); 609.345, clause (c) or (d); 609.561; 609.58, subdivision 2, clause (b); or 609.713."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

Second portion:

Page 1, line 20, strike "260.193, subdivision 1," and insert "*17*"

Page 1, line 21, delete "*and*"

Page 1, after line 29, insert:

"Sec. 2. Minnesota Statutes 1980, Section 260.015, Subdivision 6, is amended to read:

Subd. 6. [DEPENDENT CHILD.] "Dependent child" means a child:

(a) Who is without a parent, guardian, or other custodian; or

(b) Who is in need of special care and treatment required by his physical or mental condition and whose parent, guardian, or other custodian is unable to provide it; or

(c) Whose parent, guardian, or other custodian for good cause desires to be relieved of his care and custody; or

(d) Who is without proper parental care because of the emotional, mental, or physical disability, or state of immaturity of his parent, guardian, or other custodian*; or whose parent, guardian, or other custodian has failed or refused to obey an order made pursuant to section 260.185, subdivision 1, clause (a), (b), or (g).*"

Page 5, line 32, before "person" insert "*natural*"

Page 5, line 34, strike ", upon request,"

Page 5, line 35, after the first comma, insert "*unless he or she otherwise requests,*"

Page 7, line 1, before the period, insert "*and that he may attend proceedings other than the disposition hearing, except where it is necessary that he be sequestered as a witness*"

Page 11, delete subdivision 6 added to page 11, after line 33, by the committee amendment

Renumber the subdivisions in sequence

Page 11, after line 36, insert:

"Sec. 15. [260.195] [OUT OF STATE PLACEMENTS.]

Subdivision 1. [PLACEMENT RESTRICTIONS.] *Except where a child is placed in the home of a relative, no child shall be placed by the juvenile court outside of the state of Minnesota if all or a part of the cost of the placement will be paid by the state of Minnesota or a county within this state, unless the court finds that the child has serious medical or psychological problems for which no treatment program, adequate for the child's needs and the public safety, exists in this state and the out-of-state placement is for the purpose of obtaining this treatment, or where there is no facility or program in this state adequate for the child's needs within a reasonable distance from the child's parent's or guardian's home.*

Subd. 2. [FINDINGS, REPORT.] *Whenever a placement of a child outside of the state of Minnesota is made pursuant to subdivision 1, the court shall make written findings of fact and conclusions of law on the issue of the necessity for the out-of-state placement. The court shall send a copy of these findings and conclusions to the commissioner of public welfare along with a report*

stating the length of anticipated placement, program costs, and the name and location of the program or institution where the child is placed. Any information contained in the findings and conclusions or report identifying a particular child are confidential and may be disclosed by the commissioner of public welfare only by order of the juvenile court. Any person violating this subdivision by releasing confidential information is guilty of a misdemeanor.

Sec. 16. [260.196] [TRAFFIC OFFENSES.]

Subdivision 1. [TRAFFIC OFFENSE; DEFINITION.] *For purposes of this section, "traffic offense" means any violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law or ordinance.*

Subd. 2. [MAJOR TRAFFIC VIOLATION; DEFINITION.] *For purposes of this section, "major traffic violation" means violation of section 609.21 or a second or subsequent violation of section 169.121.*

Subd. 3. [TRAFFIC VIOLATIONS; JURISDICTION.] *A child who commits a traffic offense and at the time of the offense was 15 years old or older shall be subject to the laws and court procedures governing adult traffic violators, except that the court shall not commit a juvenile traffic offender to serve any incarceration sentence unless the court finds that the child has committed one or more major traffic violations and that the welfare of the child or the public safety would be better served by service of an incarceration sentence than by other dispositions available to the court, and the juvenile traffic offender shall not be under the jurisdiction of the juvenile court. A child under the age of 15 years who commits a traffic offense shall be under the jurisdiction of the juvenile court.*

Sec. 17. Minnesota Statutes 1980, Section 260.315, is amended to read:

260.315 [CONTRIBUTING TO NEGLECT OR DELINQUENCY.]

Subdivision 1. [ACTS CONSTITUTING.] Any person who by act, word or omission encourages, causes or contributes to the neglect or delinquency of a child, and ~~such~~ *the* act, word or omission is not by other provisions of law declared to be a felony, shall be guilty of a misdemeanor. *A person may be charged and convicted under this section although the child involved is not the subject of a delinquency or neglect proceeding.*

Subd. 2. [EVIDENCE.] *In determining whether a person has contributed to the neglect or delinquency of a minor, the court may consider evidence, including but not limited to the following:*

(a) That the person harbored the child within the person's home for more than 24 hours, with knowledge that the child did not have his parent's, guardian's, or other custodian's consent to be there, without making a reasonable effort to notify the child's parent, guardian, or other custodian of the child's whereabouts;

(b) That the person charged intentionally assisted the child to absent from his or her home or other lawful placement without the consent of the child's parent, guardian, or other custodian by providing the child with transportation, food, shelter, or financial assistance to enable the child to absent.

Clauses (a) and (b) shall not apply to a shelter for runaways licensed by the

commissioner of public welfare, which makes a reasonable effort to notify the parent or guardian of a runaway child within 24 hours after the child arrives at the shelter. A licensed shelter for runaways is not required to transport a child to his or her parents or to refuse shelter to a child even if the child's parent refuses to consent to the child's remaining at the shelter, but may permit the parent to remove the child from the shelter.

Subd. 3. [DEFENSE.] *If the wrongful conduct alleged as contributing to delinquency is harboring a child without the parent's, guardian's, or custodian's consent, it shall be a defense to a charge of contributing to the delinquency of a child that the person charged harbored the child in the person's home solely because the person reasonably believed that the child had been physically or sexually abused by the child's parent, guardian or other custodian; or by a person known to the parent, guardian, or other custodian and the parent, guardian, or other custodian failed or refused to report the abuse to proper authorities.*

Sec. 18. Minnesota Statutes 1980, Section 540.18, is amended to read:

Subdivision 1. The parent or guardian of the person of a minor who is under the age of 18 and who is living with the parent or guardian and who willfully or maliciously causes injury to any person or damage to any property is jointly and severally liable with such minor for such injury or damage to an amount not exceeding ~~$500~~ *$1,000*, if ~~such~~ *the* minor would have been liable for ~~such~~ *the* injury or damage if he had been an adult. Nothing in this subdivision shall be construed to relieve ~~such~~ *the* minor from personal liability for ~~such~~ *the* injury or damage. The liability provided in this subdivision is in addition to and not in lieu of any other liability which may exist at law. Recovery under this section shall be limited to special damages.

Subd. 1a. [TOTAL LIABILITY.] *The liability limit of $1,000 in subdivision 1 means that the combined liability of both parents or all guardians in the case where the child is living with two parents or more than one guardian at the time of the injury shall not exceed $1,000.*

Subd. 1b. [ACCESS TO JUVENILE COURT RECORDS.] *Notwithstanding the provisions of section 260.161, except when an action is brought in conciliation court, a person who brings an action or asserts a counterclaim or cross-claim against a person for civil damages under subdivision 1 may make a motion to the court in which the action was filed for permission to inspect the juvenile court records, if any, relating to the act which caused the injury for which the civil damages are claimed. The juvenile court shall make these records available to the court in which the civil action is pending, or certify to the court that no such record exists. The court in which the civil action is pending shall make an in camera inspection of those records and determine whether or not the interests of justice require that all or a portion of those records be disclosed to the moving party to obtain evidence to prove his or her claim or defense.*

If the court decides that all or a portion of the juvenile court records should be disclosed to the moving party, the court may make any protective order it deems necessary to protect the confidentiality of the contents of the records.

Any person who obtains access to a juvenile court record pursuant to this subdivision shall not disclose any portion of its contents to any other person

except as the court may authorize. The court shall not authorize disclosure to any person other than the parties to the civil action and their attorneys.

Any person who makes a disclosure not authorized by the court pursuant to this section is guilty of a misdemeanor.

Subd. 2. This section shall not apply to persons having custody or charge of any minor under the authority of the welfare or corrections department of the state.

Sec. 19. [REPEALER.]

Minnesota Statutes 1980, Section 260.193, is repealed.''

Page 12, line 2, delete ''*14*'' inserted by the committee amendment, and insert ''*20*''

Page 12, line 3, after the period, insert ''*The history of prior acts of delinquency committed before August 1, 1982, may be considered on motions for reference for prosecution for offenses committed on or after August 1, 1982.*''

Renumber the sections in sequence and correct any internal references

Amend the title accordingly

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

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

H.F No. 879 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Ashbach	Davies	Kronebusch	Pehler	Setzepfandt
Bang	Davis	Langseth	Peterson,D.L.	Sieloff
Belanger	Dieterich	Lantry	Petty	Sikorski
Benson	Engler	Lessard	Pillsbury	Spear
Berg	Frank	Lindgren	Purfeerst	Stumpf
Berglin	Hughes	Luther	Ramstad	Tennessen
Bernhagen	Kamrath	Merriam	Renneke	Vega
Bertram	Knoll	Moe, D. M.	Rued	Waldorf
Chmielewski	Knutson	Moe, R. D.	Schmitz	Wegener
Dahl	Kroening	Olhoft		Willet

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

SPECIAL ORDER

H.F. No. 352: A bill for an act relating to crimes; establishing classifications for the crime of burglary; prescribing penalties for burglary offenses; affirming the right of victims to bring actions against offenders; establishing the right of a victim to request restitution; providing for implementation of victim and witness rights by law; providing penal sanctions and judicial mechanisms to deter

intimidation of witnesses; requiring criminal justice agencies to inform victims of financial assistance and social services; providing for minimal victim participation in the criminal process; providing penalties; amending Minnesota Statutes 1980, Sections 241.26, Subdivisions 5 and 6; 243.23, Subdivision 3; 571.55, by adding a subdivision; 609.115; 609.498; and 631.425, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapters 609 and 611A; repealing Minnesota Statutes 1980, Section 609.58.

Mr. Dieterich moved to amend H. F. No. 352, as amended by Rule 49, adopted by the Senate March 12, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1175.)

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1980, Section 241.26, Subdivision 5, is amended to read:

Subd. 5. [EARNINGS; WORK RELEASE ACCOUNT.] The net earnings of each inmate participating in *a* work release program provided by this section shall be collected by or forwarded to the commissioner of corrections under rules established by him and deposited by the commissioner in the state treasury and credited to the "work release account"~~, which account is hereby established,~~ to the account of ~~such~~ *the* inmate. ~~Such~~ *The* moneys shall be ~~and remain~~ under the control of the commissioner for the sole benefit of ~~such~~ *the* inmate, subject to disbursement by the commissioner for the following ~~purpose~~ *purposes* and in the following order:

(1) The cost of ~~such~~ *the* inmate's keep as determined by the provision of subdivision 7, which moneys shall be deposited in the general fund of the state treasury if ~~such~~ *the* inmate is housed in a state correctional institution, or shall be paid to the appropriate city or county treasurer if ~~such~~ *the* inmate is housed in a city or county facility;

(2) Necessary travel expense to and from work and other incidental expenses of the inmate;

(3) Support of inmate's dependents, if any;

(4) *Court-ordered restitution in favor of victims of crimes committed by the inmate, if any;*

(5) After the above expenditures, the inmate shall have discretion to direct payment of the balance, if any, upon proper proof of personal legal debts;

~~(5)~~ *(6)* The balance, if any, shall be disbursed to the inmate as provided in section 243.24, subdivision 1.

All moneys in the "work release account" established by this subdivision are appropriated annually to the commissioner of corrections for the purposes of the work release program.

Sec. 2. Minnesota Statutes 1980, Section 241.26, Subdivision 6, is amended to read:

Subd. 6. [EXEMPTION FROM PROCESS.] Wages or salaries of work placement inmates shall not be subject to garnishment, attachment, or execution in the hands of either the employer or a state agent authorized to hold ~~such~~ *the* funds, *except to the extent authorized by the commissioner of corrections by*

rule.

Sec. 3. Minnesota Statutes 1980, Section 243.23, Subdivision 3, is amended to read:

Subd. 3. [USE OF FUNDS.] Notwithstanding sections 241.01, subdivision 8, 241.26, subdivision 5, and 243.24, subdivision 1, the commissioner shall promulgate rules for the disbursement of funds earned under subdivision 1 for the support of families and dependent relatives of the respective inmates, *for the payment of restitution in favor of victims of crimes committed by the respective inmates,* and for the discharge of any legal obligations arising out of litigation under this subdivision. An inmate of an adult correctional facility under the control of the commissioner is subject to actions for the enforcement of support obligations and reimbursement of any public assistance rendered the dependent family and relatives. The commissioner may conditionally release an inmate who is a party to an action under this subdivision and provide for his detention in a local detention facility convenient to the place of the hearing when he is not engaged in preparation and defense.

Sec. 4. [244.105] [VICTIM'S RIGHT TO EXPRESS WRITTEN OPINION.]

Subdivision 1. [VICTIM'S RIGHT TO APPEAR.] *The victim of a crime committed by an adult, or by a juvenile prosecuted as an adult pursuant to a reference for prosecution, has the right to personally appear at the offender's sentencing hearing.*

Subd. 2. [VICTIM'S RIGHT TO RECOMMEND SENTENCE.] *A victim may send a written recommendation to the court stating what sentence, restitution or other disposition the victim would recommend in a juvenile court or other court case. To be considered by the court, the recommendation must be received by the appropriate court at least three days prior to sentencing for disposition, excluding Saturdays, Sundays, and legal holidays. The clerk of court shall provide the prosecutor and the offender a copy of the victim's recommendation at least 24 hours before the sentencing or juvenile disposition hearing.*

Subd. 3. [COURT'S DUTIES.] *The court shall consider the victim's objections and recommendations except for any false or unproven allegations or recommendations for dispositions or sentences which are not authorized by law.*

Sec. 5. Minnesota Statutes 1980, Section 299B.03, is amended by adding a subdivision to read:

Subd. 4. [RESTITUTION.] *If a crime victim has applied for reparations, the crime victims reparations board shall not delay or diminish payment of reparations to the victim on the ground that restitution has been or may be ordered but has not yet been paid.*

Sec. 6. Minnesota Statutes 1980, Section 571.55, is amended by adding a subdivision to read:

Subd. 4. [EXCEPTION.] *The limitations of subdivision 2 do not apply to the earnings of inmates of state correctional institutions. The commissioner of corrections shall make rules, in accordance with sections 241.26, subdivision 5; and 243.23, subdivision 3 providing for the amount, if any, of an inmate's*

earnings which may be exempt from garnishment.''

Page 2, line 31, delete ''[609.5811]'' and insert ''[609.581]''

Page 3, line 7, delete everything after ''*residence*''

Page 3, delete line 8

Page 3, line 9, delete ''*overnight lodging*''

Page 3, line 10, delete ''[609.5812]'' and insert ''[609.582]''

Page 3, lines 12 and 33, after ''*possession,*'' insert ''*or enters a building by using artifice, trick, or misrepresentation to obtain consent to enter from the person in lawful possession,*''

Page 3, line 18, delete ''*which is occupied*''

Page 3, line 19, delete ''*or believed to be occupied*''

Page 3, line 24, delete ''*therein;*'' and insert ''*in it; or*''

Page 3, line 26, after ''*weapon*'' insert ''*or explosive,*''

Page 3, line 27, delete ''*; or*'' and insert a period

Page 3, delete lines 28 and 29

Page 3, line 30, delete ''[609.5813]'' and insert ''[609.583]''

Page 3, line 31, after the comma, insert ''*under either of the following circumstances,*''

Page 3, lines 32 and 34, delete ''*dwelling*'' and insert '' *building*''

Page 4, line 1, delete ''*15*'' and insert ''*ten*''

Page 4, line 2, delete ''*$15,000*'' and insert ''*$10,000*''

Page 4, line 2, before the period, insert ''*:*

(1) When entering or while in the building, he possesses a tool to gain access to money or property; or

(2) The intent is to steal or commit a felony or gross misdemeanor''

Page 4, line 3, delete ''[609.5814]'' and insert ''[609.584]''

Page 4, lines 6 and 9, delete ''*felony or gross*''

Page 4, line 11, delete ''*ten*'' and insert ''*five*''

Page 4, line 11, delete ''*$10,000*'' and insert ''*$5,000*''

Page 4, delete section 6 and insert:

''Sec. 12. Minnesota Statutes 1980, Section 609.585, is amended to read:

609.585 [DOUBLE JEOPARDY.]

Subdivision 1. [GENERAL.] A prosecution for or conviction of the crime of burglary is not a bar to conviction of any other crime committed on entering or while in the building entered.

Subd. 2. [CONSECUTIVE SENTENCES.] *Notwithstanding the provisions of section 609.15, subdivision 1, sentences for violations of section 9 or section*

10 and for any other crime committed on entering or while in the building entered shall be presumed to be consecutive to each other.

Sec. 13. Minnesota Statutes 1980, Section 631.425, Subdivision 5, is amended to read:

Subd. 5. [EARNINGS.] The earnings of the prisoner may be collected by the sheriff, probation department, welfare board or suitable person or agency designated by the court. From such earnings the person or agency designated to collect them may pay the cost of the prisoner's maintenance, both inside and outside the jail, but the charge for maintenance inside the jail shall not exceed the legal daily allowance for board allowed the sheriff for ordinary prisoners, and, to the extent directed by the court, pay the support of his dependents, if any, ~~and~~ court costs and fines~~,~~ *or restitution in favor of victims of the crime for which the prisoner is incarcerated,* if any. Any balance shall be retained until his discharge when it shall be paid to him."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "Section" and insert "Sections 241.26, Subdivisions 5 and 6; 243.23, Subdivision 3; 299B.03, by adding a subdivision; 571.55, by adding a subdivision;"

Page 1, line 4, after the semicolon, insert "609.585; and 631.425, Subdivision 5;"

Page 1, line 6, before the period, insert "; proposing new law coded in Minnesota Statutes, Chapter 244"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 35 and nays 15, as follows:

Those who voted in the affirmative were:

Benson	Dicklich	Kroening	Pehler	Sikorski
Berg	Dieterich	Kronebusch	Penny	Stumpf
Bernhagen	Engler	Lantry	Peterson,D.L.	Taylor
Bertram	Hughes	Lessard	Pillsbury	Vega
Chmielewski	Johnson	Luther	Ramstad	Waldorf
Dahl	Kamrath	Menning	Renneke	Wegener
Davis	Knoll	Olhoft	Rued	Willet

Those who voted in the negative were:

Ashbach	Berglin	Merriam	Petty	Sieloff
Bang	Davies	Moe, D. M.	Purfeerst	Spear
Belanger	Knutson	Peterson,R.W.	Schmitz	Tennessen

The motion prevailed. So the amendment was adopted.

RECONSIDERATION

Having voted on the prevailing side, Mr. Olhoft moved that the vote whereby the Dieterich amendment to H.F. No. 352 was adopted on March 13, 1982, be now reconsidered. The motion prevailed.

H.F. No. 352 was then progressed.

SPECIAL ORDER

H.F. No. 1939: A bill for an act relating to transportation; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; amending Minnesota Statutes 1980, Sections 161.12; 161.1245, Subdivision 1; repealing Minnesota Statutes 1980, Section 161.1245, Subdivision 2.

Mrs. Lantry moved that the amendment made to H.F. No. 1939 by the Committee on Rules and Administration in the report adopted March 11, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mrs. Lantry then moved to amend H.F. No. 1939 as follows:

Page 3, line 4, strike the comma

Page 3, line 5, strike the old language and delete "*shall*"

Page 3, line 6, strike the old language

Page 3, line 7, strike "section 160.02"

The motion prevailed. So the amendment was adopted.

H.F. No. 1939 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 46 and nays 11, as follows:

Those who voted in the affirmative were:

Bang	Dicklich	Lantry	Purfeerst	Stumpf
Belanger	Engler	Lessard	Ramstad	Taylor
Benson	Frank	Lindgren	Renneke	Vega
Berg	Hughes	Luther	Rued	Waldorf
Bernhagen	Johnson	Menning	Schmitz	Wegener
Bertram	Kamrath	Merriam	Setzepfandt	Willet
Brataas	Knoll	Pehler	Sieloff	
Chmielewski	Knutson	Penny	Sikorski	
Dahl	Kroening	Peterson,R.W.	Solon	
Davis	Langseth	Pillsbury	Stokowski	

Those who voted in the negative were:

Berglin	Frederickson	Moe, D. M.	Peterson,D.L.	Spear
Davies	Kronebusch	Moe, R. D.	Petty	Ulland
Dieterich				

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H.F. No. 2190:

Messrs. Willet, Sikorski, Luther, Penny and Engler. The motion prevailed.

SPECIAL ORDER

H.F. No. 2188: A bill for an act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; modifying certain provisions relating to medical assistance; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256.74, Subdivisions 1, as amended, and 1a, as added; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Sub-

division 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966.

Ms. Berglin moved to amend H. F. No. 2188, as amended pursuant to Rule 49, adopted by the Senate March 13, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1771.)

Page 8, after line 6, insert:

"*The commissioner of public welfare shall seek a waiver to charge a coinsurance fee to recipients of medical assistance who become eligible for medical assistance benefits and who choose not to receive the benefits of a health maintenance organization contracted for by the state pursuant to this section. The coinsurance fee shall be limited to the maximum monthly charge allowed by 42 CFR, sections 447.50 to 447.59, as amended through December 31, 1981. The local welfare agency may waive the coinsurance fee when it determines that the medical needs of the recipient would not be best served by enrollment in a health maintenance organization. The coinsurance fee shall be charged only to recipients who become eligible for medical assistance after the commissioner has reported to the legislature regarding the proposed method of implementing this paragraph.*"

The motion prevailed. So the amendment was adopted.

SUSPENSION OF RULES

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

H.F. No. 2188 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 51 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Peterson,D.L.	Stokowski
Bang	Dieterich	Langseth	Peterson,R.W.	Stumpf
Belanger	Engler	Lantry	Petty	Taylor
Benson	Frank	Lessard	Pillsbury	Tennessen
Berglin	Frederickson	Luther	Purfeerst	Vega
Bernhagen	Hanson	Menning	Ramstad	Waldorf
Bertram	Hughes	Merriam	Schmitz	Willet
Chmielewski	Johnson	Moe, R. D.	Setzepfandt	
Dahl	Knoll	Olhoft	Sieloff	
Davies	Knutson	Pehler	Solon	
Davis	Kroening	Penny	Spear	

Messrs. Kamrath, Lindgren, Renneke and Rued voted in the negative.

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 534: Messrs. Stumpf, Tennessen and Lindgren.

H.F. No. 1760: Messrs. Petty, Dahl and Spear.

H.F. No. 2058: Ms. Berglin, Messrs. Sieloff and Merriam.

S.F. No. 1706: Messrs. Petty, Frank and Frederickson.

S.F. No. 1907: Messrs. Merriam, Luther and Peterson, R.W.

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 639: A bill for an act relating to metropolitan government; requiring that metropolitan council boundaries be redrawn after each federal census; amending Minnesota Statutes 1980, Section 473.123, Subdivision 2.

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

Jude, McCarron and Knickerbocker.

Senate File No. 639 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1897, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1897 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1897

A bill for an act relating to the state agricultural society; updating and

clarifying certain powers and duties of the society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; and 37.22; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1897, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and that H.F. No. 1897 be further amended as follows:

Page 8, after line 13, insert:

"Sec. 15. Minnesota Statutes 1980, Section 473.553, is amended by adding a subdivision to read:

Subd. 4a. [ADDITIONAL QUALIFICATION.] *None of the members appointed by the city council of the city in which the stadium is located shall be an elected public official of that city or of another political subdivison any part of whose territory is shared with that city.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "prescribing additional qualifications for metropolitan sports facilities commission members;"

Page 1, line 7, before the fourth semicolon insert ", and 473.553, by adding a subdivision;"

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

House Conferees: (Signed) James I. Rice, Ann Wynia, Gary W. Laidig

Senate Conferees: (Signed) Florian Chmielewski, Sam G. Solon, Dennis R. Frederickson

Mr. Chmielewski moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1897 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1897: A bill for an act relating to fairs, carnivals and circuses; clarifying the food handling license requirements applicable to fairs, carnivals and circuses; changing the exclusion from minimum wage coverage for certain fair, carnival or circus workers; updating and clarifying certain powers and duties of the state agricultural society; prescribing additional qualifications for metropolitan sports facilities commission members; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, Subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; 37.22; 177.23, Subdivision 7; and 473.553, by adding a subdivision; propos-

ing new law coded in Minnesota Statutes, Chapter 28A; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.

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

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

The roll was called, and there were yeas 53 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Dicklich	Lessard	Petty	Stokowski
Belanger	Dieterich	Lindgren	Pillsbury	Stumpf
Benson	Engler	Luther	Purfeerst	Taylor
Berg	Frank	Menning	Ramstad	Tennessen
Berglin	Frederickson	Merriam	Renneke	Ulland
Bernhagen	Hanson	Moe, R. D.	Rued	Vega
Bertram	Kamrath	Olhoft	Schmitz	Waldorf
Chmielewski	Knoll	Pehler	Setzepfandt	Wegener
Dahl	Kroening	Penny	Sieloff	Willet
Davies	Kronebusch	Peterson,D.L.	Solon	
Davis	Langseth	Peterson,R.W.	Spear	

Mr. Knutson voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 353, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 353 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 353

A bill for an act relating to agriculture; protecting agricultural operations from nuisance suits under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 561.

March 11, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 353, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 353 be

further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [561.19] [NUISANCE LIABILITY OF AGRICULTURAL OPERATIONS.]

Subdivision 1. [DEFINITIONS.] *For the purposes of this section, the following terms have the meanings given them:*

(a) "Agricultural operation" means a facility and its appurtenances for the production of crops, livestock, poultry, dairy products or poultry products, but not a facility primarily engaged in processing agricultural products;

(b) "Established date of operation" means the date on which the agricultural operation commenced. If the agricultural operation is subsequently expanded or significantly altered, the established date of operation for each expansion or alteration is deemed to be the date of commencement of the expanded or altered operation.

(c) "Family farm" means an unincorporated farm unit owned by one or more persons or spouses of persons related to each other within the third degree of kindred according to the rules of the civil law at least one of whom is residing or actively engaged in farming on the farm unit, or a "family farm corporation," as that term is defined in section 500.24, subdivision 2.

Subd. 2. [AGRICULTURAL OPERATION NOT A NUISANCE.] *An agricultural operation which is a part of a family farm is not and shall not become a private or public nuisance after six years from its established date of operation if the operation was not a nuisance at its established date of operation. The provisions of this subdivision do not apply: (a) to a condition or injury which results from the negligent or improper operation of an agricultural operation or from operations contrary to commonly accepted agricultural practices or to applicable state or local laws, ordinances, rules, or permits; (b) when an agricultural operation causes injury or direct threat of injury to the health or safety of any person; (c) to the pollution of, or change in the condition of, the waters of the state or the overflow of waters on the lands of any person; (d) to an agricultural operation within the limits of a home rule charter or statutory city; (e) to an animal feedlot facility with a swine capacity of 1,000 or more animal units as defined in the rules of the pollution control agency for control of pollution from animal feedlots, or a cattle capacity of 2,500 animals or more; or (f) to any prosecution for the crime of public nuisance as provided in section 609.74 or to an action by a public authority to abate a particular condition which is a public nuisance.*

Subd. 3. [EXISTING CONTRACTS.] *This section shall not be construed to invalidate any contracts or commitments made before the effective date of this section.*

Subd. 4. [SEVERABILITY.] *If a provision of this section, or application thereof to any person or set of circumstances, is held invalid or unconstitutional, the invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provision or application. To that end, the provisions of this section are declared to be severable.*

Subd. 5. [APPLICATION; LOCAL APPROVAL.] *This section does not apply to any nuisance which interferes with the use or enjoyment of property in*

a county in which the county board has disapproved by resolution of the application of the section to that county, or of property in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott or Washington.

Sec. 2. [EFFECTIVE DATE.]

This act is effective January 1, 1983, and does not affect legal actions commenced prior to that date."

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

House Conferees: (Signed) Jerry E. Schoenfeld, Henry J. Kalis, Tad Jude, Wendell O. Erickson, Tom J. Shea

Senate Conferees: (Signed) Marion (Mike) Menning, Ron Sieloff, Timothy J. Penny, Earl W. Renneke, William P. Luther

Mr. Menning moved that the foregoing recommendations and Conference Committee Report on H.F. No. 353 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 353 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 36 and nays 17, as follows:

Those who voted in the affirmative were:

Bang	Engler	Kronebusch	Peterson,D.L.	Taylor
Belanger	Frank	Langseth	Pillsbury	Waldorf
Benson	Frederickson	Lessard	Purfeerst	Wegener
Berg	Hughes	Menning	Renneke	Willet
Bernhagen	Johnson	Moe, R. D.	Rued	
Bertram	Kamrath	Olhoft	Sieloff	
Chmielewski	Knutson	Pehler	Solon	
Davis	Kroening	Penny	Stokowski	

Those who voted in the negative were:

Dahl	Lindgren	Petty	Spear	Vega
Davies	Luther	Ramstad	Stumpf	
Dicklich	Merriam	Setzepfandt	Tennessen	
Knoll	Peterson,R.W.	Sikorski	Ulland	

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 2000: A bill for an act relating to health and welfare; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the general assistance program; revising a penalty; reappropriating money; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7;

144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1, and by adding a subdivision.

SUSPENSION OF RULES

Mr. Sikorski 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. 2000 and that the rules of the Senate be so far suspended as to give H.F. No. 2000, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Sikorski moved to amend H.F. No. 2000, as amended pursuant to Rule 49, adopted by the Senate March 13, 1982, as follows:

(The text of the amended House File is identical to S.F. No.2065.)

Page 7, line 20, after the period, insert "*This clause is effective January 1, 1983.*"

The motion prevailed. So the amendment was adopted.

Mr. Knoll moved to amend H.F. No. 2000, as amended pursuant to Rule 49, adopted by the Senate March 13, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2065.)

Page 4, after line 24, insert:

"Sec. 8. Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 32, and Chapter 3, Section 17, is amended to read:

Subdivision 1. Medical assistance may be paid for any person:

(1) Who is eligible for or receiving public assistance, or a woman who is pregnant, as medically verified, and who would be eligible for assistance under the aid to families with dependent children program if the child had been born and living with the woman; or

(2) Who is eligible for or receiving supplemental security income for the aged, blind and disabled; or

(3) Who except for the amount of income or resources would qualify for supplemental security income for the aged, blind and disabled, or aid to families with dependent children and is in need of medical assistance; or

(4) Who is under 21 years of age and in need of medical care that neither he nor his relatives responsible under sections 256B.01 to 256B.26 are financially able to provide; or

(5) Who is residing in a hospital for treatment of mental disease or tuberculosis and is 65 years of age or older and without means sufficient to pay the per capita hospital charge; and

(6) Who resides in Minnesota, or, if absent from the state, is deemed to be a resident of Minnesota in accordance with the regulations of the state agency; and

(7) Who alone, or together with his spouse, does not own real property other than the homestead. For the purposes of this section, ''homestead'' means the house owned and occupied by the applicant as his dwelling place, together with the land upon which it is situated and an area no greater than two contiguous lots in a platted or laid out city or town or 80 contiguous acres in unplatted land. Occupancy or exemption shall be determined as provided in chapter 510 and applicable law, including continuing exemption by filing notice under section 510.07. Real estate not used as a home may not be retained unless it produces net income applicable to the family's needs or the family is making a continuing effort to sell it at a fair and reasonable price or unless sale of the real estate would net an insignificant amount of income applicable to the family's needs, or unless the commissioner determines that sale of the real estate would cause undue hardship; and

(8) Who individually does not own more than $2,000 in cash or liquid assets, or if a member of a household with two family members (husband and wife, or parent and child), does not own more than $4,000 in cash or liquid assets, plus $200 for each additional legal dependent. *When only one spouse resides, or will reside after applying for medical assistance, in a nursing home, or is receiving or will receive alternative care under the alternative care grants program in a county with preadmission screening under section 256B.091, the cash or liquid asset amount for two family members is $10,000; provided that, if a federal court holds that this sentence does not comply with Title XIX of the Social Security Act, 42 United States Code, Sections 1396 to 1396n, this sentence shall cease to be effective.* The value of the following shall not be included:

(a) the homestead, and (b) one motor vehicle licensed pursuant to chapter 168 and defined as: (1) passenger automobile, (2) station wagon, (3) motorcycle, (4) motorized bicycle or (5) truck of the weight found in categories A to E, of section 168.013, subdivision 1e; and

(9) Who has or anticipates receiving an annual income not in excess of $2,600 for a single person, or $3,250 for two family members (husband and wife, parent and child, or two siblings), plus $625 for each additional legal dependent, or who has income in excess of these maxima and in the month of application, or during the three months prior to the month of application, incurs expenses for medical care that total more than one-half of the annual excess income in accordance with the regulations of the state agency. In computing income to determine eligibility of persons who are not residents of long term care facilities, the commissioner shall disregard increases in income of social security or supplementary security income recipients due solely to increases required by sections 215(i) and 1617 of the social security act, and shall disregard income of disabled persons that is also disregarded in determining eligibility for supplemental aid under section 256D.37, subdivision 1, unless prohibited by federal law or regulation. If prohibited, the commissioner shall first seek a waiver. In excess income cases, eligibility shall be limited to a period of six months beginning with the first of the month in which these medical obligations are first incurred; and

(10) Who has continuing monthly expenses for medical care that are more than the amount of his excess income, computed on a monthly basis, in which case eligibility may be established before the total income obligation referred to in the preceding paragraph is incurred, and medical assistance payments may

be made to cover the monthly unmet medical need. In licensed nursing home and state hospital cases, income over and above that required for justified needs, determined pursuant to a schedule of contributions established by the commissioner of public welfare, is to be applied to the cost of institutional care. The commissioner of public welfare may establish a schedule of contributions to be made by the spouse of a nursing home resident to the cost of care and shall seek a waiver from federal regulations which establish the amount required to be contributed by either spouse when one spouse is a nursing home resident; and

(11) Who has applied or agrees to apply all proceeds received or receivable by him or his spouse from automobile accident coverage and private health care coverage to the costs of medical care for himself, his spouse, and children. The state agency may require from any applicant or recipient of medical assistance the assignment of any rights accruing under private health care coverage. Any rights or amounts so assigned shall be applied against the cost of medical care paid for under this chapter. Any assignment shall not be effective as to benefits paid or provided under automobile accident coverage and private health care coverage prior to receipt of the assignment by the person or organization providing the benefits.''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after the semicolon, insert ''changing certain liquid asset limits for medical assistance eligibility;''

Page 1, line 13, delete ''Section'' and insert ''Sections 256B.06, Subdivision 1, as amended; and''

The motion prevailed. So the amendment was adopted.

Mr. Johnson moved to amend H.F. No. 2000, as amended pursuant to Rule 49, adopted by the Senate March 13, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2065.)

Page 7, after line 25, insert:

''Sec. 11. [REVENUE; APPROPRIATION.]

There is appropriated from the general fund to the department of revenue, for the fiscal year indicated, to implement the administrative and auditing responsibilities of a unitary large scale audit unit.

Fiscal Year 1982	*-0-*
Fiscal Year 1983	*$900,000*

The approved complement of the department is increased by three positions in fiscal year 1982 and 23 additional positions in fiscal year 1983.

Sec. 12. [COMPUTER DESIGN.]

In the development of the computer system for corporate taxation, the department of revenue shall include a method for identifying funds collected as a result of direct department auditing efforts.

Sec. 13. [AUDIT REQUESTED.]

The legislative auditor, as approved by the legislative audit commission, shall conduct audits of the fair share and unitary tax collection programs of the department of revenue.

Sec. 14. [REPORT TO THE LEGISLATURE.]

The commissioner of revenue shall report to the chairmen of the house appropriations, house tax, senate finance, and senate tax committees by March 1, 1983. The report shall contain the tax collections realized through the unitary large scale audit program; an estimate of potential tax collections; and recommendations about the level of staffing necessary to maximize collections.''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after ''money;'' insert ''supplementing appropriations for the department of revenue;''

The motion prevailed. So the amendment was adopted.

H.F. No. 2000 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Langseth	Petty	Stumpf
Belanger	Frank	Lantry	Pillsbury	Taylor
Benson	Frederickson	Lessard	Purfeerst	Tennessen
Berg	Hanson	Luther	Ramstad	Ulland
Berglin	Hughes	Menning	Renneke	Vega
Bernhagen	Johnson	Merriam	Rued	Waldorf
Bertram	Kamrath	Moe, R. D.	Sieloff	Wegener
Chmielewski	Knoll	Olhoft	Sikorski	Willet
Dahl	Knutson	Pehler	Solon	
Davies	Kroening	Penny	Spear	
Dicklich	Kronebusch	Peterson,R.W.	Stokowski	

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

SPECIAL ORDER

H.F. No. 1017: A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities.

SUSPENSION OF RULES

Mr. Penny 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. 1017 and that the rules of the Senate be so far suspended as to give H.F. No. 1017, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Penny moved that the amendment made to H.F. No. 1017 by the Committee on Rules and Administration in the report adopted March 13, 1982,

pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Penny then moved to amend H.F. No. 1017 as follows:

Page 2, line 12, after "*private*" insert ", *provided that bonds issued and unpaid shall not at any time exceed $200,000,000 par value*"

Page 2, line 32, delete "*from*" and insert "*as authorized by*"

Page 2, line 33, strike "including"

Amend the title as follows:

Page 1, line 2, before "proposing" insert "relating to railroads;"

The motion prevailed. So the amendment was adopted.

H.F. No. 1017 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 2, as follows:

Those who voted in the affirmative were:

Bang	Engler	Lantry	Peterson,D.L.	Solon
Belanger	Frank	Lessard	Peterson,R.W.	Spear
Benson	Frederickson	Luther	Petty	Stokowski
Berg	Hanson	Menning	Purfeerst	Stumpf
Bernhagen	Hughes	Merriam	Ramstad	Taylor
Bertram	Johnson	Moe, R. D.	Renneke	Ulland
Chmielewski	Kamrath	Nelson	Rued	Vega
Dahl	Knoll	Olhoft	Schmitz	Waldorf
Davis	Kroening	Pehler	Setzepfandt	Wegener
Dicklich	Kronebusch	Penny	Sieloff	Willet
Dieterich	Langseth	Peterson,C.C.	Sikorski	

Messrs. Pillsbury and Tennessen voted in the negative.

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

SPECIAL ORDER

H.F. No. 1727: A bill for an act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6; providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 480.01; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; and Minnesota Statutes 1981 Supplement, Sections 204B.06, Subdivision 6; 204B.34, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapters 480A; and 632; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.

Mr. Hanson moved to amend H.F. No. 1727, as amended pursuant to Rule 49, adopted by the Senate March 12, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 1669.)

Page 2, line 8, delete "*manner of*"

Page 3, line 17, delete "*permit the*"

Page 3, line 18, delete "*Legislature to establish*" and insert "*allow the creation of*"

Page 9, line 27, delete the comma and insert "*or*"

Page 9, line 30, delete everything after "*powers*"

Page 9, line 31, delete "*backlog of cases*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1727 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:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stokowski
Belanger	Engler	Lessard	Petty	Stumpf
Benson	Frank	Lindgren	Pillsbury	Taylor
Berg	Frederick	Luther	Purfeerst	Tennessen
Berglin	Frederickson	Menning	Ramstad	Ulland
Bernhagen	Hanson	Moe, D. M.	Renneke	Vega
Bertram	Hughes	Moe, R. D.	Rued	Waldorf
Brataas	Johnson	Nelson	Schmitz	Wegener
Chmielewski	Kamrath	Olhoft	Setzepfandt	Willet
Dahl	Knoll	Pehler	Sieloff	
Davies	Knutson	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	

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

RECONSIDERATION

Mr. Sikorski moved that the vote whereby H.F. No. 2000 was passed by the Senate on March 13, 1982, be now reconsidered. The motion prevailed.

H.F. No. 2000: A bill for an act relating to health and welfare; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the general assistance program; revising a penalty; reappropriating money; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1, and by adding a subdivision.

Mr. Johnson moved to amend H.F. No. 2000, as amended pursuant to Rule 49, adopted by the Senate March 13, 1982, as follows:

(The text of the amended House File is identical to S.F. No. 2065.)

Amend the title as follows:

Page 1, line 2, delete "health and welfare" and insert "state government"

Page 1, line 8, after the first semicolon, insert "enhancing the state's ability

to fund health and welfare programs by strengthening tax collection efforts;''

The motion prevailed. So the amendment was adopted.

H.F. No. 2000 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:

Ashbach	Dicklich	Lantry	Peterson,R.W.	Stokowski
Bang	Dieterich	Lessard	Petty	Stumpf
Belanger	Engler	Lindgren	Pillsbury	Taylor
Benson	Frank	Luther	Purfeerst	Tennessen
Berg	Frederick	Menning	Ramstad	Ulland
Berglin	Frederickson	Merriam	Renneke	Vega
Bernhagen	Hanson	Moe, R. D.	Rued	Waldorf
Bertram	Hughes	Nelson	Schmitz	Wegener
Brataas	Johnson	Olhoft	Setzepfandt	Willet
Chmielewski	Kamrath	Pehler	Sieloff	
Dahl	Knutson	Penny	Sikorski	
Davies	Kronebusch	Peterson,C.C.	Solon	
Davis	Langseth	Peterson,D.L.	Spear	

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

SPECIAL ORDER

H.F. No. 1704: A bill for an act relating to public safety; making it a felony to use or possess metal-penetrating bullets in the commission of a crime; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.

Mr. Dahl moved to amend H.F. No. 1704, as amended pursuant to Rule 49, adopted by the Senate March 12, 1982, as follows:

(The text of the amended House File is identical to S. F. No. 1556.)

Delete everything after the enacting clause and insert:

''Section 1. [624.74] [METAL-PENETRATING BULLETS.]

Subdivision 1. [INTENT.] *This section is designed to give law enforcement officers performing their official duties a reasonable degree of protection from penetration of quality body armor. It is not the intent of this section to restrict the availability of ammunition for personal defense, sporting, or hunting purposes.*

Subd. 2. [DEFINITION.] *For purposes of this section, ''metal-penetrating bullet'' means a handgun bullet of 9 mm, .25, .32, .357, .38, .41, .44, or .451 caliber which is comprised of a hardened core equal to the minimum of the maximum attainable hardness by solid red metal alloys which purposely reduces the normal expansion or mushrooming of the bullet's shape upon inpact. ''Metal-penetrating bullet'' excludes any bullet composed of copper or brass jacket with lead or lead alloy cores and any bullet composed of lead or lead alloys.*

Subd. 3. [USE OR POSSESSION IN COMMISSION OF A CRIME.] *Any*

person who uses or possesses a metal-penetrating bullet during the commission of a crime is guilty of a felony and may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than $3,000, or both. Any imprisonment sentence imposed under this subdivision shall run consecutively to any sentence imposed for the other crime.

Subd. 4. [LOCAL REGULATION.] *Section 1 shall be construed to supersede any municipal or county regulation of ammunition, including its component parts.*

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day after final enactment and applies to all crimes committed on or after that date.''

Delete the title and insert:

''A bill for an act relating to public safety; making it a felony to use or possess metal-penetrating bullets in the commission of a crime; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.''

The motion prevailed. So the amendment was adopted.

H.F. No. 1704 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Dicklich	Lantry	Peterson,R.W.	Spear
Belanger	Dieterich	Lessard	Petty	Stokowski
Benson	Engler	Luther	Pillsbury	Stumpf
Berg	Frank	Menning	Purfeerst	Tennessen
Berglin	Frederickson	Merriam	Ramstad	Ulland
Bernhagen	Hanson	Moe, R. D.	Renneke	Vega
Bertram	Hughes	Nelson	Rued	Waldorf
Brataas	Johnson	Olhoft	Schmitz	Willet
Chmielewski	Kamrath	Pehler	Setzepfandt	
Dahl	Knoll	Penny	Sieloff	
Davies	Kronebusch	Peterson,C.C.	Sikorski	
Davis	Langseth	Peterson,D.L.	Solon	

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

SPECIAL ORDER

S.F. No. 1891: A bill for an act relating to real property; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the governor; authorizing the governor to declare by proclamation a public economic emergency under certain conditions, limiting its duration, and providing nullifying powers in the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments; proposing new law coded as Minnesota Statutes, Chapter 582A.

CALL OF THE SENATE

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

Mr. Sieloff moved to amend S.F. No. 1891 as follows:

Page 2, line 32, after "2" insert ", *nor to mortgages, judgments, or contracts for deed, regardless of when made, if a second or subsequent mortgage has been made against the property after the effective date of sections 1 and 2, and the second or subsequent mortgagee commences foreclosure proceedings*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff then moved to amend S.F. No. 1891 as follows:

Page 3, line 5, after "*against*" insert a comma

Page 3, line 22, before "*mortgages*" insert "*judgments against,*"

Page 5, line 25, after "*foreclosure*" insert "*pursuant to the remedies set forth in sections 1 to 12*"

Page 8, line 2, after "*12*" insert "*or which would cause irreparable harm or undue hardship to any mortgagee, contract vendor, judgment creditor, or their successors or assigns*"

The motion prevailed. So the amendment was adopted.

Mr. Tennessen moved to amend S.F. No. 1891 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [COMMISSION ON FARM MORTGAGE CREDIT.]

Subdivision 1. [CREATION.] *A commission is hereby created to study and report on:*

(a) The availability and cost of credit in the agricultural sector;

(b) The effects of high interest rates and low farm prices on the ability of farmers to make payments on outstanding farm loans, including mortgages and contracts for deed;

(c) Whether the number of mortgage foreclosures, contract cancellations, and loan defaults is excessive and poses a problem of stability in the farm sector; and

(d) Whether legislation is needed to limit or delay foreclosures or contract cancellations involving agricultural land or to create a special fund to make mortgage and contract payments for farmers needing such assistance.

Subd. 2. [EMERGENCY ACTION; REPORT.] *If the commission determines an emergency exists due to an extraordinary increase in the number of foreclosures and contract cancellations warranting immediate action, the commission shall forthwith report to the legislature and governor the nature and extent of the emergency, recommend legislation and, if appropriate, shall recommend the governor call a special legislative session.*

Subd. 3. [MEMBERS.] *The commission shall consist of six members of the house of representatives, appointed by the speaker, and six members of the senate, appointed by the subcommittee on committees.*

Subd. 4. [REPORT.] *The commission shall report its findings and recom-*

mendations to the governor and legislature not later than December 15, 1982.

Subd. 5. [HEARINGS.] *The commission shall hold meetings and hearings at the times and places it designates to evaluate the questions under this section and make its recommendations. The commission shall select a chairman and other officers from its membership as it deems necessary.*

Subd. 6. [STAFF AND SERVICES.] *The commission shall make use of existing legislative facilities and staff of the house and senate research departments and senate counsel, but it may also request the legislative coordinating commission to supply it with additional necessary staff, office space, and administrative services.*''

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete lines 3 to 15 and insert ''providing for a legislative study commission on farm credit and the need for special legislation on farm mortgage foreclosures.''

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 31 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Frederickson	Moe, R. D.	Renneke	Vega
Bang	Hanson	Nelson	Solon	Wegener
Belanger	Kamrath	Penny	Stern	Willet
Benson	Knoll	Peterson,R.W.	Stumpf	
Brataas	Langseth	Petty	Taylor	
Davies	Lantry	Purfeerst	Tennessen	
Frederick	Moe, D. M.	Ramstad	Ulland	

Those who voted in the negative were:

Berg	Davis	Kroening	Merriam	Setzepfandt
Berglin	Dicklich	Kronebusch	Olhoft	Sieloff
Bernhagen	Engler	Lessard	Pehler	Sikorski
Bertram	Frank	Lindgren	Peterson,D.L.	Spear
Chmielewski	Johnson	Luther	Rued	Stokowski
Dahl	Knutson	Menning	Schmitz	Waldorf

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved that S.F. No. 1891 be laid on the table. The motion prevailed.

SPECIAL ORDER

H.F. No. 1542: A bill for an act relating to metropolitan government; regulating the organization, duties and powers of the metropolitan mosquito control district and commission; increasing size of commission membership; increasing certain commission expenditure amounts; authorizing taxes; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.703, Subdivision 1; 473.704, Subdivision 17; 473.705; and 473.711, Subdivision 2; repealing Minnesota Statutes 1980, Sections

473.701, Subdivisions 5 and 6; 473.713; and 473.717.

Mr. Petty moved that the amendment made to H.F. No. 1542 by the Committee on Rules and Administration in the report adopted March 12, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Petty then moved to amend H. F. No. 1542 as follows:

Page 4, delete section 8 and insert:

"Sec. 8. Minnesota Statutes 1980, Section 473.711, Subdivision 2, is amended to read:

Subd. 2. *The commission shall prepare an annual budget. The budget may provide for expenditures in an amount not exceeding six-tenths of one mill times the current assessed valuation of the district.* ~~Each county in the district shall levy a special tax each year in order to defray its share of the cost of the activities of the commission, which share shall be based on population. Such levy where necessary may be made separate from the general levy of the county and may be made at any time of the year, however,~~ *The commission may levy a tax on all taxable property in the district as defined in section 473.702 to provide funds for the purposes of sections 473.701 to 473.716. The tax shall not exceed six-tenths of one mill. The auditor of each county in the district shall add the amount of the levy made by the district to other taxes of the county for collection by the county treasurer with other taxes. When collected, the county treasurer shall make settlement of the tax with the district in the same manner as other taxes are distributed to political subdivisions.* No ~~participating~~ county shall levy any tax for mosquito control except under sections 473.701 to ~~473.717~~ *473.716. The levy shall be in addition to other taxes authorized by law and shall be disregarded in the calculation of limits on taxes imposed by chapter 275.*"

The motion prevailed. So the amendment was adopted.

H.F. No. 1542 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 34 and nays 25, as follows:

Those who voted in the affirmative were:

Belanger	Dieterich	Lindgren	Peterson,C.C.	Sikorski
Benson	Frank	Luther	Peterson,R.W.	Spear
Berglin	Frederickson	Merriam	Petty	Stern
Chmielewski	Hanson	Moe, D. M.	Purfeerst	Stokowski
Dahl	Johnson	Moe, R. D.	Ramstad	Stumpf
Davies	Knoll	Olhoft	Setzepfandt	Tennessen
Dicklich	Lantry	Penny	Sieloff	

Those who voted in the negative were:

Ashbach	Davis	Kronebusch	Renneke	Ulland
Berg	Engler	Langseth	Rued	Vega
Bernhagen	Kamrath	Lessard	Schmitz	Waldorf
Bertram	Knutson	Pehler	Solon	Wegener
Brataas	Kroening	Peterson,D.L.	Taylor	Willet

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

SPECIAL ORDER

H.F. No. 2065: A bill for an act relating to public welfare; providing for regulation of aversive or deprivation procedures for behavior modification of mentally retarded individuals in order that the procedures are appropriately selected, planned, and implemented with due regard for human rights and needs; proposing new law coded in Minnesota Statutes, Chapter 245.

SUSPENSION OF RULES

Mr. Spear 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. 2065 and that the rules of the Senate be so far suspended as to give H.F. No. 2065, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Spear moved that the amendment made to H.F. No. 2065 by the Committee on Rules and Administration in the report adopted March 13, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2065 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:

Ashbach	Dicklich	Kronebusch	Penny	Stokowski
Belanger	Dieterich	Langseth	Peterson,D.L.	Stumpf
Benson	Engler	Lantry	Peterson,R.W.	Taylor
Berg	Frank	Lessard	Petty	Tennessen
Berglin	Frederick	Lindgren	Purfeerst	Ulland
Bernhagen	Frederickson	Luther	Ramstad	Vega
Bertram	Hanson	Merriam	Renneke	Waldorf
Brataas	Johnson	Moe, D. M.	Rued	Willet
Dahl	Kamrath	Moe, R. D.	Sieloff	
Davies	Knutson	Olhoft	Solon	
Davis	Kroening	Pehler	Spear	

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1975.

H.F. No. 1975: A bill for an act relating to local government; permitting towns to issue off-sale liquor licenses; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

McEachern, Sarna and Metzen have been appointed as such committee on the part of the House.

House File No. 1975 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

Mr. Davis moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1975, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File:

H.F. No. 942: A bill for an act relating to welfare; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; changing the responsibility of relatives under certain circumstances; altering the method of charging for outpatient care; giving claims against estates of deceased patients or responsible relatives preferred status; amending Minnesota Statutes 1980, Sections 246.50, Subdivision 5; 246.51; 246.53; and 487.39, Subdivision 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Sviggum, Samuelson and Forsythe have been appointed as such committee on the part of the House.

House File No. 942 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

Mr. Waldorf moved that H.F. No. 942 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1948: A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.

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

Ellingson, Jude and Brandl

Senate File No. 1948 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1856 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1856

A bill for an act relating to state government; improving the state's personnel management functions; amending Minnesota Statutes 1980, Sections 6.582; 11A.07, Subdivision 4; 12.04, Subdivision 1; 15.0575, Subdivision 3; 15.059, Subdivision 3; 15.43, Subdivision 1; 60B.09, Subdivision 2; 84.028, Subdivision 3; 84.081, Subdivision 1; 85A.03, Subdivision 2; 124.645, Subdivision 3; 128A.02, Subdivision 3; 136A.55, Subdivision 4; 144A.52, Subdivision 2; 168.325, Subdivision 1; 171.015, Subdivision 1; 216A.04, Subdivision 3; 241.64, Subdivision 3; 241.65; 246.017, Subdivision 2; 299E.01, Subdivision 1; 299F.01, Subdivision 2; and 352D.02, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 3.855, Subdivision 3; 43A.02, Subdivision 28; 43A.04, Subdivisions 3, 4, and by adding a subdivision; 43A.05, Subdivision 4; 43A.08, Subdivisions 1, 3, and by adding subdivisions; 43A.11, Subdivisions 3, 4, 7 and 8; 43A.13, Subdivisions 1, 4 and 5; 43A.15, Subdivisions 6 and 10; 43A.17, Subdivision 4; 43A.18, Subdivisions 3 and 4; 43A.19, Subdivision 1; 43A.27, Subdivision 3; 43A.33, Subdivisions 1, 3 and 4; 43A.37, Subdivision 1; 43A.38; 43A.39; 43A.41, Subdivision 4; 43A.42; 43A.44, Subdivision 2; 124.41, Subdivision 3; 254A.03, Subdivision 1; 352D.02, Subdivision 1; and 462A.04, Subdivision 8; Laws 1971, Extra Session, Chapter 3, Section 19, Subdivision 5; Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 6; Laws 1981, Chapter 210, Section 55; repealing Minnesota Statutes 1980, Sections 12.05; 124.615, Subdivision 3; 190.081; and 190.095; and Minnesota Statutes 1981 Supplement, Section 43A.08, Subdivision 2.

March 10, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1856, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1856 be further amended as follows:

Page 18, line 17, strike "(g)" and insert "*(h)*"

Page 32, line 23, delete "*by the board*"

Page 35, delete lines 2 to 28

Page 39, line 12, after "~~who~~" insert "*and*"

Page 39, line 19, strike "such"

Page 44, line 16, delete "*the day before the effective*" and insert "*March 10, 1982*"

Page 44, line 17, delete "*date of sections 13 and 14*"

Page 44, line 21, after "*position*" insert "*, but not to exceed five years after the effective date of this section. After the five-year period has expired, the employee shall have all rights granted pursuant to section 43A.07, subdivision 6, to an employee of a newly declassified position*"

Page 44, line 31, delete "*the effective date of this*" and insert "*March 10, 1982*"

Page 44, line 32, delete "*section*"

Page 44, line 35, before the period insert "*, but not to exceed five years after the employee's return to the position. After the five-year period has expired, the employee shall have all rights granted pursuant to section 43A.07, subdivision 6, to an employee of a newly declassified position*"

Page 45, after line 3, insert:

"Sec. 64. [LIMITATION ON THE CONTRACTING-OUT OF SERVICES PROVIDED BY MEMBERS OF A STATE OF MINNESOTA OR UNIVERSITY OF MINNESOTA BARGAINING UNIT.]

Any contract entered into after the effective date of this section by the state of Minnesota or the University of Minnesota involving services, any part of which, in the absence of the contract, would be performed by members of a unit provided in section 179.741, subdivision 1 or 3, shall be subject to section 16.07 and shall provide for the preferential employment by such a party of members of that unit whose employment with the state of Minnesota or the University of Minnesota is terminated as a result of that contract."

Page 45, line 7, after the period insert "*Section 63, subdivisions 3 and 4, are repealed six years and 30 days after the effective date of section 63.*"

Page 45, line 9, after the period insert:

"*Section 64 is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete "241.64, Subdivision 3; 241.65;"

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

Senate Conferees: (Signed) Allan H. Spear, Robert O. Ashbach, Tom A. Nelson

House Conferees: (Signed) Fred C. Norton, John T. Rose, Wayne A. Simoneau

Mr. Spear moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1856 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1856 was read the third time, as amended by the Conference

Committee, and placed on its repassage.

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

The roll was called, and there were yeas 46 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Lindgren	Purfeerst	Taylor
Belanger	Frederickson	Luther	Ramstad	Ulland
Berglin	Hanson	Menning	Schmitz	Vega
Brataas	Johnson	Merriam	Setzepfandt	Waldorf
Chmielewski	Knutson	Moe, R. D.	Sieloff	Wegener
Dahl	Kroening	Pehler	Sikorski	Willet
Davies	Kronebusch	Penny	Solon	
Dicklich	Langseth	Peterson,D.L.	Spear	
Dieterich	Lantry	Peterson,R.W.	Stokowski	
Engler	Lessard	Petty	Stumpf	

Those who voted in the negative were:

Benson	Bernhagen	Davis	Kamrath	Renneke
Berg	Bertram	Frederick	Olhoft	Rued

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1821 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1821

A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1821, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1821 be further amended as follows:

Page 2, lines 15 through 17, reinstate the stricken and delete the underscored language

Pages 2 and 3 delete section 3 and insert:

"Sec. 3. Minnesota Statutes 1980, Section 401.02, Subdivision 3, is amended to read:

Subd. 3. [ESTABLISHMENT AND REORGANIZATION OF ADMINISTRATIVE STRUCTURE.] Any county or group of counties which have qualified for participation in the community corrections subsidy program provided by this chapter may, after consultation with the judges of the district court, county court, municipal court, probate court and juvenile court having jurisdiction in the county or group of counties establish, organize, and reorganize an administrative structure and provide for the budgeting, staffing and operation of court services and probation, juvenile detention and juvenile correctional facilities, and other activities required to conform to the purposes of this chapter. No contrary general or special statute divests any county or group of counties of the authority granted by this subdivision. This subdivision does not apply to Ramsey County or *Hennepin County or* to the counties in the Arrowhead region. In Hennepin County *and Ramsey County* the county board and the judges of the district court, county court, municipal court, probate court and juvenile court shall~~, before January 15, 1981,~~ prepare and implement ~~, subject to the approval of the commissioner of corrections,~~ a joint plan for reorganization of correctional services in the county providing for the administrative structure and providing for the budgeting, staffing and operation of court services and probation, juvenile detention and juvenile correctional facilities, and other activities required to conform to the purposes of this chapter. *The joint plan shall be subject to the approval of the commissioner of corrections and submitted to the legislature on or before January 15, 1983.*"

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

Senate Conferees: (Signed) Earl W. Renneke, Gerry Sikorski, Donald M. Moe

House Conferees: (Signed) Gary W. Laidig, Paul McCarron, James I. Rice

Mr. Renneke moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1821 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1821 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Belanger	Dieterich	Lantry	Peterson,R.W.	Stokowski
Benson	Engler	Lessard	Petty	Stumpf
Berg	Frank	Lindgren	Purfeerst	Taylor
Berglin	Frederick	Luther	Ramstad	Ulland
Bernhagen	Frederickson	Menning	Renneke	Vega
Bertram	Hanson	Merriam	Rued	Waldorf
Brataas	Johnson	Moe, D. M.	Schmitz	Wegener
Chmielewski	Kamrath	Moe, R. D.	Setzepfandt	Willet
Dahl	Knutson	Olhoft	Sieloff	
Davies	Kroening	Pehler	Sikorski	
Davis	Kronebusch	Penny	Solon	

So the bill, as amended by the Conference Committee, was repassed and its

title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1702 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1702

A bill for an act relating to corrections; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1702, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1702 be further amended as follows:

Page 1, line 23, after the period insert: "*Inmates shall not exercise custodial functions or have authority over other inmates or serve on the board of directors or hold any executive position in any corporation, private industry or educational program located on the grounds of or conducted within a state correctional facility.*"

Amend the title as follows:

Page 1, line 2, after the semicolon insert: "limiting certain inmate functions;"

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

Senate Conferees: (Signed) Sam G. Solon, Howard A. Knutson, Earl W. Renneke

House Conferees: (Signed) Dean E. Johnson, Gary W. Laidig, David P. Battaglia

Mr. Knutson moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1702 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1702 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Penny	Solon
Belanger	Dieterich	Langseth	Peterson,D.L.	Spear
Benson	Engler	Lantry	Peterson,R.W.	Stokowski
Berg	Frank	Lessard	Petty	Stumpf
Berglin	Frederick	Lindgren	Purfeerst	Taylor
Bernhagen	Frederickson	Luther	Ramstad	Ulland
Bertram	Hanson	Menning	Renneke	Vega
Brataas	Johnson	Merriam	Rued	Waldorf
Chmielewski	Kamrath	Moe, D. M.	Schmitz	Wegener
Dahl	Knoll	Moe, R. D.	Setzepfandt	Willet
Davies	Knutson	Olhoft	Sieloff	
Davis	Kroening	Pehler	Sikorski	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1965 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1965

A bill for an act relating to the environment; amending various provisions of the waste management act; authorizing the commissioner of administration to acquire certain development rights; defining terms for purposes of the resource recovery program; prohibiting the waste management board from certifying the use of facilities for disposal of radioactive waste; stating various policies and requirements relating to solid and hazardous waste plans and facility permits; prescribing standards, procedures, approvals, and supervision relating to designations of resource recovery facilities; requiring the board to place its highest priority on alternatives to land disposal of hazardous waste; allowing the removal of the moratorium on development at certain sites; directing a study of solid waste utilization in the St. Cloud area; appropriating money; amending Minnesota Statutes 1980, Sections 115A.08, by adding a subdivision; 115A.15, Subdivisions 2, 6, and by adding a subdivision; 115A.42; 115A.46; 115A.62; 115A.69, Subdivision 10; 115A.70, Subdivisions 1, 2, and 3; 116.07, Subdivision 4b; 400.16; 400.162; 473.149, Subdivision 1; 473.153, by adding subdivisions; 473.802; 473.803, Subdivision 1, and by adding a subdivision; 473.811, Subdivision 7, and by adding a subdivision; 473.823, Subdivision 3; 473.827, Subdivision 1, and by adding a subdivision; 473.831, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 115A.06, Subdivisions 4 and 13; 115A.11, Subdivision 1; 115A.21, Subdivision 3; 115A.24, Subdivision 1, and by adding a subdivision; 473.803, Subdivision 1a; and 473.831, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 115A; repealing Minnesota Statutes 1980, Section 473.827, Subdivisions 2, 3, 4, 5, and 6.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1965, report that we have

agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1965 be further amended as follows:

Page 5, line 34, after "pretreatment," insert "*retrievable storage,*"

Page 6, line 10, after "commercial" insert "*retrievable storage or*"

Page 32, after line 34, insert:

"Sec. 37. [116.082] [OPEN BURNING OF LEAVES: LOCAL ORDINANCES.]

Subject to sections 88.16, 88.17 and 88.22, but notwithstanding any law or rule to the contrary, a town or home rule charter or statutory city located outside the metropolitan area as defined in section 473.121, subdivision 2, by adoption of an ordinance, may permit the open burning of dried leaves within the boundaries of the town or city. The ordinance shall limit leaf burning to the period between September 15 and December 1 and shall set forth limits and conditions on leaf burning to minimize air pollution and fire danger and any other hazards or nuisance conditions. No open burning of leaves shall take place during an air pollution alert, warning or emergency declared by the agency. Any town or city adopting an ordinance pursuant to this section shall submit a copy of the ordinance to the agency and the department of natural resources."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 34, delete "Chapter 115A" and insert "Chapters 115A and 116"

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

Senate Conferees: (Signed) Gene Merriam, Gerald L. Willet, Steve Engler

House Conferees: (Signed) Dee Long, George C. Dahlvang, Tom Rees

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1965 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1965 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Engler	Lindgren	Peterson,R.W.	Stokowski
Benson	Frank	Luther	Petty	Stumpf
Berg	Frederickson	Menning	Purfeerst	Tennessen
Berglin	Hanson	Merriam	Ramstad	Ulland
Bernhagen	Johnson	Moe, D. M.	Renneke	Vega
Bertram	Kamrath	Moe, R. D.	Rued	Waldorf
Chmielewski	Knutson	Nelson	Schmitz	Wegener
Dahl	Kroening	Olhoft	Setzepfandt	Willet
Davies	Kronebusch	Pehler	Sieloff	
Davis	Langseth	Penny	Sikorski	
Dicklich	Lantry	Peterson,C.C.	Solon	
Dieterich	Lessard	Peterson,D.L.	Spear	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1522 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1522

A bill for an act relating to local government; changing the filing of the bond of the town clerk and the town treasurer; permitting towns to self insure in the same way as other political subdivisions; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Sections 367.10; 367.15; 368.01, Subdivisions 1, 30, and by adding subdivisions; 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; 462.36, Subdivision 1; 471.59, by adding a subdivision; and 471.98, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1522, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1522 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 367.10, is amended to read:

367.10 [TOWN CLERK; BOND; OATH.]

Every person elected or appointed to the office of town clerk, before he enters upon the duties of his office, shall give bond to the town, with sureties approved by the town treasurer, in such penal sum as the town board directs, conditioned for the faithful discharge of his duties. The bond, with his oath of

office, shall be filed with the ~~clerk of the district court~~ *county auditor*, and an action may be maintained thereon by the town or any person aggrieved.

Sec. 2. Minnesota Statutes 1980, Section 367.15, is amended to read:

367.15 [TOWN TREASURER; BOND.]

Every town treasurer, before he enters upon the duties of his office, shall give bond to the town in an amount to be determined by the board, conditioned for the faithful discharge of his duties as such treasurer. Within six days thereafter the chairman shall file such bond, with his approval endorsed thereon, for record with the county ~~recorder~~ *auditor*.

Sec. 3. Minnesota Statutes 1980, Section 368.01, Subdivision 1, is amended to read:

Subdivision 1. [TOWNS DESCRIBED.] Any town ~~in this state~~ having therein platted portions in which there reside 1,200 or more people or any towns having platted area within 20 miles of the city hall of a city of the first class having over 200,000 population shall have and possess the powers ~~as are~~ enumerated in this section. The town board thereof may adopt, amend, or repeal ~~such~~ ordinances, rules, and bylaws for any purposes ~~so~~ enumerated as it deems expedient.

Sec. 4. Minnesota Statutes 1980, Section 368.01, is amended by adding a subdivision to read:

Subd. 1a. [CERTAIN OTHER TOWNS.] *Any town with a population of 1,000 or more according to the most recent federal decennial census that does not otherwise qualify pursuant to subdivision 1 to exercise the powers enumerated in this section, shall have and possess the enumerated powers upon an affirmative vote of the electors of the town at the annual town meeting.*

Sec. 5. Minnesota Statutes 1980, Section 368.01, Subdivision 30, is amended to read:

Subd. 30. [NOTICE TO COUNTY AUDITOR *AND SECRETARY OF STATE.*] The town clerk of each town exercising special powers pursuant to this section shall so notify in writing the county auditor of the county ~~wherein such~~ *in which the* town is located *and the secretary of state*. The written notice shall be filed by the county auditor *and the secretary of state* as a public record.

Sec. 6. Minnesota Statutes 1980, Section 368.01, is amended by adding a subdivision to read:

Subd. 31. [CONTINUING AUTHORITY TO EXERCISE POWERS.] *If a town exercises a power pursuant to this section it may continue to exercise the power notwithstanding any subsequent change in population.*

Sec. 7. [NOTICE.]

A town exercising a power pursuant to Minnesota Statutes, Section 368.01 on or before the effective date of this act which has not notified the county auditor of the county in which the town is located shall do so and shall notify the secretary of state as provided in Minnesota Statutes, Section 368.01, Subdivision 30.

Sec. 8. [375B.01] [COUNTIES; SUBORDINATE GOVERNMENTAL SERVICE DISTRICTS; PURPOSE.]

It is the purpose of this act to provide a means by which a county as a unit of general local government can effectively provide and finance various governmental services for its residents.

Sec. 9. [375B.02] [DEFINITION.]

"Subordinate service district" means a compact and contiguous district within the county in which one or more governmental services or additions to countywide services are provided by the county and financed from revenues secured from within that district. The boundaries of a single subordinate service district may not embrace an entire county.

Sec. 10. [375B.03] [ESTABLISHMENT OF SERVICE DISTRICTS.]

Notwithstanding any provision of law requiring uniform property tax rates on real or personal property within the county, any county in this state, except a metropolitan county as defined in section 473.121, subdivision 4, and any other county containing a city of the first class, may establish subordinate service districts to provide and finance any governmental service or function which it is otherwise authorized to undertake. A function or service to be provided shall not include a function or service which the county generally provides throughout the county unless an increase in the level of the service is to be supplied in the service district.

Sec. 11. [375B.04] [CREATION BY COUNTY BOARD.]

The county board of commissioners of any county, except a metropolitan county as defined in section 473.121, subdivision 4, and any other county containing a city of the first class, may establish a subordinate service district in a portion of the county by adoption of an appropriate resolution. Before the adoption of the resolution, the county board shall hold a public hearing on the question of whether or not a subordinate service district shall be established. The resolution shall specify the service or services to be provided within the subordinate service district and shall specify the territorial boundaries of the district.

Sec. 12. [375B.05] [CREATION BY PETITION.]

Subdivision 1. [PETITION.] *A petition signed by ten percent of the qualified voters within the portion of the county proposed for the subordinate service district may be submitted to the county board requesting the establishment of a subordinate county service district to provide any service or services which the county is otherwise authorized by law to provide. The petition shall include the territorial boundaries of the proposed district and shall specify the types of services to be provided within the district.*

Subd. 2. [PUBLIC HEARING.] *Upon receipt of the petition, and verification of the signatures by the county auditor, the county board shall, within 30 days following verification, hold a public hearing on the question of whether or not the requested district shall be established.*

Subd. 3. [APPROVAL; DISAPPROVAL.] *Within 30 days following the holding of a public hearing, the county board, by resolution, shall approve or disapprove the establishment of the requested district. A resolution approving the creation of the district may contain amendments or modifications of the district's boundaries or functions as set forth in the petition.*

Sec. 13. [375B.06] [PUBLICATION AND EFFECTIVE DATE.]

Upon passage of a resolution authorizing the creation of a subordinate service district, the county board shall cause the resolution to be published once in the official newspaper. The resolution shall include a general description of the territory to be included within the district, the type of service or services to be undertaken in the district, a statement of the means by which the service or services will be financed, and a designation of the county agency or officer who will be responsible for supervising the provision of the service or services. The district shall be deemed established 30 days after publication or at a later date as may be specified in the resolution.

Sec. 14. [375B.07] [REFERENDUM.]

Subdivision 1. [PETITION.] *Upon receipt of a petition signed by five percent of the qualified voters within the territory of the proposed district prior to the effective date of its creation as specified in section 375B.06, the creation shall be held in abeyance pending referendum vote of all qualified electors residing within the boundaries of the proposed district.*

Subd. 2. [ELECTION.] *The county board shall make arrangements for the holding of a special election not less than 30 nor more than 90 days after receipt of the petition within the boundaries of the proposed district. The question to be submitted and voted upon by the qualified voters within the territory of the proposed district shall be phrased substantially as follows:*

''Shall a subordinate service district be established in order to provide (service or services to be provided) financed by (revenue sources)?''

If a majority of those voting on the question favor creation of the proposed district, the district shall be deemed created upon certification of the vote by the county auditor. The county auditor shall administer the election.

Sec. 15. [375B.08] [EXPANSION OF THE BOUNDARIES OF A SUBORDINATE SERVICE DISTRICT.]

The county board, on its own motion or pursuant to petition, may enlarge any existing subordinate service district pursuant to the procedures specified in sections 375B.04 to 375B.07. Only qualified voters residing in the district to be added shall be eligible to participate in the election, but if five percent of the qualified voters residing in the existing service district petition to participate in the election, all qualified voters residing in the proposed service district shall be eligible.

Sec. 16. [375B.09] [FINANCING.]

Upon adoption of the next annual budget following the creation of a subordinate service district the county board shall include in the budget appropriate provisions for the operation of the district including, as appropriate, either a property tax levied only on property within the boundaries of the district or a levy of a service charge against the users of the service within the district, or any combination of a property tax and a service charge. A tax or service charge or a combination thereof shall not be imposed to finance a function or service in the service district which the county generally provides throughout the county unless an increase in the level of the service is to be supplied in the service district in which case, in addition to the countywide tax levy, only an amount necessary to pay for the increased level of service may be imposed.

Sec. 17. [375B.10] [WITHDRAWAL; ELECTION.]

Upon receipt of a petition signed by ten percent of the qualified voters within the territory of the subordinate service district requesting the removal of the district, or pursuant to its own resolution, the county board shall make arrangements for the holding of a special election within the boundaries of the service district not less than 30 nor more than 90 days after the resolution or receipt of the petition. The question to be submitted and voted upon by the qualified voters within the territory of the district shall be phrased substantially as follows:

"Shall the subordinate service district presently established be removed and the service or services of the county as provided for the service district be discontinued?"

If a majority of those voting on the question favor the removal and discontinuance of the services, the service district shall be removed and the services shall be discontinued upon certification of the vote by the county auditor. The county auditor shall administer the election.

Sec. 18. [375B.11] [WITHDRAWAL; BY RESOLUTION OF COUNTY BOARD.]

The county board may by resolution withdraw a subordinate service district from the provisions of this chapter and discontinue the service provided within the service district. The county board shall cause notice of its intention to withdraw the service district to be published at least once in the official newspaper not more than six months or less than three months before the resolution is adopted. If a joint powers agreement is a part of the subordinate service district arrangement no withdrawal shall be effective under this section unless all parties to the joint powers agreement agree to the withdrawal.

Sec. 19. [375B.12] [LOCAL LAWS SUPERSEDED.]

A special law for a single county, except a metropolitan county as defined in section 473.121, subdivision 4, and any other county containing a city of the first class, which authorizes the county to establish subordinate service districts or areas is hereby superseded. Any service being provided pursuant to the special law on or before the effective date of sections 1 to 12 may continue to be provided pursuant to the special law.

Sec. 20. Minnesota Statutes 1980, Section 275.50, is amended by adding a subdivision to read:

Subd. 7. A tax or service charge levied by the county board within a subordinate service district pursuant to chapter 375B is a "special levy" and is not subject to tax levy limitations including those contained in sections 275.50 to 275.56 or any other law. Subsequent increases in the initial tax or service charge, or additional taxes or service charges imposed at a time later than the adoption of the initial tax or service charge shall be subject to levy limitation.

Sec. 21. Minnesota Statutes 1980, Section 462.352, Subdivision 2, is amended to read:

Subd. 2. "Municipality" means any city, including a city operating under a home rule charter, and any town ~~having the powers of statutory cities pursuant to section 368.01~~.

Sec. 22. Minnesota Statutes 1980, Section 462.357, Subdivision 6, is

amended to read:

Subd. 6. [APPEALS AND ADJUSTMENTS.] Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance. *"Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.* Undue hardship *also* includes, but is not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 116H.02, subdivision 3, when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not permitted under the ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances to insure compliance and to protect adjacent properties.

Sec. 23. Minnesota Statutes 1980, Section 462.358, Subdivision 1a, is amended to read:

Subd. 1a. [AUTHORITY.] To protect and promote the public health, safety, and general welfare, to provide for the orderly, economic, and safe development of land, to preserve agricultural lands, to promote the availability of housing affordable to persons and families of all income levels, and to facilitate adequate provision for transportation, water, sewage, storm drainage, schools, parks, playgrounds, and other public services and facilities, a municipality may by ordinance adopt subdivision regulations establishing standards, requirements, and procedures for the review and approval or disapproval of subdivisions. The regulations may contain varied provisions respecting, and be made applicable only to, certain classes or kinds of subdivisions. The regulations shall be uniform for each class or kind of subdivision.

A municipality may by resolution extend the application of its subdivision regulations to unincorporated territory located within two miles of its limits in any direction but not in a town which has adopted subdivision regulations; provided that where two or more noncontiguous municipalities have boundaries less than four miles apart, each is authorized to control the subdivision of

land equal distance from its boundaries within this area. ~~However, if a municipality extends the application of its subdivision or zoning regulations to unincorporated territory, upon the petition of any county board or town board affected by the subdivision or zoning regulations, a joint board shall be established consisting of a three member committee with one member appointed from each of the municipal, town and county governing bodies. This joint board shall adopt zoning and subdivision regulations under sections 462.351 to 462.364 for the entire area within two miles of the city located within a town, and designate one of the governing bodies to serve as the governing body and board of appeals and adjustment for purposes of sections 462.357 and 462.358 within the area. During the time before the joint board adopts subdivision regulations, the subdivision regulations which the municipality has extended shall apply.~~

Sec. 24. [462.3585] [JOINT PLANNING BOARD.]

Upon request of a home rule charter or statutory city council or county or town board by resolution presented to the county auditor of the county of the affected territory a board shall be established to exercise planning and land use control authority in the unincorporated area within two miles of the corporate limits of a city. The board shall have members in a number determined by the city, county, and town. Each governmental unit shall have an equal number of members. The members shall be appointed from the governing bodies of the city, county, and town. Upon request of more than one county or town board with respect to the unincorporated area within two miles of the corporate limits of a single city, the parties may create one board rather than a separate board for each county or town, with equal membership from each affected governmental unit. The board shall serve as the governing body and board of appeals and adjustments for purposes of sections 462.351 to 462.364 within the two-mile area. The board shall have all of the powers contained in sections 462.351 to 462.364 and shall have authority to adopt and enforce the uniform fire code promulgated pursuant to section 299F.011. The city shall provide staff for the preparation and administration of land use controls unless otherwise agreed by the governmental units. If a municipality extends the application of its subdivision regulations to unincorporated territory located within two miles of its limits pursuant to section 462.358, subdivision 1a, before the creation of a joint board, the subdivision regulations which the municipality has extended shall apply until the joint board adopts subdivision regulations.

Sec. 25. [462.3595] [CONDITIONAL USE PERMITS.]

Subdivision 1. [AUTHORITY.] *The governing body may by ordinance designate certain types of developments, including planned unit developments, and certain land development activities as conditional uses under zoning regulations. Conditional uses may be approved by the governing body or other designated authority by a showing by the applicant that the standards and criteria stated in the ordinance will be satisfied. The standards and criteria shall include both general requirements for all conditional uses, and insofar as practicable, requirements specific to each designated conditional use.*

Subd. 2. [PUBLIC HEARINGS.] *Public hearings on the granting of conditional use permits shall be held in the manner provided in section 462.357, subdivision 3.*

Subd. 3. [DURATION.] *A conditional use permit shall remain in effect as long as the conditions agreed upon are observed, but nothing in this section shall prevent the municipality from enacting or amending official controls to change the status of conditional uses.*

Subd. 4. [FILING OF PERMIT.] *A certified copy of any conditional use permit shall be filed with the county recorder or registrar of titles of the county or counties in which the municipality is located for record. The conditional use permit shall include the legal description of the property included.*

Sec. 26. Minnesota Statutes 1980, Section 462.36, Subdivision 1, is amended to read:

Subdivision 1. [REQUIRED DOCUMENTS.] A certified copy of every ordinance, resolution, map, ~~or~~ regulation adopted, *or variance granted* under the provisions of sections ~~462.358~~ ~~and~~ *462.357 to* 462.359 and ~~amendments thereto~~ *sections 3 and 4 of this act* shall be filed with the county recorder of the county or counties in which the municipality adopting it is located. Ordinances, resolutions, maps or regulations filed with the county recorder pursuant to this subdivision do not constitute encumbrances on real property. *The order issued by the governing body or board of appeals and adjustments as the case may be, shall include the legal description of the property involved.*

Sec. 27. Minnesota Statutes 1980, Section 471.59, is amended by adding a subdivision to read:

Subd. 10. [SERVICES PERFORMED BY GOVERNMENTAL UNITS; COMMONALITY OF POWERS.] *Notwithstanding the provisions of subdivision 1 requiring commonality of powers between parties to any agreement, the governing body of any governmental unit as defined in subdivision 1 may enter into agreements with any other governmental unit to perform on behalf of that unit any service or function which the governmental unit providing the service or function is authorized to provide for itself.*

Sec. 28. Minnesota Statutes 1980, Section 471.98, Subdivision 2, is amended to read:

Subd. 2. "Political subdivision" includes a statutory or home rule charter city ~~or~~, *a* county or *a town or* an instrumentality thereof having independent policy making and appropriating authority. *For the purposes of sections 471.98 and 471.981, the governing body of a town is the town board.*

Sec. 29. [ST. LOUIS COUNTY HISTORICAL SOCIETIES.]

St. Louis county may provide funds and facilities for more than one historical society of which shall be subject to the provisions of Minnesota Statutes, Sections 138.051, 138.052, and 138.053 and other laws governing the conduct of county historical societies.

Sec. 30. [EFFECTIVE DATE.]

Sections 1 to 7, 23, 24, and 28 are effective the day following final enactment. Sections 22, 25, and 26 are effective January 1, 1983. Section 29 is effective the day after compliance with section 645.021, subdivision 3 by the St. Louis county board."

Delete the title and insert:

"A bill for an act relating to local government; changing the filing of the

bond of the town clerk and the town treasurer; permitting towns to self insure in the same way as other political subdivisions; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; authorizing governmental units to provide services for other governmental units; permitting subordinate service districts; providing for the maintenance of St. Louis county historical societies; amending Minnesota Statutes 1980, Sections 275.50, by adding a subdivision; 367.10; 367.15; 368.01, Subdivisions 1, 30, and by adding subdivisions; 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; 462.36, Subdivision 1; 471.59, by adding a subdivision; and 471.98, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462; and proposing new law coded as Minnesota Statutes Chapter 375B."

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

Senate Conferees: (Signed) Myrton O. Wegner, Dave Rued, Jack Davies

House Conferees: (Signed) Bernard J. Brinkman, Gordon O. Voss, Joseph T. Niehaus

Mr. Wegener moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1522 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1522 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 54 and nays 1, as follows:

Those who voted in the affirmative were:

Belanger	Dieterich	Lessard	Peterson,D.L.	Solon
Benson	Engler	Lindgren	Peterson,R.W.	Spear
Berg	Frank	Luther	Petty	Stokowski
Berglin	Frederickson	Menning	Purfeerst	Stumpf
Bernhagen	Johnson	Moe, D. M.	Ramstad	Tennessen
Bertram	Kamrath	Moe, R. D.	Renneke	Ulland
Chmielewski	Knutson	Nelson	Rued	Vega
Dahl	Kroening	Olhoft	Schmitz	Waldorf
Davies	Kronebusch	Pehler	Setzepfandt	Wegener
Davis	Langseth	Penny	Sieloff	Willet
Dicklich	Lantry	Peterson,C.C.	Sikorski	

Mr. Merriam voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 16 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 16

A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisement; amending Minnesota Statutes 1980, Section 524.3-706.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 16, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 16 be further amended as follows:

Page 1, line 16, strike "with the court or"

Page 1, line 17, strike "registrar"

Page 1, line 17, after the first "~~and~~" insert "*or*"

Page 1, line 17, reinstate "mail"

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

Senate Conferees: (Signed) Jack Davies, Ron Sieloff, Bob Lessard

House Conferees: (Signed) Fred C. Norton, Tad Jude, Bill Peterson

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on S.F. No. 16 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 16 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Dieterich	Lessard	Peterson,R.W.	Spear
Benson	Engler	Lindgren	Petty	Stokowski
Berg	Frank	Luther	Purfeerst	Stumpf
Berglin	Frederickson	Merriam	Ramstad	Tennessen
Bernhagen	Johnson	Moe, D. M.	Renneke	Ulland
Bertram	Kamrath	Moe, R. D.	Rued	Vega
Chmielewski	Knutson	Nelson	Schmitz	Waldorf
Dahl	Kroening	Olhoft	Setzepfandt	Wegener
Davies	Kronebusch	Pehler	Sieloff	Willet
Davis	Langseth	Peterson,C.C.	Sikorski	
Dicklich	Lantry	Peterson,D.L.	Solon	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1499 and the Conference Committee Report thereon were reported

to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1499

A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; proposing new law coded in Minnesota Statutes, Chapter 168.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1499, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendment.

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

Senate Conferees: (Signed) Joe Bertram, Robert J. Schmitz, Dennis Frederickson,

House Conferees: (Signed) C. Thomas Osthoff, Shirley A. Hokanson, Donna Peterson

Mr. Bertram moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1499 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1499 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Dieterich	Lessard	Peterson,D.L.	Spear
Benson	Engler	Lindgren	Peterson,R.W.	Stokowski
Berg	Frank	Luther	Petty	Stumpf
Berglin	Frederickson	Menning	Purfeerst	Taylor
Bernhagen	Johnson	Merriam	Ramstad	Tennessen
Bertram	Kamrath	Moe, D. M.	Renneke	Ulland
Chmielewski	Knutson	Moe, R. D.	Rued	Vega
Dahl	Kroening	Nelson	Schmitz	Waldorf
Davies	Kronebusch	Olhoft	Setzepfandt	Willet
Davis	Langseth	Pehler	Sikorski	
Dicklich	Lantry	Peterson,C.C.	Solon	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1239 and the Conference Committee Report thereon were reported

to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1239

A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1239, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendment and that S.F. No. 1239 be further amended as follows:

In the title:

Page 1, line 5, after "behalf;" insert "permitting the board to invest in certain housing finance agency loans;"

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

Senate Conferees: (Signed) Donald M. Moe, Allan H. Spear, Earl W. Renneke

House Conferees: (Signed) Leo J. Reding, James I. Rice, John R. Kaley

Mr. Moe, D.M. moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1239 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1239 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 44 and nays 13, as follows:

Those who voted in the affirmative were:

Belanger	Hanson	Menning	Peterson,R.W.	Spear
Berglin	Johnson	Merriam	Petty	Stokowski
Chmielewski	Kamrath	Moe, D. M.	Purfeerst	Stumpf
Dahl	Kroening	Moe, R. D.	Ramstad	Tennessen
Davies	Kronebusch	Nelson	Renneke	Ulland
Dicklich	Lantry	Olhoft	Schmitz	Vega
Engler	Lessard	Pehler	Sieloff	Waldorf
Frank	Lindgren	Penny	Sikorski	Willet
Frederickson	Luther	Peterson,D.L.	Solon	

Those who voted in the negative were:

Benson	Bertram	Frederick	Peterson,C.C.	Wegener
Berg	Davis	Knutson	Rued	
Bernhagen	Dieterich	Langseth	Setzepfandt	

So the bill, as amended by the Conference Committee, was repassed and its

title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1894 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1894

A bill for an act relating to energy; changing the duties of the commissioner of the department of energy, planning and development; expanding the scope of certain energy education programs; changing certain residential energy sales programs; providing for wind energy conversion systems in county and municipal zoning law; creating wind easements; amending Minnesota Statutes 1980, Sections 116H.02, by adding a subdivision; 116H.15, Subdivisions 1 and 3; 394.25, Subdivision 3; 462.357, Subdivision 1; 500.30; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.088, Subdivision 1; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.128; 116H.15, Subdivision 2; 116H.18; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1894, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments, and that Senate File No. 1894 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 16.86, Subdivision 4, is amended to read:

Subd. 4. The commissioner, ~~notwithstanding any law to the contrary~~ *except in the case of energy conservation standards promulgated or amended pursuant to section 116H.12, subdivision 4*, shall hold all state hearings and make all determinations regarding any subject matter dealt with in the code including those in which another department or agency proposes to adopt or amend rules and regulations which are incorporated by reference into the code or whenever the commissioner proposes to incorporate such regulations into the state building code. In no event shall a state agency or department subsequently authorized to adopt rules and regulations involving state building code subject matter proceed to adopt the rules and regulations without prior consultation with the commissioner.

Sec. 2. Minnesota Statutes 1980, Section 116H.02, is amended by adding a subdivision to read:

Subd. 15. [DEFINITIONS.] *Wind energy conversion system (WECS) means*

any device, such as a wind charger, windmill, or wind turbine, which converts wind energy to a form of useable energy.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 116H.07, is amended to read:

116H.07 [DUTIES.]

The commissioner shall:

(a) Manage the department as the central repository within the state government for the collection of data on energy;

(b) Prepare and adopt an emergency allocation plan specifying actions to be taken in the event of an impending serious shortage of energy, or a threat to public health, safety, or welfare;

(c) Undertake a continuing assessment of trends in the consumption of all forms of energy and analyze the social, economic, and environmental consequences of these trends;

(d) Carry out energy conservation measures as specified by the legislature and recommend to the governor and the legislature additional energy policies and conservation measures as required to meet the objectives of sections 116H.01 to 116H.15;

(e) Collect and analyze data relating to present and future demands and resources for all sources of energy, and specify energy needs for the state and various service areas as a basis for planning large energy facilities;

(f) Require certificate of need for construction of large energy facilities;

(g) Evaluate policies governing the establishment of rates and prices for energy as related to energy conservation, and other goals and policies of sections 116H.01 to 116H.15, and make recommendations for changes in energy pricing policies and rate schedules;

(h) Study the impact and relationship of the state energy policies to international, national, and regional energy policies;

(i) Design *and implement* a state program for the conservation of energy; this program shall include but not be limited to, general commercial, industrial, and residential, *and transportation* areas; such program shall also provide for the evaluation of energy systems as they relate to lighting, heating, refrigeration, air conditioning, building design and operation, and appliance manufacturing and operation;

(j) Inform and educate the public about the sources and uses of energy and the ways in which persons can conserve energy;

(k) Dispense funds made available for the purpose of research studies and projects of professional and civic orientation, which are related to either energy conservation or the development of alternative energy technologies which conserve nonrenewable energy resources while creating minimum environmental impact;

(l) Charge other governmental departments and agencies involved in energy related activities with specific information gathering goals and require that those goals be met.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 116H.088, Subdivision 1, is amended to read:

Subdivision 1. The commissioner, in consultation with the state board of education, the higher education coordinating board, the state board for community colleges, the state university board, and the board of regents of the University of Minnesota, shall ~~develop a plan for~~ *assist in the development and implementation of* adult and post-secondary energy education *programs*.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 116H.095, Subdivision 4, is amended to read:

Subd. 4. [SET-ASIDE REQUIRED.] Every prime supplier shall allocate for sale or exchange monthly upon order of the commissioner a volume of *motor* gasoline and middle distillate not exceeding the monthly set-aside amount. The amount of gasoline subject to monthly set-aside shall be an amount equal to three percent of the prime supplier's ~~sales of gasoline during the corresponding month of 1980~~ *monthly supply estimate*. The amount of middle distillate subject to monthly set-aside shall be an amount equal to four percent of the prime supplier's ~~sales of middle distillate during the corresponding months of 1980~~ *monthly supply estimate*.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 116H.095, Subdivision 5, is amended to read:

Subd. 5. [REPORT OF ESTIMATED VOLUME.] Every prime supplier ~~who did not do business in the state during the corresponding month of 1980~~ shall file with the commissioner a *monthly* report of its estimated volume of gasoline and middle distillate ~~sale~~ *deliveries*. The report shall be in a form prescribed by the commissioner and shall be submitted by the 25th day of the month preceding the month covered by the report. Each prime supplier ~~subject to this subdivision~~ shall allocate monthly for sale or exchange upon order of the commissioner three percent of estimated *motor* gasoline supplies and four percent of estimated middle distillate supplies as shown by the report.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 116H.10, Subdivision 4, is amended to read:

Subd. 4. Reports issued pursuant to this section, *other than individual corporate reports classified as nonpublic data in section 15.1682*, shall be available for public inspection in the office of the department during normal business hours.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 116H.11, Subdivision 1, is amended to read:

Subdivision 1. By January 1 of each even-numbered year, the commissioner shall transmit to the governor and the legislature a comprehensive report designed to identify emerging trends related to energy supply, demand, conservation, public health and safety factors, and to specify the level of statewide and ~~geographical~~ *utility service* area energy need. The report shall include, but not be limited to, all of the following:

(a) A final report on the accuracy and acceptability of the energy forecasts received under section 116H.10 and the alternatives to meeting that demand;

(b) An estimate of statewide and ~~geographical~~ *utility service* area energy

need for the forthcoming ~~five and ten~~ *20* year period which, in the judgment of the commissioner, will reasonably balance requirements of state ~~and geographical area~~ *economic* growth and development, protection of public health and safety, preservation of environmental quality, and conservation of energy resources;

(c) The anticipated level of statewide ~~and geographical area~~ energy demand for 20 years, which shall serve as the basis for long range action;

(d) The identification of potential adverse social, economic, or environmental effects caused by a continuation of the present energy demand trends;

(e) An assessment of the state's energy resources, including exa: ination of the availability of commercially developable and imported fuels;

(f) The estimated reduction in annual energy consumption resulting from various energy conservation measures;

(g) The cost of energy to residential and rental consumers in relation to their socio-economic status;

(h) An assessment of the economic and employment implications of proposed state energy policies;

(i) The status of the department's ongoing studies;

(j) Recommendations to the governor and the legislature for administrative and legislative actions to accomplish the purposes of sections 116H.01 to 116H.15.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 116H.12, Subdivision 4, is amended to read:

Subd. 4. In recognition of the compelling need for energy conservation in order to safeguard the public health, safety and welfare, it is necessary to provide building design and construction standards consistent with the most efficient use of energy. Therefore, the commissioner ~~of administration, in consultation with the commissioner,~~ shall, pursuant to chapter 15, adopt rules governing building design and construction standards regarding heat loss control, illumination and climate control. *To the maximum extent practicable, the rules providing for the energy portions of the building code shall be based on and conform to model codes generally accepted throughout the United States.* The rules shall apply to all new buildings and remodeling affecting heat loss control, illumination and climate control. The rules shall be economically feasible in that the resultant savings in energy procurement shall exceed the cost of the energy conserving requirements amortized over the life of the building. The rules ~~shall become part of the state building code and be effective six months after promulgation~~ *adopted pursuant to this subdivision, shall be part of the state building code. Notwithstanding the provisions of this subdivision, all applications for approval of building specifications and plans may be submitted to the state building inspector as provided in section 16.862.*

Sec. 10. Minnesota Statutes 1981 Supplement, Section 116H.128, is amended to read:

116H.128 [REVIEW OF ENERGY RESEARCH AND DEMONSTRATION PROJECTS.]

The commissioner shall continuously identify, monitor, and evaluate in

terms of potential direct benefit to, and possible implementation in Minnesota, research studies and demonstration projects of alternative energy *and energy conservation* systems and methodologies currently performed in Minnesota and other states and countries including:

(a) Solar energy systems for heating and cooling;

(b) Energy systems using wind, agricultural wastes, forestry products, peat, and other nonconventional energy resources;

(c) Devices and technologies increasing the energy efficiency of energy consuming appliances, equipment, and systems;

(d) Hydroelectric power; and

(e) Other projects the commissioner deems appropriate and of direct benefit to Minnesota and other states of the upper midwest.

Sec. 11. Minnesota Statutes 1980, Section 116H.15, Subdivision 1, is amended to read:

Subdivision 1. Any person who violates ~~sections 116H.01 to 116H.15,~~ *any provision of this chapter or section* 325F.20~~,~~ or 325F.21, or any rule or regulation promulgated thereunder, or knowingly submits false information in any report required by ~~sections 116H.01 to 116H.15,~~ *this chapter or section* 325F.20~~,~~ or 325F.21 shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 116H.15, Subdivision 2, is amended to read:

Subd. 2. The provisions of *this chapter and* sections ~~116H.01 to 116H.15,~~ 325F.20~~,~~ and 325F.21, or any rules or regulations promulgated hereunder may be enforced by injunction, action to compel performance or other appropriate action in the district court of the county wherein the violation takes place. The attorney general shall bring any action under this subdivision upon the request of the commissioner, and the existence of an adequate remedy at law shall not be a defense to an action brought under this subdivision.

Sec. 13. Minnesota Statutes 1980, Section 116H.15, Subdivision 3, is amended to read:

Subd. 3. When the court finds that any person has violated ~~sections 116H.01 to 116H.15,~~ *any provision of this chapter or section* 325F.20~~,~~ or 325F.21, or any rule or regulation thereunder, has knowingly submitted false information in any report required by ~~sections 116H.01 to 116H.15,~~ *this chapter or section* 325F.20~~,~~ or 325F.21, or has violated any court order issued under ~~sections 116H.01 to 116H.15,~~ *this chapter or section* 325F.20~~,~~ or 325F.21, the court may impose a civil penalty of not more than $10,000 for each violation. These penalties shall be paid to the general fund in the state treasury.

Sec. 14. Minnesota Statutes 1981 Supplement, Section 116H.18, is amended to read:

116H.18 [ENERGY EFFICIENT BUILDING EDUCATION.]

The commissioner shall develop a program to provide information and training to *persons in the state who influence the energy efficiency of new buildings, including* contractors, engineers and architects on techniques and

standards for the design and construction of buildings which maximize energy efficiency. The program may include the production of printed materials and the development of training courses.

Sec. 15. [325E.015] [RESIDENTIAL ENERGY SALES PRACTICES.]

Subdivision 1. [DEFINITION.] *"Budget payment plan" means a billing method in which estimated annual energy consumption costs are billed to the consumer in ten or more approximately equal monthly payments.*

Subd. 2. [BUDGET PAYMENT PLAN A CUSTOMER OPTION.] *Not later than September 1, 1982, every supplier of electricity or space heating fuels that offers some of its residential customers a budget payment plan shall make the plan available to all residential customers who request it provided that any customer with an outstanding balance on an account shall be placed on a budget payment plan that includes repayment of the outstanding balance. Suppliers of fuel oil, liquified petroleum gas, firewood, and coal are exempt from the provisions of this subdivision.*

Sec. 16. Minnesota Statutes 1980, Section 500.30, is amended to read:

500.30 [SOLAR *OR WIND* EASEMENTS.]

Subdivision 1. "Solar easement" means a right, whether or not stated in the form of a restriction, easement, covenant, or condition, in any deed, will, or other instrument executed by or on behalf of any owner of land or solar skyspace for the purpose of ensuring adequate exposure of a solar energy system as defined in section 116H.02, subdivision 11, to solar energy.

Subd. 1a. "Wind easement" means a right, whether or not stated in the form of a restriction, easement, covenant, or condition, in any deed, will, or other instrument executed by or on behalf of any owner of land or air space for the purpose of ensuring adequate exposure of a wind power system to the winds.

Subd. 2. Any property owner may grant a solar *or wind* easement in the same manner and with the same effect as a conveyance of an interest in real property. The easements shall be created in writing and shall be filed, duly recorded, and indexed in the office of the recorder of the county in which the easement is granted. No duly recorded ~~solar~~ easement shall be unenforceable on account of lack of privity of estate or privity of contract; such easements shall run with the land or lands benefited and burdened and shall constitute a perpetual easement, except that ~~a solar~~ *an* easement may terminate upon the conditions stated therein or pursuant to the provisions of section 500.20.

Subd. 3. Any deed, will, or other instrument that creates a solar *or wind* easement shall include, but the contents are not limited to:

(a) a description of the real property subject to the ~~solar~~ easement and a decription of the real property benefiting from the solar *or wind* easement; *and*

(b) *for solar easements,* a description of the vertical and horizontal angles, expressed in degrees and measured from the site of the solar energy system, at which the solar easement extends over the real property subject to the ~~solar~~ easement, or any other description which defines the three dimensional space, or the place and times of day in which an obstruction to direct sunlight is prohibited or limited;

(c) *a description of the vertical and horizontal angles, expressed in degrees, and distances from the site of the wind power system in which an obstruction to the winds is prohibited or limited;*

(d) any terms or conditions under which the ~~solar~~ easement is granted or may be terminated;

~~(d)~~ *(e)* any provisions for compensation of the owner of the real property benefiting from the ~~solar~~ easement in the event of interference with the enjoyment of the ~~solar~~ easement, or compensation of the owner of the real property subject to the ~~solar~~ easement for maintaining the ~~solar~~ easement;

~~(e)~~ *(f)* any other provisions necessary or desirable to execute the instrument.

Subd. 4. A solar *or wind* easement may be enforced by injunction or proceedings in equity or other civil action.

Subd. 5. Any depreciation caused by any solar *or wind* easement which is imposed upon designated property, but not any appreciation caused by any ~~solar~~ easement which benefits designated property, shall be included in the valuation of the property for property tax purposes.

Sec. 17. [REPEALER.]

Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1, are repealed.

Amend the title as follows:

Page 1, line 9, after "Sections" insert "16.86, Subdivision 4;"

Page 1, line 10, after the first semicolon, delete the remainder of the line

Page 1, line 11, delete "462.357, Subdivision 1;"

Page 1, line 15, before "116H.128;" insert "116H.12, Subdivision 4;"

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

Senate Conferees: (Signed) Gene Waldorf, Gregory L. Dahl, John Bernhagen

House Conferees: (Signed) Ken G. Nelson, Jim Evans, Ann Wynia

Mr. Waldorf moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1894 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1894 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Engler	Lindgren	Peterson,C.C.	Sikorski
Benson	Frank	Luther	Peterson,D.L.	Spear
Berglin	Frederickson	Menning	Peterson,R.W.	Stokowski
Bernhagen	Hanson	Merriam	Petty	Stumpf
Bertram	Johnson	Moe, D. M.	Purfeerst	Tennessen
Chmielewski	Knutson	Moe, R. D.	Ramstad	Ulland
Dahl	Kroening	Nelson	Renneke	Vega
Davies	Kronebusch	Olhoft	Rued	Waldorf
Davis	Lantry	Pehler	Schmitz	Willet
Dieterich	Lessard	Penny	Setzepfandt	

Mr. Kamrath voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 155 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 155

A bill for an act relating to public welfare; providing for retention of certain receipts by state hospitals; amending Minnesota Statutes 1980, Section 246.57.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 155, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 155 be further amended as follows:

Page 1, line 11, after "welfare" insert ", *after consultation with the legislative advisory committee,*"

Page 1, line 15, after the period insert "*To the extent possible the commissioner shall anticipate the costs of these agreements by inclusion in the biennial budget request to the legislature. In addition, funding for shared service agreements may be provided from the contingent appropriation for state institutions to the extent that such agreements result in costs not covered by other appropriations. No additional employees shall be added to the legislatively approved complement for any state hospital or state nursing home as a result of entering into any shared service agreement.*"

Page 1, line 16, strike "the" and insert "*all*"

Page 1, delete lines 18 to 25

Page 2, line 1, delete "*3.* [RECORDS.]" and insert "*2.* [REPORTS.]"

Page 2, line 2, delete "*maintain records*" and insert " *report biennially to the legislature*"

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

Senate Conferees: (Signed) Clarence M. Purfeerst, Nancy Brataas, Randolph W. Peterson

House Conferees: (Signed) Marnie J. Luknic, Paul McCarron, Don Samuelson

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on S.F. No. 155 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 155 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Dieterich	Lessard	Peterson,C.C.	Sikorski
Benson	Engler	Lindgren	Peterson,D.L.	Spear
Berg	Frank	Luther	Peterson,R.W.	Stokowski
Berglin	Frederickson	Menning	Petty	Stumpf
Bernhagen	Hanson	Merriam	Purfeerst	Tennessen
Bertram	Johnson	Moe, D. M.	Ramstad	Ulland
Chmielewski	Kamrath	Moe, R. D.	Renneke	Vega
Dahl	Knutson	Nelson	Rued	Waldorf
Davies	Kroening	Olhoft	Schmitz	Willet
Davis	Kronebusch	Pehler	Setzepfandt	
Dicklich	Lantry	Penny	Sieloff	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 818 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 818

A bill for an act relating to game and fish; increasing the amount set aside from any increased deer license fees for deer habitat improvement; restricting the taking of bear to adult bear; amending Minnesota Statutes 1980, Sections 97.49, Subdivision 1a; and 100.27, Subdivision 2.

March 10, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 818, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 818 be further

amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 84.111, is amended by adding a subdivision to read:

Subd. 5. Notwithstanding the provisions of subdivisions 1 to 3, any person holding fee title to all property surrounding a body of public waters may use mechanical harvesting devices to harvest wild rice in those waters. This subdivision does not apply to:

(a) Any body of public waters greater than 125 acres in size;

(b) Any body of public waters to which the public has access directly or through a channel or watercourse;

(c) Any body of public waters within the original boundaries of any Indian reservation; or

(d) Harvesting of wild rice for use or sale by any person other than the owner of the surrounding property.

Sec. 2. Minnesota Statutes 1980, Section 97.48, Subdivision 24, is amended to read:

Subd. 24. The commissioner may limit the number of persons who may hunt deer *or bear*, when he determines that the game supply or area open to hunting is too small for unrestricted hunting, and he may establish by order any practicable method, including a drawing, for impartially determining the persons who may hunt in such areas.

Sec. 3. Minnesota Statutes 1980, Section 97.4841, Subdivision 2, is amended to read:

Subd. 2. [STAMP REQUIRED.] *Except for residents under the age of 18 and over the age of 65 years,* no person ~~over the age of 18 and under the age of 65 years~~ who is otherwise required to possess a Minnesota small game license shall hunt or take migratory waterfowl within this state without first purchasing a stamp and having the stamp in ~~his~~ possession while hunting or taking migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across its face. The commissioner shall determine the form of the stamp and shall furnish and distribute stamps to county auditors for sale by them and their authorized subagents as prescribed by order of the commissioner. The commissioner shall encourage the purchase of stamps by nonhunters who are interested in the preservation and development of habitat for migratory waterfowl. People who are hunting on their own property shall not be required to possess a Minnesota waterfowl stamp.

Sec. 4. Minnesota Statutes 1980, Section 97.49, Subdivision 1a, is amended to read:

Subd. 1a. (a) For purposes of this subdivision, "deer license" means a license issued by the commissioner under the provisions of section 98.46, subdivision 2, clauses (2) and (3) and subdivision 14, clauses (2) and (3).

(b) It is the policy of this state that at least ~~$1~~ *$2* from each deer license issued by the commissioner shall be used for the purpose of deer habitat improvement.

Sec. 5. Minnesota Statutes 1980, Section 98.45, Subdivision 1, is amended to read:

Subdivision 1. Except as specifically permitted in chapters 97 to 102, no person may take, buy, sell, transport, or possess any protected wild animals of this state or any aquatic plants without first procuring a license therefor as provided in section 98.46 or in section 98.48. Every license is issued for a year beginning on the first day of March and is void after the last day of the open season or the lawful time within that year during which the acts authorized may be performed. Except as provided in this section, no license to take deer with firearm or with bow and arrow may be issued after the day prior to the first day of the regular rifle season, and all license agents shall return all stubs and unsold license blanks to the county auditor on the first business day following the first day of such season. *A license to take deer with bow and arrow issued after the opening of the bow and arrow deer season shall not be valid until the fifth day after it is issued.* A resident who is discharged from the military or naval forces of the United States, or any active reserve or component thereof, during the regular season for taking deer by firearm or within ten days before its commencement, may be issued, at any time during the firearm deer season and upon a showing of his official discharge paper, a license to take deer with firearm. Only one license of each kind, except as authorized by order of the commissioner adopted pursuant to section 97.53 and except the non-resident short term angling license, may be issued to a person in any licensing year. No license may be transferred except as expressly authorized.

Sec. 6. Minnesota Statutes 1980, Section 98.47, Subdivision 7, is amended to read:

Subd. 7. No license *to buy or sell fish or* to take fish commercially in international waters extending from Pigeon Point West to the North Dakota boundary line shall be issued to any person or member of ~~his~~ *the person's* household, or employee, engaged in the business of conducting a summer resort.

Sec. 7. Minnesota Statutes 1980, Section 98.52, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise provided herein, the license of any person who is convicted of violating any provisions of chapters 97 to 102, or any order or regulation duly prescribed by the commissioner under authority thereof, relating to the license or to the wild animals covered thereby, shall immediately become null and void, and no big game license of any kind shall be issued to such person for three years after the date of:

(1) A conviction for a violation relating to big game which is classified as a gross misdemeanor, or for doing any act without a big game license for which chapters 97 to 102 require a big game license, or;

(2) A second conviction within a three year period for any other violation of chapters 97 to 102 relating to big game*; or*

(3) A conviction for taking any big game animal out of season.

No license of the kind related to the conviction shall be issued to ~~such~~ *a* person for one year after the date of conviction if the license is other than a big game license. Every person convicted of doing anything without a license for

which chapters 97 to 102 require a license, shall forfeit ~~his~~ *their* right to secure ~~such a~~ *that* license for a period of one year from a conviction other than a conviction related to big game.

Sec. 8. Minnesota Statutes 1980, Section 99.27, Subdivision 1, is amended to read:

Subdivision 1. Breeding and propagating fur-bearing animals, game birds, *bear* or deer, shall be authorized under license only upon privately owned or leased lands and waters. ''Private waters,'' as used herein, includes all bodies of waters or streams, whether meandered or not, of a shallow, swampy, marshy, or boggy nature, not navigable in fact, and of no substantial beneficial use to the general public. The owner or lessee, applying for the license, shall have first enclosed the area, in the manner approved by the commissioner, sufficiently to confine the respective birds or animals to be raised thereon. Licenses shall be granted only in cases where the commissioner finds the application is made in good faith with intention to actually carry on the business described in the application and where the facilities, in his judgment, are adequate therefor.

Sec. 9. Minnesota Statutes 1980, Section 100.27, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise specifically provided, there shall be no open season on elk, caribou, antelope, marten, *cougar,* or wolverine.

Sec. 10. Minnesota Statutes 1980, Section 100.29, Subdivision 3, is amended to read:

Subd. 3. ~~It shall be unlawful to have in possession out of doors, except upon target ranges operated under a permit from the commissioner, unless unloaded and contained in a gun case, or unloaded and broken down:~~

~~(1) Any rifle or handgun, except a 22 caliber rim-fire rifle or handgun carried for the sole purpose of taking small game when lawful and using 22 caliber short, long, or long rifle bullets, or any shotgun with slugs, in any territory wherein there is an open season for taking deer with firearms, for a period of ten days preceding and five days succeeding such season;~~

~~(2) Any rifle, except those described in this clause, in a territory open for the taking of deer with shotguns and slugs but not with rifles, during such season; (a) smooth-bore muzzle loading muskets of not less than 45 caliber and rifle muzzle loading muskets of not less than 40 caliber that are incapable of being loaded at the breech, may be possessed and used for the hunting of deer during such open season and (b) 22 caliber rim-fire rifles or handguns carried for the sole purpose of taking small game when lawful and using 22 caliber short, long, or long rifle bullets, may be possessed and used during such open deer season;~~

~~(3) Any slugs for use in a shotgun in any territory open for the taking of deer with firearms during the open season, except for slugs carried for the sole purpose of taking deer or bear.~~ *Within any area where deer may be taken by firearms, it shall be unlawful during the period beginning the tenth day before the open firearms season and ending the second day after the close of the season, inclusive, to have any firearm or ammunition in possession out of doors other than:*

(1) Shotguns using shot;

(2) Handguns and rifles using .22 caliber short, long and long rifle cartridges; and

(3) Firearms described in subdivision 9, as legal for taking big game subject to weapon zone restrictions as prescribed by the commissioner, provided the bearer has a big game license on his person and is afield during the time and within the area the big game license is valid.

Except for pistols and revolvers carried in compliance with sections 624.714 to 624.715 and firearms in possession upon target ranges operated under a permit from the commissioner, all firearms carried out of doors other than in conformity with this subdivision must be unloaded and contained in a case or unloaded and contained in the trunk of a car with the trunk door closed.

Sec. 11. Minnesota Statutes 1980, Section 100.29, Subdivision 9, is amended to read:

Subd. 9. ~~Except as provided in subdivision 3, and in this subdivision, it shall be unlawful to take deer, moose, or any other wild animal during deer or moose season in open deer or moose hunting territory with a rifle or firearm which discharges a projectile, the diameter of which is less than twenty-three hundredths of an inch, or to use any cartridge less than 1 3/4 inches in length, and not containing a soft point or expanding bullet, the measurement to include the cartridge or shell and the bullet seated in the usual manner, provided cartridges of 35 caliber or larger may be used, regardless of length, or to use shells containing buckshot, or fine shot except for game birds, and except that smooth-bore muzzle loading muskets of not less than 45 caliber and rifled muzzle loading muskets of not less than 40 caliber that are incapable of being loaded at the breech may be used, and provided further that handguns of the .357, .41, and .44 magnum caliber, using ammunition with a case length of not less than 1.285 inches, and other calibers of similar performance as determined by the commissioner, may be used to take deer, moose, bear, or any wild animal.~~ *A firearm or ammunition may be used to take big game if it meets the following requirements:*

(1) Handguns, rifles, shotguns and all projectiles used therein shall be at least 23/100ths of an inch in caliber;

(2) All firearms shall be loaded only with ammunition containing single projectiles;

(3) All projectiles shall be of a soft point or an expanding bullet type;

(4) All ammunition shall have a case length of at least 1.285 inches; and

(5) Muzzleloaders must be incapable of being loaded at the breech. Smooth-bore muzzleloaders shall be at least .45 caliber and rifled muzzleloaders shall be at least .40 caliber.

It is unlawful to take big game with a .30 caliber M-1 carbine cartridge or with any other firearm or ammunition which does not meet the requirements provided in clauses (1) to (5).

Sec. 12. Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 4, is amended to read:

Subd. 4. Fees for the following licenses, to be issued to residents only, shall

be:

(1) To trap fur bearing animals~~, except beaver,~~ for residents over the age of 13 and under the age of 18, $3.50;

(2) To trap fur bearing animals~~, except beaver,~~ for residents 18 years of age and older, $13;

(3) To buy or sell raw furs anywhere within the state including the privilege of selling to resident manufacturers or to unlicensed non-residents, representing unlicensed non-residents as a broker or agent, or conducting a fur auction wherein sales are made to unlicensed non-residents or resident manufacturers, $100, provided that any employee, partner or officer buying or se'ling at the established place of business only for the licensee may secure a supplemental license for $50;

(4) ~~To trap beaver during an open season or by permit when doing damage, $2.50;~~

~~(5)~~ To guide bear hunters, $75.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 14, is amended to read:

Subd. 14. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, $35;

(2) To take deer and unprotected quadrupeds with firearms ~~and bow and arrows~~, $75;

(3) To take deer and unprotected quadrupeds with a bow and arrows only, ~~$35~~ *$75*;

(4) To take bear, $100;

(5) To take turkeys, $30, in addition to a small game license;

(6) To hunt raccoon, *bobcat, fox, coyote, or Canada lynx, with or without dogs,* $100, in addition to nonresident small game license.

Sec. 14. Minnesota Statutes 1980, Section 98.46, Subdivision 21, is amended to read:

Subd. 21. The commissioner may by order require every licensee to tag *any fur bearing animal* at the place where ~~trapped, beaver, fisher or otter~~ *taken*. The tag ~~will~~ *shall* be of a type prescribed by the commissioner and bearing ~~the license number of the owner and~~ the year of its issue. Tags ~~will~~ *shall* be issued ~~with the license~~ *upon request of the licensee in a manner prescribed by the commissioner* at no additional cost. ~~During the calendar years 1977 and 1978 the commissioner shall require the tagging of fisher in the manner designated in this subdivision.~~

Sec. 15. Minnesota Statutes 1980, Section 98.46, Subdivision 26, is amended to read:

Subd. 26. No nonresident shall possess or transport a raccoon, *bobcat, Canada lynx, or fox* taken in this state unless a tag of a type prescribed by the

commissioner is affixed to the carcass. The number of tags which the commissioner shall prescribe by order will be issued with every nonresident license to take raccoon, *bobcat, Canada lynx, or fox* provided no such license or tags shall be issued after the fifth day from the commencement of the season for that licensing year.

Sec. 16. Minnesota Statutes 1981 Supplement, Section 97.4842, Subdivision 1, is amended to read:

Subdivision 1. [STAMP REQUIRED.] No person over the age of 18 and under the age of 65 years who is otherwise required to possess a Minnesota fishing license shall ~~take trout by angling~~ *angle* in any *stream designated by the commissioner as a* trout stream ~~within this state~~ without first purchasing a stamp and having the stamp in his possession while angling for trout in any *designated* trout stream. Each stamp shall be validated by the signature of the licensee written across its face. The commissioner shall determine the form of the stamp and shall furnish and distribute stamps to county auditors for sale by them and their authorized subagents as prescribed by order of the commissioner. The commissioner shall encourage the purchase of stamps by any persons who are interested in the improvement of trout streams.

Sec. 17. Minnesota Statutes 1981 Supplement, Section 98.50, Subdivision 5, is amended to read:

Subd. 5. Any resident desiring to sell the licenses referred to in subdivision 1 may either purchase for cash or obtain on consignment license blanks from a county auditor in groups of not less than five non-resident, and ten resident license blanks. In addition to the basic license fee, he shall collect a fee for issuing each license in the amount of $1 for the license to take deer and for the sportsman license authorized in section 98.46, subdivision 2a, and 75 cents for all other licenses. The state migratory waterfowl stamp required by section 97.4841, *the trout stamp required by section 97.4842, and any other similar state stamp required by statute, each* shall be considered to be a "license" within the meaning of this subdivision except when such stamp and a small game *or other appropriate* license are issued in the same transaction in which case the stamp shall be considered a part of the ~~small game~~ *appropriate* license and only one issuing fee shall be collected. In selling such licenses, he shall be deemed an agent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting for and handling of such licenses.

The county auditor shall promptly deposit all moneys received from the sale of licenses with the county treasurer, and shall promptly transmit such reports as may be required by the commissioner, together with his warrant on the county treasurer for 100 percent of the surcharge imposed by section 97.482 plus 96 percent of the price to the licensee, exclusively of said surcharge and the issuing fee, for each license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as his commission four percent of all license fees, excluding issuing fees for licenses consigned to subagents. In addition, for licenses sold for cash directly to the licensee, the auditor shall collect the same issuing fee as a subagent. Unsold license blanks in the hands of any agent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner therefor. Any license blanks not presented for redemption

within the period prescribed shall be conclusively presumed to have been sold, and the agent possessing the same or to whom they are charged shall be accountable therefor. The commissioner shall collect the same issuing fee as a subagent for licenses sold directly through a license distribution center operated by the department of natural resources. The issuing fees so collected by the commissioner shall be credited to the game and fish fund.

Sec. 18. Minnesota Statutes 1980, Section 101.42, Subdivision 7, is amended to read:

Subd. 7. Except as otherwise specifically permitted, it shall be unlawful to buy or sell any fish taken from the waters of this state, except rough fish and minnows, fish raised in a private hatchery when tagged or labeled as prescribed by the commissioner, fish taken under licensed commercial fishing operations, or lawfully taken and subject to sale from other states or countries; provided, black bass, rock bass, muskellunge, and sunfish may not be bought or sold in this state *except when bought or sold by a private hatchery in accordance with procedures and restrictions prescribed by order of the commissioner for the purpose of stocking waters for recreational fishing.*

Sec. 19. Minnesota Statutes 1980, Section 100.29, Subdivision 5, is amended to read:

Subd. 5. Except as permitted by section 98.48, subdivision 10, it ~~shall be~~ *is* unlawful to take any wild animal by ~~means of~~ discharging any firearm or bow and arrow ~~thereat~~ from a motor vehicle or airplane or snowmobile~~, or to transport any firearm~~. Except *for* a pistol or revolver *carried in compliance with sections 624.714 and 624.715, it is unlawful to transport any firearm, including a muzzle loading firearm,* in a motor vehicle or airplane or snowmobile, unless *(1)* the ~~same~~ *firearm* is unloaded in both barrels and magazine and ~~completely~~ contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed, or ~~unless~~ *(2) the firearm is* unloaded and ~~contained~~ in the trunk of ~~the~~ *a* car with the trunk door closed. It is also unlawful to transport ~~the following~~ *a bow and arrow* in a motor vehicle, airplane, or snowmobile~~: (1) a bow and arrow~~ unless *(1)* unstrung ~~or~~, *(2)* completely contained in a case, or ~~unless~~ *(3)* contained in the trunk of the car with the trunk door closed~~; (2) a muzzle loading firearm unless fully unloaded and completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed, and in the closed trunk of a car or rearmost location of a vehicle~~. A muzzle loading firearm with a flintlock ignition is fully unloaded if it has no priming powder in any pan and a muzzle loading firearm with percussion ignition is fully unloaded if it has no percussion cap on any nipple. Subject to the requirements of subdivision 17, migratory waterfowl may be taken from a floating craft including those propelled by motor, sail and wind, or both, if the motor is shut off and the sails are furled, the progress of the craft caused by such propulsion has ceased, and the craft is drifting, beached, moored, resting at anchor, or is being propelled by paddle, oars, or pole.

Sec. 20. Minnesota Statutes 1980, Section 101.42, is amended by adding a subdivision to read:

Subd. 1a. No muskellunge less than 36 inches in length may be taken in any

waters north of trunk highway No. 210.

Sec. 21. [REPEALER.]

Minnesota Statutes 1980, Sections 98.46, Subdivision 20 and 101.42, Subdivision 10, are repealed.

Sec. 22. [EFFECTIVE DATE.]

Sections 1, 3, 5, 7, 9, 10, 11, 12, and 17 are effective August 1, 1982. Sections 2, 8, 16, 18, 19, 20, and 21 are effective the day after final enactment. Sections 4, 6, 13, 14, and 15 are effective for licensing years beginning March 1, 1983.''

Delete the title and insert:

''A bill for an act relating to game and fish; altering requirements for taking and possession; increasing the deer license habitat amount; prescribing requirements for carrying and use of firearms and ammunition; prescribing penalties; restricting the season on cougar; restricting the taking of bear; removing a license fee for beaver; establishing nonresident fees for bobcat, fox, coyote and Canada lynx, allowing tagging for fur bearing animals; clarifying the trout stamp requirement; permitting certain fish to be bought or sold by private hatcheries; clarifying the transportation of firearms; clarifying the use of mechanical harvesting devices for wild rice; restricting the taking of certain muskellunge in certain areas of the state; amending Minnesota Statutes 1980, Sections 84.111, by adding a subdivision; 97.48, Subdivision 24; 97.4841, Subdivision 2; 97.49, Subdivision 1a; 98.45, Subdivision 1; 98.46, Subdivisions 21 and 26; 98.47, Subdivision 7; 98.52, Subdivision 1; 99.27, Subdivision 1; 100.27, Subdivision 1; 100.29, Subdivisions 3, 5 and 9; 101.42, Subdivision 7 and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 97.4842, Subdivision 1; 98.46, Subdivisions 4 and 14; and 98.50, Subdivision 5; repealing Minnesota Statutes 1980, Sections 98.46, Subdivision 20; and 101.42, Subdivision 10.''

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

Senate Conferees: (Signed) Collin C. Peterson, Bob Lessard, Steve Engler

House Conferees: (Signed) Leo J. Reding, David P. Battaglia, John Drew

Mr. Peterson, C.C. moved that the foregoing recommendations and Conference Committee Report on S.F. No. 818 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 818 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 51 and nays 2, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Luther	Peterson,R.W.	Stokowski
Benson	Frederickson	Menning	Petty	Stumpf
Berg	Hanson	Merriam	Purfeerst	Tennessen
Berglin	Johnson	Moe, D. M.	Ramstad	Ulland
Bernhagen	Kamrath	Moe, R. D.	Renneke	Waldorf
Bertram	Knutson	Nelson	Rued	Wegener
Chmielewski	Kronebusch	Olhoft	Schmitz	Willet
Dahl	Langseth	Pehler	Setzepfandt	
Davies	Lantry	Penny	Sieloff	
Davis	Lessard	Peterson,C.C.	Sikorski	
Dieterich	Lindgren	Peterson,D.L.	Spear	

Messrs. Kroening and Vega voted in the negative.

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1975: Messrs. Davis, Sikorski and Benson.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 378 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 378

A bill for an act relating to marriage dissolution; clarifying factors to consider in awarding maintenance; amending Minnesota Statutes 1980, Section 518.552.

March 12, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 378, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 378 be further amended as follows:

Page 2, line 16, delete "*or education*"

Page 2, line 18, after "*outmoded*" insert "*and earning capacity has become permanently diminished*"

Page 2, after line 27 insert:

"Sec. 2. [EFFECTIVE DATE.] *Section 1 is effective May 1, 1982.*"

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

Senate Conferees: (Signed) Linda Berglin, Randolph W. Peterson, Jim Ramstad

House Conferees: (Signed) Ann Wynia, Mary M. Forsythe, Fred C. Norton

Ms. Berglin moved that the foregoing recommendations and Conference Committee Report on S.F. No. 378 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 378 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Dicklich	Lessard	Peterson,D.L.	Solon
Benson	Dieterich	Lindgren	Peterson,R.W.	Spear
Berg	Frank	Luther	Petty	Stokowski
Berglin	Frederickson	Menning	Purfeerst	Stumpf
Bernhagen	Johnson	Merriam	Ramstad	Tennessen
Bertram	Kamrath	Moe, D. M.	Renneke	Ulland
Chmielewski	Kroening	Moe, R. D.	Rued	Vega
Dahl	Kronebusch	Olhoft	Setzepfandt	Waldorf
Davies	Langseth	Pehler	Sieloff	Wegener
Davis	Lantry	Penny	Sikorski	Willet

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1671 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1671

A bill for an act relating to environment; providing for the chairmanship, staff, and administration of the environmental quality board; amending Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1671, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1671 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 2, is amended to read:

Subd. 2. The board shall include as permanent members the ~~head of the planning division~~ *commissioner* of the department of energy, planning and development, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the commissioner of health, the commissioner of transportation, and a representative of the governor's office designated by the governor. The governor shall appoint five members from the general public to the board, subject to the advice and consent of the senate.

Sec. 2. Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, is amended to read:

Subd. 2a. The membership terms, compensation, removal, and filling of vacancies of ~~citizens advisory committee members or~~ public members *of the board*~~, as appropriate, on the board~~ shall be as provided in section 15.0575.

Sec. 3. Minnesota Statutes 1980, Section 116C.03, is amended by adding a subdivision to read:

Subd. 3a. The representative of the governor's office shall serve as chairman of the board.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 4, is amended to read:

Subd. 4. The ~~commissioner of energy, planning and development~~ *board* shall employ staff or consultants who will be assigned to work for the board on a continuous basis. *The staff may include an executive director who shall serve in the unclassified service and be responsible for administering the board's staff, work program, budget, and other duties delegated by the board.* The board shall have the authority to request and require staff support from all other agencies of state government as needed for the execution of the responsibilities of the board.

Sec. 5. Minnesota Statutes 1980, Section 116C.03, is amended by adding a subdivision to read:

Subd. 5. The board shall contract with the department of energy, planning and development for administrative services necessary to the board's activities. The services shall include personnel, budget, payroll and contract administration.

Sec. 6. Minnesota Statutes 1980, Section 116C.03, is amended by adding a subdivision to read:

Subd. 6. The board shall adopt an annual budget and work program.

Sec. 7. [SWIM TRANSFER.]

The administration and maintenance of the system for water information management shall be transferred from the water planning board to the land management information center in the department of energy, planning, and development.

Sec. 8. [APPROPRIATION.]

Subdivision 1. $195,000 of the appropriation made in Laws 1981, Chapter 356, Section 31, Subdivision 12, is reappropriated to the water planning board board to further analyze, develop, and promote implementation of management recommendations of the 1979 framework water plan. This sum shall be available until June 30, 1983. The approved complement of the water planning board for the fiscal year ending June 30, 1983, is six. Notwithstanding any law to the contrary, the water planning board is extended until June 30, 1983.

Subd. 2. $30,000 of the appropriation made in Laws 1981, Chapter 356, Section 31, Subdivision 12, is reappropriated to the department of energy, planning, and development for the purpose of section 7 of this act. This sum is available until June 30, 1983. The complement of the department is increased by one for the purpose of section 7.

Sec. 9. [REPEALER.]

Minnesota Statutes 1980, Sections 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3, are repealed.

Sec. 10. [EFFECTIVE DATE.]

Sections 1 to 9 are effective July 1, 1982.''

Amend the title as follows:

Page 1, line 4, after the semicolon insert ''transferring the swim program from the water planning board to the department of energy, planning and development; extending the water planning board; appropriating money;''

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

Senate Conferees: (Signed) John Bernhagen, Gene Merriam, William P. Luther

House Conferees: (Signed) Willard M. Munger, Walter R. Hanson, William D. Dean

Mr. Bernhagen moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1671 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1671 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Dieterich	Lessard	Peterson,D.L.	Spear
Benson	Frank	Lindgren	Peterson,R.W.	Stokowski
Berg	Frederickson	Luther	Petty	Stumpf
Berglin	Johnson	Menning	Purfeerst	Tennessen
Bernhagen	Kamrath	Merriam	Ramstad	Ulland
Bertram	Knoll	Moe, D. M.	Renneke	Vega
Chmielewski	Knutson	Moe, R. D.	Rued	Waldorf
Dahl	Kroening	Olhoft	Setzepfandt	Wegener
Davies	Kronebusch	Pehler	Sieloff	Willet
Davis	Langseth	Penny	Sikorski	
Dicklich	Lantry	Peterson,C.C.	Solon	

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

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 536: A bill for an act relating to local government; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; amending Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.

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

Carlson, D.; Ainley and McCarron.

Senate File No. 536 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1907: A bill for an act relating to real property; requiring certification by the municipality prior to transfer by the county auditor of certain unplatted properties; proposing new law coded in Minnesota Statutes, Chapter 272.

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

Jacobs, Metzen and Redalen.

Senate File No. 1907 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1706: A bill for an act relating to insurance; authorizing separate accounts for certain pension plans; amending Minnesota Statutes 1981 Supplement, Section 61A.282, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 61A.

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

Wynia, Greenfield and Gruenes.

Senate File No. 1706 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1712 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1712 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1712

A bill for an act relating to public welfare; amending the community social services act; removing certain requirements related to biennial plans and the sliding fee for child care; providing for identification of certain rules; exempting the commissioner from certain rulemaking procedures; providing for notice and comment procedures with respect to proposals to amend or repeal certain rules; providing for allocation of funds to counties; amending Minnesota Statutes 1980, Section 256E.09, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 245.84, Subdivision 2; 256E.03, Subdivision 2; 256E.05, Subdivision 3; and 256E.07, Subdivision 3; repealing Minnesota Statutes 1981 Supplement, Section 256E.07, Subdivision 2.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1712, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1712 be further amended as follows:

Page 1, after line 17, insert:

"Section 1. Minnesota Statutes 1980, Section 245.70, is amended to read:

245.70 [~~MENTALLY ILL AND MENTALLY RETARDED~~ *MENTAL HEALTH*; FEDERAL AID.]

Subdivision 1. [MENTALLY RETARDED AND MENTALLY ILL.] The commissioner of public welfare is ~~hereby~~ designated the state agency to establish and administer a state-wide plan for the construction, equipment, maintenance, and operation of any facilities for the care, treatment, diagnosis, or rehabilitation, of the mentally retarded or mentally ill which are or may be required as a condition for eligibility for benefits under any federal law and in particular under the Federal Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164). The commissioner of public welfare is authorized and directed to receive, administer, and expend any funds that may be available under any federal law or from any other source, public or private, for such purposes.

Subd. 2. [MENTAL HEALTH BLOCK GRANTS.] *The commissioner of public welfare is designated the state authority to establish and administer the state plan for the federal mental heaith funds available under the alcohol, drug abuse, and mental health services block grant, United States Code, Title 42, Sections 300X to 300X-9. The commissioner shall receive and administer the available federal mental health funds.*

Sec. 2. Minnesota Statutes 1980, Section 245.71, is amended to read:

245.71 [CONDITIONS TO FEDERAL AID FOR MENTALLY ILL AND MENTALLY RETARDED.]

The commissioner of public welfare is authorized and empowered to comply with all conditions and requirements necessary to receive federal aid or *block* grants with respect to the establishment, construction, maintenance, equipment or operation, for all the people of this state, of adequate facilities and services as specified in section 245.70, including the authority:

(a) To designate or establish a state advisory council, with representation as required as a condition of eligibility for benefits under any federal law, to consult with him in carrying out the purposes of this act;

(b) To provide an inventory of existing facilities or a particular category thereof, and to survey the need for additional facilities;

(c) To develop and administer a construction program or programs which, in conjunction with existing facilities will afford adequate facilities to serve the people of this state;

(d) To provide for priority of projects or facilities;

(e) To provide to applicants an opportunity for a hearing before him;

(f) To prescribe and require compliance with such standards of maintenance and operation applicable to such facilities as are reasonably necessary to protect the public health, welfare, and safety;

(g) To promulgate *temporary and permanent* rules ~~and regulations as to~~ *prescribing* methods of administration, reporting, ~~and personnel standards~~ *financial and program audits, and any other requirements of federal law which*

are necessary conditions of qualifying for available federal funds.

Sec. 3. [245.711] [COMPREHENSIVE PROGRAMS; COORDINATION OF LOCAL PROGRAMS.]

Subdivision 1. [COUNTY DUTIES.] *The county board shall coordinate all services for mentally ill individuals conducted by local agencies under contract to the county boards and review all proposed agreements, contracts, grants, plans, and programs in relation to services for mentally ill individuals prepared by any local agencies for funding from any local, state, or federal governmental sources.*

Subd. 2. [GRANTS BY COUNTIES.] *The county boards may make grants for comprehensive programs for prevention, care, and treatment of mentally ill individuals. Grants may be made for the cost of these comprehensive programs and services whether provided directly by county boards, by individuals pursuant to contract, or by other public and private agencies and organizations, both profit and nonprofit. Nothing in this section shall prevent the commissioner from entering into contracts with, and making grants to, other state agencies for the purpose of providing specific services and programs. With approval of the county board, the commissioner may make grants or contracts for research or demonstration projects specific to needs within that county.*

Sec. 4. [245.712] [COUNTY USE OF FEDERAL BLOCK GRANT FUNDS FOR MENTAL HEALTH SERVICES.]

Subdivision 1. [ALLOWABLE SERVICES.] *Funds awarded to the state for mental health services by federal block grants shall be used for grants to counties to directly provide, or contract with qualified community mental health centers for the provision of, the following services:*

(a) Services for chronically mentally ill individuals, which include identification of chronically mentally ill individuals and assistance to them in gaining access to essential services through the assignment of case managers;

(b) Identification and assessment of severely mentally disturbed children and adolescents and provision of appropriate services to them;

(c) Identification and assessment of mentally ill elderly individuals and provision of appropriate services to them;

(d) Services for identifiable populations which are currently underserved in the state; and

(e) Coordination of mental health and health care services provided within health care centers including planning, administration, and educational activities.

Subd. 2. [PROHIBITED SERVICES.] *Funds allocated to the state for mental health services by the federal block grant may not be used to:*

(a) Provide inpatient services;

(b) Make cash payments to intended recipients of health services;

(c) Purchase or improve land, or to purchase, construct or permanently improve any building or other facility, except for minor remodeling, or to purchase major medical equipment;

(d) Satisfy any requirement for expenditure of nonfederal funds as a condi-

tion for receiving federal funds; or

(e) Provide financial assistance to any entity other than a public or nonprofit private entity.

Sec. 5. [245.713] [FORMULA.]

Subdivision 1. [ALLOCATION.] *Funds available for grants to qualified community mental health centers shall be allocated to each county according to the formula for the allocation of federal social service funds described in section 256E.07, subdivision 1, clauses (a) and (b).*

Subd. 2. [TOTAL FUNDS AVAILABLE; REDUCTIONS.] *The amount of funds available for allocation to counties for use by qualified community mental health centers shall be the total amount of funds granted to the state by the federal government under United States Code, Title 42, Sections 300X to 300X-9 each federal fiscal year for mental health services reduced by:*

(a) Any amount set aside by the commissioner of public welfare for Indian tribal organizations within the state, which funds shall not duplicate any direct federal funding of Indian tribal organizations and which funds shall not exceed five percent of the total block grant allocation to the state for mental health services; and,

(b) Any amount calculated into the base of the block grant that is made available by the commissioner for qualified community mental health centers that were receiving grants for operations or other continuing grant obligations defined in United States Code, Title 42, Sections 300X to 300X-9 immediately prior to its enactment; and,

(c) An amount not to exceed ten percent of the total allocation for mental health services to be retained by the commissioner for administration; and

(d) Any amount permitted under federal law which the commissioner approves for demonstration or research projects.

Subd. 3. [UNUSED FUNDS.] *If there are federal funds that have been allocated to the counties for qualified community mental health centers that remain unused at the end of the federal fiscal year in which they were made available, the commissioner shall reduce the allocation for the subsequent federal fiscal year for those counties by the same amount. The unused funds shall remain available to those counties for use during the federal fiscal year that immediately follows the one in which they were originally allocated. Beginning in federal fiscal year 1983, the commissioner shall annually review the use of federal funds for this purpose by each county and shall reallocate any funds that will not be used prior to the end of the second federal fiscal year to those counties needing additional money by using the same formula used under subdivision 1.*

Subd. 4. [FUNDS AVAILABLE DUE TO TRANSFER.] *Any federal funds available to the commissioner for mental health services prescribed under United States Code, Title 42, Sections 300X to 300X-9 due to transfer of funds between block grants shall be allocated as prescribed in subdivision 1.*

Sec. 6. [245.714] [MAINTENANCE OF EFFORT.]

Beginning in federal fiscal year 1983, each county shall annually certify to the commissioner that the county has not reduced funds from state, county, and

other nonfederal sources which would in the absence of the federal funds made available by United States Code, Title 42, Sections 300X to 300X-9 have been made available for services to mentally ill persons.

Sec. 7. [245.715] [QUALIFICATIONS AS A COMMUNITY MENTAL HEALTH CENTER.]

In addition to those agencies that have previously qualified as comprehensive community mental health centers under the provisions of the federal Community Mental Health Centers Act, other public or nonprofit private agencies that are able to demonstrate their capacity to provide the following services as defined by the commissioner may qualify as a community mental health center for the purposes of the federal block grant. The federally required services may be provided by separate agencies. These services include:

(a) Outpatient services, including specialized outpatient services for children, the elderly, individuals who are chronically mentally ill and residents of its mental health service area who have been discharged from inpatient treatment at a mental health facility;

(b) 24-hour a day emergency care services;

(c) Day treatment or partial hospitalization services;

(d) Screening for patients being considered for admission to state mental health facilities to determine the appropriateness of the admission; and

(e) Consultation and education services.

Before accepting federal block grant funds for mental health services, counties shall provide the commissioner with all necessary assurances that the qualified community mental health centers which receive these block grant funds meet the minimum service requirements of clauses (a) to (e). At any time at least 30 days prior to the commissioner's allocation of federal funds, any county may notify the commissioner of its decision not to accept the federal funds for qualified community mental health centers.

Sec. 8. [245.716] [REPORTS; DATA COLLECTION.]

Subdivision 1. [PERIODIC REPORTS.] *The commissioner shall require collection of data for compliance, monitoring, and evaluation purposes and shall require periodic reports from the counties on the use of funds under the federal block grant by counties for qualified community mental health centers.*

Subd. 2. [QUARTERLY FINANCIAL STATEMENTS.] *Beginning in calendar year 1982, each county shall include in its quarterly financial accounting report to the commissioner of the county's community social services fund a separate statement identifying the use of funds, including those received under the federal block grant for qualified community mental health centers as specified in section 256E.08, subdivision 8, clauses (a) and (b). The initial quarterly statement shall be submitted not later than 15 days after the end of the first calendar quarter in which funds are allocated to the counties in accordance with section 5, subdivisions 1 and 2.*

Subd. 3. [SOCIAL SERVICES REPORT.] *Beginning in calendar year 1983, each county shall include in the report required by section 256E.10 a part or subpart which addresses the items specified in section 256E.10, subdivision 1, clauses (a) and (b), as they pertain to the use of funds available*

from the federal government for services of qualified community mental health centers.

Sec. 9. [245.717] [WITHHOLDING OF FUNDS.]

Beginning in federal fiscal year 1983, the distribution of funds to counties provided in section 5 shall be reduced by an amount equal to the federal block grant funds allotted pursuant to section 5 in the immediately preceding year which have been spent for some purpose other than qualified community mental health centers. If it is determined that the state is legally liable for any repayment of federal block funds which were not properly used by the counties, the repayment liability shall be assessed against the counties which did not properly use the funds. The commissioner may withhold future block grant funds to those counties until the obligation is met. The commissioner shall not award additional block grant funds to those counties until he is assured that no future violations will occur.

Sec. 10. [245.718] [APPEAL.]

At least 30 days prior to certifying any reduction in funds pursuant to section 9, the commissioner shall notify the county of an intention to certify a reduction. The commissioner shall notify the county of the right to a hearing. If the county requests a hearing within 30 days of notification of intention to reduce funds, the commissioner shall not certify any reduction in funds until a hearing is conducted and a decision rendered in accordance with the provisions of chapter 15 for contested cases.''

Page 3, after line 23, insert:

''Sec. 12. Minnesota Statutes 1981 Supplement, Section 252.27, Subdivision 2, is amended to read:

Subd. 2. ~~The commissioner of public welfare shall promulgate rules to determine the responsibility of the parents and the child to contribute to the cost of care and treatment based upon ability to pay.~~ Responsibility of the parents ~~and of the child~~ for the cost of care shall be ~~up to a maximum of ten percent of the cost of care per month~~ *based upon ability to pay. The county board may establish a schedule of fees in accordance with section 256E.08, subdivision 6, to determine responsibility of the parents for the cost of care when:*

(a) Insurance or other health care benefits pay some but not all of the cost of care; and

(b) No insurance or other health care benefits are available.

Responsibility of the child for the cost of care shall be up to the maximum amount of the total income and resources attributed to the child except for the clothing and personal needs allowance as provided in section 256B.35, subdivision 1. Reimbursement by the parents and child shall be made to the county making any payments for care and treatment. The county board may require payment of the full cost of caring for children whose parents or guardians do not reside in this state.

To the extent that a child described in subdivision 1 is eligible for benefits under chapters 62A, 62C, 62D, 62E, or 64A, the county is not liable for the cost of care. A parent or legal guardian who discontinues payment of health insurance premiums, subscriber fees or enrollment fees for a child who is

otherwise eligible for those benefits is ineligible for payment of the cost of care of that child under this section.

The commissioner's determination shall be conclusive in any action to enforce payment of the cost of care. Any appeals from the commissioner's determination shall be made pursuant to section 256.045, subdivisions 2 and 3.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 254A.03, Subdivision 1, is amended to read:

254A.03 [STATE AUTHORITY ON ALCOHOL AND DRUG ABUSE.]

Subdivision 1. There is hereby created an alcohol and other drug abuse section in the department of public welfare. This section shall be headed by a director who shall be in the unclassified service. The section shall:

(a) conduct and foster basic research relating to the cause, prevention and methods of diagnosis, treatment and rehabilitation of alcoholic and other drug dependent persons;

(b) coordinate all activities and programs of all the various state departments as they relate to alcohol and other drug dependency and abuse problems;

(c) develop and demonstrate new methods and techniques for the prevention, treatment and rehabilitation of alcohol and other drug abuse and dependency problems;

(d) gather and disseminate facts and information about alcoholism and other drug dependency and abuse to public and private agencies and the courts so requesting such information for guidance to and assistance in prevention, treatment and rehabilitation;

(e) inform and educate the general public on alcohol and other drug dependency and abuse problems;

(f) serve as the state authority concerning alcohol and other drug dependency and abuse;

(g) establish a state plan which shall set forth goals and priorities within a comprehensive alcohol and other drug dependency and abuse program for Minnesota. All governmental units operating alcohol and other drug abuse or dependency programs or administering state or federal funds for such programs shall annually set their program goals and priorities;

(h) make contracts with and grants to public and private agencies and organizations, both profit and nonprofit, and individuals, using federal funds, and state funds as authorized to pay for costs of state administration, including evaluation, statewide programs and services, research and demonstration projects, and American Indian programs;

(i) receive and administer monies available for alcohol and drug abuse programs under the alcohol, drug abuse, and mental health services block grant, United States Code, Title 42, Sections 300X to 300X-9;

~~(i)~~ *(j)* solicit and accept any gift of money or property for purposes of Laws 1973, Chapter 572, and any grant of money, services, or property from the federal government, the state, any political subdivision thereof, or any private source;

~~(j)~~ *(k)* with respect to alcohol and other drug abuse programs serving the

American Indian community, establish guidelines for the employment of personnel with considerable practical experience in alcohol and other drug abuse problems, and understanding of social and cultural problems related to alcohol and other drug abuse, in the American Indian community.

Sec. 14. Minnesota Statutes 1980, Section 254A.16, is amended by adding subdivisions to read:

Subd. 3. The commissioner shall report to the appropriate legislative committees annually with respect to the alcohol and drug abuse provisions of the proposed plan which the state agency intends to submit to the secretary of health and human services in satisfaction of the requirements of United States Code, Title 42, Section 300X-4.

Subd. 4. The commissioner shall provide to the legislature an annual report detailing expenditures made by the state authority for alcohol and drug abuse programs from funds received pursuant to United States Code, Title 42, Sections 300X - 300X-9. The report shall include a specific evaluation of the effectiveness of services provided in achieving the goals and priorities listed in the state plan prepared pursuant to section 254A.03. The first report shall include an assessment of expenditures made during state fiscal year 1983 and shall be presented to the legislature by January 1, 1984. Subsequent reports shall be presented annually.''

Page 5, line 31, delete ''*15.0411*'' and insert ''*15.0412*''

Page 7, line 3, delete ''*This act is*'' and insert ''*Sections 11, 12, and 15 to 19 are*''

Page 7, line 3, after the period insert ''*Sections 1 to 10, and Sections 13 and 14 are effective July 1, 1982.*''

Renumber sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon insert ''designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of certain federal funds to counties and defining duties of counties in the use of the funds;''

Page 1, line 9, after the semicolon insert ''providing for parental responsibility for the cost of care of mentally retarded, epileptic, or emotionally handicapped children based on ability to pay;''

Page 1, line 11, delete ''Section'' and insert ''Sections 245.70; 245.71; 254A.16, by adding subdivisions;''

Page 1, line 12, after the semicolon insert ''252.27, Subdivision 2; 254A.03, Subdivision 1;''

Page 1, line 14, after the semicolon insert ''proposing new law coded in Minnesota Statutes, Chapter 245;''

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

House Conferees: (Signed) John R. Kaley, Paul McCarron, Don Samuelson

Senate Conferees: (Signed) Dennis R. Frederickson, Sam G. Solon, Marilyn M. Lantry

Mr. Frederickson moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1712 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1712: A bill for an act relating to public welfare; designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of certain federal funds to counties and defining duties of counties in the use of the funds; amending the community social services act; removing certain requirements related to biennial plans and the sliding fee for child care; providing for identification of certain rules; exempting the commissioner from certain rulemaking procedures; providing for notice and comment procedures with respect to proposals to amend or repeal certain rules; providing for parental responsibility for the cost of care of mentally retarded, epileptic, or emotionally handicapped children based on ability to pay; providing for allocation of funds to counties; amending Minnesota Statutes 1980, Sections 245.70; 245.71; 254A.16, by adding subdivisions; 256E.09, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 245.84, Subdivision 2; 252.27, Subdivision 2; 254A.03, Subdivision 1; 256E.03, Subdivision 2; 256E.05, Subdivision 3; and 256E.07, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 245; repealing Minnesota Statutes 1981 Supplement, Section 256E.07, Subdivision 2.

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

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

The roll was called, and there were yeas 46 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Lindgren	Ramstad	Taylor
Belanger	Engler	Luther	Renneke	Tennessen
Benson	Frank	Menning	Rued	Ulland
Berg	Frederickson	Moe, R. D.	Schmitz	Vega
Bernhagen	Kamrath	Olhoft	Setzepfandt	Waldorf
Bertram	Knutson	Pehler	Sieloff	Willet
Chmielewski	Kronebusch	Penny	Sikorski	
Dahl	Langseth	Peterson,D.L.	Solon	
Davies	Lantry	Peterson,R.W.	Stokowski	
Davis	Lessard	Petty	Stumpf	

Those who voted in the negative were:

Berglin	Dicklich	Kroening	Merriam	Spear

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1484 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1484 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1484

A bill for an act relating to highway traffic regulations; providing for administrative driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; authorizing revocations prior to judicial review; revising the procedure for hearings and appeals on administrative revocations; authorizing introduction into evidence certain peace officer records and reports; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 5, 5a, 6, 7, and by adding subdivisions; and 171.19.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1484, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1484 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 3.736, Subdivision 3, is amended to read:

Subd. 3. [EXCLUSIONS.] Without intent to preclude the courts from finding additional cases where the state and its employees should not, in equity and good conscience, pay compensation for personal injuries or property losses, the legislature declares that the state and its employees are not liable for the following losses:

(a) Any loss caused by an act or omission of a state employee exercising due care in the execution of a valid or invalid statute or regulation;

(b) Any loss caused by the performance or failure to perform a discretionary duty, whether or not the discretion is abused;

(c) Any loss in connection with the assessment and collection of taxes;

(d) Any loss caused by snow or ice conditions on any highway or other public place, except when the condition is affirmatively caused by the negligent acts of a state employee;

(e) Any loss caused by wild animals in their natural state;

(f) Any loss other than injury to or loss of property or personal injury or death;

(g) Any loss caused by the condition of unimproved real property owned by the state, which means land that the state has not improved, and appurtenances, fixtures and attachments to land that the state has neither affixed nor improved;

(h) Any loss arising from the construction, operation, or maintenance of the outdoor recreation system, as defined in section 86A.04, or from the clearing of land, removal of refuse, and creation of trails or paths without artificial surfaces, except that the state is liable for conduct that would entitle a trespasser to damages against a private person.

(i) Any loss of benefits or compensation due under a program of public assistance or public welfare, except where state compensation for loss is expressly required by federal law in order for the state to receive federal grants-in-aid;

(j) Any loss based on the failure of any person to meet the standards needed for a license, permit, or other authorization issued by the state or its agents;

(k) Any loss based on the usual care and treatment, or lack of care and treatment, of any person at a state hospital or state corrections facility where reasonable use of available appropriations has been made to provide care;

(l) Any loss, damage, or destruction of property of a patient or inmate of a state institution;

(m) Any loss for which recovery is prohibited by section 8.

The state will not pay punitive damages.

Sec. 2. Minnesota Statutes 1980, Section 169.121, Subdivision 1, is amended to read:

Subdivision 1. [CRIME.] It is a misdemeanor for any person to drive, operate or be in physical control of any motor vehicle within this state:

(a) When the person is under the influence of alcohol;

(b) When the person is under the influence of a controlled substance;

(c) When the person is under the influence of a combination of any two or more of the elements named in clauses (a) and (b); or

(d) When the person's alcohol concentration is 0.10 or more.

The provisions of this subdivision apply, but are not limited in application, to any person who drives, operates, or is in physical control of any motor vehicle in the manner prohibited by this subdivision upon the ice of any lake, stream, or river, including but not limited to the ice of any boundary water.

When an accident has occurred, a peace officer may lawfully arrest a person for violation of this section without a warrant upon probable cause, without regard to whether the violation was committed in the officer's presence.

Sec. 3. Minnesota Statutes 1980, Section 169.121, Subdivision 2, is amended to read:

Subd. 2. [EVIDENCE.] Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving, operating, or being in physical control of a motor vehicle in violation of subdivision 1, the court may admit evidence of the amount of alcohol or a controlled substance in the person's blood, breath, or urine as shown by a medical or chemical analysis thereof, if the test is taken voluntarily or pursuant to section 169.123.

For the purposes of this subdivision:

(a) evidence that there was at the time an alcohol concentration of 0.05 or less is prima facie evidence that the person was not under the influence of alcohol;

(b) evidence that there was at the time an alcohol concentration of more than 0.05 and less than 0.10 is relevant evidence in indicating whether or not the person was under the influence of alcohol.

Evidence of the absence of tests is admissible in a prosecution under this section without any comment and with a jury instruction, where applicable, that there shall be no speculation as to the reason for the absence and that no inference is to be drawn from the absence.

For purposes of this section and section 169.123, the result of an evidentiary test administered within two hours of the alleged violation is deemed to be the alcohol concentration at the time of the violation.

The foregoing provisions do not limit the introduction of any other competent evidence bearing upon the question whether or not the person was under the influence of alcohol or a controlled substance, *including tests obtained more than two hours after the alleged violation.*

Sec. 4. Minnesota Statutes 1980, Section 169.121, Subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] ~~Every~~ *A* person ~~convicted of a violation of~~ *who violates* this section or an ordinance in conformity therewith is ~~punishable by imprisonment of not more than 90 days, or by a fine of not more than $500, or both, and his driver's license shall be revoked for not less than 30 days, except that every person who is convicted of a violation of this section or an ordinance in conformity therewith, when the violation is found to be the proximate cause of great bodily harm as defined in section 609.02, subdivision 8, or death to another person, shall be punished by imprisonment for not more than 90 days, or by fine of not more than $500, or both, and his driver's license shall be revoked for not less than 90 days~~ *guilty of a misdemeanor.*

~~Any person whose license has been revoked pursuant to section 169.123 is not subject to the mandatory revocation provision of this subdivision.~~

The following persons are guilty of a gross misdemeanor:

(a) A person who violates this section or an ordinance in conformity therewith within five years of a prior conviction under this section or an ordinance in conformity therewith; and

(b) A person who violates this section or an ordinance in conformity therewith within ten years of two or more prior convictions under this section or an ordinance in conformity therewith.

The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of section 169.121 shall also be responsible for prosecution of gross misdemeanor violations of section 169.121.

Sec. 5. Minnesota Statutes 1980, Section 169.121, Subdivision 4, is amended to read:

Subd. 4. [PENALTIES.] ~~Every~~ *A* person ~~who is~~ convicted of ~~a violation of~~

violating this section ~~or an ordinance in conformity therewith within three years of any previous such conviction shall be punished by imprisonment for not more than 90 days, or a fine of not more than $500, or both, and his driver's license shall be revoked for not less than 90 days~~ *shall have his driver's license or operating privileges revoked by the commissioner of public safety as follows:*

(a) First offense: not less than 30 days;

(b) Second offense in less than five years: not less than 90 days and until the court has certified that treatment or rehabilitation has been successfully completed where prescribed in accordance with section 169.126;

(c) Third offense in less than five years: not less than one year, together with denial under section 171.04, clause (8), until rehabilitation is established in accordance with standards established by the commissioner;

(d) Fourth or subsequent offense on the record: not less than two years, together with denial under section 171.04, clause (8), until rehabilitation is established in accordance with standards established by the commissioner.

Whenever department records show that the violation involved personal injury or death to any person, not less than 90 additional days shall be added to the base periods provided above.

Any person whose license has been revoked pursuant to section 169.123 as the result of the same incident is not subject to the mandatory revocation provisions of clause (a) or (b).

Sec. 6. Minnesota Statutes 1980, Section 169.121, Subdivision 6, is amended to read:

Subd. 6. [PRELIMINARY SCREENING TEST.] When a peace officer has reason to believe from the manner in which a person is driving, operating, ~~or~~ controlling, *or acting upon departure from* a motor vehicle, or has driven, operated, or controlled a motor vehicle, that the driver may be violating or has violated subdivision 1, he may require the driver to provide a sample of his breath for a preliminary screening test using a device approved by the commissioner of public safety for this purpose. The results of this preliminary screening test shall be used for the purpose of deciding whether an arrest should be made and whether to require the chemical tests authorized in section 169.123, but shall not be used in any court action except to prove that a chemical test was properly required of a person pursuant to section 169.123, subdivision 2. Following the screening test additional tests may be required of the driver pursuant to the provisions of section 169.123.

The driver ~~of a motor vehicle~~ who refuses to furnish a sample of his breath is subject to the provisions of section 169.123 unless, in compliance with section 169.123, he submits to a blood, breath or urine test to determine the presence of alcohol or a controlled substance.

Sec. 7. Minnesota Statutes 1980, Section 169.121, is amended by adding a subdivision to read:

Subd. 8. [ALCOHOL ASSESSMENT.] *When the evidentiary test shows an alcohol concentration of 0.07 or more, that result shall be reported to the commissioner of public safety. The commissioner shall record that fact on the*

driver's record. When the driver's record shows a second or subsequent report of an alcohol concentration of 0.07 or more within two years of a recorded report, the commissioner may require that the driver have an alcohol problem assessment meeting the commissioner's requirements. The assessment shall be at the driver's expense. In no event shall the commissioner deny the license of a person who refuses to take the assessment or to undertake treatment, if treatment is indicated by the assessment, for longer than 90 days. If an assessment is made pursuant to this section, the commissioner may waive the assessment required by section 169.126.

Sec. 8. Minnesota Statutes 1980, Section 169.121, is amended by adding a subdivision to read:

Subd. 9. [IMMUNITY FROM LIABILITY.] *(a) The state or political subdivision by which a peace officer making an arrest for violation of section 169.121 is employed shall have immunity from any liability, civil or criminal, for the care or custody of the motor vehicle being driven by, operated by, or in the physical control of the person arrested if the peace officer acts in good faith and exercises due care.*

(b) For purposes of this subdivision, "political subdivision" means a county, statutory or home rule charter city, or town.

Sec. 9. Minnesota Statutes 1980, Section 169.123, is amended to read:

Subdivision 1. [PEACE OFFICER DEFINED.] For purposes of this section and section 169.121, the term peace officer means a state highway patrol officer, university of Minnesota peace officer, a constable as defined in section 367.40, subdivision 3, or police officer of any municipality, including towns having powers under section 368.01, or county.

Subd. 2. [IMPLIED CONSENT; CONDITIONS; ELECTION AS TO TYPE OF TEST.] (a) Any person who drives, operates, or is in physical control of a motor vehicle within this state consents, subject to the provisions of this section and section 169.121, to a chemical test of his blood, breath, or urine for the purpose of determining the presence of alcohol or a controlled substance. The test shall be administered at the direction of a peace officer. The test may be required of a person when an officer has reasonable and probable grounds to believe the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 and one of the following conditions exist: (1) the person has been lawfully placed under arrest for violation of section 169.121, or an ordinance in conformity therewith; or (2) the person has been involved in a motor vehicle accident or collision resulting in property damage, personal injury, or death; or (3) the person has refused to take the screening test provided for by section 169.121, subdivision 6; or (4) the screening test was administered and recorded an alcohol concentration of 0.10 or more. ~~Any person may decline to take a direct blood test and elect to take either a breath or urine test, whichever is available and offered.~~ No action may be taken against the person for declining to take a direct blood test, *if offered,* unless ~~either a breath or urine~~ *an alternative* test was ~~available and~~ offered.

(b) At the time a chemical test specimen is requested, the person shall be informed:

(1) that if testing is refused, the person's right to drive will be revoked for a period of six months; and

(2) that if a test is taken and the results indicate that the person is under the influence of alcohol or a controlled substance, the person will be subject to criminal penalties and the person's right to drive may be revoked for a period of 90 days; and

(3) that the person has a right to consult with an attorney but that this right is limited to the extent that it cannot unreasonably delay administration of the test or the person will be deemed to have refused the test; and

(4) that after submitting to testing, the person has the right to have additional tests made by a person of his own choosing.

Subd. 2a. [REQUIREMENT OF URINE TEST.] Notwithstanding subdivision 2, if there are reasonable and probable grounds to believe there is impairment by a controlled substance which is not subject to testing by a blood or breath test, a urine test may be required even after a blood or breath test has been administered.

Subd. 3. [MANNER OF MAKING TEST; ADDITIONAL TESTS.] Only a physician, medical technician, physician's trained mobile intensive care paramedic, registered nurse, medical technologist or laboratory assistant acting at the request of a peace officer may withdraw blood for the purpose of determining the presence of alcohol or controlled substance. This limitation does not apply to the taking of a breath or urine specimen. The person tested has the right to have a person of his own choosing administer a chemical test or tests in addition to any administered at the direction of a peace officer; provided, that the additional test specimen on behalf of the person is obtained at the place where the person is in custody, after the test administered at the direction of a peace officer, and at no expense to the state. The failure or inability to obtain an additional test or tests by a person shall not preclude the admission in evidence of the test taken at the direction of a peace officer unless the additional test was prevented or denied by the peace officer. ~~Upon the request of the person who is tested, full information concerning the test or tests taken at the direction of the peace officer shall be made available to him.~~ The physician, medical technician, physician's trained mobile intensive care paramedic, medical technologist, laboratory assistant or registered nurse drawing blood at the request of a peace officer for the purpose of determining alcohol concentration shall in no manner be liable in any civil or criminal action except for negligence in drawing the blood. The person administering a test at the request and direction of a peace officer shall be fully trained in the administration of the tests pursuant to standards promulgated by rule by the commissioner of public safety.

Subd. 4. [REFUSAL, CONSENT TO PERMIT TEST; REVOCATION OF LICENSE.] If a person refuses to permit chemical testing, none shall be given, but the peace officer shall report the refusal to the commissioner of public safety and the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred. If a person submits to chemical testing and the test results indicate an alcohol concentration of 0.10 or more, the results of the test shall be reported to the commissioner of public safety and to the authority having responsibility for prosecution of misdemeanor offenses for the jurisdiction in which the acts occurred.

Upon certification by the peace officer that there existed reasonable and probable grounds to believe the person had been driving, operating, or in

physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person refused to submit to chemical testing, the commissioner of public safety shall revoke the person's license or permit to drive, or his nonresident operating privilege, for a period of six months. Upon certification by the peace officer that there existed reasonable and probable grounds to believe the person had been driving, operating or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance and that the person submitted to chemical testing and the test results indicate an alcohol concentration of 0.10 or more, the commissioner of public safety shall revoke the person's license or permit to drive, or his nonresident operating privilege, for a period of 90 days.

If the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner of public safety shall deny to the person the issuance of a license or permit for the same period after the date of the alleged violation as provided herein for revocation, subject to review as hereinafter provided.

Subd. 5. [NOTICE OF REVOCATION OR DETERMINATION TO DENY; REQUEST FOR HEARING.] ~~No~~ *A* revocation under subdivision 4 ~~is~~ *becomes* effective ~~until~~ *at the time* the commissioner of public safety or a peace officer acting on his behalf notifies the person of the intention to revoke and of revocation ~~and allows the person a 30 day period to request of the commissioner of public safety, in writing, a hearing as herein provided. If no request is filed within the 30 day period the order of revocation becomes effective. If a request for hearing is filed, a revocation is not effective until a final judicial determination resulting in a decision adverse to the person~~. *The notice shall advise the person of the right to obtain administrative and judicial review as provided in this section. If mailed, the notice and order of revocation is deemed received three days after mailing to the last known address of the person.*

Subd. 5a. [PEACE OFFICER AGENT FOR NOTICE OF REVOCATION.] On behalf of the commissioner of public safety a peace officer offering a chemical test or directing the administration of a chemical test ~~may~~ *shall* serve immediate notice of intention to revoke and of revocation on a person who refuses to permit chemical testing or on a person who submits to a chemical test the results of which indicate an alcohol concentration of 0.10 or more. The officer shall take the license or permit of the driver, if any, and issue a temporary license effective only for ~~30~~ *7* days. The peace officer shall send the person's driver's license to the commissioner of public safety along with the certificate required by subdivision 4.

~~If the person requests a hearing within the 30 day period, the commissioner shall issue additional temporary licenses until the final determination of whether there shall be a revocation under this section.~~

Subd. 5b. [ADMINISTRATIVE REVIEW.] *At any time during a period of revocation imposed under this section a person may request in writing a review of the order of revocation by the commissioner of public safety. Upon receiving a request the commissioner or his designee shall review the order, the evidence upon which the order was based, and any other material information brought to the attention of the commissioner, and determine whether sufficient cause exists to sustain the order. Within 15 days of receiving the request the commissioner shall report in writing the results of his review. The review provided in*

this subdivision is not subject to the contested case provisions of the administrative procedure act in sections 15.041 to 15.052.

The availability of administrative review for an order of revocation shall have no effect upon the availability of judicial review under this section.

Subd. 5c. [PETITION FOR JUDICIAL REVIEW.] *Within 30 days following receipt of a notice and order of revocation pursuant to this section, a person may petition the court for review. The petition shall be filed with the clerk of county or municipal court in the county where the alleged offense occurred, together with proof of service of a copy on the commissioner of public safety, and accompanied by the standard filing fee for civil actions. No responsive pleading shall be required of the commissioner of public safety, and no court fees shall be charged for his appearance in the matter.*

The petition shall be captioned in the name of the person making the petition as petitioner and the commissioner of public safety as respondent. The petition shall state with specificity the grounds upon which the petitioner seeks rescission of the order of revocation or denial.

The filing of the petition shall not stay the revocation or denial. The reviewing court may order a stay of the balance of the revocation if the hearing has not been conducted within 60 days after filing of the petition upon terms the court deems proper. Judicial reviews shall be conducted according to the rules of civil procedure.

Subd. 6. [HEARING.] A hearing under this section shall be before a municipal or county judge, in ~~the~~ *any* county *in the judicial district* where the alleged offense occurred~~, unless there is agreement that the hearing may be held in some other county~~. The hearing shall be to the court and may be conducted at the same time and in the same manner as hearings upon pre-trial motions in the criminal prosecution under section 169.121, if any. The hearing shall be recorded. The commissioner of public safety may appear through his own attorney or, by agreement with the jurisdiction involved, through the prosecuting authority for that jurisdiction.

The hearing shall be held at the earliest practicable date, and in any event no later than 60 days following the filing of the petition for review. The judicial district administrator shall establish procedures to ensure efficient compliance with the provisions of this subdivision. To accomplish this, the administrator may, whenever possible, consolidate and transfer review hearings among the county courts within the judicial district.

The scope of the hearing shall ~~cover~~ *be limited to* the issues of:

(1) whether the peace officer had reasonable and probable grounds to believe the person was driving, operating, or in physical control of a motor vehicle while under the influence of alcohol or a controlled substance, and whether the person was lawfully placed under arrest for violation of section 169.121, or the person was involved in a motor vehicle accident or collision resulting in property damage, personal injury or death, or the person refused to take a screening test provided for by section 169.121, subdivision 6, or the screening test was administered and recorded an alcohol concentration of 0.10 or more; and

(2) whether at the time of the request for the test the peace officer informed

the person of his rights and the consequences of taking or refusing the test as required by subdivision 2; and

(3) either (a) whether the person refused to permit the test, or (b) whether a test was taken and the test results indicated an alcohol concentration of 0.10 or more *at the time of testing*, and whether the testing method used was valid and reliable, and whether the test results were accurately evaluated.

It shall be an affirmative defense for the ~~person~~ *petitioner* to prove that, *at the time of the refusal,* his refusal to permit the test was based upon reasonable grounds.

Certified or otherwise authenticated copies of laboratory or medical personnel reports, records, documents, licenses and certificates shall be admissible as substantive evidence.

The court shall order either that the revocation be rescinded or sustained and forward the order to the commissioner of public safety. *The court shall file its order within 14 days following the hearing.* If the revocation is sustained, the court shall also forward the person's driver's license *or permit* to the commissioner of public safety for his further action if the license *or permit* is not already in the commissioner's possession.

Subd. 7. [REVIEW BY DISTRICT COURT.] ~~If the revocation or denial is sustained, the person whose license or permit to drive, or nonresident operating privilege has been revoked or denied, may within 20 days after notice of the determination by the commissioner of public safety file a petition for a hearing of the matter in the district court in the county where the hearing pursuant to subdivision 6 was held unless there is agreement that the hearing may be held in some other county. The petition shall be filed with the clerk of the court together with proof of service of a copy thereof on the commissioner of public safety. It is the duty of the court to set the matter for hearing on a day certain with reasonable notice thereof to the parties. The hearing shall be on the record and shall be conducted in the same manner provided in sections 487.39 and 484.63 for appeal of misdemeanor convictions~~ *Any party aggrieved by the decision of the reviewing court may appeal the decision to the district court as provided in sections 484.63 and 487.39.*

Subd. 8. [NOTICE OF ACTION TO OTHER STATES.] When it has been finally determined that a nonresident's privilege to operate a motor vehicle in this state has been revoked or denied, the commissioner of public safety shall give information in writing of the action taken to the official in charge of traffic control or public safety of the state of the person's residence and of any state in which he has a license.

Subd. 9. [LIMITED LICENSE.] In any case in which a license has been revoked under this section, the commissioner may issue a limited license to the driver. The commissioner in issuing a limited license may impose the conditions and limitations which in his judgment are necessary to the interests of the public safety and welfare, including re-examination of the driver's qualifications, attendance at a driver improvement clinic, or attendance at counseling sessions. The license may be limited to the operation of particular vehicles and to particular classes and time of operation. The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under a limited license shall have the license in his possession at all

times when operating as a driver. In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

Subd. 10. [TERMINATION OF REVOCATION PERIOD.] If the commissioner receives notice of the driver's attendance at a driver improvement clinic, attendance at counseling sessions, or participation in treatment for an alcohol problem the commissioner may, 30 days prior to the time the revocation period would otherwise expire, terminate the revocation period. The commissioner shall not terminate the revocation period under this subdivision for a driver who has had a license revoked under section 169.121 or this section for another incident during the preceding three year period.

Sec. 10. [169.1231] [DRIVING WHILE UNDER THE INFLUENCE; DETOXIFICATION.]

Subdivision 1. [GROUNDS FOR TAKING DRIVER TO DETOXIFICATION CENTER OR ALCOHOL DRUG REHABILITATION CENTER.] *Whenever a peace officer administers a preliminary screening test to a person and the test results indicate a blood alcohol content of .10 or more, the peace officer shall either take the person to a detoxification center or alcohol drug rehabilitation center established pursuant to section 254A.08 or arrange for another authorized person to do so. A peace officer shall also take, or arrange for another authorized person to take to a detoxification center or alcohol drug rehabilitation center established pursuant to section 254A.08, any person who refuses to take a preliminary screening test if the officer has reasonable and probable grounds to believe that the person was driving, operating, or in physical control of a motor vehicle in violation of section 169.121 or an ordinance in conformity therewith, and the person reasonably appears to the officer to be too intoxicated to resume driving safely.*

Subd. 2. [DETOXIFICATION CENTER OR ALCOHOL DRUG REHABILITATION CENTER; RELEASE PROCEDURE.] *The detoxification center or alcohol drug rehabilitation center to which a person is transported pursuant to subdivision 1 shall hold the person until he is completely sober, unless another responsible person appears and requests that the intoxicated person be released for the purpose of taking him home or to a medical facility. The person requesting release of the intoxicated person shall assure that the intoxicated person does not drive until completely sober; an intentional violation of this assurance is a misdemeanor.*

Subd. 3. [INTOXICATED PERSON TO PAY COSTS.] *A person taken to a detoxification center or alcohol drug rehabilitation center pursuant to this section shall pay the detoxification center or alcohol drug rehabilitation center for the cost of his stay, transportation, treatment, and other expenses in the detoxification center or alcohol drug rehabilitation center, if he does not meet the standards of indigency necessary to qualify for the services of the public defender and does not have health insurance coverage which would pay for this cost.*

Sec. 11. Minnesota Statutes 1980, Section 171.19, is amended to read:

171.19 [PETITION FOR REINSTATEMENT OF LICENSES.]

Any person whose driver's license has been refused, revoked, suspended, or canceled by the commissioner, *except where the license is revoked under*

section 169.123, may file a petition for a hearing in the matter in the district court in the county wherein such person shall reside and, in the case of a non-resident, in the district court in any county, and such court is hereby vested with jurisdiction, and it shall be its duty, to set the matter for hearing upon 15 days' written notice to the commissioner, and thereupon to take testimony and examine into the facts of the case to determine whether the petitioner is entitled to a license or is subject to revocation, suspension, cancelation, or refusal of license, under the provisions of this chapter, and shall render judgment accordingly. The petition shall be heard by the court without a jury and may be heard in or out of term. The commissioner may appear in person, or by his agents or representatives, and may present his evidence upon the hearing by affidavit by himself, his agents, or representatives. The petitioner may present his evidence by affidavit, except that the petitioner must be present in person at such hearing for the purpose of cross-examination. In the event the department shall be sustained in these proceedings, the petitioner shall have no further right to make further petition to any court for the purpose of obtaining a driver's license until after the expiration of one year after the date of such hearing.

Sec. 12. Minnesota Statutes 1980, Section 171.30, Subdivision 1, is amended to read:

Subdivision 1. [ISSUANCE.] In any case where a person's license has been suspended under section 171.18 or revoked under sections 169.121 or 171.17, if the driver's livelihood or attendance at a chemical dependency treatment or counseling program depends upon the use of his driver's license, the commissioner may at his own discretion ~~and shall upon recommendation by the court excluding justices of the peace in which the driver was convicted,~~ issue a limited license to the driver. The commissioner in issuing a limited license may impose such conditions and limitations as in his judgment are necessary to the interests of the public safety and welfare including re-examination as to the driver's qualifications. The license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic.

The limited license issued by the commissioner shall clearly indicate the limitations imposed and the driver operating under the limited license shall have the license in his possession at all times when operating as a driver.

In determining whether to issue a limited license, the commissioner shall consider the number and the seriousness of prior convictions and the entire driving record of the driver and shall consider the number of miles driven by the driver annually.

Sec. 13. Minnesota Statutes 1980, Section 466.03, is amended by adding a subdivision to read:

Subd. 6a. [DRIVING UNDER THE INFLUENCE; CUSTODY OF MOTOR VEHICLE.] *Any claim for which recovery is prohibited by section 8.*

Sec. 14. Minnesota Statutes 1980, Section 634.15, is amended to read:

634.15 [ADMISSION INTO EVIDENCE OF CERTAIN CERTIFICATES OF ANALYSIS *AND BLOOD SAMPLE REPORTS.*]

Subdivision 1. [CERTIFICATES OF ANALYSIS; BLOOD SAMPLE REPORTS.] In any hearing or trial of a criminal offense or petty misdemeanor or

proceeding pursuant to section 169.123, subdivision 4 6, *the following reports shall be admissible in evidence:*

(a) A report of the facts and results of a laboratory analysis or examination ~~shall be admissible in evidence~~ if it is prepared and attested by the person performing the laboratory analysis or examination in any laboratory operated by the bureau of criminal apprehension or authorized by the bureau to conduct an analysis or examination, or in any laboratory of the federal bureau of investigation, the federal postal inspection service, the federal bureau of alcohol, tobacco and firearms, or the federal drug enforcement administration; *and*

(b) A report of a blood sample withdrawn under the implied consent law if:

(i) The report was prepared by the person who administered the test;

(ii) The person who withdrew the blood sample was competent to administer the test under section 169.123, subdivision 3; and

(iii) The report was prepared consistent with any applicable rules promulgated by the commissioner of public safety.

A report *described in clause (a)* purported to be signed by the person performing the analysis or examination in a laboratory named ~~above~~ *in that clause, or a blood sample report described in clause (b) purported to be signed by the person who withdrew the blood sample* shall be admissible as evidence without proof of the seal, signature or official character of the person whose name is signed to it.

Subd. 2. [TESTIMONY AT TRIAL.] An accused person or his attorney may request, by notifying the prosecuting attorney at least ten days before the trial, that the ~~person who performed the laboratory analysis or examination~~ *following persons* testify in person at the trial on behalf of the state:

(a) A person who performed the laboratory analysis or examination for the report described in subdivision 1, clause (a); or

(b) A person who prepared the blood sample report described in subdivision 1, clause (b).

Sec. 15. [EFFECTIVE DATE.]

The provisions of sections 1 to 6, section 8, section 9, subdivision 3, and sections 11, 13 and 14 are effective April 1, 1982. The provisions of section 7, section 9, subdivisions 2, 5, 5a, 5b, 5c, 6 and 7, and section 12 are effective July 1, 1982. The provisions of section 10 are effective July 1, 1983. All provisions apply to violations occurring on or after their effective dates.''

Delete the title and insert:

''A bill for an act relating to highway traffic regulations; providing for arrest without a warrant; defining admissible evidence; providing for alcohol problem assessments; providing alternative testing procedures; providing for administrative driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; authorizing revocations prior to judicial review; revising the procedure for hearings and appeals on administrative revocations; authorizing introduction into evidence certain peace officer records and reports; prescribing penalties; providing for detox-

ification of drivers; amending Minnesota Statutes 1980, Sections 3.736, Subdivision 3; 169.121, Subdivisions 1, 2, 3, 4, and 6, and by adding subdivisions; 169.123; 171.19; 171.30, Subdivision 1; 466.03, by adding a subdivision; and 634.15; proposing new law coded in Minnesota Statutes, Chapter 169."

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

House Conferees: (Signed) Robert E. Vanasek, Connie M. Levi, Tad Jude, Kathleen A. Vellenga, Dean E. Johnson

Senate Conferees: (Signed) Jack Davies, James Ulland, Randolph W. Peterson, Neil Dieterich, Wayne Olhoft

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1484 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1484 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Penny	Sikorski
Belanger	Dieterich	Lantry	Peterson,C.C.	Solon
Benson	Engler	Lessard	Peterson,D.L.	Spear
Berg	Frank	Lindgren	Peterson,R.W.	Stokowski
Berglin	Frederick	Luther	Petty	Stumpf
Bernhagen	Frederickson	Menning	Purfeerst	Taylor
Bertram	Johnson	Merriam	Ramstad	Tennessen
Brataas	Kamrath	Moe, D. M.	Renneke	Ulland
Chmielewski	Knoll	Moe, R. D.	Rued	Vega
Dahl	Knutson	Nelson	Schmitz	Waldorf
Davies	Kroening	Olhoft	Setzepfandt	Wegener
Davis	Kronebusch	Pehler	Sieloff	Willet

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 552 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 552 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 552

A bill for an act relating to commerce; prohibiting fraud in the use of

recreational camping areas; providing a penalty; amending Minnesota Statutes 1980, Sections 327.07; and 327.14, Subdivision 8.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 552, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 552 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 327.07, is amended to read:

327.07 [FRAUD.]

Any person who ~~shall obtain~~ *(1) obtains* food, lodging, or other accomodations at any hotel, lodging house, inn, boarding or eating house, *or recreational camping area,* without paying ~~therefor~~ *for it*, with intent to defraud the owner or manager thereof, or ~~who~~ *(2)* obtains credit at any hotel, lodging house, inn, boarding or eating house, *or recreational camping area* by or through any false pretense, or by or through the aid, assistance, or influence of any baggage or effects in his possession and control, but not actually belonging to ~~such person~~ *him*, shall be guilty of a misdemeanor~~; and upon conviction thereof shall be punished by a fine of not less than $10 nor more than $100 or by imprisonment in the county jail for not more than 90 days~~.

Sec. 2. Minnesota Statutes 1980, Section 327.14, Subdivision 8, is amended to read:

Subd. 8. [RECREATIONAL CAMPING AREA.] The words "recreational camping area" as used in sections *327.07,* 327.10, 327.11, 327.14 to 327.28 ~~shall mean~~ *means* any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of five or more units, consisting of tents, travel trailers, pick-up coaches, motor-homes, or camping trailers and whether use of ~~such~~ *the* accommodation is granted free of charge or for compensation. Provided, that nothing in this definition shall be constructed to include children's camps, industrial camps, migrant labor camps, as defined in Minnesota Statutes and state commissioner of health regulations and also shall not include United States forest service camps, state forest service camps, state wildlife management areas or state owned public access areas which are restricted in use to picnicking and boat landing.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment."

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

House Conferees: (Signed) John T. Clawson, James I. Rice, Charles C. Halberg

Senate Conferees: (Signed) Randolph W. Peterson, John Bernhagen,

Gregory L. Dahl

Mr. Peterson, R.W moved that the foregoing recommendations and Conference Committee Report on H.F. No. 552 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 552 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Langseth	Peterson,D.L.	Stokowski
Belanger	Engler	Lantry	Peterson,R.W.	Stumpf
Benson	Frank	Lessard	Petty	Taylor
Berg	Frederick	Lindgren	Purfeerst	Tennessen
Bernhagen	Frederickson	Luther	Ramstad	Ulland
Bertram	Hughes	Menning	Renneke	Vega
Brataas	Johnson	Merriam	Rued	Waldorf
Chmielewski	Kamrath	Moe, D. M.	Schmitz	Willet
Dahl	Knoll	Moe, R. D.	Setzepfandt	
Davies	Knutson	Olhoft	Sieloff	
Davis	Kroening	Pehler	Sikorski	
Dicklich	Kronebusch	Penny	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1663 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1663 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1663

A bill for an act relating to law libraries; recodifying the laws governing county law libraries; amending Minnesota Statutes 1980, Sections 140.34; 140.35; 140.36; 140.37; 140.38; 140.39; 140.40; 140.44; 140.45; 140.46; and 480.09, Subdivision 5; proposing new law coded in Minnesota Statutes 1980, Chapter 140; repealing Minnesota Statutes 1980, Sections 140.01 to 140.20; 140.212 to 140.33; 140.41 to 140.435; Minnesota Statutes 1981 Supplement, Section 140.21.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1663, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1663 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 134.34, is amended by adding a subdivision to read:

Subd. 6. [REGIONAL LIBRARY DIRECTOR QUALIFICATIONS.] *Graduation with a masters degree in library media from a university accredited by a regional accrediting association shall qualify an individual for employment as a regional library director. The state board of education shall adopt rules pursuant to chapter 15 to comply with the requirements of this subdivision.*

Sec. 2. Minnesota Statutes 1980, Section 140.34, is amended to read:

140.34 [ESTABLISHMENT OF COUNTY LAW LIBRARY.]

Any county may establish a county law library *wherever sessions of court are required to be held by law* upon the filing of an order by the judge of *the county or county municipal court or by a judge of* the judicial district in which the county is situated with the clerk of court of the county.

Sec. 3. Minnesota Statutes 1980, Section 140.35, is amended to read:

140.35 [WHO MAY USE.]

Under proper regulations~~,~~ *of the board of trustees* the use of the library shall be free to the judges of the state, state officials, judges of the district, municipal, *county, conciliation* and probate courts of the county, city and county officials, members of the bar, and inhabitants of the county.

Sec. 4. Minnesota Statutes 1980, Section 140.36, is amended to read:

140.36 [~~MANAGEMENT~~ *BOARD OF TRUSTEES; COMPOSITION.*]

Subdivision 1. [TRUSTEES.] The management of any library ~~so~~ established shall be under a board of ~~either~~ three ~~or~~, five *or seven* trustees, who shall serve without compensation.

A board of three trustees shall consist of:

(1) A judge of the district *or county or county municipal* court ~~or such person as the judge of the district court may select~~ *apppointed by the chief judge of the judicial district.*

(2) A member of the county board selected by it at ~~the~~ *its* next regular meeting ~~thereof~~ after the order establishing the library is filed and thereafter at the annual election of officers.

(3) One ~~member of the state bar association~~ *attorney admitted to the practice of law,* residing in the county *and* selected by ~~members of the state bar association who reside in~~ the county *attorney.*

When the board consists of five trustees, the additional members shall be a

judge ~~of the municipal court,~~ *appointed by the chief judge of the judicial district* and an additional ~~member of the state bar association with the same qualifications as the first~~ *attorney admitted to the practice of law, residing in the county and selected by the county attorney. When the board consists of seven trustees, the additional members shall be provided for in the bylaws.*

Subd. 2. [MEMBERSHIP CHANGES.] *The bylaws shall state the procedure by which a board of trustees may increase or decrease its membership.*

Subd. 3. [JOINT LAW LIBRARY.] *Wherever a joint law library is established by order, or wherever two or more law libraries are maintained within one county, the board of trustees shall consist of a judge of the district or his designee, one judge from each county included in the order or from each district within a single county, or his designee, one member of the board of county commissioners from each county included in the order or from each district within a single county, to be selected by the county board at its annual election of officers, and one attorney admitted to the practice of law, residing in each county included in the order or in each district within a single county, to be selected by the county attorney of each county or district within the county.*

Sec. 5. Minnesota Statutes 1980, Section 140.37, is amended to read:

140.37 [BOARD OF TRUSTEES, ~~MEETING~~ *MEETINGS; TERM OF OFFICE.*]

The trustees shall meet immediately after their selection and the board shall hold ~~its~~ annual ~~meeting~~ *meetings* thereafter ~~on the first day of the first regular term of the district court in the county in each year. At its first meeting and~~ At each ~~annual~~ meeting ~~thereafter~~ it shall ~~select from~~ *elect one of* its members ~~a~~ president and ~~a secretary to hold office until the next annual meeting~~ *another member or the librarian secretary. The secretary shall act as the staff of the board and shall attend all meetings and prepare and distribute all agenda matters.*

All members of the board of law library trustees shall hold office for a term to be set in the bylaws.

Sec. 6. Minnesota Statutes 1980, Section 140.38, is amended to read:

140.38 [BYLAWS AND REGULATIONS*; POWERS; TITLE TO REMAIN IN COUNTY.*]

The board of trustees shall adopt bylaws and regulations for the conduct of its business and the government of the library and file ~~same~~ *them, along with all other records, minutes of meetings and other documents relating to the governance of the library* with the clerk of the court.

It ~~may~~ *shall have powers necessary for the governance and maintenance of the library, including, but not limited to the power to:*

(1) Amend its bylaws and regulations;

(2) On behalf of the county accept any gift, grant, devise, or bequest or the loan of books or property for the library, and carry out the conditions thereof;

(3) Purchase or lease books or library facilities~~, the purchase price to be paid out of~~ *with money from* the county law library fund~~.~~*;*

~~The title to the library and the property thereof, except such books as are leased or loaned to it, is in the county establishing the library.~~

(4) ~~The board of trustees may~~ Sell or exchange items of property of the library.

The title to the library and its property is in the county establishing the library.

Sec. 7. Minnesota Statutes 1980, Section 140.39, is amended to read:

140.39 [REPORT TO COUNTY AUDITOR.]

~~Before the second Monday of January each year the board of trustees shall file with the county auditor a report containing a detailed statement of the receipts and disbursements of the library for the preceding year, also an inventory showing the property belonging to the library or loaned or leased to it.~~ *The county auditor shall file with the board of trustees an annual report containing a detailed statement of the receipts and disbursements of the library for the preceding year. The board of trustees shall file an inventory with the county auditor showing the property belonging to the library or loaned or leased to the library.*

Sec. 8. Minnesota Statutes 1980, Section 140.40, is amended to read:

140.40 [QUARTERS.]

The county board shall provide suitable quarters *within the courthouse* for the use of the library, *and shall also provide light, heat, janitor service and other necessary expenses of maintaining the library.*

Sec. 9. [140.401] [LIBRARIAN.]

In Hennepin and Ramsey Counties the board of trustees shall appoint a librarian and necessary assistants and clerical help, and fix their compensation. In all other counties, where a librarian is not employed by the county, the board of trustees may appoint a librarian and necessary assistants and clerical help and, with the approval of the county board, fix their compensation. In all counties where services cannot be provided by the Minnesota state law library, the board of trustees may contract with regional library systems for services.

Sec. 10. [140.421] [HENNEPIN AND RAMSEY COUNTIES; FEES FOR LAW LIBRARIES.]

Subdivision 1. [CIVIL ACTIONS.] *In Hennepin and Ramsey Counties, the district administrator or his designee shall collect in each civil suit, action or proceeding filed in the district, municipal and conciliation courts of the district, in the manner in which other fees are collected, a law library fee from:*

(a) The plaintiff, petitioner or other person instituting the suit, action or proceeding, at the time of the filing of the first paper; and

(b) Each defendant, respondent, intervenor or other party who appears, either separately or jointly, to be collected at the time of the filing of the first paper by the defendant, respondent, intervenor or other party, or at the time when his appearance is entered in the case.

Subd. 2. [PROBATE PROCEEDINGS.] *The district administrator or his designee shall collect a law library fee from the petitioner instituting proceed-*

ings for supervised and unsupervised guardianship, conservatorship, descent, formal and informal probate, trusts and summary assignments at the time of the filing of the petition. The disbursement shall be an item of expense of administration of the estate, entitling the petitioner to reimbursement out of the estate.

Subd. 3. [SETTING FEES.] *The law library board of trustees shall, with the approval of the board of commissioners, set the amount of the law library fee in the district, probate, municipal and conciliation courts of the judicial district. All law library fees shall be published in the state register.*

Sec. 11. [140.422] [LIBRARY FEES COLLECTED IN ALL OTHER COUNTIES.]

Subdivision 1. [CIVIL FEE ASSESSMENT.] *In counties other than Hennepin and Ramsey, the clerk of court shall collect in each civil suit, action or proceeding filed in the district, county or county municipal and conciliation courts of the county, in the manner in which other fees are collected, a law library fee from:*

(a) The plaintiff, petitioner or other person instituting the suit, action or proceeding, at the time of the filing of the first paper; and

(b) Each defendant, respondent, intervenor or other party who appears, either separately or jointly, to be collected at the time of the filing of the first paper by the defendant, respondent, intervenor or other party, or at the time when his appearance is entered in the case.

Subd. 2. [PROBATE PROCEEDINGS.] *The judge of the probate court or the registrar of probate or the clerk of court shall collect a law library fee from the petitioner instituting proceedings for supervised and unsupervised guardianship, conservatorship, descent, formal and informal probate, trusts and summary assignments at the time of the filing of the petition. The disbursement shall be an item of administration of the estate, entitling the petitioner to reimbursement out of the estate.*

Subd. 3. [CRIMINAL CONVICTIONS; FEE ASSESSMENT.] *The judge of district or county or county municipal court may, upon the recommendation of the board of trustees and by standing order, include in the costs or disbursements assessed against a defendant convicted in the district or county or county municipal court of the violation of any statute or municipal ordinance, in all criminal prosecutions in which, upon conviction, the defendant may be subject to the payment of the costs or disbursements in addition to a fine or other penalty a county law library fee. The item of costs or disbursements may not be assessed for any offense committed prior to the establishment of the county law library.*

Subd. 4. [SETTING FEES.] *The law library board of trustees shall, with the approval of the board of commissioners, set the amount of the law library fee for civil and criminal matters in the district, county or county municipal and conciliation courts of the county. The fee shall be initially set on July 1, 1982. Commencing with July 1, 1983, the law library fee shall be set every two years and shall remain in effect during that time. All law library fees shall be published in the state register.*

Sec. 12. [140.423] [LIMITATIONS.]

The provisions of sections 10 and 11 shall not apply to actions or proceedings commenced by the state, the county or any municipality, to garnishment proceedings, to the filing of transcripts, to compensation awards, to proceedings under the Minnesota reciprocal enforcement of support act or to complaints in intervention in receivership proceedings.

Sec. 13. [140.431] [TAXABLE AS COSTS.]

The law library fee is a cost in the action and taxable as such, and is to be allotted for the support of the library.

Sec. 14. Minnesota Statutes 1980, Section 140.44, is amended to read:

140.44 [DEPOSITS WITH COUNTY TREASURER*; COUNTY AUDITOR*.]

~~On the first day of each month,~~ These fees shall be paid to the county treasurer *or county auditor*, who shall give his receipt therefor. The county treasurer *or county auditor* may disburse these funds and any other money belonging to this board only ~~upon itemized vouchers, approved by the board~~ *at the direction of the board of trustees*.

Sec. 15. Minnesota Statutes 1980, Section 140.45, is amended to read:

140.45 [EXISTING LIBRARIES; JOINT LAW LIBRARIES.]

~~Nothing in sections 140.34 to 140.46 shall affect the existence or organization of the county law libraries now established, but such~~ *By July 1, 1983, all county law* libraries ~~may~~ *shall* come under the provisions of sections 140.34 to 140.46 ~~upon proper application~~.

Two or more counties may unite in the establishment of a joint law library.

Sec. 16. Minnesota Statutes 1980, Section 140.46, is amended to read:

140.46 [ANNUAL APPROPRIATION BY COUNTY BOARD.]

The county board may ~~appropriate annually a sum not in excess of $2,000 for such library purposes~~ *in its discretion, provide for additional support and maintenance of the county law library out of county funds*.

Sec. 17. [140.47] [STATE LAW LIBRARIAN TO ASSIST.]

The state law librarian, under the guidance of the supreme court, shall advise and assist in the operation and maintenance of the county law libraries.

Sec. 18. Minnesota Statutes 1980, Section 480.09, Subdivision 5, is amended to read:

Subd. 5. All moneys collected shall be paid into the state treasury and shall be added to the current *biennial* appropriation for the library.

Sec. 19. [REPEALER.]

Minnesota Statutes 1980, Sections 140.01; 140.02; 140.03; 140.04; 140.05; 140.06; 140.07; 140.08; 140.09; 140.10; 140.11; 140.12; 140.13; 140.14; 140.15; 140.16; 140.17; 140.18; 140.19; 140.20; 140.212; 140.22; 140.23; 140.24; 140.25; 140.26; 140.27; 140.28; 140.29; 140.30; 140.31; 140.32; 140.33; 140.41; 140.42; 140.43; 140.435; and Minnesota Statutes 1981 Supplement, Section 140.21, are repealed.

Sec. 20. [EFFECTIVE DATE.]

Sections 1 to 19 are effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to law libraries; recodifying the laws governing county law libraries; amending Minnesota Statutes 1980, Sections 134.34, by adding a subdivision; 140.34; 140.35; 140.36; 140.37; 140.38; 140.39; 140.40; 140.44; 140.45; 140.46; and 480.09, Subdivision 5; proposing new law coded in Minnesota Statutes 1980, Chapter 140; repealing Minnesota Statutes 1980, Sections 140.01 to 140.20; 140.212 to 140.33; 140.41 to 140.435; Minnesota Statutes 1981 Supplement, Section 140.21."

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

House Conferees: (Signed) Gordon O. Voss, Tad Jude, Marnie J. Luknic

Senate Conferees: (Signed) Randolph W. Peterson, Robert J. Tennessen, Gene Merriam

Mr. Peterson, R.W. moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1663 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1663 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 49 and nays 6, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Lantry	Peterson,D.L.	Sikorski
Belanger	Dicklich	Lessard	Peterson,R.W.	Solon
Benson	Dieterich	Lindgren	Petty	Spear
Berg	Engler	Luther	Purfeerst	Taylor
Bernhagen	Frederick	Menning	Ramstad	Tennessen
Bertram	Frederickson	Merriam	Renneke	Ulland
Brataas	Kamrath	Moe, R. D.	Rued	Waldorf
Chmielewski	Knutson	Olhoft	Schmitz	Wegener
Dahl	Kronebusch	Pehler	Setzepfandt	Willet
Davies	Langseth	Penny	Sieloff	

Those who voted in the negative were:

Frank	Kroening	Stokowski	Stumpf	Vega
Hughes				

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1799 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1799 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1799

A bill for an act relating to health; providing for evaluation of certain changes in certificate of need review; requiring certain price information to be reported and disseminated; requiring monitoring; amending the thresholds of review; providing for additional waivers; requiring reports; amending Minnesota Statutes 1980, Sections 145.833, Subdivision 5; 145.835, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Sections 250.05, Subdivision 4; 447.45, Subdivision 1; and 474.03; proposing new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; and Minnesota Statutes 1981 Supplement, Sections 62D.22, Subdivision 6; 145.834; and 145.845.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1799, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1799 be further amended as follows:

Page 2, line 4, after the period insert "*It is the intent of the legislature that voluntary efforts to disseminate certain price information be encouraged and that mandatory efforts be undertaken only if voluntary efforts do not make satisfactory progress.*"

Pages 2 to 4, delete Section 2 and insert:

"Sec. 2. [144.705] [COLLECTION, ANALYSIS AND DISSEMINATION OF DIAGNOSTIC AND PRICE INFORMATION.]

Subdivision 1. [PRICE REPORTING.] *The commissioner of health shall encourage hospitals and professionals regulated by the health related licensing boards as defined in section 214.01, subdivision 2, or by the commissioner of health pursuant to section 214.13, to publish prices for procedures and services that are representative of the diagnoses and conditions for which citizens of this state seek treatment.*

Subd. 2. [HOSPITAL REPORTS.] *The commissioner of health may periodically establish a list of illnesses, injuries and medical conditions which is representative of the diagnoses for which the citizens of the state are hospitalized. The commissioner shall select illnesses, injuries, and conditions for inclusion in this list in a manner so as to adequately differentiate among patient characteristics which may influence the consumption of resources during treatment, such as the age of patients, patients' need for surgery, the presence of secondary diagnoses and medical complications. The establishment of this list shall not be subject to the provisions of sections 15.0412 to 15.0417. The commissioner may add to or delete from this list. For each of*

these illnesses, injuries and medical conditions, every hospital with a licensed capacity equal to or greater than 100 beds shall, within 120 days of the close of its fiscal year, report to the commissioner the following information for that fiscal year:

(a) the number of patients discharged;

(b) the shortest and longest lengths of patient stay in the hospital, the mean length of stay, and the respective lengths of stay at the 25th, 50th and 75th percentiles of the total range of lengths of stay;

(c) the lowest and highest prices for hospital services, the mean price, and the respective prices at the 25th, 50th and 75th percentiles of the total range of prices;

(d) a separation of the mean price into mean component prices, where applicable, for routine room and board, special care unit room and board, nursery services, delivery room use, operating room use, anesthesia services, pharmacy services, laboratory services, radiology services, supplies and other services; and

(e) any additional or alternative information relating to prices that is specified in rules promulgated by the commissioner pursuant to this section. At the time it reports the information required to be reported by this subdivision, each hospital may also report any additional information that it believes to be relevant to the purposes of section 144.705.

Subd. 3. [HEALTH PROVIDER REPORTS.] *For each health profession regulated by the health-related licensing boards as defined in section 214.01, subdivision 2, or by the commissioner of health pursuant to section 214.13, the commissioner of health shall periodically establish a list of procedures and services which are representative of the diagnoses and conditions for which citizens of the state seek treatment. The establishment of this list shall not be subject to the provisions of section 15.0412 to 15.0417. For each of these procedures and services, every regulated health care provider engaged in the private practice of his profession within the state shall post in a public area the established prices or provide a notice of the availability of the established prices of the procedures or services. The commissioner may request to receive a copy of these prices.*

Subd. 4. [SOURCE OF INFORMATION.] *The information described in subdivision 2 may be directly compiled and submitted to the commissioner by the hospital, or in the interests of efficiency and at the hospital's option, the information may be submitted through any entity which collects or compiles all or portions of the information for several hospitals or providers. When information is furnished through such an entity, the commissioner shall pay the entity what he determines to be a reasonable fee for the costs of organizing and providing the information in the form called for by this section.*

Subd. 5. [SAMPLES.] *The commissioner may, in the interests of efficiency, permit a hospital to submit the information described in subdivision 2 in the form of statistically valid samples of the patients discharged from the hospital during the fiscal year.*

Subd. 6. [FOSTERING PRICE COMPETITION.] *The commissioner shall analyze the information provided under this section and shall disseminate the*

information and analyses so as to foster the development of price competition among hospitals required by subdivision 2 to make reports to the commissioner. Prior to initial dissemination of any hospital-specific information, the commissioner shall give the hospital opportunity for review and comment. In the initial dissemination of hospital-specific information the commissioner shall publish a summary of the hospital's comments, together with notice of a means of contacting a person designated by the hospital to provide further information.

Subd. 7. [RULES.] *The commissioner may promulgate such rules pursuant to chapter 15 as are necessary to implement the provisions of this section.*

Sec. 3. Minnesota Statutes 1980, Section 144A.04, Subdivision 5, is amended to read:

Subd. 5. Except as otherwise provided by this subdivision, a nursing home must have a full time licensed nursing home administrator serving the facility. In any nursing home of less than 25 beds, the director of nursing services may also serve as the licensed nursing home administrator. Two nursing homes having a total of 100 beds or less and located within 50 miles of each other may share the services of a licensed administrator if the administrator divides his full time work week between the two facilities in proportion to the number of beds in each facility. Every nursing home shall have a person-in-charge on the premises at all times in the absence of the licensed administrator. The name of the person in charge must be posted in a conspicuous place in the facility. The commissioner of health shall by rule promulgate minimum education and experience requirements for persons-in-charge, and may promulgate rules specifying the times of day during which a licensed administrator must be on the nursing home's premises. A nursing home may employ as its administrator the ~~registered~~ administrator of a hospital licensed pursuant to sections 144.50 to 144.56 if the individual is licensed as a nursing home administrator pursuant to section 144A.20 and the nursing home and hospital have a *combined* total of 150 beds or less~~,~~ ~~are under the same governing body~~ and are located within ~~one-half~~ *one* mile of each other. A nursing home which is located in a facility licensed as a hospital pursuant to sections 144.50 to 144.56, may employ as its administrator the ~~registered~~ administrator of the hospital if the individual meets minimum education and long term care experience criteria set by rule of the commissioner of health.''

Renumber the remaining sections

Page 15, line 5, delete ''*6 and 10*'' and insert ''*7 and 11*''

Page 15, line 7, delete ''*60 days after*'' and insert ''*on March 1, 1983 if*''

Page 15, line 15, delete ''*7 to 9 and 11*'' and insert ''*8 to 10 and 12*''

Amend the title as follows:

Page 1, line 2, after the semicolon, insert ''allowing certain nursing homes and hospitals to share an administrator;''

Page 1, line 8, after ''Sections'' insert ''144A.04, Subdivision 5;''

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

House Conferees: (Signed) James C. Swanson, Michael R. Sieben, John R. Kaley

Senate Conferees: (Signed) Sam G. Solon, Gene Waldorf, Steve Lindgren

Mr. Solon moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1799 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1799: A bill for an act relating to health; allowing certain nursing homes and hospitals to share an administrator; providing for evaluation of certain changes in certificate of need review; requiring certain price information to be reported and disseminated; requiring monitoring; amending the thresholds of review; providing for additional waivers; requiring reports; amending Minnesota Statutes 1980, Sections 144A.04, Subdivision 5; 145.833, Subdivision 5; 145.835, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Sections 250.05, Subdivision 4; 447.45, Subdivision 1; and 474.03; proposing new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; and Minnesota Statutes 1981 Supplement, Sections 62D.22, Subdivision 6; 145.834; and 145.845.

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

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

The roll was called, and there were yeas 51 and nays 5, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lessard	Purfeerst	Taylor
Belanger	Frank	Lindgren	Ramstad	Tennessen
Benson	Frederickson	Luther	Renneke	Ulland
Berg	Hughes	Menning	Rued	Vega
Bernhagen	Johnson	Moe, R. D.	Schmitz	Waldorf
Bertram	Kamrath	Olhoft	Setzepfandt	Wegener
Chmielewski	Knutson	Pehler	Sieloff	Willet
Dahl	Kroening	Penny	Sikorski	
Davies	Kronebusch	Peterson,C.C.	Solon	
Davis	Langseth	Peterson,R.W.	Stokowski	
Dieterich	Lantry	Petty	Stumpf	

Those who voted in the negative were:

Berglin	Dicklich	Merriam	Peterson,D.L.	Spear

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1699 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1699 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1699

A bill for an act relating to education; requiring all public elementary and secondary schools to provide instructional programs in chemical abuse; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1699, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1699 be further amended as follows:

Page 1, line 18, after "*abuse*" insert "*and the prevention of chemical dependency*"

Page 1, line 18, delete "*To the extent possible,*"

Page 1, line 19, delete "*encourage the participation of*" and insert "*involve*"

Amend the title as follows:

Page 1, line 3, delete "instructional" and insert "instruction in chemical dependency prevention"

Page 1, line 4, delete "programs in chemical abuse"

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

House Conferees: (Signed) Bob McEachern, Connie M. Levi, Dee Long

Senate Conferees: (Signed) Dave Rued, Charles R. Davis, Conrad M. Vega

Mr. Davis moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1699 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1699: A bill for an act relating to education; requiring all public elementary and secondary schools to provide instruction in chemical dependency prevention; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.

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

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

The roll was called, and there were yeas 42 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Merriam	Purfeerst	Stumpf
Belanger	Frederick	Moe, D. M.	Ramstad	Taylor
Benson	Hughes	Nelson	Rued	Tennessen
Brataas	Johnson	Pehler	Setzepfandt	Ulland
Dahl	Kroening	Penny	Sieloff	Wegener
Davies	Kronebusch	Peterson,C.C.	Sikorski	Willet
Davis	Lantry	Peterson,D.L.	Solon	
Dicklich	Lindgren	Peterson,R.W.	Spear	
Dieterich	Luther	Petty	Stokowski	

Those who voted in the negative were:

Berg	Chmielewski	Kamrath	Menning	Schmitz
Bernhagen	Engler	Knutson	Olhoft	Waldorf
Bertram	Frederickson	Lessard	Renneke	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1499 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1499 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1499

A bill for an act relating to the commitment of persons who are mentally ill, mentally ill and dangerous, mentally retarded, or chemically dependent; providing for informal admissions by consent, involuntary emergency admissions and for involuntary commitment by civil judicial procedures; providing for rights of persons admitted under voluntary, emergency or involuntary judicial procedures; requiring pre-petition screening; providing for commitment hearings and procedures in conformance with due process; requiring a hearing and review before final determination of commitment; providing for commitment for determinate periods; providing for provisional discharge and partial hospitalization; requiring special review boards for mentally ill and dangerous and psychopathic personalities; establishing review boards for civilly committed persons; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 253A; repealing Minnesota Statutes 1980, Sections 253A.01 to 253A.23.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1499, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and H.F. No. 1499, as amended by the Senate (which is then identical to S.F. No. 1459), is further amended as follows:

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

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

Page 2, line 20, delete "*and*" and insert a comma

Page 2, line 21, before "*in*" insert "*and practicing*"

Page 3, line 12, after "*others*" insert "*as*"

Page 3, line 27, delete "*seriously*"

Page 3, line 31, delete "*hospitalized*" and insert " *institutionalized*"

Page 3, after line 31, insert:

"*Subd. 16.* [PEACE OFFICER.] *"Peace officer" means a sheriff, or municipal or other local police officer, or a state highway patrol officer when engaged in the authorized duties of his office.*"

Page 3, line 32, delete "*16*" and insert "*17*"

Page 4, delete lines 7 to 9

Page 6, line 20, delete "*operation*" and insert "*treatment*"

Page 7, line 1, delete "*department of public welfare*" and insert "*commissioner*"

Page 7, line 8, after "*all*" insert "*of his*"

Page 7, line 9, before "*commitment*" insert "*his*"

Page 7, line 9, delete "*proceedings*"

Page 7, line 26, before "*Any*" insert "*Informal admission by consent is preferred over involuntary commitment.*"

Page 7, line 36, after the period insert "*Every patient admitted for chemical dependency under this section shall be informed in writing at the time of his admission that he has a right to leave the facility within 72 hours, exclusive of Saturdays, Sundays and holidays, of his request, unless held under another provision of this chapter.*"

Page 8, line 2, delete everything after the period

Page 8, delete lines 3 and 4

Page 8, line 5, delete everything before "*If*"

Page 8, line 34, after the first "*person*" insert "*is believed to be chemically dependent and*"

Page 11, line 1, delete everything after "*(d)*"

Page 11, delete line 2

Page 11, line 3, delete everything before the second "*the*"

Page 11, line 4, before the period insert "*if the investigation does not disclose evidence sufficient to support commitment*"

Page 11, line 4, after the period insert "*Notice of the pre-petition screening team's decision shall be provided to the prospective petitioner.*"

Page 12, line 23, delete "*shall be permitted to*" and insert "*may*"

Page 12, line 30, after "*When*" insert "*(1)*"

Page 12, line 33, delete "*or when*" and insert "*, (2)*"

Page 12, line 35, after the comma insert "*or (3) a request for a petition for commitment of a person institutionalized pursuant to section 5 has been filed,*"

Page 12, line 35, after "*may*" insert "*order the treatment facility to hold the person if he is institutionalized or*"

Page 13, line 10, delete "PROBABLE CAUSE" and insert "PRELIMINARY"

Page 16, line 25, delete "*(a)*"

Page 16, delete lines 26 to 36

Page 17, delete lines 1 to 15 and insert "*committed as mentally ill, mentally retarded, or chemically dependent the initial commitment shall not exceed six months. At least 60 days, but not more than 90 days, after the commencement of the initial commitment of a person as mentally ill, mentally retarded, or chemically dependent, the head of the facility shall file a written report with the committing court with a copy to the patient and his counsel. This first report shall set forth the same information as is required in section 12, subdivision 1, but no hearing shall be required at this time. If no written report is filed within the required time, or if it describes the patient as not in need of further institutional care and treatment, the proceedings shall be terminated by the committing court, and the patient shall be discharged from the treatment facility. If the person is discharged prior to the expiration of 60 days, the report required by this subdivision shall be filed at the time of discharge.*"

Page 17, line 32, after "*order*" insert "*the designated agency, the treatment facility, or*"

Page 18, line 9, before "*facility*" insert "*treatment*"

Page 18, line 21, before "CONFINEMENT" insert "TEMPORARY"

Page 18, line 21, delete "IN JAIL"

Page 18, line 25, after "*in*" insert "*a*"

Page 19, line 4, delete "*detained*" and insert "*confined*"

Page 19, line 28, delete everything after the period

Page 19, delete lines 28 to 31

Page 21, line 16, after the period insert a paragraph

Page 21, line 19, after the period insert "*Notwithstanding the provisions of section 9, subdivision 5, clause (b), the initial commitment period under the new petition shall be the probable length of commitment necessary or 12 months, whichever is less. The standard of proof at the hearing on the new petition shall be the standard specified in section 12, subdivision 4.*"

Page 21, line 20, delete "*, at*"

Page 21, delete lines 21 to 36

Page 22, delete lines 1 to 16 and insert "*court finds upon review of the treatment report that the person continues to be mentally retarded, it shall order commitment of the person for an indeterminate period of time, subject to the reviews required by section 3, subdivisions 5 and 7, and subject to the right of the patient to seek judicial review of continued commitment.*"

Page 22, after line 21, insert:

"*At the conclusion of the prescribed period, commitment may not be continued unless a new petition is filed pursuant to section 7 and hearing and determination made on it. Notwithstanding the provisions of section 9, subdivision 5, clause (c), the initial commitment period under the new petition shall be the probable length of commitment necessary or 12 months, whichever is less.*"

Page 22, line 23, after "*person*" insert ", *other than a person committed as mentally ill and dangerous to the public,*"

Page 23, line 12, after "*if*" insert a colon

Page 23, delete lines 13 to 16 and insert:

"*(i) The patient has violated material conditions of the provisional discharge, and the violation creates the need to return the patient to the facility; or,*

(ii) There exists a serious likelihood that the safety of the patient or others will be jeopardized, in that either the patient's need for food, clothing, shelter, or medical care are not being met, or will not be met in the near future, or the patient has attempted or threatened to seriously physically harm himself or others."

Page 24, delete line 36

Page 25, delete lines 1 to 25 and insert "*provisional discharge may be extended only in those circumstances where the patient has not achieved the goals set forth in the provisional discharge plan or continues to need the supervision or assistance provided by an extension of the provisional discharge. In determining whether the provisional discharge is to be extended, the head of the facility shall consider the willingness and ability of the patient to voluntarily obtain needed care and treatment.*

(b) The designated agency shall recommend extension of a provisional discharge only after a preliminary conference with the patient and other appropriate persons. The patient shall be given the opportunity to object or make suggestions for alternatives to extension.

(c) Any recommendation for extension shall be made in writing to the head of the facility and to the patient at least 30 days prior to the expiration of the provisional discharge. The written recommendation submitted shall include: the specific grounds for recommending the extension, the date of the preliminary conference and results, the anniversary date of the provisional discharge, the termination date of the provisional discharge, and the proposed length of extension. If the grounds for recommending the extension occur less than 30 days before its expiration, the written recommendation shall occur as soon as practicable.

(d) The head of the facility shall issue a written decision regarding extension within five days after receiving the recommendation from the designated agency.

(e) In no event shall any provisional discharge, revocation, or extension extend the term of the commitment beyond the period provided for in the order issued pursuant to section 9 or 13.''

Page 27, line 6, delete the first ''*to*''

Page 28, line 11, after the period insert ''*If the court finds that the patient qualifies for commitment as mentally ill, but not as mentally ill and dangerous to the public, the court may commit the person as a mentally ill person and the person shall be deemed not to have been found to be dangerous to the public for the purposes of subdivisions 4 to 15.*''

Page 29, line 4, delete ''*of public welfare*''

Page 29, line 23, before the period insert ''*it is issued*''

Page 30, delete lines 18 to 22 and insert ''*whether the patient's course of hospitalization and present mental status indicate there is no longer a need for inpatient treatment and supervision; and (b) whether the conditions of the provisional discharge plan will provide a reasonable degree of protection to the public and will enable the patient to adjust to the community.*''

Page 31, line 3, delete ''*acts to petition*'' and insert '' *petitions*''

Page 31, after line 13, insert

''*Revocation shall be commenced by a notice of intent to revoke provisional discharge, which shall be served upon the patient, his counsel, and the designated agency. The notice shall set forth the grounds upon which the intention to revoke is based, and shall inform the patient of his rights under this chapter.*''

Page 31, line 23, delete ''*During the first 60 days of a*''

Page 31, line 24, delete ''*provisional discharge or*''

Page 32, line 10, after ''*decision*'' insert ''*or any interested person*''

Page 32, line 31, after ''*to*'' insert ''*open*''

Page 32, line 31, before the period insert '', *is no longer dangerous to the public, and is no longer in need of inpatient treatment and supervision*''

Page 33, line 23, after ''*panel*'' insert ''*and all allowable fees and costs of the patient's counsel*''

Page 34, line 16, delete the second comma and insert ''*or*''

Page 34, line 16, delete ''*or release from*''

Page 34, line 17, delete ''*custody*'' and delete ''*or*''

Page 34, line 18, delete ''*released*''

Page 34, line 29, delete ''*released,*''

Page 34, line 35, delete both commas

Page 34, line 35, before ''*provisionally*'' insert ''*or*''

Page 34, line 36, delete "*or released*"

Page 35, lines 12 and 18, delete the second comma and insert "*or*"

Page 35, line 13, delete "*, or release*"

Page 35, line 18, delete the third comma

Page 35, line 19, delete "*or release*"

Page 36, lines 1 and 5, delete the second comma and insert "*or*"

Page 36, lines 2 and 6, delete "*, or release*"

Page 36, line 34, delete "*release,*"

Page 37, line 9, delete "*release,*"

Page 38, line 12, after "*a*" insert "*patient's*"

Page 41, delete lines 8 to 12

Page 41, line 13, delete "*9*" and insert "*8*"

Page 41, line 21, delete "*10*" and insert "*9*"

Page 42, line 4, delete "*to 253B.09*"

Page 42, line 26, after "*1982*" insert a comma

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

House Conferees: (Signed) John T. Clawson, Tad Jude, David B. Gruenes

Senate Conferees: (Signed) Allan H. Spear, Marv Hanson, Darrel L. Peterson

Mr. Spear moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1499 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1499: A bill for an act relating to the commitment of persons who are mentally ill, mentally ill and dangerous, mentally retarded, or chemically dependent; providing for informal institutionalization by consent, involuntary emergency institutionalization and for involuntary commitment by civil judicial procedures; providing for rights of persons hospitalized under voluntary, emergency or involuntary judicial procedures; requiring pre-petition screening; providing for commitment hearings and procedures in conformance with due process; requiring a final hearing before final determination of commitment; providing for commitment for determinate periods; providing for provisional discharge and partial institutionalization; requiring special review boards for mentally ill and dangerous and psychopathic personalities; establishing review boards for civilly committed persons; providing penalties; proposing new law coded as Minnesota Statutes, Chapter 253B; repealing Minnesota Statutes 1980, Sections 253A.01 to 253A.23.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Lantry	Peterson,C.C.	Stokowski
Belanger	Engler	Lessard	Peterson,D.L.	Stumpf
Benson	Frank	Lindgren	Peterson,R.W.	Taylor
Berg	Frederick	Luther	Petty	Tennessen
Bernhagen	Frederickson	Menning	Purfeerst	Ulland
Bertram	Hughes	Merriam	Ramstad	Waldorf
Brataas	Johnson	Moe, D. M.	Renneke	Wegener
Chmielewski	Kamrath	Moe, R. D.	Rued	Willet
Dahl	Knoll	Nelson	Setzepfandt	
Davies	Knutson	Olhoft	Sieloff	
Davis	Kroening	Pehler	Sikorski	
Dicklich	Kronebusch	Penny	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 438 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 438 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 438

A bill for an act relating to retirement; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; authorizing an amendment to the articles of incorporation of the Minneapolis teachers retirement fund association; allowing a surviving spouse to elect a joint and survivor annuity under certain circumstances; amending Minnesota Statutes 1981 Supplement, Section 354.46, Subdivision 2.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 438, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 438 be further amended as follows:

Delete everything after the enacting clause and insert:

"*Article I*

Miscellaneous Retirement Modifications

Section 1. Minnesota Statutes 1981 Supplement, Section 43A.465, is amended to read:

43A.465 [CREDIT FOR PRIOR PART-TIME SERVICE.]

Any person who was employed in a shared position in the Minnesota demonstration job-sharing program pursuant to ~~Laws 1980, Chapter 572~~ *Minnesota Statutes 1980, Sections 43.56 to 43.62 or sections 43A.40 to 43A.46*, prior to ~~May 1, 1981~~ *the effective date of this section* shall have service credit for that service in the applicable retirement fund recalculated in accordance with the provisions of section ~~43.60~~ *43A.44*, subdivision ~~3~~ *2, clause (a)*.

Sec. 2. Minnesota Statutes 1980, Section 352.04, Subdivision 8, is amended to read:

Subd. 8. [DEPARTMENT REQUIRED TO PAY ~~EQUIVALENT OF INTEREST ON~~ OMITTED SALARY DEDUCTIONS.] (a) If any department fails to take deductions *past due for a period of 60 days or less* from an employee's salary as provided in this section ~~such~~, *those* deductions shall be taken on subsequent payroll abstracts~~, and the department, and not the employee, shall pay in lieu of interest an amount equivalent to six percent of the amount due for both the employee and employer contributions~~. (b) *If any department fails to take deductions past due for a period in excess of 60 days from an employee's salary as provided in this section, the department, and not the employee, shall pay the employee and employer contributions and an amount equivalent to six percent of the total amount due in lieu of interest. (c)* If *any department fails to take deductions past due for a period of 60 days or less and* the employee is no longer in state service so that the required deductions cannot be taken from ~~his~~ *the* salary *of the employee*, the department shall nevertheless pay the required employer contributions ~~plus an amount equivalent to six percent of the required employee and employer contributions~~ . *If any department fails to take deductions past due for a period in excess of 60 days and the employee is no longer in state service, the omitted contributions shall be recovered pursuant to clause (b).* ~~(c)~~ *(d)* If an employee from whose salary required deductions were ~~not taken~~ *past due for a period of 60 days or less leaves state service prior to the payment of the omitted deductions and subsequently* returns to state service , the unpaid amount thereof shall be considered the equivalent of a ~~refundment~~ *refund*, and the employee shall accrue no right by reason thereof, except that ~~he~~ *the employee* may pay the amount thereof as provided in section 352.23.

Sec. 3. [352C.0911] [BENEFIT ADJUSTMENTS.]

Retirement allowances payable to retired constitutional officers pursuant to section 352C.031 and surviving spouse benefits payable pursuant to section 352C.04, shall be adjusted in the same manner, at the same times and in the same amounts as are benefits payable from the Minnesota post retirement investment fund to retirees of a participating public pension fund.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 353.31, Subdivision 1, is amended to read:

Subdivision 1. [BENEFITS FOR SURVIVING SPOUSE AND DEPENDENT CHILDREN; BEFORE RETIREMENT.] Upon the death of a "basic member" before retirement or upon the death of a "basic member" who was disabled and receiving disability benefits pursuant to section 353.33 at the time of death who has had at least 18 months of credited allowable service, the surviving spouse and dependent children of the member, as defined in section

353.01, subdivisions 15 and 20, shall *be entitled to* receive the monthly benefit provided below:

(a) Surviving spouse	30 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding the month in which death occurred
(b) Each dependent child	10 percent of the member's monthly average salary in effect over the last full six months of allowable service preceding the month in which death occurred

Payments for the benefit of any dependent child, as defined in section 353.01, subdivision 15, shall be made to the surviving parent, or if there be none, to the legal guardian of the child. The maximum monthly benefit for a family shall not exceed ~~$450~~ *$700*, and the minimum benefit per family shall not be less than 30 percent of the "basic member's" ~~said~~ *specified* average salary, subject to the aforementioned maximum. The surviving spouse benefit shall terminate upon the remarriage of the spouse, and the dependent children's benefit shall be reduced pro tanto when any child is no longer dependent.

Any survivor of a "basic member" whose average salary was less than $75 per month shall not be entitled to the benefits provided in this subdivision.

Except for any benefits provided pursuant to section 353.32, subdivisions 1 and 1a, there are no survivor benefits payable to the surviving spouse or dependent children of a deceased "coordinated member".

Sec. 5. Minnesota Statutes 1980, Section 354.06, Subdivision 4, is amended to read:

Subd. 4. All members of the board shall serve without compensation but shall receive necessary expenses while attending all meetings of the board *or meetings of any committee authorized by the board*, to be paid out of the fund. *Necessary expenses may include the salary of any substitute teacher which the employing unit is required to hire. The board may reimburse the employing unit for the salary of the substitute teacher. Members of the board shall suffer no loss of compensation from their employing units by reason of service on or for the board or any committee authorized by the board.*

Sec. 6. Minnesota Statutes 1981 Supplement, Section 354.091, is amended to read:

354.091 [SERVICE CREDIT.]

In computing the time of service of a teacher, the length of a legal school year in the district or institution where such service was rendered shall constitute a year under sections 354.05 to 354.10, provided such year is not less than the legal minimum school year of this state. No person shall be allowed credit for more than one year of teaching service for any fiscal year. Commencing July 1, 1969 (1) if a teacher teaches only a fractional part of a day, credit shall be given for a day of teaching service for each five hours taught, and (2) if a

teacher teaches at least 170 full days in any fiscal year credit shall be given for a full year of teaching service, and (3) if a teacher teaches for only a fractional part of the year credit shall be given for such fractional part of the year as the term of service rendered bears to 170 days. Teaching service performed prior to July 1, 1969 shall be computed pursuant to the law in effect at the time it was rendered.

In no event shall any teacher lose or gain retirement service credit as a result of the employer converting to a four day work week. If the employer does convert to a four day work week, the forms for reporting and procedures for determining service credit shall be determined by the executive director with the approval of the board of trustees.

Sec 7. Minnesota Statutes 1981 Supplement, Section 354.46, Subdivision 1, is amended to read:

Subdivision 1. [BASIC PROGRAM; BENEFITS FOR SPOUSE AND CHILDREN OF TEACHER.] If a basic member who has at least 18 months of allowable service credit and who has an average salary as defined in section 354.44, subdivision 6 equal to or greater than $75 dies prior to retirement or if a former basic member who, at the time of death, was totally and permanently disabled and receiving disability benefits pursuant to section 354.48 dies prior to attaining the age of 65 years, the surviving dependent spouse and dependent children of the basic member or former basic member shall be entitled to receive a monthly benefit as follows:

(a) Surviving dependent spouse	30 percent of the basic member's monthly average salary paid in the last full fiscal year preceding death
(b) Each dependent child	ten percent of the basic member's monthly average salary paid in the last full fiscal year preceding death

Payments for the benefit of any dependent child under the age of 22 years shall be made to the surviving parent, or if there be none, to the legal guardian of the child. The maximum monthly benefit shall not exceed ~~$450~~ *$700* for any one family, and the minimum benefit per family shall not be less than 30 percent of the basic member's average salary, subject to the foregoing maximum. The surviving dependent spouse benefit shall terminate upon remarriage, and the surviving dependent children's benefit shall be reduced pro tanto when any surviving child is no longer dependent.

If the basic member and the surviving dependent spouse are killed in a common disaster and if the total of all survivors benefits payable pursuant to this subdivision is less than the accumulated deductions plus interest payable, the surviving dependent children shall receive the difference in a lump sum payment.

If the survivor benefits provided in this subdivision exceed in total the monthly average salary of the deceased basic member, these benefits shall be reduced to an amount equal to the deceased basic member's monthly average

salary.

Prior to payment of any survivor benefit pursuant to this subdivision, in lieu of that benefit, the surviving dependent spouse may elect to receive the joint and survivor annuity provided pursuant to subdivision 2, or may elect to receive a refund of accumulated deductions with interest in a lump sum as provided pursuant to sections 354.47, subdivision 1 or 354.62, subdivision 5, clause (3). If there are any surviving dependent children, the surviving dependent spouse may elect to receive the refund of accumulated deductions only with the consent of the district court of the district in which the surviving dependent child or children reside.

Sec. 8. Minnesota Statutes 1981 Supplement, Section 354.46, Subdivision 2, is amended to read:

Subd. 2. [DEATH WHILE ELIGIBLE DESIGNATED BENEFICIARY BENEFIT.] *The surviving spouse of* any member who has attained the age of at least 55 years and has credit for at least 20 years of allowable service or who has credit for at least 30 years of allowable service irrespective of age shall be entitled to ~~elect~~ joint and survivor annuity coverage in the event of death *of the member* prior to retirement ~~which shall be payable to the surviving spouse. If the election is made and the person dies prior to retirement, the surviving spouse,~~ If the surviving spouse does not elect to receive a surviving spouse benefit provided pursuant to subdivision 1, if applicable, or does not elect to receive a refund of accumulated member contributions provided pursuant to sections 354.47, subdivision 1, or 354.62, subdivision 5, clause (3), whichever is applicable, *the surviving spouse* shall be entitled to receive, upon written application on a form prescribed by the executive director, a benefit equal to the second portion of a 100 percent joint and survivor annuity as provided pursuant to section 354.45 and computed pursuant to section 354.44, subdivisions 2, 6 or 7, whichever is applicable. If the member was a participant in the variable annuity division, the applicable portion of the benefit shall be computed pursuant to section 354.62, subdivision 5, clause (1). The benefit shall be payable for life.

Sec. 9. Minnesota Statutes 1980, Section 354A.11, is amended to read:

354A.11 [CERTAIN MONEYS AND CREDITS OF TEACHERS EXEMPT.]

All moneys deposited by a teacher or member or deposited by any other person or corporation, municipal or private, to the credit of a teacher or member of a teachers retirement fund association organized pursuant to this chapter, and all moneys, rights, and interests or annuities due or to become due to a teacher, member, or annuitant, or their beneficiaries, from any association shall not be assignable, shall be exempt from garnishment, attachment, and execution or sale on any final process issued from any court *and every other legal process whatsoever including, but not limited to, divorce, legal separation, and child support,* and shall not be subject to the estate tax provisions of this state.

Sec. 10. [356.61] [LIMITATION ON PUBLIC EMPLOYEE RETIREMENT ANNUITIES.]

Notwithstanding any provision of law, bylaws, articles of incorporation, retirement and disability allowance plan agreements or retirement plan con-

tracts to the contrary, no person who has pension or retirement coverage by a public pension plan shall be entitled to receive a monthly retirement annuity or disability benefit which, at the time of commencement of the retirement annuity or disability benefit, exceeds the amount of the final monthly salary of the person.

A public pension plan is any Minnesota public pension plan or fund which provides pension or retirement coverage for public employees other than volunteer firefighters, including any plan or fund enumerated in sections 356.20, subdivision 2, or 356.30, subdivision 3, any local police or firefighter's relief association to which section 69.77 applies, or any retirement or pension plan or fund, including a supplemental retirement plan or fund, established, maintained or supported by any governmental subdivision or public body whose revenues are derived from taxation, fees, assessments or from other public sources. Final monthly salary is the hourly rate of compensation received by the person on account of the most recent public employment for the final pay period occurring prior to retirement multiplied by 174.

The figure for the monthly retirement annuity or disability benefit to be used for the calculation of this limitation shall not include any reduction or adjustment required for retirement prior to the normal retirement age or required for the election of an optional annuity.

If the figure for the monthly retirement annuity or disability benefit exceeds the limit contained in this section, the annuity or benefit payable shall be reduced appropriately.

The managing board of each public pension plan from which a retirement annuity or disability benefit is payable shall, at the time that the retirement annuity or disability benefit commences, contact all other public pension plans to determine whether or not the recipient of the retirement annuity or disability benefit is also receiving or is entitled to receive a retirement annuity or disability benefit from any other public pension plan. If a person is entitled to receive or is receiving a retirement annuity or disability benefit from more than one public pension plan, all retirement annuities or disability benefits from all public pension plans shall be totalled in determining whether or not the limitation shall apply; provided however, that the limitation shall be based on the highest final monthly salary received by the individual from any plan. Any reduction in the amount of the retirement annuity or disability benefit required pursuant to this section shall be made by the public pension plan which provided retirement coverage for the most recent period of service.

Sec. 11. [423A.10] [POWERS OF CITY OFFICIALS LIMITED.]

When the governing board of a firefighters or police relief association in any city shall determine what is necessary to adequately protect, maintain and administer the firefighters or police relief association, neither the governing body of the city nor any official of the city may thereafter deny adequate representation therefor. Any duties performed by any member of the association pursuant to the determination under this section are deemed to be fire or police duties.

Sec. 12. Minnesota Statutes 1980, Section 490.025, Subdivision 2, is amended to read:

Subd. 2. [RETIREMENT COMPENSATION; AMOUNT.] A justice *retir-*

ing pursuant to subdivision 1 shall *be entitled to* receive the compensation allotted to ~~his~~ *the* office *of the justice* for the remainder of the term for which *the justice was* elected. If a justice be retired for age or disability and, at the time of ~~his~~ retirement, ~~has~~ *had* served as a justice for two full terms or the equivalent thereof or as a justice and as a judge of the district court for 15 years ~~he~~, *the justice* shall, after ~~the expiration of the term for which elected or appointed,~~ *qualifying for a pension be entitled to* receive, for the remainder of ~~his~~ *the* life *of the justice, a retirement annuity equal to* one-half of the compensation allotted to ~~his~~ *the* office *of the justice* at the time of ~~his~~ retirement *or discontinuance of service* plus two and one-half percent of the compensation allotted to ~~his~~ *the* office *of the justice* at the time of ~~his~~ retirement *or discontinuance of service* for each year, not exceeding ~~10~~ *ten*, which ~~he~~ *the justice* served in ~~his~~ office in excess of two full terms, or the equivalent thereof, on the supreme court or in excess of 15 years as a justice of ~~such~~ *the supreme* court and as a judge of the district court. *Any retirement annuity to which a justice is entitled pursuant to this section may be deferred until the former justice attains retirement age notwithstanding the termination of service by the justice prior to attaining retirement age.* ~~All such~~ *The* retirement ~~pay~~ *annuity* shall be paid by the executive director of the Minnesota state retirement system in the same manner as other *retirement annuities and* benefits are paid.

Sec. 13. Minnesota Statutes 1980, Section 490.025, Subdivision 3, is amended to read:

Subd. 3. [RETIREMENT AGE.] ~~Where~~ *If* a justice of the supreme court ~~has served~~ *serves* for two full terms and during this period ~~reaches~~ *attains* the age of 70, *the justice*, upon the completion of this period, ~~he~~ may apply for and *be entitled to* receive, for the remainder of ~~his~~ *the* life *of the justice*, the equivalent of the retirement ~~compensation~~ *annuity* granted *to retiring* justices of the supreme court ~~under~~ *pursuant to* subdivision 2, or ~~where~~ *if* a justice ~~has served~~ *serves* a minimum period of ~~15~~ *12* years on the supreme court and ~~has reached~~ *attains* the age of 65, ~~he~~ *the justice* may ~~retire and~~, *on or after terminating active service, be entitled to* apply for and receive, for the remainder of ~~his~~ *the* life *of the justice*, the equivalent of the retirement ~~compensation~~ *annuity* payable ~~under~~ *pursuant to* subdivision 2 to a retired justice whose final elective term has expired.

Sec. 14. [REPAYMENT OF REFUND FOR VIRGINIA FIREFIGHTERS RELIEF ASSOCIATION.]

Notwithstanding any law to the contrary, a member of the Virginia firefighters relief association who was employed by the Virginia fire department from February 1960 to December 1968, who received a refund of accumulated employee contributions upon termination of service, and who was reemployed by the Virginia fire department in July 1973, shall be entitled to repay the refund plus interest at six percent per annum compounded annually. Upon repayment of the refund amount plus interest, the allowable service credit for the period of previous employment shall be restored to the account of the member.

Sec. 15. [PURCHASE OF PRIOR SERVICE VALIDATED.]

Notwithstanding any law to the contrary, the public employees retirement association shall credit to the account of a St. Louis county commissioner service credit for service as an elected official for the period from January 1,

1969 to April, 1977 for which the association received payment of $14,216.68 in January 1981.

Sec. 16. [CERTAIN OMITTED CONTRIBUTIONS TO THE COLLEGE SUPPLEMENTAL PLAN.]

Notwithstanding the provisions of Minnesota Statutes, Section 136.81, a member of the teachers retirement association, who was born on September 3, 1919, and who taught at Moorhead State University during the 1970-1972 school years, shall be entitled to make payment to the state university and community college supplemental retirement plan of the teachers retirement fund for deposit in the Minnesota supplemental investment fund in an amount equal to the amount of the shortages for the 1970-1972 school years and the amount of the matching employer contribution. The employer of the member for the 1970-1972 school years may, at its discretion, pay the matching employer contribution. The authority to make the payment shall expire on June 30, 1982.

Sec. 17. [PROPORTIONATE ANNUITY FOR CERTAIN FORMER MEMBER.]

A former member of the public employees retirement association who had allowable service credit totalling nine years, four months and 27 days at the time of termination of public service on November 27, 1978, and who would have been entitled to a proportionate annuity had her service continued after January 1, 1979, shall nevertheless be entitled to a proportionate annuity pursuant to Minnesota Statutes, Section 356.32. Payment of the annuity shall commence upon attaining the age of 65 years or upon the effective date of this act, whichever is later, provided that the former member repays to the association, within 60 days after the effective date of this act, any refund of employee contributions previously taken, without interest.

Sec. 18. [SAVINGS PROVISION.]

Any person who has covered service in excess of 40 years in a public pension plan, as these terms are defined in Minnesota Statutes 1980, Section 356.60, Subdivision 1, a portion of which service was performed after April 6, 1978 and prior to the effective date of this section, shall receive credit for that service. If that person commenced receiving a retirement annuity during the period specified, the amount of the annuity shall be adjusted based upon total covered service commencing with the first annuity payment after the effective date of this section.

Sec. 19. [REPEAL.]

Minnesota Statutes 1980, Sections 356.60, Subdivisions 2 and 3; and 423.815, as amended by Laws 1981, Chapter 224, Section 286; and Minnesota Statutes 1981 Supplement, Section 356.60, Subdivision 1 are repealed.

Sec. 20. [EFFECTIVE DATE.]

Except as hereafter provided, Article I is effective the day following final enactment. Section 2 applies retroactively to omitted deductions of employees of the board of regents of the University of Minnesota discovered after July 1, 1981. Omitted deductions for the period from June 1, 1977, to September 30, 1981, which were deducted from an employee's salary after July 1, 1981, shall be treated as erroneous deductions subject to refund pursuant to section

352.04, subdivision 9. Section 14 is effective upon approval by the Virginia City Council and upon compliance with Minnesota Statutes, Section 645.021.

Article II

PURCHASES OF PRIOR SERVICE

Section 1. [PURCHASE OF PRIOR SERVICE CREDIT.]

Subdivision 1. [AUTHORITY.] *Notwithstanding any provision of law to the contrary, the following persons shall be entitled to purchase prior service credit from the appropriate retirement fund or association for service for which the person has not previously received service credit. The amount and manner of payment shall be governed by the provisions of section 2.*

Subd. 2. From the Minnesota state retirement system, a member who has prior service as a labor service employee employed as a laborer 1 on an hourly basis between May 4, 1960 and December 26, 1961, and who is currently an employee of the department of natural resources, shall be entitled to purchase service credit for the period from May 4, 1960 to December 26, 1961.

Subd. 3. From the teachers retirement association, any member who rendered active military service in the United States Army, Navy, Marine Corps, Coast Guard or Air Force shall be entitled to purchase service credit for the period of active military service, but service credit shall not be granted for any voluntary extension of military service at the instance of the member beyond the initial period of enlistment, induction or call to duty.

Subd. 4. From the teachers retirement association, any member who rendered teaching service prior to July 1, 1957 as defined in Minnesota Statutes, Section 354.05, but who did not make the full required contributions for this service because of limited or permanent exempt status wherein membership in the association was optional or because of the contribution limits then in effect, shall be entitled to purchase service credit for any of the above periods of service.

Subd. 5. From the public employees retirement association, a basic member who served as county attorney for Lac Qui Parle county between January 1, 1951 and September 1, 1960, shall be entitled to purchase service credit for the period served as county attorney.

Subd. 6. From the public employees retirement association, a person who was employed by the St. Paul bureau of health from January 1948 to September 1953 and who contributed to the bureau of health retirement plan from February 1951 to September 1953, and who was reemployed by the city of St. Paul in the department of community services, division of public health from April 22, 1974 until December 31, 1981, shall be entitled to purchase service credit for the period from February 1951 to September 1953.

Subd. 7. From the Minneapolis teachers retirement fund association, if the articles of incorporation are amended pursuant to section 3, any member who has performed active military service in the United States Army, Navy, Marine Corps, Coast Guard or Air Force, shall be entitled to purchase service credit for the period of prior military service for the lesser of either the actual military service without any voluntary extension beyond the initial period of military service or four years.

Subd. 8. From the Buhl police relief association, a member who has at least

15 years of service credit in the Buhl police relief association, and who was a member of the public employees police and fire fund for the period of probationary service and who took a refund of the employee contributions at the end of the probationary period, shall be entitled to purchase service credit in the Buhl police relief association for the period of probationary service.

Subd. 9. From the teachers retirement association, any person who was born on May 29, 1932, who is employed as an elementary school principal by independent school district no. 316, Coleraine, who was employed as a high school teacher and coach by the Hackensack school district during the 1955-1956 school year, who was employed as a high school teacher and coach by the Kelliher school district during the 1956-1957 school year, and who served on active military duty from June 15, 1957 to December 14, 1957, shall be entitled to purchase credit for any period of teaching service or active military service for which the person does not have service credit.

Subd. 10. From the Minnesota state retirement system, a former member who was employed by the state department of taxation, income tax division, as a probationary employee from June 1942 until January 1943, and as a regular employee of that division until October 1946, and who is currently employed by the public employees retirement association, shall be entitled to purchase service credit for any portion of probationary service, which when added to the service credit obtained by the repayment of a refund authorized under Minnesota Statutes, Section 356.30, Subdivision 2, will enable the person to acquire twenty years of service credit.

Subd. 11. From the public employees retirement association, any person who was a member of the West St. Paul city council from January 1, 1972 to December 31, 1976, and who was a county commissioner for the county of Dakota from January 1, 1977 to December 31, 1980, shall be entitled to purchase service credit for the period from January 1, 1972 to December 31, 1976.

Subd. 12. From the Minnesota state retirement system, any employee or former employee of the department of employment services who was employed during the period June 1, 1941 to June 17, 1947, by the United States employment service and who became a public employee covered by one of the retirement funds enumerated in section 356.30, subdivision 3, subsequent to June 17, 1947, for the period of service with the United States employment service.

Subd. 13. From the public employees retirement association, any person who is employed as a police officer by the city of New Brighton, who was employed as a part time police officer on an as needed basis by that city from June, 1957 to November, 1964, and who was appointed by that city as a full time police officer in November, 1964, shall be entitled to purchase service credit for any months during the period from June 1, 1957 to February 28, 1961, in which the person rendered service as a part time police officer and received compensation for those services as certified by the city of New Brighton.

Sec. 2. [PAYMENT.]

Subdivision 1. [CALCULATION OF PRESENT VALUE.] *For the persons entitled to purchase prior service credit, there shall be paid to the applicable*

retirement fund or association an amount equal to the present value, on the date of payment, of the amount of the additional service pension or retirement annuity which would be obtained by virtue of the purchase of the additional service credit, using the interest rate specified in Minnesota Statutes, Section 356.215, Subdivision 4, Clause (4), and the applicable mortality table adopted for the appropriate retirement fund or association and assuming continuous service until, and retirement at, the age at which the minimum age and service, age or service requirements of the retirement fund for normal retirement or retirement with an annuity unreduced for retirement at an early age are met with the additional service credit purchased, for the appropriate retirement fund or association, or the age at the date of payment or of the agreement to pay, whichever is older, and a future salary history which includes annual salary increases at the salary increase rate specified in Minnesota Statutes, Section 356.215, Subdivision 4, Clause (4). The person requesting the purchase of prior service must establish in the records of the retirement fund or association proof of the service for which the purchase of prior service is requested. The manner of the proof of service shall be in accordance with procedures prescribed by the board of trustees of the fund or association or by the executive director.

Subd. 2. [PAYMENT OF PRESENT VALUE; CREDITING OF SERVICE.] *Payment shall be made in one lump sum, unless the executive director of the appropriate retirement fund or association agrees to accept payment in installments over a period of not to exceed three years from the date of the agreement, with interest at a rate deemed appropriate by the executive director. The period of allowable service shall be credited to the account of the person only after receipt of full payment by the executive director.*

Subd. 3. [OPTIONAL EMPLOYER PARTIAL PAYMENT.] *Payment shall be made by the person entitled to purchase prior service, except that the current or former employer of the person may, at its discretion, pay all or any portion of the payment amount which exceeds an amount equal to the employee contribution rates in effect for the retirement fund during the period or periods of prior service applied to the actual salary rates in effect during the period or periods of prior service, plus interest at the rate of six percent per annum compounded annually from the date on which the contributions would otherwise have been made to the date on which the payment is made. If more than one person who is a current or former employee of an employing unit is eligible to purchase prior service, the governing body of the employing unit shall establish and implement a uniform policy on the payment by it of a portion of the purchase of prior service payment amount.*

Subd. 4. [TIME LIMITATION ON AUTHORITY TO MAKE PAYMENT.] *For the provisions of section 1, subdivisions 3 and 4, the authority to make a lump sum payment or the agreement to make payments in installments over a period of not to exceed three years shall expire on July 1, 1987. For the provisions of section 1, subdivision 7, payment shall be made on or before July 1, 1985, or the date the member terminates active service, whichever is earlier. For the remaining provisions of section 1, the authority to make a lump sum payment or to make an agreement to make installments shall expire on July 1, 1983.*

Any payments made pursuant to section 1, subdivisions 3 and 4, shall be accumulated deductions as defined in section 354.05, subdivision 11, and

these payments shall be credited to the member's individual account.

Sec. 3. [MINNEAPOLIS TEACHERS RETIREMENT FUND ASSOCIATION; AUTHORIZATION OF AMENDMENT OF ARTICLES OF INCORPORATION.]

Authorization is hereby granted in accordance with Minnesota Statutes, Section 354A.12, Subdivision 4, for the Minneapolis teachers retirement fund association to amend its articles of incorporation to authorize its members to purchase military service credit.

A new subsection (18) may be added to article IX of the articles of incorporation to provide that an active member of the Minneapolis teachers retirement fund association who has acquired at least 15 years of service credit from the retirement fund association and who has performed active military service in the United States Army, Navy, Marine Corps, Coast Guard or Air Force, shall be entitled upon application to purchase service credit for the period of active military service, which shall not exceed the lesser of the actual military service without any voluntary extension beyond the initial period of military service or four years. The period of military service purchased shall not include any period of service for which the member on the date of purchase is receiving retirement benefits from any federal, state or local public or governmental pension fund or plan other than the federal social security system.

To purchase the military service credit, the member shall pay the retirement fund an amount calculated pursuant to section 2. Payment may be made either in a lump sum or in installments by payroll deduction from the salary of the member. Service credit for the period of military service shall not be granted until full payment is received by the retirement fund and until sufficient documentation concerning the period of military service and the status of other public pension fund or plan credit for the period is provided to the retirement fund.

Sec. 4. [PURCHASE OF PRIOR SERVICE IN UNCLASSIFIED EMPLOYEES PLAN.]

Subdivision 1. [ENTITLEMENT.] *A person who was employed by the legislature during the 1981 session and who is currently a permanent employee of the governor's office shall be entitled to purchase service credit for the period of prior intermittent legislative service.*

Subd. 2. [PAYMENT; PROOF OF EMPLOYMENT.] *The calculation of the payment to purchase prior service and proof of legislative employment shall be certified pursuant to Laws 1981, Chapter 297, Section 2, Subdivision 2, Paragraph 2, except that the matching employer contributions shall be at the discretion of the employer. The authority to make a lump sum payment or to make an agreement to make installment payments shall expire on July 1, 1983.*

Sec. 5. [FUTURE PENSION COVERAGE FOR CERTAIN STATE EMPLOYEES IN UNCLASSIFIED SERVICE; REFUND OR MEMBER CONTRIBUTION; PURCHASE OF PRIOR SERVICE CREDIT.]

Subdivision 1. [COVERAGE FOR FUTURE SERVICE.] *Notwithstanding any provision of law to the contrary, any person who is an employee in the unclassified civil service of the state, who was covered by the state employees*

retirement fund of the Minnesota state retirement system established pursuant to Minnesota Statutes, Chapter 352, prior to July 1, 1980, and who was a member of, and had at least ten years of allowable service credit as defined in Minnesota Statutes, Section 352B.01, Subdivision 3, in the highway patrol retirement fund established pursuant to Minnesota Statutes, Chapter 352B, shall be entitled, on or before January 1, 1983, to elect to have retirement coverage for all service as an unclassified state employee rendered subsequent to the date of the election be provided by the highway patrol retirement fund, and not by the state employees retirement fund. The election shall be made in writing and shall be filed with the executive director of the Minnesota state retirement system.

Subd. 2. [REFUND OF MEMBER CONTRIBUTIONS.] *If the election of a change in retirement coverage is made, any person to whom subdivision 1 applies shall be required to take a refund of all accumulated member contributions made to the state employees retirement fund to the credit of the person.*

Subd. 3. [PURCHASE OF PRIOR SERVICE CREDIT.] *If the election of a change in retirement coverage is made, any person to whom subdivision 1 applies shall be entitled to purchase prior service credit from the highway patrol retirement fund for any period of service covered by the state employees retirement fund. The amount and manner of payment shall be governed by section 2.*

Sec. 6. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

Article III

Clarification of Miscellaneous Retirement Provisions

Section 1. Minnesota Statutes 1981 Supplement, Section 43A.34, Subdivision 4, is amended to read:

Subd. 4. [*HIGHWAY PATROL,* CONSERVATION AND CRIME BUREAU OFFICERS EXEMPTED.] Notwithstanding any ~~provisions of chapter 352B or any other law~~ *provision* to the contrary, *(a)* conservation officers and crime bureau officers who were first employed on or after July 1, 1973 and *who* are members of the highway ~~patrolmen's~~ *patrol* retirement ~~association~~ *fund* by reason of their employment, *and members of the Minnesota highway patrol division of the department of public safety who are members of the highway patrol retirement association by reason of their employment,* shall not continue employment after attaining the age of 60 years, except for a fractional portion of one year that will enable the employee to complete ~~his~~ *the employee's* next full year of allowable service~~. Notwithstanding any provisions of chapter 352B or any other law to the contrary,~~ *as defined pursuant to section 352B.01, subdivision 3; and (b)* conservation officers and crime bureau officers who were first employed and are members of the highway ~~patrolmen's~~ *patrol* retirement ~~association~~ *fund* by reason of their employment before July 1, 1973, shall ~~be governed by the same mandatory retirement rules applied to other employees who are covered by the Minnesota state retirement system~~ *not continue employment after attaining the age specified in subdivision 1.*

Sec. 2. Minnesota Statutes 1981 Supplement, Section 69.77, Subdivision 2,

is amended to read:

Subd. 2. The penalty provided for in subdivision 1 shall not apply to a relief association enumerated in subdivision 1a if the following requirements are met:

(1) Each member of the relief association pays into the special fund of the association during a year of covered service, a contribution for retirement coverage including survivorship benefits of not less than eight percent of the maximum rate of salary upon which retirement coverage is credited and service pension and retirement benefit amounts are determined. The member contributions shall be made by payroll deduction from the salary of the member by the municipality, and shall be transmitted by the municipality to the relief association as soon as practical. The relief association shall deposit the member contribution to the credit of the special fund of the relief association, provided that to avoid undue increase in the amount of employee contributions in any one year, any increase in the amount of contributions required by this section may be spread over several years with the approval of the municipality, but the increase in rate of contribution in each year shall not be less than one percent until the appropriate levels of required employee contributions have been reached. The member contribution requirement specified in this clause shall not apply to any members who are volunteer firefighters unless the governing body of the municipality did not approve this member contribution exemption following the consideration by the municipal governing body of the first actuarial survey filed with the municipality following January 1, 1970.

(2) The officers of the relief association determine the financial requirements of the relief association and minimum obligation of the municipality for the following calendar year in accordance with the requirements of this clause. The financial requirements of the relief association and the minimum obligation of the municipality shall be determined on or before the submission date established by the municipality pursuant to clause (3).

The financial requirements of the relief association for the following calendar year shall be based on the most recent actuarial valuation or survey prepared in accordance with sections 356.215, subdivision 4 and 356.216, whether or not the actuarial valuation or survey was prepared at a greater frequency than minimally required pursuant to clause (8). In the event that an updated actuarial valuation or an actuarial estimate is prepared by the actuary of the relief association as part of obtaining a modification of the benefit plan of the relief association and the modification is implemented, the updated actuarial valuation or actuarial estimate shall be used in calculating the financial requirements of the relief association.

If the relief association has an unfunded accrued liability as reported in the most recent actuarial valuation or survey, the total of the amounts calculated pursuant to clauses (a) and (b) shall constitute the financial requirements of the relief association for the following year. If the relief association does not have an unfunded accrued liability as reported in the most recent actuarial valuation or survey the amount calculated pursuant to subclause (a) shall constitute the financial requirements of the relief association for the following year.

(a) The normal level cost requirement for the following year, expressed as a dollar amount, which shall be determined by applying the normal level cost of the relief association as reported in the actuarial valuation or survey and ex-

pressed as a percentage of covered payroll to the estimated covered payroll of the active membership of the relief association, including any projected increase in the active membership, for the following year.

(b) To the dollar amount of normal cost thus determined shall be added an amount equal to the level annual dollar amount which is sufficient to amortize the unfunded accrued liability by December 31, 2010, as determined from the actuarial valuation or survey of the fund, using an interest assumption set at the rate specified in section 356.215, subdivision 4, clause (4). The amortization date specified in this subclause shall apply to all local police or salaried firefighters relief associations and shall supersede any amortization date specified in any applicable special law.

The minimum obligation of the municipality shall be an amount equal to the financial requirements of the relief association reduced by the estimated amount of member contributions from covered salary anticipated for the following calendar year and the estimated amounts from the applicable state aid program established pursuant to sections 69.011 to 69.051 anticipated as receivable by the relief association after any allocation pursuant to section 69.031, subdivision 5, clause (2), subclause ~~(b)~~ *(c)* or ~~Laws 1980, Chapter 607, Article XV, Section 4, Subdivision 2~~ *423A.01, subdivision 2, clause (6)*, and from the local police and salaried firefighters' relief association amortization aid program established pursuant to section 423A.02 anticipated for the following calendar year.

(3) The officers of the relief association shall submit determination of the financial requirements of the relief association and of the minimum obligation of the municipality to the governing body on or before the date established by the municipality which shall not be earlier than August 1 and shall not be later than September 1 of each year. The governing body of the municipality shall ascertain whether or not the determinations were prepared in accordance with law.

(4) The municipality shall provide for and shall pay each year at least the amount of the minimum obligation of the municipality to the relief association. If there is any deficiency in the municipal payment to meet the minimum obligation of the municipality as of the end of any calendar year, the amount of the deficiency shall be added to the minimum obligation of the municipality for the following year calculated pursuant to clause (2) and shall include interest at the rate of six percent per annum compounded from the date that the municipality was required to make payment pursuant to this clause until the date that the municipality actually makes the required payment.

(5) The municipality shall provide in the annual municipal budget for at least the minimum obligation of the municipality calculated pursuant to clause (2). The municipality may levy taxes for the payment of the minimum obligation of the municipality without any limitation as to rate or amount and irrespective of limitations imposed by other provisions of law upon the rate or amount of taxation when the balance of the special fund or any fund of the relief association has attained a specified minimum asset level. In addition, any taxes levied pursuant to this section shall not cause the amount or rate of other taxes levied in that year or to be levied in a subsequent year by the municipality which are subject to a limitation as to rate or amount to be reduced. If the municipality does not include the full amount of the minimum obligation of the municipality

in the levy that the municipality certified to the county auditor in any year, the officers of the relief association shall certify the amount of any deficiency to the county auditor. Upon verifying the existence of any deficiency in the levy certified by the municipality, the county auditor shall spread a levy over the taxable property of the municipality in the amount of the deficiency certified to by the officers of the relief association.

(6) Any sums of money paid by the municipality to the relief association in excess of the minimum obligation of the municipality in any year shall be used to amortize any unfunded liabilities of the relief association.

(7) The funds of the association shall be invested in securities which are proper investments pursuant to section 11A.24, except that up to $10,000 may be invested in the stock of any one corporation in any account of such small size that the three percent stock limitation specified in section 11A.24, subdivision 5 would necessitate a lesser investment. Securities held by the association before July 1, 1971, which do not meet the requirements of this paragraph may be retained after that date if they were proper investments for the association on April 28, 1969. The governing board of the association may select and appoint investment agencies to act for and in its behalf or may certify funds for investment by the state board under the provisions of section 11A.17, provided that there be no limit to the amount which may be invested in the income share account, in the bond account, or in the fixed-return account, and that up to 20 percent of that portion of the assets of the association invested in the Minnesota supplemental investment fund may be invested in the growth share account.

(8) The association shall procure an actuarial valuation showing the condition of the special fund of the relief association pursuant to sections 356.215 and 356.216 as of December 31 as of every even numbered year. The association shall also procure a quadrennial experience study pursuant to sections 356.215 and 356.216, as of December 31, 1978, and shall procure a quadrennial experience study every four years thereafter. A copy of the actuarial survey and the quadrennial experience study shall be filed with the director of the legislative reference library, the governing body of the municipality in which the association is organized, the executive secretary of the legislative commission on pensions and retirement, and the commissioner of insurance, not later than June 1 of the following year.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 354.47, Subdivision 1, is amended to read:

Subdivision 1. [DEATH BEFORE RETIREMENT.] (1) If a member dies before retirement and is covered pursuant to the provisions of section 354.44, subdivision 2, and neither an optional annuity, nor a reversionary annuity, nor a benefit pursuant to section 354.46, subdivision 1 is payable to the survivors if the member was a basic member, the surviving spouse, *or if there is no surviving spouse, the designated beneficiary* shall be entitled to an amount equal to the member's accumulated deductions with interest credited to the account of the member to the date of death.

(2) If a member dies before retirement and is covered ~~under~~ *pursuant to* the provisions of section 354.44, subdivisions 6 and 7, and neither an optional annuity, nor reversionary annuity, nor the benefit described in section 354.46, subdivision 1 is payable to the survivors if the member was a basic member, the surviving spouse, *or if there is no surviving spouse, the designated beneficiary*

shall be entitled to an amount equal to the member's accumulated deductions credited to the account of the member as of June 30, 1957 and from July 1, 1957 to the date of death the member's accumulated deductions plus interest at the rate of 3-1/2 percent per annum compounded annually.

(3) The amounts payable in clause (1) or *clause* (2) are in addition to the amount payable in section 354.62, subdivision 5, for the member's variable annuity account.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 354.48, Subdivision 10, is amended to read:

Subd. 10. [RETIREMENT STATUS AT AGE 65.] No person shall be entitled to receive both *a* disability ~~benefits~~ *benefit* and a retirement annuity provided by this chapter. The disability benefit paid to a person hereunder shall terminate ~~when the person reaches~~ *at the end of the month in which the person attains the* age *of* 65 *years*. If the person is still totally and permanently disabled ~~when~~ *at the beginning of the month next following the month in which* the person attains the age of 65 years, the person shall be deemed to be on retirement status and, if the person had elected an optional annuity pursuant to subdivision 3a, shall receive an annuity in accordance with the terms of the optional annuity previously elected, or, if the person had not elected an optional annuity pursuant to subdivision 3a, may at the option of the person elect to receive either a straight life retirement annuity computed pursuant to section 354.44 or a straight life retirement annuity equal to the disability benefit paid ~~before the person reached~~ *prior to the date on which the person attained the* age *of* 65 *years*, whichever amount is greater, or elect to receive an optional annuity as provided in section 354.45, subdivision 1. Election of an optional annuity shall be made prior to the person attaining the age of 65 years. If an optional annuity is elected, the election shall be effective on the date on which the person attains the age of 65 years and the optional annuity shall begin to accrue on the first day of the month next following the month in which the person attains the age of 65 years.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 354.66, Subdivision 4, is amended to read:

Subd. 4. Notwithstanding any provision of this chapter relating to the salary figure to be used for the determination of contributions or the accrual of service credit to the contrary, a teacher shall continue to make employee contributions to and accrue allowable service credit in the retirement fund during the period of part time employment pursuant to this section upon the same basis and in the same amounts as would have been paid and accrued if the teacher had been employed on a full time basis. The state shall make the full required employer contributions on behalf of the teacher to the retirement association for the part time teaching service in the manner described in section 354.43, subdivisions 1, 2 and 5. Full accrual of allowable service credit and employee contributions for part time teaching service pursuant to this section *and section 354A.094* shall not continue for a period longer than 10 years.

Sec. 6. Minnesota Statutes 1980, Section 354A.094, Subdivision 4, is amended to read:

Subd. 4. Notwithstanding any provision to the contrary in this chapter or the articles of incorporation or bylaws of an association relating to the salary figure

to be used for the determination of contributions or the accrual of service credit, a teacher shall continue to make employee contributions to and to accrue allowable service credit in the applicable association during the period of part time employment pursuant to this section upon the same basis and in the same amounts as would have been paid and accrued if the teacher had been employed on a full time basis. The state shall make the full required employer contributions on behalf of the teacher to the applicable association for the part time teaching service in the manner described in section 354.43, subdivisions 1, 2 and 5. Full membership, accrual of allowable service credit and employee contributions for part time teaching service by a teacher pursuant to this section *and section 354.66* shall not continue for a period longer than ten years.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 354A.12, Subdivision 1, is amended to read:

Subdivision 1. [EMPLOYEE CONTRIBUTIONS.] The contribution required to be paid by each member of a teachers retirement fund association shall not be less than the percentage of total salary specified below for the applicable association and program:

Association and Program	Percentage of Total Salary
Duluth teachers retirement association	
old law and new law	
coordinated ~~program~~ *programs*	4.5 percent
Minneapolis teachers retirement association	
basic program	8.5 percent
coordinated program	4.5 percent
St. Paul teachers retirement association	
basic program	8 percent
coordinated program	4.5 percent

Sec. 8. Minnesota Statutes 1980, Section 354A.35, is amended by adding a subdivision to read:

Subd. 2a. [MODIFICATION IN SURVIVOR COVERAGE IN CERTAIN INSTANCES.] *Any person who elected joint and survivor annuity coverage pursuant to subdivision 2 prior to July 1, 1981 and the spouse of the person shall be entitled to modify that election by making a joint specification in writing on a form prescribed by the executive secretary that the benefits provided in this section, whichever is applicable, shall be paid only to a designated beneficiary. Authority for any person and the spouse of the person to modify the prior election shall expire on the date of the retirement of the person who elected the coverage or the date of death of the person who elected the coverage, whichever occurs first.*

Sec. 9. Minnesota Statutes 1981 Supplement, Section 356.371, Subdivision 1, is amended to read:

Subdivision 1. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given.

(1) "Annuity form" means the payment procedure and duration of a retirement annuity *or disability benefit* available to a member of a public pension fund, based on the period over which a retirement annuity *or disability benefit* is payable, determined by the number of persons to whom the retirement annuity *or disability benefit* is payable, and the amount of the retirement annuity *or disability benefit* which is payable to each person.

(2) "Joint and survivor optional annuity" means an optional annuity form which provides a retirement annuity *or disability benefit* to a retired member and the spouse of the member on a joint basis during the lifetime of the retired member and all or a portion of the original retirement annuity *or disability benefit* amount to the surviving spouse in the event of the death of the retired member.

(3) "Optional annuity form" means an annuity form which is elected by a member and is not provided automatically as the standard annuity form of the public pension fund.

(4) "Public pension fund" means a public pension plan as defined pursuant to section 356.60, subdivision 1, clause (a).

(5) "Retirement annuity" means *a series of monthly payments to which a former or retired member of a public pension fund is entitled on account of attaining a specified age and acquiring credit for a specified period of service, which shall include* a retirement annuity, retirement allowance or service pension.

(6) "Disability benefit" means a series of monthly payments to which a former or disabled member of a public pension fund is entitled on account of a physical or mental inability to engage in specified employment.

Sec. 10. Minnesota Statutes 1981 Supplement, Section 356.371, Subdivision 2, is amended to read:

Subd. 2. [PROVISION OF INFORMATION ON ANNUITY FORMS.] Every public pension fund which provides for an annuity form other than a single life retirement annuity as an option which can be elected by ~~the~~ *an* active, *disabled* or retiring member shall provide as a part of, or accompanying the annuity application form, a written statement summarizing the optional annuity forms which are available, a general indication of the consequences of selecting one annuity form over another, a calculation of the actuarial reduction in the amount of the retirement annuity which would be required for each optional annuity form and the procedure to be followed to obtain more information from the public pension fund concerning *the* optional annuity forms *provided by the fund.*

Sec. 11. Minnesota Statutes 1980, Section 356.41, is amended to read:

356.41 [BENEFIT ADJUSTMENTS.]

Disability benefits and survivor benefits payable to a disabilitant or a survivor now or hereafter receiving benefits from any public pension fund which participates in the Minnesota post-retirement investment fund shall be adjusted in the same manner, at the same times and in the same amounts as are benefits payable from the Minnesota post-retirement investment fund to retirees of that public pension fund. *If a disability benefit is recomputed as a retirement annuity and the recipient would have been eligible for an adjustment pursuant*

to this section if the disability benefit was not recomputed, the recipient will continue to be eligible for the adjustment after the recomputation. For the survivor of a deceased annuitant who receives a survivor benefit calculated pursuant to a prior law rather than the second portion of a joint and survivor annuity, any period of receipt of a retirement annuity by the annuitant shall be utilized in determining the period of receipt for eligibility to receive an adjustment. No recipient shall, however, be entitled to more than one adjustment at one time by reason of this section.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 422A.06, Subdivision 1, is amended to read:

Subdivision 1. [CREATION; DIVISIONS OF FUND.] For the purposes of ~~sections 422A.01 to 422A.25~~ *this chapter*, there shall be a Minneapolis employees retirement fund, hereafter referred to as the retirement fund. The retirement fund shall be subdivided into (1) a deposit accumulation fund, (2) ~~a participating share in the Minnesota post-retirement investment fund,~~ ~~(3)~~ a survivor benefit fund, ~~(4)~~ *(3)* a disability benefit fund, and ~~(5)~~ *(4)* a retirement benefit fund. *The* expense of *the* administration of the retirement fund shall be paid from the deposit accumulation fund, less the amount as the retirement board may charge against income *of the retirement fund* from investments as the cost of handling the investments of the retirement fund.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 422A.06, Subdivision 3, is amended to read:

Subd. 3. [DEPOSIT ACCUMULATION FUND.] The deposit accumulation fund shall consist of the assets held in the fund, increased by amounts contributed by or for employees, amounts contributed by the city, amounts contributed by municipal activities supported in whole or in part by revenues other than taxes and amounts contributed by any public corporation, *amounts paid* by the state and by income from investments. There shall be paid from the fund the amounts required to be transferred to the ~~Minnesota post-retirement investment fund,~~ retirement benefit fund, or the disability benefit fund, refunds of contributions, death benefits payable on death before retirement which are not payable from the survivors' benefit fund, post retirement increases in retirement allowances granted pursuant to Laws 1965, Chapter 688, or Laws 1969, Chapter 859, and expenses of *the* administration *of the retirement fund which were not charged by the retirement board against the income of the retirement fund from investments as the cost of handling the investments of the retirement fund.*

Sec. 14. Minnesota Statutes 1981 Supplement, Section 422A.06, Subdivision 4, is amended to read:

Subd. 4. [*NO* PARTICIPATION IN THE MINNESOTA POST-RETIREMENT INVESTMENT FUND.] The Minneapolis employees retirement fund shall not participate in the Minnesota post-retirement ~~adjustment~~ *investment* fund. ~~In that fund there shall be deposited the amounts provided in subdivision 5.~~

Sec. 15. Minnesota Statutes 1981 Supplement, Section 422A.06, Subdivision 5, is amended to read:

Subd. 5. [~~VALUATION OF ASSETS~~ *TRANSFER OF RESERVES TO RETIREMENT BENEFIT FUND*; ADJUSTMENTS OF *ANNUITIES AND*

BENEFITS.] (a) For those members retiring pursuant to this chapter, assets equal to the required reserves as determined in accordance with a mortality table appropriate to the *retirement* fund with an interest assumption set at the rate specified in section 356.215, subdivision 4, clause (4), shall be transferred to the ~~Minnesota post-retirement investment fund, the~~ disability benefit fund as provided in subdivision 7, or the retirement benefit fund, except for any amounts payable from the survivor benefit fund, as of date of retirement.

(b) Annuity payments shall be adjusted in accordance with the provisions of ~~sections 422A.09 and 422A.15~~ *this chapter*, except that no minimum retirement payments therein described shall include any amounts payable from the survivors' benefit fund or disability benefit fund and supplemented benefits specifically financed by statute.

(c) Notwithstanding the provisions of section 356.18, increases in annuity payments pursuant to this section shall be made automatically unless written notice on a form prescribed by the board is filed with the retirement board requesting that the increase not be made.

(d) ~~All annuities payable from the Minnesota post-retirement investment fund which are in effect on June 30, 1973 shall be increased in the same ratio that the actuarially computed reserve for the annuities determined by using an interest assumption of 3-1/2 percent bears to the actuarially computed reserve for the annuities determined by using an interest assumption of five percent. The reserves upon which the increases shall be based shall be the actuarially determined reserves for all Minnesota post-retirement investment fund annuities which were in effect on December 31, 1972, in accordance with the mortality assumptions then in effect and at interest assumptions of 3-1/2 percent and five percent. The ratio of increase computed to the last full 1/100 of one percent shall be applied to all annuities payable from the Minnesota post-retirement investment fund which are in effect on June 30, 1973.~~ Any additional annuity ~~shall begin~~ *which began* to accrue on July 1, 1973 ~~and~~ *or which began to accrue on January 1, 1974, pursuant to Laws 1973, Chapter 770, Section 1,* shall be considered as part of the base amount to be used in determining any *postretirement* adjustments payable pursuant to the provisions of ~~section 11A.18~~ *subdivision 8.*

~~(e) The municipal employees retirement fund of Minneapolis shall determine the increase if any in accrual of benefits commencing January 1, 1974, determined on the basis of its entire participation in the manner provided in Minnesota Statutes, 1973 Supplement, Section 11.25, Subdivisions 12 and 13.~~

~~(f) The actuary for each participating fund shall calculate the reserve required to support the benefits in effect on June 30, 1973 as increased on July 1, 1973 and herein. As of December 31, 1973, each participating fund shall transfer to or from the Minnesota post-retirement investment fund assets so that its participation equals the total of the required reserves and the reserve for benefits authorized on or after July 1, 1973. The increased benefits accruing as of January 1, 1974 shall be the base for future adjustments.~~

Sec. 16. Minnesota Statutes 1980, Section 423A.01, Subdivision 2, is amended to read:

Subd. 2. [OPERATION OF LOCAL RELIEF ASSOCIATION UPON

MODIFICATION OF RETIREMENT COVERAGE FOR NEWLY HIRED POLICE OFFICERS AND FIREFIGHTERS.] *The following provisions shall govern the operation of a local relief association upon the modification of retirement coverage for newly hired police officers or firefighters:*

(1) The minimum obligation of a municipality in which the retirement coverage for newly hired police officers or salaried firefighters has been modified pursuant to subdivision 1 with respect to the local relief association shall be determined and governed in accordance with the provisions of sections 69.77, 356.215 and 356.216, except that the normal cost calculation for the relief association shall be computed as a percentage of the compensation paid to the active members of the relief association. The compensation paid to persons with retirement coverage modified pursuant to subdivision 1 shall not be included in any of the computations made in determining the obligation of the municipality with respect to the local relief association.

(2) The contribution rate of members of the local relief association shall be governed by section 69.77, unless a special law establishing a greater member contribution rate is applicable whereupon it shall continue to govern. The member contribution rate of persons with retirement coverage modified pursuant to subdivision 1 shall be governed by section 353.65.

(3) When every active member of the local relief association retires or terminates from active duty, the local relief association shall cease to exist as a legal entity and the assets of the special fund of the relief association shall be transferred to a trust fund to be established by the appropriate municipality for the purpose of paying service pensions and retirement benefits to recipient beneficiaries. If there are at least five recipient beneficiaries, the trust fund shall be managed by a board of trustees composed of five members selected by the recipient beneficiaries of the fund, subject to the approval of the governing body of the municipality. If there are fewer than five recipient beneficiaries, the trust fund shall be managed by the governing body of the municipality. The term of the elected members of the board of trustees shall be indefinite and shall continue until a vacancy occurs in one of the board of trustee member positions. Board of trustee members shall not be compensated for their services, but shall be reimbursed for any expenses actually and necessarily incurred as a result of the performance of their duties in their capacity as board of trustee members. The municipality shall perform whatever services are necessary to administer the trust fund. ~~The balance of assets remaining in the trust fund shall not revert to the municipality until~~ *When* all obligations of the trust fund are paid, *the balance of the assets remaining in the trust fund shall revert to the municipality for expenditure for law enforcement or firefighting purposes, whichever is applicable.*

(4) The financial requirements of the trust fund and the minimum obligation of the municipality with respect to the trust fund shall be determined in accordance with sections 69.77, 356.215 and 356.216 until the unfunded accrued liability of the trust fund is fully amortized in accordance with ~~Laws 1980, Chapter 607~~ *section 69.77, subdivision 2, clause (2).* The municipality shall provide in its annual budget for at least the aggregate amount of service pensions, disability benefits, survivorship benefits and refunds which are projected as payable for the following calendar year, as determined by the board of trustees of the trust fund, less the amount of assets in the trust fund as of the end of the most current calendar year for which figures are available, valued

pursuant to section 356.20, subdivision 4, clause (1) (a), if the difference between those two figures is a positive number.

(5) In calculating the amount of service pensions and other retirement benefits payable from the local relief association and in calculating the amount of any automatic post retirement increases in those service pensions and retirement benefits based on the salary paid or payable to active members or escalated in any fashion, the salary for use as the base for the service pension or retirement benefit calculation and the post retirement increase calculation for the local relief association shall be the salary for the applicable position as specified in the articles of incorporation or bylaws of the relief association as of the date immediately prior to the effective date of the modification of retirement coverage for newly hired personnel pursuant to subdivision 1, as the applicable salary is reset by the municipality periodically, irrespective of whether retirement coverage for persons holding the applicable position used in calculations is provided by the relief association or by the public employees police and fire fund.

(6) If the modification of retirement coverage implemented pursuant to subdivision 1 is applicable to a local police relief association, the police state aid received by the municipality shall be disbursed pursuant to section 69.031, subdivision 5, clause (2) (c). If the modification of retirement coverage implemented pursuant to subdivision 1 is applicable to a local firefighters' relief association, the fire state aid received by the applicable municipality shall be disbursed as the municipality at its option may elect. The municipality may elect: ~~(1)~~ *(a)* to transmit the total fire state aid to the treasurer of the local relief association for immediate deposit in the special fund of the relief association; or ~~(2)~~ *(b)* to apply the total fire state aid toward the employer contribution of the municipality to the public employees police and fire fund pursuant to section 353.65, subdivision 3; or ~~(3)~~ *(c)* to allocate the total fire state aid proportionately between the special fund of the local relief association and employer contribution of the municipality to the public employees police and fire fund on the basis of the respective number of active full time salaried firefighters receiving retirement coverage from each.

Sec. 17. Laws 1981, Chapter 156, Section 7, is amended to read:

Sec. 7. [354.465] [~~TEMPORARY PROVISION~~ *MODIFICATION IN SURVIVOR COVERAGE IN CERTAIN INSTANCES.*]

Any person who elected joint and survivor annuity coverage pursuant to ~~Minnesota Statutes,~~ section 354.46, subdivision 2, ~~or 354A.35, Subdivision 2,~~ prior to ~~the effective date of this act~~ *July 1, 1981,* and the spouse of the person shall be entitled to modify that election by making a joint specification in writing on a form prescribed by the executive director ~~or executive secretary, whichever is applicable,~~ that the benefits provided in sections 354.46, subdivision 2, *or* 354.47, subdivision 1, ~~or 354A.35, subdivisions 1 or 2,~~ whichever is applicable, shall be paid only to a designated beneficiary. Authority *for any person and the spouse of the person* to modify the prior election shall expire ~~December 31, 1981~~ *on the date of the retirement of the person who elected the coverage or the date of death of the person who elected the coverage, whichever occurs first.*

Sec. 18. [VALIDATION OF CERTAIN SPECIAL LAW APPROVAL.]

Notwithstanding any contrary provision of Minnesota Statutes, Section

645.021, Subdivision 3, any certificate of approval concerning the applicability of Minnesota Statutes, Section 423A.02, Subdivision 4, to the Moorhead firefighters relief association and the Moorhead police relief association filed by the city of Moorhead prior to April 1, 1981 shall be deemed to be proper approval of the applicability of the provisions as required pursuant to Laws 1980, Chapter 607, Article XV, Section 4, Subdivision 4.

Sec. 19. [REPEALER.]

Minnesota Statutes 1981 Supplement, Section 354.48, Subdivision 4a; Laws 1978, Chapters 690, Section 2; and 720, Section 13; and Laws 1981, Chapters 68, Section 1; 160, Section 10; and 224, Sections 73, 92 and 118 are repealed.

Sec. 20. [EFFECTIVE DATE.]

Sections 3, 8 and 17 are effective July 1, 1981. Section 4 is effective May 1, 1981. The balance of this article is effective on the day following final enactment."

Delete the title and insert:

"A bill for an act relating to retirement; clarifying the retirement service credit for certain participants in the Minnesota demonstration job-sharing program; Minnesota state retirement system; imposing liability for certain omitted employee contributions on the employing unit; elective state officers retirement plan; providing benefit adjustments for retired constitutional officers and surviving spouses; public employees retirement association; increasing the family maximum on survivors benefits; teachers retirement association; authorizing the reimbursement of certain employing unit expenses with respect to board members; providing for the crediting of service credit for employees on a four day work week; modifying survivor benefits; exempting certain money and credits of teachers retirement funds; limiting the amount of public employee retirement annuities; limiting the powers of city officials regarding the administration of relief associations; supreme court justices retirement plan; providing a deferred retirement annuity; modifying a vesting requirement; permitting the repayment of a refund by a member of the Virginia firefighters relief association; validating the purchase of prior service credit for a certain county commissioner; permitting payment of omitted contributions; granting a proportionate annuity for certain persons; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; authorizing an amendment to the articles of incorporation of the Minneapolis teachers retirement fund association, clarifying various provisions of retirement law; amending Minnesota Statutes 1980, Sections 352.04, Subdivision 8; 354.06, Subdivision 4; 354A.094, Subdivision 4; 354A.11; 354A.35, by adding a subdivision; 356.41; 423A.01, Subdivision 2; 490.025, Subdivisions 2 and 3; Minnesota Statutes 1981 Supplement, Sections 43A.34, Subdivision 4; 43A.465; 69.77, Subdivision 2; 353.31, Subdivision 1; 354.091; 354.46, Subdivisions 1 and 2; 354.47, Subdivision 1; 354.48, Subdivision 10; 354.66, Subdivision 4; 354A.12, Subdivision 1; 356.371, Subdivisions 1 and 2; 422A.06, Subdivisions 1, 3, 4 and 5; Laws 1981, Chapter 156, Section 7; proposing new law coded in Minnesota Statutes, Chapters 352C; 356; and 423A; repealing Minnesota Statutes 1980, Sections 356.60, Subdivisions 2 and 3; and 423.815, as amended; Minnesota Statutes 1981 Supplement, Sections 354.48, Subdivision 4a; 356.60, Subdivision 1; Laws

1978, Chapters 690, Section 2; and 720, Section 13; Laws 1981, Chapters 68, Section 1; 160, Section 10; and 224, Sections 73, 92 and 118."

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

House Conferees: (Signed) John J. Sarna, John R. Kaley, Leo J. Reding, James I. Rice, Frank J. Rodriguez, Sr.

Senate Conferees: (Signed) Collin C. Peterson, Earl W. Renneke, Donald M. Moe, Allan H. Spear, Dennis Frederickson

Mr. Peterson, C.C. moved that the foregoing recommendations and Conference Committee Report on H.F. No. 438 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 438 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Belanger	Engler	Lindgren	Peterson,R.W.	Stokowski
Benson	Frank	Luther	Petty	Stumpf
Berg	Frederick	Menning	Purfeerst	Taylor
Bernhagen	Frederickson	Merriam	Ramstad	Tennessen
Bertram	Hughes	Moe, D. M.	Renneke	Ulland
Brataas	Johnson	Moe, R. D.	Rued	Waldorf
Chmielewski	Kamrath	Nelson	Schmitz	Wegener
Dahl	Knutson	Olhoft	Setzepfandt	Willet
Davies	Kroening	Pehler	Sieloff	
Davis	Kronebusch	Penny	Sikorski	
Dicklich	Lantry	Peterson,C.C.	Solon	
Dieterich	Lessard	Peterson,D.L.	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1573 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1573 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1573

A bill for an act relating to crimes; prohibiting the manufacture, sale, transfer and delivery of simulated controlled substances; prohibiting their manufacture, sale, transfer and delivery; providing penalties; amending Min-

nesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1573, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 1573 be further amended as follows:

Page 1, line 24, delete "*Proof of any two*" and insert "*Any*"

Page 1, line 25, delete "*prima facie*" and insert "*relevant*" and delete "*or the existence of such*"

Page 1, line 26, delete "*circumstances*"

Page 2, line 14, delete "*Prescribing*" and insert "*This section does not apply to the prescribing*"

Page 2, line 15, delete "*is*" and insert a period

Page 2, delete line 16

Page 2, line 19, after "1." insert "[UNLAWFUL ACTS.]"

Page 2, line 22, delete "manufacture" and insert "Manufacture"

Page 2, line 26, delete "possess" and insert "*Possess*" and strike "such" and insert "*the*"

Page 2, line 28, delete "*manufacture*" and insert " *Manufacture*"

Page 2, line 29, delete "*under*"

Page 2, line 30, delete "*circumstances set forth in*" and insert "*in violation of*"

Page 2, line 34, after "*selling,*" insert "*or*" and delete " *or attempting*"

Page 2, line 35, delete "*to transfer, sell, or deliver*" and "*under*"

Page 2, line 36, delete "*circumstances set forth in section 1*"

Page 3, line 1, after the period insert "*Any person who violates section 1 by attempting to transfer, sell, or deliver a noncontrolled substance under circumstances set forth in section 1 shall be punishable as provided in section 609.17, subdivision 4.*"

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

House Conferees: (Signed) James C. Swanson, Robert E. Vanasek, Robert W. Reif

Senate Conferees: (Signed) Don Frank, Marilyn M. Lantry, Jim Ramstad

Mr. Frank moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1573 be now adopted, and that the bill be

repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1573 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Lantry	Peterson,C.C.	Spear
Belanger	Engler	Lessard	Peterson,D.L.	Stokowski
Benson	Frank	Lindgren	Peterson,R.W.	Stumpf
Berg	Frederick	Luther	Petty	Taylor
Bernhagen	Frederickson	Menning	Ramstad	Tennessen
Bertram	Hughes	Merriam	Renneke	Ulland
Brataas	Johnson	Moe, D. M.	Rued	Waldorf
Chmielewski	Kamrath	Moe, R. D.	Schmitz	Wegener
Dahl	Knoll	Nelson	Setzepfandt	Willet
Davies	Knutson	Olhoft	Sieloff	
Davis	Kroening	Pehler	Sikorski	
Dicklich	Kronebusch	Penny	Solon	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1550 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1550 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1550

A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1550, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments.

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

House Conferees: (Signed) Irvin N. Anderson, Bernard J. Brinkman, Jim

Evans

Senate Conferees: (Signed) Bob Lessard, Carl W. Kroening, Duane D. Benson

Mr. Lessard moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1550 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1550 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 45 and nays 13, as follows:

Those who voted in the affirmative were:

Belanger	Engler	Kronebusch	Nelson	Setzepfandt
Benson	Frank	Langseth	Olhoft	Sieloff
Bernhagen	Hanson	Lantry	Pehler	Sikorski
Bertram	Hughes	Lessard	Peterson,C.C.	Solon
Chmielewski	Johnson	Lindgren	Peterson,D.L.	Stokowski
Dahl	Kamrath	Luther	Peterson,R.W.	Ulland
Davis	Knoll	Menning	Purfeerst	Waldorf
Dicklich	Knutson	Moe, D. M.	Rued	Wegener
Dieterich	Kroening	Moe, R. D.	Schmitz	Willet

Those who voted in the negative were:

Berg	Frederickson	Petty	Spear	Tennessen
Brataas	Merriam	Ramstad	Stumpf	
Davies	Penny	Renneke	Taylor	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 303 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 303

A bill for an act proposing an amendment to the Minnesota Constitution, Article X, by adding a section to authorize at the track parimutuel betting on races if authorized by law; proposing an amendment to the Minnesota Constitution by repealing Article XIII, Section 5, the prohibition against lotteries.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 303, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 303 be further

amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [PROPOSED AMENDMENT.]

An amendment to the Minnesota Constitution, Article X, adding a section, is proposed to the people. If the amendment is adopted, the section will read:

Sec. 8. The legislature may authorize on-track parimutuel betting on horse racing in a manner prescribed by law.

Sec. 2. [SUBMISSION TO VOTERS.]

The amendment proposed in section 1 shall be submitted to the people at the 1982 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to permit the legislature to authorize on-track parimutuel betting on horse racing in a manner prescribed by law?

Yes .....
No ....."

Delete the title and insert:

"A bill for an act proposing an amendment to the Minnesota Constitution, Article X, by adding a section to permit the legislature to authorize on-track parimutuel betting on horse racing."

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

Senate Conferees: (Signed) Clarence M. Purfeerst, Tom A. Nelson, Ronald R. Dicklich, Conrad M. Vega, Jim Ramstad

House Conferees: (Signed) Leo J. Reding, Richard J. Kostohryz, Charles C. Halberg, Kenneth J. McDonald, C. Thomas Osthoff

CALL OF THE SENATE

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

Mr. Purfeerst moved that the foregoing recommendations and Conference Committee Report on S.F. No. 303 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 303 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 36 and nays 26, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Moe, R. D.	Rued	Ulland
Belanger	Hughes	Nelson	Schmitz	Vega
Benson	Knoll	Pehler	Setzepfandt	Wegener
Bertram	Kroening	Peterson,C.C.	Sikorski	Willet
Davis	Kronebusch	Peterson,R.W.	Solon	
Dicklich	Langseth	Petty	Stern	
Frank	Lantry	Purfeerst	Stokowski	
Frederickson	Lessard	Ramstad	Stumpf	

Those who voted in the negative were:

Berg	Davies	Knutson	Olhoft	Tennessen
Berglin	Dieterich	Lindgren	Penny	Waldorf
Bernhagen	Engler	Luther	Renneke	
Brataas	Frederick	Menning	Sieloff	
Chmielewski	Johnson	Merriam	Spear	
Dahl	Kamrath	Moe, D. M.	Taylor	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1872 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1872 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1872

A bill for an act relating to the financing of government in this state; extending the effective date of residential energy credits; providing the interest rate maximum on certain public indebtedness; exempting certain towns from general levy limits; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; making technical corrections and administrative changes to the income tax and property tax refund; clarifying the taxation of gravel and the distribution of revenue; validating certain tax collections by Clay County; providing for allocation of income for nonresident athletes and entertainers; providing for apportionment of income for athletic teams; permitting leases and installment purchases of equipment by local governments and providing for their tax and fiscal treatment; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; providing for the collection of taxes; altering the date on which warrants are issued to the sheriff for collection of certain delinquent mobile home property taxes; clarifying the taxation of meals and food products for sales tax purposes; imposing a tax on on-sales of liquor and fermented malt beverages; providing for the financing of certain chemical dependency programs; providing for the lease of hydropower sites by the state or local governmental units; eliminating tax recapture or payment acceleration of deferred special assessments upon certain sales of qualifying agricultural property; providing for reassessment of homestead property damaged by a disaster; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982; providing for withholding of income tax refunds from child support debtors; providing for taxation of certain motor vehicles and combinations in the ninth and succeeding years of vehicle life; permitting the towns of Erin, Forest, Webster, and Wheatland in Rice County to impose a special levy for fire protection purposes; adopting certain federal definitions for purposes of the credit for research and experimental expenditures; providing for homestead

treatment of certain condominium leased land; clarifying the homestead classification in certain cases of joint tenancy; clarifying use of additional sales ratio study information; allowing disclosure of private data to permit vendor processing of income and sales tax returns; redefining rent constituting property taxes; providing for the rate and disposition of certain taconite credits; providing for school bonds and related taxation in certain school districts; providing that landowners in unorganized townships receive a property tax credit for certain high voltage transmission lines; providing for the imposition of sales tax on certain retail sales of manufactured homes; allowing a levy limit increase for Clearwater County; granting the city of Bloomington port authority certain redevelopment financing powers; requiring county auditors to combine certain legal descriptions for property tax purposes; providing for sales of unstamped cigarettes to members of Indian tribes; imposing a fee on completion of tax forfeited land sales; revising the metropolitan agricultural preserves act; adopting certain federal income tax amendments; adopting federal income tax treatment of unemployment compensation; increasing the rate of interest allowed on certain contracts for deed qualifying for an income tax exclusion; altering the adoption of accelerated cost recovery system; exempting plant material from the sales tax; providing a freeze on property taxes paid on the first $50,000 of market value of homesteads owned by elderly persons; imposing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 105.482, Subdivision 1, and by adding subdivisions; 168.012, by adding a subdivision; 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, and 5, and by adding subdivisions; 272.02, Subdivision 1; 273.111, Subdivisions 9, 11, and by adding a subdivision; 273.121; 273.13, Subdivision 7c; 273.42, as amended; 273.425; 274.19, Subdivision 3; 278.01; 278.05, Subdivisions 2 and 4; 282.014; 282.09, Subdivision 1; 290.01, by adding a subdivision; 290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.16, Subdivision 15, as amended, and 16, as amended; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivisions 1 and 2; 290.48, Subdivisions 3, 4, 6, and 8; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.50, by adding a subdivision; 290.53, Subdivisions 2 and 5, and by adding a subdivision; 290.54; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivisions 4a, 13, and 23; 290.93, Subdivision 9; 290.936; 290A.03, by adding a subdivision; 290A.11, by adding a subdivision; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 297A.43; 297B.03; 465.71; 473H.02, Subdivision 2, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2, and 5; 473H.08, Subdivision 4; 473H.14; 473H.15, by adding a subdivision; 473H.16, Subdivision 3; 475.55, Subdivision 1, and by adding a subdivision; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supplement, Sections 168.013, Subdivision 1e; 270.063; 270.66; 270.75, Subdivisions 4, as amended, and 5, as amended, and by adding a subdivision; 272.46; 273.11, Subdivision 1; 275.50, Subdivision 2; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.06, Subdivision 14; 290.075; 290.081; 290.09, Subdivisions 4, 7, as amended, 15, and 29; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.61;

290.92, Subdivisions 2a, 5, 5a, 6 and 15; 290.93, Subdivisions 1 and 10; 290.934, Subdivision 4; 290.9725; 290.974; 290A.03, Subdivisions 3, 8, 11, and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; 296.12, Subdivision 4; 297A.01, Subdivision 3; 297A.25, Subdivision 1, as amended; 298.225; 298.24, Subdivision 3; 298.75; Laws 1980, Chapter 453, by adding a section; Laws 1981, Third Special Session Chapter 2, Article III, Section 6; proposing new law coded in Minnesota Statutes, Chapters 270, 273, 290, 295, 297, 297A, 340 and 473H; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.48, Subdivisions 1 and 9; 290.51; 290.65, Subdivisions 2, 3, 4, 5, 6, and 7; 290.97; 290.973; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; 290.48, Subdivision 2; 290.971, Subdivision 7; and 298.76.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1872, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1872 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE I

Section 1. Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 2, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source~~; except that gross income shall not include "exempt function income" of a "homeowners association" as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended through December 31, 1980~~.

The term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable

taxable year, with the modifications specified in this subdivision. For estates and trusts the adjusted gross income shall be their federal taxable income as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this subdivision and with the modification that the federal deduction for personal exemptions for trusts and estates shall not be allowed.

(i) ~~The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.~~

~~(ii)~~ The Internal Revenue Code of 1954, as amended through December 31, 1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at the same time they become effective for federal income tax purposes. ~~Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.~~

The provisions of section 4 of P.L. 95-458, sections 131, 133, 134, 141, 152, 156, 157, 405, and 543 of P.L. 95-600, and section 2 of P.L. 96-608 (relating to pensions, individual retirement accounts, deferred compensation plans, the sale of a residence and to conservation payments to farmers) including the amendments made to these sections in P.L. 96-222 shall be effective at the same time that these provisions became effective for federal income tax purposes.

~~(iii)~~ *(ii)* The Internal Revenue Code of 1954, as amended through December 31, 1979, shall be in effect for taxable years beginning after December 31, 1979.

~~(iv)~~ *(iii)* The Internal Revenue Code of 1954, as amended through December 31, 1980, and as amended by sections 302(b) and 501 to 509 of Public Law Number 97-34, shall be in effect for taxable years beginning after December 31, 1980 including the provisions of section 404 (relating to partial exclusions of dividends and interest received by individuals) of the Crude Oil Windfall Profit Tax Act of 1980, P.L. 96-223. The provisions of P.L. 96-471 (relating to installment sales) and sections 501 to 507, of the Economic Recovery Tax Act of 1981, Public Law Number 97-34 shall be effective at the same time that they become effective for federal income tax purposes.

References to the Internal Revenue Code of 1954 in clauses (a), (b) ~~and~~, (c), *and (e)* following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) A business casualty loss if the taxpayer elected to deduct the loss on the

current year's federal income tax return but had deducted the loss on the previous year's Minnesota income tax return;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for the reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for the previous taxable year. The amount of the federal income tax overpayment shall be reported only to the extent that the amount resulted in a reduction of the tax imposed by this chapter.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint, combined, or separate Minnesota income tax returns. In the case of combined or separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her combined or separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) The amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction ~~either~~ under section 290.01, subdivision 20 (b) (7);

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(14) Exempt-interest dividends, as defined in section 852(b)(5)(A) of the Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c)(1) of the Internal Revenue Code of 1954;

(16) For taxable years beginning after December 31, 1980 but before January 1, 1983, in the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954, as amended through December 31, 1981, the amount allowed under section 167 of the Internal Revenue Code;

(17) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 40 percent of the portion of the gain. This modification is limited to property that qualified for the energy credit contained in section 290.06, subdivision 14, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause ~~(9)~~ *(7)*;

(18) The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss;

(19) The amount of a distribution from an individual housing account which is to be included in gross income as required under section 290.08, subdivision 25;

(20) To the extent deducted in computing the taxpayer's federal adjusted gross income, interest, taxes and other expenses which are not allowed under section 290.10, clause (9) or (10);

(21) To the extent excluded from federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred compensation program pursuant to section 353.028, the amount of contributions made by the city manager or administrator which is equal to the amount which would have been the city manager's or administrator's employee contribution pursuant to section 353.27, subdivision 2, if he were a member of the public employees retirement association; ~~and~~

(22) For taxable years beginning after December 31, 1980 but before January 1, 1983, in the case of section 179 property within the meaning of the Internal Revenue Code of 1954, the amount allowed as a deduction under section 179 of the Internal Revenue Code*; and*

(23) Losses from the business of mining as defined in section 290.05, subdivision 1, clause (a) which is not subject to the Minnesota income tax.

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to ~~60~~ *40* per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) ~~Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of the securities but includible in gross income for federal income tax purposes~~ *Income from the performance of personal or professional services which is subject to the reciprocity exclusion contained in section 290.081, clause (a)*;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks or out of state loss carryforwards resulting from the losses, and including any farm loss carryforwards or carrybacks;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954. The maximum amount of this subtraction shall be $11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds $17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be $11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of $17,000;

(7) The amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954 but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The first $3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next $2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(12) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(13) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(15) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(16) To the extent included in federal adjusted gross income, severance pay that may be treated as a lump sum distribution under the provisions of section 290.032, subdivision 5;

(17) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17;

(18) Minnesota exempt-interest dividends as provided by subdivision 27;

(19) A business casualty loss which the taxpayer elected to deduct on the current year's Minnesota income tax return but did not deduct on the current year's federal income tax return; ~~and~~

~~(20) Income from the performance of personal or professional services which is subject to the reciprocity exclusion contained in section 290.081, clause (a);~~

~~(21)~~ *(20)* To the extent included in federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred compensation program pursuant to section 353.028, the amount of payments from the deferred compensation program equivalent to the amount of contributions taxed under clause (a)(21); ~~and~~

~~(22)~~ *(21)* Contributions to and interest earned on an individual housing account as provided by section 290.08, subdivision 25;

~~(23)~~ *(22)* Interest earned on a contract for deed entered into for the purchase of property for agricultural use if the rate of interest set in the contract is no more than eight percent per year for the duration of the term of the contract. This exclusion shall be available only if (1) the purchaser is an individual who, together with his spouse and dependents, has a total net worth valued at less than $150,000 and (2) the property purchased under the contract is farm land as defined in section 41.52, subdivision 6 of no more than 1,000 acres that the purchaser intends to use for agricultural purposes. Compliance with these requirements shall be stated in an affidavit to be filed with the first income tax return on which the taxpayer claims the exclusion provided in this clause. Upon request accompanied by the information necessary to make the determination, the commissioner shall determine whether interest to be paid on a proposed transaction will qualify for this exclusion; the determination shall be provided within 30 days of receipt of the request, unless the commissioner finds it necessary to obtain additional information, or verification of the information provided, in which case the determination shall be provided within 30 days of receipt of the final item of information or verification. The exclusion provided in this clause shall apply to interest earned on contracts for deed entered into after December 31, 1981 and before July 1, 1983;

~~(24)~~ *(23)* For the taxable year beginning after December 31, 1980, but before January 1, 1982, an amount equal to 85 percent of the deduction allowed under section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981. For the taxable year beginning after December 31, 1981 but before January 1, 1983, 83 percent of the deduction allowed under section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981. The depreciation adjustments made to basis in the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981 shall be the depreciation adjustments made for federal income tax purposes under the Internal Revenue Code of 1954, as amended through December 31, 1981. Adoption of this provision shall not be construed as indicating the intent of the legislature to enact provisions authorizing amortization of the amount of depreciation not excludable under this clause; ~~and~~

~~(25)~~ *(24)* For taxable years beginning after December 31, 1980 but before

January 1, 1983, an amount equal to the deduction allowed under section 179 of the Internal Revenue Code of 1954 as amended through December 31, 1981; *and*

(25) Income from the business of mining as defined in section 290.05, subdivision 1, clause (a) which is not subject to the Minnesota income tax.

(c) A modification affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954 shall be made-

~~In cases~~ where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under this chapter and at the close of the taxable year immediately preceding the effective election under this chapter the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that the reserve is distributed to shareholders the distribution shall be taxed as a dividend for purposes of this chapter.

(d) Amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that the amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that the amounts resulted in a reduction of the tax imposed by this chapter and amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this chapter.

(e) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1, clause (2) in computing Minnesota inheritance or estate tax liability shall not be allowed as a deduction (or as an offset against the sales price of property in determining gain or loss) in computing the taxable income of the estate or any person unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have the amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 27, is amended to read:

Subd. 27. [MINNESOTA EXEMPT-INTEREST DIVIDENDS.] If, at the close of each quarter of its taxable year, at least 50 percent of the value (as defined in section 851(c)(4) of the Internal Revenue Code of 1954 as amended through December 31, 1979) of the total assets of a regulated investment company (as defined and limited by section 851 of the Internal Revenue Code

of 1954 as amended through December 31, 1979 and to which sections 851 to 855 of the Code apply for the taxable year) consists of obligations *of any authority, commission, or instrumentality of the United States as* described in subdivision 20, clause (b)(1), or section 290.08, subdivision 8, determined without regard to the last sentence, the company shall be qualified to pay Minnesota exempt-interest dividends, as defined herein, to its shareholders.

(A) A Minnesota exempt-interest dividend means any dividend or part thereof (other than a capital gain dividend as defined in subdivision 21, or an exempt-interest dividend as defined in section 852(b)(5)(A) of the Internal Revenue Code of 1954, as amended through December 31, 1979) paid by a regulated investment company and designated by it as a Minnesota exempt-interest dividend in a written notice mailed to its shareholders not later than 45 days after the close of its taxable year. If the aggregate amount so designated with respect to a taxable year of the company, including Minnesota exempt-interest dividends paid after the close of the taxable year as described in section 290.21, subdivision 6, is greater than the excess of—

(i) The amount of interest *from an obligation of any authority, commission, or instrumentality of the United States* that would be excludable from gross income under *subdivision 20, clause (b)(1), or* section 290.08, subdivision 8 determined without regard to the last sentence, if the company were subject to chapter 290, whether or not the company is subject to chapter 290, over

(ii) The amounts that would be disallowed as deductions under section 290.09, subdivisions 3(b) and 13, if the company were subject to chapter 290, whether or not the company is subject to chapter 290, as a result of the company's ownership of obligations *of any authority, commission, or instrumentality of the United States as* described in *subdivision 20, clause (b)(1), or* section 290.08, subdivision 8, determined without regard to the last sentence,

the portion of such distribution which shall constitute a Minnesota exempt-interest dividend shall be only that proportion of the amount so designated as the amount of the excess for the taxable year bears to the amount so designated.

(B) A Minnesota exempt-interest dividend shall be treated by the shareholders for all purposes of chapter 290 as an item of interest excludable from gross income under subdivision 20, clause (b)(1), ~~and~~ *or* section 290.08, subdivision 8. Such purposes include but are not limited to—

(i) The determination of gross income and taxable income,

(ii) The determination of distributable net income under section 290.23,

(iii) The allowance of, or calculation of the amount of, any credit or deduction, and

(iv) The determination of the basis in the hands of any shareholder of any share of stock of the company.

Sec. 3. Minnesota Statutes 1980, Section 290.012, Subdivision 2, is amended to read:

Subd. 2. "Claimant" means the individual taxpayer whose income, together with that of his spouse, if any, brings him within the provisions of this section and section 290.06, subdivision 3d. No claimant and spouse whose federal adjusted gross income, including the modifications increasing federal

adjusted gross income as computed under section 290.01, subdivision 20, clause (a) ~~and section 290.17~~, exceed $20,000 may qualify under this section.

Sec. 4. Minnesota Statutes 1980, Section 290.02, is amended to read:

290.02 [EXCISE TAX ON CORPORATIONS; IMPOSITION, MEASUREMENT.]

An annual excise tax is hereby imposed upon every domestic corporation~~, except those included within section 290.03,~~ for the privilege of existing as a corporation during any part of its taxable year, and upon every foreign corporation doing business within this state, except those included within section 290.03, including but not limited to railroad companies for the gran' to it of the privilege of transacting or for the actual transaction by it of any local business within this state during any part of its taxable year, in corporate or organized form.

The tax so imposed shall be measured by such corporations' taxable net income for the taxable year for which the tax is imposed, and computed in the manner and at the rates provided in this chapter.

Sec. 5. Minnesota Statutes 1980, Section 290.03, is amended to read:

290.03 [INCOME TAX; IMPOSITION, CLASSES OF TAXPAYERS.]

An annual tax for each taxable year, computed in the manner and at the rates hereinafter provided, is hereby imposed upon the taxable net income for such year of the following classes of taxpayers:

(1) ~~Domestic and~~ Foreign corporations not taxable under section 290.02 which own property within this state or whose business within this state during the taxable year consists exclusively of foreign commerce, interstate commerce, or both;

Business within the state shall not be deemed to include transportation in interstate or foreign commerce, or both, by means of ships navigating within or through waters which are made international for navigation purposes by any treaty or agreement to which the United States is a party;

(2) Resident and non-resident individuals;

(3) Estates of decedents, dying domiciled within or without this state;

(4) Trusts (except those taxable as corporations) however created by residents or non-residents or by domestic or foreign corporations.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 290.05, Subdivision 1, is amended to read:

Subdivision 1. The following corporations, individuals, estates, trusts, and organizations shall be exempted from taxation under this chapter, provided that every such person or corporation claiming exemption under this chapter, in whole or in part, must establish to the satisfaction of the commissioner the taxable status of any income or activity:

(a) Corporations, individuals, estates, and trusts engaged in the business of mining or producing iron ore and other ores the mining or production of which is subject to the occupation tax imposed by section 298.01; but if any such corporation, individual, estate, or trust engages in any other business or activ-

ity or has income from any property not used in such business it shall be subject to this tax computed on the net income from such property or such other business or activity. Royalty (as defined in section 299.02) shall not be considered as income from the business of mining or producing iron ore within the meaning of this section;

(b) ~~Farmers' mutual insurance companies organized and existing under the laws of the state and credit unions organized under chapter 52;~~

~~(c) Fraternal beneficiary associations wherever organized, and public department relief associations of public employees of this state or of any of its political subdivisions;~~

~~(d) Cooperative or mutual rural telephone associations; and cooperative associations organized under the provisions of chapter 308, which are engaged in the transmission and distribution of electrical heat, light or power upon a mutual and cooperative plan in areas outside the corporate limits of any city; but if any such cooperative association engages in supplying electrical heat, light or power to consumers within the corporate limits of any city, then such association shall be subject to this tax computed on that portion of its net income which its gross receipts from consumers within such corporate limits bears to its total gross receipts;~~

~~(e)~~ The United States of America, the state of Minnesota or any political subdivision of either agencies or instrumentalities, whether engaged in the discharge of governmental or proprietary functions.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 290.05, Subdivision 4, is amended to read:

Subd. 4. (a) Corporations, individuals, estates, trusts or organizations claiming exemption under the provisions of ~~subdivision 1, clause (c), or~~ subdivision 2 shall furnish information as to their exempt status under the Internal Revenue Code.

(b) Such corporations, individuals, estates, trusts, and organizations shall file with the commissioner of revenue a copy of any annual report that is required to be filed with the Internal Revenue Service, no later than ten days after filing the same with the Internal Revenue Service.

Any person required to file a copy of a federal return pursuant to the preceding paragraph who wilfully fails to file such return shall be guilty of a misdemeanor.

(c) In the event that the Internal Revenue Service revokes, cancels or suspends, in whole or part, the exempt status of any corporation, individual, estate, trust or organization referred to in clause (a), or if the amount of gross income, deductions, credits, items of tax preference or taxable income is changed or corrected by either the taxpayer or the Internal Revenue Service, or if the taxpayer consents to any extension of time for assessment of federal income taxes such corporation, individual, estate, trust or organization shall notify the commissioner in writing of such action within 90 days thereafter.

(d) The periods of limitations contained in section 290.56 shall apply whenever there has been any action referred to in clause (c), notwithstanding any period of limitations to the contrary.

Sec. 8. Minnesota Statutes 1980, Section 290.06, Subdivision 9, is

amended to read:

Subd. 9. [POLLUTION CONTROL EQUIPMENT, CREDIT.] (a) A credit of five percent of the net cost of equipment used primarily to abate or control pollutants to meet or exceed state laws, rules or standards to the extent the property is so used and which is included in section 290.09, subdivision 7, paragraph (A) (a) may be deducted from the tax due under this chapter in the first year for which a depreciation deduction is allowed for the equipment. The credit allowed by this subdivision shall not exceed so much of the liability for tax for the taxable year as does not exceed $75,000. The credit shall apply only if the equipment meets rules prescribed by the Minnesota pollution control agency and is installed or operated in accordance with a permit or order issued by the agency.

(b) If the amount of the credit determined under (a) for any taxable year for which a depreciation deduction is allowed exceeds the limitation provided by (a) for such taxable year (hereinafter in this subdivision referred to as the "unused credit year"), such excess shall be, a credit carryover to each of the four taxable years following the unused credit year.

The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the four taxable years to which such credit may be carried and then to each of the other three taxable years; provided, however, the maximum credit allowable in any one taxable year under this subdivision (including the credit allowable under (a) and the carryforward allowable under this paragraph) shall in no event exceed $75,000.

~~(c) This subdivision shall apply to property acquired in taxable years beginning on or after January 1, 1977.~~

Sec. 9. Minnesota Statutes 1980, Section 290.06, Subdivision 9a, is amended to read:

Subd. 9a. [FEEDLOT POLLUTION CONTROL EQUIPMENT.] A credit of ten percent of the net cost of pollution control and abatement equipment, including but not limited to, lagoons, concrete storage pits, slurry handling equipment, and other equipment and devices approved by the pollution control agency, purchased, installed and operated within the state by a feedlot operator to prevent pollution of air, land, or water in connection with the operation of a livestock feedlot, poultry lot or other animal lot, may be deducted from the tax due under this chapter in the taxable year in which such equipment is purchased; provided that no deduction shall be taken for any portion of the cost of the same equipment pursuant to subdivision 9.

If the amount of the credit provided by this subdivision exceeds the taxpayer's liability for taxes pursuant to chapter 290 in the taxable year~~, beginning after December 31, 1972,~~ in which the equipment is purchased, the excess amount may be carried forward to the four taxable years following the year of purchase. The entire amount of the credit not used in the year purchased shall be carried to the earliest of the four taxable years to which the credit may be carried and then to each of the three successive taxable years.

Sec. 10. Minnesota Statutes 1981 Supplement, Section 290.075, is amended to read:

290.075 [RENEGOTIATED WAR CONTRACTS.]

Any *corporate* taxpayer who supplies any goods, wares and merchandise or performs services, or both, under any contract, with the United States of America, or under any subcontract thereunder, or under a cost-plus-a-fixed-fee contract with the United States of America, or any agency thereof and who is subject to renegotiations under the renegotiation laws of the United States of America, or is required to renegotiate with his subcontractor, shall be required to adjust his or its Minnesota income and franchise tax liability in accordance with the following rules:

A return shall be filed and the income and franchise tax computed, on the basis of the Minnesota taxable net income without giving effect to any renegotiations occurring after the close of the taxable year. If after the close of the taxable year there is a final determination under renegotiation, ~~the difference between (1)~~ the amount determined by the renegotiation to be (a) excess profits, (b) excess fees under a fixed fee contract with the United States, or any agency thereof, or (c) the amount of any item for which the taxpayer has been reimbursed but which is disallowed as an item of cost chargeable to a fixed fee contract, ~~and (2) the amount of federal income and excess profits taxes applicable thereto,~~ shall be allowed as a deduction from gross income in the taxable year in which said final determination is made, but only to the extent that such renegotiated profits, fees or amounts were included in the taxable net income in a prior year. If the taxable net income for the taxable year in which said final determination is made is less than said deduction, the taxpayer shall be entitled to a refund of the state income tax which it has paid on the difference between said deduction and said taxable income. The certificate of the agency or instrumentality of the United States conducting such renegotiation proceedings shall be evidence of the amount of the renegotiated profit and of the date thereof.

Sec. 11. Minnesota Statutes 1980, Section 290.079, Subdivision 1, is amended to read:

Subdivision 1. [AMOUNT CONSTITUTING INTEREST.] For purposes of this chapter, in the case of any contract for the sale or exchange of property there shall be treated as interest that part of a payment to which ~~this section~~ *section 483 of the Internal Revenue Code of 1954, as amended through December 31, 1981,* applies ~~which bears the same ratio to the amount of such payment as the total unstated interest under such contract bears to the total of the payments to which this section applied which are due under such contract~~.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 290.081, is amended to read:

290.081 [INCOME OF NONRESIDENTS, RECIPROCITY.]

(a) The compensation received for the performance of personal or professional services within this state by an individual who resides and has his place of abode and place to which he customarily returns at least once a month in another state, shall be excluded from gross income to the extent such compensation is subject to an income tax imposed by the state of his residence; provided that such state allows a similar exclusion of compensation received by residents of Minnesota for services performed therein, or

(b) Whenever a nonresident taxpayer has become liable for income taxes to the state where he resides upon his net income for the taxable year derived from

the performance of personal or professional services within this state and subject to taxation under this chapter, there shall be allowed as a credit against the amount of income tax payable by him under this chapter, such proportion of the tax so paid by him to the state where he resides as his gross income subject to taxation under this chapter bears to his entire gross income upon which the tax so paid to such other state was imposed; provided, that such credit shall be allowed only if the laws of such state grant a substantially similar credit to residents of this state subject to income tax under such laws, or

(c) If any taxpayer who is a resident of this state, or a domestic corporation or corporation commercially domiciled therein, has become liable for taxes on or measured by net income to another state or a province or territory of Canada upon, if the taxpayer is an individual, any income, or if it is a corporation, estate, or trust, upon income derived from the performance of personal or professional services within such other state or province or territory of Canada and subject to taxation under this chapter he or it shall be entitled to a credit against the amount of taxes payable under this chapter, of such proportion thereof, as such gross income subject to taxation in such state or province or territory of Canada bears to his entire gross income subject to taxation under this chapter; provided (1) that such credit shall in no event exceed the amount of tax so paid to such other state or province or territory of Canada on the gross income earned within such other state or province or territory of Canada and subject to taxation under this chapter, and (2) that such credit shall not be allowed if such other state or province or territory of Canada allows residents of this state a credit against the taxes imposed by such state or province or territory of Canada for taxes payable under this chapter substantially similar to the credit provided for by paragraph (b) of this section, and (3) the allowance of such credit shall not operate to reduce the taxes payable under this chapter to an amount less than would have been payable if the gross income earned in such other state or province or territory of Canada had been excluded in computing net income under this chapter.

(d) The commissioner shall by regulation determine with respect to gross income earned in any other state the applicable clause of this section. When it is deemed to be in the best interests of the people of this state, the commissioner may determine that the provisions of clause (a) shall not apply.

(e) "Tax So Paid" as used in this section means taxes on or measured by net income payable to another state or province or territory of Canada on income earned within the taxable year for which the credit is claimed, provided that such tax is actually paid in that taxable year, or subsequent taxable years.

For purposes of clause (c), where a Minnesota resident reported an item of income to Minnesota and is assessed tax in another state or a province or territory of Canada on that same item of income after the Minnesota statute of limitations has expired, the taxpayer shall be allowed to receive a credit for that year based on clause (c), notwithstanding the provisions of sections 290.49, 290.50, and 290.56. For purposes of the preceding sentence, the burden of proof shall be on the taxpayer to show that he is entitled to a credit.

(f) For the purposes of clause (a), whenever the Wisconsin tax on Minnesota residents which would have been paid Wisconsin without clause (a) exceeds the Minnesota tax on Wisconsin residents which would have been paid Minnesota without clause (a), or vice versa, then the state with the net revenue loss

resulting from clause (a) shall receive from the other state the amount of such loss. This provision shall be effective for all years beginning after December 31, 1972. The data used for computing the loss to either state shall be determined on or before September 30 of the year following the close of the previous calendar year.

Interest shall be payable on all delinquent balances relating to taxable years beginning after December 31, 1977. The commissioner of revenue is authorized to enter into agreements with the state of Wisconsin specifying the reciprocity payment due date, conditions constituting delinquency, interest rates, and a method for computing interest due on any delinquent amounts.

If an agreement cannot be reached as to the amount of the loss, the commissioner of revenue and the taxing official of the state of Wisconsin shall each appoint a member of a board of arbitration and these members shall appoint the third member of the board. The board shall select one of its members as chairman. Such board may administer oaths, take testimony, subpoena witnesses, and require their attendance, require the production of books, papers and documents, and hold hearings at such places as are deemed necessary. The board shall then make a determination as to the amount to be paid the other state which determination shall be final and conclusive.

Notwithstanding the provisions of section 290.61, the commissioner may furnish copies of returns, reports, or other information to the taxing official of the state of Wisconsin, a member of the board of arbitration, or a consultant under joint contract with the states of Minnesota and Wisconsin for the purpose of making a determination as to the amount to be paid the other state under the provisions of this section. Prior to the release of any information under the provisions of this section, the person to whom the information is to be released shall sign an agreement which provides that he will protect the confidentiality of the returns and information revealed thereby to the extent that it is protected under the laws of the state of Minnesota.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 4, is amended to read:

Subd. 4. [TAXES.] Taxes paid or accrued within the taxable year, except (a) income or franchise taxes imposed by this chapter and income or franchise taxes paid to any other state or to any province or territory of Canada for which a credit is allowed under section 290.081; (b) taxes assessed against local benefits of a kind deemed in law to increase the value of the property assessed; (c) inheritance, gift and estate taxes except as provided in section 290.077, subdivision 4; (d) cigarette and tobacco products excise tax imposed on the consumer; (e) that part of Minnesota property taxes for which a credit or refund is claimed and allowed under chapter 290A; (f) federal income taxes (including the windfall profit tax on domestic crude oil), by corporations, national and state banks; (g) mortgage registry tax; (h) real estate transfer tax; (i) federal telephone tax; (j) federal transportation tax; and (k) tax paid by any corporation or national or state bank to any foreign country or possession of the United States to the extent that a credit against federal income taxes is allowed under the provisions of the Internal Revenue Code of 1954, as amended through December 31, 1980. If the taxpayer's foreign tax credit consists of both foreign taxes deemed paid and foreign taxes actually paid or withheld, it will be conclusively presumed that foreign taxes deemed paid were first used by the

taxpayer in its foreign tax credit. Minnesota gross income shall include the amount of foreign tax paid which had been allowed as a deduction in a previous year, provided such foreign tax is later allowed as a credit against federal income tax.

Taxes imposed upon a shareholder's interest in a corporation which are paid by the corporation without reimbursement from the shareholder shall be deductible only by such corporation.

Property taxes shall be allowed as a deduction to the same taxpayer and in the same manner as provided in section 164 of the Internal Revenue Code of 1954, as amended through December 31, 1981, notwithstanding the provisions of section 272.31.

Sec. 14. Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 15, is amended to read:

Subd. 15. [STANDARD DEDUCTION.] In lieu of all deductions provided for in this chapter, except for the federal income tax deduction, an individual may claim or be allowed a standard deduction as follows:

(a) Subject to modification pursuant to clause (b), the standard deduction shall be an amount equal to ten percent of the adjusted gross income of the taxpayer, up to a maximum deduction of $2,000.

In the case of a husband and wife, the standard deduction shall not be allowed to either if the net income of one of the spouses is determined without regard to the standard deduction.

(b) For each taxable year beginning after December 31, 1980, the maximum amount of the standard deduction shall be adjusted for inflation in the same manner as provided in section 290.06, subdivision 2d, for the expansion of the taxable net income brackets. ~~If the product exceeds a whole dollar amount, it shall be rounded to the nearest dollar.~~

(c) The commissioner of revenue may establish a standard deduction tax table incorporating the rates set forth in section 290.06, subdivision 2c, and the standard deduction. The tax of any individual taxpayer whose adjusted gross income is less than $20,000 shall, if an election is made not to itemize nonbusiness deductions, be computed in accordance with tables prepared and issued by the commissioner of revenue. The tables shall be prepared to reflect the allowance of the standard deduction and the personal and dependent credits.

Sec. 15. Minnesota Statutes 1980, Section 290.09, Subdivision 16, is amended to read:

Subd. 16. [CIRCULATION EXPENDITURES.] Notwithstanding the provisions of section 290.10(2), ~~all~~ *circulation* expenditures ~~(other than expenditures for the purchase of land or depreciable property or for the acquisition of circulation through the purchase of any part of the business or another publisher of a newspaper, magazine, or other periodical) to establish, maintain, or increase the circulation of a newspaper, magazine, or other periodical; except that the deduction shall not be allowed with respect to the portion of such expenditures as, under regulations prescribed by the commissioner, is chargeable to capital account if the taxpayer elects, in accordance with such regulations, to treat such portion as so chargeable. Such election, if made, must be for~~

~~the total amount of such portion of the expenditures which is so chargeable to capital account, and shall be binding for all subsequent taxable years unless, upon application by the taxpayer, the commissioner permits a revocation of such election subject to such conditions as he deems necessary~~ *shall be treated in the same manner as the taxpayer has elected under the provisions of section 173 of the Internal Revenue Code of 1954, as amended through December 31, 1981.*

Sec. 16. Minnesota Statutes 1980, Section 290.09, Subdivision 17, is amended to read:

Subd. 17. [TAXES AND INTEREST PAID TO COOPERATIVE APARTMENT CORPORATION.] In the case of a tenant-stockholder ~~as defined herein~~, *there shall be allowed as a deduction* amounts~~, not otherwise deductible, paid or accrued to a cooperative apartment corporation within the taxable year, if such amounts represent that proportion of (a) the real estate taxes (allowable as deductions under subdivision 4) paid or incurred by the corporation on the apartment building and the land on which it is situated, and (b) the interest (allowable as a deduction under subdivision 3) paid or incurred by the corporation on its indebtedness contracted in the acquisition, construction, alteration, rehabilitation, or maintenance of such apartment building or in the acquisition of the land on which the building is located, which the stock of the corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including that held by the corporation.~~

~~As used in this subdivision the term "cooperative apartment corporation" means a corporation~~

~~(a) having one and only one class of stock outstanding,~~

~~(b) all of the stockholders of which are entitled, solely by reason of their ownership of stock in the corporation, to occupy for dwelling purposes apartments in a building owned or leased by such corporation, and who are not entitled, either conditionally or unconditionally, except upon a complete or partial liquidation of the corporation, to receive any distribution not out of earnings and profits of the corporation, and~~

~~(c) 80 percent or more of the gross income of which for the taxable year in which the taxes and interest described in this subdivision are paid or incurred is derived from tenant-stockholders.~~

~~The term "tenant-stockholders" means an individual who is a stockholder in a cooperative apartment corporation, and whose stock is fully paid up in an amount not less than an amount shown to the satisfaction of the commissioner as bearing a reasonable relationship to the portion of the value of the corporation's equity in the building and the land on which it is situated which is attributable to the apartment which such individual is entitled to occupy. For purposes of this subdivision, if a bank or other lending institution acquires by foreclosure, or by instrument in lieu of foreclosure, the stock of a tenant-stockholder, and a lease or the right to occupy an apartment to which the stock is appurtenant, the bank or other lending institution shall be treated as a tenant-stockholder for a period not to exceed three years from the date of acquisition. The preceding sentence shall apply even though, by agreement with the cooperative apartment corporation, the bank or other lending institution, or its nominee, may not occupy the apartment without the prior approval of the corporation~~ *allowed under the provisions of section 216 of the Internal Revenue Code of 1954, as amended through December 31, 1981.*

Sec. 17. Minnesota Statutes 1981 Supplement, Section 290.091, as

amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 9, is amended to read:

290.091 [MINIMUM TAX ON PREFERENCE ITEMS.]

In addition to all other taxes imposed by this chapter there is hereby imposed, a tax which, in the case of a resident individual, shall be equal to 40 percent of the amount of the taxpayer's minimum tax liability for tax preference items pursuant to the provisions of sections 55 to 58 and 443(d) of the Internal Revenue Code of 1954 as amended through December 31, 1980 ~~except that~~. For purposes of the tax imposed by this section, *the following modifications shall be made:*

(1) Capital gain as defined in section 57(a) of the Internal Revenue Code shall not include that portion of any gain occasioned by sale, transfer or the granting of a perpetual easement pursuant to any eminent domain proceeding or threat thereof as described in section 290.13, subdivision 5. This modification shall apply to the years in which the gain or reduction in loss is actually included in federal adjusted gross income even though amounts received pursuant to the eminent domain proceedings were received in prior years.

(2) In the case of a corporate taxpayer, percentage depletion shall not be a preference item.

(3) In the case of a corporate taxpayer, the capital gain preference item shall not include the timber preference income defined in section 57(e)(1) of the Internal Revenue Code.

(4) The preference item of reserves for losses on bad debts shall not include reserves allowable under section 593 of the Internal Revenue Code, but which are not allowable under section 290.09, subdivision 6, clause (c).

(5) In the case of an individual, the preference item of adjusted itemized deductions does not include any deduction for charitable contributions in excess of the limitations contained in section 290.21, subdivision 3, including any carryover amount allowed for federal purposes.

(6) The capital gain preference item shall be reduced where the gain would be modified because some or all of the assets have a higher basis for Minnesota purposes than for federal purposes.

(7) In the case of a nonresident individual, or an estate or trust, with a net operating loss that is a larger amount for Minnesota than for federal, the capital gain preference item shall be reduced to the extent it was reduced in the allowance of the net operating loss.

In the case of a resident individual, having preference items which could not be taken to reduce income from sources outside the state pursuant to section 290.17, subdivision 1, or any other taxpayer the tax shall equal 40 percent of that federal liability, multiplied by a fraction the numerator of which is the amount of the taxpayer's preference item income allocated to this state pursuant to the provisions of sections 290.17 to 290.20, and the denominator of which is the taxpayer's total preference item income for federal purposes.

The tax benefit rule contained in section 58(h) of the Internal Revenue Code is applied to the Minnesota minimum tax only to the extent that it determines if there is a federal minimum tax. No separate tax benefit rule is allowable for the

Minnesota minimum tax.

Sec. 18. Minnesota Statutes 1980, Section 290.095, Subdivision 4, is amended to read:

Subd. 4. [COMPUTATION AND MODIFICATIONS.] The following modifications shall be made in computing a net operating loss in any taxable year and also in computing the taxable net income for any taxable year before a net operating loss deduction shall be allowed:

(a) ~~Deductions otherwise allowable in computing taxable net income, but which are not attributable to the operation of a trade or business regularly carried on by the taxpayer, shall be allowed only to the extent of the amount of the gross income, not derived from such trade or business, included in computing such taxpayer's taxable net income.~~

~~(b) There shall be included in computing the gross income used in computing taxable net income the amount of the interest, excludable from gross income under section 290.08, that would be treated as assignable to this state, decreased by the amount of interest paid or accrued to purchase or carry the investments earning such interest to the extent that such interest would not have been deductible in computing the taxpayer's taxable net income.~~

~~(c)~~ No deduction shall be allowed for or with respect to losses connected with income producing activities if the income therefrom would not be required to be either assignable to this state or included in computing the taxpayer's taxable net income.

~~(d)~~ *(b)* A net operating loss deduction shall not be allowed.

~~(e)~~ *(c)* The amount deductible on account of losses from sales or exchanges of capital assets shall not exceed the amount includible on account of gains from sales or exchanges of capital assets. The deduction for long-term capital gains provided by section 290.16, subdivision 4, shall not be allowed.

~~(f)~~ *(d)* Renegotiation of profits for a prior taxable year under the renegotiation laws of the United States of America, including renegotiation of the profits with a subcontractor, shall not enter into the computation.

~~(g)~~ *(e)* Federal income and excess profits taxes shall not be allowed as a deduction.

Sec. 19. Minnesota Statutes 1981 Supplement, Section 290.095, Subdivision 11, is amended to read:

Subd. 11. [CARRYBACK OR CARRYOVER ADJUSTMENTS.] (a) For individuals the amount of a net operating loss that may be carried back or carried over shall be the same dollar amount allowable in the determination of federal adjusted gross income. For estates and trusts the amount of a net operating loss that may be carried back or carried over shall be the same dollar amount allowable in the determination of federal taxable income.

(b) The following adjustments to the amount of the net operating loss that may be carried back or carried over must be made for:

(1) Nonassignable income or losses as required by section 290.17, subdivision 2.

(2) Losses which constitute tax preference items as required in section

290.17, subdivision 1.

(3) Modifications required because of the restrictions on farm losses as provided in section 290.09, subdivision 29.

(4) Adjustments to the determination of federal adjusted gross income that must be made because of changes in the Internal Revenue Code that have not yet been adopted by the legislature by updating the reference to the Internal Revenue Code contained in section 290.01, subdivision 20.

(5) Modifications to income ~~and loss~~ contained in federal adjusted gross income according to the provisions of section 290.01, subdivision 20, clause (c).

(6) Gains or losses which result from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes subject to the limitations contained in section 290.01, subdivision 20, clause (b) (2) and (4).

(7) Interest, taxes, and other expenses not allowed under section 290.10, ~~clauses~~ *clause* (9) ~~and (10)~~ or section 290.101.

(c) (1) The net operating loss carryback or carryover applied as a deduction in the taxable year to which the net operating loss is carried back or carried over shall be equal to the net operating loss carryback or carryover applied in the taxable year in arriving at federal adjusted gross income (or federal taxable income for trusts and estates) subject to the modifications contained in clause (b) and to the following modifications:

(A) Increase the amount of carryback or carryover applied in the taxable year by the amount of losses and interest, taxes and other expenses not assignable or allowable to Minnesota incurred in the taxable year.

(B) Decrease the amount of carryback or carryover applied in the taxable year by the amount of income not assignable to Minnesota earned in the taxable year and the amount of federal jobs credit or WIN credit earned in the taxable year.

(C) A taxpayer who is not a resident of Minnesota during any part of the taxable year and who has no income assignable to Minnesota during the taxable year shall apply no net operating loss carryback or carryover in the taxable year.

(2) The provisions of section 172(b) of the Internal Revenue Code of 1954 as amended through December 31, 1980 (relating to carrybacks and carryovers) shall apply. The net operating loss carryback or carryover to the next consecutive taxable year shall be the net operating loss carryback or carryover as calculated in clause (c) (1) less the amount applied in the earlier taxable year(s). No additional net operating loss carryback or carryover shall be allowed if the entire amount has been used to offset Minnesota income in a year earlier than was possible on the federal return. A net operating loss carryback or carryover that was allowed to offset federal income in a year earlier than was possible on the Minnesota return shall still be allowed to offset Minnesota income but only if the loss was assignable to Minnesota in the year the loss occurred.

(d) A net operating loss shall be allowed to be carried back or carried forward only to the extent that loss was assignable to Minnesota in the year the loss

occurred or in the year to which the loss was carried over, whichever would allow more of the loss to be allowed for Minnesota purposes.

(e) If a taxpayer has a net operating loss for federal purposes and the provisions of the farm loss limitation as provided in section 290.09, subdivision 29 apply, the limitations applying to the farm losses that are carried back or carried over are applied first and the net operating loss that is carried back or carried over is limited to the excess, if any, that the net operating loss exceeds the farm loss limitation.

Sec. 20. Minnesota Statutes 1981 Supplement, Section 290.10, is amended to read:

290.10 [NONDEDUCTIBLE ITEMS.]

In computing the net income no deduction shall in any case be allowed for:

(1) Personal, living or family expenses;

(2) Amounts paid out for new buildings or for permanent improvements or betterments made to increase the value of any property or estate, except as otherwise provided in this chapter;

(3) Amounts expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

(4) Premiums paid on any life insurance policy covering the life of the taxpayer or of any other person;

(5) The shrinkage in value, due to the lapse of time, of a life or terminable interest of any kind in property acquired by gift, devise, bequest or inheritance;

(6) Losses from sales or exchanges of property, directly or indirectly, between ~~members of a family, or, except in the case of distributions in liquidation, between an individual and a corporation in which such individual owns, directly or indirectly, more than 50 percent in value of the outstanding stock; or between any person or corporation and a trust created by him or it or of which he or it is a beneficiary, directly or indirectly; for the purpose of this clause, an individual shall be considered as owning the stock owned, directly or indirectly, by his family; and the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestor, and lineal descendants, but such losses shall be allowed as deductions if the taxpayer shows to the satisfaction of the commissioner that the sale or exchange was bona fide and for a fair and adequate consideration~~ *related taxpayers as defined and as provided in section 267 of the Internal Revenue Code of 1954, as amended through December 31, 1981*;

(7) In computing net income, no deduction shall be allowed under section 290.09, subdivision 2, relating to expenses incurred or under section 290.09, subdivision 3, relating to interest accrued *as provided in section 267(a)(2) and (e) of the Internal Revenue Code of 1954, as amended through December 31, 1981*;

~~(a) If such expenses or interest not paid within the taxable year or within two and one-half months after the close thereof; and~~

~~(b) If, by reason of the method of accounting of the person to whom the payment is to be made, the amount thereof is not, unless paid, includible in the~~

~~gross income of such person for the taxable year in which or with which the taxable year of the taxpayer ends; and~~

~~(c) If, at the close of the taxable year of the taxpayer or at any time within two and one-half months thereafter, both the taxpayer and the person to whom the payment is to be made are persons between whom losses would be disallowed under clause (6);~~

(8) (a) Contributions by employees under the federal railroad retirement act and the federal social security act. (b) Payments to Minnesota or federal public employee retirement funds. (c) Three-fourths (75 percent) of the amount of taxes imposed on self-employment income under section 1401 of the Internal Revenue Code of 1954, as amended through December 31, 1979.

(9) Expenses, interest and taxes connected with or allocable against the production or receipt of all income not included in the measure of the tax imposed by this chapter.

(10) In situations where this chapter provides for a subtraction from gross income of a specific dollar amount of an item of income assignable to this state, and within the measure of the tax imposed by this chapter, that portion of the federal income tax liability assessed upon such income subtracted, and any expenses attributable to earning such income, shall not be deductible in computing net income.

(11) Amounts paid or accrued for such taxes and carrying charges as, under regulations prescribed by the commissioner, are chargeable to capital account with respect to property, if the taxpayer elects, in accordance with such regulations, to treat such taxes or charges as so chargeable.

Sec. 21. Minnesota Statutes 1980, Section 290.13, Subdivision 1, is amended to read:

Subdivision 1. [TRANSACTIONS IN WHICH NO GAIN OR LOSS IS RECOGNIZED.] ~~No~~ Gain or loss from ~~the following~~ transactions *described in section 1031, 1035, or 1036 of the Internal Revenue Code of 1954, as amended through December 31, 1981,* shall be recognized at the time ~~of their occurrence, except as otherwise specified in this section:~~

~~(1) If the property held for productive use in trade or business or for investment (not including stock in trade or other property held primarily for sale, nor stocks, bonds, notes, choses in action, certificates of trust or beneficial interest, or other securities or evidences of indebtedness or interest) is exchanged solely for property of a like kind to be held either for productive use in trade or business or for investment;~~

~~(2) If common stock in a corporation is exchanged solely for common stock in the same corporation, or if preferred stock in a corporation is exchanged solely for preferred stock in the same corporation;~~ *and in the manner, including the basis computation, provided in those sections.*

Sec. 22. Minnesota Statutes 1981 Supplement, Section 290.131, Subdivision 1, is amended to read:

Subdivision 1. [DISTRIBUTIONS OF PROPERTY.] ~~(a) Except as otherwise provided in this chapter, a distribution of property (as defined in section 290.133, subdivision 2, clause (a)) made by a corporation to a shareholder~~

with respect to its stock shall be treated in the manner provided in clause (c).

(b) Amount distributed:

(1) For purposes of this subdivision, the amount of any distribution shall be:

(A) If the shareholder is not a corporation, the amount of money received, plus the fair market value of the other property received.

(B) If the shareholder is a corporation, the amount of money received, plus whichever of the following is the lesser:

(i) the fair market value of the other property received; or

(ii) the adjusted basis (in the hands of the distributing corporation immediately before the distribution) of the other property received, increased in the amount of gain to the distributing corporation which is recognized under clause (b) or (c) of section 311 of the Internal Revenue Code of 1954, as amended through December 31, 1980.

(2) The amount of any distribution determined under paragraph (1) shall be reduced (but not below zero) by:

(A) the amount of any liability of the corporation assumed by the shareholder in connection with the distribution, and

(B) the amount of any liability to which the property received by the shareholder is subject immediately before, and immediately after, the distribution.

(3) For purposes of this subdivision, fair market value shall be determined as of the date of the distribution.

(c) In the case of a distribution to which clause (a) applies:

(1) That portion of the distribution which is a dividend (as defined in section 290.133, subdivision 1) shall be included in gross income.

(2) That portion of the distribution which is not a dividend shall be applied against and reduce the adjusted basis of the stock.

(3) Amount in excess of basis.

(A) Except as provided in subparagraph (B), that portion of the distribution which is not a dividend, to the extent that it exceeds the adjusted basis of the stock, shall be treated as gain from the sale or exchange of property.

(B) That portion of the distribution which is not a dividend, to the extent that it exceeds the adjusted basis of the stock and to the extent that is out of increase in value accrued before January 1, 1933, shall be exempt from tax.

(d) The basis of property received in a distribution to which clause (a) applies shall be:

(1) If the shareholder is not a corporation, the fair market value of such property.

(2) If the shareholder is a corporation, whichever of the following is the lesser:

(A) the fair market value of such property; or

(B) the adjusted basis (in the hands of the distributing corporation immedi-

~~ately before the distribution) of such property, increased in the amount of gain to the distributing corporation which is recognized under clause (b) or (c) of section 311 of the Internal Revenue Code of 1954, as amended through December 31, 1980.~~

The effects on recipients of a distribution by a corporation shall be governed by the provisions of sections 301 to 307 of the Internal Revenue Code of 1954, as amended through December 31, 1981. However, in section 301(c)(3)(B) the date January 1, 1933 shall be substituted for March 1, 1913 when determining the amount of a distribution that is not taxable.

Sec. 23. Minnesota Statutes 1981 Supplement, Section 290.132, Subdivision 1, is amended to read:

Subdivision 1. [TAXABILITY OF CORPORATION ON DISTRIBUTION.] No gain or loss shall be recognized to a corporation on the distribution, with respect to its stock as provided in section 311 of the Internal Revenue Code of 1954, as amended through December 31, ~~1980~~ *1981*.

The effect on earnings and profits shall be determined according to the provisions of section 312 of the Internal Revenue Code of 1954, as amended through December 31, 1981. However, when determining earnings and profits in section 312(f) and (g), the date December 31, 1932 shall be substituted for February 28, 1913, and January 1, 1933 shall be substituted for March 1, 1913.

Sec. 24. Minnesota Statutes 1980, Section 290.133, Subdivision 1, is amended to read:

Subdivision 1. [DIVIDEND DEFINED.] ~~(a)~~ For purposes of this chapter, the ~~term "dividend" means any distribution of property made by a corporation to its shareholders:~~

~~(1) out of its earnings and profits accumulated after December 31, 1932, or~~

~~(2) out of its earnings and profits of the taxable year (computed as of the close of the taxable year without diminution by reason of any distributions made during the taxable year), without regard to the amount of the earnings and profits at the time the distribution was made. Except as otherwise provided in this chapter, every distribution is made out of earnings and profits to the extent thereof, and from the most recently accumulated earnings and profits. To the extent that any distribution is, under any provision of sections 290.131 through 290.138, treated as a distribution of property to which section 290.131, subdivision 1 applies, such distribution shall be treated as a distribution of property for purposes of this clause~~ *definitions provided in sections 316 to 318 of the Internal Revenue Code of 1954, as amended through December 31, 1981, shall apply. However, in section 316(a)(1), "December 31, 1932" shall be substituted for "February 28, 1913" when determining dividends.*

Sec. 25. Minnesota Statutes 1981 Supplement, Section 290.136, Subdivision 1, is amended to read:

Subdivision 1. [TRANSFER TO CORPORATION CONTROLLED BY TRANSFEROR.] The provisions of sections 351 to ~~361, 367, and~~ 368 of the Internal Revenue Code of 1954, as amended through December 31, 1980 shall apply to corporate organizations and reorganizations. *However, in section 362, the phrase "acquired in a taxable year beginning after December 31, 1956"*

shall be substituted for "acquired on or after June 22, 1954" when determining the property to which this section applies.

Sec. 26. Minnesota Statutes 1981 Supplement, Section 290.14, is amended to read:

290.14 [GAIN OR LOSS ON DISPOSITION OF PROPERTY, BASIS.]

Except as otherwise provided in this chapter, the basis for determining the gain or loss from the sale or other disposition of property acquired on or after January 1, 1933, shall be the cost to the taxpayer of such property, with the following exceptions:

(1) If the property should have been included in the last inventory, it shall be the last inventory value thereof;

(2) If the property was acquired by gift, it shall be the same as it would be if it were being sold or otherwise disposed of by the last preceding owner not acquiring it by gift; if the facts required for this determination cannot be ascertained, it shall be the fair market value as of the date, or approximate date, of acquisition by the last preceding owner, as nearly as the requisite facts can be ascertained by the commissioner;

(3) If the property was acquired by gift through an inter vivos transfer in trust, it shall be the same as it would be if it were being sold or otherwise disposed of by the grantor;

(4) Except as otherwise provided in this clause, the basis of property in the hands of a person acquiring the property from a decedent or to whom the property passed from a decedent shall, if not sold, exchanged or otherwise disposed of before the decedent's death by the person, be the fair market value of the property at the date of decedent's death or, in the case of an election under section 2032 (relating to alternate valuation) of the Internal Revenue Code of 1954, as amended through December 31, 1980, its valuation at the applicable valuation date prescribed by that section, or in the case of an election under section 2032A (relating to valuation of farm real property) of the Internal Revenue Code of 1954, as amended through December 31, 1980, its value determined by that section.

For the purposes of the preceding paragraph, the following property shall be considered to have been acquired from or to have passed from the decedent:

(a) Property acquired by bequest, devise, or inheritance, or by the decedent's estate from the decedent;

(b) Property transferred by the decedent during his lifetime in trust to pay the income for life to or on the order or direction of the decedent, with the right reserved to the decedent at all times before his death to revoke the trust;

(c) Property transferred by the decedent during his lifetime in trust to pay the income for life to or on the order or direction of the decedent with the right reserved to the decedent at all times before his death to make any change in the enjoyment thereof through the exercise of a power to alter, amend, or terminate the trust;

(d) Property passing without full and adequate consideration under a general power of appointment exercised by the decedent by will;

(e) In the case of a decedent's dying after December 31, 1956, property

acquired from the decedent by reason of death, form of ownership, or other conditions (including property acquired through the exercise or non-exercise of a power of appointment), if by reason thereof the property is required to be included in determining the value of the decedent's gross estate for Minnesota inheritance or estate tax purposes. In this case, if the property is acquired before the death of the decedent, the basis shall be the amount determined under the first paragraph of this clause reduced by the amount allowed to the taxpayer as deductions in computing taxable net income under this chapter or prior Minnesota income tax laws for exhaustion, wear and tear, obsolescence, amortization, and depletion on the property before the death of the decedent. The basis shall be applicable to the property commencing on the death of the decedent. This paragraph shall not apply to annuities and property described in paragraphs (a), (b), (c) and (d) of this clause.

This clause shall not apply to property which constitutes a right to receive an item of income in respect of a decedent under section 290.077.

(5) ~~If the property was acquired after December 31, 1932, upon an exchange described in section 290.13, subdivision 1, the basis shall be the same as in the case of the property exchanged, decreased in the amount of any money received by the taxpayer and increased in the amount of gain or decreased in the amount of loss to the taxpayer that was recognized upon the exchange under the law applicable to the year in which the exchange was made. If the property so acquired consisted in part of the type of property permitted by section 290.13, subdivision 1, to be received without the recognition of gain or loss, and in part of other property, the basis provided in this clause shall be allocated between the properties, other than money, received, and for the purpose of the allocation there shall be assigned to the other property an amount equivalent to its fair market value at the date of the exchange. This clause shall not apply to property acquired by a corporation by the issuance of its stock or securities as the consideration, in whole or in part, for the transfer of the property to it;~~

~~(6)~~ If substantially identical property was acquired in the place of stocks or securities which were sold or disposed of and in respect of which loss was not allowed as a deduction under section 290.09, subdivision 5, the basis in the case of property so acquired shall be the same as ~~in the case of the stock or securities so sold or disposed of, increased by the excess of the repurchase price of the property over the sale price of the stock or securities, or decreased by the excess of the sale price of the stock or securities over the repurchase price of the property;~~ *that provided in section 1091 of the Internal Revenue Code of 1954, as amended through December 31, 1981.*

~~(7)~~ *(6)* Neither the basis nor the adjusted basis of any portion of real property shall, in the case of a lessor of the property, be increased or diminished on account of income derived by the lessor in respect of the property and excludable from gross income under section 290.08, subdivision 14.

If an amount representing any part of the value of real property attributable to buildings erected or other improvements made by a lessee in respect of the property was included in gross income of the lessor for any taxable year beginning before January 1, 1943, the basis of each portion of the property shall be properly adjusted for the amount included in gross income.

~~(8)~~ *(7)* If the property was acquired by the taxpayer as a transfer of property in exchange for the release of the taxpayer's marital rights, the basis of the property shall be the same as it would be if it were being sold or otherwise disposed of by the person who transferred the property to the taxpayer.

~~(9)~~ *(8)* The basis of property subject to the provisions of section 1034 of the

Internal Revenue Code of 1954, as amended through December 31, 1979 (relating to the rollover of gain on sale of principal residence) shall be the same as the basis for federal income tax purposes. The basis shall be increased by the amount of gain realized on the sale of a principal residence outside of Minnesota, while a nonresident of this state, which gain was not recognized because of the provisions of section 1034.

Sec. 27. Minnesota Statutes 1981 Supplement, Section 290.18, Subdivision 1, is amended to read:

Subdivision 1. [TAXABLE NET INCOME.] The taxable net income shall, except insofar as section 290.19 is applicable, be computed by deducting from the gross income assignable to this state under section 290.17 deductions of the kind permitted by section 290.09 in accordance with the following provisions:

(1) Such deductions shall be allowed to the extent that they are connected with and allocable against the production or receipt of such gross income assignable to this state;

(2) That proportion of such deductions, so far as not connected with and allocable against the production or receipt of such gross income assignable to this state and so far as not connected with and allocable against the production or receipt of gross income assignable to other states or countries and so far as not entering into the computation of the net income assignable to this state under section 290.19, shall be allowed which the taxpayer's gross income from sources within this state, as determined under section 290.17, subdivision 2, clauses (1), (2), (3), *(5),* and (7), bears to his gross income from all sources, including that entering into the computations provided for by section 290.19; provided that taxes of the kind deductible under section 290.09, subdivision 4, shall, so far as within the description of deductions deductible under this clause, be deductible in their entirety if paid to the state of Minnesota, or any of its subdivisions authorized to impose such taxes, and thereupon be excluded in making the computation of deductions, as in this clause provided.

Sec. 28. Minnesota Statutes 1981 Supplement, Section 290.18, Subdivision 2, is amended to read:

Subd. 2. [FEDERAL INCOME TAX PAYMENTS AND REFUNDS.] The adjusted gross income shall be computed by deducting from the gross income assignable to this state under section 290.17, the deduction for allowable federal income taxes determined under the provisions of sections 290.09, subdivision 4, 290.10 (8), (9) or (10), and 290.18.

This deduction shall be allowed to individuals, estates, or trusts (i) for taxable years beginning after December 31, 1980 in the taxable year to which the liability applies. Such liability includes the portion of self-employment tax allowed under section 290.10, clause (8). The self-employment tax must be deducted by the person who is deriving the income. When the federal tax liability is joint and several under the computation of a joint federal return of husband and wife, the federal tax liability must be split between the spouses in the same ratio that the federal adjusted gross income of that spouse bears to the total federal adjusted gross income. *For purposes of the preceding sentence, "federal adjusted gross income" includes the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1981.*

(ii) taxes paid for a taxable year beginning before January 1, 1981 shall be allowed as follows:

(1) Those taxes paid in a taxable year beginning before January 1, 1981, shall be claimed in the year in which the payment was made.

(2) Those paid in a taxable year beginning after December 31, 1980 shall be divided and deducted in equal installments reflected by the yearly periods beginning with the first day of the taxable year in which the payment was made and ending December 31, 1986.

(iii) In the case of a person who was self employed during all or a portion of the taxable year, the federal income tax liability for purposes of this section shall be increased by the self-employment tax allowed under section 290.10, clause (8).

(iv) If a taxpayer's federal tax liability is eventually not paid by reason of compromise, discharge, or court order, the deduction allowed pursuant to this subdivision shall be disallowed for the taxable year in which the liability was accrued.

(v) In the event a federal tax liability for a taxable year commencing after December 31, 1980 is increased, decreased or modified, and such increase, decrease or modification has resulted in a change in the amount of Minnesota income tax in the year to which such increase, decrease or modification is attributable, the taxpayer's deduction under this section shall be modified for such year.

(vi) If the readjustments required in (iv) or (v) are for taxes reflected in the transition rule described in (ii)(2), the readjustment shall be made equally to the remaining installments and if a reduction to such installments is required under this readjustment which exceeds the total of all remaining installments, the remaining installments will be reduced to zero and the excess included in income as a federal income tax refund.

(vii) Refunds which are not involved with any readjustments under the transition rule shall be included in income under section 290.01, subdivision 20, clause (a)(6) if it is from a year beginning before January 1, 1981.

(viii) Refunds of taxes for years beginning after December 31, 1980, shall be used to adjust the deduction in the taxable year of the liability unless that year is closed by statute and no other adjustments are to be required or allowable in which case such refund shall be reportable in the year received.

Sec. 29. Minnesota Statutes 1980, Section 290.19, Subdivision 1, is amended to read:

Subdivision 1. [COMPUTATION, BUSINESS CONDUCTED PARTLY WITHIN STATE; APPORTIONMENT.] The taxable net income from a trade or business carried on partly within and partly without this state shall be computed by deducting from the gross income of such business, wherever derived, deductions of the kind permitted by section 290.09, so far as connected with or allocable against the production or receipt of such income. The remaining net income shall be apportioned to Minnesota as follows:

(1) If the business consists of the mining, producing, smelting, refining, or any combination of these activities of copper and nickel ores, or of the man-

ufacture of personal property and the sale of said property within and without the state, the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(a) The percentage which the sales made within this state is of the total sales wherever made;

(b) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned or rented and, used by the taxpayer in connection with such trade or business during the tax period; and,

(c) The percentage which the taxpayer's total payrolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total payrolls paid or incurred in connection with such entire trade or business;

(d) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (1) (a), 15 percent of the percentage determined under clause (1) (b), and 15 percent of the percentage determined under clause (1) (c);

(2) (a) In all other cases the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(1) The percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted;

(2) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned, or rented, and used by the taxpayer in connection with such trade or business during the tax period; and

(3) The percentage which the taxpayer's total payrolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total payrolls paid or incurred in connection with such entire trade or business;

(4) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (2) (a) (1), 15 percent of the percentage determined under clause (2) (a) (2), and 15 percent of the percentage determined under clause (2) (a) (3);

(b) If the methods prescribed under clause (2) (a) will not properly reflect taxable net income assignable to the state, there may be used, if practicable and if such use will properly and fairly reflect such income, the percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted; or the separate or segregated ac-

counting method;

(3) The sales, payrolls, earnings, and receipts referred to in this section shall be those for the taxable year in respect of which the tax is being computed. The property referred to in this section shall be the average of the property owned or *rented and* used by the taxpayer during the taxable year in respect of which the tax is being computed. *For purposes of computing the property factor referred to in this section, United States government property which is used by the taxpayer shall be considered as being owned by the taxpayer.*

Sec. 30. Minnesota Statutes 1981 Supplement, Section 290.21, Subdivision 3, is amended to read:

Subd. 3. An amount for contribution or gifts made within the taxable year:

(a) to or for the use of the state of Minnesota, or any of its political subdivisions for exclusively public purposes,

(b) to or for the use of any community chest, corporation, organization, trust, fund, association, or foundation located in and carrying on substantially all of its activities within this state, organized and operating exclusively for religious, charitable, public cemetery, scientific, literary, artistic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual,

(c) to a fraternal society, order, or association, operating under the lodge system located in and carrying on substantially all of their activities within this state if such contributions or gifts are to be used exclusively for the purposes specified in subdivision 3(b), or for or to posts or organizations of war veterans or auxiliary units or societies of such posts or organizations, if they are within the state and no part of their net income inures to the benefit of any private shareholder or individual,

(d) to or for the use of the United States of America for exclusively public purposes, and to or for the use of any community chest, corporation, trust, fund, association, or foundation, organized and operated exclusively for any of the purposes specified in subdivision 3(b) and (c) no part of the net earnings of which inures to the benefit of any private shareholder or individual, but not carrying on substantially all of their activities within this state, in an amount equal to the ratio of Minnesota taxable net income to total net income, provided, however, that for an individual taxpayer, the deduction shall be allowed in an amount equal to the ratio of the taxpayer's gross income assignable to Minnesota to the taxpayer's gross income from all sources,

(e) to a major political party, as defined in section 200.02, subdivision 7, or a political candidate, as defined in section 210A.01, or a political cause when sponsored by any party or association or committee, as defined in section 210A.01, in a maximum amount not to exceed the following:

(1) contributions made by individual natural persons, $100,

(2) contributions made by a national committeeman, national committeewoman, state chairman, or state chairwoman of a major political party, as defined in section 200.02, subdivision 7, $1,000,

(3) contributions made by a congressional district committeeman or com-

mitteewoman of a major political party, as defined in section 200.02, subdivision 7, $350,

(4) contributions made by a county chairman or a county chairwoman of a major political party, as defined in section 200.02, subdivision 7, $150;

(f) in the case of an individual, the total deduction allowable hereunder shall not exceed 30 percent of the taxpayer's Minnesota gross income as follows:

(i) the aggregate of contributions made to organizations specified in (a), (b) and (d) shall not exceed ten percent of the taxpayer's Minnesota gross income,

(ii) the total deduction under this subparagraph for any taxable year shall not exceed 20 percent of the taxpayer's Minnesota gross income. For purposes of this subparagraph, the deduction under this section shall be computed without regard to any deduction allowed under subparagraph (i) but shall take into account any contributions described in subparagraph (i) which are in excess of the amount allowable as a deduction under subparagraph (i). For purposes of paragraph (f) the term Minnesota gross income shall also include the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1980;

(g) in the case of a corporation, the total deduction hereunder shall not exceed 15 percent of the taxpayer's taxable net income less the deductions allowable under this section other than those for contributions or gifts,

(h) in the case of a corporation reporting its taxable income on the accrual basis, if: (A) the board of directors authorizes a charitable contribution during any taxable year, and (B) payment of such contribution is made after the close of such taxable year and on or before the fifteenth day of the third month following the close of such taxable year; then the taxpayer may elect to treat such contribution as paid during such taxable year. The election may be made only at the time of the filing of the return for such taxable year, and shall be signified in such manner as the commissioner shall by regulations prescribe;

(i) in the case of a contribution or property placed in trust as described in section 170(f)(2) of the Internal Revenue Code of 1954, as amended through December 31, 1979, a deduction shall be allowed under this subdivision to the extent that a deduction is allowable for federal income tax purposes.

(j) amounts paid to maintain certain students as members of the taxpayer's household shall be allowed as a deduction as provided in section 170(g) of the Internal Revenue Code of 1954, as amended through December 31, 1981. No other deduction shall be allowed under this subdivision for these amounts and the limitations contained in clause (f) shall not apply to these amounts.

Sec. 31. Minnesota Statutes 1981 Supplement, Section 290.23, Subdivision 3, is amended to read:

Subd. 3. [UNUSED LOSS CARRYOVERS AND EXCESS DEDUCTIONS ON TERMINATION AVAILABLE TO BENEFICIARIES.] If on the termination of an estate or trust, the estate or trust has

(1) a net operating loss carryover under section 290.095 or a capital loss carryover under section 290.01, subdivision 20; or

(2) for the last taxable year of the estate or trust deductions (other than the ~~deductions allowed under subdivision 2~~ *charitable deduction*) in excess of

gross income for such year,

then such carryover or such excess shall be allowed as a deduction, in accordance with regulations prescribed by the commissioner, to the beneficiaries succeeding to the property of the estate or trust.

Sec. 32. Minnesota Statutes 1980, Section 290.281, Subdivision 1, is amended to read:

Subdivision 1. [NOT TAXED; DEFINED.] A common trust fund shall not be subject to taxation under this chapter and ~~for this purpose the term "common trust fund" means a fund maintained by a bank (taxable under section 290.361) exclusively for the collective investment and reinvestment of moneys contributed thereto by it or by another bank which is owned or controlled by a corporation which owns or controls such bank in a capacity as a trustee, personal representative or guardian; and in conformity with the rules and regulations prevailing from time to time of the board of governors of the federal reserve system pertaining to the collective investment of trust funds by national banks~~ *the definitions provided in and the provisions of section 584 of the Internal Revenue Code of 1954, as amended through December 31, 1981, shall apply.*

Sec. 33. Minnesota Statutes 1981 Supplement, Section 290.31, Subdivision 3, is amended to read:

Subd. 3. [PARTNERSHIP COMPUTATIONS.] The taxable net income of a partnership shall be computed in the same manner as in the case of an individual except that

(1) the items described in subdivision 2(1) shall be separately stated, and

(2) the following deductions ~~and credits~~ shall not be allowed to the partnership:

(a) ~~the standard deduction provided in section 290.09, subdivision 15~~ *the deduction for taxes provided in section 290.09, subdivision 4 with respect to taxes, described in section 901 of the Internal Revenue Code of 1954, as amended through December 31, 1981, paid or accrued to foreign countries and to possessions of the United States,*

(b) the deduction for charitable contributions provided in section 290.21, subdivision 3,

(c) the net operating loss deduction provided in section 290.095, ~~and~~

(d) the additional itemized deductions for individuals provided in section 290.09, ~~as adapted to the provisions of this subdivision under regulations issued by the commissioner~~ *subdivisions 10 and 17, and,*

(e) the deduction for depletion under section 290.09, subdivision 8 with respect to oil and gas wells.

Any election affecting the computation of taxable net income derived from a partnership shall be made by the partnership except as provided in section 703(b) of the Internal Revenue Code of 1954, as amended through December 31, 1980.

Sec. 34. Minnesota Statutes 1981 Supplement, Section 290.31, Subdivision 4, is amended to read:

Subd. 4. [PARTNER'S DISTRIBUTIVE SHARE.] (1) A partner's distributive share of income, gain, loss, deduction, or credit shall, except as otherwise provided in this subdivision, be determined by the partnership agreement.

(2) A partner's distributive share of any item of income, gain, loss, deduction, or credit shall be determined in accordance with the partner's interest in the partnership, determined by taking into account all facts and circumstances, if

(a) the partnership agreement does not provide as to the partner's distributive share of income, gain, loss, deduction or credit, or item thereof, or

(b) the allocation to a partner under the agreement of income, gain, loss, deduction, or credit (or item thereof) does not have substantial economic effect.

(3) (a) In determining a partner's distributive share of items described in subdivision 2(1), depreciation, depletion, or gain or loss with respect to property contributed to the partnership by a partner shall, except to the extent otherwise provided in subparagraph (b) or (c), be allocated among the partners in the same manner as if such property had been purchased by the partnership.

(b) If the partnership agreement so provides, depreciation, depletion, or gain or loss with respect to property contributed to the partnership by a partner shall, under regulations prescribed by the commissioner, be shared among the partners so as to take account of the variation between the basis of the property to the partnership and its fair market value at the time of contribution.

(c) If the partnership agreement does not provide otherwise, depreciation, depletion, or gain or loss with respect to undivided interests in property contributed to a partnership shall be determined as though such undivided interests had not been contributed to the partnership. This subparagraph shall apply only if all the partners had undivided interests in such property prior to contribution and their interests in the capital and profits of the partnership correspond with such undivided interests.

(4) A partner's distributive share of partnership loss (including capital loss) shall be allowed only to the extent of the adjusted basis of such partner's interest in the partnership at the end of the partnership year in which such loss occurred. Any excess of such loss over such basis shall be allowed as a deduction at the end of the partnership year in which such excess is repaid to the partnership.

(5) (a) A person shall be recognized as a partner for purposes of this chapter if he owns a capital interest in a partnership in which capital is a material income-producing factor, whether or not such interest was derived by purchase or gift from any other person.

(b) In the case of any partnership interest created by gift, the distributive share of the donee under the partnership agreement shall be includible in his gross income, except to the extent that such share is determined without allowance of reasonable compensation for services rendered to the partnership by the donor, and except to the extent that the portion of such share attributable to donated capital is proportionately greater than the share of the donor attributable to the donor's capital. The distributive share of a partner in the earnings of the partnership shall not be diminished because of absence due to military service.

(c) For purposes of this subdivision, an interest purchased by one member of

~~a family from another shall be considered to be created by gift from the seller, and the fair market value of the purchased interest shall be considered to be donated capital.~~

~~(d) For the purposes of this section, the "family" of any individual shall include only his spouse, ancestors, and lineal descendants, and any trusts for the primary benefit of such persons.~~ *The provisions of sections 704, 706 to 741, and 743 to 761 of the Internal Revenue Code of 1954, as amended through December 31, 1981, shall apply to partners and partnerships.*

Sec. 35. Minnesota Statutes 1980, Section 290.31, Subdivision 5, is amended to read:

Subd. 5. [DETERMINATION OF BASIS OF PARTNER'S INTEREST.] The adjusted basis of a partner's interest in a partnership shall, except as provided in the last paragraph of this subdivision, be the basis of such interest determined under ~~subdivision 10~~ *sections 722 or 742 of the Internal Revenue Code of 1954, as amended through December 31, 1981,* ~~(~~relating to contributions to a partnership~~)~~ or ~~subdivision 19 (relating to~~ transfers of partnership interests~~)~~

(1) increased by the sum of his distributive share for the taxable year and prior taxable years of

(a) net income of the partnership as determined under subdivision 3(1) and (2),

(b) income of the partnership exempt from tax under this chapter, ~~and~~

(c) the excess of the deductions for depletion over the basis of the property subject to depletion, and

(2) decreased (but not below zero) by distributions by the partnership as provided in ~~subdivision 14~~ *section 733 of the Internal Revenue Code of 1954, as amended through December 31, 1981,* and by the sum of his distributive share for the taxable year and prior taxable years of

(a) losses of the partnership, and

(b) expenditures of the partnership not deductible in computing its taxable net income and not properly chargeable to capital account, *and*

(3) decreased, but not below zero, by the amount of the partner's deduction for depletion under section 611 of the Internal Revenue Code of 1954, as amended through December 31, 1981, with respect to oil and gas wells. For corporate partners, the deduction for depletion with respect to oil and gas wells shall be computed as provided in section 290.09, subdivision 8.

The commissioner shall prescribe by ~~regulations~~ *rule* the circumstances under which the adjusted basis of a partner's interest in a partnership may be determined by reference to his proportionate share of the adjusted basis of partnership property upon a termination of the partnership.

Sec. 36. Minnesota Statutes 1980, Section 290.31, Subdivision 19, is amended to read:

Subd. 19. [BASIS OF TRANSFEREE PARTNER'S INTEREST.] The basis of an interest in a partnership acquired other than by contribution shall be determined under ~~sections 290.12, 290.14, 290.15 and 290.16~~ *this chapter.*

Sec. 37. Minnesota Statutes 1981 Supplement, Section 290.32, is amended to read:

290.32 [TAXES FOR PART OF YEAR, COMPUTATION.]

When under this chapter a taxpayer is permitted or required to make a return for a fractional part of a year, the tax shall be computed in the same manner as if such fractional part of a year were an entire year, except:

(1) When a taxpayer is permitted to change the basis for reporting his income from a fiscal to a calendar year, he shall make a separate return for the period between the close of his last fiscal year and the following December thirty-first; if the change is from a calendar to a fiscal year, a separate return shall be made for the period between the close of his last calendar year and the date designated as the close of the fiscal year; and if the change is from one fiscal year to another fiscal year, a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year. The taxable net income, *or for corporations the taxable net income as reduced by the deductions contained in section 290.21,* for any such period shall be put on an annual basis by multiplying the amount thereof by 12 and dividing by the number of months included in the period for which such separate return is made; and the tax shall be that part of a tax, computed on the taxable net income put on such annual basis~~, less the deduction against that taxable net income under the provisions of section 290.21,~~ which the number of months in such period bears to 12 months.

(2) Where any of the enumerated changes in accounting period referred to in clause (1) involve a 52-53 week fiscal year and any such change results in a short period of less than seven days, such short period shall be added to and deemed a part of the following taxable year. If the change results in a short period of seven or more days, but less than 359 days, the taxable net income, *or for corporations the taxable net income as reduced by the deductions contained in section 290.21,* for any such period shall be placed on an annual basis by multiplying such income by 365 and dividing the result by the same number of days in the short period; and the tax shall be that part of a tax, computed on the taxable net income placed on such annual basis~~, less the deduction against that taxable net income under the provisions of section 290.21,~~ which the number of days in such short period bears to 365 days. Where the short period is 359 days or more, the tax shall be computed in the same manner as if such short period were an entire year.

Sec. 38. Minnesota Statutes 1980, Section 290.36, is amended to read:

290.36 [INVESTMENT COMPANIES; REPORT OF NET INCOME; COMPUTATION OF AMOUNT OF INCOME ALLOCABLE TO STATE.]

The taxable net income of investment companies shall be computed and be exclusively as follows:

Each investment company transacting business as such in this state shall report to the commissioner the net income returned by the company for the taxable year to the United States under the provisions of the Internal Revenue Code of 1954, as amended through December 31, 1979, less the credits provided therein~~, or the net income that such company would be required to return under such act less such credits, if such act were in effect~~. The commissioner shall compute therefrom the taxable net income of the investment company by

assigning to this state that proportion of such net income, less such credits which the aggregate of the gross payments collected by the company during the taxable year from old and new business upon investment contracts issued by the company and held by residents of this state, bears to the total amount of the gross payments collected during such year by the company from such business upon investment contracts issued by the company and held by persons residing within the state and elsewhere.

As used in this section, the term "investment company" means any person, co-partnership, association, or corporation, whether local or foreign, coming within the purview of section 54.26, and who or which is registered under the Investment Company Act of 1940 (15 U.S.C. 80a-1 and following), and who or which solicits or receives payments to be made to himself or itself and which issues therefor, or has issued therefor and has or shall have outstanding so-called bonds, shares, coupons, certificates of membership, or other evidences of obligation or agreement or pretended agreement to return to the holders or owners thereof money or anything of value at some future date; and as to whom the gross payments received during the taxable year in question upon outstanding investment contracts, plus interest and dividends earned on investment contracts determined by prorating the total dividends and interest for the taxable year in question in the same proportion that certificate reserves as defined by the Investment Company Act of 1940 is to total assets, shall be at least 50 percent of the company's gross payments upon investment contracts plus gross income from all other sources except dividends from subsidiaries for the taxable year in question. The term "investment contract" shall mean any such so-called bonds, shares, coupons, certificates of membership, or other evidences of obligation or agreement or pretended agreement issued by an investment company.

Sec. 39. Minnesota Statutes 1981 Supplement, Section 290.37, Subdivision 1, is amended to read:

Subdivision 1. [PERSONS MAKING RETURNS.] *(a)* The commissioner of revenue shall annually determine the gross income levels at which individuals and estates shall be required to file a return for each taxable year.

In the case of a decedent who has gross income in excess of the minimum amount at which an individual is required to file a return, the decedent's final income tax return shall be filed by his or her personal representative, if any. If there is no personal representative, the return shall be filed by the successors (as defined in section 524.1-201) who receive any property of the decedent.

The trustee or other fiduciary of property held in trust shall file a return with respect to the taxable net income of such trust if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed, or if the gross income of such trust exceeds $750, if in either case such trust belongs to the class of taxable persons.

Every corporation shall file a return. The return in this case shall be signed by an officer of the corporation.

The receivers, trustees in bankruptcy, or assignees operating the business or property of a taxpayer shall file a return with respect to the taxable net income of such taxpayer if that exceeds an amount on which a tax at the rates herein provided would exceed the specific credits allowed.

(b) Such return shall ~~(a)~~ *(1)* be verified or contain a written declaration that it is made under the penalties of criminal liability for wilfully making a false return, and ~~(b)~~ *(2)* shall contain a confession of judgment for the amount of the tax shown due thereon to the extent not timely paid.

(c) For purposes of this subdivision the term "gross income" shall mean gross income as defined in section 61 of the Internal Revenue Code of 1954, as amended through December 31, 1979, modified and adjusted in accordance with the provisions of sections 290.01, subdivision 20, clauses (b)(1), (b)(6) and (b) (11), 290.08, and 290.17.

Sec. 40. Minnesota Statutes 1981 Supplement, Section 290.41, Subdivision 2, is amended to read:

Subd. 2. [BY PERSONS, CORPORATIONS, COOPERATIVES, GOVERNMENTAL ENTITIES OR SCHOOL DISTRICTS.] Every person, corporation, or cooperative, the state of Minnesota and its political subdivisions, and every city, county and school district in Minnesota, making payments in the regular course of a trade or business during the taxable year to any person or corporation ~~in excess~~ of $600 *or more* on account of rents or royalties, or of $10 or more on account of interest, or $10 or more on account of dividends or patronage dividends, or $600 or more on account of either wages, salaries, commissions, fees, prizes, awards, pensions, annuities, or any other fixed or determinable gains, profits or income, not otherwise reportable under section 290.92, subdivision 7, or on account of earnings ~~in excess~~ of $10 *or more* distributed to its members by savings, building and loan associations or credit unions chartered under the laws of this state or the United States, (a) shall make a return (except in cases where a valid agreement to participate in the combined federal and state information reporting system has been entered into, and such return is therefore filed only with the commissioner of internal revenue pursuant to the applicable filing and informational reporting requirements of the Internal Revenue Code of 1954 as amended through December 31, 1980) in respect to such payments in excess of the amounts specified, giving the names and addresses of the persons to whom such payments were made, the amounts paid to each, and (b) shall make a return in respect to the total number of such payments and total amount of such payments, for each category of income specified, which were in excess of the amounts specified. This subdivision shall not apply to the payment of interest or dividends to a person who was a nonresident of Minnesota for the entire year.

Sec. 41. Minnesota Statutes 1981 Supplement, Section 290.42, is amended to read:

290.42 [FILING RETURNS, DATE.]

The returns required to be made under sections 290.37 to 290.39 and 290.41, other than those under section 290.41, subdivisions 3 and 4, which shall be made within 30 days after demand therefor by the commissioner, shall be filed at the following times:

(1) Returns made on the basis of the calendar year shall be filed on the fifteenth day of April, following the close of the calendar year, except that returns of corporations shall be filed on the fifteenth day of March following the close of the calendar year;

(2) Returns made on the basis of the fiscal year shall be filed on the fifteenth

day of the fourth month following the close of such fiscal year, except that returns of corporations shall be filed on the fifteenth day of the third month following the close of the fiscal year;

(3) Returns made for a fractional part of a year as an incident to a change from one taxable year to another shall be filed on the fifteenth day of the fourth month following the close of the period for which made, except that such returns of corporations shall be filed on the fifteenth day of the third month following the close of the period for which made;

(4) Other returns for a fractional part of a year shall be filed on the fifteenth day of the fourth month following the end of the month in which falls the last day of the period for which the return is made, except that such returns of corporations shall be filed on the fifteenth day of the third month following the end of the month in which falls the last day of the period for which the return is made:

In the case of a final return of a decedent for a fractional part of a year, such return shall be filed on the fifteenth day of the fourth month following the close of the twelve-month period which began with the first day of such fractional part of a year.

(4a) In the case of the return of a cooperative association such returns shall be filed on or before the fifteenth day of the ninth month following the close of the taxable year.

(5) If the due date for any return required under chapter 290 falls upon:

~~(A)~~ A Saturday, *Sunday, or a legal holiday* such return filed by the ~~following Monday~~ *next succeeding day which is not a Saturday, Sunday, or legal holiday* shall be considered to be timely filed~~;~~. *The term "legal holiday" means any day made a holiday in Minnesota by section 645.44, subdivision 5 or by the laws of the United States.*

~~(B) A legal holiday, such return filed on the next succeeding business day shall be considered to be timely filed, except, that for the purpose of this paragraph, Saturday shall not be considered to be a business day.~~

(6) In case of sickness, absence, or other disability, or when, in his judgment, good cause exists, the commissioner may extend the time for filing these returns for not more than six months, except that where the failure is due to absence outside the United States he may extend the period as provided in section ~~290.65~~ *6081 of the Internal Revenue Code of 1954, as amended through December 31, 1981*. He may require each taxpayer in any of such cases to file a tentative return at the time fixed for filing the regularly required return from him, and to pay a tax on the basis of such tentative return at the times required for the payment of taxes on the basis of the regularly required return from such taxpayer. The commissioner may exercise his power under this clause by ~~general regulation~~ *rule* only.

(7) Every person making a return under section 290.41 (except subdivisions 3 and 4) shall furnish to each person whose name is set forth in the return a written statement showing

(A) the name and address of the person making the return, and

(B) the aggregate amount of payments to the person shown on the return.

This written statement shall be furnished to the person on or before January 31 of the year following the calendar year for which the return was made. A duplicate of this written statement shall be furnished to the commissioner on or before February 28 of the year following the calendar year for which the return was made.

Sec. 42. Minnesota Statutes 1981 Supplement, Section 290.431, is amended to read:

290.431 [NON-GAME WILDLIFE CHECKOFF.]

~~Effective with returns filed for taxable years beginning after December 31, 1979,~~ Every ~~person~~ *individual* who files an income tax return or property tax refund claim form may designate *on their original return* that $1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that ~~person~~ *individual* and paid into an account to be established for the management of non-game wildlife. The commissioner of revenue shall, on the first page of the income tax return and the property tax refund claim form, notify filers of their right to designate that a portion of their tax or refund shall be paid into the non-game wildlife management account. The sum of the amounts so designated to be paid shall be credited to the non-game wildlife management account for use by the non-game section of the division of wildlife in the department of natural resources. The commissioner of natural resources shall submit a work program for each fiscal year and semi-annual progress reports to the legislative commission on Minnesota resources in the form determined by the commission. None of the money provided in this section may be expended unless the commission has approved the work program.

Sec. 43. Minnesota Statutes 1980, Section 290.45, Subdivision 1, is amended to read:

Subdivision 1. [DATE DUE, INSTALLMENTS.] The tax imposed by this chapter shall be paid to the commissioner of revenue ~~at St. Paul, Minnesota~~ at the time fixed for filing the return on which the tax is based, except that at the election of the following taxpayers the balance of tax due after applying any tax credit and payment of estimated tax may be paid in two equal installments, as follows:

(a) as to estates and trusts, the first shall be paid at the time fixed for filing the return, and the second on or before six months thereafter.

(b) as to corporations, the first shall be paid at the time fixed for filing the return and the second on or before three months thereafter. If any installment is not paid on or before the date fixed for its payment the whole amount of the tax unpaid shall become due and payable. They shall be paid to the commissioner or to the local officers designated by the commissioner with whom the return is filed as hereinbefore provided.

Sec. 44. Minnesota Statutes 1980, Section 290.49, Subdivision 3, is amended to read:

Subd. 3. [OMISSION IN EXCESS OF 25 PERCENT.] If the taxpayer omits from gross income an amount properly includible therein which is in excess of 25 percent of the amount of gross income stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be

begun at any time within six and one-half years after the return was filed.

For purposes of this subdivision, the term "gross income" shall mean gross income as defined in section 290.37, subdivision 1, *clause (c)*.

Sec. 45. Minnesota Statutes 1980, Section 290.49, Subdivision 7, is amended to read:

Subd. 7. [COURT PROCEEDINGS.] Where the assessment of any tax is hereafter made within the period of limitation properly applicable thereto, *including an assessment made under section 290.56,* such tax may be collected by a proceeding in court, but only if begun

(1) within eighteen months after the expiration of the period for the assessment of the tax, or

(2) within eighteen months after the expiration of the period agreed upon by the commissioner and the taxpayer, pursuant to the provisions of subdivision 8, or

(3) within eighteen months after final disposition of any appeal from the order of assessment.

Sec. 46. Minnesota Statutes 1980, Section 290.49, is amended by adding a subdivision to read:

Subd. 11. [SUSPENSION OF TIME; BANKRUPTCY PROCEEDING.] *The period of time during which a tax must be assessed or collection proceedings commenced under this chapter shall be suspended during the period from the date of a filing of a petition in bankruptcy until 30 days after notice to the commissioner of revenue that the bankruptcy proceedings have been closed or dismissed or the automatic stay has been terminated or has expired.*

The suspension of the statute of limitations under this subdivision shall apply to the person against whom the petition in bankruptcy is filed and all other persons who may also be wholly or partially liable for the tax under this chapter.

Sec. 47. Minnesota Statutes 1980, Section 290.53, is amended by adding a subdivision to read:

Subd. 7. [INTEREST ON ADDITIONAL TAXES.] *Where a taxpayer is liable for additional taxes under this chapter, interest shall be added to the additional amount, at the rate specified in section 270.75, from the due date of the original return.*

Sec. 48. Minnesota Statutes 1980, Section 290.65, Subdivision 9, is amended to read:

Subd. 9. [TIME LIMITS, ADDITIONAL EXTENSION IN CERTAIN CASES.] The limitations of time provided by this chapter relating to income taxes, and ~~sections 271.01 to 271.20, as amended~~ *chapter 271* relating to the tax court, for (a) filing returns, (b) paying taxes, (c) claiming refunds, (d) commencing action thereon, (e) appealing to the tax court from orders relating to income taxes, and (f) appealing to the supreme court from decisions of the tax court relating to income taxes, are hereby extended, with respect to each individual, for the period during which such individual is ~~or has been~~ serving in the Armed Forces of the United States, ~~or the United Nations,~~ *or serving in*

support of the Armed Forces and as provided in section 7508 of the Internal Revenue Code of 1954, as amended through December 31, 1981, is serving in an area designated by the president as a combat zone or is hospitalized outside the United States as a result of injury received while serving in the combat zone during such time, and for a further period of six months ~~after the termination of such service, provided, that the ability of such individual to file the return, pay the tax or any part thereof, or any interest or penalty thereon, or to perform any other act described in this subdivision is materially impaired by reason of such service, but if an extension of time is granted, the fact that such individual's ability to pay was not impaired, shall not prevent the operation of the extensions of time herein provided. The commissioner may by regulation require the filing of a statement or affidavit or other proof, at the time the return or tax is due or other act is required to be done, stating the fact of inability to comply with the requirements of law because of service in the Armed Forces of the United States or the United Nations~~.

Sec. 49. Minnesota Statutes 1980, Section 290.65, Subdivision 11, is amended to read:

Subd. 11. [TIME LIMIT FOR ASSESSMENT, ADDITIONAL EXTENSION.] The limitations of time provided for the assessment of any tax, penalty or interest, as provided by the laws described in subdivision 9, are hereby extended, with respect to the same individuals, and for the same period, as provided in said subdivision, and for a further period of six months; and the limitations of time for the commencement of action to collect any tax, penalty or interest from such individuals are hereby extended for a period ending six months after the expiration of the time for assessment as herein provided. ~~For the purpose of this subdivision the period of six months after termination of service in the Armed Forces, as provided in subdivision 9, shall not begin to run until written notice of such termination is filed with the commissioner of revenue.~~

Sec. 50. Minnesota Statutes 1980, Section 290.91, is amended to read:

290.91 [DESTRUCTION OF RETURNS.]

The commissioner of revenue is hereby authorized to destroy all ~~income~~ tax returns, *required under this chapter or chapter 290A,* including audit reports, orders and correspondence relating thereto, which have been on file in his office for a period ~~of five years or more~~ *to be determined by the commissioner.* The commissioner may, in his discretion, make copies of such returns, orders or correspondence by microfilm, photostat or other similar means and may immediately destroy the original documents from which such copies have been made. Such copies, when certified to by the commissioner, shall be admissible in evidence in the same manner and be given the same effect as the original documents destroyed.

The commissioner may, in his discretion, destroy correspondence and documents contained in the files of the division which do not relate specifically to any ~~income~~ tax return.

Notwithstanding the above provisions (or the provisions of section 290.61 *or 290A.17*) the commissioner may, utilizing such safeguards as he in his discretion deems necessary, *(1)* employ a commercial photographer for the purpose of developing microfilm of returns or other documents, *or (2) employ*

a vendor for the purpose of obtaining the vendor's services an example of which is the preparation of income tax return labels.

Sec. 51. Minnesota Statutes 1981 Supplement, Section 290.92, Subdivision 2a, is amended to read:

Subd. 2a. [COLLECTION AT SOURCE.] (1) [DEDUCTIONS.] Every employer making payment of wages shall deduct and withhold upon such wages a tax as provided in this section.

(2) [WITHHOLDING ON PAYROLL PERIOD.] The employer shall withhold the tax on the basis of each payroll period or as otherwise provided in this section.

(3) [WITHHOLDING TABLES.] Unless the amount of tax to be withheld is determined as provided in subdivision 3, the amount of tax to be withheld for each individual shall be based upon tables to be prepared and distributed by the commissioner. The tables shall be computed for the several permissible withholding periods and shall take account of exemptions allowed under this section; and the amounts computed for withholding shall be such that the amount withheld for any individual during his taxable year shall approximate in the aggregate as closely as possible the tax which is levied and imposed under this chapter for that taxable year, upon his salary, wages, or compensation for personal services of any kind for the employer, and shall take into consideration the allowable deduction for federal income tax and the deduction allowable under section 290.09, subdivision 15, and the *personal* credits *allowed* against the tax ~~allowable under the Minnesota income tax act~~.

(4) [MISCELLANEOUS PAYROLL PERIOD.] If wages are paid with respect to a period which is not a payroll period, the amount to be deducted and withheld shall be that applicable in the case of a miscellaneous payroll period containing a number of days, including Sundays and holidays, equal to the number of days in the period with respect to which such wages are paid.

(5) [MISCELLANEOUS PAYROLL PERIOD.] (a) In any case in which wages are paid by an employer without regard to any payroll period or other period, the amount to be deducted and withheld shall be that applicable in the case of a miscellaneous payroll period containing a number of days equal to the number of days, including Sundays and holidays, which have elapsed since the date of the last payment of such wages by such employer during the calendar year, or the date of commencement of employment with such employer during such year, or January 1 of such year, whichever is the later.

(b) In any case in which the period, or the time described in clause (a), in respect of any wages is less than one week, the commissioner, under regulations prescribed by him, may authorize an employer to determine the amount to be deducted and withheld under the tables applicable in the case of a weekly payroll period, in which case the aggregate of the wages paid to the employee during the calendar week shall be considered the weekly wages.

(6) [WAGES COMPUTED TO NEAREST DOLLAR.] If the wages exceed the highest bracket, in determining the amount to be deducted and withheld under this subdivision, the wages may, at the election of the employer, be computed to the nearest dollar.

(7) [REGULATIONS ON WITHHOLDING.] The commissioner may, by

regulations, authorize employers:

(a) To estimate the wages which will be paid to any employee in any quarter of the calendar year;

(b) To determine the amount to be deducted and withheld upon each payment of wages to such employee during such quarter as if the appropriate average of the wages so estimated constituted the actual wages paid; and

(c) To deduct and withhold upon any payment of wages to such employee during such quarter such amount as may be necessary to adjust the amount actually deducted and withheld upon wages of such employee during such quarter to the amount required to be deducted and withheld during such quarter without regard to this paragraph (7).

(8) [ADDITIONAL WITHHOLDING.] The commissioner is authorized to provide by ~~regulation, under such conditions and to such extent as he deems proper, for withholding in addition to that otherwise required under this subdivision and subdivision 3 in cases in which the employer and the employee agree to such additional withholding~~ *rule for increases or decreases in the amount of withholding otherwise required under this section in cases where the employee requests the changes*. Such additional withholding shall for all purposes be considered tax required to be deducted and withheld under this section.

(9) [TIPS.] In the case of tips which constitute wages, this subdivision shall be applicable only to such tips as are included in a written statement furnished to the employer pursuant to section 6053 of the Internal Revenue Code of 1954, as amended through December 31, 1980, and only to the extent that the tax can be deducted and withheld by the employer, at or after the time such statement is so furnished and before the close of the calendar year in which such statement is furnished, from such wages of the employee (excluding tips, but including funds turned over by the employee to the employer for the purpose of such deduction and withholding) as are under the control of the employer; and an employer who is furnished by an employee a written statement of tips (received in a calendar month) pursuant to section 6053 of the Internal Revenue Code of 1954 as amended through December 31, 1980 to which subdivision 1 is applicable may deduct and withhold the tax with respect to such tips from any wages of the employee (excluding tips) under his control, even though at the time such statement is furnished the total amount of the tips included in statements furnished to the employer as having been received by the employee in such calendar month in the course of his employment by such employer is less than $20. Such tax shall not at any time be deducted and withheld in an amount which exceeds the aggregate of such wages and funds as are under the control of the employer minus any tax required by other provisions of state or federal law to be collected from such wages and funds.

Sec. 52. Minnesota Statutes 1981 Supplement, Section 290.92, Subdivision 5, is amended to read:

Subd. 5. [EXEMPTIONS.] (1) [ENTITLEMENT.] An employee receiving wages shall on any day be entitled to claim withholding exemptions equal to the same number as the personal credits that he is entitled to claim under the provisions of section 290.06, subdivision 3f, (not including those credits that the taxpayer's spouse may claim).

(2) [WITHHOLDING EXEMPTION CERTIFICATE.] ~~Every employee shall before the date of commencement of employment furnish his employer with a signed withholding exemption certificate relating to the number of withholding exemptions which he claims, which shall in no event exceed the number to which he is entitled.~~

~~(3) [Effective date of exemption certificate.] Withholding exemption certificates shall take effect as of the beginning of the first payroll period ending, or the first payment of wages made without regard to a payroll period, on or after the date on which such certificate is so furnished.~~

~~(4) [NEW EXEMPTION CERTIFICATE.] A withholding exemption certificate which takes effect under this subdivision shall continue in effect with respect to the employer until another such certificate takes effect under this subdivision. If a withholding exemption certificate is furnished to take the place of an existing certificate, the employer, at his option, may continue the old certificate in force with respect to all wages paid on or before the first status determination date, January 1, May 1, July 1, or October 1, which occurs at least 30 days after the date on which such new certificate is furnished.~~

~~(5) [CHANGE OF NUMBER TO REFLECT NEXT TAX YEAR.] If, on any day during the calendar year, the number of withholding exemptions to which the employee may reasonably be expected to be entitled at the beginning of his next taxable year is different from the number to which the employee is entitled on such day, the employee shall in such cases and at such times as the commissioner may prescribe, furnish the employer with a withholding exemption certificate relating to the number of exemptions which he claims with respect to such next taxable year, which shall in no event exceed the number to which he may reasonably be expected to be so entitled. Exemption certificates issued pursuant to this paragraph shall not take effect with respect to any payment of wages made in the calendar year in which the certificate is furnished.~~

~~(6) [CHANGE OF NUMBER.] If, on any day during the calendar year, the number of withholding exemptions to which the employee is entitled is less than the number of withholding exemptions claimed by the employee on the withholding exemption certificate then in effect with respect to him, the employee shall, within ten days thereafter, furnish the employer with a new withholding exemption certificate relating to the number of withholding exemptions which the employee then claims, which shall in no event exceed the number to which he is entitled on such day. If, on any day during the calendar year, the number of withholding exemptions to which the employee is entitled is greater than the number of withholding exemptions claimed, the employee may furnish the employer with a new withholding exemption certificate relating to the number of withholding exemptions which the employee then claims, which shall in no event exceed the number to which he is entitled on such day.~~ *The provisions concerning exemption certificates contained in section 3402(f)(2) and (3) of the Internal Revenue Code of 1954, as amended through December 31, 1981, shall apply.*

~~(7)~~ *(3)* [FORM OF CERTIFICATE.] Withholding exemption certificates shall be in such form and contain such information as the commissioner may by regulation prescribe.

~~(8)~~ *(4)* [NUMBER MAY BE SAME AS THAT FOR FEDERAL PURPOSES.] Notwithstanding the provisions of this subdivision, an employee may elect to claim *a number not to exceed* the ~~same~~ number of withholding exemptions that the employee claims and which are allowable for federal

withholding purposes.

Sec. 53. Minnesota Statutes 1981 Supplement, Section 290.92, Subdivision 5a, is amended to read:

Subd. 5a. [VERIFICATION OF WITHHOLDING EXEMPTIONS; APPEAL.] (1) An employer shall submit to the commissioner a copy of any withholding exemption certificate received from an employee on which the employee claims any of the following:

(a) a total number of withholding exemptions in excess of ~~nine~~ *14 or a number prescribed by the commissioner*, or

(b) a status that would exempt the employee from Minnesota withholding, ~~unless~~ *including where* the employee is a nonresident exempt from withholding under subdivision 4a, clause (3), or the employer reasonably expects, at the time that the certificate is received, that the employee's wages under subdivision 1 from the employer will not then usually exceed $200 per week, or

(c) any number of withholding exemptions which the employer has reason to believe is in excess of the number to which the employee is entitled.

(2) Copies of exemption certificates required to be submitted by clause (1) shall be submitted to the commissioner within 30 days after receipt by the employer unless the employer is also required by federal law to submit copies to the Internal Revenue Service, in which case the employer may elect to submit the copies to the commissioner at the same time that he is required to submit them to the Internal Revenue Service.

(3) An employer who submits a copy of a withholding exemption certificate in accordance with clause (1) shall honor the certificate until notified by the commissioner that the certificate is invalid. The commissioner shall mail a copy of any such notice to the employee. Upon notification that a particular certificate is invalid, the employer shall not honor that certificate or any subsequent certificate unless instructed to do so by the commissioner. The employer shall allow the employee the number of exemptions and compute the withholding tax as instructed by the commissioner in accordance with clause (4).

(4) The commissioner may require an employee to verify that he or she is entitled to the number of exemptions or to the exempt status claimed on the withholding exemption certificate or, that he or she is a nonresident. The employee shall be allowed at least 30 days to submit the verification, after which time the commissioner shall, on the basis of the best information available to him, determine the employee's status and allow the employee the maximum number of withholding exemptions allowable under this chapter. The commissioner shall mail a notice of this determination to the employee at the address listed on the exemption certificate in question. Notwithstanding the provisions of section 290.61, the commissioner may notify the employer of this determination and instruct the employer to withhold tax in accordance with the determination.

(5) The commissioner's determination under clause (4) shall be appealable to tax court in accordance with section 271.06, and shall remain in effect for withholding tax purposes pending disposition of any appeal.

Sec. 54. Minnesota Statutes 1981 Supplement, Section 290.92, Subdivision

6, is amended to read:

Subd. 6. [RETURNS, DEPOSITS.] (1) (a) [RETURNS.] Every employer who is required to deduct and withhold tax under subdivision 2a or 3 shall file a return with the commissioner for each quarterly period, on or before the last day of the month following the close of each quarterly period, unless otherwise prescribed by the commissioner. Any tax required to be deducted and withheld during the quarterly period shall be paid with the return unless an earlier time for payment is provided herein. However, any such return may be filed on or before the tenth day of the second calendar month following such period if such return shows timely deposits in full payment of such taxes due for such period. For the purpose of the preceding sentence, a deposit which is not required to be made within such return period, may be made on or before the last day of the first calendar month following the close of such period. Every employer, in preparing said quarterly return, shall take credit for monthly deposits previously made in accordance with this subdivision.

The return shall be in the form and contain the information prescribed by the commissioner. The commissioner may grant a reasonable extension of time for filing the return and paying the tax, but no extension shall be granted for more than six months.

(b) [ADVANCE DEPOSITS REQUIRED IN CERTAIN CASES.] (i) Unless clause (ii) is applicable, if during any calendar month, other than the last month of the calendar quarter, the aggregate amount of the tax withheld during that quarter under subdivision 2a or 3 exceeds $200, or beginning January 1, 1982, $500, the employer shall deposit the aggregate amount with the commissioner within 15 days after the close of the calendar month. (ii) If at the close of any eighth-monthly period the aggregate amount of undeposited taxes is $3,000 or more, the employer shall deposit the undeposited taxes with the commissioner within three banking days after the close of the eighth-monthly period. For purposes of this subparagraph, the term "eighth-monthly period" means the first three days of a calendar month, the fourth day through the seventh day of a calendar month, the eighth day through the 11th day of a calendar month, the 12th day through the 15th day of a calendar month, the 16th day through the 19th day of a calendar month, the 20th day through the 22nd day of a calendar month, the 23rd day through the 25th day of a calendar month, or the portion of a calendar month following the 25th day of such month.

(c) [OTHER METHODS.] The commissioner shall have the power by rule to prescribe other return periods or deposit requirements. In prescribing the reporting period, the commissioner may classify employers according to the amount of their tax liability and may adopt an appropriate reporting period for each class which he deems to be consistent with efficient tax collection. In no event shall the duration of the reporting period be more than one year, provided that for employers with annual withholding tax liabilities of less than $1,200 the reporting period shall be no more frequent than quarterly.

(2) If less than the correct amount of such tax is paid to the commissioner, proper adjustments, with respect to both the tax and the amount to be deducted, shall be made, without interest, in such manner and at such times as the commissioner may prescribe. If such underpayment cannot be so adjusted the amount of the underpayment shall be assessed and collected in such manner

and at such times as the commissioner may prescribe.

(3) If any employer fails to make and file any return required by paragraph (1) at the time prescribed therefor, or makes and files a false or fraudulent return, the commissioner shall make for him a return from his own knowledge and from such information as he can obtain through testimony, or otherwise, and assess a tax on the basis thereof. The amount of tax shown thereon shall be paid to the commissioner at such times as the commissioner may prescribe. Any such return or assessment so made by the commissioner shall be prima facie correct and valid, and the employer shall have the burden of establishing its incorrectness or invalidity in any action or proceeding in respect thereto.

(4) If the commissioner, in any case, has reason to believe that the collection of the tax provided for in paragraph (1) of this subdivision, and any added penalties and interest, if any, will be jeopardized by delay, he may immediately assess such tax, whether or not the time otherwise prescribed by law for making and filing the return and paying such tax has expired.

(5) Any assessment under this subdivision shall be made by recording the liability of the employer in the office of the commissioner in accordance with regulations prescribed by the commissioner. Upon request of the employer, the commissioner shall furnish the employer a copy of the record of assessment.

(6) Any assessment of tax under this subdivision shall be made within three and one-half years after the due date of the return required by paragraph (1), or the date the return was filed, whichever is later; except that in the case of a false or fraudulent return or failure to file a return, the tax may be assessed at any time.

(7) (a) Except as provided in (b) of this paragraph, every employer who fails to pay to or deposit with the commissioner any sum or sums required by this section to be deducted, withheld and paid, shall be personally and individually liable to the state of Minnesota for such sum or sums (and any added penalties and interest); and any sum or sums deducted and withheld in accordance with the provisions of subdivision 2a or subdivision 3 shall be held to be a special fund in trust for the state of Minnesota.

(b) If the employer, in violation of the provision of this section, fails to deduct and withhold the tax under this section, and thereafter the taxes against which such tax may be credited are paid, the tax so required to be deducted and withheld shall not be collected from the employer; but this shall in no case relieve the employer from liability for any penalties and interest otherwise applicable in respect of such failure to deduct and withhold.

(8) Upon the failure of any employer to pay to or deposit with the commissioner within the time provided by paragraphs (1), (2) or (3) of this subdivision any tax required to be withheld in accordance with the provisions of subdivision 2a or subdivision 3, or if the commissioner has assessed a tax pursuant to paragraph (4), such tax shall become immediately due and payable, and the commissioner may deliver to the attorney general a certified statement of the tax, penalties and interest due from such employer. The statement shall also give the address of the employer owing such tax, the period for which the tax is due, the date of the delinquency, and such other information as may be required by the attorney general. It shall be the duty of the attorney general to institute legal action in the name of the state to recover the amount of such tax,

penalties, interest and costs. The commissioner's certified statement to the attorney general shall for all purposes and in all courts be prima facie evidence of the facts therein stated and that the amount shown therein is due from the employer named in the statement. In event action is instituted as herein provided, the court shall, upon application of the attorney general, appoint a receiver of the property and business of the delinquent employer for the purpose of impounding the same as security for any judgment which has been or may be recovered. Any such action shall be brought within four years and three months after the due date of the return or deposit required by paragraph (1), or the date the return was filed, or deposit made whichever is later; except that in the case of failure to make and file such return or if such return is false or fraudulent, or such deposit is not made such action may be brought at any time.

(8a) The period of time during which a tax must be assessed or collection proceedings commenced under this subdivision shall be suspended during the period from the date of filing of a petition in bankruptcy until 30 days after the commissioner of revenue receives notice that the bankruptcy proceedings have been closed or dismissed or the automatic stay has been terminated or has expired.

The suspension of the statute of limitations under this subdivision shall apply to the person against whom the petition in bankruptcy is filed and all other persons who may also be wholly or partially libable for the tax under this chapter.

(9) The tax required to be withheld under subdivision 2a or subdivision 3 or paid to, or deposited with the commissioner under this subdivision, together with penalties, interest and costs, shall become a lien upon all of the real property of the employer within this state, except his homestead, from and after the filing by the commissioner of a notice of such lien in the offices of the county recorder of the county in which such real property is situated.

(10) Either party to an action for the recovery of any tax, interest or penalties under this subdivision may remove the judgment to the supreme court by appeal, as provided for appeals in civil cases.

(11) No suit shall lie to enjoin the assessment or collection of any tax imposed by this section, or the interest and penalties added thereto.

(12) When any tax is due and payable as provided in paragraph (8) the commissioner may issue his warrant to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property of the employer and to levy upon the rights to property of the employer within the county and to return such warrant to the commissioner and pay to him the money collected by virtue thereof by a time to be therein specified, not less than 60 days from the date of the warrant. The sheriff shall proceed thereunder to levy upon and seize any property of the employer and to levy upon the rights to property of the employer within his county, except the homestead and household goods of the employer and property of the employer not liable to attachment, garnishment, or sale on any final process issued from any court under the provisions of section 550.37, and shall sell so much thereof as is required to satisfy such taxes, interest, and penalties, together with his costs; but such sales shall, as to their manner, be governed by the laws applicable to sales of like property on execution issued against property upon a judgment of a court of record. The proceeds of such sales, less the sheriff's costs, shall be

turned over to the commissioner, who shall retain such part thereof as is required to satisfy the tax, interest, penalties and costs, and pay over any balance to the taxpayer. Any action taken by the commissioner pursuant to this subdivision shall not constitute an election by the state to pursue a remedy to the exclusion of any other remedy providing for the collection of taxes required to be withheld by employers.

Sec. 55. Minnesota Statutes 1980, Section 290.92, Subdivision 13, is amended to read:

Subd. 13. [REFUNDS.] (1) Where the amount of the tax withheld at the source under subdivision 2a or subdivision 3 exceeds by $1 or more the taxes (and any added penalties and interest) reported in the return of the employee taxpayer or imposed upon him by this chapter, the amount of such excess shall be refunded to the employee taxpayer. If the amount of such excess is less than $1 the commissioner shall not be required to refund that amount. Where any amount of such excess to be refunded exceeds $10, such amount *on the original return* shall bear interest at the rate of six percent per annum, computed from 90 days after (a) the due date of the return of the employee taxpayer or (b) the date on which his return is filed, whichever is later, to the date the refund is paid to the taxpayer. Notwithstanding the provisions of section 290.50, written findings by the commissioner, notice by mail to the taxpayer, and certificate for refundment by the commissioner, shall not be necessary. The provisions of section 270.10, shall not be applicable.

(2) Any action of the commissioner in refunding the amount of such excess shall not constitute a determination of the correctness of the return of the employee taxpayer within the purview of section 290.46.

(3) The commissioner of finance shall cause any such refund of tax and interest, to be paid out of the general fund in accordance with the provisions of section 290.62, and so much of said fund as may be necessary is hereby appropriated for that purpose.

Sec. 56. Minnesota Statutes 1981 Supplement, Section 290.93, Subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT OF DECLARATION.] (1) Every individual shall, at the time prescribed in subdivision 5 of this section, make and file with the commissioner a declaration of his estimated tax for the taxable year if

(a) The gross income (*for purposes of this subdivision and subdivision 5* as defined in section ~~290.01, subdivision 20~~ *290.37, subdivision 1, clause (c)*) for the taxable year can reasonably be expected to exceed the gross income amounts set forth in section 290.37, subdivision 1 pertaining to the requirements for making a return; and

(b) Such gross income can reasonably be expected to include more than $500 from sources other than wages upon which a tax has been deducted and withheld under section 290.92, subdivision 2a or subdivision 3.

(2) If the individual is an infant or incompetent person, the declaration shall be made by his guardian.

(3) Notwithstanding the provisions of this section, no declaration is required if the estimated tax (as defined in subdivision 3) can reasonably be expected to

be less than $100.

Sec. 57. Minnesota Statutes 1980, Section 290.93, Subdivision 9, is amended to read:

Subd. 9. [OVERPAYMENT OF ESTIMATED TAX.] (1) Where the amount of an installment payment of estimated tax exceeds the amount determined to be the correct amount of such installment payment, the overpayment shall be credited against the unpaid installments, if any. Where the total amount of the estimated tax payments plus (a) the total amount of tax withheld at the source under section 290.92, subdivision 2a or subdivision 3 (if any) and (b) and other payments (if any) exceeds by $1 or more the taxes (and any added penalties and interest) reported in the return of the taxpayer or imposed upon him by this chapter, the amount of such excess shall be refunded to the taxpayer. If the amount of such excess is less than $1 the commissioner shall not be required to refund that amount. Where any amount of such excess to be refunded exceeds $10, such amount *on the original return* shall bear interest at the rate of six percent per annum, computed from 90 days after (a) the due date of the return of the taxpayer or (b) the date on which his return is filed, whichever is later, until the date the refund is paid to the taxpayer. Notwithstanding the provisions of section 290.50, written findings by the commissioner, notice by mail to the taxpayer, and certificate for refundment by the commissioner, shall not be necessary. The provisions of section 270.10, shall not be applicable.

(2) Any action of the commissioner in refunding the amount of such excess shall not constitute a determination of the correctness of the return of the taxpayer within the purview of section 290.46.

(3) The commissioner of finance shall cause any such refund of tax and interest to be paid out of the general fund in accordance with the provisions of section 290.62, and so much of said fund as may be necessary is hereby appropriated for that purpose.

Sec. 58. Minnesota Statutes 1981 Supplement, Section 290.93, Subdivision 10, is amended to read:

Subd. 10. [UNDERPAYMENT OF ESTIMATED TAX.] (1) In the case of any underpayment of estimated tax by an individual, except as provided in paragraph (4), there may be added to and become a part of the taxes imposed by this chapter, for the taxable year an amount determined at the rate specified in section 270.75 upon the amount of the underpayment for the period of the underpayment.

(2) For purposes of the preceding paragraph, the amount of underpayment shall be the excess of

(a) The amount of the installment which would be required to be paid if the estimated tax were equal to 80 percent (66 2/3 percent in the case of farmers referred to in subdivision 5(2) of this section) of the taxes shown on the return for the taxable year or the taxes for such year if no return was filed, over

(b) The amount, if any, of the installment paid on or before the last day prescribed for such payment.

(3) The period of the underpayment shall run from the date the installment was required to be paid to whichever of the following dates is the earlier

(a) The 15th day of the fourth month following the close of the taxable year.

(b) With respect to any portion of the underpayment, the date on which such portion is paid. For purposes of this sub-paragraph, a payment of estimated tax on any installment date shall be considered a payment of any previous underpayment only to the extent such payment exceeds the amount of the installment determined under paragraph (2) (a) for such installment date.

(4) The addition to the tax with respect to any underpayment of any installment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the lesser

(a) The total tax liability shown on the return of the individual for the preceding taxable year (if a return showing a liability for such taxes was filed by the individual for the preceding taxable year of 12 months), or

(b) An amount equal to the tax computed, at the rates applicable to the taxable year, on the basis of the taxpayer's status with respect to the personal credits for the taxable year, but otherwise on the basis of the facts shown on his return for, and the law applicable to the preceding taxable year, or

(c) An amount equal to 80 percent (66 2/3 percent in the case of farmers referred to in subdivision 5(2) of this section) of the tax for the taxable year (after deducting personal credits) computed by placing on an annualized basis the taxable income for the months in the taxable year ending before the month in which the installment is required to be paid. For purposes of this sub-paragraph, the taxable income shall be placed on an annualized basis by

(i) Multiplying by 12 (or in the case of a taxable year of less than 12 months, the number of months in the taxable year) the taxable income computed for the months in the taxable year ending before the month in which the installment is required to be paid.

(ii) Dividing the resulting amount by the number of months in the taxable year ending before the month in which such installment date falls, or

(d) An amount equal to 90 percent of the tax computed, at the rates applicable to the taxable year, on the basis of the actual taxable income for the months in the taxable year ending before the month in which the installment is required to be paid.

(5) For the purposes of applying this subdivision, the estimated tax shall be computed without any reduction for the amount which the individual estimates as his credit under section 290.92, subdivision 12 (relating to tax withheld at source on wages), *and the refundable credits contained in sections 290.06, subdivision 13, 290.067, 290.501, and chapter 290A which are allowed against income tax liability*, and the amount of such ~~credit~~ *credits* for the taxable year shall be deemed a payment of estimated tax, and an equal part of such ~~amount~~ *amounts* shall be deemed paid on each installment date (determined under subdivisions 6 and 7 of this section) for such taxable year, unless the taxpayer establishes the dates on which all amounts were actually withheld, in which case the amounts so withheld shall be deemed payments of estimated tax on the dates on which such amounts were actually withheld.

Sec. 59. Minnesota Statutes 1980, Section 290.936, is amended to read:

290.936 [OVERPAYMENT OF ESTIMATED TAX.]

(1) Where the amount of an installment payment of estimated tax exceeds the amount determined to be the correct amount of such installment payment, the overpayment shall be credited against the unpaid installments, if any. Where the total amount of the estimated tax payments and other payments, if any, exceeds by $1 or more the taxes (and any added penalties and interest) reported in the return of the taxpayer or imposed upon him by this chapter, the amount of such excess shall be refunded to the taxpayer. If the amount of such excess is less than $1, the commissioner shall not be required to refund. Where any amount of such excess to be refunded exceeds $10, such amount *o.. the original return* shall bear interest at the rate of six percent per annum, computed from 90 days after (a) the due date of the return of the taxpayer or (b) the date on which his return is filed, whichever is later, until the date the refund is paid to the taxpayer. Notwithstanding the provisions of section 290.50, written findings by the commissioner, notice by mail to the taxpayer, and certificate for refundment by the commissioner, shall not be necessary. The provisions of section 270.10, shall not be applicable.

(2) Any action of the commissioner in refunding the amount of such excess shall not constitute a determination of the correctness of the return of the taxpayer within the purview of section 290.46.

(3) The commissioner of finance shall cause any such refund of tax and interest to be paid out of the general fund in accordance with the provisions of section 290.62, and so much of said fund as may be necessary is hereby appropriated for that purpose.

Sec. 60. Minnesota Statutes 1981 Supplement, Section 290.9725, is amended to read:

290.9725 [ELECTION BY SMALL BUSINESS CORPORATION.]

Any corporation having a valid election in effect under section 1372 of the Internal Revenue Code of 1954, as amended through December 31, ~~1980~~ *1981*, shall not be subject to the taxes imposed by this chapter, except the tax imposed under section 290.92.

Sec. 61. [290.9726] [CORPORATION TAXABLE INCOME TAXED TO SHAREHOLDERS.]

Subdivision 1. [GENERAL RULE.] *The gross income of the shareholders of corporations described in section 290.9725 shall be computed under the provisions of section 290.01, subdivision 20.*

Subd. 2. [CHARACTER OF ITEMS DISTRIBUTED OR CONSIDERED DISTRIBUTED.] *The character of any item of income, gain, loss, or deduction included in shareholder's income shall be assignable as provided in section 290.17, subdivision 2, as if the item were realized directly from the source from which it was realized by the corporation or incurred in the same manner as incurred by the corporation.*

Subd. 3. [EXCEPTIONS.] *No subtraction specified in section 290.01, subdivision 20, clause (b) shall apply to any class of income which would be taxable to the corporation under the provisions of this chapter.*

Subd. 4. [TREATMENT OF FAMILY GROUPS.] *Any amount taxable to a shareholder may be apportioned or allocated by the commissioner between or among shareholders of the corporation who are members of the shareholder's family, as defined in section 290.10, clause (6), if he determines that the apportionment or allocation is necessary in order to reflect the value of services rendered to the corporation by the shareholders.*

Subd. 5. [CREDIT ALLOWANCES.] *The credits provided in sections 290.06 and 290.501 to which the corporation is entitled shall be allocated to the shareholders in the same percentage as the undistributed income was apportioned under section 1373(b) of the Internal Revenue Code of 1954, as amended through December 31, 1981. The limitations set forth in the computation of the credit shall be applied to the shareholders.*

Subd. 6. [BASIS.] *The adjustments to basis described in section 1376 of the Internal Revenue Code of 1954, as amended through December 31, 1981, shall not be made for any year beginning before January 1, 1981 for which the corporation did not have a valid election to be taxed as a small business corporation.*

Sec. 62. Minnesota Statutes 1981 Supplement, Section 290.974, is amended to read:

290.974 [RETURN OF ELECTING SMALL BUSINESS CORPORATION.]

Every electing small business corporation under section 290.9725 shall make a ~~partnership~~ *small business corporation* return for each taxable year during which said election is in effect stating specifically the names and addresses of all persons owning stock in the corporation at any time during the taxable year, the number of shares of stock owned by each shareholder at all times during the taxable year, and such other information for the purposes of carrying out the provisions of sections 290.01, subdivision 20 and 290.9725 as the commissioner may by forms and regulations prescribe.

Sec. 63. Minnesota Statutes 1981 Supplement, Section 290A.03, Subdivision 3, is amended to read:

Subd. 3. [INCOME.] (1) "Income" means the sum of the following:

(a) federal adjusted gross income as defined in the Internal Revenue Code of 1954 as amended through December 31, 1980; and

(b) the sum of the following amounts to the extent not included in clause (a):

(i) additions to federal adjusted gross income as provided in Minnesota Statutes, Section 290.01, Subdivision 20, Clause (a)(1), (a)(3), (a)(9), (a)(14), and (a)(15);

(ii) all nontaxable income;

(iii) recognized net long term capital gains;

(iv) dividends and interest excluded from federal adjusted gross income under section 116 of the Internal Revenue Code of 1954;

(v) cash public assistance and relief;

(vi) any pension or annuity (including railroad retirement benefits, all pay-

ments received under the federal social security act, supplemental security income, and veterans benefits), which was not exclusively funded by the claimant or spouse, or which was funded exclusively by the claimant or spouse and which funding payments were excluded from federal adjusted gross income in the years when the payments were made;

(vii) nontaxable interest received from the state or federal government or any instrumentality or political subdivision thereof;

(viii) workers' compensation;

(ix) unemployment benefits;

(x) nontaxable strike benefits; and

(xi) the gross amounts of payments received in the nature of disability income or sick pay as a result of accident, sickness, or other disability, whether funded through insurance or otherwise. In the case of an individual who files an income tax return on a fiscal year basis, the term "federal adjusted gross income" shall mean federal adjusted gross income reflected in the fiscal year ending in the calendar year. *Federal adjusted gross income shall not be reduced by the amount of a net operating loss carryback.*

(2) "Income" does not include

(a) amounts excluded pursuant to the Internal Revenue Code, Sections 101(a), 102, 117, and 121;

(b) amounts of any pension or annuity which was exclusively funded by the claimant or spouse and which funding payments were not excluded from federal adjusted gross income in the years when the payments were made;

(c) ~~gifts from nongovernmental sources;~~

~~(d)~~ surplus food or other relief in kind supplied by a governmental agency;

~~(e)~~ *(d)* relief granted under sections 290A.01 to 290A.20;

~~(f)~~ *(e)* child support payments received under a temporary or final decree of dissolution or legal separation; or

~~(g)~~ *(f)* federal adjusted gross income shall be reduced by wage or salary expense, or expense of work incentive programs which are not allowed as a deduction under provisions of section 280C of the Internal Revenue Code of 1954.

Sec. 64. Minnesota Statutes 1981 Supplement, Section 290A.03, Subdivision 13, is amended to read:

Subd. 13. [PROPERTY TAXES PAYABLE.] "Property taxes payable" means the property tax exclusive of special assessments, penalties, and interest payable on a claimant's homestead before reductions made pursuant to section 273.13, subdivisions 6, 7 and 14a, but after deductions made pursuant to sections 124.213, 273.115, 273.116, 273.135 ~~and~~, 273.139, *and 273.1391* in any calendar year. No apportionment or reduction of the "property taxes payable" shall be required for the use of a portion of the claimant's homestead for a business purpose if the claimant does not deduct any business depreciation expenses for the use of a portion of the homestead in the determination of federal adjusted gross income. For homesteads which are mobile homes as

defined in section 168.011, subdivision 8, "property taxes payable" shall also include 23 percent of gross rent paid in the preceding year for the site on which the homestead is located, exclusive of charges for utilities or services. When a homestead is owned by two or more persons as joint tenants or tenants in common, such tenants shall determine between them which tenant may claim the property taxes payable on the homestead. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final. Property taxes are considered payable in the year prescribed by law for payment of the taxes.

In the case of a claim relating to "property taxes payable", the claimant must have owned and occupied the homestead on January 2 of the year in which the tax is payable and (i) the property must have been classified as homestead property pursuant to section 273.13, subdivisions 6, 7, or 14a on or before June 1 of the year in which the "property taxes payable" were levied; or (ii) the claimant must provide documentation from the local assessor that application for homestead classification has been made prior to July 1 of the year in which the "property taxes payable" were payable *and that the assessor has approved the application.*

For property taxes levied in 1981, payable 1982, "property taxes payable" shall be limited to that portion of the property taxes eligible for the homestead credit as determined pursuant to section 273.13, subdivision 15b.

Sec. 65. Minnesota Statutes 1981 Supplement, Section 290A.07, Subdivision 2a, is amended to read:

Subd. 2a. A claimant not included in subdivision 2 who is a renter shall receive full payment prior to August 15 or 60 days after receipt of the application, whichever is later. *Interest shall be added at six percent per annum from August 15 or 60 days after receipt of the application whichever is later.*

Sec. 66. Minnesota Statutes 1981 Supplement, Section 290A.11, Subdivision 1, is amended to read:

Subdivision 1. [AUDIT OF CLAIM.] When on the audit of any claim filed under sections 290A.01 to 290A.20 the department determines the amount thereof to have been incorrectly determined, the department shall redetermine the claim and notify the claimant of the redetermination and the reasons therefor. The redetermination shall be final unless appealed to the Minnesota tax court within 60 days of notice thereof. *The redetermination under this subdivision and subdivision 1a shall be recovered by assessment and collection in the manner provided in chapter 290 for collection of income tax. The assessment shall bear interest from the date the claim is paid by the state until the date of repayment by the claimant, at the rate specified in section 270.75.*

Sec. 67. Minnesota Statutes 1981 Supplement, Section 270.75, Subdivision 4, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 1, is amended to read:

Subd. 4. There shall be added to the amount of any underpayment of estimated income tax, computed pursuant to chapter 290, an amount in lieu of interest determined at the rate of ~~20~~ *12* percent per annum ~~beginning February 1, 1982~~. *For taxable years beginning after December 31, 1981, the amount in lieu of interest shall be determined at the rate of 20 percent per annum. For taxable years beginning after December 31, 1982, the amount in lieu of inter-*

est for that taxable year shall be the amount determined in subdivision 5 for January 1 on which begins the taxable year or precedes the beginning of the taxable year.

Sec. 68. Minnesota Statutes 1981 Supplement, Section 270.75, Subdivision 5, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 1, is amended to read:

Subd. 5. The rates of interest or amount in lieu of interest contained in subdivisions 1 to 4 shall be adjusted by the commissioner of revenue not later than October 15 of 1982 and any year thereafter if the adjusted prime rate charged by banks during September of that year, rounded to the nearest full percent, is at least a full percentage point more or less than the interest rate which is then in effect. The adjusted rate of interest or amount in lieu of interest shall be equal to the adjusted prime rate charged by banks, rounded to the nearest full percent, and shall become effective on January 1 of the immediately succeeding year *except as provided in subdivision 4*. For purposes of this subdivision, the term "adjusted prime rate charged by banks" means the average predominant prime rate quoted by commercial banks to large businesses, as determined by the Board of Governors of the Federal Reserve System.

Sec. 69. Minnesota Statutes 1980, Section 290.032, Subdivision 5, is amended to read:

Subd. 5. An amount *not to exceed $10,000 which is* distributed to an individual as severance pay upon discontinuation of the individual's employment due to termination of business operations by the individual's employer may be treated as a lump sum distribution according to the provisions of this section *if it is paid as a lump sum*. For the payment to be treated as a lump sum distribution under this subdivision, the termination of the employer's business operation at that site must be reasonably likely to be permanent and to involve the discharge within a period of one year of at least 75 percent of the persons employed by that employer at that site. *This subdivision shall not apply when the employer's business operation at that site is terminated because the business is sold to another person or corporation who will continue operations at that site and the individual is employed by the new person or corporation.* For the purposes of this subdivision, "severance pay" shall mean an amount received for the cancellation of an employment contract or a collectively bargained termination payment in the nature of a substitute for income which would have been earned for personal services to be rendered in the future.

The minimum distribution allowance provided in sections 402 (e)(1)(C) and (D) of the Internal Revenue Code of 1954, as amended through December 31, 1979, shall not apply to the computation allowed under this subdivision.

Sec. 70. Laws 1981, Third Special Session Chapter 2, Article III, Section 6, Subdivision 3, is amended to read:

Subd. 3. [LIMITATION.] The credit for the taxable year shall not exceed $300,000 or ten percent of the liability for tax, whichever is less. "Liability for tax" for purposes of this section means the tax imposed under this chapter for the taxable year reduced by the sum of the credits allowed under section 290.06, except the credit allowed under section 290.06, subdivision 13.

If the credit determined under subdivision 2 exceeds this limitation, the

excess shall be a credit carryback to each of the three preceding taxable years and a credit carryover to each of the seven succeeding taxable years, provided the aggregate of the credit for the taxable year and any carryover and carryback credits shall not exceed $300,000 or ten percent of the liability for tax, whichever is less. The entire amount of the excess unused credit for the taxable year shall be carried first to the earliest of the taxable years to which the credit may be carried and then to each successive year to which the credit may be carried.

For the purposes of sections 290.46 and 290.50, if the claim for refund relates to an overpayment attributable to a research and experimental expenditure credit carryback under this subdivision, in lieu of the period of limitation prescribed in sections 290.46 and 290.50, the period of limitation shall be that period which ends with the expiration of the 15th day of the 46th month, or the 45th month, in the case of a corporation, following the end of the taxable year in which the research and experimental expenditure credit arises which results in the carryback. In any case in which a taxpayer is entitled to a refund in a carryback year due to the carryback of a research and experimental expenditure credit, interest shall be computed only from the end of the taxable year in which the credit arises.

Sec. 71. [INSTRUCTION TO REVISOR.]

In Minnesota Statutes 1982, Section 290.09, Subdivisions 5 and 6, the revisor of statutes shall substitute the phrase "this chapter" for the phrase "sections 290.12, 290.131 to 290.139, 290.14 and 290.15", wherever it is used in those subdivisions. In Minnesota Statutes 1982, Sections 290.12, Subdivision 1, and 290.16, Subdivision 1, the revisor of statutes shall substitute the phrase "this chapter" for the phrase "sections 290.131 to 290.139, 290.14 and 290.15", wherever it is used in those subdivisions.

Sec. 72. [REPEALER.]

Minnesota Statutes 1980, Sections 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7; are repealed.

Sec. 73. [EFFECTIVE DATE.]

Sections 2, 19 and 67 are effective for taxable years beginning after December 31, 1980. Sections 47, 51, 52, 53, 55, 57, and 59 are effective May 1, 1982. Sections 46 and 54 are effective for bankruptcy proceedings filed on or after October 1, 1979. Sections 12, 45, 50, 56, 58, 64, 66, and 68 are effective the day after final enactment. Section 65 is effective for claims based on rent paid in 1982 and subsequent years. The provisions of section 42 requiring that non-game wildlife designations be made on original returns is effective for taxable years beginning after December 31, 1979, and claims based on rent paid in 1980 and subsequent years, and property taxes payable in 1981 and subsequent years. Those provisions of section 63 that relate to net operating

loss carrybacks are effective the day after final enactment. The balance of section 63 is effective for claims based on rent paid in 1982 and succeeding years and property taxes payable in 1983 and succeeding years. The change in section 1, clause (b)(2) is effective for the sale or other disposition of property after June 30, 1982. The rest of this article is effective for taxable years beginning after December 31, 1981.

ARTICLE II

Section 1. Minnesota Statutes 1981 Supplement, Section 270.063, is amended to read:

270.063 [COLLECTION OF DELINQUENT TAXES.]

For the purpose of collecting delinquent state tax liabilities from taxpayers who do not reside or are not located in Minnesota, there is appropriated to the commissioner of revenue an amount representing the cost of collection, not to exceed one-third of the amount collected by contract with collection agencies *or attorneys* to enable the commissioner to reimburse these agencies for this service. The commissioner shall report quarterly on the status of this program to the chairmen of the house tax and appropriation committees and senate tax and finance committees.

Notwithstanding section 16A.15, subdivision 3, the commissioner of revenue may authorize the prepayment of sheriff's fees or court costs to be incurred in connection with the collection out of state of delinquent tax liabilities owed to the commissioner of revenue.

Sec. 2. Minnesota Statutes 1980, Section 270.06, is amended to read:

270.06 [POWERS AND DUTIES.]

It shall be the duty of the commissioner of revenue and he shall have power and authority:

(1) To have and exercise general supervision over the administration of the assessment and taxation laws of the state, over assessors, town, county, and city boards of review and equalization, and all other assessing officers in the performance of their duties, to the end that all assessments of property be made relatively just and equal in compliance with the laws of the state;

(2) To confer with, advise and give the necessary instructions and directions to local assessors and local boards of review throughout the state as to their duties under the laws of the state;

(3) To direct proceedings, actions, and prosecutions to be instituted to enforce the laws relating to the liability and punishment of public officers and officers and agents of corporations for failure or negligence to comply with the provisions of the laws of this state governing returns of assessment and taxation of property, and to cause complaints to be made against local assessors, members of boards of equalization, members of boards of review, or any other assessing or taxing officer, to the proper authority, for their removal from office for misconduct or negligence of duty;

(4) To require county attorneys to assist in the commencement of prosecutions in actions or proceedings for removal, forfeiture and punishment for violation of the laws of this state in respect to the assessment and taxation of property in their respective districts or counties;

(5) To require town, city, county, and other public officers to report information as to the assessment of property, collection of taxes received from licenses and other sources, and such other information as may be needful in the work of the department of revenue, in such form and upon such blanks as he may prescribe;

(6) To require individuals, copartnerships, companies, associations, and corporations to furnish information concerning their capital, funded or other debt, current assets and liabilities, earnings, operating expenses, taxes, as well as all other statements now required by law for taxation purposes;

(7) To summon witnesses to appear and give testimony, and to produce books, records, papers and documents relating to any tax matter which he may have authority to investigate or determine. *Provided, that any summons which does not identify the person or persons with respect to whose tax liability the summons is issued may be served only if (a) the summons relates to the investigation of a particular person or ascertainable group or class of persons, (b) there is a reasonable basis for believing that such person or group or class of persons may fail or may have failed to comply with any tax law administered by the commissioner, (c) the information sought to be obtained from the examination of the records (and the identity of the person or persons with respect to whose liability the summons is issued) is not readily available from other sources, (d) the summons is clear and specific as to the information sought to be obtained, and (e) the information sought to be obtained is limited solely to the scope of the investigation. Provided further that the party served with a summons which does not identify the person or persons with respect to whose tax liability the summons is issued shall have the right, within 20 days after service of the summons, to petition the district court for the judicial district in which lies the county in which the summons is served for a determination as to whether the commissioner of revenue has complied with all the requirements in (a) to (e), and thus, whether the summons is enforceable. If no such petition is made by the party served within the time prescribed, the summons shall have the force and effect of a court order*;

(8) To cause the deposition of witnesses residing within or without the state, or absent therefrom, to be taken, upon notice to the interested party, if any, in like manner that depositions of witnesses are taken in civil actions in the district court, in any matter which he may have authority to investigate or determine;

(9) To investigate the tax laws of other states and countries and to formulate and submit to the legislature such legislation as he may deem expedient to prevent evasions of assessment and taxing laws, and to secure just and equal taxation and improvement in the system of assessment and taxation in this state;

(10) To consult and confer with the governor upon the subject of taxation, the administration of the laws in regard thereto, and the progress of the work of the department of revenue, and to furnish the governor, from time to time, such assistance and information as he may require relating to tax matters;

(11) To transmit to the governor, on or before the third Monday in December of each even-numbered year, and to each member of the legislature, on or before November 15 of each even numbered year, the report of the department of revenue for the preceding years, showing all the taxable property in the state and the value of the same, in tabulated form;

(12) To inquire into the methods of assessment and taxation and ascertain whether the assessors faithfully discharge their duties, particularly as to their compliance with the laws requiring the assessment of all property not exempt from taxation;

(13) To exercise and perform such further powers and duties as may be required or imposed upon the commissioner of revenue by law;

(14) The commissioner of revenue may promulgate rules and regulations for the administration and enforcement of the property tax. Such rules and regulations shall have the force and effect of law;

(15) To execute and administer any agreement with the secretary of the treasury of the United States regarding the exchange of information and administration of the tax laws of both the United States and the state of Minnesota;

(16) To administer and enforce the provisions of sections 325.64 to 325.76, the Minnesota unfair cigarette sales act.

Sec. 3. Minnesota Statutes 1980, Section 270.07, Subdivision 1, is amended to read:

Subdivision 1. The commissioner of revenue shall prescribe the form of all blanks and books required under this chapter. He shall hear and determine all matters of grievance relating to taxation. Except as otherwise provided by law, he shall have power to grant such reduction or abatement of assessed valuations or taxes and of any costs, penalties or interest thereon as he may deem just and equitable, and to order the refundment, in whole or in part, of any taxes, costs, penalties or interest thereon which have been erroneously or unjustly paid. Application therefor shall be submitted with a statement of facts in the case and the favorable recommendation of the county board or of the board of abatement of any city where any such board exists, and the county auditor of the county wherein such tax was levied or paid. In the case of gross earnings taxes the application may be made directly to the commissioner without the favorable action of the county board and county auditor, and the commissioner shall direct that any gross earnings taxes which may have been erroneously or unjustly paid shall be applied against unpaid taxes due from the applicant for such refundment. No reduction, abatement, or refundment of any special assessments made or levied by any municipality for local improvements shall be made unless it is also approved by the board of review or similar taxing authority of such municipality. The commissioner may refer any question that may arise in reference to the true construction of this chapter to the attorney general, and his decision thereon shall be in force and effect until annulled by the judgment of a court of competent jurisdiction. The commissioner shall forward to the county auditor a copy of the order by him made in all cases in which the approval of the county board is required. The commissioner may by written order abate, reduce, or refund any penalty or interest imposed by any law relating to taxation, if in his opinion the ~~enforcement of such a penalty or the payment of such interest would be unjust and inequitable~~ *failure to timely pay the tax or failure to timely file the return is due to reasonable cause*. Such order shall, in the case of real and personal property taxes, be made only on application and approval as provided in this section; in the case of all other taxes, such order shall be made on application of the taxpayer to the commissioner and, if the order is for an abatement, reduction or refund of over ~~$500~~

$5,000, it shall be valid only if approved in writing by the attorney general.

An appeal may not be taken to the tax court from any order of the commissioner of revenue made in the exercise of the discretionary authority granted to him in this subdivision in response to a taxpayer's application for an abatement, reduction or refund of taxes, assessed valuations, costs, penalties or interest.

Sec. 4. Minnesota Statutes 1980, Section 270.10, Subdivision 1, is amended to read:

Subdivision 1. [IN WRITING; APPROVAL BY ATTORNEY GENERAL.] All orders and decisions of the commissioner of revenue, or any of his subordinates, respecting any tax, assessment, or other obligation, shall be in writing, filed in the offices of the department. No order or decision increasing or decreasing any tax, assessment, or other obligation by a sum exceeding $500 on real or personal property, or the assessed valuation thereof, or other obligation relating thereto, the result of which is to increase or decrease the total amount payable including penalties and interest, by a sum exceeding $1,000, and no order or decision increasing or decreasing any other tax by a sum exceeding $1,000 exclusive of penalties and interest, shall be made without the written signature or facsimile signature of the commissioner, a deputy commissioner, assistant commissioner, division director, or acting division director in each case. Written notice of every order granting a reduction, abatement, or refundment exceeding ~~$1,000~~ *$5,000* of any tax exclusive of penalties and interest, shall be given within five days to the attorney general. The attorney general shall forthwith examine such order, and if he deems the same proper and legal he shall approve the same in writing, and may waive the right of appeal therefrom in behalf of the state; otherwise he shall take an appeal from the order in behalf of the state as herein provided; but written approval of the commissioner or his deputy and written notice to the attorney general, shall not be required with respect to the following orders: (1) orders reducing assessed valuation of property by reason of its classification as a homestead; (2) orders not involving refunds which have the effect only of correcting income and franchise tax assessments to conform to the amounts shown on final returns filed as provided by section 290.42, clause (6); (3) original orders for the refundment of gasoline and special fuel taxes.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 270.66, is amended to read:

270.66 [RIGHT OF SETOFF.]

Subdivision 1. [CERTIFICATION BY COMMISSIONER.] Upon certification by the commissioner of revenue to the commissioner of finance, *or to any state agency described in subdivision 3 which disburses its own funds, within five years after the tax should have been paid or the return is filed, whichever is later,* that a taxpayer has an uncontested delinquent tax liability owed to the commissioner of revenue, ~~and notice that the state has purchased personal services, supplies, contract service, or purchased property from said taxpayer,~~ the commissioner of finance *or the state agency* shall apply to such delinquent tax liability funds sufficient to satisfy such unpaid tax liability from funds appropriated for payment of ~~said~~ *an* obligation of the state or any of its agencies that are due and owing the taxpayer, provided however, that such credit shall not be made against any funds exempt under section 550.37 or

those funds owed ~~the~~ *an individual* taxpayer *who receives assistance* under the provisions of chapter 256 ~~or 256B~~.

Subd. 2. [SETOFF SATISFIES STATE OBLIGATION.] All funds, whether general or dedicated, shall be subject to setoff in the manner herein provided. Transfer of funds as herein provided is payment of the obligation of the state or any of its agencies to such taxpayer and any actions for said funds, if any, shall be had against the department of revenue on the issue of such tax liability. Nothing in this section shall be construed to limit the previously existing right of the state or any of its agencies to setoff.

Subd. 3. [AGENCIES SHALL MAINTAIN RECORDS.] Notwithstanding any provision to the contrary, every person, organization, or corporation doing business (hereafter called vendor) with the state of Minnesota or any of its departments, agencies, or educational institutions including the University of Minnesota (all hereafter called agency) shall provide that agency with their social security number or Minnesota tax identification number. The agency shall maintain records of this information, and shall make these records available to the commissioner, upon his request, for the sole purpose of identifying people who have not filed state tax returns or who have not paid uncontested state tax liabilities (hereafter called delinquent taxpayer). When an agency is notified by the commissioner that a vendor is a delinquent taxpayer, payments shall not be made by the agency to the vendor until the commissioner notifies the agency that the vendor no longer is a delinquent taxpayer. *Furthermore, if the vendor has an uncontested delinquent tax liability, the setoff provided in subdivision 1 may be implemented.* The commissioner shall determine that a vendor no longer is a delinquent taxpayer when the vendor has filed all delinquent state tax returns, paid all uncontested state tax liabilities or entered into an agreement with the commissioner which provides for the payment of these liabilities. The commissioner may notify an agency concerning a vendor, notwithstanding the provisions of sections 290.61 or 297A.43.

Sec. 6. [270.67] [AGREEMENTS REGARDING TAX LIABILITY OR EXTENSION OF PAYMENT OF TAX.]

Subdivision 1. [LIABILITY AGREEMENTS.] *The commissioner of revenue, or any officer or employee of the department of revenue authorized in writing by the commissioner, is authorized to enter into an agreement in writing with any taxpayer, or duly authorized agent or representative of the taxpayer, relating to the liability of the taxpayer in respect of any state tax administered by the commissioner for any taxable period ending prior to the date of the agreement. If the agreement is approved by the commissioner within the time stated in the agreement, or later agreed to, the agreement shall be final and conclusive; and, except upon a showing of fraud or malfeasance, or misrepresentation of a material fact, the case shall not be reopened as to the matters agreed upon, or the agreement modified, by any officer, employee, or agent of the state; and, in any suit, action, or proceeding, the agreement, or any determination, assessment, collection, payment, abatement, refund, or credit made in accordance with the agreement, shall not be annulled, modified, set aside, or disregarded.*

Subd. 2. [EXTENSION AGREEMENTS.] *When any portion of any tax payable to the commissioner of revenue together with interest and penalty thereon, if any, has not been paid six months from the date prescribed by law*

for its payment, the commissioner may extend the time for payment for a further period not to exceed 36 months. When the authority of this section is invoked, the extension shall be evidenced by written agreement signed by the taxpayer and the commissioner, stating the amount of the tax with penalty and interest, if any, and providing for the payment of the amount in regular weekly, semi-monthly or monthly installments. The agreement shall contain a confession of judgment for the amount and for any unpaid portion thereof and shall provide that the commissioner may forthwith enter judgment against the taxpayer in the district court of the county of his residence as shown upon his tax return for the unpaid portion of the amount specified in the extension agreement. The principal sum specified in the agreement shall bear interest at the rate specified in section 270.75 on all unpaid portions thereof until the same has been fully paid or the unpaid portion thereof has been entered as a judgment. The judgment shall bear interest at the rate specified in section 270.75. If it appears to the commissioner that the tax reported by the taxpayer is in excess of the amount actually owing by the taxpayer, the extension agreement or the judgment entered pursuant thereto shall be corrected. If after making the extension agreement or entering judgment with respect thereto, the commissioner determines that the tax as reported by the taxpayer is less than the amount actually due, the commissioner shall assess a further tax in accordance with the provisions of law applicable to the tax. The authority granted to the commissioner by this section is in addition to any other authority granted to the commissioner by law to extend the time of payment or the time for filing a return and shall not be construed in limitation thereof.

Sec. 7. [270.68] [LEGAL ACTION; CONFESSION OF JUDGMENT.]

Subdivision 1. [LEGAL ACTION.] *In addition to all other methods authorized by law for the collection of tax, if any tax payable to the commissioner of revenue or to the department of revenue, including penalties and interest thereon, is not paid within 60 days after it is required by law to be paid, the commissioner of revenue may, within five years after the date the tax should have been paid or the return is filed, whichever is later, bring an action at law against the person liable for the payment or collection of the tax, in the name of the state, for the recovery of the tax and interest and penalties due in respect thereof. The action shall be brought in the district court of the judicial district in which lies the county of the residence or principal place of business within this state of the taxpayer, or, in the case of an estate or trust, of the place of its principal administration, and for this purpose the place named as such in the return, if any, made by the taxpayer shall be conclusive against the taxpayer in this matter. If no place is named in the return, the action may be commenced in Ramsey county. The action shall be commenced by filing with the clerk of the court a statement showing the name and address of the taxpayer, if known, an itemized summary of the taxable periods and the type of tax, the tax due and unpaid and the interest and penalties due with respect thereto under the provisions of law applicable to the tax, and shall contain a prayer that the court adjudge the taxpayer to be indebted on account of the taxes, interest, and penalties in the amount specified in the statement; a copy of the statement shall be furnished to the clerk therewith. The clerk shall mail a copy of the statement by certified mail to the taxpayer at the address given in the return, if any; and, if no address is given, then at his last known address, within five days after the same is filed, except that, if the taxpayer's address is not known, notice to him shall be made by posting a copy of the statement for ten days in the place in the courthouse where public notices are regularly posted. The taxpayer shall, if he desires to litigate the claim, or any part thereof, file a verified answer with the clerk setting forth his objections to the claim, or any part thereof; the answer*

shall be filed on or before the 20th day after the date of mailing the statement; or, if notice has been given by posting, on or before the 20th day after the expiration of the period during which the notice was required to be posted. If no answer is filed within the specified time, the clerk, upon the filing of an affidavit of default, shall enter judgment for the state in the amount prayed for, plus costs of $10. If an answer is filed, the issues raised shall stand for trial as soon as possible after the filing of the answer, and the court shall determine the issues and direct judgment accordingly; and, if the taxes, interest, or penalties are sustained to any extent over the amount rendered by the taxpayer, shall assess $10 costs against the taxpayer. The court shall disregard all technicalities and matters of form not affecting the substantial merits. The commissioner may call upon the county attorney or the attorney general to conduct the proceedings on behalf of the state. Execution shall be issued upon the judgment at the request of the commissioner, and the execution shall, in all other respects, be governed by the laws applicable to executions issued on judgments. Only the homestead and household goods of the judgment debtor shall be exempt from seizure and sale upon the execution.

Subd. 2. [APPEALS.] *Either party to an action or a judgment for the recovery of any taxes, interest, or penalties under subdivision 1 may remove the judgment to the supreme court by appeal, as provided for appeals in civil cases.*

Subd. 3. [TAX PRESUMED VALID.] *The tax, as assessed by the commissioner, with any penalties included therein, shall be presumed to be valid and correctly determined and assessed, and the burden shall be upon the taxpayer to show its incorrectness or invalidity. The statement filed by the commissioner with the clerk of court, as provided in subdivision 1, or any other certificate by the commissioner of the amount of the tax and penalties as determined or assessed by him, shall be admissible in evidence and shall establish prima facie the facts set forth therein.*

Subd. 4. [CONFESSION OF JUDGMENT.] *(a) The commissioner may, within 3-1/2 years after any return or report is filed, notwithstanding section 541.09, enter judgment on any confession of judgment contained in the return or report after ten days notice served upon the taxpayer by mail at the address shown in his return or report. The judgment shall be entered by the clerk of court of any county upon the filing of a photocopy or similar reproduction of that part of the return or report containing the confession of judgment along with a statement of the commissioner or his agent that the tax has not been paid.*

(b) Notwithstanding any other provision of the law to the contrary, the commissioner may, within five years after a written agreement is signed by the taxpayer and the commissioner under the provisions of section 6, subdivision 2, enter judgment on the confession of judgment contained within the agreement after ten days notice served upon the taxpayer at the address shown in the agreement. Such judgment shall be entered by the clerk of court of any county upon the filing of the agreement or a certified copy thereof along with a statement of the commissioner or his agent that the tax has not been paid.

Sec. 8. [270.69] [LIEN FOR TAXES.]

Subdivision 1. [CREATION OF LIEN.] *The tax imposed by any chapter administered by the commissioner of revenue, and interest and penalties im-*

posed with respect thereto, shall become a lien upon all the property within this state, both real and personal, of the person liable for the payment or collection of the tax, except his homestead, from and after the filing by the commissioner of a notice of lien in the office of the county recorder of the county in which the property is situated, or in the case of personal property belonging to an individual who is not a resident of this state, or which is a corporation, partnership, or other organization, in the office of the secretary of state.

Subd. 2. [INDEXING OF LIENS.] *The indexing of liens filed pursuant to this section and, notwithstanding section 386.77, the fees charged for such filing and indexing, shall be as prescribed in sections 272.483 and 272.484.*

Subd. 3. [EXEMPT PROPERTY.] *The lien imposed on personal property by this section, even though properly filed, shall not be valid as against a purchaser with respect to tangible personal property purchased at retail or as against the personal property listed as exempt in sections 550.37, 550.38, and 550.39.*

Subd. 4. [PERIOD OF LIMITATIONS.] *The lien imposed by this section shall, notwithstanding any other provision of law to the contrary, be valid and enforceable for ten years from the date of filing the notice of lien, which must be filed by the commissioner within five years after the tax should have been paid or the return is filed, whichever is later.*

Subd. 5. [PRIORITY OF LIEN.] *Only for the purpose of determining the order of priority of the lien imposed by this section and a federal tax lien, the lien imposed by this section shall arise at the time the state tax assessment is made.*

Subd. 6. [ENFORCEABILITY OF LIEN.] *The lien imposed by this section shall be enforceable by levy as authorized in section 270.70, or by judgment lien foreclosure as authorized in chapter 550.*

Subd. 7. [NOTICE OF MORTGAGE FORECLOSURE OR CONTRACT TERMINATION.] *If a lien has been filed by the commissioner of revenue against real property pursuant to this section, and, subsequent to the recording of the lien, a mortgage foreclosure upon the real property is commenced under chapter 580, or a termination of contract of sale of the real property is commenced under section 559.21, notice of the mortgage foreclosure or termination of contract of sale shall be mailed to the commissioner not less than 25 days prior to the foreclosure or termination.*

Sec. 9. Minnesota Statutes 1980, Section 270.70, Subdivision 1, is amended to read:

Subdivision 1. [AUTHORITY OF COMMISSIONER.] If any tax payable to the commissioner of revenue or to the department of revenue is not paid when due, such tax may be collected by the commissioner of revenue *within five years after the tax should have been paid or the return is filed, whichever is later,* by a levy upon all property and rights to property of the person liable for *the payment or collection of* such tax~~,~~ *(*except that which is exempt from execution pursuant to section 550.37*) or property on which there is a lien provided in section 8.* For this purpose, the term "tax" shall include any penalty, interest and costs properly payable. The term "levy" includes the power of distraint and seizure by any means.

Sec. 10. Minnesota Statutes 1980, Section 270.70, Subdivision 2, is

amended to read:

Subd. 2. [*NOTICE AND DEMAND;* JEOPARDY COLLECTION.] Before a levy is made, notice and demand for payment of the amount due shall be given to the person liable for the *payment or collection of the* tax at least ten days prior to the levy. If the commissioner has reason to believe that collection of the tax is in jeopardy, notice and demand for immediate payment of ~~such~~ *the* tax may be made by the commissioner. If the tax is not paid, the commissioner may proceed to collect by levy without regard to the ten day period provided herein.

Sec. 11. Minnesota Statutes 1980, Section 270.70, Subdivision 3, is amended to read:

Subd. 3. [MANNER OF EXECUTION AND SALE.] In making the execution of the levy and in collecting the taxes due, the commissioner shall have all of the powers provided in chapter 550 and in any other law for purposes of effecting an execution against property in this state. The sale of property levied upon, and the time and manner of redemption therefrom, shall ~~be as~~, *to the extent not* provided in *sections 17 to 25, be governed by* chapter 550. The seal of the court, subscribed by the clerk, as provided in section 550.04, shall not be required. The levy for collection of taxes may be made whether or not the commissioner has commenced a legal action for collection of such taxes.

Sec. 12. Minnesota Statutes 1980, Section 270.70, Subdivision 5, is amended to read:

Subd. 5. [PROBATE COURT JURISDICTION.] Where a levy has been made to collect taxes pursuant to ~~subdivision 1~~ *this section* and the property seized is properly included in a formal proceeding commenced under sections 524.3-401 to 524.3-505 and maintained under full supervision of the court, such property shall not be sold until the probate proceedings are completed or until the court so orders.

Sec. 13. Minnesota Statutes 1980, Section 270.70, is amended by adding a subdivision to read:

Subd. 13. [LEVY AND SALE BY SHERIFF.] *If any tax payable to the commissioner of revenue or to the department of revenue is not paid as provided in subdivision 2, the commissioner may, within five years after the tax should have been paid or the return is filed, whichever is later, delegate the authority granted to him by subdivision 1, by means of issuing his warrant to the sheriff of any county of the state commanding him, as agent for the commissioner, to levy upon and sell the real and personal property of the person liable for the payment or collection of the tax and to levy upon the rights to property of that person within the county, or to levy upon and seize any property within the county on which there is a lien provided in section 8, and to return the warrant to the commissioner and pay to the commissioner the money collected by virtue thereof by a time to be therein specified not less than 60 days from the date of the warrant. The sheriff shall proceed thereunder to levy upon and seize any property of the person and to levy upon the rights to property of the person within the county (except his homestead or that property which is exempt from execution pursuant to section 550.37), or to levy upon and seize any property within the county on which there is a lien provided in section 8. For purposes of the preceding sentence, the term "tax" shall include any*

penalty, interest and costs properly payable. The sheriff shall then sell so much of the property levied upon as is required to satisfy the taxes, interest, and penalties, together with his costs; but the sales, and the time and manner of redemption therefrom, shall, to the extent not provided in sections 17 to 25, be governed by chapter 550. The proceeds of the sales, less the sheriff's costs, shall be turned over to the commissioner, who shall then apply the proceeds as provided in section 24.

Sec. 14. Minnesota Statutes 1980, Section 270.70, is amended by adding a subdivision to read:

Subd. 14. [PRIORITY OF LEVY.] *A levy by the commissioner made pursuant to the provisions of this section upon a taxpayer's funds on deposit in a financial institution located in this state, shall have priority over any unexercised right of setoff of the financial institution to apply the levied funds toward the balance of an outstanding loan or loans owed by the taxpayer to the financial institution. A claim by the financial institution that it exercised its right to setoff prior to the levy by the commissioner must be substantiated by evidence of the date of the setoff, and shall be verified by the sworn statement of a responsible corporate officer of the financial institution. Furthermore, for purposes of determining the priority of any levy made under this section, the levy shall be treated as if it were an execution made pursuant to chapter 550.*

Sec. 15. Minnesota Statutes 1980, Section 270.70, is amended by adding a subdivision to read:

Subd. 15. [EFFECT OF HONORING LEVY.] *Any person in possession of (or obligated with respect to) property or rights to property subject to levy upon which a levy has been made who, upon demand by the commissioner, surrenders the property or rights to property (or who pays a liability under subdivision 8) shall be discharged from any obligation or liability to the person liable for the payment or collection of the delinquent tax with respect to the property or rights to property so surrendered or paid.*

Sec. 16. Minnesota Statutes 1980, Section 270.70, is amended by adding a subdivision to read:

Subd. 16. [NOTICE OF LEVY.] *Notwithstanding any other provision of law to the contrary, the notice of any levy authorized by this section may be served by mail or by delivery by an employee or agent of the department of revenue.*

Sec. 17. [270.701] [SALE OF SEIZED PROPERTY.]

Subdivision 1. [NOTICE OF SEIZURE.] *As soon as practicable after seizure of property, notice in writing shall be given by the commissioner of revenue to the owner of the property (or, in the case of personal property, the possessor thereof), and shall be served in like manner as a summons in a civil action in the district court. If the owner cannot be readily located, or has no dwelling or place of business within this state, the notice may be mailed to his last known address. The notice shall specify the sum demanded and shall contain, in the case of personal property, an account of the property seized and, in the case of real property, a description with reasonable certainty of the property seized.*

Subd. 2. [NOTICE OF SALE.] *The commissioner shall as soon as practi-*

cable after the seizure of the property give notice of sale of the property to the owner, in the manner of service prescribed in subdivision 1. In the case of personal property, the notice shall be served at least 10 days prior to the sale. In the case of real property, the notice shall be served at least four weeks prior to the sale. The commissioner shall also cause public notice of each sale to be made. In the case of personal property, notice shall be posted at least 10 days prior to the sale at the post office nearest the place where the seizure is made, and in not less than two other public places. In the case of real property, six weeks' published notice shall be given prior to the sale, in a newspaper published or generally circulated in the county. The notice of sale provided in this subdivision shall specify the property to be sold, and the time, place, manner and conditions of the sale. Whenever levy is made without regard to the ten-day period provided in section 270.70, subdivision 2, public notice of sale of the property seized shall not be made within the ten-day period unless section 18 (relating to sale of perishable goods) is applicable.

Subd. 3. [SALE OF INDIVISIBLE PROPERTY.] *If any property liable to levy is not divisible, so as to enable the commissioner by sale of a part thereof to raise the whole amount of the tax and expenses, the whole of the property shall be sold.*

Subd. 4. [TIME AND PLACE OF SALE.] *The time of sale shall be after the expiration of the notice periods prescribed in subdivision 2. The place of sale shall be within the county in which the property is seized, except by special order of the commissioner.*

Subd. 5. [MANNER AND CONDITIONS OF SALE.] *(a) Before the sale the commissioner shall determine a minimum price for which the property shall be sold, and if no person offers for the property at the sale the amount of the minimum price, the property shall be declared to be purchased at the minimum price for the state of Minnesota; otherwise the property shall be declared to be sold to the highest bidder. In determining the minimum price, the commissioner shall take into account the expense of making the levy and sale. The announcement of the minimum price determined by the commissioner may be delayed until the receipt of the highest bid.*

(b) The sale shall not be conducted in any manner other than:

(i) by public auction, or

(ii) by public sale under sealed bids.

(c) In the case of seizure of several items of property, the items may be offered separately, in groups, or in the aggregate, and shall be sold under whichever method produces the highest aggregate amount.

(d) Payment in full shall be required at the time of acceptance of a bid, except that a part of the payment may be deferred by the commissioner for a period not to exceed 30 days.

(e) Other methods (including advertising) in addition to those prescribed in subdivision 2 may be used in giving notice of the sale.

(f) The commissioner may adjourn the sale from time to time for a period not to exceed 30 days.

(g) If payment in full is required at the time of acceptance of a bid and is not

then and there paid, the commissioner shall forthwith proceed to again sell the property in the manner provided in this section. If the conditions of the sale permit part of the payment to be deferred, and if the part is not paid within the prescribed period, suit may be instituted against the purchaser for the purchase price or that part thereof as has not been paid, together with interest at the rate specified in section 549.09 from the date of the sale; or, in the discretion of the commissioner, the sale may be declared by the commissioner to be null and void for failure to make full payment of the purchase price and the property may again be advertised and sold as provided in this section. In the event of a readvertisement and sale, any new purchaser shall receive the property or rights to property free and clear of any claim or right of the former defaulting purchaser, of any nature whatsoever, and the amount paid upon the bid price by the defaulting purchaser shall be forfeited.

Sec. 18. [270.702] [SALE OF PERISHABLE GOODS.]

If the commissioner determines that any property seized is liable to perish or become greatly reduced in price or value by keeping, or that the property cannot be kept without great expense, he shall appraise the value of the property, and if the owner of the property can be readily found, the commissioner shall give the owner notice of the determination of the appraised value of the property. The property shall be returned to the owner if, within the time specified in the notice, the owner (a) pays to the commissioner an amount equal to the appraised value, or (b) gives bond in the form, with the sureties, and in the amount as the commissioner prescribes to pay the appraised amount at the time the commissioner determines to be appropriate in the circumstances. If the owner does not pay the amount or furnish the bond in accordance with this section, the commissioner shall as soon as practicable make public sale of the property in accordance with section 17.

Sec. 19. [270.703] [REDEMPTION OF PROPERTY.]

Subdivision 1. [BEFORE SALE.] *Any person whose property has been levied upon shall have the right to pay the amount due, together with the expenses of the proceeding, if any, to the commissioner at any time prior to the sale thereof, and upon payment the commissioner shall restore the property to him, and all further proceedings in connection with the levy on the property shall cease from the time of payment.*

Subd. 2. [REDEMPTION OF REAL ESTATE AFTER SALE.] *The owners of any real property sold as provided in this section, their heirs, executors, or administrators, or any person having any interest therein, or a lien thereon, or any person in their behalf, shall be permitted to redeem the property sold, or any particular tract of the property, at any time within 6 months, or in case the real property sold exceeds 10 acres in size, at any time within 12 months, after the sale thereof. The property or tract of property shall be permitted to be redeemed upon payment to the purchaser (or in case he cannot be found in the county in which the property to be redeemed is situated, then to the commissioner, for the use of the purchaser, his heirs, or assigns) of the amount paid by the purchaser together with interest at the rate specified in section 549.09 from the date of the sale.*

Subd. 3. [RECORD.] *When any lands sold are redeemed as provided in this section, the commissioner shall cause entry of the fact to be made upon the record required by section 22 and the entry shall be evidence of the redemp-*

tion.

Sec. 20. [270.704] [CERTIFICATE OF SALE.]

In the case of property sold as provided in section 17, the commissioner shall give to the purchaser a certificate of sale upon payment in full of the purchase price. In the case of real property the certificate shall set forth the real property purchased, for whose taxes the property was sold, the name of the purchaser, and the price paid. If real property is declared purchased by the state of Minnesota, the commissioner shall within ten days from the sale cause the certificate of sale to be duly recorded by the county recorder of the county in which the real property is located.

Sec. 21. [270.705] [EFFECT OF CERTIFICATE OF SALE.]

Subdivision 1. [PERSONAL PROPERTY.] *(a) In all cases of sale pursuant to section 17 of personal property, the certificate of sale given pursuant to section 20 shall be prima facie evidence of the right of the commissioner to make the sale, and conclusive evidence of the regularity of his proceedings in making the sale. The certificate shall transfer to the purchaser all right, title, and interest of the party delinquent in and to the property sold.*

(b) If the property consists of stocks, the certificate of sale shall be notice, when received, to any corporation, company, or association of the transfer, and shall be authority to the corporation, company, or association to record the transfer on its books and records in the same manner as if the stocks were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether cancelled or not.

(c) If the subject of sale is securities or other evidences of debt, the certificate of sale shall be a good and valid receipt to the person holding the same, as against any person holding or claiming to hold possession of the securities or other evidences of debt.

(d) If the property consists of a motor vehicle, the certificate of sale shall be notice, when received, to the registrar of motor vehicles of this state of the transfer, and shall be authority to the registrar to record the transfer on his books and records in the same manner as if the certificate of title to the motor vehicle were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether cancelled or not.

Subd. 2. [REAL PROPERTY.] *In the case of the sale of real property pursuant to section 17, the certificate of sale given pursuant to section 20 shall be prima facie evidence of the facts therein stated, and shall be considered and operate as a conveyance of all the right, title, and interest the party delinquent had in and to the real property thus sold at the time the lien of the state of Minnesota attached thereto.*

Subd. 3. [JUNIOR ENCUMBRANCES.] *A certificate of sale of personal property or real property given pursuant to section 20 shall discharge the property from all liens, encumbrances, and titles over which the lien of the state of Minnesota with respect to which the levy was made had priority.*

Sec. 22. [270.706] [RECORDS OF SALE.]

The commissioner shall, for the department of revenue, keep a record of all sales of property under section 17 and of redemptions of real property. The

record shall set forth the tax for which the sale was made, the dates of seizure and sale, the name of the party assessed and all proceedings in making the sale, the amount of expenses, the names of the purchasers, and the date of the certificate of sale. A copy of the record, or any part thereof, certified by the commissioner shall be evidence in any court of the truth of the facts therein stated.

Sec. 23. [270.707] [EXPENSE OF LEVY AND SALE.]

The commissioner shall determine the expenses to be allowed in all cases of levy and sale.

Sec. 24. [270.708] [APPLICATION OF PROCEEDS OF LEVY.]

Subdivision 1. [COLLECTION OF LIABILITY.] *Any money realized by proceedings under this chapter, whether by seizure, by surrender under section 270.70 (except pursuant to subdivision 9 thereof), by sale of seized property, or by sale of property redeemed by the state of Minnesota (if the interest of the state of Minnesota in the property was a lien arising under the provisions of section 8), shall be applied as follows:*

(a) First, against the expenses of the proceedings; then

(b) If the property seized and sold is subject to a tax administered by the commissioner of revenue which has not been paid, the amount remaining after applying clause (a) shall next be applied against the tax liability (and, if the tax was not previously asssed, it shall then be assessed); and

(c) The amount, if any, remaining after applying clauses (a) and (b) shall be applied against the tax liability in respect of which the levy was made or the sale was conducted.

Subd. 2. [SURPLUS PROCEEDS.] *Any surplus proceeds remaining after the application of subdivision 1 shall, upon application and satisfactory proof in support thereof, be credited or refunded by the commissioner to the person or persons legally entitled thereto.*

Sec. 25. [270.709] [AUTHORITY TO RELEASE LEVY AND RETURN PROPERTY.]

Subdivision 1. [RELEASE OF LEVY.] *It shall be lawful for the commissioner to release the levy upon all or part of the property or rights to property levied upon if the commissioner determines that the release will facilitate the collection of the liability, but the release shall not operate to prevent any subsequent levy.*

Subd. 2. [RETURN OF PROPERTY.] *If the commissioner determines that property has been wrongfully levied upon, it shall be lawful for the commissioner to return:*

(a) The specific property levied upon, at any time;

(b) An amount of money equal to the amount of money levied upon, at any time before the expiration of nine months from the date of the levy; or

(c) An amount of money equal to the amount of money received by the state of Minnesota from a sale of the property, at any time before the expiration of nine months from the date of the sale.

For purposes of clause (c), if property is declared purchased by the state of

Minnesota at a sale pursuant to section 17, subdivision 5 (relating to manner and conditions of sale), the state of Minnesota shall be treated as having received an amount of money equal to the minimum price determined pursuant to section 17, subdivision 5 or, if larger, the amount received by the state of Minnesota from the resale of the property.

Sec. 26. [270.71] [ACQUISITION AND RESALE OF SEIZED PROPERTY.]

For the purpose of enabling the commissioner of revenue to purchase or redeem seized property in which the state of Minnesota has an interest arising from a lien for unpaid taxes, there is appropriated to the commissioner an amount representing the cost of such purchases or redemptions. Seized property acquired by the state of Minnesota to satisfy unpaid taxes shall be resold by the commissioner. The commissioner shall preserve the value of seized property while it is under his control, including but not limited to the procurement of insurance. For the purpose of refunding the proceeds from the sale of levied or redeemed property which are in excess of the actual tax liability plus costs of acquiring the property, there is hereby created a levied and redeemed property refund account in the agency fund. All amounts deposited into this account are appropriated to the commissioner of revenue. The commissioner shall report quarterly on the status of this program to the chairmen of the house taxes and appropriations committees and senate taxes and tax laws and finance committees.

Sec. 27. Minnesota Statutes 1981 Supplement, Section 270.75, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 1, is amended by adding a subdivision to read:

Subd. 6. Notwithstanding section 549.09, if judgment is entered upon any tax payable to the commissioner of revenue which has not been paid within the time specified by law for payment, the unpaid judgment shall bear interest at the rate specified in this section from the date judgment is entered until the date of payment.

Sec. 28. Minnesota Statutes 1980, Section 290.45, Subdivision 2, is amended to read:

Subd. 2. [EXTENSIONS.] ~~(A)~~ At the request of the taxpayer, and for good cause shown, the commissioner may extend the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, or any amount determined as a deficiency, for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof. In such case the amount in respect of which the extension is granted shall be paid together with interest at the rate specified in section 270.75 on or before the date of the expiration of the period of the extension.

~~(B) When any portion of the tax as reported by the taxpayer together with interest and penalty thereon, if any, has not been paid six months from the date prescribed by law for the payment thereof the commissioner may extend the time for payment thereof for a further period not to exceed 30 months. When the authority of this paragraph (B) is invoked, the extension shall be evidenced by written agreement signed by the taxpayer and the commissioner, stating the amount of such tax with penalty and interest, if any, and providing for the payment of such amount in regular weekly, semi-monthly or monthly install-~~

~~ments, which agreement shall contain a confession of judgment for such amount and for any unpaid portion thereof and providing that the commissioner may forthwith enter judgment against the taxpayer in the district court of the county of his residence as shown upon his tax return for the unpaid portion of the amount specified in said extension agreement. The principal sum specified in said agreement shall bear interest at the rate specified in section 270.75 on all unpaid portions thereof until the same has been fully paid or the unpaid portion thereof has been entered as a judgment, which judgment shall bear interest at the rate specified in section 270.75. If it shall appear to the satisfaction of the commissioner that the tax reported by the taxpayer is in excess of the amount actually owing by the taxpayer, the extension agreement or the judgment entered pursuant thereto shall be so corrected. If after making such extension agreement or entering judgment with respect thereto, the commissioner shall determine that the tax as reported by the taxpayer is less than the amount actually due, the commissioner shall assess such further tax in accordance with the provisions of this chapter. The authority granted to the commissioner by this paragraph (B) is in addition to any other authority granted to the commissioner by law to extend the time of payment or the time for filing a return and shall not be construed in limitation thereof.~~

Sec. 29. Minnesota Statutes 1980, Section 290.48, Subdivision 3, is amended to read:

Subd. 3. [COLLECTION JEOPARDIZED BY DELAY.] The commissioner may ~~also~~ proceed under the provisions of ~~subdivision 2~~ *section 270.70* when he has reasonable grounds for believing that the collection of any taxes, interest, or penalties due under this chapter will be jeopardized by delays incident to other methods of collection; and, in such cases, no preliminary notice and demand shall be required.

Sec. 30. Minnesota Statutes 1980, Section 290.48, Subdivision 4, is amended to read:

Subd. 4. [~~TAXPAYER ABOUT TO REMOVE FROM STATE~~ *ASSESSMENT JEOPARDIZED BY DELAY.*] If the commissioner has reasonable grounds for believing that a taxpayer is about to remove himself or his property from this state with the purpose of evading the tax imposed by this chapter, *or that the collection of the tax will be jeopardized by delays incident to other methods of collection,* he may immediately declare the taxpayer's taxable year at an end and assess a tax on the basis of his own knowledge or information available to him, mail the taxpayer written notice of the amount thereof, at his last known address, demand its immediate payment; and, if payment is not immediately made, collect the tax by ~~the~~ *any* method prescribed in ~~subdivision 2~~ *chapter 270*, except that it need not await the expiration of the periods of time therein specified.

Sec. 31. Minnesota Statutes 1980, Section 290.48, Subdivision 6, is amended to read:

Subd. 6. [APPEALS.] Either party to an action or a judgment for the recovery of any taxes, interest, or penalties under ~~subdivision 1 or~~ subdivision 5 may remove the judgment to the supreme court by appeal, as provided for appeals in civil cases.

Sec. 32. Minnesota Statutes 1980, Section 290.48, Subdivision 8, is

amended to read:

Subd. 8. [TAX PRESUMED VALID.] The tax, as assessed by the commissioner, with any penalties included therein, shall be presumed to be valid and correctly determined and assessed, and the burden shall be upon the taxpayer to show its incorrectness or invalidity. ~~The~~ *Any* statement filed by the commissioner with the clerk of court, ~~as provided herein,~~ or any other certificate by the commissioner of the amount of the tax and penalties as determined or assessed by him, shall be admissible in evidence and shall establish prima facie the facts set forth therein.

Sec. 33. Minnesota Statutes 1980, Section 290.53, Subdivision 2, is amended to read:

Subd. 2. [FAILURE TO MAKE AND FILE RETURN~~, NOT DUE TO WILFUL NEGLECT~~.] In case of any failure to make and file a return as required by this chapter within the time prescribed by law or prescribed by the commissioner in pursuance of law, ~~unless it is shown that such failure is not due to wilful neglect,~~ there shall be added to the tax in lieu of the penalty provided in subdivision 1: ten percent if the failure is for not more than 30 days with an additional five percent for each additional 30 days or fraction thereof during which such failure continues, not exceeding 25 percent in the aggregate. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax, and the amount of said tax together with the amount so added shall bear interest at the rate specified in section 270.75 from the time such tax should have been paid until paid unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be collected in the same manner as the tax.

For the purposes of this subdivision the amount of any taxes required to be shown on the return shall be reduced by the amount of any part of the tax which is paid on or before the date prescribed for payment of the tax and by the amount of any credit against the tax which may be claimed upon the return.

Sec. 34. Minnesota Statutes 1980, Section 290.53, Subdivision 5, is amended to read:

Subd. 5. [ALLOCATION OF PAYMENTS.] All payments received *may, in the discretion of the commissioner of revenue, be credited first to the oldest liability not secured by a judgment or lien, but in all cases* shall be credited first to penalties, next to interest, and then to the tax due.

Sec. 35. Minnesota Statutes 1980, Section 290.54, is amended to read:

290.54 [TAX A PERSONAL DEBT.]

The tax imposed by this chapter, and interest and penalties imposed with respect thereto, shall become a personal debt of the taxpayer from the time the liability therefor arises, irrespective of when the time for discharging such liability by payment occurs. The debt shall, in the case of the personal representative of the estate of a decedent and in the case of any fiduciary, be that of such person in his official or fiduciary capacity only unless he shall have voluntarily distributed the assets held in such capacity without reserving sufficient assets to pay such tax, interest, and penalties, in which event he shall be personally liable for any deficiency. This provision shall apply only to cases in which this state is legally competent to impose such personal liability.

~~The tax imposed by this chapter, and interest and penalties imposed with respect thereto, shall become a lien upon all of the property, both real and personal, of the taxpayer within this state, except his homestead, from and after the filing by the commissioner of a notice of such lien in the office of the county recorder of the county in which such property is situated, or in the case of personal property belonging to an individual who is not a resident of this state, or which is a corporation, partnership, or other organization, in the office of the secretary of state.~~

~~The lien created under this section shall become effective with respect to personal property from and after the date of filing by the commissioner of a notice of such lien describing the property to which the lien attaches in the office of the county recorder of the county in which the commissioner believes the property is located at the time such lien is filed, and with the secretary of state.~~

~~The lien imposed on personal property by this section, even though properly filed, shall not be valid as against a purchaser with respect to tangible personal property purchased at retail or as against the personal property listed as exempt in sections 550.37, 550.38, and 550.39.~~

Sec. 36. Minnesota Statutes 1981 Supplement, Section 290.92, Subdivision 6, is amended to read:

Subd. 6. [RETURNS, DEPOSITS.] (1) (a) [RETURNS.] Every employer who is required to deduct and withhold tax under subdivision 2a or 3 shall file a return with the commissioner for each quarterly period, on or before the last day of the month following the close of each quarterly period, unless otherwise prescribed by the commissioner. Any tax required to be deducted and withheld during the quarterly period shall be paid with the return unless an earlier time for payment is provided herein. However, any such return may be filed on or before the tenth day of the second calendar month following such period if such return shows timely deposits in full payment of such taxes due for such period. For the purpose of the preceding sentence, a deposit which is not required to be made within such return period, may be made on or before the last day of the first calendar month following the close of such period. Every employer, in preparing said quarterly return, shall take credit for monthly deposits previously made in accordance with this subdivision.

The return shall be in the form and contain the information prescribed by the commissioner. The commissioner may grant a reasonable extension of time for filing the return and paying the tax, but no extension shall be granted for more than six months.

(b) [ADVANCE DEPOSITS REQUIRED IN CERTAIN CASES.] (i) Unless clause (ii) is applicable, if during any calendar month, other than the last month of the calendar quarter, the aggregate amount of the tax withheld during that quarter under subdivision 2a or 3 exceeds $200, or beginning January 1, 1982, $500, the employer shall deposit the aggregate amount with the commissioner within 15 days after the close of the calendar month. (ii) If at the close of any eighth-monthly period the aggregate amount of undeposited taxes is $3,000 or more, the employer shall deposit the undeposited taxes with the commissioner within three banking days after the close of the eighth-monthly period. For purposes of this subparagraph, the term "eighth-monthly period" means the first three days of a calendar month, the fourth day through the

seventh day of a calendar month, the eighth day through the 11th day of a calendar month, the 12th day through the 15th day of a calendar month, the 16th day through the 19th day of a calendar month, the 20th day through the 22nd day of a calendar month, the 23rd day through the 25th day of a calendar month, or the portion of a calendar month following the 25th day of such month.

(c) [OTHER METHODS.] The commissioner shall have the power by rule to prescribe other return periods or deposit requirements. In prescribing the reporting period, the commissioner may classify employers according to the amount of their tax liability and may adopt an appropriate reporting period for each class which he deems to be consistent with efficient tax collection. In no event shall the duration of the reporting period be more than one year, provided that for employers with annual withholding tax liabilities of less than $1,200 the reporting period shall be no more frequent than quarterly.

(2) If less than the correct amount of such tax is paid to the commissioner, proper adjustments, with respect to both the tax and the amount to be deducted, shall be made, without interest, in such manner and at such times as the commissioner may prescribe. If such underpayment cannot be so adjusted the amount of the underpayment shall be assessed and collected in such manner and at such times as the commissioner may prescribe.

(3) If any employer fails to make and file any return required by paragraph (1) at the time prescribed therefor, or makes and files a false or fraudulent return, the commissioner shall make for him a return from his own knowledge and from such information as he can obtain through testimony, or otherwise, and assess a tax on the basis thereof. The amount of tax shown thereon shall be paid to the commissioner at such times as the commissioner may prescribe. Any such return or assessment so made by the commissioner shall be prima facie correct and valid, and the employer shall have the burden of establishing its incorrectness or invalidity in any action or proceeding in respect thereto.

(4) If the commissioner, in any case, has reason to believe that the collection of the tax provided for in paragraph (1) of this subdivision, and any added penalties and interest, if any, will be jeopardized by delay, he may immediately assess such tax, whether or not the time otherwise prescribed by law for making and filing the return and paying such tax has expired.

(5) Any assessment under this subdivision shall be made by recording the liability of the employer in the office of the commissioner in accordance with regulations prescribed by the commissioner. Upon request of the employer, the commissioner shall furnish the employer a copy of the record of assessment.

(6) Any assessment of tax under this subdivision shall be made within three and one-half years after the due date of the return required by paragraph (1), or the date the return was filed, whichever is later; except that in the case of a false or fraudulent return or failure to file a return, the tax may be assessed at any time.

(7) (a) Except as provided in (b) of this paragraph, every employer who fails to pay to or deposit with the commissioner any sum or sums required by this section to be deducted, withheld and paid, shall be personally and individually liable to the state of Minnesota for such sum or sums (and any added penalties and interest); and any sum or sums deducted and withheld in accordance with

the provisions of subdivision 2a or subdivision 3 shall be held to be a special fund in trust for the state of Minnesota.

(b) If the employer, in violation of the provision of this section, fails to deduct and withhold the tax under this section, and thereafter the taxes against which such tax may be credited are paid, the tax so required to be deducted and withheld shall not be collected from the employer; but this shall in no case relieve the employer from liability for any penalties and interest otherwise applicable in respect of such failure to deduct and withhold.

(8) Upon the failure of any employer to pay to or deposit with the commissioner within the time provided by paragraphs (1), (2) or (3) of this subdivision any tax required to be withheld in accordance with the provisions of subdivision 2a or subdivision 3, or if the commissioner has assessed a tax pursuant to paragraph (4), such tax shall become immediately due and payable, and the commissioner may deliver to the attorney general a certified statement of the tax, penalties and interest due from such employer. The statement shall also give the address of the employer owing such tax, the period for which the tax is due, the date of the delinquency, and such other information as may be required by the attorney general. It shall be the duty of the attorney general to institute legal action in the name of the state to recover the amount of such tax, penalties, interest and costs. The commissioner's certified statement to the attorney general shall for all purposes and in all courts be prima facie evidence of the facts therein stated and that the amount shown therein is due from the employer named in the statement. In event action is instituted as herein provided, the court shall, upon application of the attorney general, appoint a receiver of the property and business of the delinquent employer for the purpose of impounding the same as security for any judgment which has been or may be recovered. Any such action shall be brought within four years and three months after the due date of the return or deposit required by paragraph (1), or the date the return was filed, or deposit made whichever is later; except that in the case of failure to make and file such return or if such return is false or fraudulent, or such deposit is not made such action may be brought at any time.

(9) ~~The tax required to be withheld under subdivision 2a or subdivision 3 or paid to, or deposited with the commissioner under this subdivision, together with penalties, interest and costs, shall become a lien upon all of the real property of the employer within this state, except his homestead, from and after the filing by the commissioner of a notice of such lien in the offices of the county recorder of the county in which such real property is situated.~~

~~(10)~~ Either party to an action for the recovery of any tax, interest or penalties under this subdivision may remove the judgment to the supreme court by appeal, as provided for appeals in civil cases.

~~(11)~~ *(10)* No suit shall lie to enjoin the assessment or collection of any tax imposed by this section, or the interest and penalties added thereto.

~~(12) When any tax is due and payable as provided in paragraph (8) the commissioner may issue his warrant to the sheriff of any county of the state commanding him to levy upon and sell the real and personal property of the employer and to levy upon the rights to property of the employer within the county and to return such warrant to the commissioner and pay to him the money collected by virtue thereof by a time to be therein specified, not less than 60 days from the date of the warrant. The sheriff shall proceed thereunder~~

~~to levy upon and seize any property of the employer and to levy upon the rights to property of the employer within his county, except the homestead and household goods of the employer and property of the employer not liable to attachment, garnishment, or sale on any final process issued from any court under the provisions of section 550.37, and shall sell so much thereof as is required to satisfy such taxes, interest, and penalties, together with his costs; but such sales shall, as to their manner, be governed by the laws applicable to sales of like property on execution issued against property upon a judgment of a court of record. The proceeds of such sales, less the sheriff's costs, shall be turned over to the commissioner, who shall retain such part thereof as is required to satisfy the tax, interest, penalties and costs, and pay over any balance to the taxpayer. Any action taken by the commissioner pursuant to this subdivision shall not constitute an election by the state to pursue a remedy to the exclusion of any other remedy providing for the collection of taxes required to be withheld by employers.~~

Sec. 37. Minnesota Statutes 1981 Supplement, Section 290.92, Subdivision 15, is amended to read:

Subd. 15. [PENALTIES.] (1) If any tax required to be deducted and withheld under subdivision 2a or subdivision 3, or any portion thereof, is not paid to or deposited with the commissioner within the time specified in subdivision 6 for the payment thereof, there shall be added thereto a penalty equal to ten percent of the amount so remaining unpaid. Such penalty shall be collected as part of said tax, and the amount of said tax not timely paid, together with said penalty, shall bear interest at the rate specified in section 270.75 from the time such tax should have been paid or deposited until paid. Where an extension of time for payment has been granted under the provisions of subdivision 6, interest shall be paid at the rate specified in section 270.75 from the date when such payment or deposit should have been made if no extension had been granted, until such tax is paid. If payment is not made at the expiration of the extended period the penalties provided in this subdivision shall apply.

(2) In the case of any failure to withhold a tax on wages, make and file quarterly returns or make payments to or deposits with the commissioner of amounts withheld, as required by this section, within the time prescribed by law, ~~unless it is shown that such failure is not due to wilful neglect,~~ there shall be added to the tax in lieu of the penalty provided in paragraph (1) a penalty equal to ten percent of the amount of tax that should have been properly withheld and paid over to or deposited with the commissioner if the failure is for not more than 30 days with an additional five percent for each additional 30 days or fraction thereof during which such failure continues, not exceeding 25 percent in the aggregate. The amount of the tax together with this amount shall bear interest at the rate specified in section 270.75 from the time the tax should have been paid until paid. The amount so added to the tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the negligence, in which case the amount so added shall be collected in the same manner as the tax.

(3) If any employer required to withhold a tax on wages, make deposits, make and file quarterly returns and make payments to the commissioner of amounts withheld, as required by sections 290.92 to 290.97, wilfully fails to withhold such a tax or make such deposits, files a false or fraudulent return, wilfully fails to make such a payment or deposit, or wilfully attempts in any

manner to evade or defeat any such tax or the payment or deposit thereof, there shall also be imposed on such employer as a penalty an amount equal to 50 percent of the amount of tax (less any amount paid or deposited by such employer on the basis of such false or fraudulent return or deposit) that should have been properly withheld and paid over or deposited with the commissioner. The amount of the tax together with this amount shall bear interest at the rate specified in section 270.75 from the time the tax should have been paid until paid. The penalty imposed by this paragraph shall be collected as a part of the tax, and shall be in addition to any other penalties civil and criminal, prescribed by this subdivision.

(4) If any person required under the provisions of subdivision 7 to furnish a statement to an employee or payee and a duplicate statement to the commissioner, or to furnish a reconciliation of such statements (and quarterly returns) to the commissioner, wilfully furnishes a false or fraudulent statement to an employee or payee or a false or fraudulent duplicate statement or reconciliation of statements (and quarterly returns) to the commissioner, or wilfully fails to furnish a statement or such reconciliation in the manner, at the time, and showing the information required by the provisions of subdivision 7, or regulations prescribed by the commissioner thereunder, there shall be imposed on such a person a penalty of $10 for each such act or failure to act. The penalty imposed by this paragraph shall become due and payable within ten days after the mailing of a written demand therefor, and may be collected in the manner prescribed in subdivision 6(8).

(5) In addition to the penalties hereinbefore prescribed, any person required to withhold a tax on wages, make and file quarterly returns and make payments or deposits to the commissioner of amounts withheld, as required by this section, who wilfully fails to withhold such a tax or truthfully make and file such a quarterly return or make such a payment or deposit, shall be guilty of a gross misdemeanor.

(6) In lieu of any other penalty provided by law, except the penalty provided by paragraph (4), any person required under the provisions of subdivision 7 to furnish a statement of wages to an employee and a duplicate statement to the commissioner, who wilfully furnishes a false or fraudulent statement of wages to an employee or a false or fraudulent duplicate statement of wages to the commissioner, or who wilfully fails to furnish such a statement in the manner, at the time, and showing the information required by the provisions of subdivision 7, or regulations prescribed by the commissioner thereunder, shall be guilty of a gross misdemeanor.

(7) Any employee required to supply information to his employer under the provisions of subdivision 5, who wilfully fails to supply information thereunder which would require an increase in the tax to be deducted and withheld under subdivision 2a or subdivision 3, shall be guilty of a misdemeanor.

(8) The term "person," as used in this section, includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

(9) All payments received *may, in the discretion of the commissioner of revenue, be credited first to the oldest liability not secured by a judgment or*

lien, but in all cases shall be credited first to penalties, next to interest, and then to the tax due.

(10) In addition to any other penalty provided by law, any employee who furnishes a withholding exemption certificate to his employer which the employee has reason to know contains a materially incorrect statement shall be liable to the commissioner of revenue for a penalty of $100 for each instance. The penalty shall be immediately due and payable and may be collected in the same manner as any delinquent income tax.

(11) In addition to any other penalty provided by law, any employer who fails to submit a copy of a withholding exemption certificate required by section 26, clause (1)(a), (1)(b), or (2) shall be liable to the commissioner of revenue for a penalty of $50 for each instance. The penalty shall be immediately due and payable and may be collected in the manner provided in subdivision 6(8).

Sec. 38. Minnesota Statutes 1980, Section 290.92, Subdivision 23, is amended to read:

Subd. 23. [WITHHOLDING BY EMPLOYER OF DELINQUENT TAXES.] (1) The commissioner may, *within five years after the taxes should have been paid or the return is filed, whichever is later,* give notice to any employer deriving income which has a taxable situs in this state regardless of whether the income is exempt from taxation, that an employee of that employer is delinquent in a certain amount with respect to any state taxes, including penalties, interest and costs. The commissioner can proceed under this subdivision only if the tax is uncontested or if the time for appeal of the tax has expired. The commissioner shall not proceed under this subdivision until the expiration of 30 days after mailing to the taxpayer, at his last known address, a written notice of (a) the amount of taxes, interest, and penalties due from the taxpayer and demand for their payment, and (b) the commissioner's intention to require additional withholding by the taxpayer's employer pursuant to this subdivision. The effect of the notice shall expire ~~90~~ *180* days after it has been mailed to the taxpayer provided that the notice may be renewed by mailing a new notice which is in accordance with this subdivision. The renewed notice shall have the effect of reinstating the priority of the original claim. The notice to the taxpayer shall be in substantially the same form as that provided in section 571.41. The notice shall further inform the taxpayer of the wage exemptions contained in section 550.37, subdivision 14. If no statement of exemption is received by the commissioner within 30 days from the mailing of the notice, he may proceed under this subdivision. The notice to the taxpayer's employer may be served by mail or by delivery by an employee of the department of revenue and shall be in substantially the same form as provided in section 571.495. Upon receipt of notice, the employer shall withhold from compensation due or to become due to the employee, the total amount shown by the notice, subject to the provisions of section 571.55. The employer shall continue to withhold each pay period until the total amount shown by the notice is paid in full. Upon receipt of notice by the employer, the claim of the state of Minnesota shall have priority over any subsequent garnishments or wage assignments. The commissioner may arrange between the employer and the employee for withholding a portion of the total amount due the employee each pay period, until the total amount shown by the notice plus accrued interest has been withheld.

The "compensation due" any employee is defined in accordance with the provisions of section 571.55. The maximum withholding allowed under this subdivision for any one pay period shall be decreased by any amounts payable pursuant to a garnishment action with respect to which the employer was served prior to being served with the notice of delinquency and any amounts covered by any irrevocable and previously effective assignment of wages; the employer shall give notice to the department of the amounts and the facts relating to such assignments within ten days after the service of the notice of delinquency on the form provided by the department of revenue as noted in this subdivision. In crediting amounts withheld against delinquent taxes of an employee, the department shall apply amounts withheld in the following order: penalties, interest, tax and costs.

(2) If the employee ceases to be employed by the employer before the full amount set forth in a notice of delinquency plus accrued interest has been withheld, the employer shall immediately notify the commissioner in writing of the termination date of the employee and the total amount withheld. No employer may discharge any employee by reason of the fact that the commissioner has proceeded under this subdivision. If an employer discharges an employee in violation of this provision, the employee shall have the same remedy as provided in section 571.61, subdivision 2.

(3) The employer shall, by the date prescribed in subdivision 6, remit to the commissioner, on a form and in the manner prescribed by the commissioner, the amount withheld during the calendar quarter under this subdivision. Should any employer, after notice, willfully fail to withhold in accordance with the notice and this subdivision, or willfully fail to remit any amount withheld as required by this subdivision, the employer shall be liable for the total amount set forth in the notice together with accrued interest which may be collected by any means provided by law relating to taxation. No amount required to be paid by an employer by reason of his failure to remit under this subdivision, may be deducted from the gross income of the employer, under sections 290.09, subdivision 4 or 290.01, subdivision 20. Any amount collected from the employer for failure to withhold or for failure to remit under this subdivision shall be credited to the employee's account in the following manner: penalties, interest, tax and costs.

(4) Clauses (1), (2) and (3), except provisions imposing a liability on the employer for failure to withhold or remit, shall apply to cases in which the employer is the United States or any instrumentality thereof or this state or any municipality or other subordinate unit thereof.

(5) The commissioner shall refund to the employee excess amounts withheld from him under this subdivision. If any excess results from payments by the employer because of willful failure to withhold or remit as prescribed in clause (3) above, the excess attributable to the employer's payment shall be refunded to the employer.

(6) Employers required to withhold delinquent taxes, penalties, interest and costs under this subdivision shall not be required to compute any additional interest, costs or other charges to be withheld.

(7) The collection remedy provided to the commissioner by this subdivision shall have the same legal effect as if it were a levy made pursuant to section 270.70.

Sec. 39. Minnesota Statutes 1980, Section 296.01, Subdivision 8, is amended to read:

Subd. 8. [PERSON.] "Person" means any individual, firm, trust, estate, partnership, association, cooperative association, joint stock company or corporation, public or private, or any representative appointed by order of any court*; or an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee or member is under a duty to perform any act prescribed by this chapter*.

Sec. 40. Minnesota Statutes 1981 Supplement, Section 296.12, Subdivision 4, is amended to read:

Subd. 4. [MONTHLY REPORTS; SHRINKAGE ALLOWANCE.] On or before the 23rd day of each month, the persons subject to the provisions of this section shall file in the office of the commissioner at St. Paul, Minnesota, a report in the following manner:

(1) Distributors and special fuel dealers shall report the total number of gallons delivered to them during the preceding calendar month and shall pay the special fuel excise tax due thereon to the commissioner. Credit for the excise tax due or previously paid on special fuel used by the distributor or special fuel dealer for heating his place of business, or special fuel sold for any purpose other than use in licensed motor vehicles and evidenced by an invoice issued at time of sale, may be allowed in computing the tax liability. The invoice must show the true and correct name and address of the purchaser, and the purchaser's signature. The report shall contain such other information as the commissioner may require.

(2) Distributors and special fuel dealers who have elected to pay the special fuel excise tax on all special fuel delivered into the supply tank of an aircraft or licensed motor vehicle as provided in section 296.12, subdivision 3, shall report the total number of gallons delivered into the supply tank of an aircraft or licensed motor vehicle during the preceding calendar month and shall pay the special fuel excise tax due thereon to the commissioner.

(3) Bulk purchasers shall report and pay the special fuel excise tax on all special fuel purchased by them for storage, during the preceding calendar month. In such cases as the commissioner may permit, credit for the excise tax due or previously paid on special fuel not used in aircraft or licensed motor vehicles, may be allowed in computing tax liability. The report shall contain such other information as the commissioner may require.

(4) In computing the special fuel excise tax due under clauses (1), (2), and (3), a deduction of one percent of the quantity of special fuel on which tax is due shall be made for evaporation and loss.

(5) Each report shall contain a confession of judgment for the amount of the tax shown due thereon to the extent not timely paid.

Sec. 41. Minnesota Statutes 1980, Section 296.14, Subdivision 1, is amended to read:

Subdivision 1. [CONTENTS; PAYMENT OF TAX; SHRINKAGE ALLOWANCE.] On or before the twenty-third day of each month, every person who is required to pay gasoline tax or inspection fee on petroleum products and every distributor shall file in the office of the commissioner at St. Paul,

Minnesota, a report in a manner approved by the commissioner showing the number of gallons of petroleum products received by him during the preceding calendar month, and such other information as the commissioner may require. The number of gallons of gasoline shall be reported in U.S. standard liquid gallons (231 cubic inches), except that the commissioner may upon written application therefor and for cause shown permit the distributor to report the number of gallons of such gasoline as corrected to a 60 degree Fahrenheit temperature. If such application is granted, all gasoline covered in such application and as allowed by the commissioner must continue to be reported by the distributor on the adjusted basis for a period of one year from the date of the granting of the application. The number of gallons of petroleum products other than gasoline shall be reported as originally invoiced.

Each report shall show separately the number of gallons of aviation gasoline received by him during such calendar month.

Each report shall be accompanied by remittance covering inspection fees on petroleum products and gasoline tax on gasoline received by him during the preceding month; provided that in computing such tax a deduction of three percent of the quantity of gasoline received by a distributor shall be made for evaporation and loss; provided further that at the time of remittance the distributor shall submit satisfactory evidence that one-third of such three percent deduction shall have been credited or paid to dealers on quantities sold to them. The report and remittance shall be deemed to have been filed as herein required if postmarked on or before the twenty-third day of the month in which payable.

Each report shall contain a confession of judgment for the amount of the tax shown due thereon to the extent not timely paid.

Sec. 42. Minnesota Statutes 1980, Section 296.17, Subdivision 11, is amended to read:

Subd. 11. [REPORTS.] Every motor carrier subject to the road tax shall, on or before the last day of April, July, October and January, file with the commissioner such reports of his operations during the previous three months as the commissioner may require and such other reports from time to time as the commissioner may deem necessary. The commissioner by regulation may exempt from the reporting requirements of this section those motor carriers all or substantially all of whose mileage is within this state, or states with which Minnesota has reciprocity and require in such instances an annual affidavit attesting to the intrastate or substantially intrastate character of their operations, provided that the enforcement of subdivisions 7 to 22 is not adversely affected thereby and that the commissioner is satisfied that an equitable amount of motor fuel is purchased within this state by such carriers.

Each report shall contain a confession of judgment for the amount of the tax shown due thereon to the extent not timely paid.

Sec. 43. Minnesota Statutes 1980, Section 297A.33, Subdivision 2, is amended to read:

Subd. 2. If the commissioner has reason to believe that the person required to file the return is about to remove himself or his property from this state with the purpose of evading the tax and penalties imposed by sections 297A.01 to 297A.44, or that the collection of such tax will be jeopardized by delays incident to other methods of collection, he may immediately declare such

person's reporting period at an end and assess a tax on the basis of his own knowledge or information available to him, demand its immediate payment; and, if payment is not immediately made, collect the tax by any method prescribed in ~~this~~ chapter *270*. It shall not be a defense to any assessment made under this section that the tax period has not terminated, or that the time otherwise allowed by law for filing a return has not expired, or that the notices otherwise required by law for making an assessment have not been given, or that the time otherwise allowed by law for taking or prosecuting an appeal or for paying the tax has not expired.

Sec. 44. Minnesota Statutes 1980, Section 297A.39, Subdivision 2, is amended to read:

Subd. 2. In case of any failure to make and file a return within the time prescribed by sections 297A.01 to 297A.44 or an extension thereof, ~~unless it is shown that such failure is not due to wilful neglect,~~ there shall be added to the tax in lieu of the ten percent specific penalty provided in subdivision 1 ten percent if the failure is for not more than 30 days with an additional five percent for each additional 30 days or fraction thereof during which such failure continues, not exceeding 25 percent in the aggregate. If the penalty as computed does not exceed $10, a minimum penalty of $10 shall be assessed. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the negligence, in which case the amount so added shall be collected in the same manner as the tax.

Sec. 45. Minnesota Statutes 1980, Section 297A.39, Subdivision 5, is amended to read:

Subd. 5. All payments received *may, in the discretion of the commissioner of revenue, be credited first to the oldest liability not secured by a judgment or lien, but in all cases* shall be credited first to penalties, next to interest, and then to the tax due.

Sec. 46. Minnesota Statutes 1980, Section 508.25, is amended to read:

508.25 [RIGHTS OF PERSON HOLDING CERTIFICATE OF TITLE.]

Every person receiving a certificate of title pursuant to a decree of registration and every subsequent purchaser of registered land who receives a certificate of title in good faith and for a valuable consideration shall hold the same free from all encumbrances and adverse claims, excepting only such estates, mortgages, liens, charges, and interests as may be noted in the last certificate of title in the office of the registrar, and also excepting any of the following rights or encumbrances subsisting against the same, if any:

(1) Liens, claims, or rights arising or existing under the laws or the constitution of the United States, which this state cannot require to appear of record;

(2) The lien of any tax or special assessment for which the land has not been sold at the date of the certificate of title;

(3) Any lease for a period not exceeding three years when there is actual occupation of the premises thereunder;

(4) All rights in public highways upon the land;

(5) Such right of appeal, or right to appear and contest the application, as is

allowed by this chapter;

(6) The rights of any person in possession under deed or contract for deed from the owner of the certificate of title;

(7) Liens or judgments, notwithstanding section 508.63, arising under the laws of this state for the nonpayment of any tax administered by the commissioner of revenue.

Sec. 47. Minnesota Statutes 1980, Section 559.21, is amended by adding a subdivision to read:

Subd. 5. When required by and in the manner provided in section 8, subdivision 7, the notice required by this section shall be given to the commissioner of revenue.

Sec. 48. Minnesota Statutes 1980, Section 580.15, is amended to read:

580.15 [PERPETUATING EVIDENCE OF SALE.]

Any party desiring to perpetuate the evidence of any sale made in pursuance of this chapter may procure:

(1) An affidavit of the publication of the notice of sale and of any notice of postponement to be made by the printer of the newspaper in which the same was inserted or by some person in his employ knowing the facts;

(2) An affidavit or return of service of such notice upon the occupant of the mortgaged premises to be made by the officer or person making such service or, in case the premises were vacant or unoccupied at the time the service must be made, an affidavit or return showing that fact, to be made by the officer or person attempting to make such service;

(3) An affidavit by the person foreclosing the mortgage, or his attorney, or someone knowing the facts, setting forth the facts relating to the military service status of the owner of the mortgaged premises at the time of sale.

(4) An affidavit by the person foreclosing the mortgage, or his attorney, or someone having knowledge of the facts, setting forth the fact of service of notice of sale upon the secretary of the treasury of the United States or his delegate in accordance with the provisions of Section 7425 of the Internal Revenue Code of 1954 as amended by Section 109 of the Federal Tax Lien Act of 1966, *and also setting forth the fact of service of notice of sale upon the commissioner of revenue of the state of Minnesota in accordance with the provisions of section 8, subdivision 7.* Any such affidavit recorded prior to May 16, 1967 shall be effective as prima facie evidence of the facts therein contained as though recorded subsequent to May 16, 1967.

Such affidavits and returns shall be recorded by the county recorder and they and the records thereof, and certified copies of such records, shall be prima facie evidence of the facts therein contained.

The affidavit provided for in clause (3) hereof may be made and filed for record for the purpose of complying with the provisions of the Soldiers' and Sailors' Civil Relief Act of 1940, passed by the Congress of the United States and approved on October 17, 1940, and may be made and filed for record at any time subsequent to the date of the mortgage foreclosure sale.

Sec. 49. [REPEALER.]

Minnesota Statutes 1980, Sections 290.48, Subdivisions 1 and 9; 290.51; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 290.48, Subdivision 2, are repealed.

Sec. 50. [EFFECTIVE DATE.]

This article is effective July 1, 1982, but shall not apply to any tax the collection of which is barred by a statute of limitations on July 1, 1982.

ARTICLE III

Section 1. Minnesota Statutes 1980, Section 474.06, is amended to read:

474.06 [MANNER OF ISSUANCE OF BONDS; INTEREST RATE.]

Bonds authorized under this chapter shall be issued in accordance with the provisions of chapter 475 relating to bonds payable from income of revenue producing conveniences, except that public sale shall not be required, and the bonds may mature at any time or times in such amount or amounts within 30 years from date of issue and may be sold at a price equal to such percentage of the par value thereof, plus accrued interest, and bearing interest at such rate or rates, ~~not exceeding nine percent per year,~~ as may be agreed by the contracting party, the purchaser, and the municipality or redevelopment agency, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law. When bonds authorized under this chapter are issued, they shall state whether they are issued for a project defined in section 474.02, subdivisions 1, 1a, 1b, or 1c. *The rate of interest payable on bonds issued pursuant to this section after December 31, 1985, shall not exceed nine percent per year.*

Sec. 2. Minnesota Statutes 1980, Section 475.55, is amended to read:

475.55 [EXECUTION; NEGOTIABILITY; INTEREST RATES.]

Subdivision 1. [INTEREST; FORM.] All obligations shall be signed by officers authorized by resolution of the governing body or by persons authorized to sign on behalf of a bank designated by the resolution as authenticating agent, and shall express the amount and the terms of payment. Interest on obligations authorized by resolution before ~~December 31, 1982~~ *January 1, 1986* shall not exceed ~~the rate of 12 percent per annum, payable half yearly. Interest on obligations authorized thereafter shall not exceed the rate of nine percent per annum,~~ *the greater of (a) the rate determined pursuant to subdivision 4 for the month in which the resolution authorizing the obligations was adopted, or (b) the rate determined pursuant to subdivision 4 for the month in which the bonds are sold, or (c) the rate of ten percent per annum,* payable half yearly. *Interest on obligations issued after December 31, 1985, shall not exceed nine percent per year.* All obligations shall be negotiable investment securities as provided in the uniform commercial code, chapter 336, article 8. The validity of an obligation shall not be impaired by the fact that one or more officers authorized to execute it shall have ceased to be in office before delivery to the purchaser or shall not have been in office on the formal issue date of the obligation. Every obligation shall be signed manually by one officer or authenticating agent. Other signatures and the seal of the issuer may be printed, lithographed, stamped or engraved thereon and on any interest coupons to be attached thereto. The seal need not be used.

Subd. 2. [SUPERSESSION.] The provisions of ~~subdivision 1~~ *this section* shall supersede any ~~lower maximum~~ interest rate fixed by any other law or a city charter with respect to obligations of the state or any municipality or governmental or public subdivision, district, corporation, commission, board, council, or authority of whatsoever kind, including warrants or orders issued in evidence of allowed claims for property or services furnished to the issuer, but shall not limit the interest on any obligation issued pursuant to a law or charter authorizing the issuer to determine the rate or rates of interest.

Subd. 3. [SPECIAL ASSESSMENTS.] Notwithstanding any contrary provisions of law or charter, special assessments pledged to the payment of obligations may bear interest at the rate the governing body by resolution determines, not exceeding the greater of (a) the maximum interest rate per annum which the obligations may bear under the provisions of ~~subdivisions 1 and 2 plus one percent~~ *this section for the month in which the resolution authorizing the special assessment was adopted* or (b) the maximum interest rate permitted to be charged against the assessments under the law or city charter pursuant to which the assessments were levied.

Subd. 4. [RATE DETERMINATION.] *On or before the 20th day of each month prior to December, 1985, the commissioner of finance shall determine the most recently published yield for the Bond Buyer's Index of 20 Municipals. This rate plus one percent and rounded to the next highest percent per annum shall be the rate for the next succeeding month. The commissioner of finance shall publish the maximum rate in the state register each month.*

Subd. 5. [INTEREST.] *Obligations which are payable wholly or partly from the proceeds of special assessments or which are not secured by general obligations of the municipality may bear interest at a rate one percent greater than the maximum interest rate permitted pursuant to subdivision 1.*

Sec. 3. Minnesota Statutes 1980, Section 475.60, Subdivision 2, is amended to read:

Subd. 2. [REQUIREMENTS WAIVED.] The requirements as to public sale shall not apply to:

(1) Obligations issued under the provisions of a home rule charter or of a law specifically authorizing a different method of sale, or authorizing them to be issued in such manner or on such terms and conditions as the governing body may determine;

(2) Obligations sold by an issuer in an amount not exceeding the total sum of ~~$200,000~~ *$300,000* in any three month period;

(3) Obligations issued by a governing body other than a school board in anticipation of the collection of taxes or other revenues appropriated for expenditure in a single year, if sold in accordance with the most favorable of two or more proposals solicited privately; and

(4) Obligations sold to any board, department, or agency of the United States of America or of the state of Minnesota, in accordance with rules or regulations promulgated by such board, department, or agency.

Sec. 4. [EFFECTIVE DATE.]

Sections 1 to 3 are effective the day after final enactment, provided that for

obligations authorized by resolution prior to the first month for which a rate is determined pursuant to section 2, subdivision 4, the maximum rate shall be 12 percent per annum.

ARTICLE IV

Section 1. Minnesota Statutes 1980, Section 290.50, is amended by adding a subdivision to read:

Subd. 6. [WITHHOLDING OF REFUNDS FROM CHILD SUPPORT DEBTORS.] *Upon a finding by a court of this state that a person obligated to pay child support is delinquent in making payments, the amount of child support unpaid and owing shall be withheld from a refund due the person under this section. The public agency responsible for child support enforcement or the parent or guardian of a child for whom the support is owed may petition the district or county court for an order providing for the withholding of the amount of child support unpaid and owing as determined by court order. The person from whom the refund may be withheld shall be notified of the petition pursuant to the rules of civil procedure prior to the issuance of an order pursuant to this subdivision. The order may be granted on a showing to the court that required support payments have not been made when they were due.*

On order of the court, the support money shall be withheld by the commissioner from the refund due to the person obligated to pay the support and the amount withheld shall be remitted to the public agency responsible for child support enforcement or to the parent or guardian petitioning on behalf of the child, provided that any delinquent tax obligations of the taxpayer owed to the revenue department shall be satisfied first. Any amount received by the responsible public agency or the petitioning parent or guardian in excess of the amount of public assistance expended for the benefit of the child to be supported, or the amount of any support that had been the subject of the claim pursuant to this subdivision which has been paid by the taxpayer prior to the diversion of the refund, shall be remitted to the person entitled to the money. If the refund is based on a joint or combined return, the portion of the refund that shall be remitted to the petitioner shall be the proportion of the total refund that equals the proportion of the total federal adjusted gross income of the spouses that is the federal adjusted gross income of the spouse who is delinquent in making the child support payments. A petition filed pursuant to this subdivision shall be in effect with respect to any refunds due under this section during a period of one year from the date when the petition was filed. If a petition is filed pursuant to this subdivision and a claim is made pursuant to chapter 270A with respect to the same individual's refund and notices of both are received prior to the time when payment of the refund is made on either claim, the commissioner shall transmit the claims to the court that issued the order under this subdivision. The court shall order that the claim relating to the liability that accrued first in time shall be paid first; any amount of the refund remaining shall then be applied to the other claim. The provisions of section 290.61 shall not prohibit the exchange of information among the department, the petitioner, and the court to the extent necessary to accomplish the intent of this subdivision. Not later than five days after the court has notified the department of its withholding order, the department shall send a written notification of the order to the person to whom the refund would otherwise be paid.

Sec. 2. [EFFECTIVE DATE.]

This article is effective the day following final enactment and shall terminate June 30, 1984.

ARTICLE V

Section 1. Minnesota Statutes 1981 Supplement, Section 10A.31, Subdivision 5, is amended to read:

Subd. 5. In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:

(1) 21 percent for the offices of governor and lieutenant governor together;

(2) 3.6 percent for the office of attorney general;

(3) 1.8 percent each for the offices of secretary of state, state auditor and state treasurer;

(4) In each calendar year during the period in which state senators serve a four year term, 23-1/3 percent for the office of state senator and 46-2/3 percent for the office of state representative;

(5) In each calendar year during the period in which state senators serve a two year term, 35 percent each for the offices of state senator and state representative;

(6) To assure that moneys will be returned to the counties from which they were collected, and to assure that the distribution of those moneys rationally relates to the support for particular parties or for particular candidates within legislative districts, moneys from the party accounts for legislative candidates shall be distributed as follows:

Each candidate for the state senate and state house of representatives whose name is to appear on the ballot in the general election shall receive moneys from his party account set aside for candidates of the state senate or state house of representatives, whichever applies, according to the following formula;

For each county within his district the candidate's share of the dollars allocated in that county to his party account and set aside for that office shall be:

(a) The sum of the votes cast in the last general election in that part of the county in his district for all candidates of his party (i) whose names appeared on the ballot in each voting precinct of the state and (ii) for the state senate and state house of representatives, divided by

(b) The sum of the votes cast in that county in the last general election for all candidates of his party (i) whose names appeared on the ballot in each voting precinct in the state and (ii) for the state senate and state house of representatives, multiplied by

(c) The amount in his party account allocated in that county and set aside for the candidates for the office for which he is a candidate.

The sum of all the county shares calculated in the formula above is the candidate's share of his party account.

In a year in which an election for the state senate occurs, with respect to votes for candidates for the state senate only, "last general election" means the last general election in which an election for the state senate occurred.

For any party under whose name no candidate's name appeared on the ballot

in each voting precinct in the state in the last general election, "last general election" means the last general election in which the name of a candidate of that party appeared on the ballot in each voting precinct in the state.

In a year in which the first election after a legislative reapportionment is held, "his district" means the newly drawn district, and voting data from the last general election will be applied to the area encompassing the newly drawn district notwithstanding that the area was in a different district in the last general election.

If in a district there was no candidate of a party for the state senate or state house of representatives in the last general election, or if a candidate for the state senate or state house of representatives was unopposed, the vote for that office for that party shall be the average vote of all the remaining candidates of that party in each county of that district whose votes are included in the sums in clauses (a) and (b). The average vote shall be added to the sums in clauses (a) and (b) before the calculation is made for all districts in the county.

Money from a party account not distributed to candidates for state senator and representative in any election year shall be returned to the general fund of the state. Money from a party account not distributed to candidates for other offices in an election year shall be returned to the party account for reallocation to candidates as provided in clauses (1) to (6) of this subdivision in the following year. Moneys from the general account refused by any candidate shall be distributed to all other qualifying candidates in proportion to their shares as provided in this subdivision.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 2, is amended to read:

Subd. 2. [TRADE OR BUSINESS EXPENSES; EXPENSES FOR PRODUCTION OF INCOME.] (a) In General. There shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including

(1) A reasonable allowance for salaries or other compensation for personal services actually rendered;

(2) Traveling expenses (including amounts expended for meals and lodging other than amounts which are lavish or extravagant under the circumstances) while away from home in the pursuit of a trade or business; and

(3) Rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity. For purposes of the preceding sentence, the place of residence of a member of congress within the state shall be considered his home, but amounts expended by such members within each taxable year for living expenses shall not be deductible for income tax purposes in excess of $3,000.

(b) Expenses for Production of Income. In the case of an individual, there shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year.

(1) For the production or collection of income;

(2) For the management, conservation, or maintenance of property held for

the production of income; or

(3) In connection with the determination, collection, or refund of any tax.

(c) *Actual* campaign expenditures in an amount not to exceed ~~the limits set out in section 210A.22~~ *one-third of the salary of the office sought, for the year the election is held, by the candidate, but no less than $100*, not ~~subsequently~~ reimbursed, which have been personally paid by a candidate for public office ~~if the candidate has complied with the expenditure limitations set out in section 210A.22, even though the candidate's expenditures are limited under other state or federal laws~~;

(d) No deduction shall be allowed under this subdivision for any contribution or gift which would be allowable as a deduction under section 290.21 were it not for the percentage limitations set forth in such section;

(e) All expense money paid by the legislature to legislators;

(f) The provisions of section 280A (disallowing certain expenses in connection with the business use of the home and rental of vacation homes) of the Internal Revenue Code of 1954, as amended through December 31, 1979, shall be applicable in determining the availability of any deduction under this subdivision.

(g) Entertainment, amusement, or recreation expenses shall be allowed under this subdivision only to the extent that they qualify as a deduction under section 274 of the Internal Revenue Code of 1954, as amended through December 31, 1979.

Sec. 3. [REPEALER.]

Minnesota Statutes 1980, Section 210A.22, is repealed.

ARTICLE VI

Section 1. Minnesota Statutes 1981 Supplement, Section 273.13, Subdivision 9, is amended to read:

Subd. 9. [CLASS 4A, 4B ~~AND~~, 4C, *AND 4D.*] *(1)* All property not included in the preceding classes shall constitute class 4a and shall be valued and assessed at 43 percent of the market value thereof~~;~~, except ~~that~~ *as otherwise provided in this subdivision.*

(2) Real property which is not improved with a structure and which is not utilized as part of a commercial or industrial activity shall constitute class 4b and shall be valued and assessed at 40 percent of market value~~; and except that~~.

(3) Commercial and industrial property, *except as provided in this subdivision,* shall constitute class 4c and shall be valued and assessed at 40 percent of the first $50,000 of market value and 43 percent ~~on~~ *of* the remainder, provided that in the case of state-assessed commercial or industrial property owned by one person or entity, only one parcel shall qualify for the 40 percent assessment~~.~~, *and* in the case of *other* commercial or industrial property~~, other than state-assessed properties,~~ owned by one person or entity, only one parcel in each county shall qualify for the 40 percent assessment.

(4) Industrial employment property defined in section 2, during the period provided in section 2, shall constitute class 4d and shall be valued and assessed at 20 percent of the first $50,000 of market value and 21.5 percent of the

remainder.

Sec. 2. [273.1312] [DESIGNATION OF ENTERPRISE ZONES.]

Subdivision 1. [DEFINITIONS.] *For purposes of this section:*

(1) "Commissioner" means the commissioner of energy, planning and development.

(2) "Enterprise zone" means an area in the state designated as such by the commissioner upon proper application by the governing body of the area in which it is located.

(3) "Governing body" means the county board of a county except with respect to an area in a city, whose governing body is the city council or other body designated by its charter, or an area constituting part or all of an Indian reservation, whose governing body is that tribal or federal agency recognized as such by the United States secretary of the interior.

(4) "HUD" means the United States secretary of housing and urban development or his delegate or successor.

(5) "Indian reservation" means an area determined to be such by the United States secretary of the interior.

(6) "SMSA" means a standard metropolitan statistical area as defined in section 103A(1)(4)(B) of the Internal Revenue Code of 1954, as amended through December 31, 1981.

Subd. 2. [DESIGNATION.] *The commissioner shall designate an area as an enterprise zone if (i) an application is made in the form and manner and containing the information prescribed by the commissioner's rules; (ii) the application is made or approved by the governing body of the area; and (iii) the area is determined by the commissioner to be eligible for designation under subdivision 4.*

Subd. 3. [DURATION.] *The designation of an area as an enterprise zone shall be effective from the date of designation to 12 years thereafter.*

Subd. 4. [ELIGIBILITY REQUIREMENTTS.] *An area is eligible for designation if:*

(1) Its boundary is continuous and includes, if feasible, proximately located vacant or underutilized lands or buildings conveniently accessible to residents of the area.

(2) Its population as determined under the most recent federal decennial census is at least (i) 4,000 if any of the area is located within an SMSA with a population of 50,000 or more, or (ii) 2,500 in any other case unless the area is an Indian reservation, for which no minimum population is required.

(3) (a) The proposed zone is located within an economic hardship area, as established by meeting three or more of the following criteria:

(1) the percentage of total residential housing units within the zone which was constructed prior to 1950 is 70 percent or greater;

(2) the percentage of households within the zone that fall below the poverty level, as determined by the United States census bureau, is 20 percent or greater;

(3) the total number of persons residing within the zone has declined by ten percent or more over the ten years preceding application;

(4) for the last full year for which data is available, the percentage of the work force of the jurisdiction of the governing body of the area in which the zone is located engaged in manufacturing is less than the percentage of the work force of the state engaged in manufacturing;

(5) the jurisdiction of the governing body of the area in which the zone is located has recently experienced a significant employment reduction at a federal military installation within the SMSA in which it is located; or

(b) The area is so designated under federal legislation providing for federal tax benefits to employers or employees in enterprise zones similar to the state tax benefits set forth in this act; and

(4) The governing body of the area seeking to be designated as an enterprise zone, by resolution, agrees to follow a course of action, during the period for which the designation is effective, designed to promote economic development in the area. The program may be implemented by governmental action, by private entities, or both, and may include but is not limited to:

(a) Reduction or abatement of real property taxes of industrial land and facilities according to section 3;

(b) Issuance of revenue bonds or use of federal funds available to finance loans for private industrial and housing facilities;

(c) Issuance of bonds and use of taxes, tax increments, and available federal funds to finance public facilities in the area;

(d) Increase in the level or efficiency of governmental services;

(e) Commitments from public or private entities in the area to provide jobs, job training, and technical, financial, or other assistance to employees and residents of the area.

Subd. 5. [LIMITATION.] *No area shall be designated as an enterprise zone after December 31, 1996.*

Sec. 3. [273.1313] [TAX CLASSIFICATION OF INDUSTRIAL EMPLOYMENT PROPERTY.]

Subdivision 1. [DEFINITIONS.] *(1) Terms used in this section have the meanings given them in this subdivision.*

(2) "Commissioner" means the commissioner of revenue.

(3) "Industrial employment property" means taxable property, excluding land but including buildings, structures, fixtures, and improvements that satisfy each of the following conditions:

(a) The property is located within an enterprise zone designated according to section 2.

(b) The primary purpose and prospective use of the property is (i) the manufacture or processing of goods or materials by physical or chemical change, or (ii) the provision of office, engineering, research and development, warehousing, parts distribution, or other facilities that are related to a manufacturing or processing operation conducted by the user.

(c) The user will own the property or occupy it under a lease requiring the user to pay property taxes on it as if the user were the owner.

(d) The property is classified as industrial employment property by the procedure and subject to the conditions provided in this section, before it is first placed in use.

(4) ''Market value'', as applied to industrial employment property on any particular parcel of land, means the value of all taxable property situated there except the land, as annually determined pursuant to section 273.12, less (i) the market value of all property existing at the time of application for classification, as last assessed prior to the time of application, and (ii) any increase in the market value of the property referred to in clause (i) as assessed in each year after the industrial employment property is first placed in service. In each year, any change in the values of the industrial employment property and the other property on the land shall be deemed to be proportionate unless caused by a capital improvement or loss.

(5) ''Municipality'' means any home rule charter or statutory city or county, but a county may not exercise the powers granted in this section with reference to property situated within a city.

Subd. 2. [PROGRAM.] *(1) The governing body of any municipality which contains a designated enterprise zone as provided by section 2 may by resolution establish a program for classification of new industrial property or improvements to existing property as industrial employment property pursuant to the provisions of this section, if it finds that the program is needed to facilitate and encourage the renewal or addition of industrial facilities to provide or preserve employment opportunities for its citizens. Applications for classification under the program shall be filed with the municipal clerk or auditor in a form prescribed by the commissioner, with additions as may be prescribed by the municipal governing body. The application shall contain a legal description of the parcel of land on which the facility is to be situated or improved; a general description of the facility or improvement and its proposed use, the equipment proposed to be used in connection with it (including equipment exempt from taxation under existing law), the probable time schedule for undertaking the construction or improvement, and information regarding the matters referred to in paragraph (4); the market value and the assessed value of the land and of all other taxable property then situated on it, according to the most recent assessment; and an estimate of the probable cost of the new construction or improvement and the market value of the new or improved facility (excluding land) when completed.*

(2) Upon receipt of an application the municipal clerk or auditor, subject to any prior approval required by the resolution establishing the program, shall furnish a copy to the assessor for the property and to the governing body of each school district and other public body authorized to levy taxes on the property, and shall publish a notice in the official newspaper of the time and place of a hearing to be held by the governing body on the application, not less than 30 days after the notice is published, stating that the applicant, the assessor, representatives of the affected taxing authorities, and any taxpayer of the municipality may be heard or may present their views in writing at or before the hearing. The hearing may be adjourned from time to time, but the governing body shall take action on the application by resolution within 30 days after

the hearing. If disapproved, the reasons shall be set forth in the resolution, and the applicant may appeal to the commissioner within 30 days thereafter, but only on the ground that the determination is arbitrary, in relation to prior determinations as to classification under the program, or based upon a mistake of law. If approved, the resolution shall include determinations as to the matters set forth in paragraph (4), and the clerk or auditor shall transmit it to the commissioner.

(3) Within 60 days after receipt of an approved application or an appeal from the disapproval of an application, the commissioner shall take action on it. The commissioner shall approve each application approved by the governing body if he finds that it complies with the provisions of this section. If he disapproves the application, or finds grounds exist for appeal of a disapproved application, he shall transmit the finding to the governing body and the applicant. When grounds for appeal have been determined to exist, the governing body shall reconsider and take further action on the application within 30 days after receipt of the commissioner's notice and serve written notice of the action upon the applicant. The applicant, within 30 days after receipt of notice of final disapproval by the commissioner or the governing body, may appeal from the disapproval to a court of competent jurisdiction.

(4) An application shall not be approved unless the governing body finds and determines that the construction or improvement of the facility:

(a) Is reasonably likely to create new employment or prevent a loss of employment in the municipality;

(b) Is not likely to have the effect of transferring existing employment from one or more other municipalities within the state;

(c) Is not likely to cause the total market value of industrial employment property within the municipality to exceed five percent of the total market value of all taxable property within the municipality; or if it will, the resulting limitation upon the increase of the assessed value of all taxable property within the municipality, considering the amount of additional municipal services likely to be required for the industrial employment property, is not likely to substantially impede the operation or the financial integrity of the municipality or any other public body levying taxes on property in the municipality; and

(d) Will not result in the reduction of the assessed value of existing property within the municipality owned by the applicant, through abandonment, demolition, or otherwise, without provision for the restoration of the existing property within a reasonable time in a manner sufficient to restore the assessed valuation.

Subd. 3. [CLASSIFICATION.] *Property shall be classified as industrial employment property and assessed as provided for class 4d property in section 273.13, subdivision 9, clause (4), for taxes levied in the year in which the classification is approved and in each year thereafter to and including the 12th year after the industrial employment property is completed. If the classification is revoked, the revocation is effective for taxes levied in the next year after revocation.*

Subd. 4. [REVOCATION.] *The governing body of the municipality may request the commissioner to approve the revocation of a classification pursuant to this section if it finds and determines by resolution, after hearing upon notice*

mailed to the applicant by certified mail at least 60 days before the hearing, that:

(a) The construction or improvement of the facility has not been completed within two years after the approval of the classification, or any longer period that may have been allowed in the approving resolution or may be necessary due to circumstances not reasonably within the control of the applicant; or

(b) The applicant has not proceeded in good faith with the construction or improvement of the facility, or with its operation, in a manner which is consistent with the purpose of this section and is possible under circumstances reasonably within the control of the applicant.

Subd. 5. [HEARING.] *Upon receipt of the request, the commissioner shall notify the applicant and the governing body by certified mail of a time and place, not less than 30 days after receipt, at which the applicant may be heard and the commissioner will determine whether the facts and circumstances are grounds for revocation as recommended by the governing body. If the commissioner revokes the classification, the applicant may appeal from the commissioner's order to a court of competent jurisdiction at any time within 30 days after revocation.*

Sec. 4. [EFFECTIVE DATE.]

This article is effective July 1, 1983.

ARTICLE VII

Section 1. Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 2, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term ''gross income,'' as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source; except that gross income shall not include ''exempt function income'' of a ''homeowners association'' as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended through December 31, 1980.

The term ''gross income'' in its application to individuals, estates, and trusts shall mean the adjusted gross income as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this subdivision. For estates and trusts the adjusted gross income shall be their federal taxable income as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this subdivision and with the modification that the federal deduction for personal exemptions for trusts and estates shall not be allowed.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

(ii) The Internal Revenue Code of 1954, as amended through December 31,

1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at the same time they become effective for federal income tax purposes. Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.

The provisions of section 4 of P.L. 95-458, sections 131, 133, 134, 141, 152, 156, 157, 405, and 543 of P.L. 95-600, and section 2 of P.L. 96-608 (relating to pensions, individual retirement accounts, deferred compensation plans, the sale of a residence and to conservation payments to farmers) including the amendments made to these sections in P.L. 96-222 shall be effective at the same time that these provisions became effective for federal income tax purposes.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1979, shall be in effect for taxable years beginning after December 31, 1979.

(iv) The Internal Revenue Code of 1954, as amended through December 31, 1980, and as amended by sections 302(b) and 501 to 509 of Public Law Number 97-34, shall be in effect for taxable years beginning after December 31, 1980 including the provisions of section 404 (relating to partial exclusions of dividends and interest received by individuals) of the Crude Oil Windfall Profit Tax Act of 1980, P.L. 96-223. The provisions of P.L. 96-471 (relating to installment sales) and sections 501 to 507, of the Economic Recovery Tax Act of 1981, Public Law Number 97-34 shall be effective at the same time that they become effective for federal income tax purposes.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) A business casualty loss if the taxpayer elected to deduct the loss on the current year's federal income tax return but had deducted the loss on the previous year's Minnesota income tax return;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for

the reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for the previous taxable year. The amount of the federal income tax overpayment shall be reported only to the extent that the amount resulted in a reduction of the tax imposed by this chapter.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint, combined, or separate Minnesota income tax returns. In the case of combined or separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her combined or separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) The amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction either under section 290.01, subdivision 20 (b)(7);

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(14) Exempt-interest dividends, as defined in section 852(b)(5)(A) of the Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c)(1) of the Internal Revenue Code of 1954;

(16) For taxable years beginning after December 31, 1980 but before January 1, 1983, in the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981, the amount allowed under section 167 of the Internal Revenue Code;

(17) To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 40 percent of the portion of the gain. This modification is limited to property that qualified for the energy credit contained in section 290.06, subdivision 14, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause (9);

(18) The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss;

(19) The amount of a distribution from an individual housing account which is to be included in gross income as required under section 290.08, subdivision 25;

(20) To the extent deducted in computing the taxpayer's federal adjusted gross income, interest, taxes and other expenses which are not allowed under section 290.10, clause (9) or (10);

(21) To the extent excluded from federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred compensation program pursuant to section 353.028, the amount of contributions made by the city manager or administrator which is equal to the amount which would have been the city manager's or administrator's employee contribution pursuant to section 353.27, subdivision 2, if he were a member of the public employees retirement association; ~~and~~

(22) For taxable years beginning after December 31, 1980 but before January 1, 1983, in the case of section 179 property within the meaning of the Internal Revenue Code of 1954, the amount allowed as a deduction under section 179 of the Internal Revenue Code*; and*

(23) Expenses and depreciation attributable to property subject to section 3 which has not been registered.

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax

purposes, the modification shall be limited to 60 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of the securities but includible in gross income for federal income tax purposes;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks or out of state loss carryforwards resulting from the losses, and including any farm loss carryforwards or carrybacks;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954. The maximum amount of this subtraction shall be $11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds $17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be $11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of $17,000;

(7) The amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954 but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a

change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The first $3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next $2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(12) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(13) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(15) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(16) To the extent included in federal adjusted gross income, severance pay that may be treated as a lump sum distribution under the provisions of section 290.032, subdivision 5;

(17) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17;

(18) Minnesota exempt-interest dividends as provided by subdivision 27;

(19) A business casualty loss which the taxpayer elected to deduct on the current year's Minnesota income tax return but did not deduct on the current year's federal income tax return; and

(20) Income from the performance of personal or professional services which is subject to the reciprocity exclusion contained in section 290.081, clause (a);

(21) To the extent included in federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred

compensation program pursuant to section 353.028, the amount of payments from the deferred compensation program equivalent to the amount of contributions taxed under clause (a)(21);

(22) Contributions to and interest earned on an individual housing account as provided by section 290.08, subdivision 25;

(23) Interest earned on a contract for deed entered into for the purchase of property for agricultural use if the rate of interest set in the contract is no more than eight percent per year for the duration of the term of the contract. This exclusion shall be available only if (1) the purchaser is an individual who, together with his spouse and dependents, has a total net worth valued at less than $150,000 and (2) the property purchased under the contract is farm land as defined in section 41.52, subdivision 6 of no more than 1,000 acres that the purchaser intends to use for agricultural purposes. Compliance with these requirements shall be stated in an affidavit to be filed with the first income tax return on which the taxpayer claims the exclusion provided in this clause. Upon request accompanied by the information necessary to make the determination, the commissioner shall determine whether interest to be paid on a proposed transaction will qualify for this exclusion; the determination shall be provided within 30 days of receipt of the request, unless the commissioner finds it necessary to obtain additional information, or verification of the information provided, in which case the determination shall be provided within 30 days of receipt of the final item of information or verification. The exclusion provided in this clause shall apply to interest earned on contracts for deed entered into after December 31, 1981 and before July 1, 1983;

(24) For the taxable year beginning after December 31, 1980, but before January 1, 1982, an amount equal to 85 percent of the deduction allowed under section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981. For the taxable year beginning after December 31, 1981 but before January 1, 1983, 83 percent of the deduction allowed under section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981. The depreciation adjustments made to basis in the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981 shall be the depreciation adjustments made for federal income tax purposes under the Internal Revenue Code of 1954, as amended through December 31, 1981. Adoption of this provision shall not be construed as indicating the intent of the legislature to enact provisions authorizing amortization of the amount of depreciation not excludable under this clause; and

(25) For taxable years beginning after December 31, 1980 but before January 1, 1983, an amount equal to the deduction allowed under section 179 of the Internal Revenue Code of 1954 as amended through December 31, 1981.

(c) A modification affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954 shall be made.

In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under this chapter and at the close of the taxable year immediately preceding the effective election under this chapter the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the

event and to the extent that the reserve is distributed to shareholders the distribution shall be taxed as a dividend for purposes of this chapter.

(d) Amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that the amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that the amounts resulted in a reduction of the tax imposed by this chapter and amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this chapter.

(e) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1, clause (2) in computing Minnesota inheritance or estate tax liability shall not be allowed as a deduction (or as an offset against the sales price of property in determining gain or loss) in computing the taxable income of the estate or any person unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have the amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS.] *(a)* The following deductions from gross income shall be allowed in computing net income, provided that any item which was deducted in arriving at gross income under the provisions of section 290.01, subdivision 20, shall not be again deducted under this section.

(b) Property taxes may not be deducted under this section if

(1) The taxes are attributable to a trade or business carried on by an individual, or

(2) The taxes are expenses for the production of income which are paid or incurred by an individual; and which are not allowed as a deduction under section 164 of the Internal Revenue Code of 1954, as amended through December 31, 1980.

(c) Interest and depreciation attributable to rental residential property may not be deducted under this section if the property does not comply with the requirements of section 3.

Sec. 3. [CITY OF MINNEAPOLIS; REGISTRATION OF RESIDENTIAL RENTAL PROPERTY.]

Subdivision 1. [MUNICIPAL ORDINANCE; DEDUCTIONS DISAL-

LOWED.] *The governing body of the city of Minneapolis may by ordinance require the registration of all rental property used in whole or in part for residential housing and all transfers of that property. If a registration ordinance is adopted, a taxpayer who receives rental income from residential housing property located in Minneapolis may not deduct interest and depreciation pursuant to section 290.01, subdivision 20, or 290.09, on that property until a copy of the certificate provided for in subdivision 3 is filed annually with the taxpayer's Minnesota income tax return. In the case of a partnership, a copy of the certificate shall be filed with the partnership's return. No deduction shall be allowed for any period during which the property is not registered as required by the ordinance. In the event the period of non-compliance does not cover an entire taxable year, the deductions shall be denied at the rate of one-twelfth for each full month the property is not in compliance. The amount of the deduction denied shall not exceed the lesser of $200 for each unregistered rental residential unit or $2,000 for each building for any taxable year; provided that in no event shall the amount of the deduction denied be less than one-twelfth of the sum of the deductions for interest and depreciation with respect to the property. The city must provide the department of revenue with a copy of the ordinance within ten days of the effective date of the ordinance. Deductions shall not be disallowed until the department has received a copy of the ordinance. The department shall include in its instructions to taxpayers a notice of the restriction established in this section. If the deduction has been disallowed because of a negligent failure to file a copy of the certificate by a taxpayer who had filed a copy for a prior year, the taxpayer may file an amended return with a copy of the certificate and the deduction shall be allowed and the tax liability adjusted accordingly. Notice to taxpayers of the requirement for registration of rental housing property shall be included in the property tax statement for property located in a municipality which has enacted an ordinance under this section.*

Subd. 2. [REQUIREMENTS FOR ORDINANCE.] *An ordinance adopted under subdivision 1 shall require identifying information judged necessary by the city and the department of revenue to administer the ordinance.*

The ordinance shall provide that all property must be registered within 60 days of the effective date of the ordinance, except that property transferred or sold within or subsequent to that period, whether the sale is by warranty deed, quit-claim deed, contract for deed or any other method of sale must be registered within 20 days after transfer. Registrations are not assignable. A certificate issued pursuant to subdivision 3 is valid for an owner until the owner's interest in the property changes. The city may provide that violation of the ordinance is a misdemeanor. The city may charge a fee to cover the costs of administering its ordinance.

Subd. 3. [CERTIFICATE.] *The city shall provide a certificate of registration to the owner at the time of registration. The certificate shall include at least the following information: (a) name, address, and social security number, or Minnesota tax identification number, of the owner registering the property; (b) the owner's interest in the property; (c) the street address of the property; (d) the date of registration; and (e) the date of the most recent purchase or transfer of the property.*

Sec. 4. [APPLICABILITY.]

On its effective date, section 3 applies to the city of Minneapolis.

Sec. 5. [EFFECTIVE DATE.]

This article is effective for taxable years beginning after December 31, 1982.

ARTICLE VIII

Section 1. Minnesota Statutes 1981 Supplement, Section 290A.03, Subdivision 8, is amended to read:

Subd. 8. [CLAIMANT.] "Claimant" means a person, other than a dependent, who filed a claim authorized by sections 290A.01 to 290A.20 and who was domiciled in this state during the calendar year for which the claim for relief was filed. In the case of a claim relating to rent constituting property taxes, the claimant shall have resided in a rented or leased unit on which ad valorem taxes or payments made in lieu of ad valorem taxes, including payments of special assessments imposed in lieu of ad valorem taxes, are payable at some time during the calendar year covered by the claim~~, except that a claimant who is disabled or who has attained the age of 65 on the date specified in section 290A.04, subdivision 1, may file a claim based on residence in a nursing home on which ad valorem taxes were not payable~~. "Claimant" shall not include a resident of a nursing home, intermediate care facility, or long term residential facility whose rent constituting property taxes is paid pursuant to the supplemental security income program under Title XVI of the social security act, the Minnesota supplemental aid program under sections 256D.35 to 256D.41, the medical assistance program pursuant to Title XIX of the social security act, or the general assistance medical care program pursuant to section 256D.03, Subdivision 3. If only a portion of the rent constituting property taxes is paid by these programs, the resident shall be a claimant for purposes of this chapter, but the refund calculated pursuant to section 290A.04 shall be multiplied by a fraction, the numerator of which is income as defined in subdivision 3 reduced by the total amount of income from the above sources other than vendor payments under the medical assistance program or the general assistance medical care program and the denominator of which is income as defined in subdivision 3 plus vendor payments under the medical assistance program or the general assistance medical care program, to determine the allowable refund pursuant to this chapter. In the case of a claim for rent constituting property taxes of a part year resident, the income and rental reflected in this computation shall be for the period of Minnesota residency only. Any rental expenses paid which may be reflected in arriving at federal adjusted gross income cannot be utilized for this computation. When two individuals of a household are able to meet the qualifications for a claimant, they may determine among them as to who the claimant shall be. If they are unable to agree, the matter shall be referred to the commissioner of revenue and his decision shall be final. If a homestead property owner was a part year resident, the income reflected in the computation made pursuant to section 290A.04 shall be for the entire calendar year, including income not assignable to Minnesota.

If a homestead is occupied by two or more renters, who are not husband and wife, the rent shall be deemed to be paid equally by each, and separate claims shall be filed by each. The income of each shall be his household income for purposes of computing the amount of credit to be allowed.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for claims based on rent paid in 1982 and thereafter.

ARTICLE IX

Section 1. Laws 1981, Third Special Session Chapter 2, Article III, Section 6, is amended to read:

Sec. 6. [290.068] [CREDIT FOR RESEARCH AND EXPERIMENTAL EXPENDITURES.]

Subdivision 1. [CREDIT ALLOWED.] In addition to the deduction provided in section 290.09, a credit shall be allowed *against the tax imposed by this chapter for the taxable year* equal to ~~ten percent of research and experimental expenditures paid or incurred in Minnesota during the taxable year.~~

(a) 12.5 percent of the first $2 million of the excess (if any) of

(1) the qualified research expenses for the taxable year, over

(2) the base period research expenses; and

(b) 6.25 percent on all of such excess expenses over $2 million.

Subd. 2. [~~DEFINITION~~ *DEFINITIONS.*] For purposes of this section, *the following terms have the meanings given.*

(a) "Qualified research ~~and experimental expenditures~~ *expenses"* means ~~expenditures incurred in Minnesota which qualify for the deduction provided in section 290.09, subdivision 18, to the extent the expenditures exceed the average of the three preceding taxable years' qualifying expenditures under section 290.09, subdivision 18, incurred in Minnesota. If the taxpayer has not conducted trade or business in Minnesota for the three preceding taxable years, the average expenditures incurred shall be determined by dividing the expenditures by the lesser number of complete prior taxable years. If there has been less than one prior taxable year of trade or business conducted in Minnesota the average expenditures for the three preceding taxable years shall be zero~~ *(i) qualified research expenses as defined in section 44F(b) and (e) of the Internal Revenue Code, except it shall not include expenses incurred for basic research conducted outside the state of Minnesota pursuant to section 44F(e); or (ii) contributions to a nonprofit corporation established and operated pursuant to the provisions of chapter 317 for the purpose of promoting the establishment and expansion of business in this state, provided the contributions are invested by the nonprofit corporation for the purpose of providing funds for small, technologically innovative enterprises in Minnesota during the early stages of their development.*

(b) "Qualified research" means qualified research as defined in section 44F(d) of the Internal Revenue Code, except that the term shall not include qualified research conducted outside the state of Minnesota.

(c) "Base period research expenses" means base period research expenses as defined in section 44F(c) of the Internal Revenue Code, except that "December 31, 1981" shall be substituted for "June 30, 1981" in subparagraph (B) of paragraph (2) and the definitions contained in clauses (a) and (b) shall apply.

(d) "Internal Revenue Code" means the Internal Revenue Code of 1954, as amended through December 31, 1981.

Subd. 3. [LIMITATION; *CARRYBACK AND CARRYOVER.*] *(a)(1)* The

credit for the taxable year shall not exceed ~~$300,000 or ten percent of~~ the liability for tax~~, whichever is less~~. "Liability for tax" for purposes of this section means the tax imposed under this chapter for the taxable year reduced by the sum of the credits allowed under section 290.06, except the credit allowed under section 290.06, subdivision 13.

(2) In the case of an individual who

(A) owns an interest in an unincorporated business,

(B) is a partner in a partnership,

(C) is a beneficiary of an estate or trust, or

(D) is a shareholder in a small business corporation, having a valid election in effect under section 1372 of the Internal Revenue Code,

the credit allowed for the taxable year shall not exceed the lesser of the amount determined under clause (1) for the taxable year or an amount (separately computed with respect to such person's interest in the trade or business or entity) equal to the amount of tax attributable to that portion of a person's taxable income which is allocable or apportionable to the person's interest in the trade or business or entity.

(b) If the *amount of the* credit determined under ~~subdivision 2~~ *this section for any taxable year* exceeds ~~this~~ *the* limitation *under clause (a)*, the excess shall be a *research* credit carryback to each of the three preceding taxable years and a *research* credit carryover to each of the ~~seven~~ *15* succeeding taxable years~~, provided the aggregate of the credit for the taxable year and any carryover and carryback credits shall not exceed $300,000 or ten percent of the liability for tax, whichever is less~~. The entire amount of the excess unused credit for the taxable year shall be carried first to the earliest of the taxable years to which the credit may be carried and then to each successive year to which the credit may be carried. *The amount of the unused credit which may be added under this clause shall not exceed the taxpayer's liability for tax less the research credit for the taxable year.*

Subd. 4. [SMALL BUSINESS CORPORATIONS; PARTNERSHIPS.] *In the case of small business corporations, having a valid election in effect, under section 1372 of the Internal Revenue Code of 1954, estates and trusts, and partnerships, the credit shall be allocated in the same manner provided by section 44F(f)(2) of the Internal Revenue Code.*

Subd. 5. [ADJUSTMENTS; ACQUISITIONS AND DISPOSITIONS.] *If a taxpayer acquires or disposes of the major portion of a trade or business or the major portion of a separate unit of a trade or business in a transaction with another taxpayer, the taxpayer's qualified research expenses and base period shall be adjusted in the same manner provided by section 44F(f)(3) of the Internal Revenue Code, except that "December 31, 1980" shall be substituted for "June 30, 1980."*

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for taxable years beginning after December 31, 1981.

ARTICLE X

Section 1. Minnesota Statutes 1981 Supplement, Section 290.06, Subdivi-

sion 14, is amended to read:

Subd. 14. [RESIDENTIAL ENERGY CREDIT.] A credit of 20 percent of the first $10,000 of renewable energy source expenditures, including the expenditures described in clauses (a), (b) and (d) if made by an individual taxpayer on a Minnesota building of six dwelling units or less and expenditures for biomass conversion equipment described in clause (c), may be deducted from the tax due under this chapter for the taxable year in which the expenditures were made. For purposes of this subdivision, the term "building" shall include a condominium or townhouse used by the taxpayer as a residence. In the case of qualifying expenditures incurred in connection with a building under construction by a contractor, the credit shall be deducted from the tax liability of the first individual to purchase the building for use as a principal residence or for residential rental purposes; the contractor shall not be eligible for the credit given pursuant to this subdivision for that expenditure.

A "renewable energy source expenditure" which qualifies shall include:

(a) Expenditures which qualify for the federal renewable energy source credit, pursuant to Section 44C of the Internal Revenue Code of 1954, as amended through December 31, ~~1980~~ *1981*, and any regulations promulgated pursuant thereto, provided that, after December 31, 1980, any solar collector included in the claimed expenditure is certified by the commissioner of energy, planning and development. A solar collector is a device designed to absorb incident solar radiation, convert it to thermal energy, and transfer the thermal energy to a fluid passing through or in contact with the device. "Solar collector" shall not include passive solar energy systems as defined in clause (d);

(b) Expenditures for earth sheltered dwelling units. For purposes of this credit, an "earth sheltered dwelling unit" shall mean a structure which complies with applicable building standards and which is constructed so that:

(1) 80 percent or more of the roof area is covered with a minimum depth of 12 inches of earth; and

(2) 50 percent or more of the wall area is covered with a minimum depth of 12 inches of earth; and

(3) Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation;

(c) Expenditures for biomass conversion equipment located in Minnesota which produces ethanol, methane or methanol for use as a gaseous or as a liquid fuel which is not offered for sale; and

(d) Expenditures for passive solar energy systems. For purposes of this credit, a "passive solar energy system" is defined to include systems which utilize elements of the building and its operable components to heat or cool a building with the sun's energy by means of conduction, convection, radiation, or evaporation. A passive system shall include:

(1) Collection aperture, including glazing installed in south facing walls and roofs; and

(2) Storage element, including thermal mass in the form of water, masonry, rock, concrete, or other mediums which is designed to store heat collected from solar radiation.

A passive system may include either or both:

(1) Control and distribution element, including fans, louvers, and air ducts; or

(2) Retention element, including movable insulation used to minimize heat loss caused by nocturnal radiation through areas used for direct solar heat gain during daylight hours.

Eligible passive expenditures shall be for equipment, materials or devices that are an integral part of the components listed above and essential to the functioning of a passive design which qualifies pursuant to rules adopted by the commissioner of revenue in cooperation with the commissioner of energy, planning and development. Expenditures for equipment, materials, or devices which are a part of the normal heating, cooling, or insulation system of a building are not eligible for the credit.

If a credit was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be $10,000 reduced by the amount of expenditures which a credit was claimed pursuant to this subdivision in prior years. A taxpayer shall never be allowed to claim more than $10,000 of expenditures during the duration of the renewable energy credit.

The credit provided in this subdivision shall not be allowed in a taxable year if the amount of the credit would be less than $10.

If the credit allowable under this subdivision exceeds the amount of tax due in a taxable year, the excess credit shall not be refunded but may be carried forward to the succeeding taxable year and added to the credit allowable for that year. No amount may be carried forward to a taxable year beginning after December 31, ~~1984~~ *1987*.

A shareholder in a family farm corporation and each partner in a partnership operating a family farm shall be eligible for the credit provided by this subdivision in the same manner and to the same extent allowed a joint owner of property under section 44C (d) of the Internal Revenue Code of 1954, as amended through December 31, ~~1980~~ *1981*. "Family farm corporation" and "family farm" have the meanings given in section 500.24.

The credit provided in this subdivision is subject to the provisions of Section 44C, (c) (7) and (10), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, ~~1980~~ *1981*, and any regulations promulgated pursuant thereto.

The commissioner of revenue in cooperation with the commissioner of energy, planning and development shall adopt rules establishing additional qualifications and definitions for the credits provided in this subdivision.

Notwithstanding section 290.61, the commissioner of revenue may request the commissioner of energy, planning and development to assist in the review and auditing of the information furnished by the taxpayer for purposes of claiming this credit. The provisions of section 290.61 shall apply to employees of the department of energy, planning and development who receive information furnished by a taxpayer for purposes of claiming this credit.

The commissioner of energy, planning and development shall adopt rules

establishing the criteria for certification of solar collectors as required by clause (a). The criteria shall:

(1) Specify the testing procedures to be used in the evaluation of solar collectors;

(2) Establish minimum levels of collector quality for safety;

(3) Provide a means to determine the maintainability and structural integrity of solar collectors;

(4) Establish a system for evaluating and rating the thermal performance of solar collectors;

(5) Specify the procedures to follow to obtain certification of a solar collector;

(6) Conform to the maximum extent practicable to the solar collector certification requirements of other states which have adopted certification procedures; and

(7) Allow for individual variation so as not to hamper the development of innovative solar collectors.

The commissioner of energy, planning and development may adopt temporary rules pursuant to section 15.0412, subdivision 5 to establish this certification procedure.

This subdivision is effective for expenditures made during taxable years beginning after December 31, 1978 and before January 1, ~~1983~~ *1986*.

ARTICLE XI

Section 1. [DULUTH; BONDS; PURCHASE OF EQUIPMENT.]

The Duluth city council may by ordinance provide for the annual issuance of general obligation bonds in a principal amount not to exceed $2,000,000 annually for three years to provide funds to purchase capital equipment for the city. For purposes of this law, "capital equipment" means any equipment having an estimated useful life of at least five years. The issuance of the bonds shall be subject to Minnesota Statutes, Chapter 475, except that no election shall be required except as provided in section 2, or as required by the Duluth City Charter, Section 52.

Sec. 2. [REVERSE REFERENDUM.]

The city council of Duluth, prior to the issuance of any bonds authorized by section 1, shall adopt a resolution stating the amount, purpose and, in general, the security to be provided for the bonds, and shall publish the resolution once each week for two consecutive weeks in the medium of official and legal publication of the city. The bonds may be issued without the submission of the question of their issuance to the voters of the city unless within 21 days after the second publication of the resolution a petition requesting a referendum signed by at least ten percent of those voting in the last general election is filed with the city clerk. If a petition is filed, no bonds shall be issued unless approved by a majority of the voters of the city voting on the question of their issuance at a regular or special election.

Sec. 3. [LOCAL APPROVAL.]

Sections 1 and 2 are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the city of Duluth but no bonds shall be issued pursuant to this act after April 1, 1985.

ARTICLE XII

Section 1. [BONDS FOR BLOOMINGTON COURT FACILITY.]

The city of Bloomington may issue general obligation bonds for the acquisition, construction or betterment of a court building and court related facilities, and parking for them, under Minnesota Statutes, Chapter 475, except as otherwise provided in this act. Before issuance of bonds, the city shall give three weeks published notice of the issuance. If a number of voters in the city equal 10 percent of those who voted for candidates for governor at the last gubernatorial election present a petition within six weeks of the first published notice to the city clerk requesting that the matter be submitted to popular vote, it shall be submitted at the next general election. If a majority of those voting on the question approve it or if no petition is presented within the prescribed time the city may issue the bonds and levy a tax in accordance with Minnesota Statutes, Section 475.61, to service the debt.

Sec. 2. [HENNEPIN COUNTY; LEASE AUTHORIZATION.]

The county of Hennepin and the city of Bloomington may enter into contracts for terms not to exceed ten years and may enter into leases in connection with court and court related activities. The term of any lease entered into by the county of Hennepin with the city of Bloomington shall not exceed the period required to service the debt on the bonds authorized by section 1. Lease payments shall be irrevocably pledged to the payment of the debt. Upon the retirement of the debt created under section 1, the city may lease space in the court building and related facilities to the county as the county may need for court purposes for periods not to exceed five years. If the city and the county deem it to be in the best interests of the public served by the facilities, the county may purchase them after retirement of the debt, or upon guaranteeing the servicing of the debt, at mutually agreed upon terms.

Sec. 3. [SUITABILITY OF COURT FACILITIES.]

Nothing herein shall be construed to limit or restrict the Chapter 475 but shall not be subject to any interest or debt limits prescribed by that chapter or other law. The interest rate shall not exceed the published yield for the Bond Buyer's Index of 20 municipals for the previous month plus one percent and rounded to the next highest percent per annum. Minnesota Statutes, Section 641.23, shall not be deemed to impose a limitation on the amount of bonds that may be issued pursuant to this section.

Sec. 4. [RELOCATION OF MUNICIPAL COURT.]

Notwithstanding the provisions of Minnesota Statutes, Section 488A.01, Subdivision 9, the county of Hennepin may relocate the municipal court serving the city of Bloomington and thereupon shall provide suitable quarters for the holding of regular terms of court in a southern suburban location within the county as may be designated by a majority of the judges of the court. All functions of the court may be discharged, including both court and jury trials of civil and criminal matters, at the location designated pursuant to this section. Nothing in this section shall be construed to reduce the level of services

to the residents of the city of Bloomington.

Sec. 5. [LAKE COUNTY; JAIL BONDS.]

Lake County may issue bonds for a county jail and levy an ad valorem tax for the payment of their principal and interest at whatever rate is necessary notwithstanding any contrary provision of Minnesota Statutes, Section 641.23 or other law. The bonds shall be issued in accordance with Minnesota Statutes, Chapter 475 but shall not be subject to any interest or debt limits prescribed by that chapter or other law. The interest rate shall not exceed the published yield for the Bond Buyer's Index of 20 municipals for the previous month plus one percent and rounded to the next highest percent per annum. Minnesota Statutes, Section 641.23, shall not be deemed to impose a limitation on the amount of bonds that may be issued pursuant to this section.

Sec. 6. [FIRE PROTECTION LEVY: TOWNS OF ERIN, FOREST, WEBSTER, AND WHEATLAND.]

The provisions of Minnesota Statutes, Section 368.85, Subdivision 6, limiting the levy of a town for the support of a fire protection district shall not apply to the levies of the towns of Erin, Forest, Webster, and Wheatland in Rice County for the purposes of providing fire protection.

Sec. 7. [RICE LAKE; EXCESS LEVY.]

Notwithstanding any contrary provision of other law, the town board of Rice Lake may levy for taxes payable in 1982 the sum of $20,000 to meet the cost of construction of a fire hall. The levy shall be in addition to the 1981 levy of $118,000 for taxes payable in 1982 previously authorized for the town. No penalty shall be imposed on this levy pursuant to Minnesota Statutes, Section 275.51, Subdivision 4.

Sec. 8. [CLEARWATER COUNTY LEVY LIMIT INCREASE.]

Any limitation imposed upon the levy of Clearwater County by Minnesota Statutes, Sections 275.50 to 275.56, shall be increased for taxes levied in 1982, payable 1983 and subsequent years by an amount authorized by the county board, not to exceed one mill, to cover the expenses of the agricultural society as authorized by Minnesota Statutes, Section 38.27.

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 4 are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the city council of the city of Bloomington and the board of county commissioners of Hennepin county.

Section 5 is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of Lake County.

Section 6 is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing bodies of Erin, Forest, Webster, and Wheatland in Rice County.

ARTICLE XIII

Section 1. Minnesota Statutes 1981 Supplement, Section 298.75, is amended to read:

298.75 [~~GRAVEL~~ *AGGREGATE MATERIAL* REMOVAL; PRODUC-

TION TAX.]

Subdivision 1. [DEFINITIONS.] *Except as may otherwise be provided, the following words, when used in this section, shall have the meanings herein ascribed to them.*

(1) "Aggregate material" shall mean non-metallic natural mineral aggregate including, but not limited to sand, silica sand, gravel, building stone, crushed rock, limestone, and granite. Aggregate material shall not include dimension stone and dimension granite.

(2) "Person" shall mean any individual, firm, partnership, corporation, organization, trustee, association, or other entity.

(3) "Operator" shall mean any person engaged in the business of removing aggregate material from the surface or subsurface of the soil, for the purpose of sale, either directly or indirectly, through the use of the aggregate material in a marketable product or service.

(4) "Extraction site" shall mean a pit, quarry, or deposit containing aggregate material and any contiguous property to the pit, quarry, or deposit which is used by the operator for stockpiling the aggregate material.

Subd. 2. A county ~~may~~ *shall* impose upon every ~~person, firm, corporation or association, hereafter referred to as "~~ operator,~~"~~ engaged in the business of removing ~~gravel~~ *aggregate material* for sale from ~~gravel pits~~ *a pit, quarry,* or ~~deposits~~ *deposit*, a production tax ~~in an amount not to exceed~~ *equal to* ten cents per cubic yard *or seven cents per ton* of ~~gravel~~ *aggregate material* removed *except that the county board may, in its discretion, decide not to impose this tax if it determines that in the previous year operators removed less than 20,000 tons or 14,000 cubic yards of aggregate material from that county.* ~~For purposes of this section, gravel shall include sand and limestone~~ *The tax shall be imposed when the aggregate material is transported from the extraction site or sold, when in the case of storage the stockpile is within the state of Minnesota and the highways are not used for transporting the aggregate material.*

In the event that the aggregate material is transported directly from the extraction site to a waterway, railway, or another mode of transportation other than a highway, road or street, the tax imposed by this section shall be apportioned equally between the county where the aggregate material is extracted and the county to which the aggregate material is originally transported. If that destination is not located in Minnesota, then the county where the aggregate material was extracted shall receive all of the proceeds of the tax.

Subd. ~~2~~ *3*. By the 14th day following the last day of each calendar quarter ~~in each county in which a tax is imposed pursuant to this section or any special law~~, every operator shall make and file with the county auditor of the county in which the ~~gravel~~ *aggregate material* is removed, a correct report under oath, in such form and containing such information as the auditor shall require relative to the quantity of ~~gravel~~ *aggregate material* removed during the preceding calendar quarter. The report shall be accompanied by a remittance of the amount of tax due.

If any of the proceeds of the tax is to be apportioned as provided in subdivision 2, the operator shall also include on the report any relevant information

concerning the amount of aggregate material transported, the tax and the county of destination. The county auditor shall notify his county treasurer of the amount of such tax and the county to which it is due. The county treasurer shall remit the tax to the appropriate county within 30 days.

Subd. ~~3~~ *4*. If any operator fails to make the report required by subdivision ~~2~~ *3* or files an erroneous report, the county auditor shall, by the fifth working day after the date the report became due, determine the amount of tax due and notify the operator by registered mail of the amount of tax so determined. An operator may, within 30 days from the date of mailing the notice, file in the office of the county auditor a written statement of objections to the amount of taxes determined to be due. The statement of objections shall be deemed to be a petition within the meaning of chapter 278, and shall be governed by sections 278.02 to 278.13.

Subd. ~~4~~ 5. Failure to file the report shall result in a penalty of $5 for each of the first 30 days, beginning on the 14th day after the date when the county auditor has sent notice to the ~~taxpayer~~ *operator* as provided in subdivision ~~3~~ *4*, during which the report is overdue and no statement of objection has been filed. For each subsequent day during which the report is overdue and no statement of objection has been filed, a penalty of $10 shall be assessed against the ~~person~~ *operator* who is required to file the report. The penalties imposed by this subdivision shall be collected as part of the tax. If neither the report nor a statement of objection has been filed after more than 60 days have elapsed from the date when the notice was sent, the ~~person~~ *operator* who is required to file the report is guilty of a misdemeanor.

Subd. ~~5~~ *6*. It is a misdemeanor for any operator to remove ~~gravel~~ *aggregate material* from a pit, *quarry*, or deposit unless all taxes due under this section *for the previous reporting period* have been paid or objections thereto have been filed pursuant to subdivision ~~3~~ *4*.

Subd. ~~6~~ *7*. All moneys collected as taxes under this section shall be deposited in the county treasury and credited as follows, for expenditure by the county board:

(a) Sixty percent to the county road and bridge fund for expenditure for the maintenance, construction and reconstruction of roads ~~traveled by vehicles hauling gravel~~ *, highways and bridges*;

(b) Thirty percent to the ~~town~~ road and bridge fund *of those towns as determined by the county board and to the general fund or other designated fund of those cities as determined by the county board,* ~~for expenditure~~ *to be expended* for maintenance, construction and reconstruction of roads ~~traveled by vehicles hauling gravel, in a manner determined by the county~~ *, highways and bridges*; and

(c) Ten percent to a special reserve fund which is hereby established, for expenditure for the restoration of abandoned ~~gravel~~ pits, *quarries*, or deposits *located* upon ~~lands to which the county holds title or upon~~ *public and* tax forfeited lands within the county.

In the event that there are no abandoned pits, quarries or deposits located upon public or tax forfeited lands within the county, this portion of the tax shall be deposited in the county road and bridge fund for expenditure for the maintenance, construction and reconstruction of roads, highways and bridges.

Sec. 2. [VALIDATION OF COLLECTIONS IN CLAY COUNTY.]

All collections of taxes imposed upon gravel removed from a pit or deposit by the county of Clay after the date of the resolution by the Clay county board which increased the rate of tax from five to ten cents per cubic yard are hereby validated.

Sec. 3. [REPEALER.]

Minnesota Statutes, 1981 Supplement, Section 298.76, is repealed.

Sec. 4. [EFFECTIVE DATE.]

This article is effective January 1, 1983.

ARTICLE XIV

Section 1. Minnesota Statutes 1980, Section 273.13, Subdivision 17d, is amended to read:

Subd. 17d. [NEIGHBORHOOD REAL ESTATE TRUSTS.] When a ~~structure, consisting of one or more dwelling units, is~~ *parcel of land, not to exceed one acre, and its improvements or a parcel of unimproved land, not to exceed one acre, are* owned by a neighborhood real estate trust and at least 60 percent of the dwelling units, *if any, on all land owned by the trust* are leased to or occupied by ~~a~~ lower income ~~family as defined by section 8 of the United States Housing Act of 1937, as amended~~ *families*, the ~~structure~~ *land and improvements, if any,* shall be assessed at 20 percent of the market value. This subdivision shall not apply to any portion of the ~~structure~~ *land or improvements* used for nonresidential purposes.

For purposes of this subdivision, a lower income family is a family with an income that does not exceed 65 percent of the median family income for the area as determined by the U.S. Secretary of Housing and Urban Development.

For purposes of this subdivision, neighborhood real estate trust means an entity which *is certified by the governing body of the municipality in which it is located to have the following characteristics:* (a) *it* is a nonprofit corporation organized under chapter 317; (b) *it* has as its principal purpose providing housing for lower income families in a specific geographic community designated in its articles or bylaws; (c) *it* limits membership with voting rights to residents of the designated community; and (d) *it* has a board of directors consisting of at least seven directors, 60 percent of whom are ~~voting~~ members *with voting rights* and, *to the extent feasible,* 25 percent of whom are elected by resident members of buildings owned by the trust.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for taxes levied in 1982, payable in 1983 and thereafter.

ARTICLE XV

Section 1. Minnesota Statutes 1980, Section 168.012, is amended by adding a subdivision to read:

Subd. 10. If a vehicle is used for a purpose which would make it exempt pursuant to subdivision 1 but title is held by a seller or a vendor or is assigned to a third party under a lease purchase agreement or installment sale permitted

under section 465.71, exemption shall be determined by the use rather than the holder of the title.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article V, Section 2, is amended to read:

Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, but not including foods which are prepared or specially sliced, wrapped, arranged or displayed, and sold cold or hot for immediate consumption on or off the premises on which the sale is made, whether sold in individual servings or in larger quantities, except food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) and which are sold by a retailer, organized as a nonprofit corporation or association, within a place located on property owned by the state or an agency or instrumentality of the state, the entrance to which is subject to an admission charge;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, uherapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (storage shall not constitute intermediate use); or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption

in Minnesota of tangible personal property (except as provided in section 297A.14) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, and any such publication. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales, *including sales in which title is retained by a seller or a vendor or is assigned to a third party under an installment sale or lease purchase agreement under section 465.71,* of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, soci-

ety, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(s) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(t) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(u) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a ''public school'' is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(v) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

(w) The gross receipt from the sale of residential heating fuels in the following manner:

(i) all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April;

(iii) electricity sold for residential use to customers who are metered and

billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April.

(x) The gross receipts from the sale or use of tickets or admissions to the premises of or events sponsored by an association, corporation or other group of persons which provides an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and which qualifies as a tax-exempt organization within the meaning of section 290.05, subdivision 1, clause (i).

(y) The gross receipts from either the sales to or the storage, use or consumption of tangible personal property by an organization of military service veterans or an auxiliary unit of an organization of military service veterans, provided that:

(i) the organization or auxiliary unit is organized within the state of Minnesota and is exempt from federal taxation pursuant to section 501(c), clause (19), of the Internal Revenue Code as amended through December 31, 1978; and

(ii) the tangible personal property which is sold to or stored, used or consumed by the organization or auxiliary unit is for charitable, civic, educational, or nonprofit uses and not for social, recreational, pleasure or profit uses.

(z) The gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene.

Sec. 3. Minnesota Statutes 1980, Section 297B.03, is amended to read:

297B.03 [EXEMPTIONS.]

There is specifically exempted from the provisions of this chapter and from computation of the amount of tax imposed by it the following:

(1) Purchase or use, *including use under a lease purchase agreement or installment sales contract made pursuant to section 465.71,* of any motor vehicle by any person described in and subject to the conditions provided in section 297A.25, subdivision 1, clauses (j), (p) and (s).

(2) Purchase or use of any motor vehicle by any person who was a resident of another state at the time of the purchase and who subsequently becomes a resident of Minnesota, provided the purchase occurred more than 60 days prior to the date such person moved his residence to the state of Minnesota.

(3) Purchase or use of any motor vehicle by any person making a valid election to be taxed under the provisions of section 297A.211.

(4) Purchase or use of any motor vehicle previously registered in the state of Minnesota by any corporation or partnership when such transfer constitutes a transfer within the meaning of sections 351 or 721 of the Internal Revenue Code of 1954, as amended through December 31, 1974.

Sec. 4. Minnesota Statutes 1980, Section 465.71, is amended to read:

465.71 [INSTALLMENT PURCHASES *AND LEASE PURCHASES* OF PROPERTY; HOME RULE CHARTER *AND STATUTORY* CITIES; *COUNTIES, SCHOOL DISTRICTS.*]

A ~~second, third or fourth class~~ home rule charter city, *statutory city, county,*

or school district may purchase real or personal property under an installment contract, *or lease personal property with an option to purchase under a lease purchase agreement,* by which *contract or agreement* title is retained by the seller or vendor *or assigned to a third party* as security for the purchase price, *including interest, if any,* but such purchases are subject to statutory and charter provisions applicable to the purchase of real or personal property. *For purposes of the bid requirements contained in section 471.345, "the amount of the contract" shall include the total of all lease payments for the entire term of the lease under a lease-purchase agreement. The obligation created by a lease purchase agreement shall not be included in the calculation of net debt for purposes of section 475.53, and shall not constitute debt under any other statutory provision. No election shall be required in connection with the execution of a lease purchase agreement authorized by this section. The city, county, or school district shall have the right to terminate a lease purchase agreement at the end of any fiscal year during its term.*

ARTICLE XVI

Section 1. Minnesota Statutes 1980, Section 273.42, as amended by Laws 1981, First Special Session Chapter 1, Article II, Section 15, is amended to read:

273.42 [RATE OF TAX; ENTRY AND CERTIFICATION; CREDIT ON PAYMENT; PROPERTY TAX CREDIT.]

Subdivision 1. The property set forth in section 273.37, subdivision 2, consisting of transmission lines of less than 69 kv and transmission lines of 69 kv and above located in an unorganized township, and distribution lines not taxed as provided in sections 273.38, 273.40 and 273.41 shall be taxed at the average rate of taxes levied for all purposes throughout the county and shall be entered on the tax lists by the county auditor against the owner thereof and certified to the county treasurer at the same time and in the same manner that other taxes are certified, and, when paid, shall be credited~~, 35~~ *as follows: 50* percent to the general revenue fund of the county~~,~~ *and* 50 percent to the general school fund of the county, ~~and 15 percent to the townships within the county in which the lines are located. The amount available for distribution to the townships shall be divided among the townships in the same proportion that the length of transmission line in each township bears to the total length of transmission line in the county~~ *except that if there are high voltage transmission lines as defined in section 116C.52, the construction of which was commenced after July 1, 1974 and which are located in unorganized townships within the county, then the distribution of taxes within this subdivision shall be credited as follows: 50 percent to the general revenue fund of the county, 40 percent to the general school fund of the county and 10 percent to a utility property tax credit fund, which is hereby established.*

Subd. 2. Owners of land defined as class 3, 3b, 3c, 3cc, 3d or 3f pursuant to section 273.13 listed on records of the county auditor or county treasurer over which runs a high voltage transmission line as defined in section 116C.52, subdivision 3, except a high voltage transmission line the construction of which was commenced prior to July 1, 1974, shall receive a property tax credit in an amount determined by multiplying a fraction, the numerator of which is the length of high voltage transmission line which runs over that parcel and the denominator of which is the total length of that particular line running over all

property within the city~~,~~ *or* township ~~or unorganized township~~ by ten percent of the transmission line tax revenue derived from the tax on that portion of the line within the city~~,~~ *or* township ~~or unorganized township~~ pursuant to section 273.36. *In the case of property owners in unorganized townships, the property tax credit shall be determined by multiplying a fraction, the numerator of which is the length of the qualifying high voltage transmission line which runs over the parcel and the denominator of which is the total length of the qualifying high voltage transmission line running over all property within all the unorganized townships within the county, by the total utility property tax credit fund amount available within the county for that year pursuant to section 273.42, subdivision 1.* Where a right-of-way width is shared by more than one property owner, the numerator shall be adjusted by multiplying the length of line on the parcel by the proportion of the total width on the parcel owned by that property owner. The amount of credit for which the property qualifies shall not exceed 20 percent of the total gross tax on the parcel prior to deduction of the state paid agricultural credit and the state paid homestead credit, provided that, if the property containing the right of way is included in a parcel which exceeds 40 acres, the total gross tax on the parcel shall be multiplied by a fraction, the numerator of which is the sum of the number of acres in each quarter-quarter section or portion thereof which contains a right of way and the denominator of which is the total number of acres in the parcel set forth on the tax statement, and the maximum credit shall be 20 percent of the product of that computation, prior to deduction of those credits. The auditor of the county in which the affected parcel is located shall calculate the amount of the credit due for each parcel and transmit that information to the county treasurer. The county auditor, in computing the credits received pursuant to sections 273.13 and 273.135, shall reduce the gross tax by the amount of the credit received pursuant to this section, unless the amount of the credit would be less than $10.

If, after the county auditor has computed the credit to those qualifying property owners in unorganized townships, there is money remaining in the utility property tax credit fund, then that excess amount in the fund shall be returned to the general school fund of the county.

Sec. 2. Minnesota Statutes 1980, Section 273.425, is amended to read:

273.425 [ADJUSTMENT OF LEVY.]

When preparing tax lists pursuant to section 275.28 for each levy year for which credits will be payable under section 273.42, the county auditor shall deduct from the assessed valuation of the property within the county an amount equal to ten percent of the assessed valuation of transmission lines with respect to which a credit is to be paid *and which are valued pursuant to section 273.36*. The mill rate necessary to be applied to this reduced total valuation in order to raise the required amount of tax revenue for the local taxing authorities shall be applied to the value of all taxable property in the county, including the entire valuation of those transmission lines. The proceeds of the tax levied against the excluded ten percent of the value of those transmission lines shall be available for purposes of funding of the credit provided in section 273.42. If the amount of that portion of the levy exceeds the amount necessary to fund the credits, the excess shall be distributed to the taxing districts within which the affected property is located in proportion to their respective mill rates, to be used for general levy purposes.

Sec. 3. [EFFECTIVE DATE.]

This article is effective for taxes levied in 1982 and thereafter, payable in 1983 and thereafter.

ARTICLE XVII

Section 1. Minnesota Statutes 1980, Section 278.01, is amended to read:

278.01 [DEFENSE OR OBJECTION TO TAX ON LAND; SERVICE AND FILING.]

Subdivision 1. [DETERMINATION OF VALIDITY.] Any person having any estate, right, title, or interest in or lien upon any parcel of land, who claims that such property has been partially, unfairly, or unequally assessed in comparison with other property in the city or county, or that the parcel has been assessed at a valuation greater than its real or actual value, or that the tax levied against the same is illegal, in whole or in part, or has been paid, or that the property is exempt from the tax so levied, may have the validity of his claim, defense, or objection determined by the district court of the county in which the tax is levied or by the tax court by serving two copies of a petition for such determination upon the county auditor and one copy each on the county treasurer and the county attorney and filing the same, with proof of service, in the office of the clerk of the district court before the first day of June of the year in which the tax becomes payable. The county auditor shall immediately forward one copy of the petition to the appropriate governmental authority in a home rule charter or statutory city or town in which the property is located if that city or town employs its own certified assessor. *A copy of the petition shall also be sent to the school board of the school district in which the property is located.* A petition for determination under this section may be transferred by the district court to the tax court. An appeal may also be taken to the tax court under chapter 271 at any time following receipt of the valuation notice required by section 273.121 but prior to June 1 of the year in which the taxes are payable.

Subd. 2. [HOMESTEADS.] Any person having any estate, right, title or interest in or lien upon any parcel which is classified as homestead under the provisions of section 273.13, subdivisions 6, 6a, 7, 7b, 10 or 12, who claims that said parcel has been assessed at a valuation which exceeds by ten percent or more the valuation which the parcel would have if it were valued at the average assessment/sales ratio for real property in the same class, in that portion of the county in which that parcel is located, for which the commissioner is able to establish and publish a sales ratio study as determined by the applicable real estate assessment/sales ratio study published by the commissioner of revenue, may have the validity of his claim, defense, or objection determined by the district court of the county in which the tax is levied or by the tax court by serving two copies of a petition for such determination upon the county auditor and one copy each on the county treasurer and the county attorney and filing the same, with proof of such service, in the office of the clerk of the district court before the first day of June of the year in which such tax becomes payable. The county auditor shall immediately forward one copy of the petition to the appropriate governmental authority in a home rule charter or statutory city or town in which the property is located if that city or town employs its own certified assessor. *A copy of the petition shall also be sent to the school board of the school district in which the property is located.* A petition for determination under this section may be transferred by the district court to the tax court.

Subd. 3. [EXCEPTION.] The procedures established by this section ~~shall not be~~ *are not* available to contest the validity or amount of any special assessment made pursuant to chapters 429, 430, any special law or city charter.

Sec. 2. Minnesota Statutes 1980, Section 278.05, Subdivision 2, is amended to read:

Subd. 2. [RESPONSIBLE ATTORNEY; SCHOOL DISTRICT REPRESENTATIVES.] If the property on which the taxes have been levied is located in a home rule charter or statutory city or town which employs its own certified assessor, the attorney for that governmental unit may, within 20 days after receipt by the governmental unit of the copy of the petition forwarded by the county auditor, give notice to the county attorney and to the petitioner or his attorney that the home rule charter or statutory city or town is taking charge of and prosecuting the proceeding. If the attorney for the home rule charter or statutory city or town does not give notice, the attorney of the county in which these taxes are levied shall take charge of and prosecute the proceedings, but the county board may employ any other attorney to assist him. *If the school board has responded within 30 days of receipt to a notice provided pursuant to section 1, indicating that it desires to be notified of further proceedings in the case, a representative of the school district in which the property is located shall be notified of all proceedings and all offers to reduce valuations and shall be given an opportunity to appear and testify on any trial of the issues raised.*

ARTICLE XVIII

Section 1. Minnesota Statutes 1980, Section 274.19, Subdivision 3, is amended to read:

Subd. 3. Not later than July 15 in the year of assessment the county treasurer shall mail to the taxpayer a statement of tax due on class 2a property. The taxes shall be due on the last day of August. Taxes remaining unpaid after the due date shall be deemed delinquent, and a penalty of eight percent shall be assessed and collected as part of the unpaid taxes. On September ~~10~~ *30* the county treasurer shall make a list of taxes remaining unpaid and shall certify the list immediately to the clerk of district court, who shall issue warrants to the sheriff for collection.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for taxes payable in 1982 and thereafter.

ARTICLE XIX

Section 1. Minnesota Statutes 1981 Supplement, Section 272.46, is amended to read:

272.46 [AUDITOR TO FURNISH STATEMENT OF TAX LIENS AND TAX SALES; FEES; APPLICATION.]

Subdivision 1. [CERTIFICATION OF TAX LIENS.] The county auditor, upon written application of any person, shall make search of the records of his office, and ascertain the existence of all tax liens and tax sales as to any lands described in the application, and certify the result of such search under his hand and the seal of his office, giving the description of the land and all tax liens and tax sales shown by such records, and the amount thereof, the year of tax covered by such lien, the date of tax sale, and the name of the purchaser at such

tax sale.

For such service the county auditor shall charge a fee not to exceed $5 for each lot or tract of land described in the certificate. The amount of the fee will be established by the county board on or before July 1 of each year. Any number of contiguous tracts of land not exceeding one section, assessed as broad acres, or adjoining lots in the same block, in the city, shall be considered as one lot or parcel within the meaning of this section. The provisions of this section shall not apply to counties having a population of more than 225,000.

Subd. 2. [AUDITOR TO COMBINE LEGAL DESCRIPTIONS.] *The county auditor, upon written application of any person, shall for property tax purposes only, combine legal descriptions, as defined in section 272.195, of contiguous parcels to which the applicants hold title.*

Sec. 2. Minnesota Statutes 1981 Supplement, Section 273.11, Subdivision 1, is amended to read:

Subdivision 1. [GENERALLY.] Except as provided in subdivisions 2, 6 and 7 or section 273.17, subdivision 1, all property shall be valued at its market value. *The market value as determined pursuant to this section shall be stated such that any amount under $100 is rounded up to $100 and any amount exceeding $100 shall be rounded to the nearest $100.* In estimating and determining such value, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price for which such property would sell at auction or at a forced sale, or in the aggregate with all the property in the town or district; but he shall value each article or description of property by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract or lot of real property, the value of the land, exclusive of structures and improvements, shall be determined, and also the value of all structures and improvements thereon, and the aggregate value of the property, including all structures and improvements, excluding the value of crops growing upon cultivated land. In valuing real property upon which there is a mine or quarry, it shall be valued at such price as such property, including the mine or quarry, would sell for a fair, voluntary sale, for cash. In valuing real property which is vacant, the fact that such property is platted shall not be taken into account. An individual lot of such platted property shall not be assessed in excess of the assessment of the land as if it were unplatted until the lot is improved with a permanent improvement all or a portion of which is located upon the lot, or for a period of three years after final approval of said plat whichever is shorter. When a lot is sold or construction begun, the assessed value of that lot or any single contiguous lot fronting on the same street shall be eligible for reassessment. All property, or the use thereof, which is taxable under sections 272.01, subdivision 2, or 273.19, shall be valued at the market value of such property and not at the value of a leasehold estate in such property, or at some lesser value than its market value.

Sec. 3. Minnesota Statutes 1980, Section 282.014, is amended to read:

282.014 [COMPLETION OF SALE AND CONVEYANCE.]

Upon compliance by the purchaser with the provisions of sections 282.011 to 282.015 and with the terms and conditions of the sale, and upon full payment for the land, *plus a $10 fee in addition to the sale price,* the sale shall

be complete and a conveyance of the land shall be issued to the purchaser as provided by the appropriate statutes according to the status of the land upon forfeiture.

Sec. 4. Minnesota Statutes 1980, Section 282.09, Subdivision 1, is amended to read:

Subdivision 1. [MONEYS PLACED IN FUND.] The county auditor and county treasurer shall place all moneys received through the operation of sections 282.01 to 282.13 in a fund to be known as the forfeited tax sale fund and all disbursements and costs shall be charged against that fund, when allowed by the county board. Members of the county board may be paid a per diem pursuant to section 375.055, subdivision 1, and reimbursed for their necessary expenses, and may receive mileage as now or hereafter fixed by law. Compensation of a land commissioner and his assistants, if a land commissioner is appointed, shall be in such amount as shall be determined by the county board. The county auditor shall receive 50 cents for each certificate of sale, each contract for deed and each lease executed by him, and in counties where no land commissioner is appointed such additional annual compensation, not exceeding $300, as shall be fixed by the county board. Compensation of any other clerical help that may be needed by the county auditor or land commissioner shall be in such amount as shall be determined by the county board. All compensation provided for herein shall be in addition to other compensation allowed by law. ~~Out of the gross proceeds in this fund there shall be paid to the state, in addition to any distribution of net proceeds therefrom, a fee of $3 for each and every state deed hereafter issued or reissued by the commissioner of revenue pursuant to the sale of any tax-forfeited lands.~~ Fees so charged *in addition to the fee imposed in section 3* shall be included in the annual settlement by the county auditor as hereinafter provided. On or before February 1 in each year, the commissioner of revenue shall certify to the commissioner of finance, by counties, the total number of state deeds issued and reissued during the preceding calendar year for which such fees are charged and the total amount thereof. When disbursements are made from the fund for repairs, refundments, expenses of actions to quiet title, or any other purpose which particularly affects specific parcels of forfeited lands, the amount of such disbursements shall be charged to the account of the taxing districts interested in such parcels. The county auditor shall make an annual settlement of the net proceeds received from sales and rentals by the operation of sections 282.01 to 282.13, at the regular March settlement, for the preceding calendar year.

Sec. 5. [297.041] [SALES TO INDIAN TRIBES.]

Subdivision 1. [WHOLESALERS.] *Any wholesaler who furnishes a surety bond in a sum satisfactory to the commissioner shall be permitted to set aside, without affixing the stamps required by this chapter, that part of his stock necessary for the conduct of his business in making sales to the established governing body of any Indian tribe recognized by the United States Department of Interior. The unstamped stock shall be kept separate and apart from stamped stock. Every wholesaler shall, at the time of shipping or delivering any of the unstamped stock to an Indian tribal organization, make a true duplicate invoice which shall show the complete details of the sale or delivery and shall transmit the duplicate to the commissioner not later than the fifteenth day of the following calendar month. Failure to comply with the requirements of this*

section shall cause the commissioner to revoke the permission granted to the wholesaler to maintain a stock of goods which may be unstamped. The commissioner may also revoke this permission to maintain a stock of unstamped goods for sale to a specific Indian tribal organization when it appears that sales of unstamped cigarettes to persons who are not enrolled members of a recognized Indian tribe are taking place, or have taken place, within the exterior boundaries of the reservation occupied by that tribe.

Subd. 2. [RETAILERS.] *Retailers who are Indian tribal organizations may maintain unstamped stock intended for sale to qualified purchasers.*

Subd. 3. [QUALIFIED PURCHASERS.] *A qualified purchaser of unstamped cigarettes means only an enrolled member of the Indian tribe which is offering the cigarettes for sale.*

Subd. 4. [SALES TO NONQUALIFIED BUYERS.] *Any retailer who sells or otherwise disposes of any unstamped cigarettes other than to a qualified purchaser shall collect from the buyer or transferee the tax imposed by section 297.02, subdivision 1, and remit the tax to the department of revenue at the same time and manner as required by section 297.07. In the event the retailer fails to collect the tax from the buyer or transferee, or fails to remit the tax, the retailer shall be personally responsible for the tax and the commissioner may seize any cigarettes destined to be delivered to the retailer. The cigarettes so seized shall be considered contraband and be subject to the procedures outlined in section 297.08, subdivision 3. The proceeds of the sale of any such cigarettes may, after deducting all costs and expenses, be applied to any tax liability owed by the retailer.*

The provisions of this section shall not relieve the buyer or possessor of unstamped cigarettes from personal liability for the tax.

Sec. 6. [EFFECTIVE DATE.]

Section 5 is effective January 1, 1983.

ARTICLE XX

Section 1. Minnesota Statutes 1981 Supplement, Section 290.61, is amended to read:

290.61 [PUBLICITY OF RETURNS, INFORMATION.]

It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known in any manner any particulars set forth or disclosed in any report or return required by this chapter, or any information concerning, the taxpayer's affairs acquired from his or its records, officers, or employees while examining or auditing any taxpayer's liability for taxes imposed hereunder, except in connection with a proceeding involving taxes due under this chapter from the taxpayer making such return or to comply with the provisions of sections 290.612 and 302A.821. The commissioner may furnish a copy of any taxpayer's return to any official of the United States or of any state having duties to perform in respect to the assessment or collection of any tax imposed upon or measured by income, if such taxpayer is required by the laws of the United States or of such state to make a return therein. Prior to the release of any information to any official of the United States or any other state under the provisions of this section, the person to whom the information is to be released shall sign an agreement which provides

that he will protect the confidentiality of the returns and information revealed thereby to the extent that it is protected under the laws of the state of Minnesota. The commissioner and all other public officials and employees shall keep and maintain the same secrecy in respect to any information furnished by any department, commission, or official of the United States or of any other state in respect to the income of any person as is required by this section in respect to information concerning the affairs of taxpayers under this chapter. Nothing herein contained shall be construed to prohibit the commissioner from publishing statistics so classified as not to disclose the identity of particular returns or reports and the items thereof. Upon request of a majority of the members of the senate tax committee or of the house tax committee or the tax study commission, the commissioner shall furnish abstracted financial information to those committees for research purposes from returns or reports filed pursuant to this chapter, provided that he shall not disclose the name, address, social security number, business identification number or any other item of information associated with any return or report which the commissioner believes is likely to identify the taxpayer. The commissioner shall not furnish the actual return, or a portion thereof, or a reproduction or copy of any return or portion thereof. "Abstracted financial information" means only the dollar amounts set forth on each line on the form including the filing status.

Any person violating the provisions of this section shall be guilty of a gross misdemeanor.

In order to locate the named payee on state warrants issued pursuant to this chapter or chapter 290A and undeliverable by the United States postal service, the commissioner may publish in any English language newspaper of general circulation in this state a list of the name and last known address of the payee as shown on the reports or returns filed with the commissioner. The commissioner may exclude the names of payees whose refunds are in an amount which is less than a minimal amount to be determined by the commissioner. The published list shall not contain any particulars set forth on any report or return. The publication shall include instructions on claiming the warrants.

An employee of the department of revenue may, in connection with his official duties relating to any audit, collection activity, or civil or criminal tax investigation or any other offense under this chapter, disclose return information to the extent that such disclosure is necessary in obtaining information, which is not otherwise reasonably available, with respect to the correct determination of tax, liability for tax, or the amount to be collected or with respect to the enforcement of any other provision of this chapter.

In order to facilitate processing of returns and payments of taxes required by this chapter, the commissioner may contract with outside vendors and may disclose private and nonpublic data to the vendor. The data disclosed will be administered by the vendor consistent with this section.

Sec. 2. Minnesota Statutes 1980, Section 297A.43, is amended to read:

297A.43 [CONFIDENTIAL NATURE OF INFORMATION.]

It shall be unlawful for the commissioner or any other public official or employee to divulge or otherwise make known in any manner any particulars disclosed in any report or return required by sections 297A.01 to 297A.44, or any information concerning the affairs of the person making the return acquired

from his records, officers, or employees while examining or auditing under the authority of sections 297A.01 to 297A.44, except in connection with a proceeding involving taxes due under this chapter from the taxpayer making such report or return or to comply with the provisions of section 297A.431 or where a question arises as to the proper tax applicable, that is, sales or use tax. In the latter instance, the commissioner may furnish information to a buyer and a seller with respect to the specific transaction in question. Nothing herein contained shall be construed to prohibit the commissioner from publishing statistics so classified as not to disclose the identity of particular returns or reports and the contents thereof. Any person violating the provisions of this section shall be guilty of a gross misdemeanor.

The commissioner may enter into an agreement with the commissioner or other taxing officials of another state for the interpretation and administration of the acts of their several states providing for the collection of a sales and/or use tax for the purpose of promoting fair and equitable administration of such acts and to eliminate double taxation.

Notwithstanding the above provisions of this section, the commissioner, at his discretion, in order to implement the purposes of this chapter, may furnish information on a reciprocal basis to the taxing officials of another state, or to the taxing officials of any municipality of the state of Minnesota which has a local sales and/or use tax.

In order to facilitate processing of returns and payments of taxes required by this chapter, the commissioner may contract with outside vendors and may disclose private and nonpublic data to the vendor. The data disclosed will be administered by the vendor consistent with this section.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment.

ARTICLE XXI

Section 1. Minnesota Statutes 1981 Supplement, Section 273.11, Subdivision 7, is amended to read:

Subd. 7. [AGRICULTURAL LAND.] *Tillable* agricultural land shall be valued at the lesser of its market value or the value which could be derived from *capitalizing* its free market gross rental rate ~~capitalized~~ *as determined for that grade of land* at a rate of ~~5.8~~ *5.6* percent. Each county assessor shall survey the farm rental values of each grade of farmland in each township in the county. ~~This information shall be used in reviews of valuations by the town boards of review~~ *and shall determine a farm rental value to be used for the assessment of each grade. The values so determined shall be presented to township boards of review at their annual meetings held pursuant to section 274.01 in the year prior to that in which those values might be used in determining tillable agricultural land values. The boards of review and any property owners may present their comments on the values, including any evidence indicating that the values are inaccurate, by December 1 of the year when the values were presented to the board. The county assessor shall make his final determination of assessed valuations for January 2 of the subsequent year based on his determinations of the farm rental values as modified by any comments of board members or other property owners that he finds persuasive. Nontillable agricultural land and buildings on agricultural land shall be valued in the usual*

manner.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment for valuations for taxes levied in 1983, payable in 1984 and thereafter.

ARTICLE XXII

Section 1. Minnesota Statutes 1980, Section 273.111, Subdivision 9, is amended to read:

Subd. 9. When real property which is being, or has been valued and assessed under this section ~~is sold or~~ no longer qualifies under subdivisions 3 and 6, the portion ~~sold~~ *no longer qualifying* shall be subject to additional taxes, in the amount equal to the difference between the taxes determined in accordance with subdivision 4, and the amount determined under subdivision 5, provided, however, that the amount determined under subdivision 5 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arms length transaction been used in lieu of the market value determined under subdivision 5. Such additional taxes shall be extended against the property on the tax list for the current year, provided, however, that no interest or penalties shall be levied on such additional taxes if timely paid, and provided further, that such additional taxes shall only be levied with respect to the last three years that the said property has been valued and assessed under this section.

Sec. 2. Minnesota Statutes 1980, Section 273.111, Subdivision 11, is amended to read:

Subd. 11. The payment of special local assessments levied after the date of Extra Session Laws 1967, Chapter 60, for improvements made to any real property described in subdivision 3 together with the interest thereon shall, on timely application as provided in subdivision 8, be deferred as long as such property meets the conditions contained in subdivisions 3 and 6. If special assessments against the property have been deferred pursuant to this subdivision, the governmental unit shall file with the county recorder in the county in which the property is located a certificate containing the legal description of the affected property and of the amount deferred. When such property ~~is sold or~~ no longer qualifies under subdivisions 3 and 6, all deferred special assessments plus interest shall be payable within 90 days. Penalty shall not be levied on any such special assessments if timely paid. If not paid within such 90 days, the county auditor shall include such deferred special assessments plus a ten percent penalty on the tax list for the current year.

Sec. 3. Minnesota Statutes 1980, Section 273.111, is amended by adding a subdivision to read:

Subd. 11a. When real property qualifying under subdivisions 3 and 6 is sold, no additional taxes or deferred special assessments plus interest shall be extended against the property provided the property continues to qualify pursuant to subdivisions 3 and 6, and provided the new owner files an application for continued deferment within 30 days after the sale.

For purposes of meeting the income requirements of subdivision 6, the property purchased shall be considered in conjunction with other qualifying property owned by the purchaser.

Sec. 4. [EFFECTIVE DATE.]

This article is effective for sales of qualifying property made after the day of final enactment.

ARTICLE XXIII

Section 1. Minnesota Statutes 1980, Section 273.121, is amended to read:

273.121 [VALUATION OF REAL PROPERTY, NOTICE.]

Any county assessor or city assessor having the powers of a county assessor, valuing or classifying taxable real property shall in each year notify those persons whose property is to be assessed or reclassified that year if the person's address is known to the assessor, otherwise the occupant of the property. *In the case of property owned by a married couple in joint tenancy or tenancy in common, the assessor shall not deny the 3b or 3c property classification in whole or in part if only one of the spouses is occupying the property and the other spouse is absent due to divorce or separation, or is a resident of a nursing home or a boarding care facility.* The notice shall be in writing and shall be sent by ordinary mail at least ten days before the meeting of the local board of review or equalization. It shall contain the amount of the valuation in terms of market value, the new classification, the assessor's office address, and the dates, places, and times set for the meetings of the local board of review or equalization and the county board of equalization. If the assessment roll is not complete, the notice shall be sent by ordinary mail at least ten days prior to the date on which the board of review has adjourned. The assessor shall attach to the assessment roll a statement that the notices required by this section have been mailed. Any such assessor who is not provided sufficient funds from his governing body to provide such notices, may make application to the commissioner of revenue to finance such notices. The commissioner of revenue shall conduct an investigation and if he is satisfied that the assessor does not have the necessary funds, issue his certification to the commissioner of finance of the amount necessary to provide such notices. The commissioner of finance shall issue a warrant for such amount and shall deduct such amount from any state payment to such county or municipality. The necessary funds to make such payments are hereby appropriated. Failure to receive the notice shall in no way affect the validity of the assessment, the resulting tax, the procedures of any board of review or equalization, or the enforcement of delinquent taxes by statutory means.

Sec. 2. Minnesota Statutes 1980, Section 273.13, Subdivision 7c, is amended to read:

Subd. 7c. [TOWNHOUSES; COMMON AREAS; *CONDOMINIUMS; COOPERATIVES* .] *(a)* Townhouse property shall be classified and valued as is other property under this section except that the value of the townhouse property shall be increased by the value added by the right to use any common areas in connection with the townhouse development. The common areas of the development shall not be separately taxed. The total value of the townhouse property, including the value added as provided herein, shall have the benefit of homestead treatment or other special classification if the townhouse otherwise qualifies.

(b) Condominium property qualifying as a homestead under section 515A.1-105 and property owned by a cooperative association that qualifies as

a homestead under section 273.133 shall have the benefit of homestead treatment or other special classification if the condominium or cooperative association property otherwise qualifies. In the event that the condominium or cooperative association property is owned by the occupant and used for the purposes of a homestead but is located upon land which is leased, that leased land shall be valued and assessed as if it were homestead property within the scope of class 3c or 3cc, whichever is applicable, if all of the following criteria are met:

(1) The occupant is using the property as his permanent residence;

(2) The occupant or the cooperative association is paying the ad valorem property taxes and any special assessments levied against the land and structure;

(3) The occupant or the cooperative association has signed a land lease; and

(4) The term of the land lease is at least 50 years, notwithstanding the fact that the amount of the rental payment may be renegotiated at shorter intervals.

Sec. 3. Minnesota Statutes 1980, Section 278.05, Subdivision 4, is amended to read:

Subd. 4. [SALES RATIO STUDIES AS EVIDENCE.] The sales ratio studies published by the department of revenue, or any part of the studies, or any copy of the studies or records accumulated to prepare the studies which is prepared by the commissioner of revenue for the equalization aid review committee for use in determining school aids shall be admissible in evidence as a public record without the laying of a foundation. *Additional evidence relevant to the sales ratio study is also admissible.*

Sec. 4. [EFFECTIVE DATE.]

Sections 1 and 2 are effective for property taxes levied in 1982 and thereafter, payable in 1983 and thereafter.

ARTICLE XXIV

Section 1. [OLMSTED COUNTY RECORDER'S FEES.]

The Olmsted County recorder may waive the security deposit requirement of Minnesota Statutes, Section 386.78, and extend credit for the payment of charges to financial institutions and attorneys.

Sec. 2. [SOUTH ST. PAUL; PORT AUTHORITY.]

The governing body of the city of South St. Paul may exercise all the powers of a port authority provided by Minnesota Statutes, Chapter 458, including the powers given to the port authority of the city of St. Paul under that chapter.

Sec. 3. [LOCAL APPROVAL; EFFECTIVE DATE.]

Section 1 is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the Olmsted County board.

Section 2 is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the city of South St. Paul.

ARTICLE XXV

Section 1. [HOTEL AND MOTEL TAX.]

A tax, supplemental to the general sales tax imposed by Minnesota Statutes, Chapter 297A, is imposed on transient lodging in the city of St. Paul at a rate equal to three percent of the consideration paid for lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp or for the granting of any similar license to use real property. The tax does not apply to a rental or lease for 30 or more days continuously. This tax supersedes any similar tax imposed pursuant to city charter. The tax shall be collected by and its proceeds paid to the city. At least 25 percent of the revenues generated by the tax shall be used for the payment of the bonds and any interest or premium on the bonds authorized by section 2.

Sec. 2. [BONDING AUTHORITY; PLEDGE OF SECURITY.]

The city of Saint Paul may, by resolution, authorize, issue and sell general obligation or special obligation bonds in an amount not to exceed $4,000,000 to finance any expenditure for the repair, remodeling, equipping, construction, reconstruction and betterment of the civic center parking ramp. Except as provided by this section the bonds shall be authorized, issued and sold in the same manner and subject to the conditions provided in Minnesota Statutes, Chapter 475. Any special tax imposed by section 1 in the city of Saint Paul, any tax increment generated by private development in, and net revenues from, the operation of the civic center complex shall be pledged in whole or in part to the payment of the bonds authorized by this article and the interest and any premium on them. When any revenues, tax increment, or any special tax imposed by the city are pledged in whole or part for the repayment of general obligation bonds authorized by this article, including any interest or premium on them, the estimated collections of the revenues or taxes pledged shall be deducted from the general ad valorem taxes otherwise required to be levied before the issuance of the bonds under Minnesota Statutes, Section 475.61, Subdivision 1, or the collections of them may be certified annually to reduce or cancel the initial tax levies in accordance with Minnesota Statutes, Section 475.61, Subdivision 1 or 3. Notwithstanding any contrary provision of Minnesota Statutes, Chapter 475, or any other law or charter provision, the bonds may be authorized, issued and sold without a vote of the electorate and without limit as to interest rate and the issue shall not be included in the net debt or per capita tax limitations of the city. If the bonds are special obligation bonds, the city may exercise any of the powers granted an authority for issuing revenue bonds under Minnesota Statutes, Section 273.77, paragraph (c).

Sec. 3. [STATUTORY EXCEPTION.]

The taxes imposed by this article are effective notwithstanding Minnesota Statutes, Section 477A.016, or other law.

Sec. 4. [LEASE, DISPOSITION AND EXEMPTION OF PROPERTY; TRANSFER OF LIQUOR LICENSE.]

Notwithstanding any contrary provision of law or charter, the civic center authority and the city of St. Paul may license or lease the operation of the civic center complex or any part thereof for any period of time by agreement in which the city retains title to the property and requires operation of the civic center complex for the public purposes contemplated in Laws 1967, Chapter 459, as amended by Laws 1969, Chapter 1138. The use and operation of the property,

whether by the civic center authority or its licensee or lessee is declared a use, lease or occupancy for public, governmental, and municipal purposes, and the property shall be exempt from taxation by the state or any political subdivision of the state during such use. The city may lease or sell land, including air rights, and improvements thereon which are a part of the civic center complex no longer required for civic center purposes upon the determination by the authority that private development and usage is compatible with operation of the civic center. The land disposition shall be in the manner provided by Minnesota Statutes, Section 458.196, and the land so disposed of shall be subject to all applicable taxes and assessments as if the property were privately owned. The city may issue or transfer the additional liquor license authorized by Laws 1969, Chapter 783, at the civic center to the operational licensee or lessee in lieu of its food catering contractor.

Sec. 5. [ADMINISTRATION; BOND SECURITY.]

The authority shall be responsible for the repair or betterments to be carried out with the proceeds of bonds authorized in section 2. The authority shall receive all rents or fees from a lease or license of civic center facilities. The authority shall monitor operation by any lease or license of civic center facilities. The provisions of Laws 1969, Chapter 1138, Section 3, are hereby amended to the extent necessary for implementation of any lease or license authorized under section 2.

Sec. 6. [EMPLOYMENT RIGHTS.]

In the event of a lease or license, permanent, full-time civic center employees shall be protected in their rights, including retirement benefits, in accordance with city civil service rules and the terms of their collective bargaining agreement, the city shall provide police protection equal to or greater than that provided in 1981 and the civic center authority shall reserve the right in any such lease or license to disapprove any event sponsored at the civic center complex.

Sec. 7. [EFFECTIVE DATE.]

This article is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the city of St. Paul.

ARTICLE XXVI

Section 1. Minnesota Statutes 1980, Section 270.75, is amended by adding a subdivision to read:

Subd. 6. The provisions of this section shall not apply to interest payable on timely paid installment payments of estate tax permitted under sections 291.11, subdivision 1, or 291.132, subdivision 2.

Sec. 2. Minnesota Statutes 1980, Section 291.015, as amended by Laws 1981, Third Special Session Chapter 2, Article VI, Section 2, is amended to read:

291.015 [DETERMINATION OF MINNESOTA TAXABLE ESTATE.]

The Minnesota taxable estate of a decedent shall be the Minnesota gross estate less the sum of:

(1) The exemptions and deductions allowed pursuant to sections 291.05,

291.051, 291.065, 291.07, and 291.08; and

(2) The sum of

$225,000 for decedents dying ~~after June 30,~~ *in* 1982;
$275,000 for decedents dying in 1983;
$325,000 for decedents dying in 1984;
$400,000 for decedents dying in 1985;
$500,000 for decedents dying in 1986;
$600,000 for decedents dying in 1987 and thereafter,

multiplied by a fraction, not greater than one, the numerator of which shall be the value of the Minnesota gross estate and the denominator of which shall be the value of the federal gross estate.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 291.03, Subdivision 3, as amended by Laws 1981, Third Special Session Chapter 2, Article VI, Section 3, is amended to read:

Subd. 3. [1982.] In the case of a decedent dying ~~after June 30,~~ *in* 1982, subdivision 1, clause (1), shall be applied by substituting for the rates prescribed therein the following rates:

7 percent on the first $75,000,
8 percent on the next $100,000 or part thereof,
9 percent on the next $100,000 or part thereof,
10 percent on the next $200,000 or part thereof,
11 percent on the next $500,000 or part thereof,
12 percent on the excess.

Sec. 4. Minnesota Statutes 1980, Section 291.051, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article VI, Section 4, is amended to read:

Subdivision 1. For the purpose of section 291.015, clause (1), the Minnesota taxable estate shall be determined by deducting from the Minnesota gross estate the value of any interest in property other than a terminable interest for which no deduction is allowed under section 2056~~(b)~~ of the Internal Revenue Code, which passes or has passed from the decedent to his surviving spouse, but only to the extent that the interest is included in determining the value of the Minnesota gross estate and is not exempt from estate tax under sections 291.05 or 291.065. An interest in property shall be considered as passing from the decedent to his surviving spouse if it is considered as so passing under Section 2056~~(c)~~ of the Internal Revenue Code.

Sec. 5. Minnesota Statutes 1980, Section 291.09, Subdivision 1a, as amended by Laws 1981, Third Special Session Chapter 2, Article VI, Section 5, is amended to read:

Subd. 1a. In all instances in which a decedent dies after December 31, 1979 and before January 1, 1981 leaving a federal gross estate in excess of $161,000 and in all instances in which a decedent dies after December 31, 1980 and before ~~July~~ *January* 1, 1982 leaving a federal gross estate in excess of $175,000, and the decedent has an interest in property with a situs in Minnesota, the personal representative shall submit to the commissioner, on a form

prescribed by the commissioner, a Minnesota estate tax return.

In the case of a decedent dying after ~~June 30, 1982~~ *December 31, 1981* who has an interest in property with a situs in Minnesota, the personal representative shall submit to the commissioner, on a form prescribed by the commissioner, a Minnesota estate tax return in the following instances:

In the case of a decedent dying in	A Minnesota estate tax return shall be filed if the federal gross estate equals or exceeds
1982	$225,000
1983	275,000
1984	325,000
1985	400,000
1986	500,000
1987 and thereafter	600,000.

The return shall be accompanied by a federal estate tax return and shall contain a computation of the Minnesota estate tax due. The return shall be signed by the personal representative.

Sec. 6. Minnesota Statutes 1980, Section 291.15, is amended to read:

291.15 [INTEREST.]

~~(1)~~ *Subdivision 1.* If ~~such~~ *the* tax is not paid within nine months from the accruing thereof, interest shall be charged and collected thereon at the rate specified in section 270.75 from the due date until the date the tax is paid. In the event a person or corporation upon proper authorization makes a payment to be applied against the tax thereafter, no interest shall accrue on the amount so paid. All payments shall be applied first to penalties, next to interest and then upon principal.

~~(2) In the event that~~ *Subd. 2. If* the amount applied against the tax exceeds the tax as determined by the commissioner of revenue, the commissioner shall upon proper application order the refundment without interest. The commissioner of finance shall cause ~~such~~ *the* refund to be paid out of the proceeds of the tax imposed by this chapter, and so much of ~~said~~ *the* proceeds as are sufficient to make the refund are hereby appropriated.

Subd. 3. Interest shall be paid on installment payments of the tax authorized under section 291.11, subdivision 1, or 291.132, subdivision 2, at the rate of interest in effect pursuant to section 270.75 nine months following the date of death.

Sec. 7.

Any interest paid on installment payments of estate taxes under the provisions of Laws 1981, Third Special Session Chapter 2, Article III, Section 1, at a higher rate than the rate provided in section 6 shall be credited to interest subsequently required to be paid by the taxpayer.

Sec. 8. Laws 1981, Third Special Session Chapter 2, Article VI, Section 8, is amended to read:

Sec. 8. [EFFECTIVE DATE.]

Sections 1 to 7 are effective for estates of decedents dying after ~~June 30, 1982~~ *December 31, 1981, provided that the provisions of PL 97-34 that are made retroactive pursuant to section 421(k)(5) shall be effective for estates of decedents dying after December 31, 1979.*

Sec. 9. [EFFECTIVE DATE.]

Sections 1 to 8 are effective the day following final enactment.

ARTICLE XXVII

Section 1. Minnesota Statutes 1980, Section 105.482, Subdivision 1, is amended to read:

Subdivision 1. [PURPOSE.] The public health, safety, and welfare is promoted by the orderly repair and restoration of dams serving the public interest and by the use of existing dams *and potential dam sites* for hydroelectric *or hydromechanical* power generation wherever that use is economically justified and environmentally sound. In furtherance of this objective, it is the purpose of this section to facilitate the repair and restoration of dams owned by the state and local governmental units and to investigate and analyze hydroelectric *or hydromechanical* generating capability of publicly owned dams *and potential dam sites*.

Sec. 2. Minnesota Statutes 1980, Section 105.482, is amended by adding a subdivision to read:

Subd. 8. [HYDROPOWER GENERATION POLICY; LEASING OF DAMS AND DAM SITES.] *Consistent with laws relating to dam construction, reconstruction, repair, and maintenance, the legislature finds that the public health, safety, and welfare of the state is also promoted by the use of state waters to produce hydroelectric or hydromechanical power. Further, the legislature finds that the leasing of existing dams and potential dam sites primarily for such power generation is a valid public purpose. A local governmental unit, or the commissioner of natural resources with the approval of the state executive council, may provide pursuant to a lease or development agreement for the development and operation of dams, dam sites, and hydroelectric or hydromechanical power generation plants owned by the respective government by an individual, a corporation, an organization, or other legal entity upon such terms and conditions as the local governmental unit or the commissioner may negotiate for a period not to exceed 50 years. If the dam, dam site or power generation plant is located in or contiguous to a city or town, other than the lessor governmental unit, the lease or agreement shall not be effective unless it is approved by the governing body of such city or town. For purposes of this subdivision, city means a statutory or home rule charter city.*

Sec. 3. Minnesota Statutes 1980, Section 105.482, is amended by adding a subdivision to read:

Subd. 9. [CONTENTS OF DEVELOPMENT AGREEMENT.] *An agreement for the development or redevelopment of a hydropower site may contain, but need not be limited to, the following provisions:*

(a) Length of the development agreement, subject to negotiations between

the parties but not more than 50 years, and conditions for extension, modification, or termination;

(b) Provisions for a performance bond on the developer, or, certification that the equipment and its installation have a design life at least as long as the lease;

(c) Provisions to assure adequate maintenance and safety in the impoundment structures, if any, and to assure access to recreational sites, if any.

Sec. 4. Minnesota Statutes 1980, Section 272.02, Subdivision 1, is amended to read:

Subdivision 1. Except as provided in other subdivisions of this section or in section 272.025 or section 273.13, subdivisions 17, 17b, 17c or 17d, all property described in this section to the extent herein limited shall be exempt from taxation:

(1) All public burying grounds;

(2) All public schoolhouses;

(3) All public hospitals;

(4) All academies, colleges, and universities, and all seminaries of learning;

(5) All churches, church property, and houses of worship;

(6) Institutions of purely public charity except property assessed pursuant to section 273.13, subdivisions 17, 17b, 17c or 17d;

(7) All public property exclusively used for any public purpose;

(8) All natural cheese held in storage for aging by the original Minnesota manufacturer;

(9) (a) Class 2 property of every household of the value of $100, maintained in the principal place of residence of the owner thereof. The county auditor shall deduct such exemption from the total valuation of such property as equalized by the revenue commissioner assessed to such household, and extend the levy of taxes upon the remainder only. The term "household" as used in this section is defined to be a domestic establishment maintained either (1) by two or more persons living together within the same house or place of abode, subsisting in common and constituting a domestic or family relationship, or (2) by one person.

(b) During the period of his active service and for six months after his discharge therefrom, no member of the armed forces of the United States shall lose status of a householder under paragraph (a) which he had immediately prior to becoming a member of the armed forces.

In case there is an assessment against more than one member of a household the $100 exemption shall be divided among the members assessed in the proportion that the assessed value of the Class 2 property of each bears to the total assessed value of the Class 2 property of all the members assessed. The Class 2 property of each household claimed to be exempt shall be limited to property in one taxing district, except in those cases where a single domestic establishment is maintained in two or more adjoining districts.

Bonds and certificates of indebtedness hereafter issued by the state of Min-

nesota, or by any county or city of the state, or any town, or any common or independent school district of the state, or any governmental board of the state, or any county or city thereof, shall hereafter be exempt from taxation; provided, that nothing herein contained shall be construed as exempting such bonds from the payment of a tax thereon, as provided for by section 291.01, when any of such bonds constitute, in whole or in part, any inheritance or bequest, taken or received by any person or corporation.

(10) Farm machinery manufactured prior to 1930, which is used only for display purposes as a collectors item;

(11) The taxpayer shall be exempted with respect to, all agricultural products, inventories, stocks of merchandise of all sorts, all materials, parts and supplies, furniture and equipment, manufacturers material, manufactured articles including the inventories of manufacturers, wholesalers, retailers and contractors; and the furnishings of a room or apartment in a hotel, rooming house, tourist court, motel or trailer camp, tools and machinery which by law are considered as personal property, and the property described in section 272.03, subdivision 1, clause (c), except personal property which is part of an electric generating, transmission, or distribution system or a pipeline system transporting or distributing water, gas, or petroleum products or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings and structures. Railroad docks and wharves which are part of the operating property of a railroad company as defined in section 270.80 are not exempt.

(12) Containers of a kind customarily in the possession of the consumer during the consumption of commodities, the sale of which are subject to tax under the provisions of the excise tax imposed by Extra Session Laws 1967, Chapter 32;

(13) All livestock, poultry, all horses, mules and other animals used exclusively for agricultural purposes;

(14) All agricultural tools, implements and machinery used by the owners in any agricultural pursuit.

(15) Real and personal property used primarily for the abatement and control of air, water, or land pollution to the extent that it is so used, other than real property used primarily as a solid waste disposal site.

Any taxpayer requesting exemption of all or a portion of any equipment or device, or part thereof, operated primarily for the control or abatement of air or water pollution shall file an application with the commissioner of revenue. Any such equipment or device shall meet standards, regulations or criteria prescribed by the Minnesota Pollution Control Agency, and must be installed or operated in accordance with a permit or order issued by that agency. The Minnesota Pollution Control Agency shall upon request of the commissioner furnish information or advice to the commissioner. If the commissioner determines that property qualifies for exemption, he shall issue an order exempting such property from taxation. Any such equipment or device shall continue to be exempt from taxation as long as the permit issued by the Minnesota Pollution Control Agency remains in effect.

(16) Wetlands. For purposes of this subdivision, "wetlands" means land which is mostly under water, produces little if any income, and has no use

except for wildlife or water conservation purposes. "Wetlands" shall be land preserved in its natural condition, drainage of which would be feasible and practical and would provide land suitable for the production of livestock, dairy animals, poultry, fruit, vegetables, forage and grains, except wild rice. "Wetlands" shall include adjacent land which is not suitable for agricultural purposes due to the presence of the wetlands. Exemption of wetlands from taxation pursuant to this section shall not grant the public any additional or greater right of access to the wetlands or diminish any right of ownership to the wetlands.

(17) Native prairie. The commissioner of the department of natural resources shall determine lands in the state which are native prairie and shall notify the county assessor of each county in which the lands are located. Upon receipt of an application for the exemption and credit provided in this clause and section 273.116 for lands for which the assessor has no determination from the commissioner of natural resources, the assessor shall refer the application to the commissioner of natural resources who shall determine within 30 days whether the land is native prairie and notify the county assessor of his decision. Exemption of native prairie pursuant to this clause shall not grant the public any additional or greater right of access to the native prairie or diminish any right of ownership to it.

(18) To the extent provided by section 5, real and personal property used or to be used primarily for the production of hydroelectric or hydromechanical power on a site owned by the state or a local governmental unit which is developed and operated pursuant to the provisions of sections 1 to 3.

Sec. 5. [295.44] [HYDROPOWER FACILITIES; EXEMPTION; TAXATION IN LIEU OF PROPERTY TAXATION.]

Subdivision 1. [EXEMPTION.] *Notwithstanding the provisions of sections 272.01, subdivision 2, 272.02, subdivision 5, and 273.19, subdivision 1, real or personal property used or to be used primarily for the production of hydroelectric or hydromechanical power on a site owned by the state or a local governmental unit and developed and operated pursuant to sections 1 to 3 shall be exempt from property taxation for the five calendar years succeeding the year in which the development agreement is executed.*

Subd. 2. [GROSS EARNINGS TAX.] *On or before March first of each year, every lessee or operator of a hydropower facility pursuant to sections 1 to 3 shall pay into the treasury of the county where the hydropower facility is principally located ten percent of the gross earnings of the facility for the preceding calendar year. This tax shall be in lieu of all ad valorem taxes upon the real or personal property of the hydropower facility for the calendar year, and the tax shall be imposed for as long as the property is exempt from property taxation under subdivision 1.*

Subd. 3. [PROCEEDS; DISTRIBUTION.] *The county auditor shall distribute the proceeds of the gross earnings tax to the taxing districts in which the hydropower facility is located. The proceeds shall be apportioned on the basis of the mill rates of the respective taxing districts. If the facility consists of two or more parcels of property which are located in different taxing districts, the proceeds of the tax shall first be apportioned on the basis of the market value of the respective parcels in each of the taxing districts and then apportioned on the basis of the respective taxing districts' mill rates.*

Subd. 4. [CALCULATION OF LEVY LIMITS.] *In calculating the levy limits pursuant to sections 275.50 to 275.515, the amount of any proceeds of the gross receipts tax distributed to a governmental subdivision shall be deducted from the levy limitation determined under section 275.51, subdivision 3e for the year following the year in which the distribution was received.*

Sec. 6. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

ARTICLE XXVIII

Section 1. Minnesota Statutes 1981 Supplement, Section 290.081, is amended to read:

290.081 [INCOME OF NONRESIDENTS, RECIPROCITY.]

(a) The compensation received for the performance of personal or professional services within this state by an individual who resides and has his place of abode and place to which he customarily returns at least once a month in another state, shall be excluded from gross income to the extent such compensation is subject to an income tax imposed by the state of his residence; provided that such state allows a similar exclusion of compensation received by residents of Minnesota for services performed therein, or

(b) Whenever a nonresident taxpayer has become liable for income taxes to the state where he resides upon his net income for the taxable year derived from the performance of personal or professional services within this state and subject to taxation under this chapter, there shall be allowed as a credit against the amount of income tax payable by him under this chapter, such proportion of the tax so paid by him to the state where he resides as his gross income subject to taxation under this chapter bears to his entire gross income upon which the tax so paid to such other state was imposed; provided, that such credit shall be allowed only if the laws of such state grant a substantially similar credit to residents of this state subject to income tax under such laws, or

(c) If any taxpayer who is a resident of this state, or a domestic corporation or corporation commercially domiciled therein, has become liable for taxes on or measured by net income to another state or a province or territory of Canada upon, if the taxpayer is an individual, *or if the taxpayer is an athletic team and all of the team's income is apportioned to Minnesota,* any income, or if it is a corporation, estate, or trust, upon income derived from the performance of personal or professional services within such other state or province or territory of Canada and subject to taxation under this chapter he or it shall be entitled to a credit against the amount of taxes payable under this chapter, of such proportion thereof, as such gross income subject to taxation in such state or province or territory of Canada bears to his entire gross income subject to taxation under this chapter; provided (1) that such credit shall in no event exceed the amount of tax so paid to such other state or province or territory of Canada on the gross income earned within such other state or province or territory of Canada and subject to taxation under this chapter, and (2) that such credit shall not be allowed if such other state or province or territory of Canada allows residents of this state a credit against the taxes imposed by such state or province or territory of Canada for taxes payable under this chapter substantially similar to the credit provided for by paragraph (b) of this section, and (3) the allowance of such credit shall not operate to reduce the taxes payable under this chapter to an

amount less than would have been payable if the gross income earned in such other state or province or territory of Canada had been excluded in computing net income under this chapter.

(d) The commissioner shall by regulation determine with respect to gross income earned in any other state the applicable clause of this section. When it is deemed to be in the best interests of the people of this state, the commissioner may determine that the provisions of clause (a) shall not apply.

(e) "Tax So Paid" as used in this section means taxes on or measured by net income payable to another state or province or territory of Canada on income earned within the taxable year for which the credit is claimed, provided that such tax is actually paid in that taxable year, or subsequent taxable years.

(f) For the purposes of clause (a), whenever the Wisconsin tax on Minnesota residents which would have been paid Wisconsin without clause (a) exceeds the Minnesota tax on Wisconsin residents which would have been paid Minnesota without clause (a), or vice versa, then the state with the net revenue loss resulting from clause (a) shall receive from the other state the amount of such loss. This provision shall be effective for all years beginning after December 31, 1972. The data used for computing the loss to either state shall be determined on or before September 30 of the year following the close of the previous calendar year.

Interest shall be payable on all delinquent balances relating to taxable years beginning after December 31, 1977. The commissioner of revenue is authorized to enter into agreements with the state of Wisconsin specifying the reciprocity payment due date, conditions constituting delinquency, interest rates, and a method for computing interest due on any delinquent amounts.

If an agreement cannot be reached as to the amount of the loss, the commissioner of revenue and the taxing official of the state of Wisconsin shall each appoint a member of a board of arbitration and these members shall appoint the third member of the board. The board shall select one of its members as chairman. Such board may administer oaths, take testimony, subpoena witnesses, and require their attendance, require the production of books, papers and documents, and hold hearings at such places as are deemed necessary. The board shall then make a determination as to the amount to be paid the other state which determination shall be final and conclusive.

Notwithstanding the provisions of section 290.61, the commissioner may furnish copies of returns, reports, or other information to the taxing official of the state of Wisconsin, a member of the board of arbitration, or a consultant under joint contract with the states of Minnesota and Wisconsin for the purpose of making a determination as to the amount to be paid the other state under the provisions of this section. Prior to the release of any information under the provisions of this section, the person to whom the information is to be released shall sign an agreement which provides that he will protect the confidentiality of the returns and information revealed thereby to the extent that it is protected under the laws of the state of Minnesota.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 290.17, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article 3, Section 13, is amended to read:

Subd. 2. [OTHER TAXPAYERS.] In the case of taxpayers not subject to the

provisions of subdivision 1, items of gross income shall be assigned to this state or other states or countries in accordance with the following principles:

(1) *(a)* The entire income of all resident or domestic taxpayers from compensation for labor or personal services, or from a business consisting principally of the performance of personal or professional services, shall be assigned to this state, and the income of nonresident taxpayers from such sources shall be assigned to this state if, and to the extent that, the labor or services are performed within it; all other income from such sources shall be treated as income from sources without this state;.

(b) In the case of an individual who is a nonresident of Minnesota and who is an athlete or entertainer, income from compensation for labor or personal services performed within this state shall be determined in the following manner.

(i) The amount of income to be assigned to Minnesota for an individual who is a nonresident salaried athletic team employee shall be determined by using a fraction in which the denominator contains the total number of days in which the individual is under a duty to perform for the employer, and the numerator is the total number of those days spent in Minnesota. In order to eliminate the need to file state or provincial income tax returns in several states or provinces, Minnesota will exclude from income any income assigned to Minnesota under the provisions of this clause for a nonresident athlete who is employed by an athletic team whose operations are not based in this state if the state or province in which the athletic team is based provides a similar income exclusion. If the state or province in which the athletic team's operations are based does not have an income tax on an individual's personal service income, it will be deemed that that state or province has a similar income exclusion. As used in the preceding sentence, the term "province" means a province of Canada.

(ii) The amount of income to be assigned to Minnesota for an individual who is a nonresident, and who is an athlete not listed in clause (i), or who is an entertainer, for that person's athletic or entertainment performance in Minnesota shall be determined by assigning to this state all income from performances or athletic contests in this state.

(2) Income from the operation of a farm shall be assigned to this state if the farm is located within this state and to other states only if the farm is not located in this state. Income and gains received from tangible property not employed in the business of the recipient of such income or gains, and from tangible property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, shall be assigned to this state if such property has a situs within it, and to other states only if it has no situs in this state. Income or gains from intangible personal property not employed in the business of the recipient of such income or gains, and from intangible personal property employed in the business of such recipient if such business consists principally of the holding of such property and the collection of the income and gains therefrom, wherever held, whether in trust, or otherwise, shall be assigned to this state if the recipient thereof is domiciled within this state; income or gains from intangible personal property wherever held, whether in trust or otherwise shall be assigned to this state if the recipient of such income or gains is domiciled within this state, or if the grantor of any trust is domiciled within this state and

such income or gains would be taxable to such grantor under section 290.28 or 290.29;

(3) Income derived from carrying on a trade or business, including in the case of a business owned by natural persons the income imputable to the owner for his services and the use of his property therein, shall be assigned to this state if the trade or business is conducted wholly within this state, and to other states if conducted wholly without this state. This provision shall not apply to business income subject to the provisions of clause (1);

(4) When a trade or business is carried on partly within and partly without this state, the entire income derived from such trade or business including income from intangible property employed in such business and including, in the case of a business owned by natural persons, the income imputable to the owner for his services and the use of his property therein, shall be governed, except as otherwise provided in sections 290.35 and 290.36, by the provisions of section 290.19, notwithstanding any provisions of this section to the contrary. This shall not apply to business income subject to the provisions of clause (1), nor shall it apply to income from the operation of a farm which is subject to the provisions of clause (2). For the purposes of this clause, a trade or business located in Minnesota is carried on partly within and partly without this state if tangible personal property is sold by such trade or business and delivered or shipped to a purchaser located outside the state of Minnesota.

If the trade or business carried on wholly or partly in Minnesota is part of a unitary business, the entire income of that unitary business shall be subject to apportionment under section 290.19. The term "unitary business" shall mean a number of business activities or operations which are of mutual benefit, dependent upon, or contributory to one another, individually or as a group. Unity shall be presumed whenever there is unity of ownership, operation, and use, evidenced by centralized management or executive force, centralized purchasing, advertising, accounting, or other controlled interaction. Unity of ownership will not be deemed to exist unless the corporation owns more than 50 percent of the voting stock of the other corporation.

The entire income of a unitary business, including all income from each activity, operation or division, shall be subject to apportionment as provided in section 290.19. None of the income of a unitary business shall be considered as derived from any particular source and none shall be allocated to any particular place except as provided by the applicable apportionment formula.

In determining whether or not intangible property is employed in a unitary business carried on partly within and partly without this state so that income derived therefrom is subject to apportionment under section 290.19 the following rules and guidelines shall apply.

(a) Intangible property is employed in a business if the business entity owning intangible property holds it as a means of furthering the business operation of which a part is located within the territorial confines of this state.

(b) Where a business operation conducted in Minnesota, is owned by a business entity which carries on business activity outside of the state different in kind from that conducted within this state, and such other business is conducted entirely outside the state, it will be presumed that the two business operations are unitary in nature, interrelated, connected and interdependent

unless it can be shown to the contrary.

(5) In the case of a nonresident who is liable for payment of a penalty for having withdrawn funds from an individual housing account established pursuant to section 290.08, subdivision 25, the amount so withdrawn and for which a deduction was allowed shall be an item of income assignable to this state, and the penalty tax of ten percent shall remain an additional liability of that taxpayer.

(6) For purposes of this section, amounts received by a non-resident from the United States, its agencies or instrumentalities, the Federal Reserve Bank, the state of Minnesota or any of its political or governmental subdivisions, or a Minnesota volunteer fireman's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954, as amended through December 31, 1979, are not considered income derived from carrying on a trade or business or from performing personal or professional services in Minnesota, and are not taxable under this chapter.

(7) All other items of gross income shall be assigned to the taxpayer's domicile.

Sec. 3. Minnesota Statutes 1980, Section 290.19, Subdivision 1, is amended to read:

Subdivision 1. [COMPUTATION, BUSINESS CONDUCTED PARTLY WITHIN STATE; APPORTIONMENT.] The taxable net income from a trade or business carried on partly within and partly without this state shall be computed by deducting from the gross income of such business, wherever derived, deductions of the kind permitted by section 290.09, so far as connected with or allocable against the production or receipt of such income. The remaining net income shall be apportioned to Minnesota as follows:

(1) If the business consists of the mining, producing, smelting, refining, or any combination of these activities of copper and nickel ores, or of the manufacture of personal property and the sale of said property within and without the state, the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(a) The percentage which the sales made within this state is of the total sales wherever made;

(b) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned or rented and, used by the taxpayer in connection with such trade or business during the tax period; and,

(c) The percentage which the taxpayer's total payrolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total payrolls paid or incurred in connection with such entire trade or business;

(d) The percentage of such remainder to be assigned to this state shall not be

in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (1) (a), 15 percent of the percentage determined under clause (1) (b), and 15 percent of the percentage determined under clause (1) (c);

(2) (a) In all other cases the remainder shall be apportioned to Minnesota on the basis of the percentage obtained by taking the arithmetical average of the following three percentages:

(1) The percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted;

(2) The percentage which the total tangible property, real, personal, and mixed, owned or rented, and used by the taxpayer in this state during the tax period in connection with such trade or business is of the total tangible property, real, personal, or mixed, wherever located, owned, or rented, and used by the taxpayer in connection with such trade or business during the tax period; and

(3) The percentage which the taxpayer's total payrolls paid or incurred in this state or paid in respect to labor performed in this state in connection with such trade or business is of the taxpayer's total payrolls paid or incurred in connection with such entire trade or business;

(4) The percentage of such remainder to be assigned to this state shall not be in excess of the sum of the following percentages: 70 percent of the percentage determined under clause (2) (a) (1), 15 percent of the percentage determined under clause (2) (a) (2), and 15 percent of the percentage determined under clause (2) (a) (3);

(b) If the methods prescribed under clause (2) (a) will not properly reflect taxable net income assignable to the state, there may be used, if practicable and if such use will properly and fairly reflect such income, the percentage which the sales, gross earnings, or receipts from business operations, in whole or in part, within this state bear to the total sales, gross earnings, or receipts from business operations wherever conducted; or the separate or segregated accounting method; *however, for athletic teams when the visiting team does not share in the gate receipts, all of the team's income is apportioned to the state in which the team's operation is based;*

(3) The sales, payrolls, earnings, and receipts referred to in this section shall be those for the taxable year in respect of which the tax is being computed. The property referred to in this section shall be the average of the property owned or used by the taxpayer during the taxable year in respect of which the tax is being computed.

Sec. 4. Minnesota Statutes 1980, Section 290.92, Subdivision 4a, is amended to read:

Subd. 4a. [TAX WITHHELD FROM NONRESIDENTS.] (1) ["WAGES" PAID TO NONRESIDENT EMPLOYEES.] For the purposes of this section: The term "wages" means all remuneration taxable under this chapter including all remuneration paid to a nonresident employee for services performed in this state.

(2) ["EMPLOYER", "WAGES" AND "EMPLOYEE" CONCERNING NONRESIDENTS.] Notwithstanding any other provision of this section,

under rules and regulations to be prescribed by the commissioner of revenue, for purposes of this section any person having control, receipt, custody, disposal or payment of compensation taxable under this chapter and earned by a nonresident for personal services, shall be deemed an employer, any compensation taxable under this chapter and earned by a nonresident for personal services shall be deemed wages, and a nonresident entitled to compensation taxable under this chapter and earned by him for personal services shall be deemed an employee.

When compensation for personal services is paid to a corporation in which all or substantially all of the shareholders are individual entertainers, performers or athletes who gave an entertainment or athletic performance in this state for which the compensation was paid, the compensation shall be deemed wages of the individual entertainers, performers or athletes and shall be subject to the provisions of this section. Advance payments of compensation for personal services to be performed in Minnesota shall be deemed wages and subject to the provisions of this section. The individual, and not the corporation, shall be subject to the Minnesota income tax as provided in this chapter on the compensation for personal services.

(3) [NONRESIDENTS, EMPLOYER'S DUTY.] The employer of any employee domiciled in a state with which Minnesota has reciprocity under section 290.081 is not required to withhold under this chapter from the wages earned by such employee in this state.

Sec. 5. [EFFECTIVE DATE.]

Section 2 is effective for taxable years ending after the date of final enactment. Sections 1, 3, and 4 are effective the day after final enactment.

ARTICLE XXIX

Section 1. Minnesota Statutes 1980, Section 290.06, is amended by adding a subdivision to read:

Subd. 15. [CORPORATIONS; CREDIT.] *A corporation doing business in Minnesota which:*

(1) purchases less than 20 percent of the value of its raw materials from other members of the unitary group;

(2) sells less than 15 percent of the value of its final products to other members of the unitary group;

(3) has total sales in Minnesota of less than 1/10 of one percent of the total sales of the unitary group;

(4) has more than 40 percent of its employees in Minnesota; and

(5) is a separate corporate entity;

shall be granted a credit equal to the difference in the amount of tax computed on a combined report under section 290.34, subdivision 2, and the amount of tax computed for that corporation only. This credit is not refundable. This credit applies only to a corporation if the inclusion of the corporation in a combined report would result in that corporation being liable for a state income tax in excess of four percent of its total sales in Minnesota and if the main manufacturing plant of that corporation is located within the city limits of

the county seat of a county that, based on the 1980 federal census, contains between 11,500 and 13,000 people.

Sec. 2. Minnesota Statutes 1980, Section 290.095, Subdivision 3, is amended to read:

Subd. 3. [CARRYOVER AND CARRYBACK.] (a) Except as provided in *clause (d) or* subdivision 8, a net operating loss for any taxable year shall be:

(1) A net operating loss carryback to each of the three taxable years preceding the taxable year of such loss, and

(2) A net operating loss carryover to each of the five taxable years following the taxable year of such loss.

(b) The entire amount of the net operating loss for any taxable year shall be carried to the earliest of the taxable years to which, by reason of subdivision 3, clause (a) *or (d)*, such loss may be carried. The portion of such loss which shall be carried to each of the other taxable years shall be the excess, if any, of the amount of such loss over the sum of the taxable net income, adjusted by the modifications specified in subdivision 4, for each of the prior taxable years to which such loss may be carried.

(c) Where a corporation does business both within and without Minnesota, and apportions its income under the provisions of section 290.19, the net operating loss deduction shall be allowed to the extent of the apportionment ratio of the loss year, or the year to which the loss is carried, whichever is smaller.

(d) Where a corporation files a combined report which reflects the entire unitary business as provided in section 290.34, subdivision 2, the corporation shall not be allowed a net operating loss carryback to a year in which it did not file a combined report. The number of taxable years for which a net operating loss carryover is allowed shall be increased by the number of taxable years for which a net operating loss carryback is not allowed under this clause.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 290.21, Subdivision 4, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 14, is amended to read:

Subd. 4. (a) 85 percent of dividends received by a corporation during the taxable year from another corporation, when the corporate stock with respect to which dividends are paid does not constitute the stock in trade of the taxpayer or would not be included in the inventory of the taxpayer, or does not constitute property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business, or when the trade or business of the taxpayer does not consist principally of the holding of the stocks and the collection of the income and gains therefrom. The remaining 15 percent shall be allowed if the recipient owns 80 percent or more of all the voting stock of such other corporation, and the dividends were paid from income arising out of business done in this state by the corporation paying such dividends; but if the income out of which the dividends are declared was derived from business done within and without this state, then so much of the remainder shall be allowed as a deduction as the amount of the taxable net income of the corporation paying the dividends assignable or allocable to this state bears to the entire net income of the corporation, such rate being determined by the returns under this chapter of

the corporation paying such dividends for the taxable year preceding the distribution thereof; the burden shall be on the taxpayer of showing that the amount of remainder claimed as a deduction has been received from income arising out of business done in this state,

(b) if the trade or business of the taxpayer consists principally of the holding of the stocks and the collection of the income and gains therefrom, dividends received by a corporation during the taxable year from another corporation, if the recipient owns 80 percent or more of all the voting stock of such other corporation, from income arising out of business done in this state by the corporation paying such dividends; but, if the income out of which the dividends are declared was derived from business done within and without this state, then so much of the dividends shall be allowed as deduction as the amount of the taxable net income of the corporation paying the dividends assignable or allocable to this state bears to the entire net income of the corporation, such rate being determined by the returns under this chapter of the corporation paying such dividends for the taxable year preceding the distribution thereof. The burden shall be on the taxpayer of showing that the amount of dividends claimed as a deduction has been received from income arising out of business done in this state.

(c) The dividend deduction provided in this subdivision shall be allowed only with respect to dividends that are included in a corporation's Minnesota taxable net income for the taxable year.

(d) ~~In the case of a corporation, which is permitted or required to file a combined report under section 290.34, subdivision 2, dividends shall be excluded from the income of the recipient to the extent the dividends are already included as income on the combined report.~~ *If dividends received by a corporation that does not have nexus with Minnesota under the provisions of Public Law 86-272 are included as income on the return of an affiliated corporation permitted or required to file a combined report under section 290.34, subdivision 2, then for purposes of this subdivision the determination as to whether the trade or business of the corporation consists principally of the holding of stocks and the collection of income and gains therefrom shall be made with reference to the trade or business of the affiliated corporation having a nexus with Minnesota.*

Sec. 4. Minnesota Statutes 1980, Section 290.34, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 15, is amended to read:

Subd. 2. [AFFILIATED OR RELATED CORPORATIONS, CONSOLIDATED STATEMENTS.] When a corporation which is required to file an income tax return is affiliated with or related to any other corporation through stock ownership by the same interests or as parent or subsidiary corporations, or has its income regulated through contract or other arrangement, the commissioner of revenue may permit or require such combined report as, in his opinion, ~~are~~ *is* necessary in order to determine the taxable net income ~~received by~~ *of* any one of the affiliated or related corporations. For purposes of computing either the arithmetic average or weighted apportionment formulas under section 290.19, subdivision 1 for each corporation involved, the numerator of the fraction shall be that corporation's sales, property, ~~or~~ *and* payroll in Minnesota and the denominator shall be the total sales, payroll, and property of all

the corporations shown on the combined report. The combined report shall reflect the income of the entire unitary business as provided in section 290.17, subdivision 2, clause (4). The combined report shall reflect income only from corporations created or organized in the United States or under the laws of the United States or of any state. ~~Specifically, it is the intent of the legislature to adopt the combined reporting method provided in Butler Brothers v. McColgan, 111 P. 2d 334, and 315 U.S. 501, and Edison California Stores v. McColgan, 183 P. 2d 16 and to treat all income as business income to the maximum extent allowable under Mobil Oil Corporation v. Commissioner of Taxes of Vermont, 445 U.S. 425.~~ *All intercompany transactions between companies which are contained on the combined report shall be eliminated.* This subdivision shall not apply to insurance companies whose income is determined under section 290.35.

Sec. 5. Laws 1981, Third Special Session Chapter 2, Article III, Section 22, is amended to read:

Sec. 22. [EFFECTIVE DATE.]

Sections 1 and 19 to 21 are effective February 1, 1982. The provision of section 2 relating to commodity tax straddles and section 7 are effective for taxable years beginning after December 31, 1980. The provisions of section 2 relating to the exclusion of dividend and interest income are effective for taxable years beginning after December 31, 1981. Section 2, clauses (a)(22), (b)(24), the portion of clause (a)(16) relating to recovery property, (b)(25), and sections 8, 11, and 12 are effective for property placed in service after December 31, 1980 in taxable years ending after that date. Section 2, clauses (a)(17), (b)(2), the portion of clause (a)(16) relating to gain from the sale or disposition of property and section 9 are effective for the sale or other disposition of property after June 30, 1982. Section 6 is effective for taxable years beginning after December 31, 1981. Section 10 is effective for the sale or other disposition of property after December 31, 1982. *For taxpayers subject to tax under Minnesota Statutes, Chapter 290,* sections 13, 14, and 15 are effective for ~~income earned after December 31, 1981~~ *taxable years beginning after June 30, 1981.* Section 16 is effective for taxable years beginning after December 31, 1981. Sections 17 and 18 are effective for petitions filed after January 31, 1982.

Sec. 6. [REPORT TO LEGISLATURE.]

The commissioner shall submit a report to the senate and house tax committees on March 1, 1983 and March 1, 1984 concerning the effect of the amendment to section 290.21, subdivision 4, contained in section 3. Specifically the report shall disclose, notwithstanding section 290.61, the number of corporations affected, what the effect would be without the provision, and the tax dollar amount involved since the effective date of the provision.

Sec. 7. [EFFECTIVE DATE.]

Sections 1, 2, 4, and 5 are effective for taxpayers subject to the tax under Minnesota Statutes, Chapter 290 for taxable years beginning after June 30, 1981. Section 3 is effective for taxable years beginning after December 31, 1982.

ARTICLE XXX

Section. 1. Minnesota Statutes 1981 Supplement, Section 298.225, is

amended to read:

298.225 [APPROPRIATION.]

If a taconite producer ceases beneficiation operations, either temporarily or permanently, and if the recipients of the taconite production tax as provided in section 298.28, subdivision 1, clauses (1) to (4) and (5)(b) to (8), would receive decreased distributions as a result thereof, then the distribution to these recipients in each of the two years immediately following the year in which operations ceased shall be equal to the amount they received in the last full year before operations ceased. There is hereby appropriated to the commissioner of revenue from the taconite environmental protection fund and the northeast Minnesota economic protection fund in equal proportions the amount needed to make the above payments.

If a taconite producer~~,~~ ~~which~~ ceases beneficiation operations ~~either temporarily or~~ permanently~~,~~ *and* is required by a special law to make bond payments for a school district, the northeast Minnesota economic protection fund shall assume the payments of the taconite producer if the producer ceases to make the needed payments. There is hereby appropriated from the northeast Minnesota economic protection fund to the commissioner of revenue the amounts needed to make these school bond payments.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 298.24, Subdivision 3, is amended to read:

Subd. 3. *(a)* A credit in the amount of ~~three~~ *not to exceed four* cents per gross ton of ~~merchantable~~ *taxable* iron ore concentrate produced shall be allowed against the tax imposed by subdivision 1, with respect to the production of iron ore concentrate from taconite plants which, together with the lands upon which they are located and lands used in connection with the mining, quarrying and concentration of taconite and buildings, machinery, equipment and other fixtures used in the production of taconite, and notwithstanding the provisions of section 298.25, have by law been made subject to direct taxes for the payment of principal and interest on bonds issued by a school district or city~~;~~ ~~provided however, that~~.

(b) Notwithstanding clause (a), a credit of not to exceed seven cents shall be allowed a producer for the payment of taxes for bonds, and interest on them, issued by Independent School District 703, for which the producer's property has been made subject to direct taxes.

(c) The credit allowed in this subdivision shall be allowed against taxes payable in the calendar years following the issuance and sale of the bonds until the total credit allowed in all years equals the total liability of the producer for direct taxes for the payment of the bonds and interest. If necessary to equal the total liability of the producer, the credit may be taken in years after the years when the taxes for the bond principal and interest were paid.

The ~~total~~ amount of credit allowable hereunder *in any year* with respect to production from any plant subjected to ~~such~~ direct taxes shall not exceed the amount of the direct taxes levied *in the prior year* against ~~such~~ *the* plant ~~and payable after January 1, 1969, and until said bonds~~ *for the bonds and interest* and the indebtedness secured thereby ~~have been paid in full~~, *except if the credit allowed does not equal the amount levied in the prior year, then the unused credits of prior years may be used for the deficiency.*

Sec. 3. [INDEPENDENT SCHOOL DISTRICTS 319 AND 703; BONDS.]

Subdivision 1. Independent School District 319 may issue bonds in an aggregate principal amount not exceeding $850,000 and Independent School District 703 may issue bonds in an aggregate principal amount not exceeding $5,480,000, in addition to any bonds already issued or authorized, to provide funds to construct, equip, furnish, remodel, rehabilitate, and acquire land for school facilities and buildings. They may spend the proceeds of the bond sale for those purposes and any architects', engineers', and legal fees incidental to those purposes or the sale. Except as permitted by this section, the bonds shall be authorized, issued, sold, executed, and delivered in the manner provided by Minnesota Statutes, Chapter 475. A resolution of the board levying taxes for the payment of the bonds and interest on them as authorized by this section and pledging the proceeds of the levies for the payment of the bonds and interest on them shall be deemed to be in compliance with the provisions of chapter 475 with respect to the levying of taxes for their payment.
them shall be deemed to be in compliance with the provisions of chapter 475 with respect to the levying of taxes for their payment.

Subd. 2. Taconite plants, lands containing taconite, and lands where taconite plants are located or which are used in connection with them and the buildings, machinery, equipment, and other fixtures used in the production of taconite, as defined in Minnesota Statutes, Sections 298.23 to 298.28, located in the school district are made subject to taxes for payment of 90 percent of the principal and interest on the bonds issued under authority of this section, notwithstanding any contrary provision of sections 298.23 to 298.28. If the properties are all owned by one person, corporation, partnership or joint venture, it shall not be necessary to make any determination of their value. If the properties are owned by more than one person, corporation, partnership or joint venture, the taxes shall be apportioned annually among them by the county auditor on the basis of their relative values, upon investigation of the facts as the auditor deems necessary. Taxes levied in accordance with subdivisions 2 to 4 shall be collected in the same manner as taxes levied by a school district upon real property subject to taxation but any portion of taxes levied for the payment of installments of principal and interest of bonds may be paid without penalty on or before October 31 of the year in which the taxes become due and payable if the installment of principal and interest is not due until more than 60 days thereafter.

Subd. 3. After the sale and before the delivery of any bonds under authority of this section, the school board shall, by resolution, levy upon all of the property described in subdivision 2 located in the school district a direct, general tax for each year of the term of the bonds in amounts that, if collected in full, will produce 90 percent of the amounts needed to meet when due the principal and interest payments on the bonds. A copy of the resolution shall be filed and the taxes levied shall be collected as nearly as possible as specified in Minnesota Statutes, Section 475.61.

Subd. 4. Bonds issued under authority of this section shall be the general obligations of the school district, for which its full faith and credit and unlimited taxing powers shall be pledged. If there are any deficiencies in the collections of the taxes levied pursuant to subdivision 3, and they are not made good as provided by section 298.225, they shall be made good by general levies, not subject to limit, on all taxable properties in the district in accordance with

Minnesota Statutes, Section 475.74. If any deficiency levies are necessary, the school board may effect a temporary loan or loans on certificates of indebtedness issued in anticipation of them to meet payments of principal or interest on the bonds due or about to become due.

Subd. 5. In addition to the levies made in accordance with subdivisions 2 and 3, the school board shall at the same time by resolution levy on all property in the school district subject to the general ad valorem school tax levies, and not subject to taxation under Minnesota Statutes, Sections 298.23 to 298.28, a direct annual, ad valorem tax for each year of the term of the bonds in amounts that, if collected in full, will produce the amounts needed to meet when due ten percent of the principal and interest payments on the bonds. A copy of the resolution shall be filed, and the necessary taxes shall be extended, assessed, collected, and remitted in accordance with Minnesota Statutes, Section 475.61.

Subd. 6. The lien imposed by taxes levied by Independent School District 319 upon the properties described in subdivision 2 shall be subordinate to all mortgages or other eucumbrances of record and on file on the effective date of this section.

Subd. 7. Taxes levied pursuant to this section shall be disregarded in the calculation of any other tax levies or limits on tax levies provided by other law.

Subd. 8. Bonds may be issued under authority of this section notwithstanding any limitations upon the indebtedness of a district, and their amounts shall not be included in computing the indebtedness of a district for any purpose, including the issuance of subsequent bonds and the incurring of subsequent indebtedness.

Subd. 9. This section is effective for Independent School District 319 the day after its governing body complies with Minnesota Statutes, Section 645.021, Subdivision 3 and for Independent School District 703 the day after its governing body complies with Minnesota Statutes, Section 645.021, Subdivision 3.

Sec. 4. [INDEPENDENT SCHOOL DISTRICT 710.]

Subdivision 1. Commencing with taxes payable in 1983, the commissioner of revenue shall deduct and annually pay to Independent School District 710 an amount equal to four cents per gross ton of taxable iron concentrate produced but not less than $240,000 annually from the taxes paid pursuant to sections 298.23 to 298.28 by a person, corporation, partnership, operator, joint venture or other owner of a taconite plant and taconite properties located within the school district. The deduction shall be made from the amount which would otherwise have been distributed to the northeast Minnesota economic protection fund in the apportionment fund in the state treasury under section 298.28, subdivision 1. A sum is annually appropriated to the commissioner from the proceeds of the taxes sufficient to make the payments required by this section.

Subd. 2. If the producer described in subdivision 1 ceases operations or decreases its operations so that the amount of the deduction of four cents per gross ton of concentrate produced is insufficient to raise $240,000 annually, then the difference between the deduction of four cents per gross ton of concentrate produced and $240,000 shall be paid as provided in section 298.225.

Subd. 3. The revenue received pursuant to this section by Independent School District 710 shall be deposited in the bond redemption fund of the district and shall be used only to retire the bonds issued on May 1, 1981 in the amount of $6,000,000.

Subd. 4. The deduction and payment provided in subdivisions 1 and 2 shall terminate upon maturity or payment of the last of those bonds.

Subd. 5. This section is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of Independent School District 710.

Sec. 5. [EFFECTIVE DATE.]

The credit provided by section 2 shall be allowed for direct taxes levied in 1982 and thereafter and payable in 1983 and thereafter. Except as otherwise provided in this article, this article is effective the day after final enactment.

ARTICLE XXXI

Section 1. [290.521] [ACTION TO ENJOIN INCOME TAX RETURN PREPARERS.]

Subdivision 1. [AUTHORITY TO SEEK INJUNCTION.] *A civil action in the name of the state of Minnesota to enjoin any person who is an income tax return preparer doing business in this state from further engaging in any conduct described in subdivision 2 or from further acting as an income tax return preparer may be commenced at the request of the commissioner of revenue. Any action under this section shall be brought by the attorney general in the district court for the judicial district in which the income tax return preparer resides or has his principal place of business, or in which the taxpayer with respect to whose income tax return the action is brought resides. The court may exercise its jurisdiction over the action separate and apart from any other action brought by the state of Minnesota against the income tax return preparer or any taxpayer.*

Subd. 2. [ADJUDICATION AND DECREES.] *In any action under subdivision 1, if the court finds:*

(a) that an income tax return preparer has:

(1) engaged in any conduct subject to the civil penalty under section 2,

(2) misrepresented his eligibility to practice before the department of revenue, or otherwise misrepresented his experience or education as an income tax return preparer,

(3) guaranteed the payment of any tax refund or the allowance of any tax credit, or

(4) engaged in any other fraudulent or deceptive conduct which substantially interferes with the proper administration of the provisions of this chapter, and

(b) that injunctive relief is appropriate to prevent the recurrence of such conduct,

the court may enjoin the person from further engaging in such conduct. If the court finds that an income tax return preparer has continually or repeatedly

engaged in any conduct described in clauses (1) through (4) of clause (a) of this subdivision, and that an injuction prohibiting such conduct would not be sufficient to prevent the person's interference with the proper administration of this chapter, the court may enjoin the person from acting as an income tax return preparer. The court may not under this section enjoin the employer of an income tax return preparer for conduct described in clauses (1) through (4) of clause (a) of this subdivision engaged in by one or more of the employer's employees unless the employer was also actively involved in such conduct.

Subd. 3. [INCOME TAX RETURN PREPARER DEFINED.] *For purposes of this section and section 2, the term "income tax return preparer" means any person who prepares for compensation, or who employs one or more persons to prepare for compensation, any return of tax imposed by this chapter, or any claim for refund of tax imposed by this chapter. For purposes of the preceding sentence, the preparation of a substantial portion of a return or claim for refund shall be treated as if it were the preparation of the return or claim for refund.*

A person shall not be an income tax return preparer merely because the person:

(a) furnishes typing, reproducing, or other mechanical assistance,

(b) prepares a return or claim for refund of the employer, or an officer or employee of the employer, by whom he is regularly and continuously employed,

(c) prepares as a fiduciary a return or claim for refund of any person, or

(d) prepares a claim for refund for a taxpayer in response to any tax order issued to the taxpayer.

Sec. 2. [290.523] [UNDERSTATEMENT OF TAXPAYER'S LIABILITY BY INCOME TAX RETURN PREPARER.]

Subdivision 1. [WILFUL UNDERSTATEMENT OF LIABILITY.] *If any part of any understatement of liability with respect to any return or claim for refund is due to a wilful attempt in any manner to understate the liability for a tax by a person who is an income tax return preparer with respect to the return or claim, the person shall pay to the commissioner a penalty of $500 with respect to the return or claim. The penalty under this section may not be assessed against the employer of an income tax preparer unless the employer was actively involved in the wilful attempt to understate the liability for a tax. This penalty shall be considered to be an income tax liability and may be assessed at any time as provided in section 290.49, subdivision 6. In any proceeding involving the issue of whether or not an income tax return preparer has wilfully attempted in any manner to understate the liability for tax, the burden of proof in respect of the issue shall be upon the commissioner, and the return of the taxpayer may be disclosed to the income tax return preparer notwithstanding section 290.61.*

Subd. 2. [UNDERSTATEMENT OF LIABILITY DEFINED.] *For purposes of this section, the term "understatement of liability" means any understatement of the net amount payable with respect to any tax imposed by this chapter, or any overstatement of the net amount creditable or refundable with respect to any such tax. The determination of whether or not there is an understatement of liability shall be made without regard to any administrative*

or judicial action involving the taxpayer.

Sec. 3. [290A.111] [ACTION TO ENJOIN PROPERTY TAX REFUND RETURN PREPARERS.]

Subdivision 1. [AUTHORITY TO SEEK INJUNCTION.] *A civil action in the name of the state of Minnesota may be commenced in the same manner and pursuant to the same authority as provided in section 1, subdivision 1, to enjoin any person who is a property tax refund return preparer doing business in this state from further engaging in any conduct described in subdivision 2 or from further acting as a property tax refund return preparer.*

Subd. 2. [ADJUDICATION AND DECREES.] *In any action under subdivision 1, if the court finds:*

(a) that a property tax refund return preparer has:

(1) engaged in any conduct subject to the criminal penalty provided by section 290A.11, subdivision 2, or subject to the civil penalty under section 4,

(2) misrepresented his eligibility to practice before the department of revenue, or otherwise misrepresented his experience or education as a property tax refund return preparer,

(3) guaranteed the payment of any property tax refund or the allowance of any property tax refund credit against income tax,

(4) engaged in any other fraudulent or deceptive conduct which substantially interferes with the proper administration of the provisions of this chapter,

the court may decree appropriate injunctive relief pursuant to the authority granted in section 1, subdivision 2.

Subd. 3. [PROPERTY TAX REFUND RETURN PREPARER DEFINED.] *For purposes of this section and section 4, the term "property tax refund return preparer" shall have the same meaning as the term "income tax return preparer" as defined in section 1, subdivision 3, to the extent that the definition applies to the preparation of a claim for relief under this chapter.*

Sec. 4. [290A.112] [OVERSTATEMENT OF TAXPAYER'S CLAIM BY PROPERTY TAX REFUND RETURN PREPARER.]

Subdivision 1. [WILFUL OVERSTATEMENT OF CLAIM.] *If any part of an excessive claim with respect to any property tax refund return is due to a wilful attempt in any manner to overstate the claim for relief allowed under this chapter by a person who is a property tax refund return preparer with respect to the return, the person shall pay to the commissioner a penalty of $500 with respect to the return. The penalty under this section may not be assessed against the employer of a property tax refund return preparer unless the employer was actively involved in the wilful attempt to overstate the claim for property tax refund. This penalty shall be considered to be an income tax liability and may be assessed at any time as provided in section 290.49, subdivision 6. In any proceeding involving the issue of whether or not a property tax refund return preparer has wilfully attempted in any manner to overstate the property tax refund claim, the burden of proof in respect of the issue shall be upon the commissioner and the claim of the claimant may be disclosed to the property tax refund return preparer notwithstanding section 290A.17.*

Subd. 2. [OVERSTATEMENT OF CLAIM DEFINED.] *For purposes of this section, the term "overstatement of claim" means any overstatement of the net amount refundable, or the net amount creditable against income tax, with respect to any claim for property tax relief provided by this chapter. The determination of whether or not there is an overstatement of a claim shall be made without regard to any administrative or judicial action involving the claimant.*

Sec. 5. [EFFECTIVE DATE.]

Sections 1 to 4 apply to documents prepared after December 31, 1982.

ARTICLE XXXII

Section 1. Minnesota Statutes 1980, Section 473H.02, Subdivision 2, is amended to read:

Subd. 2. "Agricultural preserve" or "preserve" means a land area ~~covenanted~~ *created and restricted* according to section 473H.05 to remain in agricultural use.

Sec. 2. Minnesota Statutes 1980, Section 473H.02, is amended by adding a subdivision to read:

Subd. 11. "County recorder" means registrar of titles for the purposes of registered property.

Sec. 3. Minnesota Statutes 1980, Section 473H.04, Subdivision 1, is amended to read:

Subdivision 1. ~~On or before January 1, 1981~~ Each authority in the metropolitan area having land classified agricultural pursuant to section 273.13 shall certify by resolution using appropriate maps which lands, if any, are eligible for designation as agricultural preserves. Maps shall be in sufficient detail to identify eligible lands by property boundaries. ~~Notification of the certification shall be published~~ *At least two weeks before the resolution is to be adopted, the authority shall publish notice of its intended action* in a newspaper having a general circulation within the area of jurisdiction of the authority. No additional lands shall qualify for designation as agricultural preserves until the authority certifies qualification.

Sec. 4. Minnesota Statutes 1980, Section 473H.04, Subdivision 2, is amended to read:

Subd. 2. Land shall cease to be eligible for designation as an agricultural preserve when the comprehensive plan and zoning for the land have been amended so that the land is no longer planned for long term agricultural use and is no longer zoned for long term agricultural use, evidenced by a maximum residential density permitting more than one unit per 40 acres. When changes have been made, the authority shall certify by resolution and appropriate maps which lands are no longer eligible. ~~Notification of the decertification shall be published~~ *At least two weeks before the resolution is to be adopted, the authority shall publish a notice of its intended action* in a newspaper having a general circulation within the area of jurisdiction of the authority.

Sec. 5. Minnesota Statutes 1980, Section 473H.05, Subdivision 1, is amended to read:

Subdivision 1. An owner or owners of certified long term agricultural land

may apply to the authority with jurisdiction over the land on forms provided by the commissioner of agriculture for the creation of an agricultural preserve at any time. *If the land to be placed in a preserve is registered property, the owner shall submit the owner's duplicate certificate of title together with the application.* Land for which application is received prior to March 1 of any year shall be assessed pursuant to section 473H.10 for taxes payable in the following year. Land for which application is received on or after March 1 of any year shall be assessed pursuant to section 473H.10 in the following year. The application shall contain at least the following information and such other information as the commissioner deems necessary:

(a) Legal description of the area proposed to be designated ~~or~~ *and* parcel identification numbers ~~as~~ *if so* designated by the county auditor;

(b) Name and address of owner;

(c) An affidavit by the authority evidencing that the land is certified long term agricultural land at the date of application;

(d) A witnessed signature of the owner covenanting that the land shall be kept in agricultural use, and shall be used in accordance with the provisions of sections 473H.02 to 473H.17 which exist on the date of application;

(e) A statement that the restrictive covenant shall be binding on the owner or his successor or assignee, and shall ~~be an easement running~~ *run* with the land~~;~~

~~(f) Date of application and date that designation is effectuated~~.

Sec. 6. Minnesota Statutes 1980, Section 473H.05, is amended by adding a subdivision to read:

Subd. 3. [REGISTERED PROPERTY.] *In the case of registered property, the applicant shall submit the owner's duplicate certificate at the time the application is made to the authority. The county recorder shall memorialize the restrictive covenant upon the certificate of title and owner's duplicate certificate of title. When the property or any portion of it ceases to be an agricultural preserve in accordance with section 473H.08 and the passage of the required time period, section 473H.09 or 473H.15, the county recorder upon presentation of the owner's duplicate certificate of title shall cause the restrictive covenant to be cancelled upon the effective date of the expiration, termination or taking.*

Sec. 7. Minnesota Statutes 1980, Section 473H.06, Subdivision 1, is amended to read:

Subdivision 1. *Upon receipt of an application, the authority shall determine if all material required in section 473H.05 has been submitted and, if so, shall determine that the application is complete. When used in this chapter, the term "date of application" means the date the application is determined complete by the authority.* Within five days of the date of application, the authority shall forward ~~copies of~~ the completed and signed application to the county recorder, *together with the owner's duplicate certificate of title in the case of registered property, and copies to* the county auditor, the county assessor, the metropolitan council, and the county soil and water conservation district.

Sec. 8. Minnesota Statutes 1980, Section 473H.06, Subdivision 2, is amended to read:

Subd. 2. The county recorder shall ~~file and~~ record the restrictive covenant *and return it to the applicant. If the property is registered property, the recorder shall memorialize the restrictive covenant upon presentation of the owner's duplicate certificate of title. The authority shall be notified by the recorder that the covenant has been recorded or memorialized.*

Sec. 9. Minnesota Statutes 1980, Section 473H.06, Subdivision 5, is amended to read:

Subd. 5. The metropolitan council shall maintain agricultural preserve maps, illustrating (a) certified long term agricultural lands; and (b) lands covenanted as agricultural preserves. The council shall make yearly reports to the state planning agency, *the department of agriculture,* and such other agencies as the council deems appropriate.

Sec. 10. Minnesota Statutes 1980, Section 473H.08, Subdivision 4, is amended to read:

Subd. 4. Upon receipt of the notice provided in subdivision 2, or upon notice served by the authority as provided in subdivision 3, the authority *shall forward the original notice to the county recorder for recording and* shall notify the ~~county recorder,~~ county auditor, county assessor, the metropolitan council, and the county soil and water conservation district of the date of expiration. Designation as an agricultural preserve and all benefits and limitations accruing through sections 473H.02 to 473H.17 for the preserve shall cease on the date of expiration. *The restrictive covenant filed with the application shall terminate on the date of expiration.*

Sec. 11. Minnesota Statutes 1980, Section 473H.14, is amended to read:

473H.14 [ANNEXATION PROCEEDINGS.]

Agricultural preserve land within a township shall not be annexed to a municipality pursuant to chapter 414, without a specific finding by the Minnesota municipal board that either (a) the expiration period as provided for in section 473H.08 has begun; (b) the ~~surviving unit of government~~ *township* due to size, tax base, population or other relevant factors would not be able to provide normal governmental functions and services; or (c) the agricultural preserve would be completely surrounded by lands within a municipality.

This section shall not apply to annexation agreements approved by the Minnesota municipal board prior to creation of the preserve.

Sec. 12. Minnesota Statutes 1980, Section 473H.15, is amended by adding a subdivision to read:

Subd. 10. The agricultural preserve designation and all benefits and limitations accruing through sections 473H.02 to 473H.17 for the preserve and the restrictive covenant for that portion of the preserve taken, shall cease on the date the final certificate is filed with the clerk of district court in accordance with section 117.205.

Sec. 13. Minnesota Statutes 1980, Section 473H.16, Subdivision 3, is amended to read:

Subd. 3. Any owner who fails to implement corrective measures to the satisfaction of the authority within one year of notice from the authority shall be subject to a ~~fine~~ *civil penalty* of not more than $1,000. The authority may

recover the penalty by a civil action in a court of competent jurisdiction.

Sec. 14. [473H.18] [TRANSFER FROM AGRICULTURAL PROPERTY TAX LAW TREATMENT.]

When land which has been receiving the special agricultural valuation and tax deferment provided in section 273.111 becomes an agricultural preserve pursuant to sections 473H.02 to 473H.17, the recapture of deferred tax and special assessments, as provided in section 273.111, subdivisions 9 and 11, shall not be made. Special assessments deferred under section 273.111, at the date of commencement of the preserve, shall continue to be deferred for the duration of the preserve. All special assessments so deferred shall be payable within 90 days of the date of expiration unless other terms are mutually agreed upon by the authority and the owner. In the event of early termination of a preserve or a portion of it under section 473H.09, all special assessments accruing to the terminated portion plus interest shall be payable within 90 days of the date of termination unless otherwise deferred or abated by executive order of the governor. In the event of a taking under section 473H.15 all special assessments accruing to the taken portion plus interest shall be payable within 90 days of the date the final certificate is filed with the clerk of district court in accordance with section 117.205.

Sec. 15. [APPLICATION.]

This article applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Sec. 16. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

ARTICLE XXXIII

Section 1. [273.123] [REASSESSMENT OF HOMESTEAD PROPERTY DAMAGED BY A DISASTER.]

Subdivision 1. [DEFINITIONS.]

For purposes of this section (a) "disaster or emergency" means

(1) a major disaster as determined by the president of the United States;

(2) a natural disaster as determined by the secretary of agriculture;

(3) a disaster as determined by the administrator of the small business administration; or

(4) a tornado, storm, flood, earthquake, landslide, explosion, fire or similar catastrophe, as a result of which a local emergency is declared pursuant to section 12.29.

(b) "disaster or emergency area" means an area

(1) in which the president of the United States, the secretary of agriculture, or the administrator of the small business administration has determined that a disaster exists pursuant to federal law or in which a local emergency has been declared pursuant to section 12.29; and

(2) for which an application by the local unit of government requesting property tax relief under this section has been received by the governor and approved by the executive council.

(c) "homestead property" means homestead dwelling located on property

classified pursuant to section 273.13, subdivision 6, 6a, 7, 7b, 7d, or 14a, including mobile homes and sectional homes used as homesteads and taxed pursuant to section 273.13, subdivision 3, clause (b), (c), or (d).

Subd. 2. [REASSESSMENT OF HOMESTEAD PROPERTY.] *The county assessor shall reassess all homestead property located within a disaster or emergency area which is physically damaged by the disaster or emergency and shall adjust the valuation for taxes payable the following year to reflect the loss in market value caused by the damage as follows: Subtract the market value of the property as reassessed from the market value of the property as assessed for January 1 of the year in which the disaster or emergency occurred; multiply the remainder by a fraction, the numerator of which is the number of full months remaining in the year on the date the disaster or emergency occurred, and the denominator of which is 12; subtract the product of the calculation from the market value of the property as assessed for January 1 of the year in which the disaster or emergency occurred; the remainder is the estimated market value to be used for taxes payable the following year. The assessor shall report to the county auditor the assessed value based on the assessment of January 1 of the year in which the disaster or emergency occurred and the assessed value based on the reassessment made pursuant to this subdivision.*

Subd. 3. [COMPUTATION OF MILL RATES.] *When computing mill rates, the county auditor shall use the valuation reported by the assessor for the assessment made on January 1 of the year in which the disaster or emergency occurred.*

Subd. 4. [STATE REIMBURSEMENT.] *The county auditor shall calculate the tax on the property described in subdivision 2 based on the assessment made on January 1 of the year in which the disaster or emergency occurred. The difference between the tax determined on the January 1 assessed value and the tax actually payable based on the reassessed value determined under subdivision 2 shall be reimbursed to each taxing jurisdiction in which the damaged property is located. The amount shall be certified by the county auditor and reported to the commissioner of revenue. The commissioner shall make the payments to the taxing jurisdictions containing the property at the time distributions are made pursuant to section 273.13, subdivision 15a, in the same proportion that the ad valorem tax is distributed.*

Subd. 5. [COMPUTATION OF CREDITS.] *The amounts of any homestead, agricultural, or similar credits or tax relief which reduce the gross tax shall be computed upon the reassessed value determined under subdivision 2. For purposes of the property tax refund, property taxes payable, as defined in section 290A.03, subdivision 13, and net property taxes payable, as defined in section 290A.04, subdivision 2d, shall be computed upon the reassessed value determined under subdivision 2.*

Subd. 6. [APPROPRIATION.] *There is annually appropriated from the general fund to the commissioner of revenue an amount necessary to make the payments required by this section.*

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective for taxes levied in 1982 and thereafter, payable in 1983 and thereafter.

ARTICLE XXXIV

Section 1. Minnesota Statutes 1981 Supplement, Section 297A.01, Sub-

division 3, is amended to read:

Subd. 3. A "sale" and a "purchase" includes, but is not limited to, each of the following transactions:

(a) Any transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a license to use or consume tangible personal property *other than manufactured homes used for residential purposes for a continuous period of 30 days or more*, for a consideration in money or by exchange or barter;

(b) The production, fabrication, printing or processing of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production, fabrication, printing or processing;

(c) The furnishing, preparing or serving for a consideration of food, meals or drinks, not including hospitals, sanatoriums, nursing homes or senior citizens homes, meals or drinks purchased for and served exclusively to individuals who are 60 years of age or over and their spouses or to the handicapped and their spouses by governmental agencies, nonprofit organizations, agencies, or churches or pursuant to any program funded in whole or part through 42 USCA sections 3001 through 3045, wherever delivered, prepared or served, meals and lunches served at public and private schools, universities or colleges, or the occasional meal thereof by a charitable or church organization; church organization. *Notwithstanding section 297A.25, subdivision 1, clause (a), taxable food or meals include, but is not limited to, the following:*

(i) heated food or drinks;

(ii) sandwiches prepared by the retailer;

(iii) single sales of prepackaged ice cream or ice milk novelties prepared by the retailer;

(iv) hand-prepared or dispensed ice cream or ice milk products including cones, sundaes, and snow cones;

(v) soft drinks and other beverages prepared or served by the retailer;

(vi) gum;

(vii) ice;

(viii) all food, except candy, sold in vending machines;

(ix) party trays prepared by the retailers; and

(x) all meals and single servings of packaged snack food, single cans or bottles of pop, sold in restaurants and bars;

(d) The granting of the privilege of admission to places of amusement or athletic events and the privilege of use of amusement devices or athletic facilities;

(e) The furnishing for a consideration of lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp and of the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;

(f) The furnishing for a consideration of electricity, gas, water, or steam for

use or consumption within this state, or local exchange telephone service and intrastate toll service except such service provided by means of coin operated telephones; the tax imposed on amounts paid for telephone services is the liability of and shall be paid by the person paying for the services. Sales by municipal corporations in a proprietary capacity are included in the provisions of this clause. The furnishing of water and sewer services for residential use shall not be considered a sale.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article V, Section 2, is amended to read:

Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, ~~but not including foods which are prepared or specially sliced, wrapped, arranged or displayed, and sold cold or hot for immediate consumption on or off the premises on which the sale is made, whether sold in individual servings or in larger quantities, except~~ *and* food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) and which are sold by a retailer, organized as a nonprofit corporation or association, within a place located on property owned by the state or an agency or instrumentality of the state, the entrance to which is subject to an admission charge;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, uherapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (storage shall not constitute intermediate use); or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except as provided in section 297A.14) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, and any such publication. For purposes of this subsection, ''publication'' as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause ''rolling stock'' is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, ''airflight equipment'' includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to

be used in the performance of charitable, religious or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(s) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(t) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(u) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a ''public school'' is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(v) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

(w) The gross receipt from the sale of residential heating fuels in the following manner:

(i) all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April;

(iii) electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April.

(x) The gross receipts from the sale or use of tickets or admissions to the premises of or events sponsored by an association, corporation or other group of persons which provides an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and which qualifies as a tax-exempt organization within the meaning of section 290.05, subdivision 1, clause (i).

(y) The gross receipts from either the sales to or the storage, use or consumption of tangible personal property by an organization of military service veterans or an auxiliary unit of an organization of military service veterans, provided that:

(i) the organization or auxiliary unit is organized within the state of Minnesota and is exempt from federal taxation pursuant to section 501(c), clause (19), of the Internal Revenue Code as amended through December 31, 1978; and

(ii) the tangible personal property which is sold to or stored, used or consumed by the organization or auxiliary unit is for charitable, civic, educational, or nonprofit uses and not for social, recreational, pleasure or profit uses.

(z) The gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene.

Sec. 3. [EFFECTIVE DATE.]

The provisions of section 1 relating to the leasing of manufactured homes are effective retroactive to January 1, 1972; provided, however, that the department of revenue shall not entertain any refund claims to those taxpayers who have paid the sales tax on those rentals. The rest of this article is effective the day after final enactment.

ARTICLE XXXV

Section 1. Minnesota Statutes 1981 Supplement, Section 275.50, Subdivision 2, is amended to read:

Subd. 2. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means ~~any~~ *a* county, home rule charter city, statutory city, *or* town ~~or special taxing district determined by the department of revenue~~ *except a town that has a population of less than 5,000 according to the most recent federal census, provided that the population of an incorporated municipality located within the boundaries of a town is not included in the population of the town.* The term does not include school districts or the metropolitan transit commission created pursuant to section 473.404.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 477A.04, Subdivision 2, is amended to read:

Subd. 2. Beginning in calendar year ~~1983~~ *1984* and subsequent years, an assessment district shall be penalized according to the following schedule:

(a) $1 per capita if the coefficient of dispersion in assessments for the preceding year is more than ten percent but less than 12.5 percent;

(b) $3 per capita if the coefficient of dispersion in assessments for the preceding year is at least 12.5 percent but no more than 15 percent;

(c) $5 per capita if the coefficient of dispersion in assessments for the

preceding year is greater than 15 percent.

Sec. 3. [EFFECTIVE DATE.]

Sections 1 and 2 are effective for taxes levied in 1982 and thereafter, payable in 1983 and thereafter.

ARTICLE XXXVI

Section 1. Minnesota Statutes 1980, Section 273.133, is amended by adding a subdivision to read:

Subd. 3. [LEASEHOLD COOPERATIVES.] *When one or more dwellings or one or more buildings which each contain several dwelling units is owned by a nonprofit corporation subject to the provisions of chapter 317 or a limited partnership which corporation or partnership operates the property in conjunction with a cooperative association, homestead treatment, as provided under section 273.13, subdivision 7, may be claimed for each dwelling unit occupied by a member of the cooperative. To qualify for the treatment provided by this subdivision, the following conditions shall be met: (a) the cooperative association must be organized under sections 308.05 to 308.18; (b) the cooperative association must have a lease for occupancy of the property for a term of at least 20 years; (c) the cooperative association must have a right under a written agreement with the owner to purchase the property if the owner proposes to sell it; if the cooperative association does not purchase the property when it is offered for sale, the owner may not subsequently sell the property to another purchaser at a price lower than the price at which it was offered for sale to the cooperative association unless the cooperative association approves the sale; and (d) if a limited partnership owns the property, it must include as the managing general partner either the cooperative association or a nonprofit organization operating under the provisions of chapter 317. Homestead treatment shall be afforded to units occupied by members of the cooperative association and the units shall be assessed as provided in subdivision 1, provided that any unit not so occupied shall be classified and assessed pursuant to section 273.13, subdivision 19. No more than three acres of land shall, for assessment purposes, be included with each dwelling unit that qualifies for homestead treatment under this subdivision.*

Sec. 2. Minnesota Statutes 1981 Supplement, Section 290A.03, Subdivision 12, is amended to read:

Subd. 12. [GROSS RENT.] "Gross rent" means rental paid solely for the right of occupancy, at arms-length, of a homestead, exclusive of charges for any utilities, services, furniture, or furnishings furnished by the landlord as a part of the rental agreement, whether expressly set out in the rental agreement or not. If the landlord and tenant have not dealt with each other at arms-length and the commissioner determines that the gross rent charged was excessive, he may adjust the gross rent to a reasonable amount for purposes of sections 290A.01 to 290A.20.

If the landlord does not supply the charges for any utilities, furniture, or furnishings furnished by him, or if the charges appear to be incorrect the commissioner may apply a percentage determined from samples of similar gross rents paid solely for the right of occupancy.

Any amount paid by a claimant residing in property assessed pursuant to section 273.133 for occupancy in that property shall be excluded from gross rent for purposes of this chapter. However, property taxes imputed to the

homestead of the claimant *or the dwelling unit occupied by the claimant that qualifies for homestead treatment* pursuant to section 273.133 shall be included within the term "property taxes payable" as defined in subdivision 13, notwithstanding the fact that ownership is not in the name of the claimant.

Sec. 3. [EFFECTIVE DATE.]

Section 1 is effective for taxes levied in 1982 and thereafter, payable in 1983 and thereafter.

ARTICLE XXXVII

Section 1. Minnesota Statutes 1980, Section 474.02, Subdivision 1b, is amended to read:

Subd. 1b. In furtherance of the purpose specified in sections 301A.02 and 474.01, the term "project" shall include any properties, real or personal, ~~located outside the metropolitan area defined in section 473.122,~~ used or useful for the promotion of tourism in the state. ~~Such~~ Properties may include hotels, motels, lodges, resorts, recreational facilities of the type which may be acquired under section 471.191, and related facilities. ~~The provisions of this subdivision shall not apply to municipalities located in whole or in part in the metropolitan area as defined in section 473.122.~~

Sec. 2. Minnesota Statutes 1981 Supplement, Section 474.03, is amended to read:

474.03 [POWERS.]

Any municipality or redevelopment agency, in addition to the powers prescribed elsewhere by the laws of this state, shall have the power to:

(1) Acquire, construct, and hold any lands, buildings, easements, water and air rights, improvements to lands and buildings, and capital equipment to be located permanently or used exclusively on a designated site and solid waste disposal and pollution control equipment, and alternative energy equipment and inventory, regardless of where located, which are deemed necessary in connection with a project to be situated within the state, whether wholly or partially within or without the municipality or redevelopment agency, and construct, reconstruct, improve, better, and extend such project;

(2) Issue revenue bonds, in anticipation of the collection of revenues of such project, to finance, in whole or in part, the cost of the acquisition, construction, reconstruction, improvement, betterment, or extension thereof and, in the case of an alternative energy project, in addition to the other powers granted by this chapter, to finance the acquisition and leasing or sale of equipment and products to others;

(3) Issue revenue bonds to pay, purchase or discharge all or any part of the outstanding indebtedness of a contracting party engaged primarily in the operation of one or more nonprofit hospitals or nursing homes, theretofore incurred in the acquisition or betterment of its existing hospital or nursing home facilities, including, to the extent deemed necessary by the governing body of the municipality or redevelopment agency, any unpaid interest on such indebtedness accrued or to accrue to the date on which such indebtedness is finally paid; and any premium the governing body of the municipality or redevelopment agency determines to be necessary to be paid to pay, purchase

or defease such outstanding indebtedness; if revenue bonds are issued for this purpose, the refinancing and the existing properties of the contracting party shall be deemed to constitute a project under section 474.02, subdivision 1c. Industrial revenue bonds shall only be available under this provision if the commissioner of securities and real estate has been shown that a reduction in debt service charges to patients and third party payors will occur. All reductions in debt service charges pursuant to this program shall be passed on to patients and third party payors. These industrial revenue bonds may not be used for any purpose not consistent with the provisions of sections 145.832 to 145.845 or chapter 256B;

Nothing in this subdivision is intended to prohibit the use of revenue bond proceeds to pay outstanding indebtedness of a contracting party to the extent now permitted by law;

(4) Enter into a revenue agreement with any person, firm, or public or private corporation or federal or state governmental subdivision or agency in such manner that payments required thereby to be made by the contracting party shall be fixed, and revised from time to time as necessary, so as to produce income and revenue sufficient to provide for the prompt payment of principal of and interest on all bonds issued hereunder when due, and the revenue agreement shall also provide that the contracting party shall be required to pay all expenses of the operation and maintenance of the project including, but without limitation, adequate insurance thereon and insurance against all liability for injury to persons or property arising from the operation thereof, and all taxes and special assessments levied upon or with respect to the project and payable during the term of the revenue agreement, during which term a tax shall be imposed and collected pursuant to the provisions of section 272.01, subdivision 2, for the privilege of using and possessing the project, in the same amount and to the same extent as though the contracting party were the owner of all real and personal property comprising the project;

(5) Pledge and assign to the holders of such bonds or a trustee therefor all or any part of the revenues of one or more projects and define and segregate such revenues or provide for the payment thereof to a trustee, whether or not such trustee is in possession of the project under a mortgage or otherwise;

(6) Mortgage or otherwise encumber such projects in favor of the municipality or redevelopment agency, the holders of such bonds, or a trustee therefor, provided that in creating any such mortgages or encumbrances a municipality or redevelopment agency shall not have the power to obligate itself except with respect to the project;

(7) Make all contracts, execute all instruments, and do all things necessary or convenient in the exercise of the powers herein granted, or in the performance of its covenants or duties, or in order to secure the payment of its bonds; including, but without limitation, a contract entered into prior to the construction of the project authorizing the contracting party, subject to such terms and conditions as the municipality or redevelopment agency shall find necessary or desirable and proper, to provide for the construction, acquisition, and installation of the buildings, improvements, and equipment to be included in the project by any means available to the contracting party and in the manner determined by the contracting party and without advertisement for bids as may be required for the construction or acquisition of other municipal facilities;

(8) Enter into and perform such contracts and agreements with other municipalities, political subdivisions, and state agencies, authorities, and institutions as the respective governing bodies of the same may deem proper and feasible for or concerning the planning, construction, lease, purchase, mortgaging or other acquisition, and the financing of a project, and the maintenance thereof, including an agreement whereby one municipality issues its revenue bonds in behalf of one or more other municipalities pursuant to revenue agreements with the same or different contracting parties, which contracts and agreements may establish a board, commission, or such other body as may be deemed proper for the supervision and general management of the facilities of the project; provided, no municipality or redevelopment agency shall enter into or perform any contract or agreement with any school district under which the municipality or redevelopment agency issues its revenue bonds or otherwise provides for the construction of school facilities and the school leases or otherwise acquires these facilities;

(9) Accept from any authorized agency of the federal government loans or grants for the planning, construction, acquisition, leasing, purchase, or other provision of any project, and enter into agreements with such agency respecting such loans or grants;

(10) Sell and convey all properties acquired in connection with such projects, including without limitation the sale and conveyance thereof subject to such mortgage as herein provided, and the sale and conveyance thereof under an option granted to the lessee of the project, for such price, and at such time as the governing body of the municipality or redevelopment agency may determine, provided, however, that no sale or conveyance of such properties shall ever be made in such manner as to impair the rights or interests of the holder, or holders, of any bonds issued under the authority of this chapter;

(11) Issue revenue bonds to refund, in whole or in part, bonds previously issued by such municipality or redevelopment agency under authority of this chapter;

(12) If so provided in the revenue agreement, terminate the agreement and re-enter or repossess the project upon the default of the contracting party, and operate, lease, or sell the project in such manner as may be authorized or required by the provisions of the revenue agreement or of the resolution or indenture securing the bonds issued for the project; any revenue agreement which includes provision for a conveyance of real estate to the contracting party may be terminated in accordance with the revenue agreement, notwithstanding that such revenue agreement may constitute an equitable mortgage provided that no municipality or redevelopment agency shall have power otherwise to operate any project referred to in this chapter as a business or in any manner whatsoever, and nothing herein authorizes any municipality or redevelopment agency to expend any funds on any project herein described, other than the revenues of such projects, or the proceeds of revenue bonds and notes issued hereunder, or other funds granted to the municipality or redevelopment agency for the purposes herein contemplated, except as may be otherwise permitted by law and except to enforce any right or remedy under any revenue agreement or related agreement for the benefit of the bondholders or for the protection of any security given in connection with a revenue agreement, provided that the public cost of redevelopment of land paid by a city or its redevelopment agency shall not be deemed part of the cost of any project

situated on such land;

(13) Invest or deposit, or authorize a trustee to invest or deposit, any money on hand in funds or accounts established in connection with a project or payment of bonds issued therefor, to the extent they are not presently needed for the purposes for which such funds or accounts were created, in accordance with section 471.56, as amended; ~~and~~

(14) Waive or require the furnishing of a contractors payment and performance bond of the kind described in section 574.26 and if such bond shall be required, then the provisions of chapter 514 relating to liens for labor and materials, shall not be applicable in respect of any work done or labor or materials supplied for the project, and if such bond be waived then the said provisions of chapter 514 shall apply in respect of work done or labor or materials supplied for the project; *and*

(15) Exempt from property taxes on a nonresidential building constructed for sale or rent in a project until the building is first sold, occupied or rented, whichever occurs first, up to a maximum of four years, provided that the exemption must be provided before October 10 of the levy year.

Sec. 3. [EFFECTIVE DATE.]

Section 2 is effective for property taxes levied in 1982 and thereafter, payable in 1983 and thereafter.

ARTICLE XXXVIII

Section 1. Minnesota Statutes 1980, Section 273.73, Subdivision 10, is amended to read:

Subd. 10. [REDEVELOPMENT DISTRICT.] (a) "Redevelopment district" means a type of tax increment financing district consisting of a project, or portions of a project, within which the authority finds by resolution that one of the following conditions, reasonably distributed throughout the district, exists:

(1) *70 percent of* the ~~land is predominantly~~ *parcels in the district are* occupied by buildings, streets, utilities or other improvements and more than 50 percent of the buildings, not including outbuildings, are structurally substandard to a degree requiring substantial renovation or clearance; or

(2) *70 percent of* the ~~land is predominantly~~ *parcels in the district are* occupied by buildings, streets, utilities or other improvements and 20 percent of the buildings are structurally substandard and an additional 30 percent of the buildings are found to require substantial renovation or clearance in order to remove such existing conditions as: inadequate street layout, incompatible uses or land use relationships, overcrowding of buildings on the land, excessive dwelling unit density, obsolete buildings not suitable for improvement or conversion, or other identified hazards to the health, safety and general well being of the community; or

(3) *Less than 70 percent of* the ~~land is not predominantly~~ *parcels in the district are* occupied by buildings, streets, utilities or other improvements, but *due to unusual terrain or soil deficiencies requiring substantial filling, grading or other physical preparation for use* at least 80 percent of the total acreage of such land has a fair market value upon inclusion in the redevelopment district

which, when added to the estimated cost of preparing ~~the~~ *that* land for ~~use, including utilities~~ *development, excluding costs directly related to roads as defined in section 160.01 and local improvements as described in section 429.021, subdivision 1, clauses 1 to 7, 11 and 12, and section 430.01*, if any, exceeds its anticipated fair market value after completion of said preparation; *provided that no parcel shall be included within a redevelopment district pursuant to this paragraph (3) unless the authority has concluded an agreement or agreements for the development of at least 50 percent of the acreage having the unusual soil or terrain deficiencies, which agreement provides recourse for the authority should the development not be completed;* or

(4) The property consists of underutilized air rights existing over a public street, highway or right-of-way*; or*

(5) The property consists of vacant, unused, underused, inappropriately used or infrequently used railyards, rail storage facilities or excessive or vacated railroad rights-of-way.

(b) For purposes of this subdivision, "structurally substandard" shall mean containing defects in structural elements or a combination of deficiencies in essential utilities and facilities, light and ventilation, fire protection including adequate egress, layout and condition of interior partitions, or similar factors, which defects or deficiencies are of sufficient total significance to justify substantial renovation or clearance. ~~"Predominantly occupied" shall mean at least 50 percent of the parcels comprising at least 50 percent of the acreage. percent of the parcels comprising at least 50 percent of the acreage.~~ *"Parcel" shall mean a tract or plat of land established prior to the certification of the district as a single unit for purposes of assessment.*

Sec. 2. Minnesota Statutes 1980, Section 273.73, Subdivision 13, is amended to read:

Subd. 13. [ADMINISTRATIVE EXPENSES.] "Administrative expenses" means all expenditures of an authority other than amounts paid for the purchase of land or amounts paid to contractors or others providing materials and services, including architectural and engineering services, directly connected with the physical development of the real property in the district, relocation benefits paid to or services provided for persons residing or businesses located in the district, or amounts used to pay interest on, fund a reserve for, or sell at a discount bonds issued pursuant to section 273.77. *"Administrative expenses" includes amounts paid for services provided by bond counsel, fiscal consultants, and planning or economic development consultants.*

Sec. 3. Minnesota Statutes 1980, Section 273.74, Subdivision 1, is amended to read:

273.74 [ESTABLISHING, MODIFYING TAX INCREMENT FINANCING PLAN, ANNUAL ACCOUNTS.]

Subdivision 1. [TAX INCREMENT FINANCING PLAN.] A tax increment financing plan shall contain:

(a) A statement of objectives of an authority for the improvement of a ~~district. The plan shall contain~~ *project;*

(b) A statement as to the development program for the ~~district~~ *project*, including the property within the ~~district~~ *project*, if any, which the authority

intends to acquire~~. It shall also contain~~;

(c) A list of any development activities which the plan proposes to take place within the project, for which contracts have been entered into at the time of the preparation of the plan, including the names of the parties to the contract, the activity governed by the contract, the cost stated in the contract, and the expected date of completion of that activity;

(d) Identification or description of the type of any other specific development reasonably expected to take place within the project, and the date when the development is likely to occur;

(e) Estimates of the following:

(1) Cost of the ~~district~~ *project*, including administration expenses;

(2) Amount of bonded indebtedness to be incurred;

(3) Sources of revenue to finance or otherwise pay public costs;

(4) The most recent assessed value of taxable real property within the *tax increment financing* district;

(5) The estimated captured assessed value of the *tax increment financing* district at completion; and

(6) The duration of the *tax increment financing* district's existence~~. The plan shall also contain~~*; and*

(f) A statement of the authority's estimate of the impact of tax increment financing on the assessed values of all taxing jurisdictions in which the *tax increment financing* district is located in whole or in part.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 273.74, Subdivision 2, is amended to read:

Subd. 2. [CONSULTATIONS; COMMENT AND FILING.] Before formation of a tax increment financing district, the authority shall provide an opportunity to the members of the county boards of commissioners of any county in which any portion of the proposed district is located and the members of the school board of any school district in which any portion of the proposed district is located to meet with the authority. The authority shall present to the members of the county boards of commissioners and the school boards its estimate of the fiscal and economic implications of the proposed tax increment financing district. The members of the county boards of commissioners and the school boards may present their comments at the public hearing on the tax increment financing plan required by subdivision 3. *The county auditor shall not certify the original assessed value of a district pursuant to section 273.76, subdivision 1, until the county board of commissioners has presented its written comment on the proposal to the authority, or 30 days has passed from the date of the transmittal by the authority to the board of the information regarding the fiscal and economic implications, whichever occurs first.* Upon adoption of the tax increment financing plan, the authority shall file the same with the commissioner of energy, planning and development.

Sec. 5. Minnesota Statutes 1980, Section 273.74, Subdivision 3, is amended to read:

Subd. 3. [MUNICIPALITY APPROVAL.] No county auditor shall certify

the original assessed value of a tax increment financing district until the tax increment financing plan proposed for that district has been approved by the municipality in which the district is located. If an authority which proposes to establish a tax increment financing district and the municipality are not the same, the authority shall apply to the municipality in which the district is proposed to be located and shall obtain the approval of its tax increment financing plan by the municipality before the authority may use tax increment financing. The municipality shall approve the tax increment financing plan only after a public hearing thereon after published notice in a newspaper of general circulation in the municipality at least once not less than ten days nor more than 30 days prior to the date of the hearing. This hearing may be held before or after the approval or creation of the project or it may be held in conjunction with a hearing to approve the project. Before or at the time of approval of the tax increment financing plan, the municipality shall make the following findings, *and shall set forth in writing the reasons and supporting facts for each determination*:

(a) That the proposed tax increment financing district is a redevelopment district, a housing district or an economic development district ~~and the specific bases for such determination~~.

(b) That the proposed development or redevelopment, in the opinion of the municipality, would not *reasonably be expected to* occur solely through private investment within the reasonably forseeable future and therefore the use of tax increment financing is deemed necessary.

(c) That the tax increment financing plan conforms to the general plan for the development or redevelopment of the municipality as a whole.

(d) That the tax increment financing plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the development or redevelopment of the ~~district~~ *project* by private enterprise.

(e) That the municipality elects the method of tax increment computation set forth in section 273.76, subdivision 3, clause (b), if applicable.

When the municipality and the authority are not the same, the municipality shall approve or disapprove the tax increment financing plan within 60 days of submission by the authority, or the plan shall be deemed approved. When the municipality and the authority are not the same, the municipality may not amend or modify a tax increment financing plan except as proposed by the authority pursuant to subdivision 4. Once approved, the determination of the authority to undertake the project through the use of tax increment financing and the resolution of the governing body shall be conclusive of the findings therein and of the public need for such financing.

Sec. 6. Minnesota Statutes 1980, Section 273.74, Subdivision 4, is amended to read:

Subd. 4. [MODIFICATION OF PLAN.] A tax increment financing plan may be modified by an authority, provided that any reduction or enlargement of geographic area *of the project or tax increment financing district*, increase in amount of bonded indebtedness to be incurred, *including a determination to capitalize interest on the debt if that determination was not a part of the original plan, or to increase or decrease the amount of interest on the debt to be capitalized*, increase in the portion of the captured assessed value to be

retained by the authority, increase in total estimated tax increment expenditures or designation of additional property to be acquired by the authority shall be approved upon the notice and after the discussion, public hearing and findings required for approval of the original plan*; provided that if an authority changes the type of district from housing, redevelopment or economic development to another type of district, this change shall not be considered a modification but shall require the authority to follow the procedure set forth in sections 273.71 to 273.78 for adoption of a new plan, including certification of the assessed valuation of the district by the county auditor.*

The geographic area of a tax increment financing district may be reduced, but shall not be enlarged after five years following the date of certification of the original assessed value by the county auditor or five years from August 1, 1979, for tax increment financing districts authorized prior to August 1, 1979, except that development districts created pursuant to chapter 472A prior to August 1, 1979 may be reduced but shall not be enlarged after five years following the date of designation of such district.

Sec. 7. Minnesota Statutes 1980, Section 273.75, Subdivision 2, is amended to read:

Subd. 2. [EXCESS TAX INCREMENTS.] In any year in which the tax increment exceeds the amount necessary to pay the costs authorized by the tax increment financing plan, including the amount necessary to cancel any tax levy as provided in section 475.61, subdivision 3, the authority shall use the excess amount to *do any of the following, in the order determined by the authority:* (a) prepay any outstanding bonds, (b) discharge the pledge of tax increment therefor, (c) pay into an escrow account dedicated to the payment of such bond, or ~~shall~~ *(d)* return the excess amount to the county auditor who shall distribute the excess amount to the municipality, county and school district in which the tax increment financing district is located in direct proportion to their respective mill rates.

Sec. 8. Minnesota Statutes 1980, Section 273.75, Subdivision 3, is amended to read:

Subd. 3. [LIMITATION ON ADMINISTRATIVE EXPENSES.] No tax increment shall be used to pay any administrative expenses for a ~~district~~ *project* which exceed ~~five~~ *ten* percent of the total tax increment expenditures authorized by the tax increment financing plan or the total tax increment expenditures for the ~~district~~ *project*, whichever is less.

Sec. 9. Minnesota Statutes 1980, Section 273.75, Subdivision 4, is amended to read:

Subd. 4. [LIMITATION ON USE OF TAX INCREMENT.] All revenues derived from tax increment shall be used in accordance with the tax increment financing plan. The revenues shall be used solely for the following purposes: (a) to pay the principal of and interest on bonds issued to finance a project; (b) by a rural development financing authority for the purposes stated in section 362A.01, subdivision 2, by a port authority or municipality exercising the powers of a port authority to finance or otherwise pay the cost of redevelopment pursuant to chapter 458, by a housing and redevelopment authority to finance or otherwise pay public redevelopment costs pursuant to chapter 462, by a municipality to finance or otherwise pay the capital and administration

costs of a development district pursuant to chapter 472A, by a municipality or redevelopment agency to finance or otherwise pay premiums for insurance guaranteeing the payment of net rentals when due under the project lease or to accumulate and maintain a reserve securing the payment when due of the principal of and interest on the bonds pursuant to chapter 474. These revenues shall not be used to circumvent existing levy limit law. *No revenues derived from tax increment shall be used for the construction or renovation of a municipally owned building used primarily and regularly for conducting the business of the municipality; this provision shall not prohibit the use of revenues derived from tax increments for the construction or renovation of a parking structure, a commons area used as a public park or a facility used for social, recreational or conference purposes and not primarily for conducting the business of the municipality.*

Sec. 10. Minnesota Statutes 1980, Section 273.75, Subdivision 5, is amended to read:

Subd. 5. [REQUIREMENT FOR AGREEMENTS.] No more than 25 percent, by acreage, of the property to be acquired within a *project which contains* a redevelopment district, or ten percent, by acreage, of the property to be acquired within a *project which contains* a housing or economic development district, as set forth in the tax increment financing plan, shall at any time be owned by an authority as a result of acquisition with the proceeds of bonds issued pursuant to section 273.77 without the authority having prior to acquisition in excess of the percentages concluded an agreement for the development or redevelopment of the property acquired and which provides recourse for the authority should the development or redevelopment not be completed.

Sec. 11. Minnesota Statutes 1980, Section 273.75, Subdivision 6, is amended to read:

Subd. 6. [LIMITATION ON INCREMENT.] If, after ~~five~~ *four* years from the date of certification of the original assessed value of the tax increment financing district pursuant to section 273.76, no demolition, rehabilitation or renovation of property or other site preparation, including improvement of a street adjacent to a parcel but not installation of utility service *including sewer or water systems*, has been commenced on a parcel located within a tax increment financing district by the authority or by the owner of the parcel in accordance with the tax increment financing plan, no additional tax increment may be taken from that parcel, and the original assessed value of that parcel shall be excluded from the original assessed value of the tax increment financing district. If the authority or the owner of the parcel subsequently commences demolition, rehabilitation or renovation or other site preparation on that parcel including improvement of a street adjacent to that parcel, in accordance with the tax increment financing plan, the authority shall certify to the county auditor that the activity has commenced, and the county auditor shall certify the assessed value thereof as most recently certified by the commissioner of revenue and add it to the original assessed value of the tax increment financing district. For purposes of this subdivision "parcel" means a tract or plat of land established *prior to the certification of the district* as a single unit for purposes of assessment.

Sec. 12. Minnesota Statutes 1980, Section 273.75, is amended by adding a subdivision to read:

Subd. 7. [SUBSEQUENT DISTRICTS.] *Except as provided in section*

273.75, subdivision 6, for subsequent recertification of parcels eliminated from a district because of lack of development activity, no parcel that has been so eliminated subsequent to two years from the date of the original certification may be included in a tax increment district if, at any time during the 20 years prior to the date when certification of the district is requested pursuant to section 273.76, subdivision 1, that parcel had been included in an economic development district.

Sec. 13. Minnesota Statutes 1980, Section 273.76, Subdivision 1, is amended to read:

Subdivision 1. [ORIGINAL ASSESSED VALUE.] Upon or after adoption of a tax increment financing plan, the auditor of any county in which the district is situated shall, upon request of the authority, certify the original assessed value of the tax increment financing district as described in the tax increment financing plan and shall certify in each year thereafter the amount by which the original assessed value has increased or decreased as a result of a change in tax exempt status of property within the district, reduction or enlargement of the district or changes pursuant to subdivision 4. The amount to be added to the original assessed value of the district as a result of previously tax exempt real property within the district becoming taxable shall be equal to the assessed value of the real property as most recently assessed pursuant to section 273.18 or, if that assessment was made more than one year prior to the date of title transfer rendering the property taxable, the value which shall be assessed by the assessor at the time of such transfer. The amount to be added to the original assessed value of the district as a result of enlargements thereof shall be equal to the assessed value of the added real property as most recently certified by the commissioner of revenue as of the date of modification of the tax increment financing plan pursuant to section 273.74, subdivision 4. *Each year the auditor shall also add to the original assessed value of each economic development district an amount equal to the original assessed value for the preceding year multiplied by the average percentage increase in the assessed valuation of all property included in the economic development district during the five years prior to certification of the district.* The amount to be subtracted from the original assessed value of the district as a result of previously taxable real property within the district becoming tax exempt, or a reduction in the geographic area of the district, shall be the amount of original assessed value initially attributed to the property becoming tax exempt or being removed from the district. If the assessed value of property located within the tax increment financing district is reduced by reason of a court-ordered abatement, stipulation agreement, voluntary abatement made by the assessor or auditor or by order of the commissioner of revenue, the reduction shall be applied to the original assessed value of the district when the property upon which the abatement is made has not been improved since the date of certification of the district and to the captured assessed value of the district in each year thereafter when the abatement relates to improvements made after the date of certification. The county auditor shall have the power to specify reasonable form and content of the request for certification of the authority and any modification thereof pursuant to section 273.74, subdivision 4.

Sec. 14. Minnesota Statutes 1980, Section 273.76, Subdivision 4, is amended to read:

Subd. 4. [PRIOR PLANNED IMPROVEMENTS.] The authority shall, after due and diligent search, accompany its request for certification to the

county auditor pursuant to subdivision 1, or its notice of district enlargement pursuant to section 273.74, subdivision 5, with a listing of all properties within the tax increment financing district or area of enlargement for which building permits have been issued during the 18 months immediately preceding approval of the tax increment financing plan by the municipality pursuant to section 273.74, subdivision 4. ~~For 12 months after completion of the improvements for which a building permit was issued during said 18 month period,~~ The county auditor ~~is authorized, but not required, to~~ *shall* increase the original assessed value of the district by the assessed valuation of the improvements for which the building permit was issued, *excluding the assessed valuation of improvements for which a building permit was issued during the three month period immediately preceding said approval of the tax increment financing plan,* as certified by the assessor.

Sec. 15. Minnesota Statutes 1980, Section 273.77, is amended to read:

273.77 [TAX INCREMENT BONDING.]

Any other law, general or special, notwithstanding, after August 1, 1979 no bonds, payment for which tax increment is pledged, shall be issued in connection with any project for which tax increment financing has been undertaken other than as is authorized hereby and the proceeds therefrom shall be used only in accordance with section 273.75, subdivision 4 as if said proceeds were tax increment, except that a tax increment financing plan need not be adopted for any project for which tax increment financing has been undertaken prior to August 1, 1979, pursuant to statutes not requiring a tax increment financing plan. Such bonds shall not be included for purposes of computing the net debt of any municipality.

(a) A municipality may issue general obligation bonds to finance any expenditure by the municipality or an authority the jurisdiction of which is wholly or partially within that municipality, pursuant to section 273.75, subdivision 4 in the same manner and subject only to the same conditions as those provided in chapter 475 for bonds financing improvement costs reimbursable from special assessments. Any pledge of tax increment, assessments or other revenues for the payment of the principal of and interest on general obligation bonds issued under this subdivision, except when the authority and the municipality are the same, shall be made by written agreement by and between the authority and the municipality and filed with the county auditor. When the authority and the municipality are the same, the municipality may by covenant pledge tax increment, assessments or other revenues for the payment of the principal of and interest on general obligation bonds issued under this subdivision and thereupon shall file the resolution containing such covenant with the county auditor. When tax increment, assessments and other revenues are pledged, the estimated collections of said tax increment, assessments and any other revenues so pledged may be deducted from the taxes otherwise required to be levied before the issuance of the bonds under section 475.61, subdivision 1, or the collections thereof may be certified annually to reduce or cancel the initial tax levies in accordance with section 475.61, subdivision 1 or 3.

(b) When the authority and the municipality are not the same, an authority may, by resolution, authorize, issue and sell its general obligation bonds to finance any expenditure which that authority is authorized to make by section 273.75, subdivision 4. Said bonds of the authority shall be authorized by its resolution, shall mature as determined by resolution of the authority in ac-

cordance with Laws 1979, Chapter 322, and may be issued in one or more series and shall bear such date or dates, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in medium of payment at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution, its trust indenture or mortgage may provide. The bonds may be sold at public or private sale at the price or prices as the authority by resolution shall determine, and any provision of any law to the contrary notwithstanding, the bonds shall be fully negotiable. In any suit, actions, or proceedings involving the validity of enforceability of any bonds of the authority or the security therefor, any bond reciting in substance that it has been issued by the authority to aid in financing a ~~district~~ *project* shall be conclusively deemed to have been issued for such purpose, and the *tax increment financing* district *within the project* shall be conclusively deemed to have been planned, located, and carried out in accordance with the purposes and provisions of Laws 1979, Chapter 322. Neither the authority, nor any director, commissioner, council member, board member, officer, employee or agent of the authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds of the authority, and such bonds shall so state on their face, shall not be a debt of any municipality, the state or any political subdivision thereof, and neither the municipality nor the state or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds be payable out of any funds or properties other than those of the authority and any tax increment and revenues of a tax increment financing district pledged therefor.

(c) Notwithstanding any other law general or special, an authority may, by resolution, authorize, issue and sell revenue bonds payable solely from all or a portion of revenues, including but not limited to tax increment revenues and assessments, derived from a tax increment financing district located wholly or partially within the municipality to finance any expenditure which the authority is authorized to make by section 273.75, subdivision 4. The bonds shall mature as determined by resolution of the authority in accordance with Laws 1979, Chapter 322 and may be issued in one or more series and shall bear such date or dates, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in medium of payment at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution, its trust indenture or mortgage may provide. The bonds may be sold at public or private sale at the price or prices as the authority by resolution shall determine, and any provision of any law to the contrary notwithstanding, shall be fully negotiable. In any suit, action, or proceedings involving the validity or enforceability of any bonds of the authority or the security therefor, any bond reciting in substance that it has been issued by the authority to aid in financing a ~~district~~ *project* shall be conclusively deemed to have been issued for such purpose, and the *tax increment financing* district *within the project* shall be conclusively deemed to have been planned, located, and carried out in accordance with the purposes and provisions of Laws 1979, Chapter 322. Neither the authority, nor any director, commissioner, council member, board member, officer, employee or agent of the authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds may be further secured by a pledge and mortgage of all or any portion of the district in aid of which the bonds are issued and such convenants as the authority shall deem by such resolution to be necessary and proper to secure

payment of the bonds. The bonds, and the bonds shall so state on their face, shall not be payable from nor charged upon any funds other than the revenues and property pledged or mortgaged to the payment thereof, nor shall the issuing authority be subject to any liability thereon or have the powers to obligate itself to pay or pay the bonds from funds other than the revenues and properties pledged and mortgaged and no holder or holders of the bonds shall ever have the right to compel any exercise of any taxing power of the issuing authority or any other public body, other than as is permitted or required under Laws 1979, Chapter 322 and pledged therefor hereunder, to pay the principal of or interest on any such bonds, nor to enforce payment thereof against any property of the authority or other public body other than that expressly pledged or mortgaged for the payment thereof.

(d) (1) In anticipation of the issuance of bonds pursuant to either paragraph (a), (b) or (c) of this section, the authority or municipality may by resolution issue and sell temporary bonds pursuant to paragraph (a), (b) or (c), maturing within not more than three years from their date of issue, to pay any part or all of the cost of a project. To the extent that the principal of and interest on the temporary bonds cannot be paid when due from receipts of tax increment, assessments, or other funds appropriated for the purpose, they shall be paid from the proceeds of long-term bonds or additional temporary bonds which the authority or municipality shall offer for sale in advance of the maturity date of the temporary bonds, but the indebtedness funded by an issue of temporary bonds shall not be extended by the issue of additional temporary bonds for more than six years from the date of the first issue. Long-term bonds may be issued pursuant to paragraph (a), (b) or (c) without regard to whether the temporary bonds were issued pursuant to paragraph (a), (b) or (c). If general obligation temporary bonds are issued pursuant to paragraph (a), proceeds of long-term bonds or additional temporary bonds not yet sold may be treated as pledged revenues, in reduction of the tax otherwise required by section 475.61 to be levied prior to delivery of the obligations. Subject to the six-year maturity limitation contained above, but without regard to the requirement of section 475.58, if any temporary bonds are not paid in full at maturity, in addition to any other remedy authorized or permitted by law, the holders may demand, in which case the authority or municipality shall, issue pursuant to paragraph (a), (b) or (c) as the temporary bonds and in exchange for the temporary bonds, at par, replacement temporary bonds dated as of the date of the replaced temporary bonds, maturing within one year from the date of the replacement temporary bonds and earning interest at the rate set forth in the resolution authorizing the issuance of the replaced temporary bonds, provided that the rate shall not exceed the maximum rate permitted by law at the date of issue of the replaced temporary bonds.

(2) Funds of a municipality may be invested in its temporary bonds in accordance with the provisions of section 471.56, and may be purchased upon their initial issue, but shall be purchased only from funds which the governing body of the municipality determines will not be required for other purposes before the maturity date, and shall be resold before maturity only in case of emergency. If purchased from a debt service fund securing other bonds, the holders of those bonds may enforce the municipality's obligations on the temporary bonds in the same manner as if they held the temporary bonds.

Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 15 are effective with respect to districts for which certification

is requested after June 30, 1982, except that the provisions of section 6 relating to changes in the type of an existing district shall apply to any district the type of which is changed subsequent to the date of final enactment of this act.

ARTICLE XXXIX

Section 1. Minnesota Statutes 1980, Section 278.08, is amended to read:

278.08 [INTEREST.]

Subdivision 1. [TAXES DUE.] ~~If~~ *Whether or not* the tax is sustained in full as levied *and section 278.03 notwithstanding*, the judgment shall include any interest which has ~~then~~ accrued ~~thereon~~ *on the taxes* for failure to pay the ~~same,~~ *taxes* or any part ~~thereof, at the time required by law~~ *of the taxes as provided in sections 279.01 and 279.03*. If the tax is reduced, no ~~penalties and interest~~ *penalty* shall be included in the judgment because of the failure to pay the reduced tax prior to ~~the~~ entry ~~thereof~~ *of judgment. After* the judgment *is entered, it* shall be subject to interest ~~or penalties as would under the law attach to the tax embraced therein after the entry thereof~~ *and penalty at the rates provided in chapter 279 for delinquent payment of property taxes.*

Subd. 2. [REFUND.] *If the petitioner has overpaid the tax determined or stipulated to be due, the county auditor shall compute interest on the overpayment from the date of the filing of the petition for review or from the date of payment of the tax, whichever is later, until the date of issuance of the refund warrant. Interest shall be calculated on the overpayment at the rate provided in section 279.03 for delinquent property taxes for the levy year involved.*

Sec. 2. Minnesota Statutes 1981 Supplement, Section 279.03, is amended to read:

279.03 [INTEREST ON DELINQUENT ~~REAL ESTATE~~ *PROPERTY* TAXES.]

Subdivision 1. [RATE.] The rate of interest on delinquent ~~real estate~~ *property* taxes levied in 1979 and prior years is fixed at six percent per ~~annum~~ *year until January 1, 1983. Thereafter interest is payable at the rate determined pursuant to section 549.09*. The rate of interest on delinquent ~~real estate~~ *property* taxes levied in 1980 and subsequent years ~~shall be~~ *is* the rate determined pursuant to section 549.09. All provisions of law *except section 549.09* providing for the calculation of interest at any different rate on delinquent taxes in any notice or proceeding in connection with the payment, collection, sale, or assignment of delinquent taxes, or redemption from such sale or assignment are hereby amended to correspond herewith. *Section 549.09 shall continue in force with respect to judgments arising out of petitions for review filed pursuant to chapter 278 irrespective of the levy year.*

~~Such interest shall be calculated from the second Monday of May following the year in which the taxes became due, on the full amount of the taxes, penalties and costs accrued.~~

~~The provisions of this section shall not apply to any taxes which have heretofore been bid in by an actual purchaser at a May tax sale or which have heretofore been assigned.~~

For property taxes levied in 1980 and prior years, interest is to be calculated at simple interest from the second Monday in May following the year in which

the taxes become due until the time that the taxes and penalties are paid, computed on the amount of unpaid taxes, penalties and costs. For property taxes levied in 1981 and subsequent years, interest shall commence on the first day of January following the year in which the taxes become due, but the county treasurer need not calculate interest on unpaid taxes and penalties on the tax list returned to the county auditor pursuant to section 279.01.

If interest is payable for a portion of a year, the interest is calculated only for the months that the taxes or penalties remain unpaid, and for this purpose a portion of a month is deemed to be a whole month.

Subd. 2. [COMPOSITE JUDGMENT.] *Amounts included in composite judgment, as authorized by section 279.37, and confessed on or after July 1, 1982, are subject to interest at the rate determined pursuant to section 549.09. During each calendar year, interest shall accrue on the unpaid balance of the composite judgment from the time it is confessed until it is paid. The rate of interest is subject to change each year in the same manner that section 549.09 provides for rate changes on judgments. Interest on the unpaid contract balance on judgments confessed before July 1, 1982, is payable at the rate applicable to the judgment at the time that it was confessed.*

Sec. 3. Minnesota Statutes 1980, Section 279.37, Subdivision 1, is amended to read:

279.37 [CONFESSION OF JUDGMENT FOR DELINQUENT TAXES.]

Subdivision 1. [COMPOSITION INTO ONE ITEM.] Delinquent taxes upon any parcel of real estate which have been bid in for and are held by the state and not assigned by it, may be composed into one item or amount by confession of judgment at any time prior to the forfeiture of such parcel of land to the state for taxes, for the aggregate amount of all such taxes, costs, penalties, and interest accrued against said parcel, as hereinafter provided; provided that ~~no such taxes upon lands classified for assessment at an assessed value exceeding 40 percent of the market value, shall be composed into any such judgment or be payable in the manner provided by this section~~ *only taxes upon property which, for the previous year's assessment, was classified as homestead property pursuant to section 273.13, subdivisions 6, 6a, 7, and 14a shall be eligible to be composed into any confession of judgment pursuant to this section.*

Sec. 4. Minnesota Statutes 1980, Section 279.37, Subdivision 2, is amended to read:

Subd. 2. [INSTALLMENT PAYMENTS.] The owner of any such parcel, or any person to whom the right to pay taxes has been given by statute, mortgage, or other agreement, may make and file with the county auditor of the county wherein ~~said~~ *the* parcel is located a written offer to pay the current taxes each year before they become delinquent, or to contest ~~such~~ *the* taxes under Minnesota Statutes 1941, Sections 278.01 to 278.13, and agree to confess judgment for the amount hereinbefore provided, as determined by the county auditor, and shall thereby waive all irregularities in connection with the tax proceedings affecting ~~such~~ *the* parcel and any defense or objection which he may have ~~thereto~~ *to the proceedings*, and shall thereby waive the requirements of any notice of default in the payment of any instalment or interest to become due pursuant to the composite judgment to be so entered, and shall tender

therewith one-tenth of the amount of ~~such~~ *the* delinquent taxes, costs, penalty, and interest, and agree therein to pay the balance in nine equal instalments, with interest ~~at the rate of eight percent per annum~~ *as provided in section 279.03*, payable annually on instalments remaining unpaid from time to time, on or before December 31 of each year following the year in which judgment was confessed, which offer shall be substantially as follows:

"To the clerk of the district court of ..... county, I, ..., owner of the following described parcel of real estate situate in ..... county, Minnesota, to-wit: ..... upon which there are delinquent taxes for the year ....., and prior years, as follows: (here insert year of delinquency and the total amount *of* delinquent taxes, costs, interest, and penalty) do hereby offer to confess judgment in the sum of $..... and hereby waive all irregularities in the tax proceedings affecting such taxes and any defense or objection which I may have thereto, and direct judgment to be entered for the amount hereby confessed, less the sum of $....., hereby tendered, being one-tenth of the amount of said taxes, costs, penalty, and interest; I agree to pay the balance of said judgment in nine equal, annual instalments, with interest ~~at the rate of eight percent per annum~~ *as provided in section 279.03*, payable annually, on the instalments remaining unpaid from time to time, said instalments and interest to be paid on or before December 31 of each year following the year in which this judgment is confessed and current taxes each year before they become delinquent, or within 30 days after the entry of final judgment in proceedings to contest such taxes under Minnesota Statutes 1941, Sections 278.01 to 278.13.

Dated this ....., 19....."

Sec. 5. Minnesota Statutes 1980, Section 282.01, Subdivision 4, is amended to read:

Subd. 4. [CONDUCT OF SALE.] ~~Such~~ *The* sale shall be conducted by the county auditor at the county seat of the county in which ~~such~~ *the* parcels lie, provided that, in St. Louis and Koochiching counties, the sale may be conducted in any county facility within the county, and ~~such~~ *the* parcels shall be sold for cash only and at not less than the appraised value, unless the county board of the county shall have adopted a resolution providing for their sale on terms, in which event ~~such~~ *the* resolution shall control with respect thereto. When the sale is made on terms other than for cash only a payment of at least ten percent of the purchase price must be made at the time of purchase, thereupon the balance shall be paid in ~~not to exceed~~ *no more than* ten equal annual instalments. No standing timber or timber products shall be removed from these lands until an amount equal to the appraised value of all ~~such~~ *standing* timber or timber products ~~as may have been standing~~ on ~~such~~ *the* lands at the time of purchase has been paid by the purchaser; provided, that in case any parcel of land bearing standing timber or timber products is sold at public auction for more than the appraised value, the amount bid in excess of the appraised value shall be allocated between the land and the timber in proportion to the respective appraised values thereof, and no standing timber or timber products shall be removed from ~~such~~ *the* land until the amount of ~~such~~ *the* excess bid allocated to timber or timber products ~~shall have~~ *has* been paid in addition to the appraised value thereof. ~~When sales are made on such terms the interest rate on the unpaid portion shall be eight percent per annum.~~ The purchaser ~~at such sale shall be~~ *is* entitled to immediate possession, subject to the provisions of any existing valid lease made in behalf of the state.

For sales occurring on or after July 1, 1982, the unpaid balance of the

purchase price is subject to interest at the rate determined pursuant to section 549.09. The interest rate is subject to change each year on the unpaid balance in the manner provided in section 549.09 for rate changes on judgments. Interest on the unpaid contract balance on sales occurring before July 1, 1982, is payable at the rate applicable to the sale at the time that the sale occurred.

Sec. 6. Minnesota Statutes 1980, Section 282.01, is amended by adding a subdivision to read:

Subd. 7a. [ALTERNATE SALE PROCEDURE.] *Land located in a home rule charter or statutory city, or in a town described in section 368.01, subdivision 1, which cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage or access may be sold by the county auditor pursuant to this subdivision if the auditor determines that a nonpublic sale will encourage the approval of sale of the land by the city or town and promote its return to the tax rolls. The sale of land pursuant to this subdivision shall be subject to any conditions imposed by the county board pursuant to section 282.03. The governing body of the city or town may recommend to the county board conditions to be imposed on the sale. The county auditor may restrict the sale to owners of lands adjoining the land to be sold. The county auditor shall conduct the sale by sealed bid or may select another means of sale. The land shall be sold to the highest bidder but in no event shall the land be sold for less than its appraised value. All owners of land adjoining the land to be sold shall be given a written notice at least 30 days prior to the sale.*

This subdivision shall be liberally construed to encourage the sale and utilization of tax-forfeited land, to eliminate nuisances and dangerous conditions and to increase compliance with land use ordinances.

Sec. 7. Minnesota Statutes 1980, Section 282.04, is amended by adding a subdivision to read:

Subd. 1a. [LEASING WITHOUT BIDS.] *The county auditor may within a period of two years immediately following the date of forfeiture lease tax-forfeited land on which are located structures or buildings without advertising for bids. Notwithstanding subdivision 1, the property may be leased for a period no longer than one year without bids, regardless of the consideration received for the lease. With the approval of the county board, the county auditor may under similar circumstances enter into a management contract without bids when that action is necessary for the operation, use or preservation of the property and the safety of the public.*

Sec. 8. Minnesota Statutes 1980, Section 282.08, is amended to read:

282.08 [APPORTIONMENT OF PROCEEDS.]

The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale of any products therefrom, shall be apportioned by the county auditor to the taxing districts interested therein, as follows:

(1) Such portion as may be required to pay any amounts included in the appraised value under section 282.01, subdivision 3, as representing increased value due to any public improvement made after forfeiture of such parcel to the state, but not exceeding the amount certified by the clerk of the municipality, shall be apportioned to the municipal subdivision entitled thereto;

(2) Such portion of the remainder as may be required to discharge any special assessment chargeable against such parcel for drainage or other purpose whether due or deferred at the time of forfeiture, shall be apportioned to the municipal subdivision entitled thereto; *and*

(3) ~~Such portion of the remainder as may have been theretofore levied on the parcel of land for any bond issue of the school district, town, city, or county, wherein the parcel of land is situated shall be apportioned to the municipal subdivisions in the proportions of the respective interest; and~~

~~(4)~~ Any balance shall be apportioned as follows:

(a) Any county board may annually by resolution set aside ~~not exceeding~~ *no more than* 30 percent of the receipts remaining to be used for timber development on tax-forfeited land and dedicated memorial forests, to be expended under the supervision of the county board. It shall be expended only on projects approved by the commissioner of natural resources.

(b) Any county board may annually by resolution set aside ~~not exceeding~~ *no more than* 20 percent of the receipts remaining to be used for the acquisition and maintenance of county parks or recreational areas as defined in sections 398.31 to 398.36, to be expended under the supervision of the county board.

(c) If the board does not avail itself of the authority under paragraph (a) or (b) any balance remaining shall be apportioned as follows: county, 40 percent; town or city, 20 percent; and school district, 40 percent, and if the board avails itself of the authority under paragraph (a) or (b) the balance remaining shall be apportioned among the county, town or city, in the proportions in this paragraph above stated, provided, however, that in unorganized territory that portion which should have accrued to the township shall be administered by the county board of commissioners.

Sec. 9. Minnesota Statutes 1980, Section 282.261, is amended to read:

282.261 [~~DOWN PAYMENT~~ *TERMS OF REPURCHASE.*]

Subdivision 1. [PAYMENTS; TAXES.] A person repurchasing under section 282.241 shall pay at the time of repurchase not less than one-tenth of ~~such~~ *the* repurchase price and shall pay the balance in ten equal annual instalments, with the privilege of paying the unpaid balance in full at any time, with interest ~~at the rate of eight percent on the balance remaining unpaid each year~~ *as provided in subdivision 2*, the first instalment of principal and interest to become due and payable on December 31 of the year following the year in which the repurchase was made, the remaining instalments to become due and payable on December 31 of each year thereafter until fully paid. ~~He~~ *The person* shall pay the current taxes each year thereafter before ~~the same shall~~ *they* become delinquent up to the time when he ~~shall pay~~ *has paid* the repurchase price in full.

Subd. 2. [INTEREST RATE.] *The unpaid balance on any repurchase contract approved by the county board on or after July 1, 1982, is subject to interest at the rate determined pursuant to section 549.09. The interest rate is subject to change each year on the unpaid balance in the manner provided in section 549.09 for rate changes on judgments. Interest on the unpaid contract balance on repurchases approved before July 1, 1982, is payable at the rate applicable to the repurchase contract at the time that it was approved.*

Subd. 3. [ALTERNATIVE TREATMENT OF NONHOMESTEAD PROPERTY.] *A county board of commissioners may by resolution provide that the installment arrangement in subdivision 1 is not applicable to nonhomestead property and that this subdivision applies instead. If the resolution is approved, the minimum downpayment shall be 20 percent of the repurchase price and the balance shall be payable in four equal annual installments. A resolution shall remain in force for at least one year after approval and shall be applied uniformly to all nonhomestead property in the county. "Nonhomestead property" means all property except that which is classified for property tax purposes as homestead property at the time that the repurchase application is approved.*

Sec. 10. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

ARTICLE XL

Section 1. Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 2, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source; except that gross income shall not include "exempt function income" of a "homeowners association" as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended through December 31, 1980.

The term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this subdivision. For estates and trusts the adjusted gross income shall be their federal taxable income as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this subdivision and with the modification that the federal deduction for personal exemptions for trusts and estates shall not be allowed.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at the same time they become effective for federal income tax purposes. Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to

pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.

The provisions of section 4 of P.L. 95-458, sections 131, 133, 134, 141, 152, 156, 157, 405, and 543 of P.L. 95-600, and section 2 of P.L. 96-608 (relating to pensions, individual retirement accounts, deferred compensation plans, the sale of a residence and to conservation payments to farmers) including the amendments made to these sections in P.L. 96-222 shall be effective at the same time that these provisions became effective for federal income tax purposes.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1979, shall be in effect for taxable years beginning after December 31, 1979.

(iv) The Internal Revenue Code of 1954, as amended through December 31, 1980, and as amended by sections 302(b) and 501 to 509 of Public Law Number 97-34, shall be in effect for taxable years beginning after December 31, 1980 including the provisions of section 404 (relating to partial exclusions of dividends and interest received by individuals) of the Crude Oil Windfall Profit Tax Act of 1980, P.L. 96-223. The provisions of P.L. 96-471 (relating to installment sales) ~~and~~ sections *122, 123, 126, 201, 202, 203, 204, 211, 213, 214, 251, 261, 264, 265, 311(g)(3), 313, 314(a)(1), 321(a),* 501 to 507, *811, and 812* of the Economic Recovery Tax Act of 1981, Public Law Number 97-34 *and section 113 of Public Law Number 97-119* shall be effective at the same time that they become effective for federal income tax purposes.

(v) The Internal Revenue Code of 1954, as amended through December 31, 1981, shall be in effect for taxable years beginning after December 31, 1981.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) A business casualty loss if the taxpayer elected to deduct the loss on the current year's federal income tax return but had deducted the loss on the previous year's Minnesota income tax return;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for the reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to another taxable year's income

tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for the previous taxable year. The amount of the federal income tax overpayment shall be reported only to the extent that the amount resulted in a reduction of the tax imposed by this chapter.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint, combined, or separate Minnesota income tax returns. In the case of combined or separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her combined or separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) The amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954 to the extent of the credit under section 38 of the Internal Revenue Code of 1954 that was previously allowed as a deduction either under section 290.01, subdivision 20 (b) (7);

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, if the nonprofit corporation is domiciled outside of Minnesota;

(14) Exempt-interest dividends, as defined in section 852(b)(5)(A) of the Internal Revenue Code of 1954, not included in federal adjusted gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, except for that portion of exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain recognized by a trust on the sale or exchange of property as defined in section 641(c)(1) of the Internal Revenue Code of 1954;

(16) ~~For taxable years beginning after December 31, 1980 but before January 1, 1983, in the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954 as amended through December 31,~~

~~1981, the amount allowed under section 167 of the Internal Revenue Code;~~

~~(17)~~ To the extent not included in the taxpayer's federal adjusted gross income, the amount of any gain, from the sale or other disposition of property having a lower adjusted basis for Minnesota income tax purposes than for federal income tax purposes. This modification shall not exceed the difference in basis. If the gain is considered a long term capital gain for federal income tax purposes, the modification shall be limited to 40 percent of the portion of the gain. This modification is limited to property that qualified for the energy credit contained in section 290.06, subdivision 14, and to property acquired in exchange for the release of the taxpayer's marital rights contained in section 290.14, clause (9);

~~(18)~~ *(17)* The amount of any loss from a source outside of Minnesota which is not allowed under section 290.17 including any capital loss or net operating loss carryforwards or carrybacks resulting from the loss;

~~(19)~~ *(18)* The amount of a distribution from an individual housing account which is to be included in gross income as required under section 290.08, subdivision 25;

~~(20)~~ *(19)* To the extent deducted in computing the taxpayer's federal adjusted gross income, interest, taxes and other expenses which are not allowed under section 290.10, clause (9) or (10);

~~(21)~~ *(20)* To the extent excluded from federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred compensation program pursuant to section 353.028, the amount of contributions made by the city manager or administrator which is equal to the amount which would have been the city manager's or administrator's employee contribution pursuant to section 353.27, subdivision 2, if he were a member of the public employees retirement association;

(21) The deduction for two-earner married couples provided in section 221 of the Internal Revenue Code of 1954; ~~and~~

(22) ~~For taxable years beginning after December 31, 1980 but before January 1, 1983, in the case of section 179 property within the meaning of the Internal Revenue Code of 1954, the amount allowed as a deduction under section 179 of the Internal Revenue Code~~ *Interest on all-savers certificates which is excluded under section 128 of the Internal Revenue Code of 1954;*

(23) The amount of contributions to an individual retirement account, simplified employee pension plan, or self-employed retirement plan which is allowed under sections 311 and 312 of Public Law Number 97-34 to the extent those contributions were not an allowable deduction prior to the enactment of that law; and

(24) To the extent deducted in computing federal adjusted gross income, living expenses of a member of congress in excess of that allowable under section 290.09, subdivision 2, clause (a)(3).

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instru-

mentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to 60 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of the securities but includible in gross income for federal income tax purposes;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks or out of state loss carryforwards resulting from the losses, and including any farm loss carryforwards or carrybacks;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether the amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954. The maximum amount of this subtraction shall be $11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds $17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be $11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of $17,000;

(7) The amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954 but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for

the taxable year, gain recognized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed before January 1, 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The first $3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next $2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(12) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in clause (b)(6);

(13) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(15) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(16) To the extent included in federal adjusted gross income, severance pay that may be treated as a lump sum distribution under the provisions of section 290.032, subdivision 5;

(17) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17;

(18) Minnesota exempt-interest dividends as provided by subdivision 27;

(19) A business casualty loss which the taxpayer elected to deduct on the current year's Minnesota income tax return but did not deduct on the current year's federal income tax return; and

(20) Income from the performance of personal or professional services which is subject to the reciprocity exclusion contained in section 290.081, clause (a);

(21) To the extent included in federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred compensation program pursuant to section 353.028, the amount of payments from the deferred compensation program equivalent to the amount of contributions taxed under clause (a)~~(21)~~ *(20)*;

(22) Contributions to and interest earned on an individual housing account as provided by section 290.08, subdivision 25;

(23) Interest earned on a contract for deed entered into for the ~~purchase~~ *sale* of property for agricultural use if the rate of interest set in the contract is no more than ~~eight~~ *nine* percent per year for the duration of the term of the contract. This exclusion shall be available only if (1) the purchaser is an individual who, together with his spouse and dependents, has a total net worth valued at less than $150,000 and (2) the property ~~purchased~~ *sold* under the contract is farm land as defined in section 41.52, subdivision 6 of no more than 1,000 acres that the purchaser intends to use for agricultural purposes. Compliance with these requirements shall be stated in an affidavit to be filed with the first income tax return on which the taxpayer claims the exclusion provided in this clause. Upon request accompanied by the information necessary to make the determination, the commissioner shall determine whether interest to be paid on a proposed transaction will qualify for this exclusion; the determination shall be provided within 30 days of receipt of the request, unless the commissioner finds it necessary to obtain additional information, or verification of the information provided, in which case the determination shall be provided within 30 days of receipt of the final item of information or verification. The exclusion provided in this clause shall apply to interest earned on contracts for deed entered into after December 31, 1981 and before July 1, 1983; *and*

(24) ~~For the taxable year beginning after December 31, 1980, but before January 1, 1982, an amount equal to 85 percent of the deduction allowed under section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981. For the taxable year beginning after December 31, 1981 but before January 1, 1983, 83 percent of the deduction allowed under section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981. The depreciation adjustments made to basis in the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954 as amended through December 31, 1981 shall be the depreciation adjustments made for federal income tax purposes under the Internal Revenue Code of 1954, as amended through December 31, 1981. Adoption of this provision shall not be construed as indicating the intent of the legislature to enact provisions authorizing amortization of the amount of depreciation not excludable under this clause; and~~

~~(25) For taxable years beginning after December 31, 1980 but before January 1, 1983, an amount equal to the deduction allowed under section 179 of the Internal Revenue Code of 1954 as amended through December 31, 1981~~ *The penalty on the early withdrawal of an all-savers certificate as provided in section 128(e) of the Internal Revenue Code of 1954 to the extent that the*

interest was included in income under clause (a)(22).

(c) A modification affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954 shall be made.

In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under this chapter and at the close of the taxable year immediately preceding the effective election under this chapter the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that the reserve is distributed to shareholders the distribution shall be taxed as a dividend for purposes of this chapter.

(d) Amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that the amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that the amounts resulted in a reduction of the tax imposed by this chapter and amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this chapter.

(e) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1, clause (2) in computing Minnesota inheritance or estate tax liability shall not be allowed as a deduction (or as an offset against the sales price of property in determining gain or loss) in computing the taxable income of the estate or any person unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have the amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner.

(f) A modification shall be made for the allowable deduction under the accelerated cost recovery system as provided in section 2.

Sec. 2. Minnesota Statutes 1980, Section 290.01, is amended by adding a subdivision to read:

Subd. 28. The allowable deduction for the accelerated cost recovery system as provided in section 168 of the Internal Revenue Code shall be the same amount as provided in that section for individuals, estates, and trusts with the following modifications:

(1) For property placed in service after December 31, 1980 and for taxable years beginning before January 1, 1982, 15 percent of the allowance provided in section 168 of the Internal Revenue Code shall not be allowed.

(2)(a) For taxable years beginning after December 31, 1981 and before December 31, 1982, for 15 year real property as defined in section 168 of the Internal Revenue Code, 40 percent of the allowance provided in section 168 of the Internal Revenue Code shall not be allowed and for all other property, 17 percent of the allowance shall not be allowed.

(2)(b) For taxable years beginning after December 31, 1982, for 15 year real property as defined in section 168 of the Internal Revenue Code, 40 percent of the allowance provided in section 168 of the Internal Revenue Code shall not be allowed and for all other property 20 percent of the allowance shall not be allowed.

(3) For property placed in service after December 31, 1980 for which the taxpayer elects to use the straight line method provided in section 168(b)(3) or a method provided in section 168(e)(2) of the Internal Revenue Code, the modifications provided in clauses (1) and (2) do not apply.

(4) For property subject to the modifications contained in clause (1) or (2) above, the following modification shall be made after the entire amount of the allowable deduction for that property under the provision of section 168 of the Internal Revenue Code has been obtained. The remaining depreciable basis in those assets for Minnesota purposes shall be a depreciation allowance computed by using the straight line method over the following number of years:

(a) 3 year property - 1 year.

(b) 5 year property - 2 years.

(c) 10 year property - 5 years.

(d) All 15 year property - 7 years.

(5) The basis of property to which section 168 of the Internal Revenue Code applies shall be its basis as provided in this chapter and including the modifications provided in this subdivision. The recapture tax provisions provided in sections 1245 and 1250 of the Internal Revenue Code shall apply but shall be calculated using the basis provided in the preceding sentence. When an asset is exchanged for another asset including an involuntary conversion and under the provision of the Internal Revenue Code gain is not recognized in whole or in part on the exchange of the first asset, the basis of the second asset shall be the same as its federal basis provided that the difference in basis due to clause (1) or (2) can be written off as provided in clause (4).

(6) Wherever used in this subdivision, the term "Internal Revenue Code" shall mean the Internal Revenue Code of 1954, as amended through December 31, 1981.

(7) The modifications provided in this subdivision shall apply before applying any limitation to out of state losses contained in section 290.17 or farm losses contained in section 290.09, subdivision 29.

Sec. 3. Minnesota Statutes 1980, Section 290.067, Subdivision 1, is amended to read:

Subdivision 1. [AMOUNT OF CREDIT.] A taxpayer may take as a credit against the tax due from him and his spouse, if any, under this chapter an amount equal to the dependent care credit for which he is eligible pursuant to the provisions of section 44A of the Internal Revenue Code of 1954, as

amended through December 31, ~~1979~~ *1981, except that the applicable percentage of the employment-related expenses shall be 20 percent and* subject to the *other* limitations provided in subdivision 2.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 7, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 8, is amended to read:

Subd. 7. [DEPRECIATION.] (A) [CUMULATIVE DEPRECIATION.] (a) There shall be allowed as a depreciation deduction a reasonable allowance for the exhaustion, wear and tear (including a reasonable allowance for obsolescence):

(1) of property used in the trade or business, or

(2) of property held for the production of income.

(b) The term "reasonable allowance" as used in clause (a) shall include (but shall not be limited to) an allowance computed in accordance with regulations prescribed by the commissioner, under any of the following methods:

(1) the straight line method.

(2) the declining balance method, using a rate not exceeding twice the rate which would have been used had the annual allowance been computed under the method described in paragraph (1).

(3) the sum of the years-digits method, and

(4) any other consistent method productive of an annual allowance, which, when added to all allowances for the period commencing with the taxpayer's use of the property and including the taxable year, does not, during the first two-thirds of the useful life of the property, exceed the total of such allowances which would have been used had such allowances been computed under the method described in (2). Nothing in this clause (b) shall be construed to limit or reduce an allowance otherwise allowable under clause (a).

(c) For purposes of this subdivision "reasonable allowance" shall ~~not~~ include the accelerated cost recovery system provisions of section 168 of the Internal Revenue Code of 1954, as amended through December 31, 1981, except as provided in this subdivision ~~unless specifically authorized by legislation enacted after the final enactment of this section~~. In the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954, as amended through December 31, 1981, the term "reasonable allowance" as used in clause (a) shall mean 85 percent of the deduction allowed pursuant to section 168 of the Internal Revenue Code of 1954 for *property placed in service after December 31, 1980 and for* taxable years beginning ~~after December 31, 1980 and~~ before January 1, 1982~~; and 83 percent of the deduction allowed pursuant to section 168 of the Internal Revenue Code of 1954 for taxable years beginning after December 31, 1981 and before January 1, 1983~~.

For taxable years beginning after December 31, 1981 the term reasonable allowance as used in clause (a) shall mean the following percent of the deduction allowed pursuant to section 168 of the Internal Revenue Code of 1954, as amended through December 31, 1981:

(1) For 3, 5 and 10 year property and for 15 year public utility property the

allowable percentage is 83 percent and 80 percent for taxable years beginning after December 31, 1982.

(2) For 15 year real property the allowable percentage is 60 percent.

For property placed in service after December 31, 1980 the term "reasonable allowance" as used in clause (a) shall mean 100 percent of the deduction allowed pursuant to section 168 of the Internal Revenue Code of 1954 where the taxpayer elects to use the straight line method provided in section 168(b)(3) or a method provided in section 168(e)(2) of the Internal Revenue Code of 1954, as amended through December 31, 1981. For property placed in service after December 31, 1980 and for which the full amount of the deduction allowed under section 168 of the Internal Revenue Code of 1954, as amended through December 31, 1981 has been allowed, the remaining depreciable basis in those assets for Minnesota purposes shall be a depreciation allowance computed by using the straight line method over the following number of years:

(1) 3 year property - 1 year.

(2) 5 year property - 2 years.

(3) 10 year property - 5 years.

(4) All 15 year property - 7 years.

When an asset is exchanged for another asset including an involuntary conversion and under the provision of the Internal Revenue Code gain is not recognized in whole or in part on the exchange of the first asset, the basis of the second asset shall be the same as its federal basis provided that the difference in basis due to the limitations provided in this clause can be written off as provided in the preceding sentence.

The modification provided in this clause shall apply before applying a limitation on farm losses as contained in section 290.09, subdivision 29.

(d) Paragraphs (2), (3), and (4) of clause (b) shall apply only in the case of property (other than intangible property) described in clause (a) with a useful life of three years or more.

(1) the construction, reconstruction, or erection of which is completed after December 31, 1958, and then only to that portion of the basis which is properly attributable to such construction, reconstruction, or erection after December 31, 1958, or

(2) acquired after December 31, 1958, if the original use of such property commenced with the taxpayer and commences after such date.

(e) Where, under regulations prescribed by the commissioner, the taxpayer and the commissioner have, after June 30, 1959, entered into an agreement in writing specifically dealing with the useful life and rate of depreciation of any property, the rate so agreed upon shall be binding on both the taxpayer and the commissioner in the absence of facts or circumstances not taken into consideration in the adoption of such agreement. The responsibility of establishing the existence of such facts and circumstances shall rest with the party initiating the modification. Any change in the agreed rate and useful life specified in the agreement shall not be effective for taxable years before the taxable year in which notice in writing by certified mail is served by the party to the agreement initiating such change.

(f) In the absence of an agreement under clause ~~(d)~~ *(e)* containing a provision to the contrary, a taxpayer may at any time elect in accordance with regulations prescribed by the commissioner to change from the method of depreciation prescribed in clause (b) (2) to the method described in clause (b) (1).

(g) The basis on which exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be the adjusted basis provided in ~~sections 290.131 to 290.139, 290.14 and 290.15~~ *this chapter* for the purpose of determining the gain on the sale or other disposition of such property ~~except that in the case of recovery property within the meaning of section 168 of the Internal Revenue Code as amended through December 31, 1981, for taxable years beginning after December 31, 1980 but before January 1, 1983, the depreciation adjustment to basis shall be the same as the depreciation adjustments under the Internal Revenue Code of 1954 as amended through December 31, 1981~~.

~~(h) In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust the allowable deduction shall be apportioned between the income beneficiary and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. In the case of an estate, the allowable deduction shall be apportioned between the estate and the heirs, legatees, and devisees on the basis of the income of the estate allocable to each.~~

~~(i) In the case of buildings or other structures or improvements constructed or made on leased premises by a lessee, and the fixtures and machinery therein installed, the lessee alone shall be entitled to the allowance of this deduction.~~

(B) [FIRST YEAR DEPRECIATION.] ~~(a) In the case of section 1 property,~~ The term "reasonable allowance" as used in *this* subdivision ~~7,~~ may, at the election of the taxpayer, include an ~~allowance, for the first taxable year for which a deduction is allowable under subdivision 7, to the taxpayer with respect to such property, of 20 percent of the cost of such property. For taxable years beginning after December 31, 1980 and before January 1, 1983, in the case of recovery property within the meaning of section 168 of the Internal Revenue Code of 1954, as amended through December 31, 1981, the first year depreciation allowance shall be the allowance for federal income tax purposes~~ *amount as provided* under section 179 of the Internal Revenue Code of 1954, as amended through December 31, 1981.

~~(b) If in any one taxable year the cost of section 1 property with respect to which the taxpayer may elect an allowance under (a) for such taxable year exceeds $10,000, then (a) shall apply with respect to those items selected by the taxpayer, but only to the extent of an aggregate cost of $10,000. In the case of a husband and wife who file a joint return under section 290.38 for the taxable year, the limitation under the preceding sentence shall be $20,000 in lieu of $10,000.~~

~~(c) (1) The election under this subdivision for any taxable year shall be made within the time prescribed by law (including extensions thereof) for filing the return for such taxable year. The election shall be made in such manner as the commissioner may by regulations prescribe.~~

~~(2) Any election made under this subdivision may not be revoked except~~

with the consent of the commissioner.

(d) (1) For purposes of this subdivision, the term "Section 1 property" means tangible personal property (excluding buildings and structures)

(A) of a character subject to the allowance for depreciation under subdivision 7.

(B) acquired by purchase after December 31, 1958, for use in a trade or business or for holding for production of income, and

(C) with a useful life (determined at the time of such acquisition) of six years or more.

(2) For purposes of paragraph (1), the term "purchase" means any acquisition of property, but only if

(A) the property is not acquired from a person whose relationship to the person acquiring it would result in the disallowance of losses under section 290.10(6),

(B) the property is not acquired by one component member of a controlled group from another component member of the same controlled group, and

(C) the basis of the property in the hands of the person acquiring it is not determined

(i) in whole or in part by reference to the adjusted basis of such property in the hands of the person from whom acquired, or

(ii) under section 290.14(4) (relating to property acquired from a decedent).

(3) For purposes of this subdivision, the cost of property does not include so much of the basis of such property as is determined by reference to the basis of other property held at any time by the person acquiring such property.

(4) This subdivision shall not apply to trusts.

(5) In the case of an estate, any amount apportioned to an heir, legatee, or devisee shall not be taken into account in applying (B) of this subdivision to section 1 property of such heir, legatee, or devisee not held by such estate.

(6) For purposes of (B) of this subdivision

(A) all component members of a controlled group shall be treated as one taxpayer, and

(B) the commissioner shall apportion the dollar limitation contained in such (B) among the component members of such controlled group in such manner as he shall by regulations prescribe.

(7) For purposes of paragraphs (2) and (6), the term "controlled group" has the meaning assigned to it by section 1563(a) of the Internal Revenue Code of 1954, as amended through December 31, 1979, except that, for such purposes, the phrase "more than 50 percent" shall be substituted for the phrase "at least 80 percent" each place it appears in section 1563(a)(1) of the Internal Revenue Code of 1954, as amended through December 31, 1979.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 29, is amended to read:

Subd. 29. [DEDUCTIONS ATTRIBUTABLE TO FARMING.] (a) [DEFI-

NITIONS.] For purposes of this subdivision, income and gains and expenses and losses shall be considered as "arising from a farm" if such items are received or incurred in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife, and all operations incident thereto, including but not limited to the common use of "hedging".

(b) [DEDUCTIONS LIMITED.] Except as provided in this subdivision, expenses and losses, except for interest and taxes, arising from a farm shall not be allowed as deductions in excess of income and gains arising fro.n a farm.

(c) [DEDUCTIONS ALLOWED; CARRYOVER DEDUCTIONS.] ~~For taxable years beginning on or after January 1, 1974.~~ Expenses and losses arising from a farm or farms shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the first $15,000 of non-farm gross income, or non-farm taxable net income in the case of a corporation, provided however that in any case where non-farm income exceeds $15,000, the maximum allowable amount of $15,000 shall be reduced by twice the amount by which the non-farm income exceeds the amount of $15,000. For this purpose and for the purpose of applying the limitation in the following paragraph regarding the application of any carryback or carryforward, the term gross income shall include the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, as amended through December 31, 1980, *and no deduction shall be allowed for two-earner married couples as provided in section 221 of the Internal Revenue Code of 1954, as amended through December 31, 1981*. Any remaining balance of the deductions shall be carried back three years and carried forward five years, in chronological order, provided, however, that in any case in which any individual, estate or trust which elects a net operating loss carryforward under section 172(b)(3)(C) of the Internal Revenue Code of 1954, as amended through December 31, 1980, such losses shall not be carried back but shall only be carried forward.

Current expenses and losses shall be utilized as deductions in any taxable year, to the extent herein allowable, prior to the application of any carryback or carryover deductions. In any event, the combined amounts of such current expenses and losses and carryback or carryover deductions shall be allowed as deductions up to the amount of the income and gains arising from a farm or farms in any taxable year, plus the first $15,000 of non-farm gross income, or non-farm taxable net income in the case of a corporation, provided however that in any case where non-farm income exceeds $15,000, the maximum allowable amount of $15,000 shall be reduced by twice the amount by which the non-farm income exceeds the amount of $15,000.

(d) [SHAREHOLDERS SEPARATE ENTITIES.] For purposes of this subdivision, individual shareholders of an electing small business corporation shall be considered separate entities.

(e) [SPECIAL PERIOD OF LIMITATION WITH RESPECT TO FARM LOSS LIMITATION CARRYBACKS.] For the purposes of sections 290.46 and 290.50, if the claim for refund relates to an overpayment attributable to a farm loss limitation carryback under this subdivision, in lieu of the period of

limitation prescribed in sections 290.46 and 290.50, the period of limitation shall be that period which ends with the expiration of the 15th day of the 46th month (or the 45th month, in the case of a corporation) following the end of the taxable year of the farm loss which results in the carryback. ~~No deduction or refund shall be allowed on 1974 returns for farm losses which have been previously carried back to earlier years and for which a tax refund or reduction has been allowed.~~

(f) [INTEREST ON CLAIMS.] In any case in which a taxpayer is entitled to a refund in a carryback year due to the carryback of a farm loss, interest shall be computed only from the end of the taxable year in which the loss occurs.

(g) [ORDER OF APPLICATION.] The application of this subdivision shall be made after applying any limitation to out of state losses contained in section 290.17.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 290.091, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 9, is amended to read:

290.091 [MINIMUM TAX ON PREFERENCE ITEMS.]

In addition to all other taxes imposed by this chapter there is hereby imposed, a tax which, in the case of a resident individual, shall be equal to 40 percent of the amount of the taxpayer's minimum tax liability for tax preference items pursuant to the provisions of sections 55 to 58 and 443(d) of the Internal Revenue Code of 1954 as amended through December 31, 1980 except that for purposes of the tax imposed by this section, capital gain as defined in section 57(a) of the Internal Revenue Code shall not include that portion of any gain occasioned by sale, transfer or the granting of a perpetual easement pursuant to any eminent domain proceeding or threat thereof as described in section 290.13, subdivision 5. This modification shall apply to the years in which the gain or reduction in loss is actually included in federal adjusted gross income even though amounts received pursuant to the eminent domain proceedings were received in prior years. In the case of a resident individual, having preference items which could not be taken to reduce income from sources outside the state pursuant to section 290.17, subdivision 1, or any other taxpayer the tax shall equal 40 percent of that federal liability, multiplied by a fraction the numerator of which is the amount of the taxpayer's preference item income allocated to this state pursuant to the provisions of sections 290.17 to 290.20, and the denominator of which is the taxpayer's total preference item income for federal purposes.

For property placed in service after December 31, 1980, the preference items contained in section 57 (a)(12) of the Internal Revenue Code of 1954, as amended through December 31, 1981, shall not apply.

Sec. 7. Minnnsota Statutes 1981 Supplement, Section 290.095, Subdivision 11, is amended to read:

Subd. 11. [CARRYBACK OR CARRYOVER ADJUSTMENTS.] (a) For individuals the amount of a net operating loss that may be carried back or carried over shall be the same dollar amount allowable in the determination of federal adjusted gross income. For estates and trusts the amount of a net operating loss that may be carried back or carried over shall be the same dollar amount allowable in the determination of federal taxable income.

(b) The following adjustments to the amount of the net operating loss that may be carried back or carried over must be made for:

(1) Nonassignable income or losses as required by section 290.17, subdivision 2.

(2) Losses which constitute tax preference items as required in section 290.17, subdivision 1.

(3) Modifications required because of the restrictions on farm losses as provided in section 290.09, subdivision 29.

(4) Adjustments to the determination of federal adjusted gross i come that must be made because of changes in the Internal Revenue Code that have not yet been adopted by the legislature by updating the reference to the Internal Revenue Code contained in section 290.01, subdivision 20.

(5) Modifications to income and loss contained in federal adjusted gross income according to the provisions of section 290.01, subdivision 20, clause (c).

(6) Gains or losses which result from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes subject to the limitations contained in section 290.01, subdivision 20, clause (b) (2) and (4).

(7) Interest, taxes, and other expenses not allowed under section 290.10, clauses (9) and (10) or section 290.101.

(8) The modification for accelerated cost recovery system depreciation as provided in section 2.

(c) (1) The net operating loss carryback or carryover applied as a deduction in the taxable year to which the net operating loss is carried back or carried over shall be equal to the net operating loss carryback or carryover applied in the taxable year in arriving at federal adjusted gross income (or federal taxable income for trusts and estates) subject to the modifications contained in clause (b) and to the following modifications:

(A) Increase the amount of carryback or carryover applied in the taxable year by the amount of losses and interest, taxes and other expenses not assignable or allowable to Minnesota incurred in the taxable year.

(B) Decrease the amount of carryback or carryover applied in the taxable year by the amount of income not assignable to Minnesota earned in the taxable year and the amount of federal jobs credit or WIN credit earned in the taxable year.

(C) A taxpayer who is not a resident of Minnesota during any part of the taxable year and who has no income assignable to Minnesota during the taxable year shall apply no net operating loss carryback or carryover in the taxable year.

(2) The provisions of section 172(b) of the Internal Revenue Code of 1954 as amended through December 31, 1980 (relating to carrybacks and carryovers) shall apply. The net operating loss carryback or carryover to the next consecutive taxable year shall be the net operating loss carryback or carryover as calculated in clause (c) (1) less the amount applied in the earlier taxable year(s).

No additional net operating loss carryback or carryover shall be allowed if the entire amount has been used to offset Minnesota income in a year earlier than was possible on the federal return. A net operating loss carryback or carryover that was allowed to offset federal income in a year earlier than was possible on the Minnesota return shall still be allowed to offset Minnesota income but only if the loss was assignable to Minnesota in the year the loss occurred.

(d) A net operating loss shall be allowed to be carried back or carried forward only to the extent that loss was assignable to Minnesota in the year the loss occurred or in the year to which the loss was carried over, whichever would allow more of the loss to be allowed for Minnesota purposes.

(e) If a taxpayer has a net operating loss for federal purposes and the provisions of the farm loss limitation as provided in section 290.09, subdivision 29 apply, the limitations applying to the farm losses that are carried back or carried over are applied first and the net operating loss that is carried back or carried over is limited to the excess, if any, that the net operating loss exceeds the farm loss limitation.

Sec. 8. Minnesota Statutes 1980, Section 290.16, Subdivision 15, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 11, is amended to read:

Subd. 15. [GAIN FROM DISPOSITIONS OF CERTAIN DEPRECIABLE PROPERTY.] For purposes of this subdivision "depreciable property" shall mean "Section 1245 property" as that phrase is defined in Section 1245(a) (3) of the Internal Revenue Code of 1954, as amended through December 31, ~~1979~~ *1981*.

In determining net income of any corporate taxpayer, the gain realized from the disposition of "depreciable property" shall be treated in the same manner as is provided by Section 1245 of the Internal Revenue Code of 1954, as amended through December 31, ~~1979~~ *1981* and regulations adopted pursuant thereto except that the determination shall be made using the basis computed under this chapter.

Sec. 9. Minnesota Statutes 1980, Section 290.16, Subdivision 16, as amended by Laws 1981, Third Special Session Chapter 2, Article III, Section 12, is amended to read:

Subd. 16. [GAIN FROM DISPOSITION OF CERTAIN DEPRECIABLE REALTY.] For purposes of this subdivision "depreciable realty" shall mean "Section 1250 realty" as that phrase is defined in Section 1250(c) of the Internal Revenue Code of 1954, as amended through December 31, ~~1979~~ *1981*.

In determining net income of any corporate taxpayer, the gain realized from the disposition of "depreciable realty" shall be treated in the same manner as is provided by Section 1250 of the Internal Revenue Code of 1954, as amended through December 31, ~~1979~~ *1981*, and regulations adopted pursuant thereto except that the determination shall be made using the basis computed under this chapter.

Sec. 10. Minnesota Statutes 1981 Supplement, Section 290.92, Subdivision 15, is amended to read:

Subd. 15. [PENALTIES.] (1) If any tax required to be deducted and with-

held under subdivision 2a or subdivision 3, or any portion thereof, is not paid to or deposited with the commissioner within the time specified in subdivision 6 for the payment thereof, there shall be added thereto a penalty equal to ten percent of the amount so remaining unpaid. Such penalty shall be collected as part of said tax, and the amount of said tax not timely paid, together with said penalty, shall bear interest at the rate specified in section 270.75 from the time such tax should have been paid or deposited until paid. Where an extension of time for payment has been granted under the provisions of subdivision 6, interest shall be paid at the rate specified in section 270.75 from the date when such payment or deposit should have been made if no extension had been granted, until such tax is paid. If payment is not made at the expiration of the extended period the penalties provided in this subdivision shall apply.

(2) In the case of any failure to withhold a tax on wages, make and file quarterly returns or make payments to or deposits with the commissioner of amounts withheld, as required by this section, within the time prescribed by law, unless it is shown that such failure is not due to wilful neglect, there shall be added to the tax in lieu of the penalty provided in paragraph (1) a penalty equal to ten percent of the amount of tax that should have been properly withheld and paid over to or deposited with the commissioner if the failure is for not more than 30 days with an additional five percent for each additional 30 days or fraction thereof during which such failure continues, not exceeding 25 percent in the aggregate. The amount of the tax together with this amount shall bear interest at the rate specified in section 270.75 from the time the tax should have been paid until paid. The amount so added to the tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the negligence, in which case the amount so added shall be collected in the same manner as the tax.

(3) If any employer required to withhold a tax on wages, make deposits, make and file quarterly returns and make payments to the commissioner of amounts withheld, as required by sections 290.92 to 290.97, wilfully fails to withhold such a tax or make such deposits, files a false or fraudulent return, wilfully fails to make such a payment or deposit, or wilfully attempts in any manner to evade or defeat any such tax or the payment or deposit thereof, there shall also be imposed on such employer as a penalty an amount equal to 50 percent of the amount of tax (less any amount paid or deposited by such employer on the basis of such false or fraudulent return or deposit) that should have been properly withheld and paid over or deposited with the commissioner. The amount of the tax together with this amount shall bear interest at the rate specified in section 270.75 from the time the tax should have been paid until paid. The penalty imposed by this paragraph shall be collected as a part of the tax, and shall be in addition to any other penalties civil and criminal, prescribed by this subdivision.

(4) If any person required under the provisions of subdivision 7 to furnish a statement to an employee or payee and a duplicate statement to the commissioner, or to furnish a reconciliation of such statements (and quarterly returns) to the commissioner, wilfully furnishes a false or fraudulent statement to an employee or payee or a false or fraudulent duplicate statement or reconciliation of statements (and quarterly returns) to the commissioner, or wilfully fails to furnish a statement or such reconciliation in the manner, at the time, and showing the information required by the provisions of subdivision 7, or regulations prescribed by the commissioner thereunder, there shall be imposed on such a person a penalty of $10 for each such act or failure to act. The penalty

imposed by this paragraph shall become due and payable within ten days after the mailing of a written demand therefor, and may be collected in the manner prescribed in subdivision 6(8).

(5) In addition to the penalties hereinbefore prescribed, any person required to withhold a tax on wages, make and file quarterly returns and make payments or deposits to the commissioner of amounts withheld, as required by this section, who wilfully fails to withhold such a tax or truthfully make and file such a quarterly return or make such a payment or deposit, shall be guilty of a gross misdemeanor.

(6) In lieu of any other penalty provided by law, except the penalty provided by paragraph (4), any person required under the provisions of subdivision 7 to furnish a statement of wages to an employee and a duplicate statement to the commissioner, who wilfully furnishes a false or fraudulent statement of wages to an employee or a false or fraudulent duplicate statement of wages to the commissioner, or who wilfully fails to furnish such a statement in the manner, at the time, and showing the information required by the provisions of subdivision 7, or regulations prescribed by the commissioner thereunder, shall be guilty of a gross misdemeanor.

(7) Any employee required to supply information to his employer under the provisions of subdivision 5, who wilfully fails to supply information thereunder which would require an increase in the tax to be deducted and withheld under subdivision 2a or subdivision 3, shall be guilty of a misdemeanor.

(8) The term "person," as used in this section, includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

(9) All payments received shall be credited first to penalties, next to interest, and then to the tax due.

(10) In addition to any other penalty provided by law, any employee who furnishes a withholding exemption certificate to his employer which the employee has reason to know contains a materially incorrect statement shall be liable to the commissioner of revenue for a penalty of ~~$100~~ *$500* for each instance. The penalty shall be immediately due and payable and may be collected in the same manner as any delinquent income tax.

(11) In addition to any other penalty provided by law, any employer who fails to submit a copy of a withholding exemption certificate required by subdivision 5a, clause (1)(a), (1)(b), or (2) shall be liable to the commissioner of revenue for a penalty of $50 for each instance. The penalty shall be immediately due and payable and may be collected in the manner provided in subdivision 6(8).

Sec. 11. Minnesota Statutes 1981 Supplement, Section 290.93, Subdivision 1, is amended to read:

Subdivision 1. [REQUIREMENT OF DECLARATION.] (1) Every individual shall, at the time prescribed in subdivision 5 of this section, make and file with the commissioner a declaration of his estimated tax for the taxable year if

(a) The gross income (as defined in section 290.01, subdivision 20) for the taxable year can reasonably be expected to exceed the gross income amounts set forth in section 290.37, subdivision 1 pertaining to the requirements for making a return; and

(b) Such gross income can reasonably be expected to include more than $500 from sources other than wages upon which a tax has been deducted and withheld under section 290.92, subdivision 2a or subdivision 3.

(2) If the individual is an infant or incompetent person, the declaration shall be made by his guardian.

(3) Notwithstanding the provisions of this section, no declaration is required if the estimated tax (as defined in subdivision 3) ~~can reasonably be expected to be~~ *is* less than ~~$100~~ *$200 for taxable years beginning after December 31, 1981, $300 for taxable years beginning after December 31, 1982, $400 for taxable years beginning after December 31, 1983, and $500 for taxable years beginning after December 31, 1984.*

Sec. 12. Minnesota Statutes 1981 Supplement, Section 290.934, Subdivision 4, is amended to read:

Subd. 4. [EXCEPTION.] (a) Notwithstanding the provisions of the preceding subdivisions, the addition to the tax with respect to any underpayment of any installment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of such installment equals or exceeds the amount which would have been required to be paid on or before such date if the estimated tax were whichever of the following is the lesser

(1) The tax shown on the return of the corporation for the preceding taxable year, if a return showing a liability for tax was filed by the corporation for the preceding taxable year and such preceding year was a taxable year of 12 months.

(2) An amount equal to the tax computed at the rates applicable to the taxable year but otherwise on the basis of the facts shown on the return of the corporation for, and the law applicable to, the preceding taxable year.

(3) (A) An amount equal to the tax for the taxable year computed by placing on an annualized basis the taxable income:

(i) for the first two months of the taxable year, in the case of the installment required to be paid in the third month,

(ii) for the first two months or for the first five months of the taxable year, in the case of the installment required to be paid in the sixth month,

(iii) for the first six months or for the first eight months of the taxable year in the case of the installment required to be paid in the ninth month, and

(iv) for the first nine months or for the first 11 months of the taxable year, in the case of the installment required to be paid in the 12th month of the taxable year.

(B) For purposes of this paragraph, the taxable income shall be placed on an annualized basis by

(i) multiplying by 12 the taxable income referred to in subparagraph (A),

and

(ii) dividing the resulting amount by the number of months in the taxable year (2, 5, 6, 8, 9, or 11, as the case may be) referred to in subparagraph (A).

(b) Notwithstanding clause (a) *(1) and (2)*, in the case of a large corporation, the addition to the tax with respect to any underpayment of any installment shall be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of the installment is less than the amount required to be paid on or before the date. The amount required to be paid as estimated tax for the taxable year shall in no event be less than ~~60 percent~~ *the applicable percentage* of (A) the tax shown on the return for the taxable year, or (B) if no return was filed, the tax for the year. The term "large corporation" means any corporation (or any predecessor corporation) which had taxable net income of $1,000,000 or more for any taxable year during the testing period. The term "testing period" means the three taxable years immediately preceding the taxable year involved. *The term "applicable percentage" means 65 percent for taxable years beginning after April 30, 1982, 75 percent for taxable years beginning after December 31, 1982, and 80 percent for taxable years beginning after December 31, 1983.*

Sec. 13. Minnesota Statutes 1981 Supplement, Section 290A.03, Subdivision 3, is amended to read:

Subd. 3. [INCOME.] (1) "Income" means the sum of the following:

(a) federal adjusted gross income as defined in the Internal Revenue Code of 1954 as amended through December 31, ~~1980~~ *1981*; and

(b) the sum of the following amounts to the extent not included in clause (a):

(i) additions to federal adjusted gross income as provided in Minnesota Statutes, Section 290.01, Subdivision 20, Clause (a)(1), (a)(3), (a)(9), (a)(14), ~~and~~ (a)(15), *and (a)(21)*;

(ii) all nontaxable income;

(iii) recognized net long term capital gains;

(iv) dividends and interest excluded from federal adjusted gross income under ~~section~~ *sections* 116 *or 128* of the Internal Revenue Code of 1954;

(v) cash public assistance and relief;

(vi) any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act, supplemental security income, and veterans benefits), which was not exclusively funded by the claimant or spouse, or which was funded exclusively by the claimant or spouse and which funding payments were excluded from federal adjusted gross income in the years when the payments were made;

(vii) nontaxable interest received from the state or federal government or any instrumentality or political subdivision thereof;

(viii) workers' compensation;

(ix) unemployment benefits;

(x) nontaxable strike benefits; and

(xi) the gross amounts of payments received in the nature of disability

income or sick pay as a result of accident, sickness, or other disability, whether funded through insurance or otherwise. In the case of an individual who files an income tax return on a fiscal year basis, the term "federal adjusted gross income" shall mean federal adjusted gross income reflected in the fiscal year ending in the calendar year.

(2) "Income" does not include

(a) amounts excluded pursuant to the Internal Revenue Code, Sections 101(a), 102, 117, and 121;

(b) amounts of any pension or annuity which was exclusively funded by the claimant or spouse and which funding payments were not excluded from federal adjusted gross income in the years when the payments were made;

(c) gifts from nongovernmental sources;

(d) surplus food or other relief in kind supplied by a governmental agency;

(e) relief granted under sections 290A.01 to 290A.20;

(f) child support payments received under a temporary or final decree of dissolution or legal separation; ~~or~~

(g) federal adjusted gross income shall be reduced by wage or salary expense, or expense of work incentive programs which are not allowed as a deduction under provisions of section 280C of the Internal Revenue Code of 1954; *or*

(h) federal adjusted gross income shall be reduced by the amount of the penalty on the early withdrawal of an all-savers certificate as provided in section 128(e) of the Internal Revenue Code of 1954.

Sec. 14. [DIRECTION TO REVISOR.]

In the next edition of Minnesota Statutes, the revisor of statutes shall substitute the phrase "Internal Revenue Code of 1954, as amended through December 31, 1981" for the words "Internal Revenue Code of 1954, as amended through December 31, 1980" wherever the phrase occurs in chapter 290, except section 290.01, subdivision 20.

Sec. 15. [REPEALER.]

Minnesota Statutes 1980, Section 290.65, Subdivisions 2, 3, 4, 5, 6, and 7 are repealed.

Sec. 16. [EFFECTIVE DATE.]

Section 1 is effective for taxable years beginning after December 31, 1981, except as otherwise provided. In section 1, the repeal of the language concerning depreciation contained in clauses (a)(16), (a)(22), (b)(24), and (b)(25) and the provision of clause (f) is effective for property placed in service after December 31, 1980 in taxable years ending after that date. Sections 2, 4, Part (A), 6, 7, 8, and 9 are effective for property placed in service after December 31, 1980 in taxable years ending after that date, except as otherwise provided. Part (B) of section 4 is effective for taxable years beginning after December 31, 1980. Sections 3, 5, 11, 14, and 15 are effective for taxable years beginning after December 31, 1981. Section 10 is effective on May 1, 1982. Section 12 is effective for taxable years beginning after April 30, 1982. Section 13 is effective for claims based on rent paid in 1981 and subsequent

years and property taxes payable in 1982 and subsequent years.

ARTICLE XLI

Section 1. Minnesota Statutes 1981 Supplement, Section 298.28, Subdivision 1, is amended to read:

Subdivision 1. [DISTRIBUTION FROM GENERAL FUND.] The proceeds of the taxes collected under section 298.24, except the tax collected under section 298.24, subdivision 2, shall, upon certificate of the commissioner of revenue to the general fund of the state, be paid by the commissioner of revenue as follows:

(1) 2.5 cents per gross ton of merchantable iron ore concentrate, hereinafter referred to as "taxable ton", to the city or town in which the lands from which taconite was mined or quarried were located or within which the concentrate was produced. If the mining, quarrying, and concentration, or different steps in either thereof are carried on in more than one taxing district, the commissioner shall apportion equitably the proceeds of the part of the tax going to cities and towns among such subdivisions upon the basis of attributing 40 percent of the proceeds of the tax to the operation of mining or quarrying the taconite, and the remainder to the concentrating plant and to the processes of concentration, and with respect to each thereof giving due consideration to the relative extent of such operations performed in each such taxing district. His order making such apportionment shall be subject to review by the tax court at the instance of any of the interested taxing districts, in the same manner as other orders of the commissioner.

(2) 12.5 cents per taxable ton, less any amount distributed under clause (8), to the taconite municipal aid account in the apportionment fund of the state treasury, to be distributed as provided in section 298.282.

(3) 29 cents per taxable ton plus the increase provided in paragraph (c) to qualifying school districts to be distributed as follows:

(a) Six cents per taxable ton to the school districts in which the lands from which taconite was mined or quarried were located or within which the concentrate was produced. The commissioner shall follow the apportionment formula prescribed in clause (1).

(b) 23 cents per taxable ton, less any amount distributed under part (d), shall be distributed to a group of school districts comprised of those school districts wherein the taconite was mined or quarried or the concentrate produced or in which there is a qualifying municipality as defined by section 273.134 in direct proportion to school district tax levies as follows: each district shall receive that portion of the total distribution which its permitted levy for the prior year, computed pursuant to section 275.125, comprises of the sum of permitted levies for the prior year for all qualifying districts, computed pursuant to section 275.125. For purposes of distributions pursuant to this part, permitted levies for the prior year computed pursuant to section 275.125 shall not include the amount of any increased levy authorized by referendum pursuant to section 275.125, subdivision 2d.

(c) On July 15, 1982 and on July 15 in subsequent years, an amount equal to the increase derived by increasing the amount determined by clause (3)(b) in the same proportion as the increase in the steel mill products index over the base year of 1977 as provided in section 298.24, subdivision 1, clause (a), shall

be distributed to any school district described in clause (3)(b) where a levy increase pursuant to section 275.125, subdivision 2d, is authorized by referendum, according to the following formula. Each district shall receive the product of:

(i) $150 times the pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), enrolled in the previous school year, less the product of two mills times the district's taxable valuation in the second previous year; times

(ii) the lesser of:

(A) one, or

(B) the ratio of the amount certified pursuant to section 275.125, subdivision 2d, in the previous year, to the product of two mills times the district's taxable valuation in the second previous year.

If the total amount provided by clause (3)(c) is insufficient to make the payments herein required then the entitlement of $150 per pupil unit shall be reduced uniformly so as not to exceed the funds available. Any amounts received by a qualifying school district in any fiscal year pursuant to clause (3)(c) shall not be applied to reduce foundation aids which the district is entitled to receive pursuant to section 124.212 or the permissible levies of the district. Any amount remaining after the payments provided in this paragraph shall be paid to the commissioner of finance who shall deposit the same in the taconite environmental protection fund and the northeast Minnesota economic protection fund as provided in section 298.28, subdivision 1, clause 10.

(d) There shall be distributed to any school district the amount which the school district was entitled to receive under section 298.32 in 1975.

(4) 19.5 cents per taxable ton to counties to be distributed as follows:

(a) 15.5 cents per taxable ton shall be distributed to the county in which the taconite is mined or quarried or in which the concentrate is produced, less any amount which is to be distributed pursuant to part (b). The commissioner shall follow the apportionment formula prescribed in clause (1).

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, one cent per taxable ton of the tax distributed to the counties pursuant to part (a) and imposed on and collected from such taxpayer shall be distributed by the commissioner of revenue to the county in which the power plant is located.

(c) Four cents per taxable ton shall be paid to the county from which the taconite was mined, quarried or concentrated to be deposited in the county road and bridge fund. If the mining, quarrying and concentrating, or separate steps in any of those processes are carried on in more than one county, the commissioner shall follow the apportionment formula prescribed in clause (1).

(5) (a) 25.75 cents per taxable ton, less any amount required to be distributed under part (b), to the taconite property tax relief account in the apportionment fund in the state treasury, to be distributed as provided in sections 273.134 to 273.136.

(b) If an electric power plant owned by and providing the primary source of power for a taxpayer mining and concentrating taconite is located in a county other than the county in which the mining and the concentrating processes are conducted, .75 cent per taxable ton of the tax imposed and collected from such taxpayer shall be distributed by the commissioner of revenue to the county and school district in which the power plant is located as follows: 25 percent to the county and 75 percent to the school district.

(6) One cent per taxable ton to the state for the cost of administering the tax imposed by section 298.24.

(7) Three cents per taxable ton shall be deposited in the state treasury to the credit of the iron range resources and rehabilitation board account in the special revenue fund for the purposes of section 298.22. The amount determined in this clause shall be increased in 1981 and subsequent years in the same proportion as the increase in the steel mill products index as provided in section 298.24, subdivision 1. The amount distributed pursuant to this clause shall be expended within or for the benefit of a tax relief area defined in section 273.134. No part of the fund provided in this clause may be used to provide loans for the operation of private business unless the loan is approved by the governor and the legislative advisory commission.

(8) .20 cent per taxable ton shall be paid in 1979 and each year thereafter, to the range association of municipalities and schools, for the purpose of providing an area wide approach to problems which demand coordinated and cooperative actions and which are common to those areas of northeast Minnesota affected by operations involved in mining iron ore and taconite and producing concentrate therefrom, and for the purpose of promoting the general welfare and economic development of the cities, towns and school districts within the iron range area of northeast Minnesota.

(9) the amounts determined under clauses (4)(a), (4)(c), and (5) shall be increased in 1979 and subsequent years in the same proportion as the increase in the steel mill products index as provided in section 298.24, subdivision 1.

(10) the proceeds of the tax imposed by section 298.24 which remain after the distributions in clauses (1) to (9) and parts (a) and (b) of this clause have been made shall be divided between the taconite environmental protection fund created in section 298.223 and the northeast Minnesota economic protection fund created in section 298.292 as follows: In 1981 and each year thereafter, two-thirds to the taconite environmental protection fund and one-third to the northeast Minnesota economic protection fund. The proceeds shall be placed in the respective special accounts in the general fund.

(a) In 1978 and each year thereafter, there shall be distributed to each city, town, school district, and county the amount that they received under section 294.26 in calendar year 1977; *provided, however, that the amount distributed in 1981 to the unorganized territory number 2 of Lake County and the town of Beaver Bay based on the between-terminal trackage of Erie Mining Company will be distributed in 1982 and subsequent years to the unorganized territory number 2 of Lake County and the towns of Beaver Bay and Stony River based on the miles of track of Erie Mining Company in each taxing district.*

(b) In 1978 and each year thereafter, there shall be distributed to the iron range resources and rehabilitation board the amounts it received in 1977 under section 298.22.

On or before October 10 of each calendar year each producer of taconite or iron sulphides subject to taxation under section 298.24 (hereinafter called "taxpayer") shall file with the commissioner of revenue and with the county auditor of each county in which such taxpayer operates, and with the chief clerical officer of each school district, city or town which is entitled to participate in the distribution of the tax, an estimate of the amount of tax which would be payable by such taxpayer under said law for such calendar year; provided such estimate shall be in an amount not less than the amount due on the mining and production of concentrates up to September 30 of said year plus the amount becoming due because of probable production between September 30 and December 31 of said year, less any credit allowable as hereinafter provided. Such estimate shall list the taxing districts entitled to participate in the distribution of such tax, and the amount of the estimated tax which would be distributable to each such district in the next ensuing calendar year on the basis of the last percentage distribution certified by the commissioner of revenue. If there be no such prior certification, the taxpayer shall set forth its estimate of the proper distribution of such tax under the law, which estimate may be corrected by the commissioner if he deems it improper, notice of such correction being given by him to the taxpayer and the public officers receiving such estimate. The officers with whom such report is so filed shall use the amount so indicated as being distributable to each taxing district in computing the permissible tax levy of such county, city or school district in the year in which such estimate is made, and payable in the next ensuing calendar year, except that in 1978 and 1979 two cents per taxable ton, and in 1980 and thereafter, one cent per taxable ton of the amount distributed under clause (4)(c) shall not be deducted in calculating the permissible levy. Such taxpayer shall then pay, at the times payments are required to be made pursuant to section 298.27, as the amount of tax payable under section 298.24, the greater of (a) the amount shown by such estimate, or (b) the amount due under said section as finally determined by the commissioner of revenue pursuant to law. If, as a result of the payment of the amount of such estimate, the taxpayer has paid in any calendar year an amount of tax in excess of the amount due in such year under section 298.24, after application of credits for any excess payments made in previous years, all as determined by the commissioner of revenue, the taxpayer shall be given credit for such excess amount against any taxes which, under said section, may become due from the taxpayer in subsequent years. In any calendar year in which a general property tax levy subject to sections 275.125 or 275.50 to 275.59 has been made, if the taxes distributable to any such county, city or school district are greater than the amount estimated to be paid to any such county, city or school district in such year, the excess of such distribution shall be held in a special fund by the county, city or school district and shall not be expended until the succeeding calendar year, and shall be included in computing the permissible levies under sections 275.125 or 275.50 to 275.59, of such county, city or school district payable in such year. If the amounts distributable to any such county, city or school district, after final determination by the commissioner of revenue under this section are less than the amounts indicated by such estimates, such county, city or school district may issue certificates of indebtedness in the amount of the shortage, and may include in its next tax levy, in excess of the limitations of sections 275.125 or 275.50 to 275.59 an amount sufficient to pay such certificates of indebtedness and interest thereon, or, if no certificates were issued, an amount equal to such shortage.

There is hereby annually appropriated to such taxing districts as are stated herein, to the taconite property tax relief account and to the taconite municipal aid account in the apportionment fund in the state treasury, to the department of

revenue, to the iron range resources and rehabilitation board, to the range association of municipalities and schools, to the taconite environmental protection fund, and to the northeast Minnesota economic protection fund, from any fund or account in the state treasury to which the money was credited, an amount sufficient to make the payment or transfer. The payment of the amount appropriated to such taxing districts shall be made by the commissioner of revenue on or before May 15 annually.

Sec. 2. [APPLICABILITY.]

On its effective date, section 1 applies to the town of Stony River, the town of Beaver Bay, and Lake County.

Sec. 3. [LOCAL APPROVAL.]

Section 1 is effective for the town of Stony River, the town of Beaver Bay, and Lake County upon approval by the governing body of each.

Sec. 4. [EFFECTIVE DATE.]

Section 1 is effective for distributions made in 1982 and subsequent years.

ARTICLE XLII

Section 1. [EQUALIZATION ZONES FOR BORDER COMMUNITIES.]

The department of energy, planning and development shall evaluate the local and regional impact of the economic and fiscal distress on Minnesota communities which have a contiguous border with a city in another state or which are in close proximity to a city in another state. The department shall report its findings to the legislature by January 1, 1983. Also included in this report shall be the designation of equalization zones for communities most severely distressed, and recommendations for measures to be taken by the legislature to reduce the economic and fiscal disparities identified in communities designated as equalization zones.

Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective the day following final enactment.''

Delete the title and insert:

''A bill for an act relating to the financing of government in this state; providing for the collection of taxes; providing for distribution of campaign funds after reapportionment; providing a formula for determining limitations on interest rates on municipal bonds; changing a public sale requirement; providing for withholding of income tax refunds from child support debtors; making technical corrections and administrative changes to the income tax and property tax refund; requiring registration of rental housing in the city of Minneapolis and denying certain income tax deductions for owners who fail to comply; extending the effective date of residential energy credits; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; allowing disclosure of private data to permit vendor processing of income and sales tax returns; altering the date warrants are issued to the sheriff for collection of certain mobile home property taxes; requiring county auditors to combine certain legal descriptions for property tax purposes; providing for sales of unstamped cigarettes to members of Indian tribes; providing for the rounding

off of market value amounts; permitting leases and installment purchases of equipment by local governments and providing for their tax and fiscal treatment; adopting certain federal provisions for purposes of the research and experimental expenditures credit; clarifying the neighborhood real estate trust provisions; changing certain procedures and interest rates applicable to delinquent property taxes and tax-forfeited land sales; restricting eligibility for the property tax refund; imposing certain requirements and restrictions on the use of tax increment financing; allowing issuance of bonds to promote tourism projects in the metropolitan area; allowing an exemption of property taxes on certain property located in municipal development districts; providing for the valuation of certain agricultural property; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982; permitting the towns of Erin, Forest, Webster, and Wheatland in Rice County to impose a special levy for fire protection purposes; allowing a levy limit increase for Clearwater County; authorizing the issuance of bonds for certain facilities for the city of Bloomington and Lake County; authorizing the sale of bonds to finance the purchase of certain equipment in the city of Duluth; reducing the rate of interest on estate tax installment payments; changing the effective date of certain estate tax provisions to conform with federal law; providing that landowners in unorganized townships receive a property tax credit for certain transmission lines; clarifying the taxation of gravel and the distribution of revenue; validating certain tax collections by Clay County; providing for the lease of hydropower sites by the state or local governmental units; imposing a hotel and motel tax in the city of St. Paul; authorizing the city of St. Paul to issue bonds for certain purposes; establishing a port authority for the city of South St.Paul; authorizing a waiver of certain security deposits in Olmsted County; exempting certain towns from general levy limits; delaying the coefficient of dispersion penalty; clarifying the taxation of meals and food products for sales tax purposes; providing that certain leasing of manufactured homes is not a sale for purposes of the sales tax; eliminating tax recapture or payment acceleration of deferred special assessments upon certain sales of qualifying agricultural property; providing for the rate and disposition of certain taconite credits; providing for school bonds and related taxation in certain school districts; providing for homestead for certain leasehold cooperatives; revising the metropolitan agricultural preserves act; providing for reassessment of homestead property damage by a disaster; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; imposing penalties on a preparer for wilfully understating an income tax liability or wilfully overstating a property tax refund claim; clarifying the taxation of income of athletes and entertainers; altering certain unitary tax provisions; adopting certain federal income tax amendments; providing for the distribution of production tax proceeds; requiring a study of financial problems of border communities; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 105.482, Subdivision 1, and by adding subdivisions; 168.012, by adding a subdivision; 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, and 5, and by adding subdivisions; 270.75, by adding a subdivision; 272.02, Subdivision 1; 273.111, Subdivisions 9, 11, and by adding a subdivision; 273.121; 273.13, Subdivisions 7c and 17d; 273.133, by adding a subdivision; 273.42, as amended; 273.425; 273.73, Subdivisions 10 and 13; 273.74, Subdivisions 1, 3, and 4; 273.75, Subdivisions 2, 3, 4, 5, and 6, and by adding a subdivision; 273.76, Subdivisions 1 and 4; 273.77; 274.19, Subdivision 3; 278.01; 278.05, Subdivision 2 and 4; 278.08; 279.37, Subdivisions 1 and 2; 282.01, Subdivision 4, and by adding a subdivision; 282.014; 282.04, by adding a subdivision; 282.08; 282.09, Subdivision 1; 282.261; 290.01, by adding a subdivision;

290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a, and by adding a subdivision; 290.067, Subdivision 1; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivisions 3 and 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.16, Subdivisions 15, as amended, and 16, as amended; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.34, Subdivision 2, as amended; 290.36; 290.45, Subdivisions 1 and 2; 290.48, Subdivisions 3, 4, 6, and 8; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.50, by adding a subdivision; 290.53, Subdivisions 2 and 5, and by adding a subdivision; 290.54; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivisions 4a, 13, and 23; 290.93, Subdivision 9; 290.936; 291.015, as amended; 291.03, Subdivision 3, as amended; 291.051, as amended; 291.09, Subdivision 1a, as amended; 291.15; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 297A.43; 297B.03; 465.71; 473H.02, Subdivision 2, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2, and 5; 473H.08, Subdivision 4; 473H.14; 473H.15, by adding a subdivision; 473H.16, Subdivision 3; 474.02, subdivision 1b; 474.06; 475.55; 475.60, Subdivision 2; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supplement, Sections 10A.31, Subdivision 5; 270.063; 270.66; 270.75, as amended, by adding a subdivision; 272.46; 273.11, Subdivisions 1 and 7; 273.13, Subdivision 9; 273.74, Subdivision 2; 275.50, Subdivision 2; 279.03; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.06, Subdivision 14; 290.075; 290.081; 290.09, Subdivisions 1, 2, 4, 7, as amended, 15, and 29; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.17, Subdivision 2, as amended; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 3, and 4, as amended; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.61; 290.92, Subdivisions 2a, 5, 5a, 6, and 15; 290.93, Subdivisions 1 and 10; 290.934, Subdivision 4; 290.9725; 290.974; 290A.03, Subdivisions 3, 8, 12, and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; 296.12, Subdivision 4; 297A.01, Subdivision 3; 297A.25, Subdivision 1, as amended; 298.225; 298.24, Subdivision 3; 298.28, Subdivision 1; 298.75; 474.03; 477A.04, Subdivision 2; Laws 1981, Third Special Session Chapter 2, Articles III, Section 6, Subdivisions 1 and 3, Section 22, and VI, Section 8; proposing new law coded in Minnesota Statutes, Chapters 270; 273; 290; 290A; 295; 297; 473H; repealing Minnesota Statutes 1980, Sections 210A.22; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.48, Subdivisions 1 and 9; 290.51; 290.65, Subdivisions 2, 3, 4, 5, 6, and 7; 290.973; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; 290.48, Subdivision 2; and 290.971, Subdivision 7; 298.76."

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

House Conferees: (Signed) Irvin N. Anderson, Willis R. Eken, Jim Evans,

Joel Jacobs, Harry A. Sieben, Jr.

Senate Conferees: (Signed) Douglas J. Johnson, Marv Hanson, Linda Berglin, A. O. H. Setzepfandt, Ron Sieloff

Mr. Johnson moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1872 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1872 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 37 and nays 22, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Lantry	Peterson,C.C.	Spear
Berglin	Frederick	Lessard	Peterson,R.W.	Stokowski
Bernhagen	Frederickson	Luther	Petty	Vega
Brataas	Hanson	Merriam	Rued	Wegener
Chmielewski	Hughes	Moe, D. M.	Schmitz	Willet
Dahl	Johnson	Moe, R. D.	Setzepfandt	
Davis	Kroening	Nelson	Sieloff	
Dicklich	Langseth	Pehler	Sikorski	

Those who voted in the negative were:

Bang	Dieterich	Lindgren	Renneke	Ulland
Benson	Engler	Olhoft	Stern	Waldorf
Berg	Kamrath	Peterson,D.L.	Stumpf	
Bertram	Knutson	Pillsbury	Taylor	
Davies	Kronebusch	Ramstad	Tennessen	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1220:

H.F. No. 1220: A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.

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

Simoneau, Rice, Begich, Stadum and Rose have been appointed as such committee on the part of the House.

House File No. 1220 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

Mr. Peterson, C.C. moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1220 , and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 788:

H.F. No. 788: A bill for an act relating to courts; conciliation courts; authorizing actions to recover amounts lost due to worthless checks in the county of issuance and where the plaintiff resides; amending Minnesota Statutes 1980, Section 487.30, by adding a subdivision; 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Anderson, B.; Jude and Dempsey have been appointed as such committee on the part of the House.

House File No. 788 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

Mr. Frederickson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 788, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 303, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 303: A bill for an act proposing an amendment to the Minnesota Constitution, Article X, by adding a section to authorize at the track parimutuel betting on races if authorized by law; proposing an amendment to the Minnesota Constitution by repealing Article XIII, Section 5, the prohibition against lotteries.

Senate File No. 303 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1671 and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1671: A bill for an act relating to environment; providing for the chairmanship, staff, and administration of the environmental quality board; amending Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.

Senate File No. 1671 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1522, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1522: A bill for an act relating to local government; changing the filing of the bond of the town clerk and the town treasurer; permitting towns to self insure in the same way as other political subdivisions; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Sections 367.10; 367.15; 368.01, Subdivisions 1, 30, and by adding subdivisions; 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; 462.36, Subdivision 1; 471.59, by adding a subdivision; and 471.98, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462.

Senate File No. 1522 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1499, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1499: A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; proposing new law coded in Minnesota Statutes, Chapter 168.

Senate File No. 1499 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1702, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1702: A bill for an act relating to corrections; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.

Senate File No. 1702 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 818, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 818: A bill for an act relating to game and fish; increasing the amount set aside from any increased deer license fees for deer habitat improvement; restricting the taking of bear to adult bear; amending Minnesota Statutes 1980, Sections 97.49, Subdivision 1a; and 100.27, Subdivision 2.

Senate File No. 818 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1239, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1239: A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; appropriating money; amending Minnesota Statutes 1980, Section 11A.04.

Senate File No. 1239 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 16, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 16: A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisement; amending Minnesota Statutes 1980, Section 524.3-706.

Senate File No. 16 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 155, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 155: A bill for an act relating to public welfare; providing for retention of certain receipts by state hospitals; amending Minnesota Statutes 1980, Section 246.57.

Senate File No. 155 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 378, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 378: A bill for an act relating to marriage dissolution; clarifying factors to consider in awarding maintenance; amending Minnesota Statutes 1980, Section 518.552.

Senate File No. 378 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1821, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1821: A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.

Senate File No. 1821 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1856, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1856: A bill for an act relating to state government; improving the state's personnel management functions; amending Minnesota Statutes 1980, Sections 6.582; 11A.07, Subdivision 4; 12.04, Subdivision 1; 15.0575, Subdivision 3; 15.059, Subdivision 3; 15.43, Subdivision 1; 60B.09, Subdivision 2; 84.028, Subdivision 3; 84.081, Subdivision 1; 85A.03, Subdivision 2;

124.645, Subdivision 3; 128A.02, Subdivision 3; 136A.55, Subdivision 4; 144A.52, Subdivision 2; 168.325, Subdivision 1; 171.015, Subdivision 1; 216A.04, Subdivision 3; 241.64, Subdivision 3; 241.65; 246.017, Subdivision 2; 299E.01, Subdivision 1; 299F.01, Subdivision 2; and 352D.02, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 3.855, Subdivision 3; 43A.02, Subdivision 28; 43A.04, Subdivisions 3, 4, and by adding a subdivision; 43A.05, Subdivision 4; 43A.08, Subdivisions 1, 3, and by adding subdivisions; 43A.11, Subdivisions 3, 4, 7 and 8; 43A.13, Subdivisions 1, 4 and 5; 43A.15, Subdivisions 6 and 10; 43A.17, Subdivision 4; 43A.18, Subdivisions 3 and 4; 43A.19, Subdivision 1; 43A.27, Subdivision 3; 43A.33, Subdivisions 1, 3 and 4; 43A.37, Subdivision 1; 43A.38; 43A.39; 43A.41, Subdivision 4; 43A.42; 43A.44, Subdivision 2; 124.41, Subdivision 3; 254A.03, Subdivision 1; 352D.02, Subdivision 1; and 462A.04, Subdivision 8; Laws 1971, Extra Session, Chapter 3, Section 19, Subdivision 5; Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 6; Laws 1981, Chapter 210, Section 55; repealing Minnesota Statutes 1980, Sections 12.05; 124.615, Subdivision 3; 190.081; and 190.095; and Minnesota Statutes 1981 Supplement, Section 43A.08, Subdivision 2.

Senate File No. 1856 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1894, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1894: A bill for an act relating to energy; changing the duties of the commissioner of the department of energy, planning and development; expanding the scope of certain energy education programs; changing certain residential energy sales programs; providing for wind energy conversion systems in county and municipal zoning law; creating wind easements; amending Minnesota Statutes 1980, Sections 116H.02, by adding a subdivision; 116H.15, Subdivisions 1 and 3; 394.25, Subdivision 3; 462.357, Subdivision 1; 500.30; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.088, Subdivision 1; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.128; 116H.15, Subdivision 2; 116H.18; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1.

Senate File No. 1894 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1965, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1965: A bill for an act relating to the environment; amending various provisions of the waste management act; authorizing the commissioner of administration to acquire certain development rights; defining terms for purposes of the resource recovery program; prohibiting the waste management board from certifying the use of facilities for disposal of radioactive waste; stating various policies and requirements relating to solid and hazardous waste plans and facility permits; prescribing standards, procedures, approvals, and supervision relating to designations of resource recovery facilities; requiring the board to place its highest priority on alternatives to land disposal of hazardous waste; allowing the removal of the moratorium on development at certain sites; directing a study of solid waste utilization in the St. Cloud area; appropriating money; amending Minnesota Statutes 1980, Sections 115A.08, by adding a subdivision; 115A.15, Subdivisions 2, 6, and by adding a subdivision; 115A.42; 115A.46; 115A.62; 115A.69, Subdivision 10; 115A.70, Subdivisions 1, 2, and 3; 116.07, Subdivision 4b; 400.16; 400.162; 473.149, Subdivision 1; 473.153, by adding subdivisions; 473.802; 473.803, Subdivision 1, and by adding a subdivision; 473.811, Subdivision 7, and by adding a subdivision; 473.823, Subdivision 3; 473.827, Subdivision 1, and by adding a subdivision; 473.831, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 115A.06, Subdivisions 4 and 13; 115A.11, Subdivision 1; 115A.21, Subdivision 3; 115A.24, Subdivision 1, and by adding a subdivision; 473.803, Subdivision 1a; and 473.831, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 115A; repealing Minnesota Statutes 1980, Section 473.827, Subdivisions 2, 3, 4, 5, and 6.

Senate File No. 1965 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1220: Messrs. Peterson, C.C.; Nelson; Pehler; Chmielewski and Taylor.

H.F. No. 788: Messrs. Frederickson, Merriam and Peterson, R.W.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommenda-

tion and report of the Conference Committee on House File No. 1176, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1176 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1176

A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; authorizing rewards for information on violations; providing for pipeline testing; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 115B; proposing new law coded in Minnesota Statutes, Chapter 116.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1176, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1176 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [115B.01] [CITATION.]

Sections 1 to 16 may be cited as the Environmental Response and Liability Act.

Sec. 2. [115B.02] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] *For the purposes of sections 1 to 16, the following terms have the meanings given them.*

Subd. 2. [ACT OF GOD.] *"Act of God" means an unanticipated grave natural disaster or other natural phenomenon of an exceptional, inevitable, and irresistible character, the effects of which could not have been prevented or avoided by the exercise of due care or foresight.*

Subd. 3. [AGENCY.] *"Agency" means the pollution control agency.*

Subd. 4. [DAMAGES.] *"Damages" means damages for economic loss or personal injury or disease or the loss of natural resources as specified in section 3.*

Subd. 5. [DIRECTOR.] *"Director" means the director of the pollution*

control agency.

Subd. 6. [FACILITY.] *"Facility" means:*

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft;

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

Subd. 7. [FEDERAL SUPERFUND ACT.] *"Federal Superfund Act" means the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. Section 9601 et seq.*

Subd 8. [FUND.] *"Fund" means the environmental response, compensation and compliance fund established under section 16.*

Subd. 9. [HAZARDOUS SUBSTANCE.] *"Hazardous substance" means:*

(a) Any commercial chemical designated pursuant to the Federal Water Pollution Control Act, under 33 U.S.C. Section 1321(b)(2)(A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under 42 U.S.C. Section 7412;

(c) Any hazardous waste; and

(d) Any PCB as defined in section 116.36.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

Subd. 10. [HAZARDOUS WASTE.] *"Hazardous waste" means:*

(a) Any hazardous waste as defined in section 116.06, subdivision 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the Resource Conservation and Recovery Act, under 42 U.S.C. Section 6903, which is listed or has the characteristics identified under 42 U.S.C. Section 6921, not including any hazardous waste the regulation of which has been suspended by act of Congress.

Subd. 11. [NATURAL RESOURCES.] *"Natural resources" has the meaning given it in section 116B.02, subdivision 4.*

Subd. 12. [RELEASE.] *"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.*

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, under 42 U.S.C. Section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under 42 U.S.C. Section 2210;

(c) Release of source, byproduct or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, under 42 U.S.C. Section 7912(a)(1) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals or disposal by a farmer of emptied pesticide containers or residues from a pesticide as defined in section 18A.21, subdivision 25, which was used by the farmer if the containers are triple rinsed and the residues are disposed of on the farm in a manner consistent with instructions on the pesticide label.

Subd. 13. [REMEDY OR REMEDIAL ACTION.] *"Remedy" or "remedial action" means those actions consistent with permanent remedy taken instead of or in addition to removal actions in the event of a release or threatened release of a hazardous substance into the environment, to prevent, minimize or eliminate the release of hazardous substances to protect the public health or welfare or the environment.*

"Remedy" or "remedial action" includes, but is not limited to:

(a) Actions at the location of the release such as storage, confinement, perimeter protection using dikes, trenches, or ditches, clay cover, neutralization, cleanup of released hazardous substances or contaminated materials, recycling or reuse, diversion, destruction, segregation of reactive wastes, dredging or excavations, repair or replacement of leaking containers, collection of leachate and runoff, onsite treatment or incineration, provision of alternative water supplies, and any monitoring and maintenance reasonably required to assure that these actions protect the public health and welfare and the environment; and

(b) The costs of permanent relocation of residents and businesses and community facilities when the agency determines that, alone or in combination with other measures, relocation is more cost effective than and environmentally preferable to the transportation, storage, treatment, destruction, or secure disposition offsite of hazardous substances, or may otherwise be necessary to protect the public health or welfare.

"Remedy" or "remedial action" does not include offsite transport of hazardous substances, or the storage, treatment, destruction, or secure disposition offsite of hazardous substances or contaminated materials unless the agency determines that these actions:

(1) Are more cost effective than other remedial actions;

(2) Will create new capacity to manage hazardous substances in addition to those located at the affected facility, in compliance with section 116.07 and subtitle C of the Solid Waste Disposal Act, 42 U.S.C. Section 6921 et seq.; or

(3) Are necessary to protect public health or welfare or the environment from

a present or potential risk which may be created by further exposure to the continued presence of the substances or materials.

Subd. 14. [REMOVE OR REMOVAL.] *"Remove" or "removal" means:*

(a) The cleanup or removal of released hazardous substances from the environment;

(b) Necessary actions taken in the event of a threatened release of hazardous substances into the environment;

(c) Actions necessary to monitor, assess, and evaluate a release or threatened release of hazardous substances;

(d) Disposal or processing of removed material; or

(e) Other actions necessary to prevent, minimize, or mitigate damage to the public health or welfare or to the environment, which may otherwise result from a release or threatened release.

"Remove" or "removal" includes, but is not limited to, security fencing or other measures to limit access, provision of alternative water supplies, temporary evacuation and housing of threatened individuals not otherwise provided for, action taken pursuant to the Federal Superfund Act, under 42 U.S.C. Section 9604(b), and any emergency assistance which may be provided under the Disaster Relief Act of 1974, 42 U.S.C. Section 5121 et seq.

Subd. 15. [RESPOND OR RESPONSE.] *"Respond" or "response" means remove, removal, remedy, and remedial action.*

Subd. 16. [WATER.] *"Water" has the meaning given to the term "waters of the state" in section 115.01, subdivision 9.*

Sec. 3. [115B.03] [LIABILITY FOR RESPONSE COSTS AND DAMAGES.]

Subdivision 1. [GENERAL RULE.] *Except as otherwise provided in subdivisions 3 to 10 and section 4, and notwithstanding any other provision or rule of law, any person who is responsible for a release or threatened release of a hazardous substance from a facility shall be strictly liable, jointly and severally, for the following costs and damages which result from the release or threatened release or to which the release or threatened release significantly contributes:*

(a) All reasonable and necessary costs of removal, or remedial action incurred by the state, a political subdivision of the state or the United States;

(b) Any other reasonable and necessary costs or expenses incurred by any person to remove a hazardous substance; and

(c) All damages for actual economic loss or loss of natural resources resulting from such a release including:

(1) Any injury to, destruction of, or loss of any real or personal property, including relocation costs;

(2) Any loss of use of real or personal property;

(3) Any injury to, destruction of, or loss of natural resources, including the reasonable costs of assessing such injury, destruction, or loss;

(4) Any loss of past or future income or profits resulting from personal injury or disease or from injury to or destruction of real or personal property or natural resources without regard to the ownership of the property or resources;

(5) All medical expenses, rehabilitation costs or burial expenses due to personal injury or disease;

(d) Death due to personal injury or disease; and

(e) Physical impairment or loss of earning capacity due to personal injury or disease.

Subd. 2. [RESPONSIBLE PERSON.] *For the purpose of subdivision 1, a person is responsible for a release or threatened release of a hazardous substance from a facility if the person:*

(a) Owned or operated the facility at the time the hazardous substance was placed or came to be located in or on the facility, during the time of the release or threatened release, or at any time between those occurrences;

(b) Owned or possessed the hazardous substance and arranged, by contract, agreement or otherwise, for the disposal, treatment or transport for disposal or treatment of the hazardous substance; or

(c) Accepted the hazardous substance for transport to a disposal or treatment facility and either selected the facility to which it was transported or disposed of the substance in a manner contrary to law.

Subd. 3. [TRANSPORTATION OF HOUSEHOLD REFUSE.] *A person who accepts only household refuse for transport to a treatment or disposal facility is not liable under subdivision 1 for the release or threatened release of any hazardous substance unless he knew or reasonably should have known that the hazardous substance was present in the refuse. For the purpose of this subdivision, household refuse means garbage, trash, or septic tank sanitary wastes generated by single or multiple residences, hotels, motels, restaurants and other similar facilities.*

Subd. 4. [DEFENSES AVAILABLE TO RESPONSIBLE PERSONS.] *There shall be no liability under subdivision 1 for any person otherwise liable if the person establishes by a preponderance of the evidence that the release or threatened release was caused solely by:*

(a) An act of God;

(b) An act of war; or

(c) An act or omission of a third party.

"Third party" for the purposes of clause (c) does not include an employee or agent of the defendant, or a person whose act or omission occurs in connection with a contractual relationship, existing directly or indirectly, with the defendant.

The defense provided in clause (c) applies only if the defendant establishes by a preponderance of the evidence that he exercised due care with respect to the hazardous substance concerned, taking into consideration the characteristics of the hazardous substance in light of all relevant facts and circumstances which he knew or should have known, and that he took precautions against foreseeable acts or omissions of a third party and the consequences that could

foreseeably result from those acts or omissions.

Subd. 5. [DEFENSE AVAILABLE TO OWNER OF REAL PROPERTY.] *An owner of real property is not liable for damages under subdivision 1, clause (c), if he:*

(a) Shows by a preponderance of the evidence that he neither knew nor reasonably should have known that any hazardous substance was present on the property before the release or threatened release; and

(b) Notifies the agency of the release or threatened release as soon as practicable after he knows about it.

Subd. 6. [CERTAIN EMPLOYEE CLAIMS NOT COVERED.] *Except for a third party who is subject to liability under section 176.061, subdivision 5, there is no liability under subdivision 1 for personal injury or disease of employees arising out of and in the course of employment which is compensable under chapter 176.*

Subd. 7. [NATURAL RESOURCES.] *No liability with respect to natural resources shall be imposed when the defendant has demonstrated that:*

(a) The damages to natural resources complained of were specifically identified as an irreversible and irretrievable commitment of natural resources in an approved final state or federal environmental impact statement, or other comparable approved final environmental analysis; and

(b) The facility or project was operating within the terms of its permit or license.

Subd. 8. [LIABILITY FOR A THREATENED RELEASE.] *Liability for a threatened release of a hazardous substance is limited to the recovery by the agency of reasonable and necessary response costs pursuant to section 14, subdivision 7.*

Subd. 9. [LIABILITY OF POLITICAL SUBDIVISIONS.] *The liability of a political subdivision under this section is subject to the limits imposed under section 466.04, subdivision 1.*

Subd. 10. [ACTS OF EMPLOYEES.] *When a person who is responsible for a release or threatened release as provided in subdivision 2 is an employee who is acting in the scope of his employment:*

(a) The employee is liable under subdivision 1 only if he failed to exercise due care with respect to the hazardous substance; and

(b) His employer shall be considered a person responsible for the release or threatened release and shall be liable under subdivision 1 regardless of the degree of care exercised by the employee.

Subd. 11. [AWARD OF COSTS.] *Upon motion of a party prevailing in an action under section 3 the court may award costs, disbursements and reasonable attorney fees and witness fees to that party.*

Sec. 4. [115B.04] [EXEMPTION FROM LIABILITY.]

A person shall not be liable under section 3:

(a) For damages as a result of acts taken or omitted in preparation for, or in the course of rendering care, assistance, or advice to the director or agency

pursuant to section 14 or in accordance with the national hazardous substance response plan pursuant to the Federal Superfund Act, under 42 U.S.C. Section 9605, or at the direction of an on-scene coordinator appointed under that plan, with respect to an incident creating a danger to public health or welfare or the environment as a result of any release or threatened release of a hazardous substance;

(b) For damages or response costs as a result of the release or threatened release of a hazardous substance from a hazardous waste facility as defined under section 115A.03, for which a permit has been issued pursuant to section 116.07 or pursuant to subtitle C of the Solid Waste Disposal Act, 42 U.S.C. Section 6921 et seq., if the hazardous substance is specifically identified in the permit and the release is within the limits allowed in the permit for release of that substance;

(c) For damages or response costs as a result of the release of a hazardous substance:

(1) If the hazardous substance is specifically identified in a federal or state permit held by the person and the release is within the limits allowed in the permit;

(2) If the release results from circumstances identified and reviewed and made a part of the public record of a federal or state agency with respect to a permit held by the person, the permit was issued or modified under federal or state law, and the release conformed with the permit;

(3) If the release is any part of an emission or discharge into the air or water which emission or discharge is subject to a federal or state permit held by the person, and the emission or discharge is in compliance with control rules or regulations adopted pursuant to state or federal law; or

(4) If the release is the introduction of any pollutant into a publicly owned treatment works when the pollutant is specified in, and is in compliance with, applicable pretreatment standards under state or federal law; or

(d) If his liability has been transferred to and assumed by the federal post-closure liability fund pursuant to the Federal Superfund Act, under 42 U.S.C. Section 9607(k).

Sec. 5. [115B.05] [PROVING CAUSATION OF PERSONAL INJURY OR DISEASE.]

In adjudicating under sections 1 to 12 the question of whether a plaintiff's personal injury or disease was caused by the release of a hazardous substance, the question shall be submitted to the trier of fact if the plaintiff shows evidence sufficient to enable the trier of fact to find that it is more likely than not that the plaintiff's exposure to the hazardous substance found in the release caused or significantly contributed to the injury or disease suffered by the plaintiff. Evidence to a reasonable medical certainty that a release of a hazardous substance caused or significantly contributed to a plaintiff's injury or disease is not necessary for the question of causation to be submitted to the trier of fact.

Nothing in this subdivision affects the burden of persuasion on the question of whether the release of a hazardous substance caused a personal injury or disease. That burden remains with the plaintiff.

Sec. 6. [115B.06] [APPORTIONMENT OF LIABILITY; LIMITATION;

CONTRIBUTION.]

Subdivision 1. [APPORTIONMENT FACTORS.] *For the purposes of subdivisions 2 and 3, any person held jointly and severally liable under section 3 may seek an apportionment of the common liability. Any person has the right at trial to have the trier of fact apportion liability as provided in this section. In apportioning the liability of any party under this section, the trier of fact shall consider the following:*

(a) The ability of the party to demonstrate that his contribution to a release of a hazardous substance can be distinguished;

(b) The amount of hazardous substance involved;

(c) The degree of toxicity of the hazardous substance involved;

(d) The degree of involvement and care exercised in manufacturing, treating, transporting, and disposing of the hazardous substance;

(e) The degree of cooperation with federal, state, or local officials to prevent any harm to the public health or the environment; and

(f) Knowledge of the hazardous nature of the substance.

Subd. 2. [LIMITATION OF LIABILITY.] *If a person is held jointly and severally liable under section 3 and his share of the common liability can be apportioned, the liability of that person shall be limited to three times his proportionate share of the common liability.*

Subd. 3. [CONTRIBUTION.] *Any person held jointly and severally liable under section 3 who is required to pay more than that person's proportionate share of the common liability is entitled to seek contribution from any other person liable for the damages to the extent of their proportionate liability.*

Sec. 7. [115B.07] [CIVIL PENALTIES; FAILURE TO TAKE REQUESTED ACTIONS.]

Any person responsible for a release or threatened release of a hazardous substance, pollutant, or contaminant from a facility shall forfeit and pay to the state a civil penalty in an amount to be determined by the court of not more than $10,000 per day for each day that the person fails to take response actions or to make reasonable progress in completing response actions requested as provided in this section. A request for emergency removal action shall be made by the director. Other requests for response actions shall be made by the agency. The request shall be in writing, shall state the action requested, the reasons for the action, and a reasonable time by which the action must be begun and completed taking into account the urgency of the action for protection of the public health, welfare, and environment.

The penalty provided under this section may be recovered by an action brought by the attorney general in the name of the state in connection with an action to recover expenses of the agency under section 14, subdivision 7, or by a separate action in the district court of Ramsey County. All penalties recovered under this section shall be deposited in the fund.

Sec. 8. [115B.08] [AGREEMENTS TO TRANSFER LIABILITY; INSURANCE AND SUBROGATION.]

No indemnification, hold harmless, conveyance, or similar agreement shall

be effective to transfer the liability imposed under section 3 from the owner or operator of a facility or from any person who may be liable under section 3 to any other person. Nothing in this section shall be construed:

(a) To prohibit any party who may be liable under section 3 from entering an agreement by which that party is insured, held harmless or indemnified for part or all of that liability;

(b) To prohibit the enforcement of any insurance, hold harmless or indemnification agreement; or

(c) To bar any cause of action brought by a party who may be liable under section 3 or by an insurer or guarantor, whether by right of subrogation or otherwise.

Sec. 9. [115B.09] [STATUTE OF LIMITATIONS.]

No person may recover for any injury or loss pursuant to section 3 unless the action is commenced within six years from the date of discovery of the injury or loss.

Sec. 10. [115B.10] [OTHER REMEDIES PRESERVED.]

Nothing in sections 1 to 12 shall affect the right of any person to bring a legal action or use any remedy available under any other provision of state or federal law, including common law, to recover for injury, disease or economic loss resulting from a release of any hazardous substance, or for removal or the costs of removal of that hazardous substance.

Sec. 11. [115B.11] [DOUBLE RECOVERY PROHIBITED.]

A person who recovers response costs or damages pursuant to sections 1 to 12 may not recover the same costs or damages pursuant to any other law. A person who recovers response costs or damages pursuant to any other state or federal law may not recover for the same costs or damages pursuant to sections 1 to 12.

Sec. 12. [115B.12] [APPLICATION OF SECTIONS 1 TO 11.]

Sections 1 to 11 apply to any release or threatened release of a hazardous substance occurring on or after July 1, 1982, including any release which began before July 1, 1982, and continued after that date. Sections 1 to 11 do not apply to a release or threatened release which occurred wholly before July 1, 1982, regardless of the date of discovery of any injury or loss caused by the release or threatened release.

Sec. 13. [115B.13] [DISPOSITION OF FACILITIES.]

Subdivision 1. [CLOSED DISPOSAL FACILITIES; USE OF PROPERTY.] *No person shall use any property on or in which hazardous waste remains after closure of a disposal facility as defined in section 115A.03, subdivision 10, in any way that disturbs the integrity of the final cover, liners, or any other components of any containment system, or the function of the disposal facility's monitoring systems, unless the agency finds that the disturbance:*

(a) Is necessary to the proposed use of the property, and will not increase the potential hazard to human health or the environment; or

(b) Is necessary to reduce a threat to human health or the environment.

Subd. 2. [RECORDING OF AFFIDAVIT AND NOTATION.] *Before any transfer of ownership of any property which the owner knew or should have known was used as the site of a hazardous waste disposal facility as defined in section 115A.03, subdivision 10, or which the owner knew or should have known was subject to extensive contamination by release of a hazardous substance, the owner shall record with the county recorder of the county in which the property is located an affidavit that discloses to any potential transferee:*

(a) That the land has been used to dispose of hazardous waste or that the land has been contaminated by a release of a hazardous substance;

(b) The identity, quantity, location, condition and circumstances of the disposal or contamination to the full extent known or ascertainable; and

(c) That the use of the property may be restricted as provided in subdivision 1.

An owner must also file an affidavit within 60 days after any material change in any matter required to be disclosed under clauses (a) to (c) with respect to property for which an affidavit has already been recorded.

When an affidavit is recorded, the owner shall record with the county recorder a notation on the deed to the property which states the existence of a hazardous substance on the property and the place where the recorded affidavit may be found.

If the owner or any subsequent owner of the property removes the hazardous substance, together with any residues, liner, and contaminated underlying and surrounding soil, that owner may record a notation to the deed indicating the removal of the hazardous substance.

Failure to record an affidavit or notation as provided in this subdivision does not affect or prevent any transfer of ownership of the property.

Subd. 3. [DUTY OF COUNTY RECORDER.] *The county recorder shall record all affidavits and notations presented to him in accordance with subdivision 2. The affidavits shall be recorded in a manner which will assure their disclosure in the ordinary course of a title search of the subject property.*

Subd. 4. [PENALTIES.] *(a) Any person who knowingly violates the provisions of subdivision 1 is subject to a civil fine of not more than $100,000, and shall be liable under section 3 for any release or threatened release of any hazardous substance resulting from the violation.*

(b) Any person who knowingly fails to record an affidavit or notation as required by subdivision 2 shall be liable under section 3 for any release or threatened release of any hazardous substance from a facility located on that property.

(c) A civil fine may be imposed and recovered by an action brought by a county attorney or by the attorney general in the district court of the county in which the property is located.

(d) Any civil fines recovered under this subdivision shall be deposited in the fund.

Sec. 14. [115B.14] [STATE RESPONSE TO RELEASES.]

Subdivision 1. [REMOVAL AND REMEDIAL ACTION.] *Whenever there*

is a release or substantial threat of release from a facility into the environment of any pollutant or contaminant which presents an imminent and substantial danger to the public health or welfare, or whenever a hazardous substance is released or there is a threatened release of a hazardous substance into the environment from a facility:

(a) The agency may take any removal or remedial action relating to the hazardous substance, pollutant, or contaminant which the agency deems necessary to protect the public health or welfare or the environment. Before taking any action the agency shall:

(1) Request any responsible party known to the agency to take actions which the agency deems reasonable and necessary to protect the public health, welfare or the environment, stating the reasons for the actions, a reasonable time for beginning and completing the actions taking into account the urgency of the actions for protecting the public health, welfare and environment, and the intention of the agency to take action if the requested actions are not taken as requested; and

(2) Determine that the actions requested by the agency will not be taken by any known responsible party in the manner and within the time requested.

(b) The director may take removal action which he deems necessary to protect the public health, welfare or the environment if the director determines that the release or threatened release constitutes an emergency requiring immediate action to prevent, minimize or mitigate damage to the public health, welfare or the environment. Before taking any action the director shall make reasonable efforts in light of the urgency of the action to follow the procedure provided in clause (a), sub-clauses (1) and (2).

No removal action taken by any person shall be construed as an admission of liability for a release or threatened release.

Subd. 2. [POLLUTANT OR CONTAMINANT.] *For the purposes of this section and section 7, ''pollutant'' or ''contaminant'' includes, but is not limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release from a facility into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.*

''Pollutant or contaminant'' does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

Subd. 3. [OTHER ACTIONS.] *Whenever the agency or director is authorized to act pursuant to subdivision 1 or whenever the agency or director has reason to believe that a release of a hazardous substance, pollutant or contaminant has occurred or is about to occur, or that illness, disease, or complaints thereof may be attributable to exposure to a hazardous substance, pollutant, or contaminant, the agency or director may undertake investigations, monitoring, surveys, testing, and other information gathering necessary or appropriate to identify the existence and extent of the release or threat*

thereof, the source and nature of the hazardous substances, pollutants or contaminants involved, and the extent of danger to the public health or welfare or to the environment. In addition, the agency may undertake planning, legal, fiscal, economic, engineering, architectural, and other studies or investigations necessary or appropriate to plan and direct a response action, to recover the costs of the response action, and to enforce the provisions of sections 1 to 14.

Subd. 4. [DUTY TO PROVIDE INFORMATION.] *Any person who is responsible for a release or threatened release as provided in section 3, subdivision 2, including a release or threatened release of a pollutant or contaminant, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which he may have or may reasonably obtain which is relevant to the release or threatened release.*

Subd. 5. [ACCESS TO INFORMATION AND PROPERTY.] *The agency or any member, employee or agent thereof authorized by the agency, upon presentation of credentials, may:*

(a) Examine and copy any books, papers, records, memoranda or data of any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 3, subdivision 2, including a release of a pollutant or contaminant; and

(b) Enter upon any property, public or private, for the purpose of taking any action authorized by this section including obtaining information, examining records, conducting surveys or investigations, and taking removal or remedial action.

Subd. 6. [CLASSIFICATION OF DATA.] *Except as otherwise provided in this subdivision, data obtained from any person pursuant to subdivision 4 or 5 is public data as defined in section 15.162. Upon certification by the subject of the data that the data relates to sales figures, processes or methods of production unique to that person, or information which would tend to affect adversely the competitive position of that person, the director shall classify the data as private or nonpublic data as defined in section 15.162. Notwithstanding any other law to the contrary, data classified as private or nonpublic under this subdivision may be disclosed when relevant in any proceeding under sections 1 to 14, or to other public agencies concerned with the implementation of sections 1 to 14.*

Subd. 7. [RECOVERY OF EXPENSES.] *Any reasonable and necessary expenses incurred by the agency or director pursuant to this section including administrative and legal expenses may be recovered in a civil action brought by the attorney general against any responsible person who may be liable under section 3. The agency's certification of expenses shall be prima facie evidence that the expenses are reasonable and necessary. Any expenses incurred pursuant to this section which are recovered by the attorney general pursuant to section 3 or any other law shall be deposited in the fund and may be appropriated only for additional response actions as provided in section 16, subdivision 2, clause (b) or (c).*

Subd. 8. [ACTIONS RELATING TO NATURAL RESOURCES.] *For the purpose of this subdivision, the state is the trustee of the air, water and wildlife*

of the state. An action pursuant to section 3 for damages with respect to air, water or wildlife may be brought by the attorney general in the name of the state as trustee for those natural resources. Any damages recovered by the attorney general pursuant to section 3 or any other law for injury to, or loss of natural resources resulting from the release of a hazardous substance, pollutant or contaminant shall be deposited in the fund and may be appropriated only for the purposes provided in section 16, subdivision 2, clause (e).

Subd. 9. [ACTIONS RELATING TO PESTICIDES OR FERTILIZER OR SOIL OR PLANT AMENDMENTS.] *When the commissioner of agriculture has reported an incident involving the release of pesticides under the provisions of section 18A.37 or the release of fertilizers or soil or plant amendments, and the agency determines that the incident constitutes a release of a hazardous substance, pollutant or contaminant, the agency shall authorize the commissioner, subject to the provisions of subdivision 13, to take any action which the agency would be authorized to take under subdivisions 1 to 5. Subject to the provisions of section 16, subdivision 3, the agency shall reimburse the commissioner from the fund for the reasonable and necessary expenses incurred in taking those actions and may recover any amount spent from the fund under subdivision 7.*

Subd. 10. [ACTIONS RELATING TO OCCUPATIONAL SAFETY AND HEALTH.] *The agency, director and the commissioner of labor and industry shall make reasonable efforts to coordinate any actions taken under this section and under sections 182.65 to 182.674 to avoid duplication or conflict of actions or requirements with respect to a release or threatened release affecting the safety of any conditions or place of employment.*

Subd. 11. [ACTIONS RELATING TO HEALTH.] *The agency and director shall make reasonable efforts to coordinate and consult with the commissioner of health in planning and directing response actions with respect to a release or threatened release affecting the public health. If the commissioner of health, upon the request of the agency, takes any actions authorized under this section, the agency shall reimburse the commissioner from the fund for the reasonable and necessary expenses incurred in taking those actions and may recover any amount spent from the fund under subdivision 7.*

Subd. 12. [LIMIT ON ACTIONS BY POLITICAL SUBDIVISIONS.] *When the agency or director has requested a person who is responsible for a release or threatened release to take any response action under subdivision 1, no political subdivision shall request or order that person to take any action which conflicts with the action requested by the agency or director.*

Subd. 13. [PRIORITIES; RULES.] *By November 1, 1982, the agency shall establish a temporary list of priorities among releases or threatened releases for the purpose of taking remedial action and, to the extent practicable consistent with the urgency of the action, for taking removal action under this section. The temporary list, with any necessary modifications, shall remain in effect until nine months after criteria for determining priorities are published in the national contingency plan pursuant to the Federal Superfund Act, under 42 U.S.C. Section 9605. By that date, the agency shall adopt rules establishing state criteria for determining priorities among releases and threatened releases. After rules are adopted, a permanent priority list shall be established, and may be modified from time to time, according to the criteria set forth in the*

rules. Before any list is established under this subdivision the agency shall publish the list in the state register and allow 30 days for comments on the list by the public.

The temporary list and the rules required by this subdivision shall be based upon the relative risk or danger to public health or welfare or the environment, taking into account to the extent possible the population at risk, the hazardous potential of the hazardous substances at the facilities, the potential for contamination of drinking water supplies, the potential for direct human contact, the potential for destruction of sensitive ecosystems, the administrative and financial capabilities of the agency, and other appropriate factors.

Sec. 15. [PURPOSES OF FUND, TAXES AND FEES.]

In establishing the environmental response, compensation and compliance fund and imposing the tax in section 18 it is the purpose of the legislature to:

(a) Encourage treatment and disposal of hazardous waste in a manner that adequately protects the public health and welfare and the environment;

(b) Encourage responsible parties to provide the response actions necessary to protect the public and the environment from the effects of the release of hazardous substances;

(c) Encourage the use of alternatives to land disposal of solid and hazardous waste including resource recovery, recycling, neutralization and reduction;

(d) Provide state agencies with the financial resources needed to prepare and implement an effective and timely state response to the release of hazardous substances, including investigation, planning, removal and remedial action;

(e) Compensate for increased governmental expenses and loss of revenue and to provide other appropriate assistance to mitigate any adverse impact on communities in which commercial hazardous waste processing or disposal facilities are located under the siting process provided in chapter 115A;

(f) Recognize the environmental and public health costs of land disposal of solid waste and of the use and disposal of hazardous substances and to place the burden of financing state waste management activities on those whose products and services contribute to waste management problems and increase the risks of harm to the public and the environment.

Sec. 16. [ENVIRONMENTAL RESPONSE, COMPENSATION AND COMPLIANCE FUND.]

Subdivision 1. [ESTABLISHMENT.] *The environmental response, compensation and compliance fund is created as an account in the state treasury and may be spent only for the purposes provided in subdivision 2.*

Subd. 2. [PURPOSES FOR WHICH MONEY MAY BE SPENT.] *Subject to appropriation by the legislature the money in the fund may be spent for any of the following purposes:*

(a) Preparation by the agency for taking removal or remedial action under section 14, including investigation, monitoring and testing activities, enforcement and compliance efforts relating to the release of hazardous substances, pollutants or contaminants;

(b) Removal and remedial actions, including related compliance efforts, taken or authorized by the agency or director under section 14 and payment of the state share of the cost of remedial action which may be carried out under a cooperative agreement with the federal government pursuant to the Federal Superfund Act, under 42 U.S.C. Section 9604(c)(3) for actions related to facilities other than commercial hazardous waste facilities located under the siting authority of chapter 115A;

(c) Removal and remedial actions, including related compliance efforts, taken or authorized by the agency or director under section 14 and payment of the state share of the cost of remedial action which may be carried out under a cooperative agreement with the federal government pursuant to the Federal Superfund Act, under 42 U.S.C. Section 9604(c)(3) for actions related to commercial hazardous waste facilities located under the siting authority of chapter 115A;

(d) Compensation as provided by law, after submission by the waste management board of the report required under section 115A.08, subdivision 5, to mitigate any adverse impact of the location of commercial hazardous waste processing or disposal facilities located pursuant to the siting authority of chapter 115A;

(e) Planning and implementation by the commissioner of natural resources of the rehabilitation, restoration or acquisition of natural resources to remedy injuries or losses to natural resources resulting from the release of a hazardous substance;

(f) Inspection, monitoring and compliance efforts by the agency, or by local units of government with agency approval, of commercial hazardous waste facilities located under the siting authority of chapter 115A;

(g) Grants by the agency or the waste management board to demonstrate alternatives to land disposal of solid and hazardous waste including reduction, separation, pretreatment, processing and resource recovery, for education of persons involved in regulating and handling solid and hazardous waste, and to assist counties to develop comprehensive waste management plans; and

(h) Intervention and environmental mediation by the legislative commission on waste management under chapter 115A.

Subd. 3. [LIMIT ON CERTAIN EXPENDITURES.] *The director or agency may not spend any money under subdivision 2, clause (b) or (c) for removal or remedial actions to the extent that the costs of those actions may be compensated from any fund established under the Federal Superfund Act, 42 U.S.C. Section 9600 et seq. The director or agency shall determine the extent to which any of the costs of those actions may be compensated under the federal act based on the likelihood that the compensation will be available in a timely fashion taking into account:*

(a) The urgency of the removal or remedial actions and the priority assigned under the Federal Superfund Act to the release which necessitates those actions;

(b) The availability of money in the funds established under the Federal Superfund Act; and

(c) The consistency of any compensation for the cost of the proposed actions

under the Federal Superfund Act with the national contingency plan, if such a plan has been adopted under that act.

Subd. 4. [REVENUE SOURCES.] *Revenue from the following sources shall be deposited in the environmental response, compensation and compliance fund:*

(a) The proceeds of the taxes imposed pursuant to section 18, including interest and penalties;

(b) All money recovered by the state under sections 1 to 14 or under any other statute or rule related to the regulation of hazardous waste or hazardous substances, including civil penalties and money paid under any agreement, stipulation or settlement but excluding fees imposed under section 21;

(c) All interest attributable to investment of money deposited in the fund; and

(d) All money received in the form of gifts, grants, reimbursement or appropriation from any source for any of the purposes provided in subdivision 2, except federal grants.

Subd. 5. [RECOMMENDATION BY LCWM.] *The legislative commission on waste management shall make recommendations on appropriations from the fund to the standing legislative committees on finance and appropriations.*

Subd. 6. [REPORT TO LEGISLATURE.] *At the end of each fiscal year, the agency shall submit to the senate finance committee, the house appropriations committee and the legislative commission on waste management a report detailing the activities for which money from the environmental response, compensation and compliance fund has been spent during that year.*

Sec. 17. [TAXES; DEFINITIONS.]

Subdivision 1. [APPLICATION.] *The definitions provided in this section and section 2 apply to sections 17 to 20.*

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

Subd. 3. [GENERATOR.] *"Generator" means a person who generates hazardous waste and who is required to disclose the generation of hazardous waste under the hazardous waste rules of the agency adopted under section 116.07.*

Subd. 4. [LONG TERM CONTAINMENT.] *"Long term containment" means land disposal or storage for a period of more than one year.*

Subd. 5. [TREATMENT.] *"Treatment" means any material, technique or process designed to change the physical, chemical or biological character or composition of a hazardous waste in order to: (a) neutralize it; (b) render it nonhazardous or less hazardous; (c) render it safer to transport, store or dispose of; (d) make it amenable to storage; or (e) reduce its volume.*

Subd. 6. [WASTEWATER TREATMENT UNIT.] *"Wastewater treatment unit" means a device which is part of a wastewater treatment facility subject to regulation pursuant to the federal Clean Water Act under 33 U.S.C. Section 1317 (b) or 1342.*

Sec. 18. [HAZARDOUS WASTE GENERATOR TAX.]

Subdivision 1. [TAX IMPOSED; EXCLUSIONS.] *Each generator of hazardous waste shall pay the tax imposed by this section based upon the volume and destination of the hazardous wastes generated. The tax imposed by this section does not apply to hazardous wastes destined for recycling or reuse or to used crankcase oil.*

Subd. 2. [LONG TERM CONTAINMENT WITHOUT TREATMENT.] *Hazardous waste destined for long term containment without treatment shall be taxed at the rate of 32 cents per gallon of liquid or $32 per cubic yard of solid.*

Subd. 3. [LONG TERM CONTAINMENT AFTER TREATMENT.] *Hazardous waste destined for long term containment after treatment shall be taxed at the rate of 16 cents per gallon of liquid or $16 per cubic yard of solid.*

Subd. 4. [OTHER TREATMENT.] *Hazardous waste destined for treatment, other than as provided in subdivision 6, to produce a material which is not hazardous, including treatment permitted by the agency in a sewage treatment works, or hazardous waste which is destined for destructive treatment by incineration shall be taxed at the rate of eight cents per gallon of liquid or $8 per cubic yard of solid.*

Subd. 5. [ON-SITE TREATMENT; REDUCED TAX.] *Hazardous wastes which are treated in a manner provided in subdivision 3 or 4 before the wastes are transported along any public street or highway as defined in section 169.01, subdivision 29, or are put into any sewer system as permitted by the agency, shall be taxed at one-half the rate at which they would otherwise be taxed.*

Subd. 6. [ON-SITE WASTEWATER TREATMENT.] *The tax imposed under this section does not apply to hazardous waste which is destined for treatment in a wastewater treatment unit to produce a material which is not hazardous before entering a public sewer system or waters of the state but the tax does apply to any residue of treatment which is a hazardous waste.*

Subd. 7. [DISPOSITION OF PROCEEDS.] *The proceeds of the tax imposed under this section including any interest and penalties shall be deposited in the fund.*

Sec. 19. [SEVERABILITY.]

If any tax imposed under section 18 is found to be invalid because of the purpose for which the proceeds were appropriated or made available under section 16, subdivision 2, the proceeds of that tax shall not be appropriated or available for the objectionable purposes, but the tax shall continue to be imposed and the proceeds shall be appropriated and made available for other purposes provided in section 16, subdivision 2.

Sec. 20. [TAX ADMINISTRATION AND ENFORCEMENT.]

Subdivision 1. [QUARTERLY REPORTS AND PAYMENTS; EXCEPTION.] *By the fourteenth day following the last day of each calendar quarter beginning after December 31, 1982, every person liable for payment of a tax under section 18, except as provided in subdivision 4 of this section, shall make and file with the commissioner of revenue a report under oath, in the form and containing the information required by the commissioner. The amount of the tax due shall be remitted together with the form. The commissioner may es-*

tablish rules under which a generator of a low volume of hazardous wastes may file the report and pay the tax annually.

Subd. 2. [AMENDED RETURNS.] *A taxpayer who finds that a return filed under this section as originally filed is in error may correct the error by filing an amended return. If the taxpayer is entitled to a refund due to the correction, the amended return will serve as a claim for the refund provided it is filed no later than three years after the original return is filed.*

Subd. 3. [EXCHANGE OF INFORMATION.] *Notwithstanding the provisions of sections 116.075 or 290.61 or any other law to the contrary, the commissioner of revenue and the pollution control agency may p: ovide each other with the information necessary for the enforcement of section 18 and this section. Information disclosed in a return filed pursuant to this section or information exchanged between the commissioner and the agency is public unless the information is of the type determined to be for the confidential use of the agency pursuant to section 116.075 or is trade secret information classified pursuant to section 15.1673.*

Subd. 4. [PAYMENT BY OUT-OF-STATE GENERATORS.] *A generator of any hazardous waste which is generated outside of this state and is transported into this state for long term containment or treatment as described in section 18, subdivisions 2 to 4 shall pay the tax imposed by section 18 at the first point at which the hazardous wastes are received by a person in this state for storage, treatment or long term containment. The tax shall be paid to the person who first receives the wastes in this state at the time the waste is received and shall be remitted by that person to the commissioner of revenue quarterly in the form and manner provided by the commissioner.*

Subd. 5. [DUTIES OF THE AGENCY AND METROPOLITAN COUNTIES.] *The agency shall provide to the commissioner the names and addresses of all persons known to the agency who are subject to tax under section 18, together with any information which the agency possesses concerning the amount of solid waste accepted or hazardous waste generated and disposed of by those persons. Metropolitan counties required to regulate hazardous wastes under section 473.811, subdivision 5b, shall provide to the agency the data and information necessary to allow the agency to carry out its duties under this subdivision. Upon request by the commissioner, the agency shall examine returns and reports filed with the commissioner and notify the commissioner of any suspected inaccurate or fraudulent declaration or return. The agency may assist in auditing any person subject to tax under section 18 when requested by the commissioner.*

Subd. 6. [PENALTIES; ENFORCEMENT.] *The audit, penalty and enforcement provisions applicable to taxes imposed under chapter 290 apply to the taxes imposed under section 18 and those provisions shall be administered by the commissioner.*

Subd. 7. [RULES.] *The commissioner may adopt temporary and permanent rules necessary to implement the provisions of this section and section 18.*

Subd. 8. [ADMINISTRATIVE EXPENSES.] *Any amount expended by the commissioner or agency from a general fund appropriation to enforce and administer section 18 and this section shall be reimbursed to the general fund and the amount necessary to make the reimbursement is appropriated from the*

fund to the commissioner of finance for transfer to the general fund.

Sec. 21. [116.12] [HAZARDOUS WASTE ADMINISTRATION FEES.]

Subdivision 1. [FEE SCHEDULES.] *The agency shall establish the fees provided in subdivisions 2 and 3 in the manner provided in section 16A.128 in order to raise an amount of fees sufficient to cover the non-federally funded portion of the amount appropriated to the agency for that year for permitting, monitoring, inspection and enforcement expenses of the hazardous waste activities of the agency, excluding any amount appropriated under section 16, subdivision 2, clauses (a) and (f). Fees collected from hazardous waste activities shall approximate the expenses of the agency for regulation of hazardous waste.*

The legislature may appropriate additional amounts which need not be raised by fees or may provide that the fees shall cover a proportion of the appropriation for the hazardous waste activities of the agency in order to assure adequate funding for the regulatory and enforcement functions of the agency related to hazardous waste. All fees collected by the agency under this section shall be deposited in the general fund.

Subd. 2. [HAZARDOUS WASTE GENERATOR FEE.] *Each generator of hazardous waste shall pay a fee on the hazardous waste which he generates. The agency shall compute the amount of the fee due based on the hazardous waste disclosures submitted by the generators and other information available to the agency. The agency shall annually prepare a statement of the amount of the fee due from each generator. The fee shall be paid annually commencing with the first day of the calendar quarter after the date of the statement.*

The agency may exempt generators of small quantities of hazardous wastes otherwise subject to the fee if it finds that the cost of administering a fee on those generators is excessive relative to the proceeds of the fee. The fee shall consist of a minimum fee for each generator not exempted by the agency and an additional fee which generally reflects the quantity of wastes generated by the generator.

If any metropolitan counties recover the costs of administering county hazardous waste regulations by charging fees, the fees charged by the agency outside of those counties shall not exceed the fees charged by those counties. The agency shall not charge a fee in any metropolitan county which charges such a fee. The agency shall impose a surcharge on the fees charged by the metropolitan counties and by the agency to reflect the agency's expenses in carrying out its statewide hazardous waste regulatory responsibilities. The surcharge imposed on the fees charged by the metropolitan counties shall be collected by the metropolitan counties in the manner in which the counties collect their generator fees. Metropolitan counties shall remit the proceeds of the surcharge to the agency by the last day of the month following the month in which they were collected.

Subd. 3. [FACILITY FEES.] *The agency shall charge an original permit fee, a reissuance fee and an annual operator's fee for any hazardous waste facility permitted by the agency. The agency may include reasonable and necessary costs of any environmental review required under chapter 116D in the original permit fee for any hazardous waste facility.*

Sec. 22. Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivi-

sion 1, is amended to read:

Subdivision 1. [CERTIFICATE.] ~~Except as provided in subdivision 2,~~ By December 15, 1982, on the basis of and consistent with its hazardous waste management plan adopted under section 115A.11, the board shall issue a certificate or certificates of need for disposal facilities for hazardous wastes in the state. The certificate or certificates shall indicate the types and volumes of waste for which disposal facilities are and will be needed through the year 2000 and the number, types, sizes, general design and operating specifications, and function or use of the disposal facilities needed in the state. The board shall certify need only to the extent that the board has determined that there are no feasible and prudent alternatives including waste reduction, separation, pretreatment, processing, and resource recovery which would minimize adverse impact upon natural resources, provided that the board shall require the establishment of at least one commercial disposal facility in the state. Economic considerations alone shall not justify certification nor the rejection of alternatives. Alternatives that are speculative and conjectural shall not be deemed to be feasible and prudent. The certificate or certificates shall not be subject to the provisions of chapter 15 but shall be the final determination required on the matters decided by the certificate or certificates and shall have the force and effect of law. The certificate or certificates shall not be amended for five years. The board and the permitting agencies, in reviewing and selecting sites, completing environmental impact statements, and issuing approvals and permits for waste disposal facilities described in the certificate or certificates of need, shall not reconsider matters determined in the certification. The board and the permitting agencies shall be required to make a final decision approving the establishment of facilities consistent with the certification. The board and the permitting agencies shall be required to make a final decision approving the establishment of at least one commercial disposal facility for hazardous waste in the state.

Sec. 23. Minnesota Statutes 1980, Section 466.01, is amended by adding a subdivision to read:

Subd. 3. For the purposes of sections 466.01 to 466.15, "release" and "hazardous substance" have the meanings given in section 2.

Sec. 24. Minnesota Statutes 1980, Section 466.04, Subdivision 1, is amended to read:

Subdivision 1. [LIMITS; PUNITIVE DAMAGES.] Liability of any municipality on any claim within the scope of sections 466.01 to 466.15 shall not exceed

(a) $100,000 when the claim is one for death by wrongful act or omission and $100,000 to any claimant in any other case;

(b) $300,000 for any number of claims arising out of a single occurrence~~.~~*;*

(c) Twice the limits provided in clauses (a) and (b) when the claim arises out of the release or threatened release of a hazardous substance, whether the claim is brought under sections 1 to 12 or under any other law.

No award for damages on any such claim shall include punitive damages.

Sec. 25. [APPROPRIATION; COMPLEMENT.]

Subdivision 1. [APPROPRIATION TO FUND.] *The sum of $3,200,000 is*

appropriated from the general fund and transferred to the environmental response, compensation and compliance fund established in section 16.

Subd. 2. [TAX ADMINISTRATION; COMPLEMENT.] *The following sums are appropriated from the general fund to be available until June 30, 1983, for costs of administering and enforcing sections 18 and 20.*

(a) To the commissioner of revenue $90,500

The approved complement of the department of revenue is increased by two positions.

(b) To the pollution control agency $30,000

The approved complement of the pollution control agency is increased by one position.

Subd. 3. [APPROPRIATION FOR RESPONSE ACTIONS.] *For the biennium ending June 30, 1983, and except as provided in subdivision 4, all money in the environmental response, compensation and compliance fund except any money recovered with respect to natural resources under section 14, subdivision 8, is appropriated to the pollution control agency for the purposes described in section 16, subdivision 2, clauses (a) and (b).*

Subd. 4. [RULES; PRIORITY LISTS; COMPLEMENT.] *The sum of $40,000 is appropriated from the environmental response, compensation and compliance fund to the pollution control agency for the cost of establishing priority lists and adopting rules as required under section 14, subdivision 13, to be available until June 30, 1983.*

The approved complement of the pollution control agency is increased by six positions.

Sec. 26. [REPEALER.] *Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2, is repealed.*

Sec. 27. [EFFECTIVE DATE.]

Sections 17 to 20 are effective the day following final enactment except that the tax imposed by section 18 is effective January 1, 1983. Section 21 is effective July 1, 1983. Section 25 is effective the day following final enactment. The remaining sections of this act are effective July 1, 1982.

Delete the title and insert:

"A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 466.01, by adding a subdivision; and 466.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 116; proposing new law coded as Minnesota Statutes, Chapter 115B; repealing Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2."

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

House Conferees: (Signed) Dee Long, Elliot C. Rothenberg, Thomas J.

Harens, Irvin N. Anderson, Dean E. Johnson

Senate Conferees: (Signed) Gene Merriam, Jack Davies, James C. Pehler, Randolph W. Peterson, Duane D. Benson

CALL OF THE SENATE

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

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1176 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

Pursuant to Rule 22, Mr. Waldorf moved that he be excused from voting on H.F. No. 1176. The motion prevailed.

H.F. No. 1176 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 43 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Luther	Peterson,C.C.	Stokowski
Benson	Frank	Menning	Peterson,R.W.	Stumpf
Berglin	Hanson	Merriam	Petty	Taylor
Chmielewski	Hughes	Moe, D. M.	Purfeerst	Tennessen
Dahl	Johnson	Moe, R. D.	Ramstad	Ulland
Davies	Knoll	Nelson	Setzepfandt	Vega
Davis	Lantry	Olhoft	Sikorski	Willet
Dicklich	Lessard	Pehler	Spear	
Dieterich	Lindgren	Penny	Stern	

Those who voted in the negative were:

Bang	Bernhagen	Kamrath	Peterson,D.L.	Rued
Belanger	Frederick	Knutson	Pillsbury	Schmitz
Berg	Frederickson	Kronebusch	Renneke	Sieloff

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

RECONSIDERATION

Mr. Merriam moved that the vote whereby H.F. No. 1176 was passed by the Senate on March 13, 1982, be now reconsidered. The motion prevailed.

H.F. No. 1176 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 45 and nays 17, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Olhoft	Spear
Benson	Dieterich	Lessard	Pehler	Stern
Berglin	Engler	Lindgren	Penny	Stokowski
Bertram	Frank	Luther	Peterson,C.C.	Stumpf
Brataas	Hanson	Menning	Peterson,R.W.	Taylor
Chmielewski	Hughes	Merriam	Petty	Tennessen
Dahl	Johnson	Moe, D. M.	Ramstad	Ulland
Davies	Knoll	Moe, R. D.	Sikorski	Vega
Davis	Langseth	Nelson	Solon	Willet

Those who voted in the negative were:

Bang	Frederick	Kronebusch	Renneke	Sieloff
Belanger	Frederickson	Peterson,D.L.	Rued	
Berg	Kamrath	Pillsbury	Schmitz	
Bernhagen	Knutson	Purfeerst	Setzepfandt	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 492, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 492 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 492

A bill for an act relating to crimes; authorizing counties to expend money for the purpose of investigating criminal activity relating to selling or receiving stolen property; proposing new law coded in Minnesota Statutes, Chapter 299C.

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 492, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 492 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 244.09, Subdivision 1, is amended to read:

Subdivision 1. [COMMISSION; ESTABLISHMENT.] There is hereby established the Minnesota sentencing guidelines commission which shall be

comprised of ~~nine~~ *10 or 11* members.

Sec. 2. Minnesota Statutes 1980, Section 244.09, Subdivision 2, is amended to read:

Subd. 2. The sentencing guidelines commission shall consist of the following:

(1) The chief justice of the supreme court or his designee;

(2) Two district court judges appointed by the chief justice of the supreme court;

(3) One public defender appointed by the governor upon recommendation of the state public defender;

(4) One county attorney appointed by the governor upon recommendation of the board of governors of the county attorneys council;

(5) The commissioner of corrections or his designee;

(6) The chairman of the Minnesota corrections board *or the board of supervised release* or his designee; ~~and~~

(7) *One peace officer as defined in section 626.84 appointed by the governor;*

(8) Two public members appointed by the governor.

One of the members shall be designated by the governor as chairman of the commission.

Sec. 3. Minnesota Statutes 1980, Section 244.09, Subdivision 2, is amended to read:

Subd. 2. The sentencing guidelines commission shall consist of the following:

(1) The chief justice of the supreme court or his designee;

(2) Two district court judges appointed by the chief justice of the supreme court;

(3) One public defender appointed by the governor upon recommendation of the state public defender;

(4) One county attorney appointed by the governor upon recommendation of the board of governors of the county attorneys council;

(5) The commissioner of corrections or his designee;

(6) The chairman of the Minnesota corrections board *or the board of supervised release* or his designee; ~~and~~

(7) *One probation officer or parole officer appointed by the governor; and*

(8) Two public members appointed by the governor.

One of the members shall be designated by the governor as chairman of the commission.

Sec. 4. [375.168] [UNDERCOVER BUY FUND; EXPENDITURE OF MONEY BY COUNTIES.]

The county board of any county may appropriate money for investigation of criminal activity relating to receiving or selling stolen goods, including the setting aside of money for "buy funds."

Sec. 5. [EFFECTIVE DATE.]

Sections 1 and 3 are effective January 24, 1983. Section 2 is effective July 1, 1982. Section 4 is effective the day after final enactment."

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "adding a peace officer and a parole or probation officer to the sentencing guidelines commission; correcting a statutory reference;"

Page 1, line 5, after the semicolon, insert: "amending Minnesota Statutes 1980, Section 244.09, Subdivisions 1 and 2;"

Page 1, line 6, delete "299C" and insert "375"

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

House Conferees: (Signed) David B. Gruenes, Robert E. Vanasek, Arlene I. Lehto

Senate Conferees: (Signed) James C. Pehler, Duane D. Benson

Mr. Pehler moved that the foregoing recommendations and Conference Committee Report on H.F. No. 492 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 492: A bill for an act relating to crimes; adding a peace officer and a parole or probation officer to the sentencing guidelines commission; correcting a statutory reference; authorizing counties to expend money for the purpose of investigating criminal activity relating to selling or receiving stolen property; amending Minnesota Statutes 1980, Section 244.09, Subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, Chapter 375.

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

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

The roll was called, and there were yeas 56 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson,R.W.	Stern
Bang	Dieterich	Lessard	Petty	Stokowski
Belanger	Engler	Lindgren	Pillsbury	Stumpf
Benson	Frank	Luther	Purfeerst	Taylor
Berg	Frederickson	Menning	Ramstad	Ulland
Berglin	Hanson	Merriam	Renneke	Vega
Bernhagen	Johnson	Moe, R. D.	Rued	Waldorf
Bertram	Kamrath	Nelson	Schmitz	Willet
Brataas	Knoll	Olhoft	Sieloff	
Chmielewski	Kroening	Pehler	Sikorski	
Dahl	Kronebusch	Penny	Solon	
Davis	Langseth	Peterson,D.L.	Spear	

Messrs. Davies; Moe, D.M. and Tennessen voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1964 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1964

A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; amending Minnesota Statutes 1980, Section 299D.03, Subdivision 2; repealing Minnesota Statutes 1980, Sections 299C.041; and 299D.03, Subdivision 3.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1964, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 1964 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1981 Supplement, Section 15A.081, Subdivision 1, is amended to read:

Subdivision 1. The following salaries or salary ranges are provided for the below listed employees in the executive branch of government:

	Salary or Range		
	Effective July 1, ~~1979~~ *1982*	~~Effective July 1, 1980~~	~~Effective July 1, 1981~~
Administration, department of commissioner	~~$44,000~~ *$50,200*	~~$47,000~~	
Administrative hearings office chief hearing examiner	~~38,000~~ *42,700*	~~40,000~~	
Agriculture, department of commissioner	~~38,000~~ *42,700*	~~40,000~~	
Commerce, department of commissioner of banks	~~34,000~~ *39,000*	~~36,500~~	

commissioner of insurance	~~34,000~~ *39,000*	~~36,500~~
commissioner of securities and real estate	~~34,000~~ *39,000*	~~36,500~~
director of consumer services	~~28,000~~ *32,000*	~~30,000~~
~~Community college system chancellor~~	~~44,000~~	~~46,000~~
Corrections, department of commissioner	~~42,000~~ *48,100*	~~45,000~~
ombudsman	~~33,000~~ *37,400*	~~35,000~~
Economic security, department of commissioner	~~43,000~~ *48,100*	~~45,000~~
Education, department of commissioner	~~43,000~~ *48,100*	~~45,000~~
Employee relations, department of commissioner	*50,200*	
Energy, planning and development department of commissioner	*49,100*	~~46,000~~
Finance, department of commissioner	~~48,000~~ *53,400*	~~50,000~~
Health, department of commissioner	~~47,000~~ *52,300*	~~49,000~~
~~Higher education coordinating board executive director~~	~~40,000~~	~~42,000~~
Housing finance agency executive director	~~39,000~~ *43,800*	~~41,000~~
Human rights, department of commissioner	~~31,000~~ *35,200*	~~33,000~~

Indian affairs board		
executive director	~~27,000~~ *31,000*	~~29,000~~
Iron range resources and rehabilitation board		
commissioner	~~30,000~~ *33,100*	~~31,000~~
Labor and industry, department of		
commissioner	~~38,000~~ *42,700*	~~40,000~~
~~judge of the workers' compensation court of appeals~~	~~38,000~~	~~40,000~~
Mediation services, bureau of		
director	~~36,000~~ *40,600*	~~38,000~~
Natural resources, department of		
commissioner	~~44,000~~ *50,200*	~~47,000~~
~~Personnel, department of~~		
~~commissioner~~	~~44,000~~	~~47,000~~
Pollution control agency		
director	~~38,000~~ *42,700*	~~40,000~~
Public safety, department of		
commissioner	~~38,000~~ *43,800*	~~41,000~~
Public service, department of		
commissioner, public utilities commission	~~34,000~~ *38,400*	~~36,000~~
director	~~34,000~~ *38,400*	~~36,000~~
Public welfare, department of		
commissioner	~~44,000~~ *51,300*	~~48,000~~
Revenue, department of		

commissioner	~~44,000~~ *50,200*	~~47,000~~
~~State university system chancellor~~	~~44,000~~	~~46,000~~
Transportation, department of commissioner	~~44,000~~ *51,300*	~~48,000~~
Transportation, regulation board board member	32,000	
Veterans affairs, department of commissioner	~~31,000~~ *35,200*	~~33,000~~
Waste management board, chairman	*48,100*	

Sec. 2. [486.055] [COURT REPORTER TRANSCRIPT FEE CHARGES; REPORTING REQUIREMENTS.]

Subdivision 1. [REPORTING REQUIREMENTS.] *Each court reporter who charges a fee for the preparation of transcripts shall by April 15 of each year file with the district administrator of his judicial district and the county commissioners of the district an accounting of gross receipts and net income from these receipts for the prior calendar year. The accounting report shall specify the amount received in payment for the sale of transcripts.*

Sec. 3. Minnesota Statutes 1980, Section 15A.081, Subdivision 7, is amended to read:

Subd. 7. The following salaries are provided for officers of metropolitan agencies:

	Effective July 1, ~~1979~~ *1982*	~~Effective July 1, 1980~~
Chairman, metropolitan council (part-time)	~~$21,000~~ *$24,000*	~~$22,500~~
(full-time)	~~42,000~~ *47,500*	~~44,500~~
Chairman, metropolitan airports commission	~~10,500~~ *12,300*	~~11,500~~
Chairman, metropolitan transit commission (part-time)	~~18,000~~ *20,300*	~~19,000~~

(full-time)	~~36,000~~ *40,600*	~~38,000~~
Chairman, metropolitan waste control commission	~~16,000~~ *18,200*	~~17,000~~

Fringe benefits for unclassified employees of the metropolitan waste control commission shall not exceed those fringe benefits received by unclassified employees of the metropolitan council.

Sec. 4. Minnesota Statutes 1980, Section 15A.083, Subdivision 1, is amended to read:

Subdivision 1. [ELECTIVE JUDICIAL OFFICERS.] The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

	Effective July 1, ~~1979~~ *1982*	~~Effective July 1, 1980~~
(1) Chief justice of the supreme court	~~$56,000~~ *$63,000*	~~$59,000~~
(2) Associate justice of the supreme court	~~52,500~~ *59,800*	~~56,000~~
(3) District judge, judge of county court (learned in the law), probate court, and county municipal court	~~45,000~~ *51,300*	~~48,000~~
(4) Judge of a county court (not learned in the law)	~~29,500~~ *33,600*	~~31,500~~

Sec. 5. Minnesota Statutes 1980, Section 15A.083, Subdivision 2, is amended to read:

Subd. 2. [COUNTY COURT AND COUNTY MUNICIPAL JUDGES.] (1) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(2) Judges of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver and Dakota shall receive a salary of ~~$45,000~~ *$51,300*, effective July 1, ~~1979, and $48,000 effective July 1, 1980~~ *1982*.

(3) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

Sec. 6. Minnesota Statutes 1980, Section 15A.083, Subdivision 4, is amended to read:

Subd. 4. [RANGES FOR OTHER JUDICIAL POSITIONS.] Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of any position for which a salary range has been provided shall fix the individual salary within the prescribed range, considering the qualifications and overall performance of the employee. Appointments to fill vacancies shall not be made above the midpoint of the salary range prescribed for the position unless the state court administrator has been consulted in advance and his approval obtained. Any salary increase that would adjust an employee's rate of pay beyond the midpoint of the range prescribed for the position must be approved in advance by the state court administrator.

	Salary or Range	
	Effective July 1, ~~1979~~ *1982*	~~Effective July 1, 1980~~
Public defender	~~$37,500~~ *$42,700*	~~$40,000~~
District administrator	~~27,000-37,500~~ *30,400-42,700*	~~28,500-40,000~~
County attorneys council executive director	~~22,000-32,000~~ *25,100-36,300*	~~23,500-34,000~~
Board on judicial standards executive director	~~36,000~~ *40,600*	~~38,000~~
State court administrator	~~44,500~~ *50,200*	~~47,000~~

Sec. 7. Minnesota Statutes 1981 Supplement, Section 15A.083, Subdivision 7, is amended to read:

Subd. 7. [WORKERS' COMPENSATION COURT OF APPEALS AND COMPENSATION JUDGES.] Salaries of judges of the workers' compensation court of appeals shall be ~~90 percent of~~ *equal to* the salary for district judges as provided in subdivision 1. Salaries of compensation judges shall be 75 percent of the salary of district court judges as provided in subdivision 1.

Sec. 8. Minnesota Statutes 1980, Section 179.66, Subdivision 7, is amended to read:

Subd. 7. The employer shall not meet and negotiate or meet and confer with any employee or group of employees who are at the time designated as a member or part of an appropriate employee unit except through the exclusive representative if one is certified for that unit or as provided for in section 179.69, subdivision 1, *provided that this subdivision shall not be deemed to prevent the communication to the employer, other than through the exclusive representative, of advice or recommendations by professional employees, when such communication is a part of the employee's work assignment.*

Sec. 9. Minnesota Statutes 1980, Section 179.72, Subdivision 7, is amended to read:

Subd. 7. The arbitration panel or arbitrator selected by the parties shall resolve the issues in dispute between the parties as submitted by the board, and the panel's decision and order shall be final and binding upon the parties. *The panel shall be restricted, if the parties agree in writing to so limit the panel's jurisdiction, except as provided by subdivision 7b to selecting between the final offers on each impasse item submitted by the parties to the panel, or the final offer of one or the other party in its entirety.* Provided, however, that no decision of the panel which violates any provision of the laws of Minnesota or rules or regulations promulgated thereunder or municipal charters or ordinances or resolutions enacted pursuant thereto, or which causes a penalty to be incurred thereunder, shall have any force or effect. In considering a dispute and issuing its order the panel shall give due consideration to the statutory rights and obligations of public employers to efficiently manage and conduct its operations within the legal limitations surrounding the financing of such operations. The panel's orders shall be issued by a majority vote of its members considering a given dispute. The panel shall have no jurisdiction over nor authority to entertain any matter or issue not within the definition stated in section 179.63, subdivision 18; provided, however, items not within terms and conditions of employment may be included in an arbitration decision if such items are contained in the employer's final position. Any issue or order or part thereof issued by the panel determining any matter not included under section 179.63, subdivision 18 or the employer's final position shall be void and of no effect. The panel shall render its decision within ten days from the date that all arbitration proceedings have been concluded, but in any event must issue its order by the last date the employer is required by statute, charter, ordinance or resolution to submit its tax levy or budget or certify its taxes voted to the appropriate public officer, agency, public body or office, or by November 1, whichever date is earlier. The panel's order shall be for such period as the panel shall direct, except that orders determining contracts for teacher units shall be effective to the end of the contract period as determined by section 179.70, subdivision 1.

Sec. 10. Minnesota Statutes 1980, Section 179.72, Subdivision 7b, is amended to read:

Subd. 7b. Notwithstanding the provisions of subdivision 7, for ~~essential employees,~~ supervisory employees, confidential employees, and principals and assistant principals who are not employees of the executive branch of the state of Minnesota, the panel shall be restricted to selecting between the final offers on each impasse item submitted by the parties to the panel.

Sec. 11. Minnesota Statutes 1980, Section 299D.03, Subdivision 2, is amended to read:

Subd. 2. [SALARIES.] (1) Each employee other than the chief supervisor, lieutenant colonel, majors, captains, corporals and sergeants hereinafter designated shall be known as patrol troopers.

(2) There may be appointed one lieutenant colonel; and such majors, captains, corporals, sergeants and troopers as the commissioner deems necessary to carry out the duties and functions of the highway patrol. Persons in above named positions shall be appointed by law and have such duties as the commissioner may direct and, except for troopers, shall be selected from the patrol troopers, corporals, sergeants, captains, and majors who shall have had at least five years' experience as either patrol troopers, corporals, sergeants, or supervisors.

(3) ~~Commencing July 4, 1979, the salaries for all members of the highway~~

~~patrol, except for the chief supervisor and the lieutenant colonel shall be as shown in the following table:~~

~~TOTAL YEARS OF SERVICE~~

	~~Base Salary~~	~~6 Months~~	~~1 Year~~	~~2 Years~~	~~3 Years~~
~~Trooper~~	~~$1186~~	~~1229~~	~~1327~~	~~1377~~	~~1439~~

	~~4 thru 6 Years~~	~~7 thru 11 Years~~	~~12 thru 20 Years~~	~~After 20 Years~~
~~Trooper~~	~~$1511~~	~~1566~~	~~1625~~	~~1687~~

	~~5 thru 11 Years~~	~~12 thru 20 Years~~	~~After 20 Years~~
~~Trooper I~~	~~$1566~~	~~1625~~	~~1687~~

	~~10 thru 20 Years~~	~~After 20 Years~~
~~Corporal~~	~~$1650~~	~~1712~~

~~Staff Sergeant~~

~~Years~~

~~7~~	~~8~~	~~9~~	~~10~~	~~11~~	~~12 thru 20~~	~~After 20~~
~~$1656~~	~~1687~~	~~1719~~	~~1753~~	~~1786~~	~~1817~~	~~1880~~

~~TIME IN RANK~~

	~~Base Salary~~	~~1 Year~~	~~2 Years~~	~~After 12 Years total Service~~	~~After 20 Years total Service~~
~~Captain~~	~~$1959~~	~~2020~~	~~2083~~	~~2143~~	~~2202~~
~~Major~~	~~2239~~	~~2301~~		~~2363~~	~~2425~~

~~Commencing July 2, 1980, the salaries for all members of the highway patrol, except for the chief supervisor and the lieutenant colonel shall be as shown in the following table:~~

~~TOTAL YEARS OF SERVICE~~

	~~Base Salary~~	~~6 Months~~	~~1 Year~~	~~2 Years~~	~~3 Years~~
~~Trooper~~	~~$1257~~	~~1303~~	~~1407~~	~~1460~~	~~1525~~

	~~4 thru 6 Years~~	~~7 thru 11 Years~~	~~12 thru 20 Years~~	~~After 20 Years~~
~~Trooper~~	~~$1602~~	~~1660~~	~~1723~~	~~1788~~

		~~5 thru 11 Years~~	~~12 thru 20 Years~~	~~After 20 Years~~
~~Trooper I~~		~~$1660~~	~~1723~~	~~1788~~

			~~10 thru 20 Years~~	~~After 20 Years~~
~~Corporal~~			~~$1749~~	~~1815~~

~~Staff Sergeant~~

~~Years~~

~~7~~	~~8~~	~~9~~	~~10~~	~~11~~	~~12 thru 20~~	~~After 20~~
~~$1755~~	~~1788~~	~~1822~~	~~1858~~	~~1893~~	~~1926~~	~~1993~~

~~TIME IN RANK~~

	~~Base Salary~~	~~1 Year~~	~~2 Years~~	~~After 12 Years Total Service~~	~~After 20 Years Total Service~~
~~Captain~~	~~$2077~~	~~2141~~	~~2208~~	~~2272~~	~~2334~~
~~Major~~	~~$2373~~	~~2439~~		~~2505~~	~~2571~~

~~Employees designated as station sergeants shall receive an additional three percent above the current rate rounded to the nearest dollar for the duration of the appointment. Employees permanently assigned exclusively to Twin City metropolitan freeway duty shall be designated freeway troopers and shall be compensated $25 per month above their current salary when so assigned. Salary increases in accordance with the above schedule shall become effective for the payroll period nearest the employee's anniversary date of employment.~~

~~(4) Upon promotion, the person will be paid at the base salary rate of pay in effect for that rank, and shall subsequently be eligible for the time in rank increases calculated from the effective date of promotion.~~

~~(5) Any time in rank increases in salary provided for in the tables in clause (3), shall be effective for the payroll period nearest the employee's anniversary date of employment.~~

The salary rates for all highway patrol troopers, corporals and sergeants ~~as cited in clause (3)~~ shall be deemed to include reimbursement for shift differential, meal and business expenses incurred by highway patrol troopers, corporals and sergeants in the performance of their assigned duties in their patrol areas; business expenses include, but are not limited to: uniform costs, home garaging of squad cars and maintenance of home office.

Sec. 12. Laws 1979, Chapter 332, Article I, Section 116, as amended by Laws 1980, Chapter 617, Section 44, is amended to read:

Sec. 116. [EFFECTIVE DATE.]

The effective dates for Article I are as follows: sections 2, 4, 8, 40, 45, 46, 47, 58, 61, 65, 82-91, and 113 are effective upon final enactment. Section 64, is effective June 30, 1980. Sections 3, 5, 6 and 7 are effective July 1, 1981. The remaining provisions of Article I are effective July 1, 1979. The provisions of section 47 shall apply to all disciplinary actions taken on or after the effective date of section 47. The provisions of section 63 shall expire on July 1, 1981, but shall apply to all arbitration proceedings which are to determine contractual provisions for the 1981-1983 biennium. The provisions of section 64 shall expire on July 1, ~~1981~~ *1983*, but shall apply to all arbitration proceedings which are to determine contractual provisions for the next contract period. The provisions of sections 93 to 111 and 113 shall expire on July 1, 1981. The provisions of section 137.02, subdivision 4, shall not apply to sections 93 to 111.

Sec. 13. [RATIFICATION; STATE OF MINNESOTA.]

Subdivision 1. The labor agreement between the state of Minnesota and the bureau of criminal apprehension agents' association, Minnesota conservation officers' association and Minnesota state patrol officers' association, approved by the legislative commission on employee relations on August 18, 1981, is hereby ratified.

Subd. 2. The labor agreement between the state of Minnesota and the American federation of state, county and municipal employees, council 6, approved by the legislative commission on employee relations on August 19, 1981, is hereby ratified.

Subd. 3. The labor agreement between the state of Minnesota and the Minnesota nurses association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 4. The labor agreement between the state of Minnesota and the interfaculty organization, Minnesota education association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 5. The labor agreement between the state of Minnesota and the Minnesota community college faculty association, Minnesota education association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 6. The labor agreement between the state of Minnesota and the Minnesota state university association of administrative and service faculty, international brotherhood of teamsters, local 320, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 7. The arbitration award and the resulting labor agreement between the state of Minnesota and the Minnesota government engineers' council, approved by the legislative commission on employee relations on March 1, 1982, are hereby ratified.

Subd. 8. The labor agreement between the state of Minnesota and the association of health treatment professionals, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 9. The labor agreement between the state of Minnesota and the Minnesota association of professional employees, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 10. The labor agreement between the state of Minnesota and the state residential schools education association, approved by the legislative commission on employee relations on January 26, 1982, is hereby ratified.

Subd. 11. The labor agreement between the state of Minnesota and the middle management association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 12. The commissioner of employee relations' plan for certain unrepresented state employees, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Sec. 14. [RATIFICATION; UNIVERSITY OF MINNESOTA.]

Subdivision 1. The salary supplements provided in the labor agreement between the regents of the University of Minnesota and the international brotherhood of teamsters, local 320, approved by the legislative commission on employee relations on September 3, 1981, are hereby ratified.

Subd. 2. The salary supplements provided in the labor agreement between the regents of the University of Minnesota and the international brotherhood of teamsters, local 320, approved by the legislative commission on employee relations on November 19, 1981, are hereby ratified.

Subd. 3. The salary supplements provided in the labor agreement between the regents of the University of Minnesota and the American federation of state, county and municipal employees, council 6, and local 1164, American federation of labor-congress of industrial organizations, approved by the legislative commission on employee relations on September 29, 1981, are hereby ratified.

Subd. 4. The salary supplements provided in the University of Minnesota regents' compensation plan for unrepresented nursing professional, noninstructional (nonacademic appointment) professional and supervisory employees, approved by the legislative commission on employee relations on January 12, 1982, are hereby ratified.

Subd. 5. The salary supplements provided in the University of Minnesota regents' compensation plan for unrepresented clerical and office, technical, managerial and confidential employees, approved by the legislative commission on employee relations on November 19, 1981, are hereby ratified.

Subd. 6. The salary supplements provided in the University of Minnesota regents' compensation plan for unrepresented twin cities and outstate instructional, graduate assistant and noninstructional (academic appointment) professional employees, approved by the legislative commission on employee relations on January 12, 1982, are hereby ratified.

Sec. 15. [INTERIM APPROVAL.]

After adjournment of the 1982 session of the legislature, the legislative commission on employee relations may give interim approval to a negotiated agreement, arbitration award, salary supplement, or compensation plan submitted to it in accordance with other law. The legislative commission on employee relations shall submit the agreement, award, salary supplement, or plan to the entire legislature for ratification in the same manner and with the same effect as provided in section 179.74, subdivision 5.

Sec. 16. [SALARY OF EXECUTIVE SECRETARY; HIGHER EDUCATION COORDINATING BOARD.]

Notwithstanding any other law to the contrary, the higher education coordinating board may establish the salary of its executive director.

Sec. 17. [COURT REPORTERS.]

The departmental and classification seniority of an individual who was employed as a court reporter in state service prior to his appointment as a court reporter in the office of administrative hearings pursuant to Laws 1975, Chapter 380, Section 16, shall carry forward and be credited to his employment with the office of administrative hearings.

Sec. 18. [REVIEW OF EXECUTIVE POSITIONS.]

The legislative commission on employee relations is directed to review the executive positions contained in section 15A.081, those that have been removed through legislative action, and those that have never been included. This review shall consider managerial and programmatic responsibilities and authority, the skill and effort required by each position, and compensation accorded. The commission may utilize the findings of the 1980 governor's task force on executive and judicial compensation. The commission shall report back to the legislature by February 15, 1983, its recommendations relative to appropriate inclusion in section 15A.081 and equitable compensation for comparable executive positions.

Sec. 19. [REPEALER.]

Minnesota Statutes 1980, Sections 299C.041 and 299D.03, Subdivision 3, are repealed.

Sec. 20. [REPEALER.]

Minnesota Statutes 1980, Section 179.72, Subdivision 7a is repealed.

Sec. 21. [APPROPRIATION; GENERAL FUND.]

Subdivision 1. The sums contained in this section are appropriated from the general fund to be available for the fiscal year ending June 30 of the years indicated.

Subd. 2. There is appropriated to the commissioner of finance for the purpose of paying compensation increases as authorized by sections 1 and 3 to 7.

1983
$987,200

Sec. 22. [APPROPRIATIONS; OTHER FUNDS.]

The amounts necessary to pay compensation and economic benefit increases authorized by this act are appropriated to the commissioner of finance for the fiscal years ending June 30, 1982, and June 30, 1983, from the funds in the state treasury, other than the general fund, from which salaries are paid.

Sec. 23. [EFFECTIVE DATE.]

Sections 1, 3 to 6, and 20 are effective July 1, 1982. Section 7 is effective July 1, 1983. The remaining sections are effective the day following final enactment.''

Delete the title and insert:

''A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; providing increases in statutory salaries for certain officers; clarifying meet and confer status for professional employees; extending final offer arbitration to certain public employee impasses under PELRA; removing it for others except on a voluntary basis; appropriating money; amending Minnesota Statutes 1980, Sections 15A.081, Subdivision 7; 15A.083, Subdivisions 1, 2, and 4; 179.66, Subdivision 7; 179.72, Subdivisions 7 and 7b; 299D.03, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 15A.081, Subdivision 1; 15A.083, Subdivision 7; Laws 1979, Chapter 332, Article I, Section 116, as amended; proposing new law coded in Minnesota Statutes, Chapter 486; repealing Minnesota Statutes 1980, Sections 179.72, Subdivision 7a; 299C.041; and 299D.03, Subdivision 3.''

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

Senate Conferees: (Signed) Franklin J. Knoll, Allan H. Spear, George S. Pillsbury, Donald M. Moe, Tom A. Nelson

House Conferees: (Signed) Wayne A. Simoneau, Michael R. Sieben, John T. Rose, Charles C. Halberg, Fred C. Norton

Mr. Knoll moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1964 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Johnson moved that the Conference Committee Report be rejected and that the bill be returned to the Conference Committee as formerly constituted.

CALL OF THE SENATE

Mr. Menning imposed a call of the Senate for the proceedings on S.F. No. 1964. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Moe, R.D. moved that S.F. No. 1964 and the Conference Committee Report thereon be laid on the table. The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2000:

H.F. No. 2000: A bill for an act relating to health and welfare; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the

general assistance program; revising a penalty; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1.

And the House respectfully requests that a Conference Committee of three members be appointed thereon.

Greenfield, Samuelson and Forsythe have been appointed as such committee on the part of the House.

House File No. 2000 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

Mr. Sikorski moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2000, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1962: A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6 and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, Subdivision 1.

Senate File No. 1962 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. Frederickson moved that the Senate do not concur in the amendments by the House to S.F. No. 1962, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2000: Messrs. Sikorski, Knoll and Knutson.

S.F. No. 1962: Messrs. Frederickson, Setzepfandt and Renneke.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1611 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1611 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1611

A bill for an act relating to garnishment; authorizing an employer to recover expenses incurred for administering garnishment of an employee's wages; amending Minnesota Statutes 1980, Section 571.57.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1611, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H.F. No. 1611 be further amended as follows:

Page 2, line 3, after the period, insert "*A processing transaction means any written response the garnishee employer is required by law to mail or deliver for purposes of administering the garnishment of an employee's wages.*"

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

House Conferees: (Signed) Mary M. Forsythe, Terry M. Dempsey, Tad Jude

Senate Conferees: (Signed) Otto T. Bang, Jr., Bob Lessard, Randolph W. Peterson

Mr. Bang moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1611 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1611 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Penny	Sikorski
Bang	Dieterich	Langseth	Peterson,C.C.	Solon
Belanger	Engler	Lantry	Peterson,D.L.	Stern
Benson	Frank	Lessard	Peterson,R.W.	Stokowski
Berglin	Frederick	Lindgren	Petty	Stumpf
Bernhagen	Frederickson	Luther	Pillsbury	Taylor
Bertram	Hanson	Menning	Purfeerst	Tennessen
Brataas	Hughes	Moe, D. M.	Ramstad	Ulland
Chmielewski	Johnson	Moe, R. D.	Renneke	Vega
Dahl	Kamrath	Nelson	Rued	Waldorf
Davies	Knutson	Olhoft	Setzepfandt	Willet
Davis	Kroening	Pehler	Sieloff	

Mr. Merriam voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 358 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 358

A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1980, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 358, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 358 be further amended as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1980, Section 340.035, Subdivision 1, is amended to read:

Subdivision 1. It ~~shall be~~ *is* unlawful for any:

(1) Licensee or his employee to ~~sell or serve non-intoxicating malt liquor to any person under the age of 19 years or to~~ permit any person under the age of 19 years to consume non-intoxicating malt liquor on the licensed premises *except*

as provided in paragraph (5) of this subdivision;

(2) Person other than the parent or legal guardian to procure non-intoxicating malt liquor for any person under the age of 19 years;

(3) Person to induce a person under the age of 19 years to purchase or procure non-intoxicating malt liquor;

(4) Person under the age of 19 years to misrepresent his age for the purpose of obtaining non-intoxicating malt liquor;

(5) Person under the age of 19 years to consume any non-intoxicating malt liquor unless in the company of his parent or guardian;

(6) Person under the age of 19 years to ~~have in his possession~~ *possess* any non-intoxicating malt liquor, with intent to consume ~~same~~ *it* at a place other than the household of his parent or guardian. ~~Possession of such non-intoxicating malt liquor at a place other than the household of his parent or guardian shall be prima facie evidence of intent to consume the same at a place other than the household of his parent or guardian.~~''

Page 1, line 11, after ''*liquor*'' insert ''*or non-intoxicating malt liquor*''

Page 1, line 12, delete ''*January*'' and insert ''*March*''

Page 1, line 12, delete ''*1982*'' and insert ''*1983*''

Page 1, line 15, after ''*license*'' insert '', *provided this subdivision does not apply to non-intoxicating malt liquor licensees with sales of less than $10,000 of non-intoxicating malt liquor per year, nor to holders of on-sale wine licenses under section 340.11, subdivision 20, with sales of less than $10,000 of wine per year*''

Page 1, line 20, delete ''*said*'' and insert ''*the*''

Page 2, line 1, delete ''*said*'' and insert ''*the*''

Page 2, line 7, delete ''*such as*'' and insert ''*which*''

Page 2, line 10, delete ''*Nothing in*''

Page 2, line 10, delete ''*shall prohibit*'' and insert ''*does not prohibit*''

Page 2, line 14, after ''*liquor*'' insert ''*or non-intoxicating malt liquor*''

Page 2, line 15, delete ''*establish a program to*''

Page 2, line 16, delete ''*assist*'' and insert ''*advise*''

Page 2, line 17, delete ''*in obtaining*'' and insert ''*of those persons offering*''

Page 2, line 18, delete everything after the period

Page 2, delete line 19, and insert ''*The commissioner of insurance may, if necessary, establish an assigned risk pool by rule adopted under the administrative procedure act, sections 15.041 to 15.052.*''

Page 2, line 24, strike ''to be''

Page 2, line 28, strike both commas

Page 2, lines 29 and 36, strike ''such'' and insert ''*the*''

Page 2, lines 29 and 36, strike the first comma

Page 2, lines 29 and 36, strike ", in lieu thereof,"

Page 2, line 33, strike the comma

Page 3, lines 5, 17, and 29, strike both commas

Page 3, lines 7, 14, 21, and 31, strike "such" and insert " *the*"

Page 3, line 7, strike the first comma

Page 3, line 7, strike ", in lieu thereof,"

Page 3, line 13, strike "to be"

Page 3, line 14, strike the comma

Page 3, line 14, strike "as"

Page 3, line 15, strike "shall require" and insert " *requires*"

Page 3, line 18, strike "in lieu thereof,"

Page 3, line 19, strike the comma

Page 3, lines 20 and 30, strike "shall determine, which" and insert "*determines. The*"

Page 3, line 27, strike the first comma

Page 3, line 27, strike ", in lieu"

Page 3, line 28, strike "thereof," and strike the second comma

Page 4, line 7, delete "*1*" and insert "*2*"

Page 4, line 7, strike "no cancellation"

Page 4, line 8, strike "of the same" and insert "*it may not be cancelled*"

Page 4, line 8, strike ", can be made"

Page 4, line 10, strike "the same" and insert "*it*"

Page 4, line 17, strike "No payment of any claim by"

Page 4, strike lines 18 and 19

Page 4, line 20, strike "brought against the insured or company thereafter."

Page 4, line 28, strike the comma and insert ". *Bonds*"

Page 4, line 30, strike "All such" and insert "*The*"

Page 4, line 33, strike "such" and insert "*the*"

Page 5, line 1, strike the first comma

Page 5, line 2, after "distribution" insert a comma

Page 5, lines 4, 7, 14, 15, 30, and 32, strike "such" and insert "*the*"

Page 5, lines 26 and 29, strike "such"

Page 5, line 31, strike "said" and insert "*the*"

Page 6, line 2, delete "*January*" and insert "*March*"

Page 6, line 2, delete "*1982*" and insert "*1983*"

Page 6, line 4, delete "*1*" and insert "2"

Page 6, after line 4, insert:

"Sec. 5. Minnesota Statutes 1980, Section 340.73, Subdivision 1, is amended to read:

Subdivision 1. It ~~shall be~~ *is* unlawful for any person, except a licensed pharmacist to sell, give, barter, furnish, deliver, or dispose of, in any manner, either directly or indirectly, any ~~spirituous, vinous, malt, or fermented~~ *intoxicating* liquors *or non-intoxicating malt liquors* in any quantity, for any purpose, ~~whatever,~~ to any person under the age of 19 years, or to any *obviously* intoxicated person~~, or to any public prostitute~~.

Sec. 6. Minnesota Statutes 1980, Section 340.73, Subdivision 3, is amended to read:

Subd. 3. Whoever ~~shall~~ in any way ~~procure~~ *procures intoxicating* liquor *or non-intoxicating malt liquor* for the use of any person named in this section shall be deemed to have sold it to ~~such~~ *that* person. Any person violating any of the provisions of this section is guilty of a gross misdemeanor.

Sec. 7. Minnesota Statutes 1980, Section 340.95, is amended to read:

340.95 [INJURIES CAUSED BY INTOXICATION, CIVIL ACTIONS.]

Every husband, wife, child, parent, guardian, employer, or other person who is injured in person or property, or means of support, *or incurs other pecuniary loss* by any intoxicated person, or by the intoxication of any person, has a right of action, in his own name, against any person who, by illegally selling or bartering intoxicating liquors *or non-intoxicating malt liquors*, caused the intoxication of ~~such~~ *that* person, for all damages~~,~~ sustained~~; and~~. All damages recovered by a minor under this section shall be paid either to ~~such~~ *the* minor or to his parent, guardian, or next friend, as the court directs~~; and~~ . All suits for damages under this section shall be by civil action in any court of this state having jurisdiction ~~thereof~~. Actions for damages based upon liability imposed by this section shall be governed by section 604.01. The provisions of section 604.01, as applied under this section, ~~however shall~~ *do* not ~~be applicable~~ *apply* to actions *for injury to person, property, or loss of means of support* brought by a husband, wife, child, parent, guardian or other dependent of an intoxicated person. ~~No recovery shall be had in any action or actions pursuant to this section in excess of $250,000 for all damages to one person and $500,000 for all damages to two or more persons arising out of a single instance of the illegal sale or barter of intoxicating liquor.~~

Sec. 8. Minnesota Statutes 1980, Section 340.951, is amended to read:

340.951 [NOTICE OF INJURY.]

Every person who claims damages, *and every person or his insurer who claims contribution or indemnity,* from any municipality owning and operating a municipal liquor store or from the licensee of any licensed liquor establishment for or on account of any injury within the scope of section 340.95, shall give a written notice to the governing body of the municipality or the licensee of the liquor establishment, as the case may be, stating:

(1) The time and date when, and person to whom ~~such~~ *the* liquor was sold~~,~~ *or*

bartered~~, or given~~;

(2) The name and address of the person or persons who were injured or whose property was damaged;

(3) The approximate time and date and the place where any injury to person or property occurred. *Every municipality or licensee who claims contribution or indemnification from any other licensee or municipality shall give a written notice in the form and manner specified in this section to the other municipality or licensee.*

No error or omission in the notice shall void the effect of the notice, if otherwise valid, unless ~~such~~ *the* error or omission is of a substantially material nature.

In the case of claims for contribution or indemnity this notice shall be served within 120 days after the injury occurs, *or within 60 days after receiving written notice of a claim for contribution or indemnity, whichever is applicable,* and no action *for contribution or indemnity* therefor shall be maintained unless ~~such~~ *the* notice has been given~~, and unless it is commenced within one year after such injury. The time for giving the notice shall not include any period of time next succeeding the occurrence of the injury during which the person injured is incapacitated from giving such notice by reason of the injury sustained~~. *In the case of a claim for damages the notice shall be served by the claimant's attorney within 120 days of the date of entering an attorney-client relationship with the person in regard to the claim, and no action for damages shall be maintained unless the notice has been given.*

Actual notice of sufficient facts to reasonably put the governing body of the municipality or the licensee of the liquor establishment, as the case may be, or its insurer, on notice of a possible claim, shall be construed to comply with the notice requirements herein.

No action shall be maintained for injury under section 340.95 unless commenced within two years after the injury.''

Page 6, delete line 6 and insert:

''*Sections 2 to 4 are effective March 1, 1983. Sections 1, 5, 6, 7 and 8 are effective the day following final enactment and apply to all causes of action arising on and after that day, except that any changes in notice requirements in section 8 are not effective until 30 days following final enactment.*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert ''making certain sales of non-intoxicating malt liquor illegal; providing civil liability for illegal sales of intoxicating liquor and non-intoxicating malt liquor;''

Page 1, line 4, after ''Sections'' insert ''340.035, Subdivision 1;''

Page 1, line 5, after ''subdivision'' insert ''; 340.73, Subdivisions 1 and 3; 340.95; and 340.951''

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

Senate Conferees: (Signed) Robert J. Tennessen, Otto T. Bang, Jr., Jack

Davies, Gerry Sikorski, Duane D. Benson

House Conferees: (Signed) Todd H. Otis, Ann Wynia, Tad Jude, Charles C. Halberg

Mr. Tennessen moved that the foregoing recommendations and Conference Committee Report on S.F. No. 358 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 358 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Dieterich	Langseth	Penny	Sikorski
Bang	Engler	Lantry	Peterson,C.C.	Solon
Belanger	Frank	Lessard	Peterson,D.L.	Stern
Benson	Frederickson	Lindgren	Peterson,R.W.	Stokowski
Berg	Hanson	Luther	Petty	Stumpf
Berglin	Hughes	Menning	Pillsbury	Taylor
Bernhagen	Johnson	Merriam	Purfeerst	Tennessen
Chmielewski	Kamrath	Moe, D. M.	Ramstad	Ulland
Dahl	Knoll	Moe, R. D.	Renneke	Vega
Davies	Knutson	Nelson	Rued	Waldorf
Davis	Kroening	Olhoft	Setzepfandt	Willet
Dicklich	Kronebusch	Pehler	Sieloff	

Mr. Bertram voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1758 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1758

A bill for an act relating to crimes; prohibiting conspiracies to violate controlled substances laws; clarifying the crime of escape from jail; prescribing penalties; amending Minnesota Statutes 1980, Section 609.485, Subdivision 3; proposing new law coded in Minnesota Statutes 1980, Chapter 152.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1758, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1758 be

further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 152.01, is amended by adding a subdivision to read:

Subd. 18. [DRUG PARAPHERNALIA.] *"Drug paraphernalia" means all equipment, products, and materials of any kind which are knowingly or intentionally used primarily in (1) manufacturing a controlled substance, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, (3) testing the strength, effectiveness, or purity of a controlled substance, or (4) enhancing the effect of a controlled substance.*

Sec. 2. [152.092] [POSSESSION OF DRUG PARAPHERNALIA PROHIBITED.]

It is unlawful for any person knowingly or intentionally to use or to possess drug paraphernalia. Any violation of this section is a petty misdemeanor.

Sec. 3. [152.093] [MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA PROHIBITED.]

It is unlawful for any person knowingly or intentionally to deliver drug paraphernalia or knowingly or intentionally to possess or manufacture drug paraphernalia for delivery. Any violation of this section is a misdemeanor.

Sec. 4. [152.094] [DELIVERY OF DRUG PARAPHERNALIA TO A MINOR PROHIBITED.]

Any person 18 years of age or older who violates section 3 by knowingly or intentionally delivering drug paraphernalia to a person under 18 years of age who is at least three years his junior is guilty of a gross misdemeanor.

Sec. 5. [152.095] [ADVERTISEMENT OF DRUG PARAPHERNALIA PROHIBITED.]

It is unlawful for any person knowingly or intentionally to place in any newspaper, magazine, handbill, or other publication any advertisement or promotion for the sale of drug paraphernalia. A violation of this section is a misdemeanor.

Sec. 6. [152.096] [CONSPIRACIES PROHIBITED.]

Subdivision 1. [PROHIBITED ACTS; PENALTIES.] *Any person who conspires to commit any act prohibited by section 152.09, except possession or distribution for no remuneration of a small amount of marijuana as defined in section 152.01, subdivision 16, is guilty of a felony and upon conviction may be imprisoned, fined, or both, up to the maximum amount authorized by law for the act the person conspired to commit.*

Subd. 2. [CONVICTION OF CO-CONSPIRATOR NOT REQUIRED.] *A person liable under this section may be charged with and convicted of conspiracy although the person or persons with whom he conspired have not been convicted or have been convicted of some other crime based on the same act.*

Sec. 7. Minnesota Statutes 1980, Section 152.19, Subdivision 1, is amended to read:

Subdivision 1. The following are subject to forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of this chapter;

(2) All raw materials, moneys, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this chapter;

(3) All property which is used, or intended for use, as a primary container for property described in clauses (1) or (2);

(4) *All drug paraphernalia as defined by section 1;*

(5) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, for the purpose of sale or receipt of property described in clauses (1) or (2) having a retail value of $100 or more, but:

(a) No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this chapter.

(b) No conveyance is subject to forfeiture under this section unless the owner thereof is privy to a violation of this chapter, or that the use of the conveyance in such violation otherwise occurred with his knowledge or consent.

(c) A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party unless he had knowledge of or consented to the act or omission upon which the forfeiture is based.

(d) All books, records, and research products and materials, including formulas, microfilm, tapes, and data which are used, or intended for use, in violation of this chapter.

Sec. 8. Minnesota Statutes 1980, Section 152.19, Subdivision 3, is amended to read:

Subd. 3. In the event of a conviction for a gross misdemeanor or a misdemeanor, any conveyance seized pursuant to subdivision 1, clause ~~(4)~~ *(5)* of this section or any moneys seized pursuant to subdivision 1, clause (2) of this section, shall be returned to the person legally entitled thereto.

Sec. 9. Minnesota Statutes 1980, Section 152.19, Subdivision 5, is amended to read:

Subd. 5. Property shall be forfeited after a conviction deemed to be a felony according to the following procedure:

(1) A separate complaint shall be filed against the property describing it, charging its use in the specified violation, and specifying the time and place of its unlawful use.

(2) If the person arrested is acquitted, the court shall dismiss the complaint against any property seized pursuant to the preceding subdivisions and order the property returned to the persons legally entitled to it.

(3) If after conviction the court finds that the property, or any part thereof, was used in any violation as specified in the complaint, it shall order that the

property unlawfully used be sold, destroyed, or disposed of by the appropriate state agency in the following manner:

(a) *The appropriate agency may retain the property for official use but shall not use any motor vehicle required to be registered pursuant to chapter 168A until title is properly transferred pursuant to chapter 168A;*

(b) Sell that which is not required to be destroyed by law and which is not harmful to the public;

~~(b)~~ *(c)* Require the commissioner of administration to take custody of the property and remove it for disposition in accordance with law; or

~~(c)~~ *(d)* Forward it to the federal ~~bureau of narcotics and dangerous drugs~~ *drug enforcement administration.*

Any property retained pursuant to clause (3)(a) of this subdivision shall be used only in the performance of official duties of the appropriate agency, and shall not be used for any other purpose. All proceeds from property retained under clause (3)(a) of this subdivision which is later sold shall be disbursed as provided in clause (4) of this subdivision.

(4) Proceeds from the sale of forfeited property, after payment of seizure, storage, and sale expenses and satisfaction of valid liens against the property, shall be forwarded to the state drug abuse authority for distribution of half of the net proceeds among licensed hospitals and licensed drug treatment facilities of this state for the care and treatment of patients with drug related physical and psychological disorders, and licensed drug analysis centers. The remaining half of net proceeds shall be returned to the appropriate state agency.

Sec. 10. Minnesota Statutes 1980, Section 609.485, Subdivision 3, is amended to read:

Subd. 3. [EXCEPTIONS.] This section does not apply to a person who is free on bail or who is on parole or probation, or subject to a stayed sentence or stayed execution of sentence, unless he *(1)* has been taken into actual custody upon revocation of the parole, probation, or stay of the sentence or execution of sentence, *or (2) is in custody in a county jail or workhouse as a condition of a stayed sentence.*

Sec. 11. [LOCAL REGULATIONS.]

Sections 1 to 5, 7, and 8 do not pre-empt enforcement or preclude adoption of municipal or county ordinances prohibiting or otherwise regulating the manufacture, delivery, possession or advertisement of drug paraphernalia.''

Delete the title and insert:

''A bill for an act relating to crimes; prohibiting conspiracies to violate controlled substances laws; allowing use of forfeited property; prohibiting the manufacture, delivery, possession, or advertising of drug paraphernalia; providing for civil forfeiture of drug paraphernalia; clarifying the crime of escape from jail; prescribing penalties; amending Minnesota Statutes 1980, Sections 152.01, by adding a subdivision; 152.19, Subdivisions 1, 3, and 5; and 609.485, Subdivision 3; proposing new law coded in Chapter 152.''

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

Senate Conferees: (Signed) Marv Hanson, Gene Merriam, Howard A.

Knutson, Randolph W. Peterson

House Conferees: (Signed) Randy C. Kelly, David P. Battaglia, Tad Jude, William Schreiber, Charles C. Halberg

Mr. Hanson moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1758 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1758 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 54 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Pehler	Sikorski
Bang	Dieterich	Langseth	Penny	Solon
Belanger	Engler	Lantry	Peterson,C.C.	Stern
Benson	Frank	Lessard	Peterson,D.L.	Stokowski
Berg	Frederickson	Lindgren	Peterson,R.W.	Stumpf
Berglin	Hanson	Luther	Petty	Ulland
Bernhagen	Hughes	Menning	Pillsbury	Vega
Bertram	Johnson	Merriam	Purfeerst	Waldorf
Chmielewski	Kamrath	Moe, R. D.	Ramstad	Wegener
Dahl	Knutson	Nelson	Rued	Willet
Davis	Kroening	Olhoft	Setzepfandt	

Messrs. Knoll and Moe, D. M. voted in the negative.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 2000 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 2000

A bill for an act relating to the city of Brooklyn Center; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 2000, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 2000 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [CITY OF BROOKLYN CENTER; HOUSING INTEREST ASSISTANCE PROGRAM; FINDINGS AND PURPOSE.]

The legislature of the state of Minnesota finds that preservation of the quality of life in a metropolitan city is dependent upon the maintenance, provision, and preservation of an adequate housing stock; that accomplishing this is a public purpose; that there are housing units in the city of Brooklyn Center that do not meet the applicable housing codes, some of which need to be destroyed, and some of which can be rehabilitated; that there are vacant lots upon which new housing units can be constructed; that a need exists to construct new housing on vacant lots and to replace housing which is destroyed; that a need exists for mortgage credit to be made available at reasonable interest rates for new construction; that many owners, would-be purchasers or providers of housing units are unable to afford mortgage credit at market rates of interest; and that subsidizing interest rates can be an effective means of achieving the above-stated purposes.

Sec. 2. [AUTHORIZATION FOR HOUSING INTEREST BUY-DOWN PROGRAM.]

Subdivision 1. The Brooklyn Center housing and redevelopment authority may develop and administer an interest buy-down program to assist with the financing of housing, located anywhere within the boundaries of the city of Brooklyn Center, for occupancy primarily by persons of low or moderate income to achieve the purposes set forth in section 1. In developing the program the authority shall consider:

(a) the availability and affordability of other governmental programs;

(b) the availability and affordability of private market financing;

(c) the need for more affordable mortgage credit to encourage the construction and enable the purchase of housing units within the city of Brooklyn Center.

Subd. 2. In establishing and operating a housing interest buy-down program the authority may use or pledge to use any revenue of the authority to:

(a) pay any of the interest due on loans made pursuant to Minnesota Statutes, Chapter 462C, to purchasers of housing units;

(b) pay any of the interest due on bonds issued pursuant to Minnesota Statutes, Chapter 462C, the proceeds of which are used primarily to provide loans to the purchasers of housing units; and

(c) pay any of the interest due on loans made by any person to the purchasers of housing units in the city of Brooklyn Center, but the purchaser must intend to occupy the housing unit as a principal place of residence at the time the loan is made.

Subd. 3. The authority shall promulgate regulations for the housing interest buy-down program.

Sec. 3. [LIMITATIONS.]

Housing interest buy-down shall not be provided when the authority determines that financing for the purchase of a housing unit is otherwise available from private lenders upon terms and conditions which are affordable by the

applicant, as provided by the authority in it regulations.

At least 80 percent of the aggregate dollar amount of funds appropriated by an authority within any calendar year to provide interest reduction assistance for financing of construction, rehabilitation or purchase of single family housing, as that term is defined in section 462C.02, subdivision 4, when the financing is provided pursuant to chapter 462C, shall be appropriated for housing units which are to be sold or occupied by families or individuals with an adjusted gross income which is equal to or less than 110 percent of median family income. At least 80 percent of the aggregate dollar amount of funds appropriated by an authority within any calendar year to provide interest reduction assistance for financing of construction, rehabilitation or purchase of single family housing as that term is defined in section 462C.02, when the financing is not provided pursuant to chapter 462C, shall be appropriated for housing units which are to be sold or occupied by families or individuals with an adjusted gross income which is equal to or less than 110 percent of median family income. For the purposes of this subdivision, "median family income" means the median family income established by the United States department of housing and urban development for the non-metropolitan county or the standard metropolitan statistical area, as the case may be. The adjusted gross income may be adjusted by the authority for family size.

Sec. 4. [APPLICATION OF OTHER LAW.]

The city of Brooklyn Center may establish an interest buy-down program either under the provisions of sections 1 to 3 or the provisions of Minnesota Statutes, Chapter 462.

Sec. 5. Minnesota Statutes 1980, Section 273.75, Subdivision 4, is amended to read:

Subd. 4. [LIMITATION ON USE OF TAX INCREMENT.] All revenues derived from tax increment shall be used in accordance with the tax increment financing plan. The revenues shall be used solely for the following purposes: (a) to pay the principal of and interest on bonds issued to finance a project; (b) by a rural development financing authority for the purposes stated in section 362A.01, subdivision 2, by a port authority or municipality exercising the powers of a port authority to finance or otherwise pay the cost of redevelopment pursuant to chapter 458, by a housing and redevelopment authority to finance or otherwise pay public redevelopment costs pursuant to chapter 462, by a municipality to finance or otherwise pay the capital and administration costs of a development district pursuant to chapter 472A, by a municipality or redevelopment agency to finance or otherwise pay premiums for insurance *or other security* guaranteeing the payment ~~of net rentals~~ when due ~~under the project lease~~ *of principal of and interest on the bonds pursuant to chapters 462C, 474, or both chapters,* or to accumulate and maintain a reserve securing the payment when due of the principal of and interest on the bonds pursuant to ~~chapter~~ *chapters 462C,* 474, *or both chapters, which revenues in the reserve shall not exceed, subsequent to the fifth anniversary of the date of issue of the first bond issue secured by the reserve, an amount equal to 20 percent of the aggregate principal amount of the outstanding and nondefeased bonds secured by the reserve.* These revenues shall not be used to circumvent existing levy limit law.

Sec. 6. Minnesota Statutes 1980, Section 462.445 is amended by adding a

subdivision to read:

Subd. 11a. [INTEREST REDUCTION PROGRAM, LIMITATIONS.] *An authority may provide interest reduction assistance for a rental housing development which is located in a targeted area as defined in section 462C.02 without regard to the limitations imposed upon assisted housing units by subdivision 11.*

Sec. 7. [BROOKLYN CENTER HOME ENERGY CONSERVATION PROGRAM.]

Subdivision 1. The city of Brooklyn Center may establish a home energy conservation improvement program to provide means for the cit, to aid all residents of the city to maintain their home energy requirements by reducing overall energy demand, thus tending to assure the continuance of essential public, industrial, and commercial activities. The expenditures of public funds authorized by this section are determined to be necessary governmental actions, particularly under present conditions of uncertain and limited energy supplies, increasing costs for gas and oil, and difficulty and delay in the increase of energy supplies from all sources due to environmental concerns.

Provisions for the operation and financing of the program shall be made by and pursuant to resolutions adopted by the city council. The powers granted by this section are supplemental, and the procedures authorized for exercising them are alternative to those provided in other law.

Subd. 2. "Residential energy conservation improvement" means the following devices, methods, and materials, if recommended by an approved energy audit and having a maximum cost of $3,000, which increase the efficiency of residential use of energy:

(1) Insulation and ventilation;

(2) Storm or thermal doors or windows;

(3) Caulking and weatherstripping;

(4) Furnace efficiency modifications and replacements;

(5) Thermostat or lighting controls; and

(6) Systems to turn off or vary the delivery of energy.

The term "residential energy conservation improvement" does not include any device or method which creates, converts, or actively uses energy from renewable sources such as solar, wind, or biomass.

Subd. 3. To provide for home energy conservation improvements, when requested by the owner of a one to four unit residential building, the city may develop a program which allows:

(a) The city to negotiate and contract with contractors to perform work or furnish materials or both, for one or more projects, in accordance with schedules coordinated and approved by the city;

(b) The homeowner, subject to the approval of the city, to negotiate and contract with contractors to perform work or furnish materials or both, for one or more projects, in accordance with schedules coordinated and approved by the city; or

(c) The city to contract with a homeowner for labor or materials or both, provided that in such cases the city may inspect the work performed and shall not pay the homeowner for his labor.

Subd. 4. [PAYMENTS.] *(a) The city may contract with each homeowner for payment of the cost in cash upon completion of the project, with payment secured by deposit in advance of an amount equal to at least 90 percent of the contract price, or by a written commitment by a bank or other approved financial institution to loan the full amount of the contract price to the homeowner. The homeowner, the financial institution and the city, may agree to any convenient method of repayment.*

(b) The city may accept payment by a promissory note in a principal amount equal to the contract price, repayable in equal periodic installments, including both principal and interest on the declining principal balance. Provisions may be agreed upon to permit or restrict prepayment.

(c) The city may specially assess the benefited property in the manner provided in Minnesota Statutes, Chapter 429.

Debts for improvements are a first and prior lien on the property improved as provided in Minnesota Statutes, Section 514.67. If not paid when due they shall be entered upon the tax rolls and collected with and as a part of the taxes on the property, with the same interest and penalties.

Subd. 5. In addition to revenue obtained pursuant to any other law, the city may sell revenue bonds on or obligations pursuant to Minnesota Statutes, Chapter 462C to finance the home energy conservation improvement program authorized by this section.

Subd. 6. This section is effective upon approval by the governing body of the city of Brooklyn Center and upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3.

Sec. 8. Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended by Laws 1980, Chapter 573, Section 4, is amended to read:

Sec. 4. [DUTIES OF THE PERSONNEL BOARD.]

Subdivision 1. [BOARD PROCEEDINGS.] When any member of the board is not present at the time a matter is submitted to the board such matter shall be deemed submitted to each member of the board with like effect as though each member of the board had been present at the time of submission of such matter. Whenever during the consideration of a matter which is before the board, there is a change in the personnel of the board, the matter shall be deemed submitted to the new member, or members, as though said new member, or members, had been a member of the board at the time of the submission of the matter.

No meetings of the board shall be held unless at least ~~three~~ *four* members are present. A majority vote of all members shall constitute the decision of the board. The board shall keep records and minutes of its business and official actions which shall be open to public inspection subject to such reasonable rules as to time and place of inspection as the board may establish.

Sec. 9. Laws 1965, Chapter 855, Section 7, Subdivision 3, as amended by Laws 1980, Chapter 573, Section 7, is amended to read:

Subd. 3. [UNCLASSIFIED SERVICE, COMPENSATION.] The director

shall establish a compensation plan in accordance with section 6, clause (e) for those employees in the unclassified service identified in subdivision 2, clauses *(c)*, (d), (f), (h), (i), (j), (k), (l), (m), (n), (o), (r) and (s).

Sec. 10. Laws 1965, Chapter 855, Section 7, Subdivision 4, as amended by Laws 1980, Chapter 573, Section 7, is amended to read:

Subd. 4. [UNCLASSIFIED SERVICE, TENURE, BENEFITS.] The positions in the unclassified service enumerated in subdivision 2, clauses *(c)*, (d), (h), (i), (j), (k), (l), (m), (n), (o), (q), (r) and (s) shall not have permanent tenure but shall have all other benefits provided for in this act. The term of office of any position established by another statute shall be as provided in it.

Sec. 11. Laws 1979, Chapter 55, Section 1, is amended to read:

Section 1. [COUNTY BOARD; SELF INSURANCE.]

Notwithstanding any contrary provision of other law, the board of commissioners of Hennepin county may insure the county against any claim of liability or loss using funds of the county, without procuring insurance from any private insurance company when the county board considers it to be in the best interests of the county. This provision shall not be construed as an increase of the liability limitations or as a waiver of defenses allowable in any action pursuant to Minnesota Statutes, Chapter 466. The board may transfer amounts of money from funds of the county to the funds the county may establish for the above purposes in accord with generally accepted accounting principles. The term "liability" shall extend to all liability or loss that may be covered by any form of insurance, including but not limited to malpractice, general liability, or workers' compensation. ~~This act shall not authorize self insurance against risks as defined in Minnesota Statutes, Section 60A.06, Subdivision 1, Clauses (4) and (5)(a).~~ *Minnesota Statutes, Section 471.617 applies to Hennepin County.*

Sec. 12. Laws 1979, Chapter 198, Article II, Section 7, Subdivision 1, is amended to read:

Sec. 7. [CERTIFICATES OF INDEBTEDNESS.]

Subdivision 1. [TAX ANTICIPATION CERTIFICATES.] At any time after the first day of the year following the making of an annual tax levy, the county board may, by resolution and without public referendum, issue certificates of indebtedness in anticipation of the collection of taxes levied for any fund and not yet collected. The total of all certificates issued against any fund for any year with interest thereon until maturity, together with all orders outstanding against the fund, shall not exceed the total current taxes for the fund uncollected at the time of issuance plus the cash currently in the fund. If certificates are issued against the anticipated tax levy for any fund, any unpaid orders outstanding against the fund shall be redeemed from the proceeds of the certificates. All tax anticipation certificates shall be negotiable and shall be payable to the order of the payee and shall have a definite due date but may be payable on or before that date. No certificate shall be issued to become due and payable later than the first day of April of the year following the year of issuance. Certificates shall be sold for not less than par and accrued interest and shall bear interest at a rate ~~not to exceed seven percent per annum~~ *that conforms to Minnesota Statutes, Section 475.55*, payable at maturity or at such earlier times as the board may determine. Each certificate shall state upon its face the fund for which the proceeds of the certificate shall be used, the total amount of

the certificates so issued against the fund and the total amount embraced in the tax levy for that fund. They shall otherwise be issued on terms and conditions as the board may determine. The proceeds of the taxes assessed on account of the fund against which tax anticipation certificates are issued and the full faith and credit of the county shall be irrevocably pledged for the redemption of the certificate in the order of issuance against the fund.

Sec. 13. Laws 1979, Chapter 198, Article II, Section 7, Subdivision 2, is amended to read:

Subd. 2. [EQUIPMENT ACQUISITION; *CAPITAL NOTES.*] The board may, by resolution and without public referendum, issue ~~certificates of indebtedness~~ *capital notes* within existing debt limits for the purpose of purchasing ambulance and other medical equipment, road construction or maintenance equipment, public safety equipment and other capital equipment having an expected useful life at least equal to the term of the ~~certificates~~ *notes* issued. The ~~certificates~~ *notes* shall be payable in not more than five years and shall be issued on terms and in a manner as the board determines. The total principal amount of the ~~certificates of indebtedness~~ *notes* issued for any fiscal year shall not exceed one percent of the total annual budget for that year and shall be issued solely for the purchases authorized in this subdivision. A tax levy shall be made for the payment of the principal and interest on such ~~certificates~~ *notes* as in the case of bonds.

Sec. 14. [COMMISSIONERS COMPENSATION.]

No per diem payment shall be allowed county board members for service on the county board or any other county body. County board members shall pay for parking in county owned parking facilities where payment is required. County board members may be allowed mileage for use of their personal automobile at a rate per mile.

The Hennepin county board may set the salary of board members by resolution limited to that subject. Adjustments in commissioners' salaries shall be adopted by the county board by resolution prior to a general election to take effect January 1 of the succeeding year.

Sec. 15. [REGIONAL RECREATIONAL OPEN SPACE.]

The housing outparcel on Nicollet Island referred to by Laws 1981, Chapter 304, Section 2, is more particularly described as follows:

A parcel bounded on the north by Hennepin Avenue, on the south by Merriam Street, on the west by Wilder Street, and on the east by East Island Avenue, as said streets are presently located;

Together with a parcel bounded on the north by the Burlington Northern Railroad right-of-way, on the south by Hennepin Avenue, on the east by East Island Avenue, and on the west by West Island Avenue;

Together with a parcel bounded on the north by Maple Place, on the south by the Burlington Northern Railroad right-of-way, on the east by Nicollet Street, and on the west by West Island Avenue;

Together with lots 7, 8, and 9, and the west 60 feet of lot 10, block 1, Nicollet Island;

Together with lots 6 and 7, and lots 10 to 16, inclusive, block 3, Nicollet

Island.

Sec. 16. [EFFECTIVE DATE.]

Sections 1 to 4 are effective the day after compliance by the governing body of the city of Brooklyn Center with Minnesota Statutes, Section 645.021, Subdivision 3. Sections 5 and 6 are effective the day following final enactment. Sections 8 to 14 are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the Hennepin County board. Section 15 is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington the day after final enactment.''

Delete the title and insert:

''A bill for an act relating to local government; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program; providing security for housing and redevelopment bonds; permitting housing and redevelopment authorities to provide interest rate reduction assistance; allowing the city of Brooklyn Center certain housing related powers; regulating the debt, personnel, insurance and compensation powers of Hennepin county; describing land to be acquired for open space purposes; amending Minnesota Statutes 1980, Sections 462.445, by adding a subdivision; 273.75, Subdivision 4; Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended, and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.''

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

Senate Conferees: (Signed) William P. Luther, Randolph W. Peterson, Steve Engler

House Conferees: (Signed) Robert L. Ellingson, Joel Jacobs, William Schreiber

Mr. Luther moved that the foregoing recommendations and Conference Committee Report on S.F. No. 2000 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 2000 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 48 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Kronebusch	Pehler	Solon
Bang	Davis	Langseth	Penny	Stokowski
Belanger	Dicklich	Lantry	Peterson,C.C.	Stumpf
Benson	Engler	Lessard	Peterson,R.W.	Ulland
Berg	Frank	Luther	Petty	Vega
Berglin	Frederickson	Menning	Purfeerst	Waldorf
Bernhagen	Hughes	Merriam	Ramstad	Wegener
Bertram	Kamrath	Moe, R. D.	Rued	Willet
Chmielewski	Knutson	Nelson	Setzepfandt	
Dahl	Kroening	Olhoft	Sikorski	

Mr. Lindgren voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1902, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1902 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1902

A bill for an act relating to Ramsey County; permitting the county to establish a small business set-aside program.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1902, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1902 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [DEFINITIONS.]

Subdivision 1. For purposes of this section, the following terms have the meanings given them, unless the language or context clearly indicates that a different meaning is intended.

Subd. 2. "Small business" means a business entity organized for profit, including an individual, partnership, corporation, joint venture, association or cooperative which has its principal place of business in Minnesota, and which

(a) Is not dominant in its field of operation, and

(b) Is not an affiliate or subsidiary of a business dominant in its field of operations.

If a federal or state program prohibits any geographical limitation on the principal place of business of an eligible business in order for the county to be eligible for funds, the federal or state requirement shall prevail.

Subd. 3. "Dominant in its field of operation" means exercising a controlling or major influence in a business activity in which a number of businesses are engaged. In determining whether a business is dominant, the following

criteria, among others, shall be considered: number of employees; volume of business; financial resources; competitive status or position; ownership or control of materials, processes, patents, license agreements and facilities; sales territory; and nature of business activity. The following businesses shall be deemed dominant in their field of operation:

(a) Manufacturing businesses which employ more than 100 persons and have in the preceding three fiscal years exceeded a total of $15,000,000 in gross receipts for the three year period;

(b) General construction businesses which in the preceding three fiscal years have exceeded a total of $6,000,000 in gross receipts for the three year period;

(c) Specialty construction businesses which in the preceding three fiscal years have exceeded a total of $3,000,000 in gross receipts for the three year period; and

(d) Nonmanufacturing businesses which employ more than 25 persons and have in the preceding three fiscal years exceeded a total of $3,000,000 in gross receipts for the three year period.

Subd. 4. "Affiliate or subsidiary of a business dominant in its field of operation" means a business which is at least 20 percent owned by a business dominant in that field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in that field of operation.

Sec. 2. [SMALL BUSINESS SET-ASIDE.]

Nothing in Minnesota Statutes, Section 471.345 shall be construed to prohibit Ramsey County from adopting a resolution, rule, regulation or ordinance which on an annual basis sets aside for awarding to small businesses a percentage of the value of the county's anticipated total procurement of goods and services, including construction, otherwise subject to that section, and which uses either a negotiated price or bid contract procedure to award a procurement contract under a set-aside program allowed in this section. Any award based on a negotiated price shall not exceed by more than five percent the county's estimated price for the goods and services if they were purchased in the open market and not under the set-aside program.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 488A.34, Subdivision 2, is amended to read:

Subd. 2. [PROCEDURE FOR REMOVAL OF CAUSE.] No cause shall be so removed unless all the following acts are performed by the aggrieved party within 20 days after the date the administrator mailed to him notice of the order for judgment:

(a) Serve on the opposing party or his attorney a demand for removal of the cause to the municipal court for trial de novo stating whether trial by a jury of six persons or by the court without a jury is demanded. Service shall be made upon a party in accordance with the provisions for personal service of a summons in the municipal court or shall be made upon the party's attorney in accordance with the provisions for service of a notice of motion upon an attorney in the municipal court. The demand shall show the office address of the attorney for each party and the residence address of each party who does not have an attorney.

(b) File with the administrator of conciliation court the original demand for removal and proof of service thereof. If the opposing party or his attorney cannot be found and service of the demand be made within the 20 day period, the aggrieved party may file with the administrator within the 20 day period the original and a copy of the demand, together with an affidavit by himself or his attorney showing that due and diligent search has been made and that the opposing party or his attorney cannot be found and the filing of this affidavit shall serve in lieu of making service and filing proof of service. When such an affidavit is filed, the administrator shall mail the copy of the demand to the opposing party at his last known address.

(c) File with the administrator of conciliation court an affidavit by the aggrieved party or his attorney stating that the removal is made in good faith and not for the purpose of delay.

(d) Pay to the administrator of conciliation court the fee set by the board of Ramsey County commissioners when the demand is for trial by court, ~~plus $6 additional~~ *and the fee as set by the Ramsey County commissioners* when the demand is for trial by a jury of six. The above fee is not payable by the county.

Sec. 4. [RAMSEY COUNTY MEDICAL FACILITY WATER SYSTEM.]

Subdivision 1. Ramsey County may issue and sell from time to time general obligation bonds of the county in an aggregate principal amount not to exceed $5,000,000 to finance the construction, installation, modification or improvement of heating, cooling and domestic hot water systems serving buildings owned in whole or part, operated or maintained by the county or the Ramsey County medical center commission. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds. Except as provided in this section, the bonds shall be issued in accordance with Minnesota Statutes, Chapter 475. The bonds may be issued and sold without submitting the question of the issuance of the bonds to a vote by the people. The bonds shall be in a form and bear interest at the rate that the county prescribes and shall be sold by the county to the bidder with the most favorable bid, after notice of the time and place for the receiving of the bids has been published according to law. The bonds shall not be included in computing the net debt of the county under any law, and the taxes required for payment of the bonds and interest on them shall not be subject to any limitation provided by other law.

Subd. 2. In substitution of, but not in addition to, powers granted to Ramsey County in subdivision 1, Ramsey County may levy and collect a tax, not to exceed the lesser of $5,000,000 or two mills, upon all taxable property in Ramsey County to finance the construction, installation, modification or improvement of heating, cooling and domestic hot water systems serving buildings owned in whole or part, operated or maintained by the county or Ramsey County medical center commission. A levy made pursuant to this subdivison shall not be subject to any limitation provided by other law.

Subd. 3. The bonds described in subdivision 1 may not be issued and the tax described in subdivision 2 may not be levied until construction is commenced on a district heating system in St. Paul which is designed for heating or cooling or domestic hot water service to one or more buildings owned in whole or part, operated or maintained by the county or the Ramsey county medical center commission.

Sec. 5. [EFFECTIVE DATE.]

Sections 1, 2, and 4 are effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of Ramsey County.

Sec. 6. [MAPLEWOOD; PROJECT; BONDS.]

Subdivision 1. Notwithstanding Minnesota Statutes, Section 474.02, Subdivision 1b, the city of Maplewood may undertake a project consisting of properties, real or personal, used or useful, in connection with a revenue producing enterprise comprising a hotel or motel and may issue revenue bonds of the city to finance the project pursuant to Minnesota Statutes, Chapter 474, in an aggregate principal amount not to exceed $10,000,000.

Subd. 2. This section is effective on the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the city of Maplewood."

Delete the title and insert:

"A bill for an act relating to local government; providing for a Ramsey county small business set-aside program; authorizing Ramsey county commissioners to set fees for removal to municipal court; allowing Ramsey county to issue bonds or levy taxes for a medical facility water system; permitting a Maplewood bond issue; amending Minnesota Statutes 1981 Supplement, Section 488A.34, Subdivision 2."

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

House Conferees: (Signed) Frank J. Rodriguez, Sr., Randy C. Kelly, Richard J. Kostohryz

Senate Conferees: (Signed) Marilyn M. Lantry, Gene Waldorf, Jerome M. Hughes

Mrs. Lantry moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1902 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1902 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 41 and nays 15, as follows:

Those who voted in the affirmative were:

Bang	Frederickson	Lessard	Pillsbury	Taylor
Belanger	Hughes	Luther	Purfeerst	Ulland
Berglin	Johnson	Menning	Schmitz	Vega
Bernhagen	Knoll	Moe, D. M.	Setzepfandt	Waldorf
Chmielewski	Knutson	Moe, R. D.	Sieloff	Wegener
Dahl	Kroening	Nelson	Sikorski	
Dicklich	Kronebusch	Pehler	Solon	
Engler	Langseth	Penny	Stokowski	
Frank	Lantry	Petty	Stumpf	

Those who voted in the negative were:

Benson	Davies	Lindgren	Peterson,C.C.	Ramstad
Berg	Davis	Merriam	Peterson,D.L.	Rued
Bertram	Kamrath	Olhoft	Peterson,R.W.	Willet

So the bill, as amended by the Conference Committee, was repassed and its

title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 536 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 536

A bill for an act relating to local government; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; amending Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 536, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments and that S.F. No. 536, as it appears in the House unofficial engrossment (UESF0536), be further amended as follows:

Page 4, lines 15 to 17, reinstate the stricken language

Page 4, line 16, after "facilities" insert "*in the town of Moose Lake*"

Page 6, after line 3, insert:

"Sec. 8. [LAKE WILSON LEVY LIMIT.]

Subdivision 1. The city of Lake Wilson may in the fiscal year ending June 30, 1983, exceed the levy limits provided by Minnesota Statutes, Chapter 275, by a maximum of $15,000.

Subd. 2. This section is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the city of Lake Wilson.

Sec. 9. [CARVER COUNTY; ELECTRONIC FUNDS TRANSFERS.]

Subdivision 1. Carver County may make electronic funds transfers in the same way as a school district in accordance with the conditions of Minnesota Statutes, Section 471.38, Subdivision 3. The county board may discharge the duties of the school board under that subdivision.

Subd. 2. This section is effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of Carver County.

Sec. 10. [CITY OF FINLAYSON; INTERPRETATION OF FIRE CODE PROVISION.]

Other law to the contrary notwithstanding, the city of Finlayson may make

reasonable interpretations regarding the application of any rule or amendment to the uniform fire code which affects the location of dwelling units or sleeping facilities near service stations.

Sec. 11. Minnesota Statutes 1980, Section 238.02, Subdivision 3, is amended to read:

Subd. 3. "Cable communications system" ~~shall mean any~~ *means a* system which operates for hire the service of receiving and amplifying programs broadcast by one or more television or radio stations and ~~any~~ other programs originated by a cable communications company or by another party, and distributing ~~such~~ *the* programs by wire, cable, microwave or other means, whether ~~such~~ *the* means are owned or leased, to persons who subscribe to ~~such~~ *the* service. ~~Such~~ *The* definition does not include:

(a) ~~any~~ *a* system which serves fewer than 50 subscribers *or a system which serves more than 50 but fewer than 1,000 subscribers if the governing bodies of all political subdivisions served by the system, vote, by resolution, to remove the system from the provisions of chapter 238. Any system which serves more than 50 but fewer than 1,000 subscribers that has been removed from the provisions of chapter 238 shall be returned to the provisions of chapter 238 if the governing bodies of fifty percent or more of the political subdivisions served by the system vote, by resolution in favor of the return*;

(b) ~~any~~ *a* master antenna television system;

(c) ~~any~~ *a* specialized closed-circuit system which does not use the public rights-of-way for the construction of its physical plant; and

(d) ~~any~~ *a* translator system which receives and rebroadcasts over-the-air signals.

Sec. 12. Minnesota Statutes 1980, Section 238.03, is amended to read:

238.03 [APPLICATION.]

~~The provisions of~~ Sections 238.01 to 238.17 ~~shall~~ apply to every cable communications system and every cable communications company as defined in section 238.02, operating within the state, including a cable communications company which constructs, operates and maintains a cable communications system in whole or in part through the facilities of a person franchised to offer common or contract carrier services. Persons possessing ~~franchises~~ *franchises* for any of the purposes ~~contemplated by the provisions~~ of sections 238.01 to 238.17 ~~shall be deemed to be~~ *are* subject to ~~the provisions of~~ sections 238.01 to 238.17 although no property ~~may have~~ *has* been acquired, business transacted or franchises exercised.

Sec. 13. Minnesota Statutes 1980, Section 238.05, is amended by adding a subdivision to read:

Subd. 18. The board shall adopt rules to ensure that all cable communications systems as defined in section 238.02, subdivision 3, and all systems which would meet that definition but for the number of subscribers served, provide adequate access for educational and governmental programming. In adopting the rules, the board shall give consideration to both the needs of the community and the capability of the system.

Sec. 14. Minnesota Statutes 1980, Section 238.06, Subdivision 6, is

amended to read:

Subd. 6. The board may require from ~~any~~ *a* cable communications system granted a certificate of confirmation information and supporting documentation in the form ~~and at the times~~ the board ~~may deem~~ *deems* appropriate *on an annual basis, or on sale, transfer or other major activity within a cable communications company. The board shall not release economic data of the cable communications company, including operating revenues and profitability, to the general public or to other cable communication companies except in furtherance of specific duties or obligations of the board.*

Sec. 15. Minnesota Statutes 1980, Section 238.09, Subdivision 6, is amended to read:

Subd. 6. Except as provided in subdivision 3, ~~every~~ *a* cable communications company shall ~~be required to~~ secure a certificate of confirmation from the board before becoming operational. Except as provided in subdivisions 3, 4, 5 and 9, ~~such~~ *the* certificate may be granted after full board proceedings and shall be for ~~a period of ten years~~ *the same number of years as the initial franchise period.* A renewal certificate of confirmation may be issued prior to the expiration of ~~any~~ *an* existing certificate.

Sec. 16. Minnesota Statutes 1980, Section 238.09, Subdivision 7, is amended to read:

Subd. 7. ~~Any~~ *A* renewal of a certificate of confirmation shall be for ~~a period of ten years~~ *the same number of years as the renewal franchise period.* A renewal certificate of confirmation may be issued prior to the expiration of ~~any~~ *an* existing certificate.

Sec. 17. Minnesota Statutes 1980, Section 238.11, Subdivision 2, is amended to read:

Subd. 2. No cable communications company may prohibit or limit ~~any~~ *a* program or class or type of program presented over a leased channel or ~~any~~ *a* channel made available for public access, governmental or educational purposes. *The cable communications company is not liable for programming content.*

Sec. 18. Minnesota Statutes 1980, Section 238.12, Subdivision 1, is amended to read:

Subdivision 1. ~~Except as otherwise provided in this section,~~ The rates charged by a cable communications company ~~shall be those specified in the franchise, which may establish, or provide for the establishment of reasonable classifications of service and categories of subscribers, or specify different rates for differing services or for subscribers in different categories~~ *may be established in the franchise by the municipality.*

Sec. 19. Minnesota Statutes 1980, Section 238.12, Subdivision 2, is amended to read:

Subd. 2. ~~Such rates may not be changed except as provided for in the approved franchise~~ *Procedures for rate changes may be established in the approved franchise by the municipality.*

Sec. 20. [HUMAN RIGHTS; APPROPRIATIONS.]

The commissioner of human rights shall coordinate the provision of human

rights services in the city of Duluth with other state agencies. The commissioner shall provide the services, including at least one employee at the Duluth location, in a cost-effective manner during the biennium ending June 30, 1983.

For purposes of this section, there is appropriated from the general fund to the commissioner of human rights the sum of $20,000 to be made available until June 30, 1983.

Sec. 21. [REPEALER.]

Minnesota Statutes 1980, Section 35.695, is repealed.''

Page 6, line 4, delete ''8'' and insert ''22''

Page 6, line 7, delete ''9'' and insert ''23''

Page 6, line 8, delete ''8'' and insert ''22''

Page 6, line 13, after the period insert ''*Sections 11 to 19 are effective the day following final enactment.*''

Delete the title and insert:

''A bill for an act relating to government operations; providing for powers of the Western Lake Superior Sanitary District; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; authorizing the city of Sandstone to exchange certain lands with the federal government; authorizing the city of Lake Wilson to exceed certain levy limits; authorizing Carver County to make electronic funds transfers; authorizing the city of Finlayson to interpret certain fire code provisions; changing certain definitions and procedures relating to cable communications system franchises and operations; requiring the commissioner of human rights to provide coordination services; eliminating certain animal licensing and registration requirements; appropriating money; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.03; 238.05, by adding a subdivision; 238.06, Subdivision 6; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2; Laws 1971, Chapter 478, Section 2, Subdivision 17; Section 8, as amended; Section 9, Subdivision 1; and Section 9a, Subdivision 1, as amended; Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Minnesota Statutes 1980, Section 35.695; and Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.''

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

Senate Conferees: (Signed) Florian Chmielewski, A. O. H. Setzepfandt, Nancy Brataas

House Conferees: (Signed) Douglas W. Carlson, John A. Ainley

Mr. Chmielewski moved that the foregoing recommendations and Conference Committee Report on S.F. No. 536 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 536 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

Conference Committee.

The roll was called, and there were yeas 56 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,C.C.	Stern
Bang	Engler	Lantry	Peterson,R.W.	Stokowski
Belanger	Frank	Lessard	Petty	Stumpf
Benson	Frederick	Luther	Purfeerst	Taylor
Berg	Frederickson	Menning	Ramstad	Ulland
Berglin	Hughes	Merriam	Rued	Waldorf
Bernhagen	Johnson	Moe, D. M.	Schmitz	Wegener
Bertram	Kamrath	Moe, R. D.	Setzepfandt	Willet
Brataas	Knoll	Nelson	Sieloff	
Chmielewski	Knutson	Olhoft	Sikorski	
Dahl	Kroening	Pehler	Solon	
Davis	Kronebusch	Penny	Spear	

Those who voted in the negative were:

Davies	Lindgren	Pillsbury	Tennessen	Vega
Dieterich	Peterson,D.L.			

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Knoll moved that S.F. No. 1964 and the Conference Committee Report thereon be taken from the table. The motion prevailed.

S.F. No. 1964: A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; amending Minnesota Statutes 1980, Section 299D.03, Subdivision 2; repealing Minnesota Statutes 1980, Sections 299C.041; and 299D.03, Subdivision 3.

The question recurred on the motion of Mr. Johnson that the Conference Committee Report be rejected and that the bill be returned to the Conference Committee as formerly constituted.

CALL OF THE SENATE

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

The question was taken on the motion of Mr. Johnson. The motion prevailed.

RECONSIDERATION

Mr. Merriam moved that the vote whereby S.F. No. 1621 failed to pass the Senate on March 13, 1982, be now reconsidered. The motion prevailed.

S.F. No. 1621: A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 29, as follows:

Those who voted in the affirmative were:

Berglin	Frank	Merriam	Peterson,R.W.	Stokowski
Chmielewski	Hughes	Moe, D. M.	Petty	Stumpf
Dahl	Johnson	Moe, R. D.	Sieloff	Tennessen
Davies	Knoll	Nelson	Sikorski	Ulland
Davis	Kronebusch	Pehler	Solon	Wegener
Dicklich	Lantry	Penny	Spear	Willet
Engler	Luther	Peterson,C.C.	Stern	

Those who voted in the negative were:

Ashbach	Bertram	Knutson	Olhoft	Schmitz
Bang	Brataas	Kroening	Peterson,D.L.	Setzepfandt
Belanger	Dieterich	Langseth	Pillsbury	Taylor
Benson	Frederick	Lessard	Purfeerst	Vega
Berg	Frederickson	Lindgren	Ramstad	Waldorf
Bernhagen	Kamrath	Menning	Rued	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1706 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1706

A bill for an act relating to insurance; authorizing separate accounts for certain pension plans; amending Minnesota Statutes 1981 Supplement, Section 61A.282, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 61A.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1706, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate accede to the House amendments and that S.F. No. 1706 be further amended as follows:

Page 5, line 18 of the Wynia amendment, delete "5" and insert "11"

Page 5, line 20 of the Wynia amendment, after "*enactment.*" insert "*Sections 5 to 10 are effective March 1, 1983.*"

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

Senate Conferees: (Signed) Eric D. Petty, Don Frank, Dennis Frederickson

House Conferees: (Signed) Ann Wynia, Lee Greenfield, David B. Gruenes

Mr. Petty moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1706 be now adopted, and that the bill be

repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1706 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson,C.C.	Spear
Bang	Dieterich	Lessard	Peterson,D.L.	Stern
Benson	Engler	Lindgren	Peterson,R.W.	Stokowski
Berg	Frank	Luther	Petty	Stumpf
Berglin	Frederickson	Menning	Pillsbury	Taylor
Bernhagen	Hanson	Merriam	Purfeerst	Tennessen
Bertram	Hughes	Moe, D. M.	Ramstad	Ulland
Brataas	Kamrath	Moe, R. D.	Rued	Vega
Chmielewski	Knutson	Nelson	Schmitz	Waldorf
Dahl	Kroening	Olhoft	Setzepfandt	Wegener
Davies	Kronebusch	Pehler	Sieloff	Willet
Davis	Langseth	Penny	Sikorski	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Petty moved that H. F. No. 2271 be withdrawn from the Committee on Rules and Administration and laid on the table. The motion prevailed.

S.F. No. 1907 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1907

A bill for an act relating to real property; requiring certification by the municipality prior to transfer by the county auditor of certain unplatted properties; proposing new law coded in Minnesota Statutes, Chapter 272.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1907, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and S.F.No. 1907 be further amended as follows:

Page 2, line 21, after "*municipalities*" insert "*located within the metropolitan area, as defined in section 473.121, subdivision 2,*"

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

Senate Conferees: (Signed) Gene Merriam, William P. Luther, R. W.

Peterson

House Conferees: (Signed) Joel Jacobs, James P. Metzen, Elton R. Redalen

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1907 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1907 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 51 and nays 7, as follows:

Those who voted in the affirmative were:

Belanger	Frank	Lindgren	Peterson,D.L.	Stumpf
Benson	Frederick	Luther	Peterson,R.W.	Taylor
Berg	Frederickson	Menning	Petty	Tennessen
Bernhagen	Hanson	Merriam	Ramstad	Ulland
Bertram	Hughes	Moe, D. M.	Renneke	Vega
Brataas	Kamrath	Moe, R. D.	Rued	Waldorf
Chmielewski	Knutson	Nelson	Schmitz	Willet
Dahl	Kronebusch	Olhoft	Setzepfandt	
Dicklich	Langseth	Pehler	Sieloff	
Dieterich	Lantry	Penny	Sikorski	
Engler	Lessard	Peterson,C.C.	Stern	

Those who voted in the negative were:

Ashbach	Davies	Kroening	Spear	Stokowski
Berglin	Davis			

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1988: A bill for an act relating to housing; directing the commissioner of energy, planning and development to administer certain federal money; proposing new law coded in Minnesota Statutes, Chapter 362.

Senate File No. 1988 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

CONCURRENCE AND REPASSAGE

Mr. Dicklich moved that the Senate concur in the amendments by the House to S.F. No. 1988 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1988 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Penny	Solon
Belanger	Dieterich	Lantry	Peterson,C.C.	Spear
Benson	Engler	Lessard	Peterson,D.L.	Stern
Berg	Frank	Lindgren	Peterson,R.W.	Stokowski
Berglin	Frederick	Luther	Petty	Stumpf
Bernhagen	Frederickson	Menning	Ramstad	Taylor
Bertram	Hanson	Merriam	Renneke	Tennessen
Brataas	Hughes	Moe, D. M.	Rued	Ulland
Chmielewski	Kamrath	Moe, R. D.	Schmitz	Vega
Dahl	Knutson	Nelson	Setzepfandt	Waldorf
Davies	Kroening	Olhoft	Sieloff	Wegener
Davis	Kronebusch	Pehler	Sikorski	Willet

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1738: A bill for an act relating to crimes; prohibiting possession of obscene works appealing to pedophiles; increasing the fines for distribution of obscene material; prescribing penalties; amending Minnesota Statutes 1980, Sections 617.241; and 617.246, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 617.

Senate File No. 1738 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

CONCURRENCE AND REPASSAGE

Mr. Merriam moved that the Senate concur in the amendments by the House to S.F. No. 1738 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1738 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Penny	Sikorski
Bang	Dieterich	Lantry	Peterson,C.C.	Solon
Benson	Engler	Lessard	Peterson,D.L.	Stern
Berg	Frank	Lindgren	Peterson,R.W.	Stokowski
Berglin	Frederick	Luther	Petty	Stumpf
Bernhagen	Frederickson	Menning	Purfeerst	Taylor
Bertram	Hughes	Merriam	Ramstad	Ulland
Brataas	Johnson	Moe, R. D.	Renneke	Vega
Chmielewski	Kamrath	Nelson	Rued	Waldorf
Dahl	Knutson	Olhoft	Schmitz	Wegener
Davis	Kroening	Pehler	Setzepfandt	Willet

Messrs. Davies, Sieloff and Spear voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1640: A bill for an act relating to Hennepin County; providing for the interest on and name of certain debt; regulating personnel provisions; clarifying self insurance authority; permitting the county board members to be paid an allowance in lieu of mileage; removing an exception to the general law; amending Minnesota Statutes 1981 Supplement, Section 375.055, Subdivision 1; Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended, and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.

Senate File No. 1640 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. Petty moved that S.F No. 1640 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1508: A bill for an act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.

Senate File No. 1508 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

CONCURRENCE AND REPASSAGE

Mr. Schmitz moved that the Senate concur in the amendments by the House to S.F. No. 1508 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1508 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson,D.L.	Stern
Bang	Dieterich	Lessard	Peterson,R.W.	Stokowski
Belanger	Engler	Lindgren	Petty	Stumpf
Benson	Frank	Luther	Purfeerst	Taylor
Berglin	Frederickson	Merriam	Ramstad	Tennessen
Bernhagen	Hanson	Moe, D. M.	Renneke	Ulland
Bertram	Hughes	Moe, R. D.	Rued	Vega
Brataas	Kamrath	Nelson	Schmitz	Waldorf
Chmielewski	Knutson	Olhoft	Setzepfandt	Wegener
Dahl	Kroening	Pehler	Sieloff	Willet
Davies	Kronebusch	Penny	Solon	
Davis	Langseth	Peterson,C.C.	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1793: A bill for an act relating to local government; authorizing the establishment of subordinate service districts in order to provide and finance governmental services; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; amending Minnesota Statutes 1980, Section 275.50, by adding a subdivision; Laws 1981, Chapter 291, Sections 2, Subdivisions 1 and 2, and by adding subdivisions; 4, Subdivision 1; 5, subdivision 2; 7; 8, Subdivisions 1 and 2, and by adding a subdivision; and 24; proposing new law coded as Minnesota Statutes, Chapter 375B.

Senate File No. 1793 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. Wegener moved that S.F. No. 1793 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House has adopted the recommenda-

tion and report of the Conference Committee on House File No. 356, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 356 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 356

A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties; proposing new law coded in Minnesota Statutes 1980, Chapter 609.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 356, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 356 be further amended by deleting everything after the enacting clause and inserting:

"Section 1. [609.522] [COMPUTER CRIME; DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] *For purposes of sections 1 to 3 the terms defined in this section have the meanings given them.*

Subd. 2. [ACCESS.] *"Access" means to instruct, communicate with, store data in, or retrieve data from a computer, computer system, or computer network.*

Subd. 3. [COMPUTER.] *"Computer" means an electronic device which performs logical, arithmetic and memory functions by the manipulations of signals, including but not limited to electronic or magnetic impulses.*

Subd. 4. [COMPUTER SYSTEM.] *"Computer system" means related, connected or unconnected, computers and peripheral equipment.*

Subd. 5. [COMPUTER NETWORK.] *"Computer network" means the interconnection of a communication system with a computer through a remote terminal, or with two or more interconnected computers or computer systems.*

Subd. 6 [PROPERTY.] *"Property" includes, but is not limited to, electronically processed or produced data and information contained in a computer or computer software in either machine or human readable form.*

Subd. 7. [SERVICES.] *"Services" includes but it not limited to, computer time, data processing, and storage functions.*

Subd. 8. [COMPUTER PROGRAM.] *"Computer program" means an instruction or statement or a series of instructions or statements, in a form acceptable to a computer, which directs the functioning of a computer system in a manner designed to provide appropriate products from the computer.*

Subd. 9. [COMPUTER SOFTWARE.] *"Computer software" means a*

computer program or procedures, or associated documentation concerned with the operation of a computer.

Subd. 10. [LOSS.] *"Loss" means the greatest of the following:*

(a) the retail market value of the property or services involved;

(b) the reasonable repair or replacement cost, whichever is less; or

(c) the reasonable value of the damage created by the unavailability or lack of utility of the property or services involved until repair or replacement can be effected.

Sec. 2. [609.523] [COMPUTER DAMAGE.]

Subdivision 1. [ACTS.] *Whoever does any of the following is guilty of computer damage and may be sentenced as provided in subdivision 2:*

(a) Intentionally and without authorization damages or destroys any computer, computer system, computer network, computer software, or any other property specifically defined in section 1, subdivision 6; or

(b) Intentionally and without authorization and with intent to injure or defraud alters any computer, computer system, computer network, computer software, or any other property specifically defined in section 1, subdivision 6.

Subd. 2. [PENALTY.] *Whoever commits computer damage may be sentenced as follows:*

(a) To imprisonment for not more than ten years or to payment of a fine of not more than $50,000, or both, if the damage, destruction or alteration results in a loss in excess of $2,500, to the owner, his agent, or lessee;

(b) To imprisonment for not more than five years or to payment of a fine of not more than $5,000, or both, if the damage, destruction or alteration results in a loss of more than $500, but not more than $2,500 to the owner, his agent or lessee; or

(c) In all other cases to imprisonment for not more than 90 days or to payment of a fine of not more than $500, or both.

Sec. 3. [609.524] [COMPUTER THEFT.]

Subdivision 1. [ACTS.] *Whoever does any of the following is guilty of computer theft and may be sentenced as provided in subdivision 2:*

(a) Intentionally and without authorization or claim of right accesses or causes to be accessed any computer, computer system, computer network or any part thereof for the purpose of obtaining services or property; or

(b) Intentionally and without claim of right, and with intent to permanently deprive the owner of possession, takes, transfers, conceals or retains possession of any computer, computer system, or any computer software or data contained in a computer, computer system, or computer network.

Subd. 2. [PENALTY.] *Anyone who commits computer theft may be sentenced as follows:*

(a) To imprisonment for not more than ten years or to payment of a fine of not more than $50,000, or both, if the loss to the owner, his agent, or lessee is in excess of $2,500; or

(b) To imprisonment for not more than five years or to payment of a fine of not more than $5,000, or both, if the loss to the owner, his agent, or lessee is more than $500 but not more than $2,500; or

(c) In all other cases to imprisonment for not more than 90 days or to payment of a fine of not more than $500, or both.

Sec. 4. [EFFECTIVE DATE.]

This act is effective August 1, 1982 and applies to all crimes committed on or after that date."

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

House Conferees: (Signed) Phyllis L. Kahn, Robert E. Vanasek, Gary W. Laidig

Senate Conferees: (Signed) William P. Luther, Jack Davies, Jim Ramstad

Mr. Luther moved that the foregoing recommendations and Conference Committee Report on H.F. No. 356 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 356 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson,C.C.	Spear
Bang	Dieterich	Lessard	Peterson,D.L.	Stern
Belanger	Engler	Lindgren	Petty	Stokowski
Benson	Frank	Luther	Pillsbury	Stumpf
Berglin	Frederickson	Menning	Purfeerst	Tennessen
Bernhagen	Hanson	Merriam	Ramstad	Ulland
Bertram	Hughes	Moe, D. M.	Renneke	Vega
Brataas	Johnson	Moe, R. D.	Rued	Waldorf
Chmielewski	Kamrath	Nelson	Schmitz	Wegener
Dahl	Knutson	Olhoft	Setzepfandt	Willet
Davies	Kroening	Pehler	Sieloff	
Davis	Kronebusch	Penny	Sikorski	

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDER

H.F. No. 2080: A bill for an act relating to economic development; providing for a Minnesota conference on job formation; appropriating money.

SUSPENSION OF RULES

Mr. Kroening 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. 2080 and that the rules of the Senate be so far suspended as to give H.F. No. 2080, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

Mr. Kroening moved that the amendment made to H.F. No. 2080 by the Committee on Rules and Administration in the report adopted March 13, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2080 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 17, as follows:

Those who voted in the affirmative were:

Berglin	Frank	Luther	Petty	Stumpf
Bertram	Frederickson	Moe, D. M.	Purfeerst	Tennessen
Chmielewski	Hughes	Moe, R. D.	Ramstad	Vega
Dahl	Johnson	Nelson	Schmitz	Waldorf
Davies	Knoll	Olhoft	Setzepfandt	Wegener
Davis	Kroening	Pehler	Sikorski	Willet
Dicklich	Langseth	Penny	Solon	
Dieterich	Lantry	Peterson,C.C.	Stern	
Engler	Lessard	Peterson,R.W.	Stokowski	

Those who voted in the negative were:

Ashbach	Berg	Kamrath	Renneke	Ulland
Bang	Bernhagen	Knutson	Rued	
Belanger	Brataas	Kronebusch	Sieloff	
Benson	Frederick	Pillsbury	Taylor	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1834: A bill for an act relating to claims against the state; providing for payment of various claims; providing for cancelation of old claims; appropriating money.

Mr. Penny moved that the amendment made to H.F. No. 1834 by the Committee on Rules and Administration in the report adopted March 11, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 1834 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:

Ashbach	Engler	Lantry	Peterson,R.W.	Stern
Bang	Frank	Lindgren	Petty	Stokowski
Benson	Frederick	Luther	Pillsbury	Taylor
Berg	Frederickson	Menning	Purfeerst	Tennessen
Berglin	Hanson	Moe, D. M.	Ramstad	Ulland
Bernhagen	Hughes	Moe, R. D.	Renneke	Vega
Bertram	Johnson	Nelson	Rued	Waldorf
Chmielewski	Kamrath	Olhoft	Schmitz	Wegener
Dahl	Knutson	Pehler	Setzepfandt	Willet
Davies	Kroening	Penny	Sieloff	
Davis	Kronebusch	Peterson,C.C.	Sikorski	
Dieterich	Langseth	Peterson,D.L.	Solon	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2005: A bill for an act relating to employment; providing for equitable compensation relationships among certain government employees; amending Minnesota Statutes 1981 Supplement, Sections 43A.01, by adding a subdivision; 43A.02, by adding subdivisions; 43A.05, by adding a subdivision; and 43A.18, Subdivision 8.

Ms. Berglin moved that the amendment made to H.F. No. 2005 by the Committee on Rules and Administration in the report adopted March 11, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2005 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:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stern
Belanger	Engler	Lessard	Petty	Stokowski
Benson	Frank	Lindgren	Pillsbury	Stumpf
Berg	Frederick	Luther	Purfeerst	Taylor
Berglin	Frederickson	Menning	Ramstad	Tennessen
Bernhagen	Hanson	Moe, D. M.	Renneke	Ulland
Bertram	Hughes	Moe, R. D.	Rued	Vega
Brataas	Kamrath	Nelson	Schmitz	Waldorf
Chmielewski	Knoll	Olhoft	Setzepfandt	Wegener
Dahl	Knutson	Pehler	Sieloff	Willet
Davies	Kroening	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 1962: A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6 and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, Subdivision 1.

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

Anderson, G.; Kalis and Johnson, D.

Senate File No. 1962 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1885 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1885 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1885

A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1885, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments.

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

House Conferees: (Signed) John E. Brandl, Ann Wynia, Tony D. Onnen

Senate Conferees: (Signed) Gerry Sikorski, Sam G. Solon, Duane D. Benson

Mr. Sikorski moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1885 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1885 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Langseth	Peterson,R.W.	Stern
Bang	Engler	Lantry	Petty	Stokowski
Belanger	Frank	Lessard	Pillsbury	Stumpf
Benson	Frederick	Luther	Purfeerst	Taylor
Berg	Frederickson	Menning	Ramstad	Tennessen
Berglin	Hanson	Moe, D. M.	Renneke	Ulland
Bernhagen	Hughes	Moe, R. D.	Rued	Vega
Bertram	Johnson	Nelson	Schmitz	Waldorf
Chmielewski	Kamrath	Olhoft	Setzepfandt	Wegener
Dahl	Knoll	Pehler	Sieloff	Willet
Davies	Knutson	Penny	Sikorski	
Davis	Kroening	Peterson,C.C.	Solon	
Dicklich	Kronebusch	Peterson,D.L.	Spear	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2058 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2058 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 2058

A bill for an act relating to public welfare; providing for classification, access, and destruction of certain child abuse report records; clarifying the classification of reports regarding vulnerable adults; amending Minnesota Statutes 1980, Sections 626.556, Subdivisions 3, 7, and by adding a subdivision; 626.557, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 626.556, Subdivision 11.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 2058, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 2058 be further amended as follows:

Page 2, line 10, before the period insert "*, unless release would be detrimental to the best interests of the child*"

Page 3, delete lines 20 to 28 and insert "*confidential while the report is under investigation. After the investigation is completed, the name of the reporter shall be confidential but shall be accessible to the individual subject of the record upon court order.*"

Page 4, delete lines 2 to 5 and insert "*private data. If no*"

Page 4, after line 34, insert:

"Sec. 6. Minnesota Statutes 1980, Section 626.557, Subdivision 19, is amended to read:

Subd. 19. [PENALTY.] Any caretaker, as defined in subdivision 2, or operator or employee thereof, or volunteer worker thereat, who intentionally abuses or neglects a vulnerable adult, or being a caretaker, *knowingly* permits conditions to exist which result in the abuse or neglect of a vulnerable adult, ~~may be charged with a violation of section 609.23~~ *is guilty of a gross misdemeanor.*"

Page 4, line 36, delete "5" and insert "6"

Renumber the sections in sequence

Amend the title as follows:

Page 1 after line 5, insert "prescribing penalties;"

Page 1, line 8 after the comma insert "Subdivision 19, and"

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

House Conferees: (Signed) Shirley A. Hokanson, Dorothy I. Hokr, Don Samuelson

Senate Conferees: (Signed) Linda Berglin, Ron Sieloff, Gene Merriam

Ms. Berglin moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2058 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2058: A bill for an act relating to public welfare; providing for classification, access, and destruction of certain child abuse report records; clarifying the classification of reports regarding vulnerable adults; prescribing penalties; amending Minnesota Statutes 1980, Sections 626.556, Subdivisions 3, 7, and by adding a subdivision; 626.557, Subdivision 19, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 626.556, Subdivision 11.

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

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,C.C.	Solon
Bang	Dieterich	Lantry	Peterson,D.L.	Spear
Belanger	Engler	Lessard	Peterson,R.W.	Stern
Benson	Frank	Lindgren	Petty	Stokowski
Berg	Frederick	Luther	Pillsbury	Stumpf
Berglin	Frederickson	Menning	Purfeerst	Taylor
Bernhagen	Hanson	Moe, D. M.	Ramstad	Tennessen
Bertram	Hughes	Moe, R. D.	Renneke	Ulland
Chmielewski	Kamrath	Nelson	Rued	Vega
Dahl	Knoll	Olhoft	Schmitz	Waldorf
Davies	Kroening	Pehler	Setzepfandt	Wegener
Davis	Kronebusch	Penny	Sieloff	Willet

So the bill, as amended by the Conference Committee, was repassed and its

title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1760, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1760 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1760

A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; 626A.05, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1760, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the amendments adopted by the Senate and that H.F. No. 1760 be further amended as follows:

Page 4, after line 3, insert:

"Sec. 6. Minnesota Statutes 1980, Section 626A.05, Subdivision 2, is amended to read:

Subd. 2. [OFFENSES FOR WHICH INTERCEPTION OF WIRE OR ORAL COMMUNICATION MAY BE AUTHORIZED.] A warrant authorizing interception of wire or oral communications by investigative or law enforcement officers may only be issued when ~~such~~ *the* interception may provide evidence of the commission of *gambling or* any criminal felony offense involving murder, manslaughter, aggravated assault, aggravated robbery, kidnapping, aggravated rape, prostitution, bribery, perjury, escape from custody, theft, receiving stolen property, embezzlement, burglary, forgery, aggravated forgery, ~~gambling,~~ and offenses relating to controlled substances, or an attempt or conspiracy to commit any ~~such offense or said~~ *of these* offenses, as punishable under sections 609.185, 609.19, 609.195, 609.20, 609.225, 609.245, 609.25, 609.291, 609.321 to 609.324, 609.42, 609.48, 609.485, subdivision 4, clause (1), 609.52, 609.53, 609.54, 609.58, 609.625, 609.63,

609.76, 609.825, and chapter 152.

Page 4, line 28, after the period insert: "*Section 6 is effective May 1, 1982, and applies to warrants issued on or after that date. Section 7 is effective August 1, 1982.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert: "providing for interception of certain wire or oral communications;"

Page 1, line 7, after the first semicolon insert "626A.05, Subdivision 2;"

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

House Conferees: (Signed) Lawrence J. Pogemiller, Arlene I. Lehto, Dean E. Johnson

Senate Conferees: (Signed) Eric D. Petty, Gregory L. Dahl, Allan H. Spear

Mr. Petty moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1760 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1760: A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; providing for interception of certain wire or oral communications; expanding definition of "burglary"; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; 626A.05, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.

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

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

The roll was called, and there were yeas 51 and nays 9, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Lindgren	Petty	Stokowski
Bang	Frederick	Luther	Pillsbury	Stumpf
Belanger	Frederickson	Menning	Purfeerst	Taylor
Berg	Hanson	Moe, R. D.	Ramstad	Tennessen
Berglin	Hughes	Nelson	Renneke	Waldorf
Bernhagen	Kamrath	Olhoft	Rued	Wegener
Bertram	Kroening	Pehler	Schmitz	Willet
Chmielewski	Kronebusch	Penny	Setzepfandt	
Dahl	Langseth	Peterson,C.C.	Solon	
Davis	Lantry	Peterson,D.L.	Spear	
Engler	Lessard	Peterson,R.W.	Stern	

Those who voted in the negative were:

Davies	Johnson	Knutson	Sieloff	Vega
Dicklich	Knoll	Moe, D. M.	Ulland	

So the bill, as amended by the Conference Committee, was repassed and its

title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1817 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1817 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1817

A bill for an act relating to transportation; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; exempting the state transportation plan from the provisions of the administrative procedure act; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and establishing fees; allowing expenditures from the state airports fund for educational programs to promote interest and safety in aeronautics; amending Minnesota Statutes 1980, Sections 161.41; 173.02, Subdivision 2; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 221.011, Subdivision 22; and 221.81; proposing new law coded in Minnesota Statutes, Chapter 221; repealing Minnesota Statutes 1981 Supplement, Section 161.465.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1817, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. 1817 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 160.283, Subdivision 3, is amended to read:

Subd. 3. For the purposes of sections 160.283 to 160.285 the term "resort" shall be as defined in Minnesota Statutes 1969, Section 157.01 *or a golf course*.

Sec. 2. [161.115] [TRUNK HIGHWAY SYSTEM; NEW ROUTE IN SUBSTITUTION OF EXISTING ROUTE.]

Subdivision 1. [ADDITIONAL ROUTE.] *There is added to the trunk highway system a new route described as follows:*

Route No. 129. Beginning at a point on Route No. 3 at or near St. Cloud, thence extending in a southeasterly direction to a point on Route No. 212 as herein established; affording St. Cloud, Clearwater, and Monticello, a reasonable means of communication each with the other and other places within the state.

Subd. 2. [SUBSTITUTION.] *The route established in subdivision 1 is substituted for trunk highway route numbered 129 as contained and described in Minnesota Statutes 1980, Section 161.115. Route numbered 129 as contained and described in that section is discontinued and removed from the trunk highway system.*

Subd. 3. [DIRECTION TO REVISOR.] *The revisor of statutes, in compiling the next and subsequent editions of the Minnesota Statutes, shall substitute the route established in subdivision 1 for the route discontinued and removed from the trunk highway system in subdivision 2.*

Sec. 3. [161.115] [TRUNK HIGHWAY SYSTEM; REMOVAL OF ROUTE NO. 278.]

Route No. 278 as described in Minnesota Statutes 1981 Supplement, Section 161.115, is discontinued and removed from the trunk highway system. The revisor of statutes, in compiling the next and subsequent editions of Minnesota Statutes shall delete Route No. 278.

Sec. 4. Minnesota Statutes 1980, Section 161.41, is amended to read:

161.41 [SURPLUS PROPERTY NOT NEEDED FOR TRUNK HIGHWAY PURPOSES.]

Subdivision 1. [COMMISSIONER MAY DECLARE SURPLUS.] The commissioner is authorized to declare as surplus any property acquired by the state for highway purposes, excluding real estate, which ~~he~~ *the commissioner* determines ~~by order~~ to be no longer needed or necessary for state highway purposes.

Subd. 2. [DETERMINATION OF VALUE OF SURPLUS PROPERTY AND ~~TRANSFERENCE~~ *DISPOSITION.*] ~~The order shall direct that~~ *The commissioner shall administer all aspects of the disposition of property declared to be surplus under this section. The commissioner shall first determine* the value of the surplus property ~~shall be determined, subject to the approval of the commissioner, by the district engineer in whose district the property is located, and shall authorize the district engineer to~~. *The commissioner may then* transfer the possession of the *surplus* property to any state agency~~,~~ or political subdivision of ~~government~~ *this state* or to the United States *government* upon receipt of payment ~~therefor~~ in ~~the~~ *an* amount ~~so determined~~ *equal to the value of the surplus property.*

The commissioner may also sell the surplus property under the competitive bidding provisions of chapter 16 if no state agency or political subdivision of this state offers to purchase the surplus property for its determined value.

Subd. 3. [MONEY RECEIVED TO BE CREDITED TO TRUNK HIGHWAY FUND.] *The commissioner shall deposit all* money received under this section ~~shall be deposited by the district engineer~~ with the state treasurer ~~and~~ *to be* credited to the trunk highway fund.

Sec. 5. Minnesota Statutes, 1981 Supplement, Section 161.465, is amended

to read:

161.465 [REIMBURSEMENT FOR FIRE SERVICES.]

Ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a fire ~~or easing or eliminating the danger of fire or explosion within the right-of-way of any state trunk highway, or~~ outside the right-of-way *of any trunk highway* if the fire originated within the right-of-way, upon approval of a police officer or an officer or employee of the department of public safety shall, upon certification to the commissioner of public safety by the proper official of the municipality or fire department within 60 days after the completion of the service, be reimbursed to the municipality or fire department from funds in the trunk highway fund. The commissioner of public safety shall take whatever action practicable to secure reimbursement to the trunk highway fund of moneys expended pursuant to this section from the person, firm or corporation responsible for the fire or danger thereof.

The provisions of this section shall not be construed to admit any state liability for damage or destruction to private property or for injury to persons resulting from a fire that originates within a trunk highway right-of-way.

Sec. 6. Minnesota Statutes 1980, Section 169.09, Subdivision 13, is amended to read:

Subd. 13. [ACCIDENT REPORTS CONFIDENTIAL.] All written reports and supplemental reports required *under this section* to be provided to the department of public safety ~~by this section~~ shall be without prejudice to the individual so reporting and shall be for the confidential use of the department of public safety~~, the Minnesota department of transportation,~~ and *other* appropriate *state,* federal, county and municipal governmental agencies for accident ~~prevention~~ *analysis* purposes, except that the department of public safety or any law enforcement department of any municipality or county in this state shall, upon written request of any person involved in an accident or upon written request of the representative of his *or her* estate, ~~his~~ surviving spouse, or one or more ~~of his~~ surviving next of kin, or a trustee appointed pursuant to section 573.02, disclose to the requester, his *or her* legal counsel or a representative of his *or her* insurer any information contained therein except the parties' version of the accident as set out in the written report filed by the parties or may disclose identity of a person involved in an accident when the identity is not otherwise known or when the person denies ~~his~~ presence at the accident. No report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the department of public safety shall furnish upon the demand of any person who has, or claims to have, made a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department of public safety solely to prove a compliance or a failure to comply with the requirements that the report be made to the department of public safety. Disclosing any information contained in any accident report, except as provided herein, is unlawful and a misdemeanor.

Nothing herein shall be construed to prevent any person who has made a report pursuant to this chapter from testifying in any trial, civil or criminal, arising out of an accident, as to facts within ~~his~~ *the person's* knowledge. It is intended by this subdivision to render privileged the reports required but it is not intended to prohibit proof of the facts to which the reports relate. Legally

qualified newspaper publications and licensed radio and television stations shall upon request to a law enforcement agency be given an oral statement covering only the time and place of the accident, the names and addresses of the parties involved, and a general statement as to how the accident happened without attempting to fix liability upon anyone, but said legally qualified newspaper publications and licensed radio and television stations shall not be given access to the hereinbefore mentioned confidential reports, nor shall any such statements or information so orally given be used as evidence in any court proceeding, but shall merely be used for the purpose of a proper publication or broadcast of the news.

This subdivision shall supersede other state law relating to data privacy or confidentiality with regard to accident reports. When these reports are released for accident ~~prevention~~ *analysis* purposes the identity of any involved person shall not be revealed. Data contained in these reports shall only be used for accident ~~prevention~~ *analysis* purposes, except as otherwise provided by this subdivision. Accident reports and data contained therein which may be in the possession or control of departments or agencies other than the department of public safety shall not be discoverable under any provision of law or rule of court.

The department may charge authorized persons a $5 fee for a copy of an accident report.

Sec. 7. Minnesota Statutes 1980, Section 169.80, Subdivision 1, is amended to read:

Subdivision 1. [LIMITATIONS.] It is a misdemeanor for a person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on a highway a vehicle or vehicles of a size or weight exceeding the limitations stated in sections 169.80 to 169.88, or otherwise in violation of sections 169.80 to 169.88, and the maximum size and weight of vehicles as prescribed in sections 169.80 to 169.88 shall be lawful throughout this state, and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in sections 169.80 to 169.88.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in the group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus, or to implements of husbandry temporarily moved upon a highway, or to loads of loose hay or corn stalks if transported by a horse-drawn vehicle or drawn by a farm tractor, or to a vehicle

operated under the terms of a special permit issued as provided by law. For purposes of sections 169.80 to 169.88, a specialized vehicle resembling a low-slung two wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when the vehicle is used exclusively to transport implements of husbandry; and the term "temporarily moved upon a highway" shall mean a movement not to exceed 50 miles.

In addition to any other special permits authorized, an annual permit may be issued authorizing movements *on interstate highways and movements* exceeding 50 miles *on non-interstate highways* of oversize vehicles and loads when the vehicles or combination of vehicles are used exclusively to transport implements of husbandry. Annual permits are issued in accordance with the applicable provisions of section 169.86, except that the transporting vehicle or combination of vehicles may be moved at the discretion of the permittee without prior route approval from the permit issuing office of the department of transportation if:

(a) The overall width of the transporting vehicle, including load, does not exceed 12 feet;

(b) The transporting vehicle otherwise complies with equipment requirements and length, height and weight limitations prescribed by this chapter;

(c) The movement is made after the hour of sunrise and not later than 30 minutes after sunset;

(d) The movement is not made when visibility is impaired by weather, fog or other conditions rendering persons and vehicles not clearly visible at a distance of 500 feet, or on Sundays *after twelve o'clock noon,* and holidays;

(e) The transporting vehicle shall display at the front and rear end of the load or vehicle a pair of flashing amber lights, as provided in section 169.59, subdivision 4, *whenever the overall width of the vehicle exceeds ten feet, six inches*; and

(f) The movement, if made on a trunk highway, is made on a trunk highway with a surfaced roadway width of not less than 24 feet.

The fee for an annual permit is $24.

Sec. 8. [169.762] [PRESSURIZED FLAMMABLE GAS.]

Subdivision 1. [MARKING REQUIRED.] *Any vehicle within this state which carries liquefied petroleum gas fuel or natural gas in a tank attached to the vehicle in any concealed area, including but not limited to trunks, compartments, or under the vehicle, shall display on the exterior of the vehicle the words "Pressurized Flammable Gas", or a standard abbreviation or symbol as determined by the department of public safety, in block letters at least two inches high. The letters shall be of contrasting colors and shall be placed as near as possible to the area where the tank is located.*

Subd. 2. [DISPENSING PROHIBITION.] *No person shall dispense liquefied petroleum gas fuel or natural gas into any tank in a concealed area of a vehicle unless the vehicle is in compliance with the requirements of subdivision 1.*

Subd. 3. [PENALTY.] *Any owner convicted of violating the provisions of subdivisions 1 or 2 is guilty of a misdemeanor.*

Sec. 9. Minnesota Statutes 1980, Section 169.81, Subdivision 1, is amended to read:

Subdivision 1. [HEIGHT.] *(a) Except as provided in paragraph (b),* no vehicle unladen or with load shall exceed a height of 13 feet six inches.

(b) A double-deck bus may not exceed a height of 14 feet three inches. Any carrier operating a double-deck bus exceeding 13 feet six inches shall obtain from the commissioner, with respect to highways under the commissioner's jurisdiction, and from local authorities, with respect to highways under their jurisdiction, an annual permit to operate the bus upon any highway under the jurisdiction of the party granting the permit. Annual permits shall be issued in accordance with applicable provisions of section 169.86. The fee for an annual permit issued by the commissioner is as provided in section 169.86, subdivision 5.

Sec. 10. Minnesota Statutes 1981 Supplement, Section 169.81, Subdivision 3, is amended to read:

Subd. 3. [LENGTH OF COMBINATIONS AND SEMITRAILERS AND TRUCK-TRACTORS.] (a) *Except as provided in clause (c),* no combination of vehicles coupled together ~~unladen or with load~~, including truck-tractor and ~~semitrailers~~ *semitrailer*, shall consist of more than two units ~~unless the combination consists of a truck-tractor and semitrailer drawing one additional semitrailer equipped with an auxiliary dolly,~~ and no combination of vehicles, *unladen or with load,* shall exceed a total length of 60 feet. The *length* limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles, piling, or pole length pulpwood, and is subject to the following further exceptions: The length limitations shall not apply to vehicles when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this subdivision, but with respect to night transportation a vehicle and the load shall be equipped with a sufficient number of clearance lamps and marker lamps on both sides and upon the extreme ends of a projecting load to clearly mark the dimensions of the load. Mount combinations may be drawn but the combinations may not exceed 65 feet in length. The limitation on the number of units shall not apply to vehicles used for transporting milk from point of production to point of first processing, in which case no combination of vehicles coupled together unladen or with load, including truck-tractor and semitrailers, shall consist of more than three units and no combination of those vehicles shall exceed a total length of 60 feet. For the purpose of registration, trailers coupled with a truck-tractor, semitrailer combination shall be ~~considered the same as~~ *deemed* semitrailers. The state, as to state trunk highways, and a city or town, as to roads or streets located within the city or town, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations in this subdivision over highways, roads or streets within their boundaries. Combinations of vehicles authorized by this subdivision may be restricted as to the use of highways by the commissioner, as to state trunk highways, and a road authority, as to highways or streets subject to its jurisdiction. Nothing in this subdivision shall be deemed to alter or change the authority vested in local authorities under the provisions of section 169.04. This subdivision shall not apply to the operation of combinations of vehicles subject to the provisions of section 169.861.

(b) No single semitrailer or trailer shall have an overall length, exclusive of

rear protective bumpers which do not increase the overall length by more than six inches and further exclusive of accessory equipment mounted or located on the end of the semitrailer or trailer adjacent to the truck or truck-tractor, in excess of 45 feet, except for those semitrailers governed by subdivisions 3a, 3b and 7. For purposes of determining compliance with the provisions of this subdivision, the length of the semitrailer or trailer shall be determined separate from the overall length of the combination of vehicles.

(c) A combination of vehicles between 55 and 65 feet in length regularly engaged in the transportation of commodities and consisting of a truck and semitrailer or a truck-tractor and semitrailer drawing one additional semitrailer which may be equipped with an auxiliary dolly or a truck-tractor and semitrailer drawing one full trailer may operate only on divided highways having four or more lanes of travel, and on other highways as may be designated by the commissioner of transportation subject to section 169.87, subdivision 1, and subject to the approval of the authority having jurisdiction over the highway, for the purpose of providing access between the divided highways of four or more lanes of travel and truck terminals and marshalling yards or for the purpose of providing continuity of route. All vehicles operated under the provisions of this section shall conform to the standards for those vehicles as prescribed by the United States Department of Transportation, Federal Highway Administration, Bureau of Motor Carrier Safety, and as may be amended. The total length of the combination, unladen or with load, shall not exceed 65 feet. For the purpose of registration, trailers coupled with a truck-tractor semitrailer combination shall be deemed semitrailers.

Sec. 11. Minnesota Statutes 1981 Supplement, Section 169.825, Subdivision 8, is amended to read:

Subd. 8. [PNEUMATIC-TIRED VEHICLES.] No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state:

(a) Where the gross weight on any wheel exceeds 9,000 pounds, except that on designated routes the gross weight on any single wheel shall not exceed 10,000 pounds;

(b) Where the gross weight on any single axle exceeds 18,000 pounds, except that on designated routes the gross weight on any single axle shall not exceed 20,000 pounds;

(c) Where the maximum wheel load exceeds 600 pounds per inch of tire width or the manufacturer's recommended load, whichever is less;

(d) Where the gross weight on any axle of a tridem exceeds 15,000 pounds, except that for vehicles to which an additional axle has been added prior to June 1, 1981, the maximum gross weight on any axle of a tridem ~~shall not exceed~~ *may be up to* 16,000 pounds ~~and~~ *provided* the gross weight of the tridem combination ~~shall~~ *does* not exceed 37,000 pounds where the first and third axles of the tridem are spaced seven feet apart; 38,500 pounds where the first and third axles of the tridem are spaced eight feet apart; and 39,900 pounds where the first and third axles of the tridem are spaced nine feet apart.

(e) Where the gross weight on any group of axles exceeds the weights permitted under this section with any or all of the interior axles disregarded and their gross weights subtracted from the gross weight of all axles of the ~~vehicle~~

group under consideration.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 169.825, Subdivision 10, is amended to read:

Subd. 10. [GROSS WEIGHT SCHEDULE.] (a) No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this state where the total gross weight on any group of two or more consecutive axles of any vehicle or combination of vehicles exceeds that given in the following table for the distance between the centers of the first and last axles of any group of two or more consecutive axles under consideration; the distance between axles being measured longitudinally to the nearest even foot, and when the measurement is a fraction of exactly one-half foot the next largest whole number in feet shall be used, except that when the distance between axles is more than three feet four inches and less than three feet six inches the distance of four feet shall be used:

	Maximum gross weight in pounds on a group of		
Distances in feet between centers of foremost and rearmost axles of a group	2 consecutive axles of a 2-axle vehicle or of any vehicle or combination of vehicles having a total of 2 or more axles	3 consecutive axles of a 3-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	4 consecutive axles of a 4-axle vehicle or any combination of vehicles having a total of 4 or more axles
4	34,000		
5	34,000		(35,000)
6	34,000 (36,000)		
7	34,000 (37,000)	41,500	
8	34,000 (38,000)	42,000	
9	35,000 (39,000)	43,000	
10	36,000 (40,000)	43,500	49,000
11	36,000	44,500	49,500
12		45,000	50,000
13		46,000	51,000
14		46,500	51,500
15		47,500	52,000
16		48,000	53,000
17		49,000	53,500
18		49,500	54,000
19		50,500	55,000
20		51,000	55,500
21		52,000	56,000
22		52,500	57,000
23		53,500	57,500
24		54,000	58,000
25		(55,000)	59,000

26		(55,500)	59,500
27		(56,500)	60,000
28		(57,000)	61,000
29		(58,000)	61,500
30		(58,500)	62,000
31		(59,500)	63,000
32		(60,000)	63,500
33			64,000
34			65,000
35			65,500
36			66,000
37			67,000
38			67,500
39			68,000
40			69,000
41			69,500
42			70,000
43			71,000
44			71,500
45			72,000
46			~~(72,500)~~
47			(73,500)
48			(74,000)
49			(74,500)
50			(75,500)
51			(76,000)

	Maximum gross weight in pounds on a group of		
Distances in feet between centers of fore-most and rearmost axles of a group	5 consecutive axles of a 5-axle vehicle or any com-bination of vehicles having a total of 5 or more axles	6 consecutive axles of a combination of vehicles having a total of 6 or more axles	7 consecutive axles of a combination of vehicles having a total of 7 or more axles
14	57,000		
15	57,500		
16	58,000		
17	59,000		
18	59,500		
19	60,000		
20	60,500	66,000	72,000
21	61,500	67,000	72,500
22	62,000	67,500	73,000
23	62,500	68,000	73,500
24	63,000	68,500	74,000
25	64,000	69,000	75,000
26	64,500	70,000	75,500
27	65,000	70,500	76,000
28	65,500	71,000	76,500
29	66,500	71,500	77,000
30	67,000	72,000	77,500

31	67,500	73,000	78,500
32	68,000	73,500	79,000
33	69,000	74,000	79,500
34	69,500	74,500	80,000
35	70,000	75,000	
36	70,500	76,000	
37	71,500	76,500	
38	72,000	77,000	
39	72,500	77,500	
40	73,000	78,000	
41	74,000	79,000	
42	74,500	79,500	
43	75,000	80,000	
44	75,500		
45	76,500		
46	77,000		
47	77,500		
48	78,000		
49	79,000		
50	79,500		
51	80,000		

The gross weights shown in parentheses in this clause are permitted only on routes designated under section 169.832, subdivision 11.

(b) Notwithstanding any lesser weight in pounds shown in this table but subject to the restrictions on gross vehicle weights in clause (c), two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each and a combined gross load of 68,000 pounds provided the overall distance between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

(c) Notwithstanding the provisions of section 169.85, the gross vehicle weight of all axles of a vehicle or combination of vehicles shall not exceed the following:

(1) 80,000 pounds for routes designated under section 169.832, subdivision 11; and

(2) 73,280 pounds for any vehicle or combination of vehicles with five axles or less on all routes not designated under section 169.832, subdivision 11; and

(3) 80,000 pounds for any vehicle or combination of vehicles with six or more axles on all routes not designated under section 169.832, subdivision 11;

(d) The maximum weights specified in this subdivision for five ~~and six~~ consecutive axles shall not apply to a combination of vehicles that includes a three axle semi-trailer first registered before ~~the effective date of Laws 1981, Chapter 321, Sections 1 to 12. The gross weight for four or fewer consecutive axles on a combination of vehicles excepted under this clause shall not exceed any maximum weight specified for four or fewer consecutive axles~~ *August 1, 1981. All other weight limitations in this section are applicable*;

(e) The maximum weights specified in this subdivision for five consecutive axles shall not apply to a four axle ready mix concrete truck which was equipped with a fifth axle prior to June 1, 1981. The maximum gross weight on four or fewer consecutive axles of vehicles excepted by this clause shall not exceed any maximum weight specified for four or fewer consecutive axles in this subdivision.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 169.825 is amended

by adding a subdivision to read:

Subd. 12a. [GROSS WEIGHT REDUCTION ON RESTRICTED ROUTES.] *The maximum weight on any single axle, two consecutive axles spaced within eight feet or less, three consecutive axles spaced within nine feet or less, or four consecutive axles spaced within 14 feet or less shall not exceed 18,000 pounds, 34,000 pounds, 43,000 pounds, or 51,500 pounds respectively multiplied by a factor of the axle weight in tons allowed on the restricted route divided by nine. No combination of axle weights shall exceed those weights specified in Minnesota Statutes 1981 Supplement, Section 169.825, Subdivision 10 for non-designated routes.*

Sec. 14. Minnesota Statutes 1981 Supplement, Section 169.86, Subdivision 5, is amended to read:

Subd. 5. [FEES.] The commissioner, with respect to highways under his jurisdiction, may charge a fee for each permit issued. All such fees for permits issued by the commissioner of transportation shall be deposited in the state treasury and credited to the trunk highway fund. Except for those annual permits for which the permit fees are specified elsewhere in this chapter, the fees shall be:

(a) $12 for each single trip permit.

(b) $12 for each job permit. A job permit may be issued for like loads carried on a specific route for a period not to exceed two months. "Like loads" means loads of the same product, weight and dimension.

(c) $60 for an annual permit to be issued for a period not to exceed 12 consecutive months. Annual permits may be issued for:

(1) truck cranes;

(2) construction equipment, machinery, and supplies;

(3) mobile homes;

(4) farm equipment when the movement is not made according to the provisions of section 169.80, subdivision 1, clauses (a) to (f).

(5) refuse compactor vehicles that carry a gross weight up to but not in excess of 22,000 pounds on a single rear axle and not in excess of 38,000 pounds on a tandem rear axle;

(6) motor vehicles used to alleviate a temporary crisis adversely affecting the safety or well-being of the public;

(7) motor vehicles which travel on interstate highways and carry loads authorized under subdivision 1a;

(8) double-deck buses.

Sec. 15. Minnesota Statutes 1981 Supplement, Section 169.87, Subdivision 2, is amended to read:

Subd. 2. [SEASONAL LOAD RESTRICTIONS.] *Except for portland cement concrete roads,* from March 20 to May 15 of each year, the weight on any single axle shall not exceed five tons on a county or town road that has not been restricted as provided in subdivision 1. The gross weight on consecutive axles shall not exceed the gross weight allowed in section 169.825 multiplied by a factor of five divided by nine. This reduction shall not apply to the gross vehicle weight.

Sec. 16. Minnesota Statutes 1980, Section 173.02, Subdivision 2, is

amended to read:

Subd. 2. "Advertising device" means any billboard, sign, notice, poster, display, or other device visible to and primarily intended to advertise and inform or to attract or which does attract the attention of operators and occupants of motor vehicles ~~on the interstate system of highways~~ and shall include any structure erected primarily for use in connection with the display of any such device and all lighting or other attachments used in connection therewith.

Sec. 17. Minnesota Statutes 1980, Section 174.03, Subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE TRANSPORTATION PLAN; PRIORITIES; SCHEDULE OF EXPENDITURES.] In order to best meet the present and future transportation needs of the public, to insure a strong state economy, to make most efficient use of public and private funds, and to promote the more efficient use of energy and other resources for transportation purposes, the commissioner shall:

(a) Three months after notification that the department is ready to commence operations and prior to the drafting of the statewide transportation plan the commissioner shall hold public hearings as may be appropriate solely for the purpose of receiving suggestions for future transportation alternatives and priorities for the state. The metropolitan council, regional development commissions and port authorities shall appear at the hearings and submit information concerning transportation related planning undertaken and accomplished by these agencies. Other political subdivisions may appear and submit such information at the hearings. These hearings shall be completed no later than six months from the date of the commissioner's notification;

(b) Develop, adopt, revise and monitor a statewide transportation plan, taking into account the suggestions and information submitted at the public hearings held pursuant to clause (a). The plan shall incorporate all modes of transportation and provide for the interconnection and coordination of different modes of transportation. The commissioner shall evaluate alternative transportation programs and facilities proposed for inclusion in the plan in terms of economic costs and benefits, safety aspects, impact on present and planned land uses, environmental effects, energy efficiency, national transportation policies and priorities and availability of federal and other financial assistance;

(c) Based upon the statewide transportation plan, develop statewide transportation priorities and schedule authorized public capital improvements and other authorized public transportation expenditures pursuant to the priorities;

(d) Complete the plan and priorities required by this subdivision no later than July 1, 1978. ~~Upon completion, the commissioner shall promulgate the plan and priorities as a rule in accordance with chapter 15.~~ Upon ~~promulgation~~ *completion* of the plan and priorities, the commissioner shall prepare and periodically revise, as necessary, the schedule of authorized public transportation expenditures. ~~The schedule, and revisions thereto, need not be promulgated as a rule but shall not be prepared or revised without public hearings~~ *The plan, priorities and schedule are exempt from the provisions of the administrative procedure act.*

Sec. 18. Minnesota Statutes 1980, Section 174.03, Subdivision 2, is amended to read:

Subd. 2. [IMPLEMENTATION OF PLAN.] After the adoption of the statewide transportation plan, the commissioner and the transportation regulation board shall take no action inconsistent with that plan. ~~Notwithstanding the~~

~~foregoing, the commissioner and the board shall have authority to promulgate emergency rules pursuant to section 15.0412, subdivision 5, if necessary to respond to transportation emergencies which may require an immediate temporary response inconsistent with the statewide plan.~~

Sec. 19. Minnesota Statutes 1981 Supplement, Section 221.011, Subdivision 22, is amended to read:

Subd. 22. "Exempt carrier" means any carrier exempt from this chapter~~,~~ or exempted from any other law or rule by the commissioner or board. The following are so exempt except as otherwise specifically provided in ~~clause (c)~~ *section 20*:

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

(b) Any occasional accommodation service beyond the 25 mile radius of the home post office by any person engaged in farming as a primary means of livelihood and actually residing on a farm and whose truck or trucks are licensed under provisions of section 168.013, subdivision 1c. Occasional accommodation service shall mean not in excess of six trips in any calendar year.

(c) Any person engaged in agricultural pursuits, who owns and uses a truck for transporting the products of that person's farm, or any person while engaged exclusively in the transportation of fresh vegetables from farms to canneries or viner stations, or from viner stations to canneries, or from canneries to canneries during the harvesting, canning or packing season, or potatoes, sugar beets, wild rice and rutabagas from the field of production to the first place of delivery or unloading, including but not limited to a processing plant, warehouse or railroad siding. ~~This term shall also apply to a manufacturer, producer, dealer or distributor who, in the pursuit of business, owns and uses trucks for the purpose of transporting that person's own products, and shall apply to any person while engaged exclusively in the transportation of pulpwood, cord wood, mining timber, poles, posts, decorative evergreens, wood chips, sawdust, shavings and bark from the place where the products are produced to the point where they are to be used or shipped; except that these manufacturers, producers, dealers or distributors transporting their own products and these persons engaged exclusively in the transportation of wood or wood products, together with any transporting vehicles licensed and registered for a gross vehicle weight of more than 10,000 pounds, shall be subject to the requirements of section 221.031 insofar as the provisions of that section apply to driver qualifications, maximum hours of service of drivers, and safety of operations and equipment.~~

(d) Any person while exclusively engaged in the transportation of dirt and sod within an area having a 50 mile radius from that person's home post office.

(e) Any person while exclusively engaged in the transportation of sand, gravel, bituminous asphalt mix, *concrete ready mix, concrete blocks or tile* or crushed rock to or from the point of loading or a place of gathering within an area having a 50 mile radius from that person's home post office or a 50 mile radius from the site of construction or maintenance of public roads and streets.

(f) Any person engaged in the transportation of household goods for the federal government or any agency of the federal government or the transporta-

tion of household goods for the state government or any agency of state government, where competitive bids are required by law shall be exempt from the provisions of section 221.161.

(g) Any person engaged in transporting property or freight, excepting household goods and petroleum products in bulk, when the movement is entirely within the corporate limits of a city or between contiguous cities.

(h) Emergency vehicles including ambulances, tow trucks when picking up and transporting disabled or wrecked motor vehicles, and hearses when carrying proper and legal warning devices.

(i) Any person engaged in delivery or spreading of agricultural lime.

(j) Any person engaged in transporting rubbish as defined in section 443.27.

(k) Any person engaged in the transportation of grain samples under terms and conditions as the commissioner or board may prescribe.

(l) A motor vehicle, in this chapter referred to as a ''commuter van,'' having a capacity of seven to 16 persons that is used principally to provide prearranged transportation of persons for a fee to or from their place of employment or to or from a transit stop authorized by a local transit authority which vehicle is to be operated by a person who does not drive the vehicle for that person's principal occupation but is driving it only to or from that person's principal place of employment, to or from a transit stop authorized by a local transit authority, or for personal use at other times by an authorized driver; provided, that commuter vans shall not be exempt from any provision of this chapter which by its terms explicitly applies to these vehicles.

(m) Any manufacturer, producer, dealer or distributor who, in the pursuit of business, owns and uses trucks for the purpose of transporting that person's own products, except as otherwise provided in section 20.

(n) Any person while engaged exclusively in the transportation of pulpwood, cordwood, mining timber, poles, posts, decorator evergreens, wood chips, sawdust, shavings, and bark from the place where the products are produced to the point where they are to be used or shipped, except as otherwise provided in section 20.

Sec. 20. [221.032] [OPERATING REQUIREMENTS.]

The exempt carriers set forth in section 221.011, subdivision 22, clauses (m) and (n), are subject to the requirements of section 221.031 insofar as the provisions of that section apply to driver qualifications, maximum hours of service for drivers, and safety of operations and equipment. This section is applicable only to transporting vehicles licensed and registered for a gross weight of more than 10,000 pounds.

Sec. 21. Minnesota Statutes 1981 Supplement, Section 221.81, is amended to read:

221.81 [BUILDING MOVER REGULATION.]

Subdivision 1. [DEFINITION.] ''Building mover'' means any person, corporation, or other entity engaged in the business of raising, supporting off the foundation, and moving buildings, excluding mobile homes.

Subd. 2. [LICENSE.] All building movers operating in Minnesota shall be

licensed by the board.

Subd. 3. [LICENSE APPLICATION.] To obtain a license to operate as a building mover an applicant shall file a petition with the commissioner specifying the name and address of its officers and other information as the board may reasonably require. The board shall issue the license upon compliance by the applicant with bonding and insuring requirements set by rule of the department and payment of ~~a~~ *an initial $150 filing* fee. A license once granted shall continue in full force and effect, subject to *a $100* annual renewal ~~fees~~ *fee* and compliance with bonding and insuring requirements, unless revoked or suspended.

The commissioner, upon approval of a license for a building mover, shall issue a sufficient number of cab cards to each licensed mover to provide one cab card for each power unit used in moving buildings. The fee is $50 for each cab card issued. The cab card must be carried at all times in a readily available place in the cab of the power unit for which it was issued. The building mover may also purchase up to five floater cab cards for a fee of $200 for each floater card issued. Cab cards shall be effective for a 12-month period and shall continue from year to year thereafter upon payment of the required fee. Cab cards shall only be good for the period for which the license is effective.

Licenses shall be transferable pursuant to the provisions of section 221.151.

Subd. 4. [LICENSE REVOCATION, SUSPENSION, DENIAL.] The board, after notice and a hearing, may revoke, suspend or deny a license for:

(a) failure to pay application or renewal fees;

(b) failure to comply with bonding and insuring requirements;

(c) conduct of the applicant or license holder that impairs usage of public highways, roads, streets, or utilities;

(d) conduct of the applicant or license holders that endangers the health and safety of users of the public highways, roads, streets or utilities; or

(e) a course of conduct of the applicant or license holder that demonstrates unsafe or hazardous operation of the business.

Subd. 5. [SUSPENSION BY COMMISSIONER.] *The commissioner may suspend a license without a hearing for the following reasons:*

(1) Failure to pay the application or renewal fee; or

(2) Failure to comply with bonding and insurance requirements.

The suspension shall continue until the fees have been paid and the bonding and insurance requirements have been satisfied.

Subd. 6. [APPLICATION OF VIOLATION AND PENALTY PROVISIONS.] *The violation and penalty provisions of section 221.291 are applicable to this section.*

Subd. ~~5~~ *7.* [RULES.] The commissioner shall promulgate rules establishing bonding and insuring requirements.

Subd. ~~6~~ *8.* [LOCAL REGULATION.] No license to move buildings, bond or insurance coverage shall be required by a political subdivision of the state other than the license, bond and insurance coverage issued or required by the

board or commissioner. A political subdivision or the department may require a permit which reasonably regulates the hours, routing, movement, parking or speed limit for a building mover operating on streets or roads within the jurisdiction of the political subdivision or highways within the jurisdiction of the commissioner. Neither the state nor a political subdivision may regulate rates charged by building movers.

Subd. 9. [FEES DEPOSITED IN GENERAL FUND.] *All fees collected pursuant to this section shall be deposited in the general fund.*

Sec. 22. Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5, is amended to read:

Subd. 5. [FINES AND FORFEITED BAIL MONEY.] (a) All fines and forfeited bail money, from traffic and motor vehicle law violations, collected from persons apprehended or arrested by such employees, shall be paid by ~~the justice of the peace, or~~ such ~~other~~ person or officer collecting such fines, forfeited bail money or installments thereof, on or before the tenth day after the last day of the month in which such moneys were collected, to the county treasurer of the county where the violation occurred. Three-eighths of such receipts shall be credited to the general revenue fund of the county. The other five-eighths of such receipts shall be transmitted by that officer to the state treasurer and shall be credited to the trunk highway fund. If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be credited to the general revenue fund of the county, one-third of the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be transmitted to the state treasurer as provided in this subdivision. All costs of participation in a nation-wide police communication system chargeable to the state of Minnesota shall be paid from appropriations for that purpose.

(b) Notwithstanding any other provisions of law, all fines and forfeited bail money from violations of statutes governing the maximum weight of motor vehicles, collected from persons apprehended or arrested by employees of the state of Minnesota, by means of stationary or portable scales operated by such employees, shall be paid by the person or officer collecting the fines or forfeited bail money, on or before the tenth day after the last day of the month in which the collections were made, to the county treasurer of the county where the violation occurred. ~~All~~ *Five-eighths of* such receipts shall be transmitted by that officer to the state treasurer and shall be credited to the ~~trunk highway~~ *highway user tax distribution* fund. *Three-eighths of such receipts shall be credited to the general revenue fund of the county.*

Sec. 23. Minnesota Statutes 1980, Section 360.015, Subdivision 2, is amended to read:

Subd. 2. [COOPERATION WITH FEDERAL AND OTHER AGENCIES.] ~~He~~ *The commissioner* shall cooperate with and assist the federal government, the municipalities of this state, and others engaged in aeronautics or the promotion of aeronautics, and shall seek to coordinate the aeronautical activities of these bodies. To this end, the commissioner is empowered to confer with or to hold joint hearings with any federal aeronautical agency in connection with any matter arising under sections 360.011 to 360.076, or relating to the sound development of aeronautics, and to avail himself of the cooperation, services, records, and facilities of such federal agencies, as fully as may be practicable,

in the administration and enforcement of sections 360.011 to 360.076. ~~He~~ *The commissioner* shall reciprocate by furnishing to the federal agencies his cooperation, services, records, and facilities, in so far as may be practicable. *The commissioner may also contract for the presentation of educational and informational programs that promote safety and interest in aeronautics.*

~~He~~ *The commissioner* shall report to the appropriate federal agency all accidents in aeronautics in this state of which ~~he~~ *the commissioner* is informed ~~and~~. *The commissioner shall also* preserve, protect, and prevent the removal of the component parts of any aircraft involved in an accident being investigated by ~~him~~ *the commissioner* until a federal agency institutes an investigation~~, and~~. *The commissioner* shall report *the following* to the appropriate federal agency*:*

(1) all refusals by ~~him~~ *the commissioner* to register federal licenses, certificates, or permits ~~and~~*;*

(2) all revocations of certificates of registration, and the reasons therefor~~;~~*;* and

(3) all penalties of which ~~he~~ *the commissioner* has knowledge imposed upon airmen for violations of the laws of this state relating to aeronautics or for violations of the rules, regulations, or orders of the commissioner.

Sec. 24. Minnesota Statutes 1980, Section 360.017, Subdivision 1, is amended to read:

Subdivision 1. [CREATION.] There is hereby created a fund to be known as the state airports fund. ~~Such~~ *The* fund shall consist of all moneys appropriated to it, or directed to be paid into it, by the legislature. The state airports fund shall be paid out on authorization of the commissioner and shall be used to acquire, construct, improve, maintain, and operate airports and other air navigation facilities and to assist municipalities in the acquisition, construction, improvement, and maintenance of airports and other air navigation facilities. *The fund may also be used to promote interest and safety in aeronautics through education and information.* Salaries and expenses in the department of transportation related to aeronautic planning, administration and operation shall be paid from the state airports fund. All allotments of money from the state airports fund for salaries and expenses shall be approved by the commissioner of finance.

Sec. 25. Laws 1979, Chapter 280, Section 2, Subdivision 2, is amended to read:

Subd. 2. $50,000,000, or so much thereof as is needed, is available for expenditure at a rate not exceeding $12,500,000 per fiscal year for grants to political subdivisions for construction and reconstruction of key bridges on highways, streets and roads under their jurisdiction. The grants shall not exceed the following aggregate amounts:

(1) To counties.....$8,500,000

(2) To home rule charter and statutory cities.....$1,000,000

(3) To towns.....$21,000,000

Additional grants may be made in an aggregate amount not to exceed $19,500,000 to the political subdivisions to match federal-aid grants for construction and reconstruction of key bridges under their jurisdiction. *Appropri-*

ations made in subdivisions 1, 2, or 3 may also be used for the following purposes:

(1) The costs of abandoning an existing bridge that is deficient and is in need of replacement, but where no replacement will be made.

(2) The costs of constructing a road or street that would facilitate the abandonment of an existing bridge determined to be deficient. The construction of the road or street must be judged to be more cost efficient than the reconstruction or replacement of the existing bridge.

Sec. 26. [PROHIBITION ON ESTABLISHMENT OF NEW DIVISIONS IN DEPARTMENT OF TRANSPORTATION.]

Notwithstanding any other law to the contrary, the commissioner of transportation shall not establish any new divisions in the department of transportation, other than consolidations of existing divisions.

Sec. 27. [REPEALER.]

Minnesota Statutes 1981 Supplement, Sections 169.861 and 169.825, Subdivision 12 are repealed.

Sec. 28. [EFFECTIVE DATE.]

Sections 1 to 7 and 9 to 27 are effective the day after final enactment. Section 8 is effective January 1, 1983.''

Delete the title and insert:

''A bill for an act relating to transportation; redefining ''resort'' for purposes of advertising device authorization; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; limting the liability of the department of transportation for the cost of fighting certain fires; making certain accident reports available to governmental agencies for specified purposes and authorizing a fee for copies of these accident reports; governing the movement of certain vehicles on certain highways; establishing a height limitation for certain vehicles and providing for an annual permit fee for certain buses; expanding the definition of advertising devices; exempting the state transportation plan from the administrative procedure act; expanding the definition of exempt carrier; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and requiring fees; allowing expenditures from the state airports fund for educational programs to promote interest and safety in aeronautics; permitting additional uses of certain moneys appropriated for construction and reconstruction of bridges; limiting the authority of the commissioner of transportation to establish new divisions in the department of transportation; allowing the use of certain combinations of vehicles; allowing certain axle weight combinations; establishing allowable axle weight combinations; establishing allowable axle weights on restricted routes; modifying the distribution of receipts collected as fines; providing for seasonal load restrictions; requiring certain exterior markings on vehicles carrying liquified petroleum gas fuel in concealed tanks and prohibiting the dispensing of those fuels in unmarked vehicles; amending Minnesota Statutes 1980, Sections 160.283, Subdivision 3; 161.115; 161.41; 169.09, Subdivision 13; 169.80, Subdivision 1; 169.81, Subdivision 1; 173.02, Subdivision 2; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 161.465; 169.81, Subdivision 3; 169.825, Sub-

divisions 8, 10, and by adding a subdivision; 169.86, Subdivision 5; 169.87, Subdivision 2; 221.011, Subdivision 22; 221.81; 299D.03, Subdivision 5; Laws 1979, Chapter 280, Section 2, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 169 and 221; repealing Minnesota Statutes 1981 Supplement, Sections 169.861 and 169.825, Subdivision 12."

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

House Conferees: (Signed) Lyle G. Mehrkens, George C. Dahlvang, Glen H. Anderson

Senate Conferees: (Signed) Steve Engler, Clarence M. Purfeerst, Robert J. Schmitz

Mr. Engler moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1817 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1817 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Lessard	Peterson,R.W.	Spear
Bang	Engler	Lindgren	Petty	Stern
Belanger	Frank	Luther	Pillsbury	Stokowski
Benson	Frederick	Menning	Purfeerst	Stumpf
Berg	Frederickson	Moe, D. M.	Ramstad	Taylor
Berglin	Hughes	Moe, R. D.	Renneke	Tennessen
Bernhagen	Johnson	Nelson	Rued	Ulland
Bertram	Kamrath	Olhoft	Schmitz	Vega
Chmielewski	Knutson	Pehler	Setzepfandt	Waldorf
Dahl	Kroening	Penny	Sieloff	Wegener
Davies	Kronebusch	Peterson,C.C.	Sikorski	Willet
Davis	Lantry	Peterson,D.L.	Solon	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1975, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1975 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1975

A bill for an act relating to local government; permitting towns to issue

off-sale liquor licenses; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1975, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1975 be further amended as follows:

Page 1, line 10, before "*may*" insert ", *subdivision 1,*"

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

House Conferees: (Signed) Bob McEachern, John J. Sarna, James P. Metzen

Senate Conferees: (Signed) Charles R. Davis, Gerry Sikorski, Duane D. Benson

Mr. Davis moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1975 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1975 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 56 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lindgren	Purfeerst	Stumpf
Bang	Frank	Luther	Ramstad	Taylor
Belanger	Hanson	Moe, D. M.	Renneke	Tennessen
Benson	Hughes	Moe, R. D.	Rued	Ulland
Berg	Johnson	Nelson	Schmitz	Vega
Berglin	Kamrath	Pehler	Setzepfandt	Waldorf
Bernhagen	Knutson	Penny	Sieloff	Wegener
Bertram	Kroening	Peterson,C.C.	Sikorski	Willet
Dahl	Kronebusch	Peterson,D.L.	Solon	
Davies	Langseth	Peterson,R.W.	Spear	
Davis	Lantry	Petty	Stern	
Dicklich	Lessard	Pillsbury	Stokowski	

Messrs. Chmielewski, Frederickson, Menning and Olhoft voted in the negative.

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 534, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 534 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 534

A bill for an act relating to the collection and dissemination of data; administration of the state archives and state and local government records; classifying data; providing a penalty; amending Minnesota Statutes 1980, Sections 15.17; 138.161; 138.17, Subdivisions 1, 6, 7, and by adding subdivisions; 138.19; 138.20; 138.21; proposing new law coded in Minnesota Statutes, Chapter 138; repealing Minnesota Statutes 1980, Sections 16.66 and 138.18.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 534, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and that H.F. No. 534 be further amended as follows:

Page 7, before line 6, insert:

"*(c) The state archivist shall notify any person from whom access is withheld pursuant to clause (a) of this subdivision. The person may, within 30 days of the day the notice is sent, appeal the archivist's determination to the executive council of the society. The executive council shall, within 30 days of the filing of an appeal, issue a decision determining if the archivist has correctly applied the standards of clause (a). The decision of the executive council may be appealed to the district court of Ramsey County.*"

Page 10, line 7, delete "*through*" and insert "*to*"

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

House Conferees: (Signed) John T. Clawson, Peggy Byrne

Senate Conferees: (Signed) Peter P. Stumpf, Robert J. Tennessen, Steve Lindgren

Mr. Stumpf moved that the foregoing recommendations and Conference Committee Report on H.F. No. 534 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 534 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Engler	Lantry	Peterson,R.W.	Stern
Bang	Frank	Lessard	Petty	Stokowski
Belanger	Frederick	Lindgren	Pillsbury	Stumpf
Benson	Frederickson	Luther	Ramstad	Tennessen
Berg	Hanson	Menning	Renneke	Ulland
Bernhagen	Hughes	Moe, D. M.	Rued	Vega
Bertram	Kamrath	Moe, R. D.	Schmitz	Waldorf
Chmielewski	Knoll	Nelson	Setzepfandt	Wegener
Dahl	Knutson	Olhoft	Sieloff	Willet
Davies	Kroening	Pehler	Sikorski	
Davis	Kronebusch	Penny	Solon	
Dicklich	Langseth	Peterson,D.L.	Spear	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1948 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1948

A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1948, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1948 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [HENNEPIN PARKS; DAMS.]

Subdivision 1. Subject to the provisions of this act the Hennepin county park reserve district may develop and maintain a hydroelectric generation and transmission facility and use or distribute the power generated by the facility in connection with any dam owned by the district. In all cases, the foregoing authority shall be exercised only with another local government unit.

Subd. 2. Notwithstanding subdivision 1, in connection with the park property known as the Coon Rapids dam regional park and the Coon Rapids dam which is a part of it, the district may exercise the authority granted in section 1, subdivision 1, but it may do so only jointly with the city of Anoka pursuant to

Minnesota Statutes, Section 471.59, pursuant to an agreement by the parties under section 471.59 adopted prior to June 7, 1982.

Subd. 3. The agreement shall be limited to the principles stated in this section and in sections 2 and 3 and its effectiveness shall be contingent upon an affirmative determination in the proceedings described in section 2. The agreement shall provide that it shall be amended from time to time in order to interpret and apply these principles, by consent of the parties, or if agreement is not reached, pursuant to section 3, subdivision 4.

Sec. 2. [FEDERAL ORDER.]

Anoka and the district shall jointly apply to the Federal Energy Regulatory Commission for a declaratory order stating that the parties may amend their competing applications as now on file for a hydroelectric preliminary permit so that: (a) the applications may be deemed as a single, joint application for the permit pursuant to the terms of this act; (b) the single, joint application shall retain the same effective filing date as the application of the first of the parties to have filed; (c) the single, joint application and operation of the project pursuant to the terms of section 3 shall be deemed the application of a municipality as provided in section 3(7) of the Federal Power Act and be entitled to the preference provided for in that act; and (d) if Anoka does not exercise its option under section 3, subdivision 3 the permit shall be deemed exclusively the permit of the district and such local government unit as may join with the district.

Sec. 3. [AGREEMENT WITH ANOKA.]

Subdivision 1. The agreement of Anoka and the district under Minnesota Statutes, Section 471.59, shall include the principles set forth in this section and be incorporated in full in the application of the parties to the Federal Energy Regulatory Commission made pursuant to section 2.

Subd. 2. The parties shall both seek the fulfillment of the following coequal goals: (a) the development of the hydroelectric facilities to maximize the use of the public waters in the production of energy; and (b) the preservation and protection of the park as a major regional open space recreational area maximizing the integrity of and the existing public recreational uses of the park, and, to the extent feasible, limiting the exclusive dedication of any park property and facilities to electric generation and distribution purposes.

Subd. 3. The district shall jointly with Anoka contract in a timely manner for a feasibility study on the hydropower potential of the dam. Following completion of the feasibility study, the district shall grant to Anoka the first option for rights in and to the property of the park as may be required to allow Anoka to develop the generating, transmission and distribution facilities of the hydroelectric project, to finance its development, to operate and maintain the facilities and utilize or distribute the energy produced by the facilities, all for a term not to exceed 50 years and subject to renewal provisions as the parties may agree. In consideration of the foregoing, Anoka shall pay to the district an annual fee which shall provide to the district reasonable compensation for the fair value of the rights in and to the property which are contributed by the district for hydroelectric generating or distributing facilities for the full term of the agreement. If Anoka does not declare its intention to exercise its option within 90 days of the completion of the feasibility study, the district may grant

such rights to any other local government unit.

Subd. 4. If the parties are unable to agree upon the interpretation or application of the foregoing or any terms of the agreement, they shall submit to arbitration as provided by law and the rules of the American Arbitration Association, except that the arbitrator or arbitration panel shall be composed of the persons appointed in the manner provided by this subdivision and shall handle any and all matters relating to the agreement in a timely and on-going basis. If the parties agree, one person may serve as the arbitrator. If not, a panel of three arbitrators shall be utilized. Anoka shall appoint a person experienced in public utility management or the development of hydroelectric generating projects, or both. The district shall appoint a person experienced in public park management, and those persons shall appoint the third member of the panel.

Sec. 4. [EFFECTIVE DATE.]

The provisions of this act shall be effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the Hennepin county park reserve district and the council of the city of Anoka. If compliance with section 645.021, subdivision 3, has not occurred before May 7, 1982, this act is void.''

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

Senate Conferees: (Signed) William P. Luther, Gene Merriam, Randolph W. Peterson

House Conferees: (Signed) Robert L. Ellingson, Tad Jude, John E. Brandl

Mr. Luther moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1948 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1948 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 48 and nays 8, as follows:

Those who voted in the affirmative were:

Bang	Frederickson	Luther	Peterson,R.W.	Stern
Belanger	Hanson	Menning	Pillsbury	Stumpf
Berg	Hughes	Merriam	Ramstad	Taylor
Bernhagen	Kamrath	Moe, D. M.	Renneke	Ulland
Chmielewski	Knoll	Moe, R. D.	Rued	Vega
Dahl	Knutson	Nelson	Schmitz	Waldorf
Davies	Kronebusch	Olhoft	Setzepfandt	Wegener
Dicklich	Langseth	Pehler	Sieloff	Willet
Engler	Lantry	Penny	Sikorski	
Frank	Lindgren	Peterson,D.L.	Solon	

Those who voted in the negative were:

Bertram	Kroening	Petty	Stokowski	Tennessen
Davis	Lessard	Spear		

So the bill, as amended by the Conference Committee, was repassed and its

title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, D.M. moved that Senate Resolution No. 83 be taken from the table. The motion prevailed.

Senate Resolution No. 83: A Senate resolution memorializing the life and work of Roy Wilkins.

WHEREAS, Roy Wilkins was born in St. Louis, Missouri, on August 30, 1901; and,

WHEREAS, Roy Wilkins spent most of his early life in St. Paul, Minnesota, and was a graduate of the University of Minnesota; and,

WHEREAS, as a student at the University of Minnesota and as managing editor of a Kansas City newspaper, Roy Wilkins called attention to the plight of black people in America; and,

WHEREAS, Roy Wilkins gave his life to this nation through unparalleled service as a member of the National Association for the Advancement of Colored People from 1931 until 1977, serving the last twenty-two of those years as executive director; and,

WHEREAS, Roy Wilkins was a delegate to the first national N.A.A.C.P. convention in Kansas City in 1923, an author of numerous articles regarding racial discrimination, the chairman of the Leadership Conference on Civil Rights, a consultant to the United States Department of State, a member of the President's National Advisory Commission on Civil Disorders, the chairman of the United States delegation to the International Conference on Human Rights, and the recipient of the Freedom Award by Freedom House; and,

WHEREAS, Roy Wilkins' legacy of hard work, commitment, and determination became a hallmark that can be built upon by people who continue his work to improve the lives of all Americans; and,

WHEREAS, Roy Wilkins was one of the outstanding leaders of the civil rights movement in the United States during the 1960's, serving as an inspiration to black America to continue the struggle for equality as citizens; and,

WHEREAS, Roy Wilkins was a key supporter and organizer of the march on Washington on August 28, 1963, which dramatized the responsibility of this country, by virtue of the Constitution, to recognize all American citizens with equal status; and,

WHEREAS, Roy Wilkins was one of the political forces behind the successful passage of the 1964 Civil Rights Act, which made voting rights, equal employment, and equal access to public accommodation a matter of federal law; and,

WHEREAS, Roy Wilkins was administrator for the National Association for the Advancement of Colored People in 1954 when that organization won the historic Brown versus Board of Education decision in which the Supreme Court struck down the "separate but equal" doctrine, that had justified the existence of racially segregated schools; and,

WHEREAS, In 1969, Roy Wilkins was awarded the nation's highest civil

honor, the Medal of Freedom, by President Lyndon B. Johnson; and,

WHEREAS, Roy Wilkins stood as a monument of integrity, perseverance, and fidelity to social justice and a belief in the improvability of all mankind; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, that it commends to the people of the State of Minnesota the record of Roy Wilkins as a life, work, and spirit worth emulation. It extends its condolences to his wife, Amanda Badeau, to his nieces and nephews, to his other relatives, and to all his friends.

BE IT FURTHER RESOLVED that the Secretary of the Senate of the State of Minnesota is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the President, and present it to Amanda Badeau Wilkins.

Mr. Moe, D.M. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

SPECIAL ORDER

H.F. No. 1025: A bill for an act relating to safety; imposing an additional fee for two-wheeled vehicle endorsements for motorcycle safety programs; providing for the disposition of the proceeds of the additional fee; prescribing duties of commissioner of public safety; establishing an account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 171.06, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 126.

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 0, as follows:

Those who voted in the affirmative were:

Bang	Frederickson	Lessard	Peterson,D.L.	Solon
Belanger	Hanson	Lindgren	Peterson,R.W.	Spear
Berg	Hughes	Luther	Petty	Stern
Berglin	Johnson	Menning	Pillsbury	Stokowski
Bernhagen	Kamrath	Merriam	Purfeerst	Stumpf
Bertram	Knoll	Moe, D. M.	Ramstad	Taylor
Chmielewski	Knutson	Moe, R. D.	Renneke	Ulland
Dahl	Kroening	Olhoft	Schmitz	Vega
Davis	Kronebusch	Pehler	Setzepfandt	Waldorf
Engler	Langseth	Penny	Sieloff	Wegener
Frank	Lantry	Peterson,C.C.	Sikorski	Willet

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Petty moved that H.F. No. 2271 be taken from the table. The motion prevailed.

H.F. No. 2271: A resolution memorializing the President of the United States and the Administrator of the Federal Aviation Administration against any attempt to prohibit local governments from restricting aircraft noise.

SUSPENSION OF RULES

Mr. Petty moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2271 and that the rules of the Senate be so far suspended as to give H.F. No. 2271 its second and third reading and place it on its final passage.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 50 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Langseth	Penny	Solon
Bang	Frederickson	Lantry	Peterson,C.C.	Spear
Berglin	Hanson	Lessard	Petty	Stern
Bernhagen	Hughes	Luther	Pillsbury	Stokowski
Bertram	Johnson	Menning	Purfeerst	Stumpf
Chmielewski	Kamrath	Moe, D. M.	Ramstad	Tennessen
Dahl	Knoll	Moe, R. D.	Schmitz	Vega
Davies	Knutson	Nelson	Setzepfandt	Waldorf
Davis	Kroening	Olhoft	Sieloff	Wegener
Dicklich	Kronebusch	Pehler	Sikorski	Willet

Messrs. Berg and Ulland voted in the negative.

The motion prevailed.

H.F. No. 2271 was read the second time.

H.F. No. 2271 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 44 and nays 6, as follows:

Those who voted in the affirmative were:

Bang	Frank	Luther	Peterson,R.W.	Stokowski
Berg	Frederickson	Menning	Petty	Stumpf
Berglin	Hughes	Merriam	Purfeerst	Taylor
Bernhagen	Johnson	Moe, R. D.	Ramstad	Tennessen
Bertram	Knoll	Nelson	Renneke	Vega
Dahl	Kroening	Olhoft	Schmitz	Waldorf
Davies	Kronebusch	Pehler	Setzepfandt	Wegener
Davis	Lantry	Penny	Sikorski	Willet
Dicklich	Lessard	Peterson,C.C.	Spear	

Those who voted in the negative were:

Ashbach	Kamrath	Knutson	Rued	Ulland
Benson				

So the bill passed and its title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 358, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 358: A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1980, Sections

340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.

Senate File No. 358 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1758, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1758: A bill for an act relating to crimes; prohibiting conspiracies to violate controlled substances laws; clarifying the crime of escape from jail; prescribing penalties; amending Minnesota Statutes 1980, Section 609.485, Subdivision 3; proposing new law coded in Minnesota Statutes 1980, Chapter 152.

Senate File No. 1758 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 788, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 788 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 788

A bill for an act relating to courts; conciliation courts; authorizing actions to recover amounts lost due to worthless checks in the county of issuance and where the plaintiff resides; amending Minnesota Statutes 1980, Section 487.30, by adding a subdivision; 488A.12, Subdivision 3; and 488A.29, Subdivision 3.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 788, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments except the Merriam amendment and that the Senate recede from the Merriam amendment.

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

House Conferees: (Signed) Bruce Anderson, Tad Jude, Terry M.Dempsey

Senate Conferees: (Signed) Dennis Frederickson, Gene Merriam, Randolph W. Peterson

Mr. Frederickson moved that the foregoing recommendations and Conference Committee Report on H.F. No. 788 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 788 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Ashbach	Davis	Lessard	Peterson,D.L.	Spear
Bang	Dicklich	Lindgren	Peterson,R.W.	Stern
Belanger	Frank	Luther	Petty	Stokowski
Benson	Frederickson	Menning	Pillsbury	Stumpf
Berg	Hughes	Merriam	Purfeerst	Taylor
Berglin	Johnson	Moe, D. M.	Ramstad	Tennessen
Bernhagen	Kamrath	Moe, R. D.	Renneke	Ulland
Bertram	Knutson	Nelson	Rued	Vega
Brataas	Kroening	Olhoft	Schmitz	Waldorf
Chmielewski	Kronebusch	Pehler	Setzepfandt	Wegener
Dahl	Langseth	Penny	Sieloff	Willet
Davies	Lantry	Peterson,C.C.	Sikorski	

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1962 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1962

A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6 and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, Subdivision 1.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1962, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1962 be

further amended as follows:

Page 12, after line 18, insert:

"*Subd. 3.* [INSPECTION, SAMPLING.] *The commissioner or his authorized agent shall sample, inspect, and grade grains received or distributed from grain warehouses at such time and place and to such an extent as he may deem necessary to determine whether sampling, inspection, and grading conducted by the warehouse operator conforms with the standards set by the board of grain standards. The commissioner may obtain any additional information he deems necessary and is authorized to enter upon any public or private premises during regular business hours in order to carry out the provisions of this subdivision.*"

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

Senate Conferees: (Signed) Dennis Frederickson, A. O. H. Setzepfandt, Earl W. Renneke

House Conferees: (Signed) Glen H. Anderson, Henry J. Kalis, Dean E. Johnson

Mr. Frederickson moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1962 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1962 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 53 and nays 7, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lindgren	Pillsbury	Stokowski
Bang	Frederickson	Luther	Purfeerst	Stumpf
Belanger	Hughes	Menning	Ramstad	Taylor
Benson	Johnson	Moe, R. D.	Renneke	Tennessen
Berg	Kamrath	Nelson	Rued	Ulland
Bernhagen	Knutson	Olhoft	Schmitz	Vega
Bertram	Kroening	Penny	Setzepfandt	Waldorf
Brataas	Kronebusch	Peterson,C.C.	Sikorski	Wegener
Chmielewski	Langseth	Peterson,D.L.	Solon	Willet
Dahl	Lantry	Peterson,R.W.	Spear	
Davies	Lessard	Petty	Stern	

Those who voted in the negative were:

Berglin	Frank	Moe, D. M.	Pehler	Sieloff
Davis	Merriam			

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

SPECIAL ORDER

H.F. No. 1532: A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an

award of damages, or a penalty based on the failure or refusal to prevent a live birth; proposing new law coded in Minnesota Statutes, Chapter 145.

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 15, as follows:

Those who voted in the affirmative were:

Belanger	Frederickson	Lantry	Peterson,D.L.	Stumpf
Benson	Hanson	Lessard	Purfeerst	Taylor
Berg	Hughes	Lindgren	Renneke	Vega
Bernhagen	Johnson	Luther	Rued	Waldorf
Bertram	Kamrath	Menning	Schmitz	Wegener
Chmielewski	Knoll	Merriam	Setzepfandt	Willet
Dahl	Knutson	Moe, R. D.	Sieloff	
Davis	Kroening	Olhoft	Sikorski	
Engler	Kronebusch	Penny	Solon	
Frank	Langseth	Peterson,C.C.	Stokowski	

Those who voted in the negative were:

Bang	Davies	Nelson	Pillsbury	Stern
Berglin	Dicklich	Peterson,R.W.	Ramstad	Tennessen
Brataas	Moe, D. M.	Petty	Spear	Ulland

So the bill passed and its title was agreed to.

RECONSIDERATION

Mr. Tennessen moved that the vote whereby H.F. No. 930 failed to pass the Senate on March 13, 1982, be now reconsidered. The motion prevailed.

H.F. No. 930: A bill for an act relating to information practices of public bodies; regulating the treatment of government data; providing conditions for disclosure; enacting the uniform information practices code; providing penalties; amending Minnesota Statutes 1980, Sections 3.97, Subdivisions 9 and 11; 10A.02, Subdivision 11a; 72A.062, Subdivision 2; 115A.14, Subdivision 3; 123.704; 123.741, Subdivision 5; 136A.162; 144.1761, Subdivision 2; 144.216, Subdivision 2; 144.218; 144.225, Subdivision 1; 144.691, Subdivision 4; 144.693; 145.925, Subdivision 6; 147.073, Subdivision 1; 169.126, Subdivision 2; 241.44, Subdivision 1a; 241.66, Subdivision 1; 245.69, Subdivision 2; 256B.27, Subdivision 5; 268.40, Subdivision 3; 270A.11; 299F.055; 462A.065; and 626.557, Subdivisions 11 and 12; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 2; 144A.10, Subdivision 3; 197.603, Subdivision 2; 241.62, Subdivision 5; 362.53, Subdivision 17; 626.556, Subdivision 11; proposing new law coded as Minnesota Statutes, Chapter 16B; repealing Minnesota Statutes 1980, Sections 15.167; 15.1674; 15.1675; 15.1676; 15.1677; 15.1678; 15.1679; 15.1681; 15.1691; 15.1694; 15.1696; and 15.1697; and Minnesota Statutes 1981 Supplement, Sections 15.1611; 15.162; 15.1621; 15.163; 15.1642; 15.165; 15.166; 15.1671; 15.1672; 15.1673; 15.1682; 15.1683; 15.1692; 15.1693; 15.1695; 15.1698; 15.1699; 15.771; 15.772; 15.773; 15.774; 15.775; 15.776; 15.777; 15.778; 15.779; 15.781; 15.782; 15.783; 15.784; 15.785; 15.786; 15.787; 15.788; 15.789; 15.791; 15.792; and 15.793.

Mr. Tennessen moved that the amendment made to H.F. No. 930 by the

Committee on Rules and Administration in the report adopted March 13, 1982, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 930 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 11, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lessard	Petty	Spear
Bang	Frank	Lindgren	Pillsbury	Stern
Belanger	Frederickson	Luther	Ramstad	Stokowski
Berg	Hanson	Menning	Renneke	Stumpf
Berglin	Hughes	Merriam	Rued	Taylor
Bernhagen	Johnson	Moe, R. D.	Schmitz	Tennessen
Brataas	Knoll	Nelson	Setzepfandt	Ulland
Dahl	Kroening	Olhoft	Sieloff	Vega
Davies	Kronebusch	Peterson,D.L.	Sikorski	Waldorf
Dicklich	Langseth	Peterson,R.W.	Solon	Wegener

Those who voted in the negative were:

Benson	Davis	Lantry	Penny	Purfeerst
Bertram	Kamrath	Pehler	Peterson,C.C.	Willet
Chmielewski				

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1964 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1964

A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; amending Minnesota Statutes 1980, Section 299D.03, Subdivision 2; repealing Minnesota Statutes 1980, Sections 299C.041; and 299D.03, Subdivision 3.

March 13, 1982

The Honorable Jack Davies
President of the Senate

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

We, the undersigned conferees for S.F. No. 1964, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S.F. No. 1964 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [486.055] [COURT REPORTER TRANSCRIPT FEE CHARGES; REPORTING REQUIREMENTS.]

Subdivision 1. [REPORTING REQUIREMENTS.] *Each court reporter*

who charges a fee for the preparation of transcripts shall by April 15 of each year file with the district administrator of his judicial district and the county commissioners of the district an accounting of gross receipts and net income from these receipts for the prior calendar year. The accounting report shall specify the amount received in payment for the sale of transcripts.

Sec. 2. Minnesota Statutes 1980, Section 179.66, Subdivision 7, is amended to read:

Subd. 7. The employer shall not meet and negotiate or meet and confer with any employee or group of employees who are at the time designated as a member or part of an appropriate employee unit except through the exclusive representative if one is certified for that unit or as provided for in section 179.69, subdivision 1, *provided that this subdivision shall not be deemed to prevent the communication to the employer, other than through the exclusive representative, of advice or recommendations by professional employees, when such communication is a part of the employee's work assignment.*

Sec. 3. Minnesota Statutes 1980, Section 179.72, Subdivision 7, is amended to read:

Subd. 7. The arbitration panel or arbitrator selected by the parties shall resolve the issues in dispute between the parties as submitted by the board, and the panel's decision and order shall be final and binding upon the parties. *The panel shall be restricted, if the parties agree in writing to so limit the panel's jurisdiction, except as provided by subdivision 7b to selecting between the final offers on each impasse item submitted by the parties to the panel, or the final offer of one or the other party in its entirety.* Provided, however, that no decision of the panel which violates any provision of the laws of Minnesota or rules or regulations promulgated thereunder or municipal charters or ordinances or resolutions enacted pursuant thereto, or which causes a penalty to be incurred thereunder, shall have any force or effect. In considering a dispute and issuing its order the panel shall give due consideration to the statutory rights and obligations of public employers to efficiently manage and conduct its operations within the legal limitations surrounding the financing of such operations. The panel's orders shall be issued by a majority vote of its members considering a given dispute. The panel shall have no jurisdiction over nor authority to entertain any matter or issue not within the definition stated in section 179.63, subdivision 18; provided, however, items not within terms and conditions of employment may be included in an arbitration decision if such items are contained in the employer's final position. Any issue or order or part thereof issued by the panel determining any matter not included under section 179.63, subdivision 18 or the employer's final position shall be void and of no effect. The panel shall render its decision within ten days from the date that all arbitration proceedings have been concluded, but in any event must issue its order by the last date the employer is required by statute, charter, ordinance or resolution to submit its tax levy or budget or certify its taxes voted to the appropriate public officer, agency, public body or office, or by November 1, whichever date is earlier. The panel's order shall be for such period as the panel shall direct, except that orders determining contracts for teacher units shall be effective to the end of the contract period as determined by section 179.70, subdivision 1.

Sec. 4. Minnesota Statutes 1980, Section 179.72, Subdivision 7b, is

amended to read:

Subd. 7b. Notwithstanding the provisions of subdivision 7, for ~~essential employees,~~ supervisory employees, confidential employees, and principals and assistant principals who are not employees of the executive branch of the state of Minnesota, the panel shall be restricted to selecting between the final offers on each impasse item submitted by the parties to the panel.

Sec. 5. Minnesota Statutes 1980, Section 299D.03, Subdivision 2, is amended to read:

Subd. 2. [SALARIES.] (1) Each employee other than the chief supervisor, lieutenant colonel, majors, captains, corporals and sergeants hereinafter designated shall be known as patrol troopers.

(2) There may be appointed one lieutenant colonel; and such majors, captains, corporals, sergeants and troopers as the commissioner deems necessary to carry out the duties and functions of the highway patrol. Persons in above named positions shall be appointed by law and have such duties as the commissioner may direct and, except for troopers, shall be selected from the patrol troopers, corporals, sergeants, captains, and majors who shall have had at least five years' experience as either patrol troopers, corporals, sergeants, or supervisors.

(3) ~~Commencing July 4, 1979, the salaries for all members of the highway patrol, except for the chief supervisor and the lieutenant colonel shall be as shown in the following table:~~

~~TOTAL YEARS OF SERVICE~~

	~~Base Salary~~	~~6 Months~~	~~1 Year~~	~~2 Years~~	~~3 Years~~
~~Trooper~~	~~$1186~~	~~1229~~	~~1327~~	~~1377~~	~~1439~~

	~~4 thru 6 Years~~	~~7 thru 11 Years~~	~~12 thru 20 Years~~	~~After 20 Years~~
~~Trooper~~	~~$1511~~	~~1566~~	~~1625~~	~~1687~~

	~~5 thru 11 Years~~	~~12 thru 20 Years~~	~~After 20 Years~~
~~Trooper I~~	~~$1566~~	~~1625~~	~~1687~~

	~~10 thru 20 Years~~	~~After 20 Years~~
~~Corporal~~	~~$1650~~	~~1712~~

~~Staff Sergeant~~

~~Years~~						
~~7~~	~~8~~	~~9~~	~~10~~	~~11~~	~~12 thru 20~~	~~After 20~~
~~$1656~~	~~1687~~	~~1719~~	~~1753~~	~~1786~~	~~1817~~	~~1880~~

~~TIME IN RANK~~

	~~Base Salary~~	~~1 Year~~	~~2 Years~~	~~After 12 Years total Service~~	~~After 20 Years total Service~~
~~Captain~~	~~$1959~~	~~2020~~	~~2083~~	~~2143~~	~~2202~~
~~Major~~	~~2239~~	~~2301~~		~~2363~~	~~2425~~

~~Commencing July 2, 1980, the salaries for all members of the highway patrol, except for the chief supervisor and the lieutenant colonel shall be as shown in the following table:~~

TOTAL YEARS OF SERVICE

	Base Salary	6 Months	1 Year	2 Years	3 Years
Trooper	$1257	1303	1407	1460	1525

	4 thru 6 Years	7 thru 11 Years	12 thru 20 Years	After 20 Years
Trooper	$1602	1660	1723	1788

	5 thru 11 Years	12 thru 20 Years	After 20 Years
Trooper I	$1660	1723	1788

	10 thru 20 Years	After 20 Years
Corporal	$1749	1815

Staff Sergeant				Years		
7	8	9	10	11	12 thru 20	After 20
$1755	1788	1822	1858	1893	1926	1993

TIME IN RANK

	Base Salary	1 Year	2 Years	After 12 Years Total Service	After 20 Years Total Service
Captain	$2077	2141	2208	2272	2334
Major	$2373	2439		2505	2571

Employees designated as station sergeants shall receive an additional three percent above the current rate rounded to the nearest dollar for the duration of the appointment. Employees permanently assigned exclusively to Twin City metropolitan freeway duty shall be designated freeway troopers and shall be compensated $25 per month above their current salary when so assigned. Salary increases in accordance with the above schedule shall become effective for the payroll period nearest the employee's anniversary date of employment.

(4) Upon promotion, the person will be paid at the base salary rate of pay in effect for that rank, and shall subsequently be eligible for the time in rank increases calculated from the effective date of promotion.

(5) Any time in rank increases in salary provided for in the tables in clause (3), shall be effective for the payroll period nearest the employee's anniversary date of employment.

The salary rates for all highway patrol troopers, corporals and sergeants as cited in clause (3) shall be deemed to include reimbursement for shift differential, meal and business expenses incurred by highway patrol troopers, corporals and sergeants in the performance of their assigned duties in their patrol areas; business expenses include, but are not limited to: uniform costs, home garaging of squad cars and maintenance of home office.

Sec. 6. Laws 1979, Chapter 332, Article I, Section 116, as amended by Laws 1980, Chapter 617, Section 44, is amended to read:

Sec. 116. [EFFECTIVE DATE.]

The effective dates for Article I are as follows: sections 2, 4, 8, 40, 45, 46, 47, 58, 61, 65, 82-91, and 113 are effective upon final enactment. Section 64, is effective June 30, 1980. Sections 3, 5, 6 and 7 are effective July 1, 1981. The remaining provisions of Article I are effective July 1, 1979. The provisions of section 47 shall apply to all disciplinary actions taken on or after the

effective date of section 47. The provisions of section 63 shall expire on July 1, 1981, but shall apply to all arbitration proceedings which are to determine contractual provisions for the 1981-1983 biennium. The provisions of section 64 shall expire on July 1, ~~1981~~ *1983*, but shall apply to all arbitration proceedings which are to determine contractual provisions for the next contract period. The provisions of sections 93 to 111 and 113 shall expire on July 1, 1981. The provisions of section 137.02, subdivision 4, shall not apply to sections 93 to 111.

Sec. 7. [RATIFICATION; STATE OF MINNESOTA.]

Subdivision 1. The labor agreement between the state of Minnesota and the bureau of criminal apprehension agents' association, Minnesota conservation officers' association and Minnesota state patrol officers' association, approved by the legislative commission on employee relations on August 18, 1981, is hereby ratified.

Subd. 2. The labor agreement between the state of Minnesota and the American federation of state, county and municipal employees, council 6, approved by the legislative commission on employee relations on August 19, 1981, is hereby ratified.

Subd. 3. The labor agreement between the state of Minnesota and the Minnesota nurses association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 4. The labor agreement between the state of Minnesota and the interfaculty organization, Minnesota education association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 5. The labor agreement between the state of Minnesota and the Minnesota community college faculty association, Minnesota education association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 6. The labor agreement between the state of Minnesota and the Minnesota state university association of administrative and service faculty, international brotherhood of teamsters, local 320, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 7. The arbitration award and the resulting labor agreement between the state of Minnesota and the Minnesota government engineers' council, approved by the legislative commission on employee relations on March 1, 1982, are hereby ratified.

Subd. 8. The labor agreement between the state of Minnesota and the association of health treatment professionals, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 9. The labor agreement between the state of Minnesota and the Minnesota association of professional employees, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 10. The labor agreement between the state of Minnesota and the state residential schools education association, approved by the legislative commission on employee relations on January 26, 1982, is hereby ratified.

Subd. 11. The labor agreement between the state of Minnesota and the middle management association, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Subd. 12. The commissioner of employee relations' plan for certain unrepresented state employees, approved by the legislative commission on employee relations on November 19, 1981, is hereby ratified.

Sec. 8. [RATIFICATION; UNIVERSITY OF MINNESOTA.]

Subdivision 1. The salary supplements provided in the labor agreement between the regents of the University of Minnesota and the international brotherhood of teamsters, local 320, approved by the legislative commission on employee relations on September 3, 1981, are hereby ratified.

Subd. 2. The salary supplements provided in the labor agreement between the regents of the University of Minnesota and the international brotherhood of teamsters, local 320, approved by the legislative commission on employee relations on November 19, 1981, are hereby ratified.

Subd. 3. The salary supplements provided in the labor agreement between the regents of the University of Minnesota and the American federation of state, county and municipal employees, council 6, and local 1164, American federation of labor-congress of industrial organizations, approved by the legislative commission on employee relations on September 29, 1981, are hereby ratified.

Subd. 4. The salary supplements provided in the University of Minnesota regents' compensation plan for unrepresented nursing professional, noninstructional (nonacademic appointment) professional and supervisory employees, approved by the legislative commission on employee relations on January 12, 1982, are hereby ratified.

Subd. 5. The salary supplements provided in the University of Minnesota regents' compensation plan for unrepresented clerical and office, technical, managerial and confidential employees, approved by the legislative commission on employee relations on November 19, 1981, are hereby ratified.

Subd. 6. The salary supplements provided in the University of Minnesota regents' compensation plan for unrepresented twin cities and outstate instructional, graduate assistant and noninstructional (academic appointment) professional employees, approved by the legislative commission on employee relations on January 12, 1982, are hereby ratified.

Sec. 9. [INTERIM APPROVAL.]

After adjournment of the 1982 session of the legislature, the legislative commission on employee relations may give interim approval to a negotiated agreement, arbitration award, salary supplement, or compensation plan submitted to it in accordance with other law. The legislative commission on employee relations shall submit the agreement, award, salary supplement, or plan to the entire legislature for ratification in the same manner and with the same effect as provided in section 179.74, subdivision 5.

Sec. 10. [SALARY OF EXECUTIVE SECRETARY; HIGHER EDUCATION COORDINATING BOARD.]

Notwithstanding any other law to the contrary, the higher education coor-

dinating board may establish the salary of its executive director.

Sec. 11. [COURT REPORTERS.]

The departmental and classification seniority of an individual who was employed as a court reporter in state service prior to his appointment as a court reporter in the office of administrative hearings pursuant to Laws 1975, Chapter 380, Section 16, shall carry forward and be credited to his employment with the office of administrative hearings.

Sec. 12. [REVIEW OF EXECUTIVE POSITIONS.]

The legislative commission on employee relations is directed to review the executive positions contained in section 15A.081, those that have been removed through legislative action, and those that have never been included. This review shall consider managerial and programmatic responsibilities and authority, the skill and effort required by each position, and compensation accorded. The commission may utilize the findings of the 1980 governor's task force on executive and judicial compensation. The commission shall report back to the legislature by February 15, 1983, its recommendations relative to appropriate inclusion in section 15A.081 and equitable compensation for comparable executive positions.

Sec. 13. [REPEALER.]

Minnesota Statutes 1980, Sections 299C.041 and 299D.03, Subdivision 3, are repealed.

Sec. 14. [REPEALER.]

Minnesota Statutes 1980, Section 179.72, Subdivision 7a is repealed.

Sec. 15. [EFFECTIVE DATE.]

Section 14 is effective July 1, 1982. The remaining sections are effective the day following final enactment.''

Delete the title and insert:

''A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; clarifying meet and confer status for professional employees; extending final offer arbitration to certain public employee impasses under PELRA; removing it for others except on a voluntary basis; amending Minnesota Statutes 1980, Sections 179.66, Subdivision 7; 179.72, Subdivisions 7 and 7b; 299D.03, Subdivision 2; Laws 1979, Chapter 332, Article I, Section 116, as amended; proposing new law coded in Minnesota Statutes, Chapter 486; repealing Minnesota Statutes 1980, Sections 179.72, Subdivision 7a; 299C.041; and 299D.03, Subdivision 3.''

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

Senate Conferees: (Signed) Franklin J. Knoll, Allan H. Spear, George S. Pillsbury, Donald M. Moe, Tom A. Nelson

House Conferees: (Signed) Wayne A. Simoneau, Michael R. Sieben, Charles C. Halberg, Fred C. Norton

Mr. Knoll moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1964 be now adopted, and that the bill be

repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1964 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 58 and nays 4, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lindgren	Petty	Stern
Bang	Engler	Luther	Pillsbury	Stokowski
Belanger	Frank	Menning	Purfeerst	Stumpf
Benson	Frederickson	Merriam	Ramstad	Taylor
Berg	Hanson	Moe, D. M.	Renneke	Tennessen
Berglin	Hughes	Moe, R. D.	Rued	Ulland
Bernhagen	Johnson	Nelson	Schmitz	Vega
Brataas	Kamrath	Olhoft	Setzepfandt	Waldorf
Chmielewski	Kroening	Pehler	Sieloff	Wegener
Dahl	Kronebusch	Peterson,C.C.	Sikorski	Willet
Davies	Langseth	Peterson,D.L.	Solon	
Davis	Lantry	Peterson,R.W.	Spear	

Messrs. Bertram, Knoll, Lessard and Penny voted in the negative.

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

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2000 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2000 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H. F. No. 2000

A bill for an act relating to health and welfare; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the general assistance program; revising a penalty; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H. F. No. 2000, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 2000 be further amended as follows:

Pages 4 to 6, delete sections 8 and 9 and insert:

"Sec. 8. Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1, is amended to read:

Subdivision 1. [STANDARDS.] Each person or family whose income and resources are less than the standard of assistance established by the commissioner~~, and who is not eligible for the federally aided assistance programs of emergency assistance or aid to families with dependent children, or any successor to those programs,~~ shall be eligible for and entitled to general assistance ~~if the person or family is:~~

~~(a) A person suffering from an illness, injury, or incapacity which is both medically certified and prevents the individual from engaging in suitable employment, if a plan for rehabilitation approved by the local agency through its director or designated representative is being followed when the situation is certified as temporary;~~

~~(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness or incapacity of another member of the household;~~

~~(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is pursuant to a plan developed or approved by the local agency through its director or designated representative;~~

~~(d) A person who resides in a shelter facility described in subdivision 3;~~

~~(e) A person who is or may be eligible for displaced homemaker services, programs, or assistance under section 4.40. In determining eligibility of the person for general assistance, income received as a stipend shall be disregarded as provided in section 4.40;~~

~~(f) A person who is unable to secure suitable employment due to inability to communicate in the English language, and who, if assigned to a language skills program by the local agency, is participating in that program;~~

~~(g) A person not described in clause (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally ill; or~~

~~(h) A person who is unable to secure suitable employment due to a lack of marketable skills as determined by the local agency, and who, if assigned to a vocational counseling, vocational rehabilitation, or work training program by the local agency, is participating in that program. Eligibility for general assistance under clause (h) of this subdivision is limited to five weeks per calendar year~~; *provided that no individual shall be eligible for general assistance if the*

individual is eligible for any of the following federally aided assistance programs: emergency assistance, aid to families with dependent children, or any successor to the above.

Sec. 9. Minnesota Statutes 1980, Section 256D.05, is amended by adding a subdivision to read:

Subd. 1a. [TEMPORARY STANDARDS.] *Notwithstanding the provisions of subdivision 1, from the day following final enactment of this act until June 30, 1983, each person or family whose income and resources are less than the standard of assistance established by the commissioner, and who is not eligible for the federally aided assistance programs of emergency assistance or aid to families with dependent children, or any successor to those programs, shall be eligible for and entitled to general assistance if the person or family is:*

(a) A person who is suffering from a permanent or temporary illness, injury, or incapacity which is both medically certified and prevents the person from engaging in suitable employment, and who, if the medical certification establishes that the illness, injury, or incapacity is temporary and recommends a reasonable plan for rehabilitation, is following the plan;

(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness or incapacity of another member of the household;

(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is pursuant to a plan developed or approved by the local agency through its director or designated representative;

(d) A person who resides in a shelter facility described in subdivision 3;

(e) A person who is or may be eligible for displaced homemaker services, programs, or assistance under section 4.40. In determining eligibility of the person for general assistance, income received as a stipend shall be disregarded as provided in section 4.40;

(f) A person who is unable to secure suitable employment due to inability to communicate in the English language, and who, if assigned to a language skills program by the local agency, is participating in that program;

(g) A person not described in clause (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally ill or mentally retarded;

(h) A person who is unable to secure suitable employment due to a lack of marketable skills and who, if assigned to a vocational counseling, vocational rehabilitation, or work training program by the local agency, is participating in that program. Eligibility for general assistance under clause (h) of this subdivision is limited to five weeks per calendar year;

(i) A person who has an application pending for the program of supplemental security income for the aged, blind and disabled or has been terminated from that program and has an appeal from that termination pending, and who has executed an interim assistance authorization agreement pursuant to the provisions of section 256D.06, subdivision 5; or

(j) A person who is unable to secure suitable employment because his ad-

vanced age significantly affects his ability to engage in substantial work. This clause is effective January 1, 1983.

This subdivision is repealed July 1, 1983.

Sec. 10. [APPROPRIATIONS.]

$12,000 is reappropriated from Laws 1981, Chapter 360, Article I, Section 2, to the commissioner of public welfare for the purposes of the statewide hearing impaired program.

Sec. 11. [REVENUE; APPROPRIATION.]

Subdivision 1. [APPROPRIATION.] *There is appropriated from the general fund to the department of revenue, for the fiscal year indicated, to implement the administrative and auditing responsibilities of a unitary large scale audit unit.*

Fiscal Year 1982	*-0-*
Fiscal Year 1983	*$900,000*

The approved complement of the department is increased by three positions in fiscal year 1982 and 23 additional positions in fiscal year 1983.

Subd. 2. [COMPUTER DESIGN.] *In the development of the computer system for corporate taxation, the department of revenue shall include a method for identifying funds collected as a result of direct department auditing efforts.*

Subd. 3. [AUDIT REQUESTED.] *The legislative auditor, as approved by the legislative audit commission, shall conduct audits of the fair share and unitary tax collection programs of the department of revenue.*

Subd. 4. [REPORT TO THE LEGISLATURE.] *The commissioner of revenue shall report to the chairmen of the house appropriations, house tax, senate finance, and senate tax committees by March 1, 1983. The report shall contain the tax collections realized through the unitary large scale audit program; an estimate of potential tax collections; and recommendations about the level of staffing necessary to maximize collections.*''

Page 6, line 22, after ''9'' insert ''*and 11*''

Page 6, line 23, after the period insert ''*Section 10 is effective July 1, 1982.*''

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete ''health and welfare'' and insert ''state government''

Page 1, line 8, after the semicolon, insert ''enhancing the state's ability to fund health and welfare programs by strengthening tax collection efforts; supplementing appropriations for the department of revenue; reappropriating money;''

Page 1, line 13, before the period insert '', and by adding a subdivision''

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

House Conferees: (Signed) Lee Greenfield, Don Samuelson, Mary M. Forsythe

Senate Conferees: (Signed) Gerry Sikorski, Franklin J. Knoll, Howard A. Knutson

Mr. Sikorski moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2000 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2000: A bill for an act relating to state government; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the general assistance program; revising a penalty; enhancing the state's ability to fund health and welfare programs by strengthening tax collection efforts; supplementing appropriations for the department of revenue; reappropriating money; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1, and by adding a subdivision.

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

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

The roll was called, and there were yeas 52 and nays 10, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Lantry	Peterson,D.L.	Solon
Bang	Engler	Lindgren	Peterson,R.W.	Stokowski
Belanger	Frank	Luther	Pillsbury	Taylor
Benson	Frederickson	Menning	Purfeerst	Ulland
Berg	Hanson	Moe, D. M.	Ramstad	Vega
Bernhagen	Hughes	Moe, R. D.	Renneke	Waldorf
Bertram	Johnson	Nelson	Rued	Wegener
Brataas	Kamrath	Olhoft	Schmitz	Willet
Chmielewski	Kroening	Pehler	Setzepfandt	
Dahl	Kronebusch	Penny	Sieloff	
Davies	Langseth	Peterson,C.C.	Sikorski	

Those who voted in the negative were:

Berglin	Knoll	Merriam	Spear	Stumpf
Dicklich	Lessard	Petty	Stern	Tennessen

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

RECONSIDERATION

Mr. Moe, R.D. moved that the vote whereby S.F. No. 1964 was passed by the Senate on March 13, 1982, be now reconsidered. The motion prevailed.

S.F. No. 1964: A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; amending Minnesota Statutes 1980, Section 299D.03, Subdivision 2, repealing Minnesota Statutes 1980, Sections 299C.041; and 299D.03, Sub-

division 3.

The question recurred on the repassage of S.F. No. 1964.

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

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Davis	Lantry	Peterson,D.L.	Solon
Bang	Dicklich	Lessard	Peterson,R.W.	Spear
Belanger	Engler	Lindgren	Petty	Stern
Benson	Frank	Luther	Pillsbury	Stokowski
Berg	Frederickson	Menning	Purfeerst	Stumpf
Berglin	Hanson	Merriam	Ramstad	Taylor
Bernhagen	Hughes	Moe, R. D.	Renneke	Tennessen
Bertram	Johnson	Nelson	Rued	Ulland
Brataas	Kamrath	Olhoft	Schmitz	Vega
Chmielewski	Kroening	Pehler	Setzepfandt	Waldorf
Dahl	Kronebusch	Penny	Sieloff	Wegener
Davies	Langseth	Peterson,C.C.	Sikorski	Willet

Mr. Knoll voted in the negative.

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

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

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

House Concurrent Resolution No. 8: A House concurrent resolution relating to adjournment of the Senate and House of Representatives for more than three days.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

House Concurrent Resolution No. 8: A House concurrent resolution relating to adjournment of the Senate and House of Representatives for more than three days.

BE IT RESOLVED by the House of Representatives, the Senate concurring:

(1) Upon their adjournments on March 13, 1982, the House of Representatives may set its next day of meeting for March 18, 1982, at 11:00 a.m. and the Senate may set its next day of meeting for March 18, 1982, at 11:00 a.m.

(2) By adoption of this resolution, each house consents to adjournment of the other body for more than three days.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1964, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1964: A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; amending Minnesota Statutes 1980, Section 299D.03, Subdivision 2; repealing Minnesota Statutes 1980, Sections 299C.041; and 299D.03, Subdivision 3.

Senate File No. 1964 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1621, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1621: A bill for an act relating to state government; removing the geographic limitation on state and public employees' eligibility for the state employee transportation program; amending Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.

Senate File No. 1621 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1706, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1706: A bill for an act relating to insurance; authorizing separate accounts for certain pension plans; amending Minnesota Statutes 1981 Supplement, Section 61A.282, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 61A.

Senate File No. 1706 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1907, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1907: A bill for an act relating to real property; requiring certification by the municipality prior to transfer by the county auditor of certain unplatted properties; proposing new law coded in Minnesota Statutes, Chapter 272.

Senate File No. 1907 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 536, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 536: A bill for an act relating to local government; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; amending Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.

Senate File No. 536 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 2000, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 2000: A bill for an act relating to the city of Brooklyn Center; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program.

Senate File No. 2000 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1443, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1443: A bill for an act relating to agriculture; prohibiting the trafficking in skunks; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 145.

Senate File No. 1443 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1948, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1948: A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain

conditions.

Senate File No. 1948 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on Senate File No. 1962, and repassed said bill in accordance with the report of the Committee, so adopted.

S.F. No. 1962: A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6 and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, Subdivision 1.

Senate File No. 1962 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1957, 2127 and 1637.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 13, 1982

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 678, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 678 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 13, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 678

A bill for an act relating to elections; changing certain election procedures, requirements and time limits; amending Minnesota Statutes 1980, Sections 201.071, Subdivision 1; 202A.26, Subdivision 1; 203A.22, Subdivision 4; 203A.31, Subdivisions 1 and 3; 203A.32; 204A.04, Subdivision 1; 204A.13, Subdivision 1; 204A.17, Subdivision 1; 204A.53, Subdivision 2; 204A.54, Subdivision 1; 205.03, Subdivisions 1 and 3; 207.03, Subdivision 1; 207.04, Subdivision 1; and 207.20, Subdivision 1; repealing Minnesota Statutes 1980, Sections 201.091, Subdivision 5; and 202A.54.

March 13, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 678, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 678 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1980, Section 10A.01, Subdivision 7b, is amended to read:

Subd. 7b. "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the nomination or election of a candidate or for the purpose of promoting or defeating a ballot question. Donation in kind includes an approved expenditure. *Donation in kind does not include the publishing or broadcasting, at any time, of any information, news item or editorial comment by the news media. Any rules or regulations to the contrary have no force or effect and are repealed.*

Sec. 2. Minnesota Statute 1980, Section 10A.02, Subdivision 13, is amended to read:

Subd. 13. The provisions of chapter 15 apply to the board~~.~~ *except that* the board may *not* promulgate rules ~~to carry out the purposes of sections 10A.01 to 10A.34~~.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 201.071, Subdivision 1, is amended to read:

Subdivision 1. [FORM.] Registration cards shall be of suitable size and weight for mailing, and shall contain the following information in substantially the following form:

VOTER REGISTRATION CARD
(Please print or type)

Date: .....

1. Name: .....
Last First Middle Initial
2. Address: .....
Street or Route No.
.....
City (or Township) County Zip
3. Telephone Number:
4. Date of birth ~~(optional)~~: *Month:* ..... *Day:* ..... *Year:* .....
(year optional)
5. Last registration if any .....
Street or Route Number
.....
City (or Township) Zip

6. I certify that I will be at least 18 years old on election day and that the above facts are correct. I understand that giving false information to procure a registration is a felony punishable by not more than five years imprisonment and a fine of not more than $5,000, or both.

. . . . . .
Signature of Voter

Sec. 4. Minnesota Statutes 1981 Supplement, Section 203B.02, Subdivision 1, is amended to read:

Subdivision 1. [UNABLE TO GO TO POLLING PLACE.] Any eligible voter who ~~is~~ *reasonably anticipates he will be* unable to go to the polling place on election day in the precinct where the individual maintains residence because of absence from the precinct, illness, physical disability, religious discipline, observance of a religious holiday or service as an election judge in another precinct may vote by absentee ballot as provided in sections 203B.04 to 203B.15.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 203B.04, Subdivision 1, is amended to read:

Subdivision 1. [APPLICATION PROCEDURES.] Except as otherwise allowed by subdivision 2, an application for absentee ballots for any election may be submitted at any time not ~~more than 45 days nor~~ less than one day before the day of that election. An application submitted pursuant to this subdivision shall be in writing and shall be submitted to:

(a) The county auditor of the county where the applicant maintains residence; or

(b) The municipal clerk of the municipality where the applicant maintains residence.

An application shall be accepted if it is signed and dated by the applicant, contains the applicant's residence and mailing addresses and states that the applicant is eligible to vote by absentee ballot for one of the reasons specified in section 203B.02.

Sec. 6. Minnesota Statutes 1981 Supplement, Section 204B.12, Subdivision 1, is amended to read:

Subdivision 1. [BEFORE PRIMARY.] A candidate may withdraw his name from the primary ballot by filing an affidavit of withdrawal with the same official who received the affidavit of candidacy. The affidavit shall request that official to withdraw the candidate's name from the ballot and shall be filed no later than ~~six~~ *three* days after the last day for filing for the office.

Sec. 7. Minnesota Statutes 1981 Supplement, Section 204B.19, Subdivision 1, is amended to read:

Subdivision 1. [INDIVIDUALS QUALIFIED TO BE ELECTION JUDGES.] Any individual who is eligible to vote in an election precinct is qualified to be appointed as an election judge for that precinct subject to the provisions of this section. ~~If an insufficient number of eligible voters maintaining residence in any precinct are willing and qualified to be appointed election judges for that precinct, the appointing authority may appoint as an election judge for that precinct any qualified individual who is eligible to vote~~

~~in the territory under the jurisdiction of the authority which established the precinct.~~ *If the files of the appointing authority do not contain sufficient voters within a precinct who are qualified and willing to serve as election judges, election judges may be appointed who reside in another precinct in the same municipality. If there are not sufficient voters within the municipality who are qualified and willing to serve as election judges, election judges may be appointed who reside in the county where the precinct is located.*

Subd. 2. [INDIVIDUALS NOT QUALIFIED TO BE ELECTION JUDGES.] No individual shall be appointed as an election judge for any precinct if that individual:

(a) Is unable to read, write or speak the English language;

(b) Is the spouse, parent, child or sibling of any election judge serving in the same precinct or of any candidate at that election or of any member of the governing body of the municipality or county which established the precinct; *or*

(c) Is a candidate at that election~~; or~~

~~(d) Is receiving compensation as an employee or officer of the United States, the state or any municipality or county in the state~~.

~~Subd. 3. [EXCEPTIONS.] Notwithstanding subdivision 2, clause (d), the following individuals may serve as election judges in municipalities with only one election precinct:~~

~~(a) Any town clerk, town treasurer or member of a town board; and~~

~~(b) Any city clerk or member of the city council of any statutory city.~~

Subd. ~~4~~ *3*. [ADDITIONAL QUALIFICATIONS PERMITTED; EXAMINATION.] The appointing authority may establish additional qualifications which are not inconsistent with the provisions of this section and which relate to the ability of an individual to perform the duties of an election judge. The appointing authority may examine any individual who seeks appointment as an election judge to determine whether the individual meets any qualification established under this section.

Subd. ~~5~~ *4*. [PARTY BALANCE REQUIREMENT.] No more than half of the election judges in a precinct may be members of the same major political party unless the election board consists of an odd number of election judges, in which case the number of election judges who are members of the same major political party may be one more than half the number of election judges in that precinct.

Subd. 5. [TIME OFF FROM WORK TO SERVE AS ELECTION JUDGE.] *Every individual who is selected to serve as an election judge pursuant to section 204B.21, subdivision 2 is entitled, after giving his employer at least ten days' written notice, to absent himself from his place of work for the purpose of serving as an election judge. No employer shall penalize an employee for such absence other than a deduction in salary for the time he absented himself from his place of employment.*

Sec. 8. Minnesota Statutes 1981 Supplement, Section 204B.21, Subdivision 1, is amended to read:

Subdivision 1. [APPOINTMENT LISTS; DUTIES OF POLITICAL PAR-

TIES AND COUNTY AUDITOR.] ~~At least 65 days before any~~ *On July 1 in a year in which there is an* election for a partisan political office, the county or legislative district chairmen of each major political party, whichever is designated by the state party, shall prepare a list of eligible voters to act as election judges in each election precinct in the county or legislative district. The chairmen shall furnish the lists to the county auditor of the county in which the precinct is located.

~~At least 55 days before the date of the election,~~ *By July 15* the county auditor shall furnish to the appointing authorities a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority. Separate lists shall be submitted by the county auditor for each major political party.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 204B.27, Subdivision 1, is amended to read:

Subdivision 1. [BLANK FORMS.] At least ~~15~~ *25* days before every state election the secretary of state shall transmit to each county auditor a sufficient number of blank county abstract forms, affidavits of challenged voters, and any other blank forms that the secretary of state deems necessary for the conduct of the election.

Sec. 10. Minnesota Statutes 1981 Supplement, Section 204B.31, is amended to read:

[204B.31] [COMPENSATION FOR ELECTION SERVICES.]

The compensation for services performed under the Minnesota election law shall be as follows:

(a) To presidential electors from funds appropriated to the secretary of state for this purpose, $35 for each day of attendance at the capitol and mileage for travel to and from the capitol in the amount allowed for state employees in accordance with rules adopted pursuant to Minnesota Statutes, Section ~~471.665~~ *43A.18*, Subdivision ~~1~~ *2*;

(b) To individuals, other than county, city, or town employees during their normal work day, who are appointed by the county auditor to carry ballots to or from the county auditor's office, a sum not less than the prevailing Minnesota minimum wage for each hour spent in carrying ballots and mileage in ~~the~~ *an* amount ~~allowed for state employees in accordance with rules adopted~~ *set by the county board* pursuant to Minnesota Statutes, Section 471.665, Subdivision 1;

(c) To members of county canvassing boards, a sum not less than the prevailing Minnesota minimum wage for each hour necessarily spent and an amount for each mile of necessary travel ~~equal to the amount allowed for state employees~~ *set by the county board* pursuant to Minnesota Statutes, Section 471.665, Subdivision 1;

(d) To election judges serving in any city, an amount fixed by the governing body of the city, to election judges serving in unorganized territory, an amount fixed by the county board, and to election judges serving in towns, an amount fixed by the town board. Election judges ~~in towns and unorganized territory~~ shall receive at least the prevailing Minnesota minimum wage for each hour spent carrying out their duties at the polling places *and in attending training sessions required by section 204B.25, subdivision 1*. An election judge who travels to pick up election supplies or to deliver election returns to the county

auditor shall receive, in addition to other compensation authorized by this section, a sum not less than the prevailing Minnesota minimum wage for each hour spent performing these duties, plus mileage in ~~the same~~ *an* amount ~~as allowed for state employees pursuant to section 471.665, subdivision 1~~ *to be set by the governing body or town board that sets the compensation of the election judge*; and

(e) To sergeants at arms, an amount for each hour of service performed at the direction of the election judges, fixed in the same manner as compensation for election judges.

Sec. 11. Minnesota Statutes 1981 Supplement, Section 204B.34, Subdivision 1, is amended to read:

Subdivision 1. [STATE ELECTIONS.] At least 15 days before any state primary or state general election the municipal clerk shall post in his office a notice stating the officers to be nominated or elected, the location of each polling place in the municipality, and the hours for voting. *An optional provision of the notice may include municipal officers to be nominated or elected.* The county auditor shall post a similar notice in his office including information concerning any polling places in unorganized territory in the county. The governing body of a municipality or county may publish this notice in addition to posting it. Failure to give the notice required in this section shall not invalidate a state primary or state general election.

Sec. 12. Minnesota Statutes 1981 Supplement, Section 204B.35, Subdivision 4, is amended to read:

Subd. 4. [ABSENTEE BALLOTS; PREPARATION; DELIVERY.] Ballots necessary to fill applications of absentee voters shall be prepared and delivered at least ~~15~~ *20* days before the election to the officials who administer the provisions of chapter 203B.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 204C.32, Subdivision 2, is amended to read:

Subd. 2. [STATE CANVASS.] The state canvassing board shall meet at the secretary of state's office on the second Tuesday after the state primary to canvass the certified copies of the county canvassing board reports received from the county auditors. ~~Upon completion of the canvass~~ *Two days after the canvassing board declares the results*, the secretary of state shall ~~promptly~~ certify the names of the nominees to the county auditors and shall mail to each nominee a notice of nomination.

Sec. 14. Minnesota Statutes 1981 Supplement, Section 204C.33, Subdivision 2, is amended to read:

Subd. 2. [COUNTY CANVASSING BOARD REPORTS; PUBLIC AVAILABILITY.] ~~Upon payment of a $1 fee,~~ The county auditor of each county shall provide a certified copy of the county canvassing board report to anyone who requests it *upon payment of costs of reproduction actually incurred by the auditor's office. The auditor shall not take into account the general office expenses or other expenses.*

Sec. 15. Minnesota Statutes 1981 Supplement, Section 204D.06, is amended to read:

204D.06 [CERTIFICATION OF NAMES BY SECRETARY OF STATE.]

At least ~~32~~ *42* days before a state primary, the secretary of state shall certify to the county auditors the names of all candidates who have properly filed affidavits of candidacy with the secretary of state and who will be voted for in their respective counties at that primary.

Sec. 16. Minnesota Statutes 1981 Supplement, Section 204D.11, Subdivision 1, is amended to read:

Subdivision 1. [WHITE BALLOT; RULES; REIMBURSEMENT.] The names of the candidates for all partisan offices voted on at the state general election ~~and candidates for the office of justice and chief justice of the supreme court~~ shall be placed on a single ballot printed on white paper which shall be known as the "white ballot". This ballot shall be prepared by the county auditor subject to the rules of the secretary of state. The state shall reimburse the counties for the cost of preparing the white ballot and the envelopes required for the returns of that ballot. The secretary of state shall adopt rules for preparation and time of delivery of the white ballot and for reimbursement of the counties' costs.

Sec. 17. Minnesota Statutes 1981 Supplement, Section 204D.11, Subdivision 5, is amended to read:

Subd. 5. [BALLOT HEADINGS.] The white, pink and special federal white ballot shall be headed with the words "State General Election Ballot". The canary ballot shall be headed with the words "~~County and Judicial District General Election Ballot~~ *Ballot of Nonpartisan Candidates*".

Sec. 18. Minnesota Statutes 1981 Supplement, Section 204D.14, is amended to read:

204D.14 [WHITE AND CANARY BALLOTS; NONPARTISAN OFFICES.]

Subdivision 1. [ROTATION OF NAMES.] The names of candidates for nonpartisan offices on the ~~white and~~ canary ~~ballots~~ *ballot* shall be rotated in the manner provided for rotation of names on state partisan primary ballots by section 204D.08, subdivision 3.

Subd. 2. [UNCONTESTED OFFICES.] Nonpartisan offices for which there is only one candidate shall appear after all contested offices on the ~~appropriate white or~~ canary ballot.

Sec. 19. Minnesota Statutes 1981 Supplement, Section 204D.15, Subdivision 2, is amended to read:

Subd. 2. [DISTRIBUTION.] The pink ballot shall be provided in groups of 50. At least ~~15~~ *25* days before the state general election the secretary of state shall forward to the county auditor of each county sufficient ballots to enable the county auditor to comply with the absentee voting provisions of section 204B.28, subdivision 2. The county auditor shall give a receipt to the secretary of state stating the number of pink ballots and the date when they were received.

Sec. 20. Minnesota Statutes 1980, Section 205.02, is amended to read:

205.02 [~~APPLICATION~~ *STATUTES APPLICABLE* .]

Subdivision 1. [MINNESOTA ELECTION LAW.] Except as provided in

~~sections 205.01 to 205.17 all of~~ *this chapter* the provisions of the Minnesota election law ~~are applicable~~ *apply* to municipal elections, so far as practicable.

Subd. 2. [CITY ELECTIONS.] *In all statutory and home rule charter cities, the primary, general and special elections held for choosing city officials and deciding public questions relating to the city shall be held as provided in this chapter, except that sections 205.02; section 2, subdivisions 2 to 7; 205.07 to 205.13 and sections 8 and 9 do not apply to a city whose charter provides the manner of holding its primary, general or special elections.*

Sec. 21. Minnesota Statutes 1981 Supplement, Section 205.03, Subdivision 1, is amended to read:

Subdivision 1. [CITIES.] In all statutory and home rule charter city elections the governing body of the city, by resolution adopted prior to the giving of notice of the election, may designate the time, in no event less than three hours, during which the polling places will remain open for voting at the next succeeding and all subsequent city elections, until the resolution is revoked. *Cities referred to in this subdivision shall make certification of election hours to the county auditor upon adoption of the resolution giving notice of election.*

Sec. 22. Minnesota Statutes 1981 Supplement, Section 205.03, Subdivision 3, is amended to read:

Subd. 3. [OTHER TOWNS.] In any election of town officers in a town other than a town described in subdivision 2, the town board, by resolution adopted prior to the giving of notice of the election, may designate the time, in no event less than three hours, during which the polling places will remain open for voting at the next succeeding and all subsequent town elections. The resolution shall remain in force until revoked by the town board. *Towns referred to in this subdivision shall make certification of the election hours to the county auditor in January of each year.*

Sec. 23. [205.065] [PRIMARY ELECTIONS.]

Subdivision 1. [CITIES OF FIRST CLASS.] *A municipal primary for the purpose of nominating elective officers may be held in any city of the first class on the second or third Tuesday in March of any year in which a municipal general election is to be held for the purpose of electing officers.*

If the majority of the governing body of a city of the first class adopted a resolution after June 24, 1957 establishing the second or third Tuesday in March for holding its municipal primary in any year in which its municipal general election is held, and if the city clerk or other officer of the city charged with keeping the minutes and records of the governing body filed a certified copy of the resolution with the secretary of state and another certified copy of the resolution with the county recorder of the county in which the city is located, the time established by the resolution for holding the municipal primary is fixed, and the governing body of the city may not change the time unless the authority to make the change is conferred on the governing body by the legislature, or by an amendment to the charter of the city duly ratified and accepted by the eligible voters of the city, in accordance with the constitution of the state of Minnesota, Article IV, Section 36, and other applicable law.

Subd. 2. [RESOLUTION OR ORDINANCE.] *The governing body of a city of the second, third, or fourth class or a town containing a statutory city may,*

by ordinance or resolution adopted at least six weeks before the next municipal general election, elect to choose nominees for municipal offices by a primary as provided in subdivisions 2 to 7. The resolution or ordinance, when adopted, is effective for all ensuing municipal elections until it is revoked. Subdivisions 2 to 7 do not apply to a city the charter of which specifically prohibits or provides for a municipal primary.

Subd. 3. [DATE.] *The municipal primary shall be held two weeks before the municipal general election or at another time designated by the governing body in the ordinance or resolution adopting the primary system. The clerk shall give notice of the primary in the manner provided in section 205.16.*

Subd. 4. [CANDIDATES, FILING.] *The clerk shall place upon the primary ballot without partisan designation the names of individuals whose candidacies have been filed and for whom the proper filing fee has been paid. When not more than twice the number of individuals to be elected to a municipal office file for nomination for the office, their names shall not be placed upon the primary ballot and shall be placed on the municipal general election ballot as the nominees for that office.*

Subd. 5. [RESULTS.] *The municipal primary shall be conducted and the returns made in the manner provided for the state primary so far as practicable. Within two days after the primary, the governing body of the municipality shall canvass the returns, and the two candidates for each office who receive the highest number of votes, or a number of candidates equal to twice the number of individuals to be elected to the office, who receive the highest number of votes, shall be the nominees for the office named. Their names shall be certified to the municipal clerk who shall place them on the municipal general election ballot without partisan designation and without payment of an additional fee.*

Subd. 6. [RECOUNT.] *A losing candidate at the municipal primary may request a recount of the votes for that nomination subject to the requirements of section 204C.36.*

Subd. 7. [VACANCY IN NOMINATION.] *When a vacancy occurs in a nomination made at a municipal primary, the vacancy shall be filled in the manner provided in section 204B.13.*

Sec. 24. Minnesota Statutes 1980, Section 205.07, Subdivision 1, is amended to read:

205.07 [CITY *GENERAL* ELECTION.]

Subdivision 1. [DATE.] The ~~regular city~~ *municipal general* election in each statutory city shall be held ~~biennially~~ on the first Tuesday after the first Monday in November in every even-numbered year; except that the governing body of ~~any~~ *a* statutory city may, by ordinance passed at a regular meeting held before September 1 of any year, elect to hold the election on the first Tuesday after the first Monday in November in each odd-numbered year. ~~Any~~ *A* city which ~~is~~ *was* a village on January 1, 1974 and ~~has~~ before that date provided for a system of biennial elections in the odd-numbered year shall continue to hold its elections in that year until changed in accordance with this section. When a city changes its elections from one year to another, and does not provide ~~otherwise~~ *for the expiration of terms* by ordinance, the term of ~~any~~ *an* incumbent expiring at a time when no ~~city~~ *municipal* election is held in the months immediately

prior ~~thereto~~ *to expiration* is extended until the date for taking office following the next scheduled ~~city~~ *municipal* election. If ~~such~~ *the* change results in having three councilmen to be elected at a succeeding election, the two ~~persons~~ *individuals* receiving the highest vote shall serve for terms of four years and the ~~person~~ *individual* receiving the third highest number of votes shall serve for a term of two years. To ~~the extent necessary to~~ provide ~~for~~ an orderly transition to the odd or even year election plan, the council may adopt supplementary ordinances regulating initial elections~~,~~ *and* officers to be chosen at ~~such~~ *the* elections~~,~~ and shortening or lengthening the terms of incumbents and those ~~so~~ elected *at the initial election* so as to conform as soon as possible to the regular schedule provided in section 412.02, subdivision 1. Whenever the time ~~for holding~~ *of* the ~~city~~ *municipal* election is changed, the city clerk immediately shall notify in writing the county auditor and secretary of state of the change of date~~; and~~ . Thereafter the ~~regular city~~ *municipal general* election shall be held on the first Tuesday after the first Monday in November in each odd-numbered or even-numbered year until the ordinance is revoked and ~~similar~~ notification *of the change* is made.

Sec. 25. Minnesota Statutes 1981 Supplement, Section 205.10, is amended to read:

205.10 [~~SPECIAL~~ CITY *SPECIAL* ELECTIONS.]

Subdivision 1. [QUESTIONS.] Special elections may be held in ~~any~~ *a* statutory or home rule charter city on ~~any~~ *a* question on which the voters are authorized by law or charter to pass judgment. A special election may be ordered by the city council on its own motion or, on a question that has not been submitted to the voters in an election within *the previous* six months ~~previously~~, upon a petition signed by a number of voters equal to 20 percent of the votes cast at the last ~~regular city~~ *municipal general* election. ~~No~~ *A* question ~~so submitted shall be deemed~~ *is* carried ~~without such a~~ *only with the* majority in its favor ~~as may be~~ required by law or charter ~~in the particular instance~~. The election officials for ~~any~~ *a* special election shall be the same as for the ~~last preceding regular city~~ *most recent municipal general* election unless changed according to law. Otherwise special elections shall be conducted and the returns made in the manner provided for the ~~regular~~ municipal *general* election. ~~This section is not applicable to any city the charter of which specifically prohibits or regulates the holding of special elections.~~

Subd. 2. [VACANCIES IN CITY OFFICES.] Special elections shall be held in statutory cities in conjunction with ~~regular city~~ *municipal general* elections to fill vacancies in elective city offices as provided in section 412.02, subdivision 2a.

Sec. 26. Minnesota Statutes 1980, Section 205.13, as amended by Laws 1981, Chapter 29, Article VII, Section 10, is amended to read:

205.13 [~~MUNICIPAL ELECTIONS.~~ CANDIDATES, FILING.]

Subdivision 1. [AFFIDAVIT OF CANDIDACY.] Not more than six nor less than four weeks before the municipal primary, or before the municipal general election if there is no municipal primary, ~~any~~ *an* individual *who is* eligible and ~~desiring~~ *desires* to have his name placed on the official ballot as a candidate for an office to be voted for at the election shall file his affidavit of candidacy with the municipal clerk. The affidavit shall be *in* substantially the same form as ~~required of candidates for state offices~~ *that in section 204B.06, subdivision 1. The municipal clerk shall also accept* an application ~~also may be~~ signed by not less than five voters and filed on behalf of ~~any~~ *an* eligible voter in the municipality whom they desire to be a candidate, if service of a copy of the

application ~~is~~ *has been* made on the candidate and proof of service is endorsed on the application ~~before filing~~ *being filed*. Upon ~~payment~~ *receipt* of the proper filing fee ~~to the clerk~~, the clerk shall place the name of the candidate on the official ballot without partisan designation.

Subd. 2. [NOTICE OF FILING DATES.] At least two weeks before the first day to file affidavits of candidacy, the municipal clerk shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in ~~his~~ *the clerk's* office and the closing time for filing on the last day for filing~~, and he~~. *The clerk* shall post a similar notice at least ten days before the first day to file affidavits of candidacy.

Subd. 3. [FILING FEES.] *Unless the charter of a city provides the amount of the fee for filing an application or affidavit of candidacy for city office, the filing fee for a municipal office is as follows:*

(a) In first class cities, $20;

(b) In second and third class cities, $5; and

(c) In fourth class cities and towns, $2.

Subd. 4. [PETITION IN PLACE OF FEES.] *A candidate for municipal office may file a petition in place of the filing fees specified in subdivision 3. The petition shall meet the requirements of section 204B.11, subdivision 2.*

Subd. 5. [NOMINATING PETITION; CITIES OF THE FIRST CLASS.] *A nominating petition filed on behalf of a candidate for municipal office in a city of the first class shall be signed by eligible voters who reside in the election district from which the candidate is to be elected. The number of signers shall be at least 500, or two percent of the total number of individuals who voted in the municipality, ward, or other election district at the last preceding municipal general election, whichever is greater.*

Subd. 6. [WITHDRAWAL.] *A candidate for a municipal elective office may withdraw from the election by filing an affidavit of withdrawal with the municipal clerk by 12 o'clock noon of the day after the last day for filing affidavits of candidacy. Thereafter, no candidate may file an affidavit of withdrawal.*

Sec. 27. Minnesota Statutes 1980, Section 205.16, is amended to read:

205.16 [~~MUNICIPAL ELECTIONS,~~ NOTICE.]

Subdivision 1. [PUBLICATION AND POSTING.] In every statutory city and ~~every~~ home rule charter city, the charter of which does not provide the manner ~~in which~~ *of giving* notice of ~~an~~ *a municipal* election ~~is given for every election held within the city for municipal purposes~~, the city clerk shall, except as ~~hereinafter~~ *otherwise* provided *in this section*, ~~cause~~ *give* two weeks' published notice, and may also ~~cause~~ *give* ten days' posted notice, of the election, stating the time ~~and place thereof~~ *of the election*, the location of each polling place, the offices to be filled, and all propositions or questions to be voted upon at the election. In ~~any~~ *a* city of the fourth class~~,~~ the council may dispense with publication of the notice of the ~~regular city~~ *municipal general* election, in which case~~,~~ ten days' posted notice shall be given. The city clerk shall also post a copy of the notice in ~~his~~ *the clerk's* office for public inspection.

Subd. 2. [SAMPLE BALLOT, PUBLICATION.] In all statutory and home rule charter cities, for every *municipal* election ~~held within the city for munic-~~

~~ipal purposes~~, the city clerk shall, at least one week before the election, publish a sample ballot in the official newspaper of the city, except that the council of ~~any~~ *a* fourth class city may dispense with publication.

Subd. 3. [SAMPLE BALLOT, POSTING.] For every *municipal* election ~~held within any municipality for municipal purposes,~~ the municipal clerk shall~~,~~ at least four days before the election~~,~~ post a sample ballot in ~~his~~ *the clerk's* office for public inspection, and ~~a~~ *post a* sample ballot ~~shall also be posted~~ in each polling place *on election day*.

Sec. 28. Minnesota Statutes 1980, Section 205.17, as amended by Laws 1981, Chapter 29, Article VII, Section 13, and Chapter 172, Section 2, is amended to read:

205.17 [~~CITY OR TOWN ELECTION,~~ BALLOTS~~,~~ ~~FORM~~.]

Subdivision 1. [SECOND, THIRD AND FOURTH CLASS CITIES; TOWNS.] In all statutory and home rule charter cities of the second, third and fourth class, and in all towns, for the ~~regular~~ municipal *general* election, the municipal clerk shall ~~prepare and cause to be~~ *have* printed on light green paper the official ballot ~~upon which~~ *containing* the names of all candidates for municipal offices ~~shall be printed~~. The ballot shall be printed in blocks of 50 ~~insofar as practicable~~, shall be headed "City or Town Election Ballot," ~~and~~ shall state the name of the city or town~~,~~ *and* the date of the election, and ~~otherwise~~ shall conform *in other respects* to the white ballot used at the general election. The names shall be arranged on city ballots in the manner provided for the state elections. On town ballots names of the candidates for each office shall be arranged alphabetically according to the ~~surname of each candidate~~ *candidates' surnames*.

Subd. 2. [FIRST CLASS CITIES.] In all cities of the first class, for the ~~regular~~ municipal *general* election, the city clerk shall ~~prepare and cause to be~~ *have* printed in blocks of 50 a partisan ballot upon which the names of all candidates for the office of mayor and for the city council are printed, and a nonpartisan ballot upon which the names of all candidates for all other city offices are printed. The partisan ballot shall be printed on light orange paper and shall be headed "~~Partisan~~ City ~~Election~~ *Partisan General* Ballot". The nonpartisan ballot shall be printed on light green paper and shall be headed "~~Nonpartisan~~ City ~~Election~~ *Nonpartisan General* Ballot". Both ballots shall state the name of the city~~,~~ *and* the date of the ~~elections~~ *election* and ~~otherwise~~ conform *in all other respects* to the white ballot used at the state general election. The names of the candidates on the nonpartisan ballot shall be rotated in the manner prescribed for the rotation of names on nonpartisan ballots in state general elections.

On the partisan ballot the ~~name~~ *names* of the candidates for mayor shall be placed first. The order of the names of the candidates shall be in the manner prescribed for state general elections *in section 204D.13*.

Subd. 3. [PRIMARY ~~ELECTION~~ BALLOTS.] The municipal primary ~~election~~ ballot ~~of~~ *in* cities of the second, third and fourth class and towns *and the nonpartisan primary ballot in cities of the first class* shall conform as far as practicable with the ~~regular~~ municipal *general* election ballot except that it shall be printed on white paper~~, and~~. *No* blank spaces ~~may not~~ *shall* be provided for writing in the names of candidates.

~~Subd. 4. The city of the first class nonpartisan primary election ballot shall conform as far as practicable with the regular municipal election ballot except that it shall be printed on white paper. The city of the first class~~ *The* partisan

primary ~~election~~ ballot *in cities of the first class* shall conform as far as practicable with the state ~~consolidated~~ *partisan* primary ~~election~~ ballot.

Subd. ~~5~~ *4*. [BLUE BALLOTS; QUESTIONS.] All questions relating to the adoption of a city charter or *charter* amendments ~~thereto,~~ or ~~any~~ *a* proposition for the issuance of bonds, and all other questions ~~and propositions~~ relating to city affairs submitted at ~~any~~ *an* election to the ~~electors~~ *voters* of the municipality, shall be printed on one separate blue ~~colored~~ ballot and shall be prepared, printed and distributed under the direction of the city clerk at the same time and in the same manner as other ~~city~~ *municipal* ballots. The ballots, when voted, shall be deposited in a separate *blue* ballot box~~, painted blue, to be procured~~ *provided* by the local authorities for each voting precinct. The ballots shall be canvassed, counted, and returned in the same manner as other ~~city~~ *municipal* ballots~~, and the tally books and~~. *The* returns shall provide appropriate blank spaces for the counting, canvassing and returning of the results of the questions submitted on the blue ballot.

Subd. ~~6~~ *5*. [STATUTORY CITIES; VACANCIES.] In statutory cities, the names of candidates to fill vacancies at ~~any~~ *a* special election held as provided in section 412.02, subdivision 2a, shall be placed on the ~~city~~ *municipal* primary and ~~regular~~ *general* election ballots. The names of candidates to fill a vacancy in the office of councilman in a statutory city shall be listed under the separate heading "Special election for councilman to fill vacancy in term expiring .....", with the date of expiration of the term and any other information ~~as may be~~ necessary to distinguish the office. Under the heading for the office of mayor in a special election shall be the words "To fill vacancy in term expiring .....".

Sec. 29. [205.175] [VOTING HOURS.]

Subdivision 1. [CITIES.] *In all statutory and home rule charter city elections the governing body of the city, by resolution adopted prior to giving notice of the election, may designate the time, in no event less than three hours, during which the polling places will remain open for voting at the next succeeding and all subsequent municipal elections, until the resolution is revoked.*

Subd. 2. [METROPOLITAN AREA TOWNS.] *At any election of town officers, in a town which is located within 60 miles of a city of the first class having a population of at least 250,000, the town board, by resolution adopted prior to giving notice of the election, may designate the time during which the polling places will remain open for voting at the next succeeding and all subsequent town elections, provided that the polling places shall open no later than 10:00 a.m. and shall close no earlier than 8:00 p.m. The resolution shall remain in force until it is revoked by the town board.*

Subd. 3. [OTHER TOWNS.] *In any election of town officers in a town other than a town described in subdivision 2, the town board, by resolution adopted prior to giving notice of the election, may designate the time, in no event less than three hours, during which the polling places will remain open for voting at the next succeeding and all subsequent town elections. The resolution shall remain in force until it is revoked by the town board.*

Sec. 30. [205.185] [PROCEDURE.]

Subdivision 1. [MATERIALS, BALLOTS.] *The municipal clerk shall prepare and have printed the necessary election materials, including ballots, for a municipal election.*

Subd. 2. [ELECTION, CONDUCT.] *A municipal election shall be by secret*

ballot and shall be held and the returns made in the manner provided for the state general election, so far as practicable.

Subd. 3. [CANVASS OF RETURNS, CERTIFICATE OF ELECTION, BALLOTS, DISPOSITION.] *Within two days after an election, the governing body shall canvass the returns and declare the results of the election. After the time for contesting elections has passed, the municipal clerk shall issue a certificate of election to each successful candidate. In case of a contest, the certificate shall not be issued until the outcome of the contest has been determined by the proper court. In case of a tie vote, the governing body shall determine the result by lot. The clerk shall certify the results of the election to the county auditor, and the clerk shall be the final custodian of the ballots and the returns of the election.*

Subd. 4. [RECOUNT.] *A losing candidate at a municipal election may request a recount of the votes for that office subject to the requirements of section 204C.36.*

Sec. 31. Minnesota Statutes 1980, Section 205.20, as amended by Laws 1981, Chapter 29, Article VII, Sections 14 and 15, is amended to read:

205.20 [UNIFORM MUNICIPAL ELECTION DAY.]

Subdivision 1. ~~[DEFINITION.] For the purposes of this section, the term municipality means a home rule charter city.~~

~~Subd. 2.~~ [~~UNIFORM MUNICIPAL ELECTION DAY ESTABLISHED~~ *ESTABLISHMENT.*] There is hereby established a uniform municipal election day *for home rule charter cities*. The uniform municipal election day shall be the first Tuesday after the first Monday in November in odd-numbered years. ~~Municipal~~ Officials elected on that date shall take office on the first business day of January next succeeding their election for ~~such~~ *the* term ~~as~~ *which* is provided by law ~~or as is hereinafter provided~~. The governing body of a ~~municipality~~ *home rule charter city* may designate a date for the municipal primary *which is* not less than 14 days before the uniform municipal election day.

Subd. ~~3~~ *2.* [ADOPTION *BY CITY.*] Notwithstanding any provision of law or municipal charter to the contrary, and subject to the provisions of this section, the governing body of a ~~municipality~~ *home rule charter city* may *adopt* by ordinance ~~adopt~~ the uniform municipal election day as its municipal election day.

Subd. ~~4~~ *3.* [MODIFICATION OF TERMS OF OFFICE.] If the uniform municipal election day is adopted, the terms of all incumbents *who* at the time of adoption of the ordinance ~~holding~~ *hold* offices filled by municipal election *and* whose terms end at a different date are ~~hereby~~ extended to the first business day in January of the even numbered year first following the date the term would otherwise expire, unless this extension would be longer than 13 months. If the extension would be longer than 13 months, the terms of ~~such~~ *those* incumbents are ~~hereby~~ shortened so as to end on the first business day in January of the even numbered year first preceding the date the term would otherwise expire.

Notwithstanding any provision of law or municipal charter to the contrary, the governing body of a ~~municipality~~ *home rule charter city* adopting the uniform municipal election day shall *designate* in the adopting ordinance

~~designate~~ a new term for each office to be filled where the term for ~~such~~ *the* office at the time of the ordinance is an odd number of years. ~~Such~~ *The* new terms shall be *for* an even number of years and for no more than one year longer than the term in effect at the time of the adoption of the ordinance. At the time of any election, the governing body may also provide that one or more members of ~~any~~ *a* multi-member body shall be elected for a shorter term than is otherwise provided, if and in the manner necessary to achieve staggered terms on ~~such~~ *the* multi-member ~~bodies~~ *body* so that, to the extent ~~mathematically~~ possible, ~~the same~~ *an equal* number of members is ~~thereafter~~ chosen at each election, exclusive of those chosen to fill vacancies for unexpired terms.

Subd. ~~5~~ *4*. [EFFECT OF ORDINANCE; REFERENDUM.] An ordinance adopting the uniform municipal election day ~~shall not become~~ *is* effective ~~until~~ 90 days after passage and publication or at ~~such~~ *a* later date ~~as~~ *is* fixed in the ordinance. Within 60 days after passage and publication of ~~such an~~ *the* ordinance, a petition requesting a referendum on the ordinance may be filed with the ~~municipal~~ *city* clerk. The petition shall be signed by eligible voters equal in number to five percent of the total number of votes cast in the ~~municipality~~ *city* at the last state general election. If the ~~municipality~~ *city* has a system of permanent registration of voters, only registered voters are eligible to sign the petition. If the requisite petition is filed within the prescribed period, the ordinance shall not become effective until it is approved by ~~a majority of~~ *at least* 55 percent of *the* voters voting on the question at a general or special election held at least 60 days after submission of the petition. If the petition is filed, the governing body may reconsider its action in adopting the ordinance.

Sec. 32. Minnesota Statutes 1980, Section 205.84, is amended to read:

205.84 [WARDS IN CERTAIN CITIES.]

Subdivision 1. [GENERAL PROVISIONS.] In ~~any~~ *a* statutory city electing councilmen by wards, wards shall be as equal in population as practicable and each ward shall be composed of compact, contiguous territory. Each councilman shall be a resident of the ward for which he is elected, but a change in ward boundaries does not disqualify a councilman from serving for the remainder of his term.

Subd. 2. [REDEFINING WARD BOUNDARIES.] The council may by ordinance redefine ward boundaries after ~~any regular~~ *a* municipal *general* election. *The council shall hold a public hearing on the proposed ordinance before its adoption. One week's published notice of the hearing shall be given.* Within six months after the official certification of each federal decennial or special census, the council shall either confirm the existing ward boundaries as conforming to the standards of subdivision 1 or redefine ward boundaries to conform to those standards. If the council fails to take either action within the time required, no further compensation shall be paid to the mayor or councilmen until the wards of the city are either reconfirmed or redefined as required by this section. An ordinance establishing new ward boundaries shall apply to the first election held at least six months after adoption of the ordinance. ~~No redivision of the city into wards shall be made until the council has held a public hearing on the proposed ordinance after one week's published notice.~~

Sec. 33. [REPEALER.]

Minnesota Statutes 1980, Sections 205.04; 205.11, Subdivisions 1, 2, 3, 4, and 5; 205.14, Subdivisions 1, 2, and 3; 205.19; 205.21; and Minnesota Statutes 1981 Supplement, Sections 201.091, Subdivision 6; 204B.12, Subdivision 2; 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15 are repealed.

Sec. 34. [EFFECTIVE DATE.]

Sections 1 to 19, 21, 22, and 33 are effective the day following final enactment.''

Amend the title as follows:

Page 1, line 3, delete ''amending''

Page 1, delete lines 4 to 13 and insert ''exempting certain transactions from the definition of donation in kind; removing the rulemaking authority of the ethical practices board; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 7b; 10A.02, Subdivision 13; 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; 205.84; and Minnesota Statutes 1981 Supplement, Sections 201.071, Subdivision 1; 203B.02, Subdivision 1; 203B.04, Subdivision 1; 204B.12, Subdivision 1; 204B.19, Subdivision 1; 204B.21, Subdivision 1; 204B.27, Subdivision 1; 204B.31; 204B.34, Subdivision 1; 204B.35, Subdivision 4; 204C.32, Subdivision 2; 204C.33, Subdivision 2; 204D.06; 204D.11, Subdivisions 1 and 5; 204D.14; 204D.15, subdivision 2; 205.03, Subdivisions 1 and 3; 205.10; proposing new law coded in Minnesota Statutes 1980, Chapter 205; and repealing Minnesota Statutes 1980, Sections 205.04; 205.11, Subdivisions 1, 2, 3, 4, and 5; 205.14, Subdivisions 1, 2, and 3; 205.19; 205.21; and Minnesota Statutes 1981 Supplement, Sections 201.091, Subdivision 6; 204B.12, Subdivision 2; 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.''

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

House Conferees: (Signed) Thomas C. Osthoff, Lona A. Minne, Donna Peterson

Senate Conferees: (Signed) Robert J. Schmitz, Peter P. Stumpf, George S. Pillsbury

Mr. Schmitz moved that the foregoing recommendations and Conference Committee Report on H.F. No. 678 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 678: A bill for an act relating to elections; changing certain election procedures, requirements and time limits; exempting certain transactions from the definition of donation in kind; removing the rulemaking authority of the ethical practices board; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 7b; 10A.02, Subdivision 13; 205.02; 205.07, Subdivision 1; 205.13; 205.16; 205.17; 205.20; 205.84; and Minnesota Statutes 1981 Supplement, Sections 201.071, Subdivision 1; 203B.02, Subdivision 1; 203B.04, Subdivision 1; 204B.12, Subdivision 1; 204B.19, Subdivision 1; 204B.21, Subdivision 1; 204B.27, Subdivision 1; 204B.31; 204B.34, Subdivision 1; 204B.35, Subdivision 4; 204C.32, Subdivision 2; 204C.33, Subdivision 2; 204D.06; 204D.11, Subdivision 11; 204D.11, Subdivision 5; 204D.14; 204D.15; 205.03, Subdivisions 1 and 3; 205.10;

205.185; proposing new law coded in Minnesota Statutes 1980, Chapter 205; and repealing Minnesota Statutes 1980, Sections 205.04; 205.11, Subdivisions 1, 2, 3, 4, and 5; 205.14, Subdivisions 1, 2, and 3; 205.19; 205.21; and Minnesota Statutes 1981 Supplement, Sections 201.091, Subdivision 6; 204B.12, Subdivision 2; 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.

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

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

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

Those who voted in the affirmative were:

Ashbach	Davis	Lantry	Peterson,D.L.	Solon
Bang	Dicklich	Lessard	Peterson,R.W.	Spear
Belanger	Engler	Lindgren	Petty	Stern
Benson	Frank	Luther	Pillsbury	Stokowski
Berg	Frederickson	Menning	Purfeerst	Stumpf
Berglin	Hanson	Merriam	Ramstad	Taylor
Bernhagen	Hughes	Moe, R. D.	Renneke	Tennessen
Bertram	Johnson	Nelson	Rued	Ulland
Brataas	Kamrath	Olhoft	Schmitz	Vega
Chmielewski	Knoll	Pehler	Setzepfandt	Waldorf
Dahl	Kroening	Penny	Sieloff	Wegener
Davies	Kronebusch	Peterson,C.C.	Sikorski	Willet

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

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that all bills remaining on the Special Orders Calendar be stricken and re-referred to the Committee on Rules and Administration. The motion prevailed. The bills are the following:

S.F. Nos. 70, 2061, 1913, 1170, 1177, 1610, 1632, 1887, 2117, 2033, 1657, 1617, 579 and H.F. Nos. 2199, 403, 1849, 352 and 603.

Mr. Dahl moved that the name of Mr. Lessard be added as a co-author to S.F. No. 1556. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Menning introduced—

S.F. No. 2231: A bill for an act relating to health; requiring reports of cases of Reyes syndrome; proposing new law coded in Minnesota Statutes, Chapter 144.

Referred to the Committee on Health, Welfare and Corrections.

Mr. Spear introduced—

S.F. No. 2232: A bill for an act relating to public welfare; vulnerable adults; providing for an investigation memorandum; classifying data; amending Minnesota Statutes 1980, Section 626.557, Subdivision 12.

Referred to the Committee on Judiciary.

Mr. Menning introduced—

S.F. No. 2233: A bill for an act relating to transportation; providing for the removal and disconnection of certain abandoned railroad tracks and the removal of certain signs; requiring highway restoration at certain locations; proposing new law coded in Minnesota Statutes, Chapter 219.

Referred to the Committee on Transportation.

MEMBERS EXCUSED

Mr. Bang was excused from this evening's Session. Mr. Hughes was excused from the Session of today from 7:00 to 8:30 p.m. Mr. Pillsbury was excused from the Session of today from 6:30 to 9:00 p.m.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 18, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETIETH DAY

St. Paul, Minnesota, Thursday, March 18, 1982

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

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

Ashbach	Dicklich	Kroening	Pehler	Sikorski
Bang	Dieterich	Kronebusch	Penny	Solon
Belanger	Engler	Langseth	Peterson, D.L.	Spear
Benson	Frank	Lantry	Peterson, R.W.	Stern
Berg	Frederick	Lessard	Petty	Stokowski
Berglin	Frederickson	Lindgren	Pillsbury	Stumpf
Bernhagen	Hanson	Luther	Purfeerst	Taylor
Bertram	Hughes	Menning	Ramstad	Tennessen
Brataas	Humphrey	Merriam	Renneke	Ulland
Chmielewski	Johnson	Moe, D.M.	Rued	Waldorf
Dahl	Kamrath	Moe, R.D.	Schmitz	Wegener
Davies	Knoll	Nelson	Setzepfandt	Willet
Davis	Knutson	Olhoft	Sieloff	

The President declared a quorum present.

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

Prayer was offered by the Chaplain, Rabbi Kassel Abelson.

MEMORIAL SERVICE

The Senate proceeded with a Memorial Service for deceased Senators:

A MEMORIAL PRAYER

offered by Rabbi Kassel Abelson

We pause for this moment to honor the memory of the sixteen members of this Assembly who have departed this life during the past three years.

The Honorable Walter Burdick - 1947-1958
The Honorable Nicholas D. Coleman - 1963-1980
The Honorable Emmett L. Duemke - 1945-1954
The Honorable Franklin E. Ebner - 1933-1934
The Honorable Val Imm - 1935-1966
The Honorable Carl M. Iverson - 1931-1934
The Honorable Eugene P. Knudsen - 1963-1966
The Honorable B. Robert Lewis - 1973-1979

The Honorable John L. Olson - 1959-1976
The Honorable Everett L. Peterson - 1947-1950
The Honorable Emil Regnier - 1931-1934
The Honorable Ed Schrom - 1971-1980
The Honorable Vladimir Shipka - 1959-1962
The Honorable Eugene Stokowski - 1973-1979
The Honorable A.O. Sundet - 1959-1970
The Honorable Kenneth W. Wolfe - 1967-1972

We give thanks for them - for their comradeship in common tasks - for their service to this Body - and for their dedication to the people of this State. Let us pray.

Our Father, for every remembrance of these friends and colleagues who have gone before us, we give you thanks. We know that in their service of your people they were also serving you.

We praise you for lives touched by their lives in their homes and families, in their communities, in their congregations, and in their service to this State.

Bless and befriend their loved ones. Minister to their sorrowing spirits with your loving presence and promise. May we all find inspiration and strength beyond our own - in the memories of the lives and deeds of our colleagues. Amen.

Mr. Moe, R.D. moved that the Memorial Prayer be printed in the Journal and that the Secretary of the Senate transmit a formal copy of this Memorial Prayer to the widows of the deceased Senators or their next of kin. The motion prevailed.

MEMBERS EXCUSED

Messrs. Keefe and Vega were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 12, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1455, 1510, 1567, 2103, 1727 and 1547.

Sincerely,

Albert H. Quie, Governor

March 12, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1336	397	March 12	March 12
	1139	398	March 12	March 12
1455		399	March 12	March 12
1510		400	March 12	March 12
1567		401	March 12	March 12
2103		402	March 12	March 12
1727		403	March 12	March 12
1547		404	March 12	March 12

Sincerely,

Joan Anderson Growe
Secretary of State

March 15, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 786, 2095, 860, 1613, 1879, 1878, 1687, 1673 and 1648.

Sincerely,

Albert H. Quie, Governor

March 15, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
2095		405	March 15	March 15
	1948	406	March 15	March 15
	1747	407	March 15	March 15
	1700	408	March 15	March 15
	1725	409	March 15	March 15
	1646	410	March 15	March 15
	2116	411	March 15	March 15
	2068	412	March 15	March 15
	1920	413	March 15	March 15
	12	414	March 15	March 15
860		415	March 15	March 15
1879		416	March 15	March 15
1878		417	March 15	March 15
1687		418	March 15	March 15
1673		419	March 15	March 15
1648		420	March 15	March 15

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
786		421	March 15	March 15
1613		422	March 15	March 15

Sincerely,

Joan Anderson Growe
Secretary of State

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 3:00 p.m. The motion prevailed.

The hour of 3:00 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 4:00 p.m. The motion prevailed.

The hour of 4:00 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 5:00 p.m. The motion prevailed.

The hour of 5:00 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

REPORTS OF COMMITTEES

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

S.F. No. 2169: A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, omitted and obsolete references and text; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature in the 1982 regular session and the third special session of 1981; amending Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 7, as amended.

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

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

SECOND READING OF SENATE BILLS

S.F. No. 2169 was read the second time.

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

MOTIONS AND RESOLUTIONS

Mr. Bang introduced—

Senate Resolution No. 85: A Senate resolution congratulating the Hornets Hockey Team from Edina High School for winning the 1982 State High School Hockey Championship.

Mr. Moe, R.D. moved that Senate Resolution No. 85 be laid on the table. The motion prevailed.

Mr. Dicklich introduced—

Senate Resolution No. 86: A Senate resolution congratulating George Perpich on being named hockey coach of the year.

WHEREAS, George Perpich of Hibbing, Minnesota, has personified high school hockey on the Iron Range for the past 29 years; and,

WHEREAS, the 1982 Hibbing State Tournament wins over Sibley and Bloomington-Jefferson represent the 401st victory for Coach Perpich over this time; and,

WHEREAS, the 1982 Hibbing hockey entry in the state tournament marked the fifth such trip for a Perpich-coached club; and,

WHEREAS, the Perpich-led team in 1973 won the Minnesota State High School Hockey Tournament title; and,

WHEREAS, the remarkable 401-177-67 record compiled by Coach Perpich places him among the all-time greats in Minnesota high school hockey history; and,

WHEREAS, Coach George Perpich was honored by the Coaches Association as its "HOCKEY COACH OF THE YEAR" for 1982; NOW, THEREFORE,

BE IT RESOLVED that the Senate of the State of Minnesota congratulates Coach George Perpich as 1982 Hockey Coach of the Year and, additionally, thanks him for his unselfish devotion to the best aspects of Minnesota high school athletics.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to enroll this resolution, to be authenticated by his signature and that of the President, and to present it to George Perpich.

Mr. Dicklich moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Dahl introduced—

S.F. No. 2234: A bill for an act relating to the metropolitan transit commission; providing for special fares for qualified senior citizens; amending Minnesota Statutes 1980, Section 473.408, Subdivision 3, as amended.

Referred to the Committee on Transportation.

Mr. Dahl introduced—

S.F. No. 2235: A bill for an act relating to taxation; property tax refund; increasing the maximum refund amount for disabled persons or persons aged 65 or older; amending Minnesota Statutes 1980, Section 290A.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 290A.04, Subdivision 2.

Referred to the Committee on Taxes and Tax Laws.

Mr. Dahl introduced—

S.F. No. 2236: A bill for an act relating to children; establishing a program of early intervention for the benefit of developmentally delayed children; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 145A.

Referred to the Committee on Education.

Mr. Peterson, R.W. introduced—

S.F. No. 2237: A bill for an act relating to negligence actions; providing for joint and several liability and equal contribution to awards; amending Minnesota Statutes 1980, Section 604.02, Subdivisions 1 and 2.

Referred to the Committee on Judiciary.

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

MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No. 87: A Senate resolution relating to conduct of Senate business during the interim between Sessions.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The powers, duties, and procedures set forth in this resolution apply during the interim between the adjournment sine die of the 72nd Legislature, 1982 Session, and the convening of the 73rd Legislature, 1983 Session.

The Committee on Rules and Administration may, from time to time, assign to the various committees and subcommittees of the Senate, in the interim, matters brought to its attention by any member of the Senate for study and investigation. The standing committees and subcommittees may study and investigate all subjects that come within their usual jurisdiction, as provided by Minnesota Statutes, Section 3.921. A committee shall carry on its work by subcommittee or by committee action as the committee from time to time determines. Any study undertaken by any of the standing committees, or any subcommittee thereof, shall be coordinated to the greatest extent possible with other standing committees or subcommittees of the Senate and House of Representatives, and may, if the committee or subcommittee so determines, be carried on jointly with another committee or subcommittee of the Senate or House of Representatives.

The Subcommittee on Committees of the Committee on Rules and Administration shall appoint persons as necessary to fill any vacancies that may occur in committees, commissions, and other bodies whose members are to be appointed by the Senate authorized by rule, statute, resolution, or otherwise. The Subcommittee on Committees may appoint members of the Senate to assist in the work of any committee.

The Committee on Rules and Administration shall establish positions, set compensation and benefits, appoint employees, and authorize expense reimbursement as it deems proper to carry out the work of the Senate.

The Committee on Rules and Administration may authorize members of the Senate and personnel employed by the Senate to travel and to attend courses of instruction or conferences for the purpose of improving and making more efficient Senate operation and may reimburse these persons for the costs thereof out of monies appropriated to the Senate for the standing committees.

All members of activated standing committees or subcommittees of the Senate, and staff, shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties during the interim in the manner provided by law. Payment shall be made by the Secretary of the Senate out of monies appropriated to the Senate for the standing committees. The Committee on Rules and Administration shall determine the amount and manner of reimbursement for living and other expenses of each member of the Senate incurred in the performance of his duties when the Legislature is not in regular session.

The Secretary of the Senate shall continue to perform his duties during the interim. During the interim, but not including time which may be spent in any special session, the Secretary of the Senate shall be paid for services rendered the Senate at the rate established for that position for the 1982 regular session, unless otherwise directed by the Committee on Rules and Administration, plus travel and subsistence expense incurred incidental to his Senate duties, including salary and travel expense incurred in attending meetings of the American Society of Legislative Clerks and Secretaries and the National Conference of State Legislatures.

Should a vacancy occur in the position of Secretary of the Senate, by resignation or other causes, the Committee on Rules and Administration shall appoint an acting Secretary of the Senate who shall serve in such capacity during the remainder of the interim under the provisions herein specified.

The Secretary of the Senate is authorized to employ after the close of the session the employees necessary to finish the business of the Senate at the salaries paid under the rules of the Senate for the 1982 regular session. He is authorized to employ the necessary employees to prepare for the 1983 session at the salaries in effect at that time.

The Secretary of the Senate shall classify as "permanent" for purposes of Minnesota Statutes, Sections 3.095 and 43A.24 those Senate employees heretofore or hereafter certified as "permanent" by the Committee on Rules and Administration.

The Secretary of the Senate, as authorized and directed by the Committee on Rules and Administration, shall furnish each member of the Senate with postage and supplies, and may reimburse each member for long distance telephone calls and answering services upon proper verification of the expenses incurred, and for other expenses authorized from time to time by the Committee on Rules and Administration.

The Secretary of the Senate shall correct and approve the Journal of the

Senate for those days that have not been corrected and approved by the Senate, and shall correct printing errors found in the Journal of the Senate for the 72nd Legislature. He may include in the Senate Journal proceedings of the last day, appointments by the Subcommittee on Committees to interim commissions created by legislative action, permanent commissions or committees established by statute, standing committees, official communications and other matters of record received on or after adjournment sine die.

The Secretary of the Senate may pay election and litigation costs as authorized by the Committee on Rules and Administration.

The Secretary of the Senate, with the approval of the Committee on Rules and Administration, shall secure bids and enter into contracts for the printing of the daily Senate journals, bills, general orders, special orders, calendars, resolutions, printing and binding of the permanent Senate Journal, shall secure bids and enter into contracts for remodeling, improvement and furnishing of Senate office space, conference rooms and the Senate Chamber and shall purchase all supplies, equipment and other goods and services necessary to carry out the work of the Senate. Any contracts in excess of $5,000 shall be signed by the Chairman of the Committee on Rules and Administration and another member designated by the Committee on Rules and Administration.

The Secretary of the Senate shall draw warrants from the legislative expense fund in payment of the accounts herein referred to.

All Senate records, including committee books, are subject to the direction of the Committee on Rules and Administration.

The Senate Chamber, retiring room, committee rooms, all conference rooms, storage rooms, Secretary of the Senate's office, Rules and Administration office, and any and all other space assigned to the Senate shall be reserved for use by the Senate and its standing committees only and shall not be released or used for any other purpose except upon authorization of the Secretary of the Senate with the approval of the Committee on Rules and Administration, or the Chairman thereof.

The custodian of the Capitol shall continue to provide parking space through the Secretary of the Senate for members and staff of the Minnesota State Senate on Aurora Avenue and other areas as may be required during the interim. The Secretary of the Senate may deduct from the check of any legislator or legislative employee a sum adequate to cover the exercise of the parking privilege herein defined in conformity with the practice of the department of administration.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stokowski
Belanger	Engler	Lessard	Petty	Stumpf
Benson	Frank	Lindgren	Pillsbury	Taylor
Berg	Frederick	Luther	Purfeerst	Tennessen
Berglin	Frederickson	Merriam	Ramstad	Ulland
Bernhagen	Hanson	Moe, D. M.	Renneke	Waldorf
Bertram	Hughes	Moe, R. D.	Rued	Wegener
Chmielewski	Humphrey	Nelson	Schmitz	Willet
Dahl	Kamrath	Olhoft	Setzepfandt	
Davies	Knoll	Pehler	Sieloff	
Davis	Kronebusch	Penny	Solon	

The motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 2:00 p.m., Friday, March 19, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-FIRST DAY

St. Paul, Minnesota, Friday, March 19, 1982

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

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

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.

Prayer was offered by the Chaplain, Rev. Joseph Simonson.

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

Ashbach	Dicklich	Kronebusch	Penny	Sieloff
Bang	Dieterich	Langseth	Peterson, C.C.	Sikorski
Belanger	Engler	Lantry	Peterson, D.L.	Solon
Benson	Frank	Lindgren	Peterson, R.W.	Spear
Berg	Frederick	Luther	Petty	Stern
Berglin	Frederickson	Menning	Pillsbury	Stokowski
Bernhagen	Hanson	Merriam	Purfeerst	Stumpf
Bertram	Hughes	Moe, D.M.	Ramstad	Taylor
Chmielewski	Humphrey	Moe, R.D.	Renneke	Ulland
Dahl	Johnson	Nelson	Rued	Waldorf
Davies	Kamrath	Olhoft	Schmitz	Wegener
Davis	Knoll	Pehler	Setzepfandt	Willet

The President declared a quorum present.

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

MEMBERS EXCUSED

Mrs. Brataas, Messrs. Keefe, Knutson, Kroening, Lessard, Tennessen and Vega were excused from the Session of today. Mr. Sieloff was excused from the Session of today from 4:15 to 4:45 p.m.

MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No. 88: A Senate resolution thanking Senators who have served in the Senate and who will be terminating their service.

WHEREAS the Senate wishes to offer its thanks to those Senators who have served in the Senate and those who will be terminating their service, and

WHEREAS these Senators have given their time, energy, wit and wisdom to this institution and their constituents,

BE IT RESOLVED by the Senate that the Secretary of the Senate, with the approval of the Committee on Rules and Administration, is directed to present each Senator who completes his service with an appropriate memento of that service.

Mr. Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Lantry	Peterson,C.C.	Sikorski
Bang	Dieterich	Lindgren	Peterson,D.L.	Solon
Belanger	Engler	Luther	Peterson,R.W.	Spear
Benson	Frank	Menning	Petty	Stern
Berg	Frederick	Merriam	Pillsbury	Stokowski
Berglin	Frederickson	Moe, D. M.	Ramstad	Stumpf
Bertram	Humphrey	Moe, R. D.	Renneke	Taylor
Chmielewski	Johnson	Nelson	Rued	Ulland
Dahl	Kamrath	Olhoft	Schmitz	Waldorf
Davies	Kronebusch	Pehler	Setzepfandt	Wegener
Davis	Langseth	Penny	Sieloff	Willet

The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. introduced—

Senate Concurrent Resolution No. 13: A Senate concurrent resolution relating to the delivery of bills to the governor after final adjournment.

WHEREAS, the Minnesota Constitution, Article IV, Section 23, authorizes the presentation to the Governor after sine die adjournment of bills that passed in the last three days of the Session; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring, that upon adjournment sine die of the 72nd regular Session of the Legislature, bills shall be presented to the Governor as follows:

(a) The Speaker of the House of Representatives, the Chief Clerk of the House of Representatives, the President of the Senate, and the Secretary of the Senate shall certify and sign each bill in the same manner and upon the same certification as each bill is signed for presentation to the Governor prior to adjournment sine die, and each of those officers shall continue in his designated capacity during the three days following the date of final adjournment.

(b) The Chief Clerk of the House of Representatives and the Secretary of the Senate, in accordance with the rules of the respective bodies and under the supervision and direction of the standing Committee on Rules and Legislative Administration and the standing Committee on Rules and Administration,

shall carefully enroll each bill and present them to the Governor in the same manner as each bill is enrolled and presented to the Governor prior to the adjournment of the Legislature sine die.

(c) The Revisor of Statutes shall continue to assist in all of the functions relating to enrollment of bills of the House of Representatives and of the Senate under the supervision of the Chief Clerk of the House of Representatives and the Secretary of the Senate in the same manner that his assistance was rendered prior to the adjournment of the Legislature sine die.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to deliver copies of this resolution to the Governor and the Secretary of State.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Dieterich moved that the name of Mr. Petty be added as a co-author to S.F. No. 1175. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Executive and Official Communications.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 18, 1982

The Honorable Jack Davies
President of the Senate

Dear Senator Davies:

Returned to you unsigned please find Senate File 1689.

Section 2, Subdivision 3 of the bill grants to the Legislative Auditor the power to approve, reject or modify any contract entered into by a State agency with a public accountant for the purpose of performing an audit. I believe that this is an unconstitutional intrusion by the legislative branch of government into the administrative decision-making process which is properly and constitutionally the prerogative of the executive branch of government.

Article III, Section 1 of the Constitution of the State of Minnesota provides that the powers of government are to be divided into three distinct departments: the legislative, executive and judicial. That section also provides as follows: "No person or persons belonging to or constituting one of these departments shall exercise any of the powers properly belonging to either of the others except in the instances expressly provided in this Constitution."

The Minnesota Supreme Court in the *Matter of Application of Senate*, 1865, 10 *Minn.* 78 (Gil. 56), stated as follows:

> The departments are independent of each other to the extent, at least, that neither can exercise any of the powers of the others not expressly provided for. This not only prevents an assumption by either department of power not properly belonging to it, but also prohibits the imposition, by one, of any duty of either of the others not within the scope of its juridiction; and '*it is the duty of each to abstain from and to oppose encroachment on either.*' Any departure from these important principles must be attended with evil. (emphasis added)

I do not question the right of the Legislative Auditor to review the records of

all State departments, boards, commissions and agencies, including audits conducted by public accountants of the affairs of those entities. However, the selection of a public accountant is an administrative function which is the constitutional reponsibility of the executive branch.

For the foregoing reasons, Senate File 1689 is hereby vetoed.

Sincerely,

Albert H. Quie, Governor

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Mr. Moe, R.D. moved that the rules of the Senate be so far suspended that S.F. No. 2169 be made a Special Order for immmediate consideration. The motion prevailed.

SPECIAL ORDER

S.F. No. 2169: A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, omitted and obsolete references and text; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature in the 1982 regular session and the third special session of 1981; amending Minnesota Statutes 1981 Supplement, Section 290.09, Subdivision 7, as amended.

Mr. Peterson, R.W. moved to amend S.F. No. 2169, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [REPEALER.]

H.F. No. 1663, Section 1, as enacted at the 1982 regular session, is repealed.

Sec. 2. Minnesota Statutes 1980, Section 475.61, Subdivision 3, if H.F. No. 1555, Article IV, Section 17, is enacted at the 1982 regular session, is amended to read:

Subd. 3. [IRREVOCABILITY.] Tax levies so made and filed shall be irrevocable, except as provided in this subdivision.

In each year when there is on hand any excess amount in the debt service fund of a school district at the time the district makes its property tax levies, the amount *of the excess* shall be certified by the school board to the county auditor and the auditor shall reduce the ~~amount~~ *tax levy* otherwise to be included in the rolls next prepared by the amount certified, *unless the school board determines that the excess amount is necessary to ensure the prompt and full payment of the obligations and any call premium on the obligations, or will be used for redemption of the obligations in accordance with their terms*. An amount shall

be presumed to be excess ~~if~~ *for a school district in the amount that* it, together with the levy required by subdivision 1, will exceed 106 percent in excess of the amount needed to meet when due the principal and interest payments on the obligations due before the second following July 1. This subdivision shall not limit a school board's authority to specify a tax levy in a higher amount if necessary because of anticipated tax delinquency.

If the governing body, including the governing body of a school district, in any year makes an irrevocable appropriation to the debt service fund of moneys actually on hand or if there is on hand any excess amount in the debt service fund, the recording officer may certify to the county auditor the fact and amount thereof and the auditor shall reduce by the amount so certified the amount otherwise to be included in the rolls next thereafter prepared.

Sec. 3. Minnesota Statutes 1980, Section 244.09, Subdivision 2, if H.F. No. 492, Section 3, is enacted by the 1982 regular session, is amended to read:

Subd. 2. The sentencing guidelines commission shall consist of the following:

(1) The chief justice of the supreme court or his designee;

(2) Two district court judges appointed by the chief justice of the supreme court;

(3) One public defender appointed by the governor upon recommendation of the state public defender;

(4) One county attorney appointed by the governor upon recommendation of the board of governors of the county attorneys council;

(5) The commissioner of corrections or his designee;

(6) The chairman of the Minnesota corrections board or the board of supervised release or his designee;

(7) One peace officer as defined in section 626.84 appointed by the governor;

(8) One probation officer or parole officer appointed by the governor; and

(9) Two public members appointed by the governor.

One of the members shall be designated by the governor as chairman of the commission.

Sec. 4. S.F. No. 1818, if enacted by the 1982 regular session, is amended by adding a section to read:

Sec. 6. [EFFECTIVE DATE.]

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

Sec. 5. S.F. No. 1538, Section 13, if enacted by the 1982 regular session is amended to read:

Sec. 13. [EFFECTIVE DATE.]

Sections 1 to ~~9~~ *12* are effective the day after final enactment. The elected law enforcement officers serving in office on the effective date of this act shall serve until the expiration of their terms of office.

Sec. 6. H.F. No. 552, as enacted by the 1982 regular session is repealed.

Sec. 7. [327.131] [FRAUD.]

A person who (1) obtains food, lodging, or other accommodations at a recreational camping area without paying for it, and with intent to defraud the owner or manager of the recreational camping area or (2) obtains credit at a recreational camping area by or through any false pretense, or by or through the aid, assistance, or influence of any baggage or effects in his possession and control, but not actually belonging to him, shall be guilty of a misdemeanor.

Sec. 8. Minnesota Statutes 1980, Section 327.14, Subdivision 8, is amended to read:

Subd. 8. [RECREATIONAL CAMPING AREA.] ~~The words~~ "Recreational camping area" as used in sections ~~327.07~~, 327.10, 327.11, *7,* 327.14 to 327.28 ~~shall mean~~ *means* any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of five or more units, consisting of tents, travel trailers, pick-up coaches, motor-homes, or camping trailers and whether use of ~~such~~ *the* accommodation is granted free of charge or for compensation. Provided, that nothing in this definition shall be ~~constructed~~ *construed* to include children's camps, industrial camps, migrant labor camps, as defined in Minnesota Statutes and state commissioner of health regulations and also shall not include United States forest service camps, state forest service camps, state wildlife management areas or state owned public access areas which are restricted in use to picnicking and boat landing.

Sec. 9. Minnesota Statutes 1981 Supplement, Section 273.13, Subdivision 9, if H.F. No. 1872 is enacted at the 1982 regular session, is amended to read:

Subd. 9. [CLASS 4A, 4B, 4C, AND 4D.] (1) All property not included in the preceding classes shall constitute class 4a and shall be valued and assessed at 43 percent of the market value thereof, except as otherwise provided in this subdivision.

(2) Real property which is not improved with a structure and which is not utilized as part of a commercial or industrial activity shall constitute class 4b and shall be valued and assessed at 40 percent of market value.

(3) Commercial and industrial property, except as provided in this subdivision, shall constitute class 4c and shall be valued and assessed at 40 percent of the first $50,000 of market value and 43 percent of the remainder, provided that in the case of state-assessed commercial or industrial property owned by one person or entity, only one parcel shall qualify for the 40 percent assessment, and in the case of other commercial or industrial property owned by one person or entity, only one parcel in each county shall qualify for the 40 percent assessment.

(4) Industrial employment property defined in section ~~2~~ *3*, during the period provided in section ~~2~~ *3*, shall constitute class 4d and shall be valued and assessed at 20 percent of the first $50,000 of market value and 21.5 percent of the remainder.

Sec. 10. Minnesota Statutes 1980, Section 123.933, Subdivision 3, is amended to read:

Subd. 3. (a) The cost per pupil of the textbooks, individualized instructional

materials and standardized tests provided for in this section for each school year shall not exceed the statewide average expenditure per pupil, adjusted pursuant to clause (b), by the Minnesota public elementary and secondary schools for textbooks, individualized instructional materials and standardized tests as computed and established by the department of education by March 1 of the preceding school year from the most recent public school year data then available.

(b) The cost computed in clause (a) shall be increased by an inflation adjustment equal to the percent of increase in the foundation aid formula allowance, pursuant to section ~~124.212~~ *124.2122, subdivision 1*, from the second preceding school year to the current school year.

(c) The commissioner shall allot to the school districts or intermediary service areas the total cost for each school year of providing or loaning the textbooks, individualized instructional materials and standardized tests for the pupils in each nonpublic school. The allotment shall not exceed the product of the statewide average expenditure per pupil, adjusted pursuant to clause (b), multiplied by the number of nonpublic school pupils who make requests pursuant to this section and who are enrolled as of September 15 of the current school year.

Sec. 11. Minnesota Statutes 1980, Section 340.951, if S.F. No. 358, Section 8, is enacted at the 1982 regular session, is amended to read:

340.951 [NOTICE OF INJURY.]

Every person who claims damages, and every person or his insurer who claims contribution or indemnity, from any municipality owning and operating a municipal liquor store or from the licensee of any licensed ~~liquor~~ establishment *for the sale of intoxicating liquor or non-intoxicating malt liquor* for or on account of any injury within the scope of section 340.95, shall give a written notice to the governing body of the municipality or the licensee ~~of the liquor establishment~~, as the case may be, stating:

(1) The time and date when, and person to whom the liquor was sold or bartered;

(2) The name and address of the person or persons who were injured or whose property was damaged;

(3) The approximate time and date and the place where any injury to person or property occurred. Every municipality or licensee who claims contribution or indemnification from any other licensee or municipality shall give a written notice in the form and manner specified in this section to the other municipality or licensee.

No error or omission in the notice shall void the effect of the notice, if otherwise valid, unless the error or omission is of a substantially material nature.

In the case of claims for contribution or indemnity this notice shall be served within 120 days after the injury occurs, or within 60 days after receiving written notice of a claim for contribution or indemnity, whichever is applicable, and no action for contribution or indemnity therefor shall be maintained unless the notice has been given. In the case of a claim for damages the notice shall be served by the claimant's attorney within 120 days of the date of

entering an attorney-client relationship with the person in regard to the claim, and no action for damages shall be maintained unless the notice has been given.

Actual notice of sufficient facts to reasonably put the governing body of the municipality or the licensee ~~of the liquor establishment~~, as the case may be, or its insurer, on notice of a possible claim, shall be construed to comply with the notice requirements herein.

No action shall be maintained for injury under section 340.95 unless commenced within two years after the injury.

Sec. 12. H.F. No. 1025, if enacted by the 1982 regular session, is amended by adding a section to read:

Sec. 4. [EFFECTIVE DATE.]

Section 2 is effective for sales of motorized bicycles occurring after the day following final enactment of sections 1 to 4.

Sec. 13. Minnesota Statutes 1981 Supplement, Section 56.12, if H.F. No. 1576 is enacted at the 1982 regular session, is amended to read:

56.12 [ADVERTISING; TAKING OF SECURITY; PLACE OF BUSINESS.]

No licensee shall advertise, print, display, publish, distribute, or broadcast, or cause or permit to be advertised, printed, displayed, published, distributed, or broadcast, in any manner any statement or representation with regard to the rates, terms, or conditions for the lending of money, credit, goods, or things in action which is false, misleading, or deceptive. The commissioner may order any licensee to desist from any conduct which he shall find to be a violation of the foregoing provisions.

The commissioner may require that rates of charge, if stated by a licensee, be stated fully and clearly in such manner as he may deem necessary to prevent misunderstanding thereof by prospective borrowers. A statement of rates of charge that meets the requirements of the federal Truth-in-Lending Act and regulations thereunder shall be deemed full compliance with this section.

A licensee may take a lien upon real estate as security for any loan exceeding $2,700 in principal amount made under this chapter. The provisions of sections 47.20 and 47.21 do not apply to loans made under this chapter, except as provided in this section. No loan secured by a first lien on a borrower's primary residence shall be made pursuant to this section if the proceeds of the loan are used to finance the purchase of the borrower's primary residence, unless:

(1) the proceeds of the loan are used to finance the purchase of a manufactured home; or

(2) the proceeds of the loan are used in whole or in part to satisfy the balance owed on a contract for deed. The rate of interest charged on such a loan made after August 1, 1984, shall not exceed the rate provided in section 47.20, subdivision 4a.

If the proceeds of the loan are used to finance the purchase of the borrower's primary residence, the licensee shall consent to the subsequent transfer of the real estate if the existing borrower continues after transfer to be obligated for repayment of the entire remaining indebtedness. The licensee shall release the

existing borrower from all obligations under the loan instruments, if the transferee (1) meets the standards of credit worthiness normally used by persons in the business of making loans, including but not limited to the ability of the transferee to make the loan payments and satisfactorily maintain the property used as collateral, and (2) executes an agreement in writing with the licensee whereby the transferee assumes the obligations of the existing borrower under the loan instruments. Any such agreement shall not affect the priority, validity or enforceability of any loan instrument. A licensee may charge a fee not in excess of one-tenth of one percent of the remaining unpaid principal balance in the event the loan is assumed by the transferee and the existing borrower continues after the transfer to be obligated for repayment of the entire assumed indebtedness. A licensee may charge a fee not in excess of one percent of the remaining unpaid principal balance in the event the remaining indebtedness is assumed by the transferee and the existing borrower is released from all obligations under the loan instruments, but in no event shall the fee exceed $150.

A licensee making a loan under this chapter secured by a ~~loan~~ *lien* on real estate shall comply with the requirements of section 47.20, subdivision 8.

No licensee shall conduct the business of making loans under this chapter within any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, if the commissioner finds that the character of the other business is such that it would facilitate evasions of this chapter or of the rules and regulations lawfully made hereunder. The commissioner may promulgate rules dealing with such other businesses.

No licensee shall transact the business or make any loan provided for by this chapter under any other name or at any other place of business than that named in the license. No licensee shall take any confession of judgment or any power of attorney. No licensee shall take any note or promise to pay that does not accurately disclose the principal amount of the loan, the time for which it is made, and the agreed rate or amount of charge, nor any instrument in which blanks are left to be filled in after execution. Nothing herein is deemed to prohibit the making of loans by mail.

Sec. 14. S.F. No. 1451, Section 20, Subdivision 1, if enacted at the 1982 regular session, is amended to read:

Subdivision 1. [AUTHORITY.] Any agreement under section 471.59 to jointly or cooperatively manage or plan for the management of surface water as required by sections 18 to 25 may provide for a joint board having:

(a) the authority to prepare and adopt a plan meeting the requirements of section 21;

(b) the authority to review and approve local water management plans as provided in section 22;

(c) the authority of a watershed district under chapter 112 to regulate the use and development of land when one or more of the following conditions exists: (1) the local government unit exercising planning and zoning authority over the land under sections 366.10 to 366.19, 394.21 to 394.37, or 462.351 to 462.364, does not have a local water management plan approved and adopted in accordance with the requirements of section ~~11~~ *22* or has not adopted the implementation program described in the plan; (2) an application to the local

government unit for a permit for the use and development of land requires an amendment to or variance from the adopted local water management plan or implementation program of the local unit; (3) the local government unit has authorized the organization to require permits for the use and development of land.

(d) other powers necessary to exercise the authority under clauses (a) to (c), including the power to enter into contracts for the performance of functions with governmental units or persons.

Sec. 15. Minnesota Statutes 1980, Section 62C.142, Subdivision 3, if S.F. No. 1706 is enacted at the 1982 regular session, is amended to read:

Subd. 3. [APPLICATION.] Subdivision 1 applies to every subscriber contract which is delivered, issued for delivery, renewed or amended on or after July 19, 1977.

Subdivisions 2 and 2a apply to every subscriber contract which is delivered, issued for delivery, renewed, or amended on or after ~~August 1, 1982~~ *March 1, 1983*.

Sec. 16. Minnesota Statutes 1980, Section 62D.101, Subdivision 3, if S.F. No. 1706 is enacted at the 1982 regular session, is amended to read:

Subd. 3. [APPLICATION.] Subdivision 1 applies to every health maintenance contract which is delivered, issued for delivery, renewed or amended on or after July 19, 1977.

Subdivisions 2 and 2a apply to every health maintenance contract which is delivered, issued for delivery, renewed, or amended on or after ~~August 1, 1982~~ *March 1, 1983*.

Sec. 17. Laws 1981, Third Special Session Chapter 2, Article IV, Section 1, if H.F. No. 1555, Article VII, Section 3, is enacted at the 1982 regular session, is amended to read:

Subd. 4a. [LEVY RECOGNITION .]

(a) "School district tax settlement revenue" means the current, delinquent, and mobile home property tax receipts collected by the county and distributed to the school district, including distributions made pursuant to section 279.37, subdivision 7, and excluding the amount levied pursuant to section 275.125, subdivision 9a, and Laws 1976, Chapter 20, Section 4.

(b) In June of each year, the school district shall recognize as revenue, in the fund for which the levy was made, the lesser of:

(1) the June and July school district tax settlement revenue received in that calendar year; or

(2) the sum of the state aids and credits enumerated in section 9 of this article which are for the fiscal year payable in that fiscal year; or

(3) one-sixth of the amount of the spread levy in the current calendar year, *not including levy portions that are assumed by the state,* which remains after subtracting, by fund, the amounts levied for the following purposes:

(i) reducing or eliminating projected deficits in the appropriated fund balance accounts for unemployment insurance and bus purchases;

(ii) statutory operating debt pursuant to section 275.125, subdivision 9a, and Laws 1976, Chapter 20, Section 4; and

(iii) retirement and severance pay pursuant to section 275.125, subdivision 6a, and Laws 1975, Chapter 261, Section 4;

(iv) amounts levied for bonds issued and interest thereon, amounts levied for debt service loans and capital loans, and amounts levied pursuant to section 275.125, subdivision 14a.

(c) In July of each year, the school district shall recognize as revenue that portion of the school district tax settlement revenue received in that calendar year and not recognized as revenue for the previous fiscal year pursuant to clause (b).

(d) All other school district tax settlement revenue shall be recognized as revenue in the fiscal year of the settlement. Portions of the school district levy assumed by the state, including prior year adjustments and the amount to fund the school portion of the reimbursement made pursuant to section 273.425, shall be recognized as revenue in the fiscal year beginning in the calendar year for which the levy is payable.

Sec. 18. Minnesota Statutes 1981 Supplement, Section 124.73, Subdivision 1, is amended to read:

Subdivision 1. The board of any school district may borrow money upon negotiable tax anticipation certificates of indebtedness, in the manner and subject to the limitations set forth in sections 124.71 to 124.76, for the purpose of anticipating general taxes theretofore levied by the district for school purposes, but the aggregate of such borrowing under this subdivision shall never exceed 50 percent of such taxes which are due and payable in the calendar year, and as to which taxes no penalty for nonpayment or delinquency has attached. *In determining the amount of taxes due and payable in the calendar year, any amounts paid by the state to replace such taxes, whether paid in that calendar year or not, shall be included.*

Sec. 19. Minnesota Statutes 1980, Section 475.55, Subdivision 2, if H.F. No. 1872, Article III, Section 2, is enacted at the 1982 regular session, is amended to read:

Subd. 2. [SUPERSESSION.] The provisions of this section shall supersede any *maximum* interest rate fixed by any other law or a city charter with respect to obligations of the state or any municipality or governmental or public subdivision, district, corporation, commission, board, council, or authority of whatsoever kind, including warrants or orders issued in evidence of allowed claims for property or services furnished to the issuer, but shall not limit the interest on any obligation issued pursuant to a law or charter authorizing the issuer to determine the rate or rates of interest.

Sec. 20. Minnesota Statutes 1981 Supplement, Section 124.2125, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article II, Section 8, if H.F. No. 1555 is enacted at the 1982 regular session, is amended to read:

Subdivision 1. [DISCRETIONARY ALLOWANCE; DEFINITION.] "Discretionary allowance" means the amount of revenue per pupil unit used to compute discretionary aid for a particular school year and the discretionary

levy for use in that school year. The discretionary allowance shall equal the formula allowance for the school year times the ratio of the discretionary mill rate to the basic maintenance mill rate for levies for use in that school year, rounded to the nearest cent. However, the discretionary allowance for the 1982-1983 school year shall be computed as though the formula allowance were $1,416 *and the basic maintenance mill rate were .023.*

Sec. 21. [EFFECT OF AMENDMENTS ON REPEALS BY THIS ACT.]

Regardless of the order of final enactment of this act and the acts it amends, the amendments or repeals in this act shall be given effect. Notwithstanding Minnesota Statutes, Sections 645.26, Subdivision 3, 645.33, or other law, an amendment in this act shall prevail over any other act amending the same provisions of law in an irreconcilable manner.

Sec. 22. [EFFECTIVE DATE.]

Sections 4, 8, 10, 12, 18, 19 and 21 are effective the day following final enactment. Section 1 is effective on the effective date of H.F. No. 1663, Section 1, as enacted at the 1982 regular session. Section 2 is effective July 1, 1982. Section 3 is effective January 24, 1983. Section 9 is effective July 1, 1983. Section 11 is effective the day following final enactment of S.F. No. 358 enacted at the 1982 regular session. Sections 13 and 14 are effective August 1, 1982. Sections 15 and 16 are effective March 1, 1983. Sections 17 and 20 are effective July 1, 1982.''

Amend the title as follows:

Page 1, delete lines 8 and 9, and insert:

''amending Minnesota Statutes 1980, Sections 62C.142, Subdivision 3; 62D.101, Subdivision 3; 123.933, Subdivision 3; 244.09, Subdivision 2, as amended; 327.14, Subdivision 8; 340.951, as amended; 475.61, Subdivision 3, as amended; Minnesota Statutes 1981 Supplement, Sections 56.12; 124.2125, Subdivision 1, as amended; 124.73, Subdivision 1; 273.13, Subdivision 9, as amended; 475.55, Subdivision 2, as amended; Laws 1981, Third Special Session Chapter 2, Article IV, Section 1, as amended; Laws enacted at the 1982 regular session styled as S.F. Nos. 1451, Section 20, Subdivision 1; 1538, Section 13; 1818, by adding a section; H.F. No. 1025; proposing new law coded in Minnesota Statutes, Chapter 327; repealing laws enacted at the 1982 regular session styled as H.F. Nos. 552 and 1663, Section 1.''

The motion prevailed. So the amendment was adopted.

Mr. Peterson, R.W. then moved to amend the Peterson, R.W. amendment to S.F. No. 2169, adopted by the Senate March 19, 1982, as follows:

Page 12, after line 34, insert:

''Sec. 22. Minnesota Statutes 1980, Section 152.01, Subdivision 18, if S.F. No. 1758 is enacted by the 1982 regular session, is amended to read:

Subd. 18. [DRUG PARAPHERNALIA.] ''Drug paraphernalia'' means all equipment, products, and materials of any kind, *except those items used in conjunction with permitted uses of controlled substances under this chapter or the Uniform Controlled Substances Act,* which are knowingly or intentionally used primarily in (1) manufacturing a controlled substance, (2) injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled

substance, (3) testing the strength, effectiveness, or purity of a controlled substance, or (4) enhancing the effect of a controlled substance."

Page 13, line 9, after the period, insert "*Section 22 is effective August 1, 1982.*"

Renumber the sections in sequence

Amend the title amendment as follows:

Page 13, line 12, before "amending" insert "redefining drug paraphernalia to exclude items used in conjunction with permitted uses under the controlled substance law;"

Page 13, line 14, after "3;" insert "152.01, Subdivision 18, as amended;"

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

S.F. No. 2169: A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, omitted and obsolete references and text; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature in the 1982 regular session and the third special session of 1981; redefining drug paraphernalia to exclude items used in conjunction with permitted uses under the controlled substance law; amending Minnesota Statutes 1980, Sections 62C.142, Subdivision 3; 62D.101, Subdivision 3; 123.933, Subdivision 3; 152.01, Subdivision 18, as amended; 244.09, Subdivision 2, as amended; 327.14, Subdivision 8; 340.951, as amended; 475.61, Subdivision 3, as amended; Minnesota Statutes 1981 Supplement, Sections 56.12; 124.2125, Subdivision 1, as amended; 124.73, Subdivision 1; 273.13, Subdivision 9, as amended; 475.55, Subdivision 2, as amended; Laws 1981, Third Special Session Chapter 2, Article IV, Section 1, as amended; Laws enacted at the 1982 regular session styled as S.F. Nos. 1451, Section 20, Subdivision 1; 1538, Section 13; 1818, by adding a section; H.F. No. 1025; proposing new law coded in Minnesota Statutes, Chapter 327; repealing laws enacted at the 1982 regular session styled as H.F. Nos. 552 and 1663, Section 1.

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:

Ashbach	Davis	Knoll	Pehler	Sikorski
Bang	Dicklich	Kronebusch	Penny	Solon
Belanger	Dieterich	Langseth	Peterson,D.L.	Spear
Benson	Engler	Lantry	Peterson,R.W.	Stern
Berg	Frank	Lindgren	Petty	Stokowski
Berglin	Frederick	Luther	Pillsbury	Stumpf
Bernhagen	Frederickson	Merriam	Purfeerst	Ulland
Bertram	Hughes	Moe, D. M.	Ramstad	Waldorf
Chmielewski	Humphrey	Moe, R. D.	Rued	Wegener
Dahl	Johnson	Nelson	Schmitz	Willet
Davies	Kamrath	Olhoft	Setzepfandt	

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

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has reconsidered the vote whereby H.F. No. 678 was repassed as amended by the Conference Committee on March 13, 1982.

H.F. No. 678: A bill for an act relating to elections; changing certain election procedures, requirements and time limits; exempting certain transactions from the definition of donation in kind; removing the rulemaking authority of the ethical practices board; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 7b; 10A.02, Subdivision 13; 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; 205.84; and Minnesota Statutes 1981 Supplement, Sections 201.071, Subdivision 1; 203B.02, Subdivision 1; 203B.04, Subdivision 1; 204B.12, Subdivision 1; 204B.19, Subdivision 1; 204B.21, Subdivision 1; 204B.27, Subdivision 1; 204B.31; 204B.34, Subdivision 1; 204B.35, Subdivision 4; 204C.32, Subdivision 2; 204C.33, Subdivision 2; 204D.06; 204D.11, Subdivisions 1 and 5; 204D.14; 204D.15, Subdivision 2; 205.03, Subdivisions 1 and 3; 205.10; proposing new law coded in Minnesota Statutes 1980, Chapter 205; and repealing Minnesota Statutes 1980, Sections 205.04; 205.11, Subdivisions 1, 2, 3, 4, and 5; 205.14, Subdivisions 1, 2, and 3; 205.19; 205.21; and Minnesota Statutes 1981 Supplement, Sections 201.091, Subdivision 6; 204B.12, Subdivision 2; 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.

And the House respectfully requests that the Senate reconsider the vote whereby H.F. No. 678 was repassed as amended by the Conference Committee and that H.F. No. 678 be returned to the Conference Committee for further consideration.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 1982

Mr. Schmitz moved that the Senate not accede to the request of the House that the Senate reconsider the vote whereby H.F. No. 678 was repassed as amended by the Conference Committee and that the bill be returned to the House of Representatives.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 28 and nays 25, as follows:

Those who voted in the affirmative were:

Bang	Dicklich	Moe, D. M.	Purfeerst	Stokowski
Berglin	Frank	Moe, R. D.	Schmitz	Stumpf
Bertram	Hughes	Penny	Setzepfandt	Wegener
Dahl	Johnson	Peterson,R.W.	Solon	Willet
Davies	Langseth	Petty	Spear	
Davis	Lantry	Pillsbury	Stern	

Those who voted in the negative were:

Ashbach	Dieterich	Knoll	Olhoft	Rued
Belanger	Engler	Knutson	Pehler	Sieloff
Benson	Frederick	Kronebusch	Peterson,D.L.	Sikorski
Berg	Frederickson	Lindgren	Ramstad	Ulland
Bernhagen	Kamrath	Luther	Renneke	Waldorf

The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 2190 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2190 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 2190

A bill for an act relating to education; changing the requirements for membership on the higher education coordinating board; allowing the regional management information centers to be considered governmental units for purposes of the joint powers law; requiring the approval of a plan for spending federal education block grant funds for state administrative purposes; allowing the immigration history research center to use donated services or donated property to meet its matching requirements; broadening the planning process relating to declining enrollments in higher education; repealing mandates; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; 471.59, by adding a subdivision; Laws 1981, Chapter 359, Section 2, Subdivision 8; and Section 9, Subdivision 12; Third Special Session Chapter 2, Article I, Section 6, Subdivision 1; repealing Minnesota Statutes, Sections 120.17, Subdivision 10; and 121.12.

March 18, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 2190, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that House File No. 2190 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE I

STATE AGENCY APPROPRIATION REDUCTIONS

Section 1. [APPROPRIATION REDUCTIONS: SUMMARY.]

The sums set forth in the columns designated "APPROPRIATION REDUCTIONS" are reduced from the various general fund appropriations to the specified agencies. The figures "1982" or "1983" whenever used in this article, mean that the listed appropriation reductions are from the appropriations for the years ending June 30, 1982 or June 30, 1983, respectively.

SUMMARY OF REDUCTIONS BY FUNCTION

(Including transfers to other funds)

	1982	1983	TOTAL
STATE DEPARTMENTS	($1,500,000)	($15,971,800)	($17,471,800)
TRANSPORTATION AND			

OTHER AGENCIES	(348,000)	(1,502,000)	(1,850,000)
EDUCATION	(535,000)	(1,685,000)	(2,220,000)
WELFARE, CORRECTIONS, HEALTH	(-0-)	(8,623,000)	(8,623,000)
TOTAL	($2,383,000)	($27,781,800)	($30,164,800)

APPROPRIATION REDUCTIONS

	1982	1983

Sec. 2. [APPROPRIATION REDUCTIONS.]

Subdivision 1. [STATE DEPARTMENTS.]

The general fund appropriations in Laws 1981, Chapters 306, 346 and 356 as amended by Laws 1981, First Special Session, Chapter 4, Article 4, are reduced by the listed amounts:

(a) Legislature	(-0-)	(2,000,000)

The legislative coordinating commission shall apportion this appropriation reduction among the senate, the house of representatives, and the various legislative commissions, including the legislative commission on Minnesota resources. The reduction applied to the legislative commission on Minnesota resources shall be apportioned by that commission among the several programs and activities in Laws 1981, Chapter 356, Section 31.

(b) Contingent Accounts	(1,000,000)	(800,000)

This is a reduction in the fuel and utilities contingent account.

(c) Executive Council	(500,000)	(-0-)
(d) Administration	(-0-)	(290,000)

The commissioner of administration shall implement this appropriation reduction by a delay in implementation of the 911 telephone emergency system.

(e) Agriculture	(-0-)	(283,000)

The commissioner of agriculture shall implement this appropriation reduction by elimination of the shade tree disease control program.

(f) Natural Resources	(-0-)	(450,000)

This reduction shall include closing the metropolitan region office. The commissioner of natural resources shall submit to the legislature by January 1, 1983 a plan to reduce the number of regional offices to three for the 1983-1985 biennium.

(g) Housing Finance Agency

The sum of $1,600,000 is reappropriated from the general fund appropriation in Laws 1981,

Chapter 306, Section 21, Paragraph (b), for the home ownership assistance fund to the housing development fund created in Minnesota Statutes, Section 462A.20 for the purpose of Laws 1982, Chapter 380.

(h) Salary Supplement	(-0-)	(2,000,000)
(i) Retirements	(-0-)	(7,648,800)

(1) $2,648,800 of this reduction is made in recognition of the reduced employer contributions required by Minnesota Statutes, Sections 352.04 and 352.92, as amended by this act.

Of this amount $450,000 is reduced from the appropriations made to the University of Minnesota in Laws 1981, Chapter 359, Sections 7 to 11, allocated among the various appropriation accounts by the commissioner of finance.

$268,800 is reduced from the public transit appropriation made to the metropolitan transit commission in Laws 1981, Chapter 363, Section 55, Subdivision 1.

It is estimated that the rate changes in Minnesota Statutes, Sections 352.04, Subdivision 3 and 352.92, Subdivision 2, as amended by this article, will produce reductions from employer general fund contributions for state employees to the Minnesota state retirement system of $1,930,000 in fiscal year 1983.

If an actuarial valuation prepared pursuant to Minnesota Statutes, Section 356.20 or 356.215 and filed with the commissioner of finance before June 30, 1983 shows that the reduced employer and employee contributions provided for by this article will not be sufficient to amortize the unfunded accrued liability of the state employees retirement fund by the established date for full funding, the reduced employer and employee contributions provided for by this article shall cease to be effective and the employer and employee contributions shall return to the rates in effect before the enactment of this article, effective the first full pay period beginning more than 30 days following the filing of the actuarial valuation with the commissioner of finance.

(2) $2,500,000 of this reduction shall be applied to the appropriation for teachers retirement association contributions statewide, pursuant to Minnesota Statutes, Section 354.43.

(3) $2,500,000 of this reduction represents a reduction in teachers social security contributions pursuant to Minnesota Statutes, Section 355.46.

(j) Supplies and Expenses ..... (-0-) (2,500,000)

The commissioner of finance shall apportion this reduction against general fund appropriations to all state agencies in the executive branch, other than the state university system, state community college system, and the University of Minnesota. The commissioner of finance shall determine the proportion of supply and expense budgets which shall be reduced for each agency. The proportion may differ by agency if the commissioner determines that an agency has a particular need because of other appropriations reductions. The agencies may propose to accomplish the reduced expenditures in categories other than supply and expenses. The commissioner shall submit his proposed apportionment of the reductions to the chairman of the senate finance committee and the chairman of the house appropriations committee, who shall make their recommendations on the apportionment. The recommendations are advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation.

Subd. 2. [TRANSPORTATION AND OTHER AGENCIES.]

The general fund appropriations in Laws 1979, Special Session, Chapter 1, and Laws 1981, Chapters 346, 357, and 363, as amended by Laws 1981, First Special Session, Chapter 4, Article 4, are reduced by the listed amounts:

(a) Transportation ..... (348,000) (937,000)

$687,000 of this reduction is from metropolitan transit commission operating grants.

$250,000 of this reduction shall be implemented by a reduction in statewide non-metropolitan transit commission operating assistance grants.

The $348,000 reduction in fiscal year 1982 represents the unencumbered balances of the appropriations in Laws 1977, Chapter 454, Section 5, Paragraph (b) for paratransit service demonstration grant programs and for regular route transit demonstration program grants, which are hereby canceled. Any portion of the encumbered balance of these appropriations that becomes unencumbered is also canceled.

(b) Public Safety ..... (-0-) (200,000)

The bureau of criminal apprehension shall bear part of the burden of this appropriation reduction.

(c) Commerce ..... (-0-) (100,000)

A plan for the reorganization of the department shall be developed by the commissioner of ad-

ministration in coordination and cooperation with all affected state agencies and submitted to the legislature by September 15, 1982. The plan shall provide for the net reduction of at least six positions from upper level management and their attendant clerical support staff. The plan shall include draft legislation to implement the reorganization. The biennial budget submitted by the agency shall be based on this reorganization plan.

(d) Minnesota Historical Society ..... (-0-) (122,000)

The executive director of the Minnesota historical society shall implement this appropriation reduction by reductions in the Minnesota Historical Society Operations program, other than the Minnesota military history museum at Fort Snelling and Camp Ripley.

(e) Arts, Board of the ..... (-0-) (143,000)

The board of the arts shall apply $33,900 of this appropriation reduction to appropriations for regional arts programs.

Subd. 3. [EDUCATION.]

The general fund appropriations in Laws 1973, Chapter 768, Section 14, Subdivision 8, and in Laws 1981, Chapter 359, as amended by Laws 1981, First Special Session, Chapter 2, are reduced by the listed amounts:

(a) Education, Department of ..... (-0-) (420,000)

None of this reduction shall be taken from appropriations for the Indian scholarship program.

$120,000 of this reduction shall be apportioned by the state board of education among the fiscal year 1983 appropriations for the Minnesota curriculum services center, the vocational student organization center, and vocational area agricultural coordinators. The commissioner of education is encouraged to solicit contributions from nonpublic sources to supplement state appropriations for these programs.

(b) Higher Education Coordinating Board ..... (235,000) (1,265,000)

The reduction for fiscal year 1982 is intended to cancel any balance remaining from the appropriation and accrued interest on the appropriation in Laws 1973, Chapter 768, Section 14, Subdivision 8.

(c) State University Board ..... (210,000) (-0-)

This reduction is in the state university board contingent account.

(d) State Community College Board ..... (90,000) (-0-)

This reduction is in the state university college board contingent account.

Subd. 4. [WELFARE, CORRECTIONS, HEALTH.]

The general fund appropriations in Laws 1981, Chapter 360, as amended by Laws 1981, First Special Session, Chapter 2, are reduced by the listed amounts:

(a) Public Welfare ..... (-0-) (7,873,000)

$4,373,000 of this appropriation reduction is attributable to the differential state hospital rates authorized by this act.

Notwithstanding Laws 1981, Third Special Session Chapter 2, Article I, Section 2, Subdivision 4, clause (a), the commissioner of public welfare shall increase grants for aid to families with dependent children and general assistance by seven percent on February 1, 1983, rather than October 1, 1982, unless federal law or regulation requires otherwise. $3,000,000 of the appropriation reduction in the department of public welfare is attributable to this delay.

$500,000 of this appropriation reducton is attributable to elimination of mandates as recommended by the governor's task force on health care and authorized by this act.

The commissioner of public welfare shall apply to the department of health and human services to obtain waivers to: (1) eliminate the requirement that each nursing home must have a medical director; (2) require that each resident be seen by a physician only once every six months or less frequently if the physician determines and documents that this frequency is unnecessary; and (3) eliminate the requirement that each nursing home have consultants in the areas of medical records, diet, social work, activities programs, and physiatric services.

When the commissioner obtains a waiver for any of these purposes, the commissioner shall eliminate any equivalent state requirements and shall reduce rates paid for allowed costs to the extent allowed by the federal waiver or waivers.

(b) Health ..... (-0-) (750,000)

Subd. 5. [APPROPRIATION AVAILABILITY.] *If the appropriation from the general fund to an agency listed in this section in either year of the biennium ending June 30, 1983, is insufficient, upon the advance approval of the commissioner of finance the appropriation for the other year is available for it.*

Subd. 6. [RELATION TO PRIOR REDUCTIONS.] *The appropriation reductions in this section are in addition to the general reductions, general staff reductions, and other reductions made in previous appropriation acts.*

Subd. 7. [PROGRESS REPORTS.] *Each state agency whose appropriation is reduced by this section shall submit a revised spending plan to the commissioner of finance pursuant to Minnesota Statutes, Section 16A.14. The revised spending plan shall be formulated on a quarterly basis in order to permit the commissioner of finance to monitor the agency's success at meeting its spending and position reduction goals. The commissioner of finance shall notify the committee on finance of the senate and the committee on appropriations of the house of representatives promptly after the end of each quarter of any agency that has failed to meet its spending and position reduction goals for that quarter.*

Sec. 3. Minnesota Statutes 1980, Section 161.20, is amended by adding a subdivision to read:

Subd. 4. [DEBT COLLECTION.] *The commissioner shall make reasonable and businesslike efforts to collect money owed to the department arising from damages to state owned property and other causes related to trunk highways. When a debt has been reduced to a money judgment, the commissioner may contract for debt collection services for the purpose of collecting the judgment. Money received as full or partial payment shall be deposited in the trunk highway fund. When money is collected through contracted services, the commissioner may make payment for the service from the money collected. The amount necessary for payment of contractual collection costs is appropriated from the trunk highway fund.*

Sec. 4. Minnesota Statutes 1980, Section 246.50, Subdivision 5, is amended to read:

Subd. 5. "Cost of care" means the commissioner's determination of the anticipated average per capita cost of all maintenance, treatment and expense, including depreciation of buildings and equipment, *interest paid on bonds issued for capital improvements to state hospitals,* and indirect costs related to the operation other than that paid from the Minnesota state building fund, at all of the state hospitals for the mentally ill or mentally ~~deficient~~ *retarded or chemically dependent* during the current year for which billing is being made. *The commissioner shall determine the anticipated average per capita cost. The commissioner may establish one all inclusive rate or separate rates for each patient disability group, and may establish separate charges for each hospital.* "Cost of care" for outpatient or day-care patients shall ~~not exceed 50 percent of the total average per capita cost for resident patients as determined by the commissioner of public welfare~~ *be on a cost for service basis under a schedule the commissioner shall establish.*

For purposes of this subdivision "resident patient" means a person who occupies a bed while housed in a hospital for observation, care, diagnosis, or treatment.

For purposes of this subdivision "outpatient" or "day-care" patient means a person who makes use of diagnostic ~~or~~, therapeutic, *counseling, or other* service *in a state hospital facility or through state hospital personnel* but does not occupy a ~~regular~~ hospital bed *overnight.*

For the purposes of collecting from the federal government for the care of those patients eligible for medical care under the social security act "cost of care" shall be determined as set forth in the rules and regulations of the

Department of Health~~, Education, and Welfare~~ *and Human Services or its successor agency*.

Sec. 5. Minnesota Statutes 1980, Section 246.50, Subdivision 6, is amended to read:

Subd. 6. "Relatives" means the spouse, and parents and, in the case of the mentally ill *or chemically dependent*, children of a patient, in that order of liability for cost of care.

Sec. 6. Minnesota Statutes 1980, Section 246.51, is amended to read:

246.51 [PAYMENT FOR CARE AND TREATMENT; DETERMINATION.]

Subdivision 1. [PROCEDURES.] The commissioner shall make investigation as necessary to determine, and as circumstances require redetermine, what part of the cost of care, if any, the patient is able to pay. If the patient is unable to pay the full cost of care the commissioner shall make a determination as to the ability of the relatives to pay. *The patient or relatives or both shall provide the commissioner documents and proofs necessary to determine their ability to pay.* ~~However, in no case shall the relatives, unless they reside outside the state, be ordered to pay more than ten percent of the cost of care for each patient not to exceed $125 per month. Voluntary payments in excess of $125 per month may be accepted by the commissioner. The commissioner may require payment of the full per capita cost of care in state hospitals for children whose parents or guardians do not reside in Minnesota.~~ *Failure to provide the commissioner with sufficient information to determine ability to pay may make the patient or relatives, both, liable for the full per capita cost of care until the time when sufficient information is provided.* No parent shall be liable for the cost of care given a patient at a state hospital after the patient has reached the age of 18 years. The commissioner's determination shall be conclusive in any action to enforce payment of the cost of care unless appealed from as provided in section 246.55. All money received shall be paid to the state treasurer and placed in the general fund of the state and a separate account kept of it. Responsibility under this section shall not apply to those relatives having gross earnings of less than $11,000 per year.

Subd. 2. [RULES.] *The commissioner shall adopt, pursuant to the administrative procedure act, rules establishing uniform standards for determination of patient liability and relative, guardian or conservator responsibility for care provided at state hospitals. These rules shall have the force and effect of law.*

Sec. 7. Minnesota Statutes 1981 Supplement, Section 246.511 is amended to read:

246.511 [RELATIVE RESPONSIBILITY.]

~~Notwithstanding the provisions of Laws 1981, Chapter 360, Article 1, Section 2, Subdivision 5, the commissioner of public welfare shall determine what part of the cost of care for state hospital treatment a patient or his relatives are able to pay.~~ In no case, shall a patient's relatives, pursuant to the commissioner's authority under section 246.51, be ordered to pay more than ten percent of the cost of care, unless they reside outside the state. *The commissioner may accept voluntary payments in excess of ten percent. The commissioner may require full payment of the full per capita cost of care in state*

hospitals for patients whose parent, parents, spouse, guardian or conservator do not reside in Minnesota.

Sec. 8. Minnesota Statutes 1980, Section 246.53, is amended to read:

246.53 [CLAIM AGAINST ESTATE OF DECEASED PATIENT.]

Subdivision 1. [PATIENT'S ESTATE.] Upon the death of a patient, or a former patient, the total cost of care given ~~him~~ *the patient*, less the amount actually paid toward the cost of ~~such~~ care by the patient and ~~his~~ *the patient's* relatives, shall be filed by the commissioner as a claim against the estate of ~~such~~ *the* patient with the court having jurisdiction to probate the estate and all proceeds collected by the state in ~~such~~ *the* case shall be divided between the state and county in proportion to the cost of care each has borne.

Subd. 2. [PREFERRED STATUS.] *An estate claim in subdivision 1 shall be considered an expense of the last illness for purposes of section 524.3-805.*

If the commissioner of public welfare ~~shall determine~~ *determines* that the property or estate of any ~~such~~ patient is not ~~to~~ more than *needed to* care for and maintain the ~~wife~~ *spouse* and minor or dependent children of ~~such~~ *a* deceased patient, ~~he shall have~~ *the commissioner has* the power to compromise the claim of the state in ~~such~~ *a* manner ~~as he, in his judgment and upon investigation, may deem~~ *deemed* just and proper.

Subd. 3. [EXCEPTION FROM STATUTE OF LIMITATIONS.] Any statute of limitations which limits the commissioner in recovering the cost of care obligation incurred by a patient or former patient shall not apply to any claim against an estate made hereunder to recover cost of care.

Sec. 9. Minnesota Statutes 1980, Section 352.04, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 64, is amended to read:

Subd. 2. [EMPLOYEE CONTRIBUTIONS.] The employee contribution to the fund shall be an amount equal to ~~3.73~~ *3.46* percent of salary, beginning with the first full pay period after December 31, 1981~~; provided, however, that for the period beginning with the first full pay period after December 31, 1981, and ending with the last full pay period before July 1, 1982, the contribution shall be an amount equal to 3.46 percent of salary~~. These contributions shall be made by deduction from salary in the manner provided in subdivision 4.

Sec. 10. Minnesota Statutes 1980, Section 352.04, Subdivision 3, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 65, is amended to read:

Subd. 3. [EMPLOYER CONTRIBUTIONS.] The employer contribution to the fund shall be an amount equal to the total amount deducted from the salaries of employees on each payroll abstract, plus an additional ~~1.87~~ *1.58* percent of salary beginning with the first full pay period after ~~December 31, 1981; provided, however, that~~ *July 1, 1982*. For the period beginning with the first full pay period after December 31, 1981, and ending with the last full pay period before July 1, 1982, the contribution shall be an amount equal to 3.46 percent of salary plus an additional 1.74 percent of salary. The employer contribution shall be made in the manner provided in subdivisions 5 and 6.

Sec. 11. Minnesota Statutes 1980, Section 352.92, Subdivision 1, as

amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 66, is amended to read:

Subdivision 1. [EMPLOYEE CONTRIBUTIONS.] Beginning with the first full pay period after ~~December 31, 1981~~ *July 1, 1982*, in lieu of employee contributions payable under section 352.04, subdivision 2, contributions by covered correctional employees shall be in an amount equal to ~~4.89~~ *4.50* percent of salary~~; provided, however, that~~ . For the period beginning with the first full pay period after December 31, 1981, and ending with the last full pay period before July 1, 1982, the contribution shall be in an amount equal to 3.78 percent of salary.

Sec. 12. Minnesota Statutes 1980, Section 352.92, Subdivision 2, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 67, is amended to read:

Subd. 2. [EMPLOYER CONTRIBUTIONS.] Beginning with the first full pay period after ~~December 31, 1981~~ *July 1, 1982*, in lieu of employer contributions payable under section 352.04, subdivision 3, the employer shall contribute for covered correctional employees (1) an amount equal to 1 1/2 times the deduction from salaries of covered correctional employees on each payroll abstract, plus (2) an additional amount of ~~4.08~~ *1.32* percent of salaries of covered correctional employees on each payroll abstract~~; provided, however, that~~ . For the period beginning with the first full pay period after December 31, 1981, and ending with the last full pay period before July 1, 1982, the contribution shall be an amount equal to 5.66 percent of salaries of covered correctional employees on each payroll abstract plus an additional amount equal to 3.16 percent of salaries of covered correctional employees on each payroll abstract.

Sec. 13. [362.43] [CERTIFIED STATE DEVELOPMENT COMPANY.]

Subdivision 1. [PURPOSE; OBJECTIVES.] *The commissioner of energy, planning and development may create, promote and assist a state development company, also known as a "503" certified development company, which will qualify as a certified development company for the purposes of 15 United States Code, section 697 and Code of Federal Regulations, title 13, section 108.503.*

The commissioner shall utilize the development company program to stimulate the state's economic activity.

The development company and its directors and officers shall comply with the organizational, operational, regulatory and reporting requirements as promulgated by the United States small business administration and the guidelines contained in the bylaws, articles of incorporation, and standard operating procedure prescribed by the small business administration.

Subd.2. [CAPITAL, LOAN LIMITS; MEMBERSHIP REQUIREMENTS.] *The capital for a certified state development company shall be derived from corporate holders or members, each of whom shall not have more than ten percent of the voting control of the certified state development company. The company shall have a minimum of ten members. Membership shall be, to the greatest extent practicable, in proportion to the population of each economic development region to the total population of the state. The loan limit of each member shall be established at the time of its acceptance as a*

member and shall be computed on the basis of the financial information contained in or made a part of its application for membership. All loan limits shall be established at the thousand dollar amount nearest the amount computed in accordance with the provisions of the articles of incorporation and this section.

Subd. 3. [MEMBERS.] *Members shall be representatives of local government, community organizations, financial institutions, and businesses in Minnesota and which, upon application, have been accepted for membership by a majority vote of the members of the board of directors present at any regular or special meeting of the board at which there is a quorum. A "financial institution" is a business organization recognized under Minnesota or federal law as a banking institution, trust company, savings and loan association, insurance company, or a corporation, partnership, foundation or other institution licensed to do business in the state of Minnesota and engaged primarily in lending or investing money.*

Subd. 4. [MEMBERSHIP APPLICATIONS.] *Applications for membership shall be submitted to the board of directors on forms provided by the corporation and accompanied by additional information as the form may require. Application forms shall provide that if the application is approved, and the applicant accepted for membership by the board of directors prior to withdrawal of the application, the applicant agrees to become a member upon the acceptance and to assume all of the rights and obligations of a member as set forth in the corporation's bylaws, the articles of incorporation, and Minnesota Statutes, Chapters 301 and 362. Notice of approval or rejection of an application shall be forwarded, by certified or registered United States mail, to the applicant for the attention of the person signing the application, within 15 days following the date upon which the approval or rejection is made. Approval of the application constitutes acceptance of the applicant as a member of the corporation.*

Subd. 5. [OFFICERS.] *The executive officers of the corporation shall be a president, one or more vice presidents including the executive vice president, a secretary, and a treasurer. None of the officers, except the president, need be directors. One person may hold the offices and perform the duties of any two or more of the offices. The board of directors by majority vote may leave unfilled for any period it may fix any office except that of president, treasurer, or secretary.*

Subd. 6. [DEPARTMENT ASSISTANCE.] *The commissioner of energy, planning and development shall make available the professional staff of the department to provide services to the certified state development company including, but not limited to, accounting, legal and business assistance services. The staff shall have the capability to package, process, close and service loans made through the development company.*

Subd. 7. [REPORTS.] *The development company shall submit to the small business administration annual reports on its operation. When requested by the small business administration, interim reports of a similar nature will be provided. The reports shall be provided in accordance with the instructions and attachments set forth by the small business administration. The development company shall comply with all regulations issued under the small business investment act of 1958, as amended, as well as applicable state and*

federal laws affecting its operation.

Subd. 8. [REVOLVING FUND.] *The certified state development company may charge a one time processing fee up to the maximum allowed by the small business administration on a debenture issued for loan purposes. In addition, a fee for servicing loans may be imposed up to the maximum allowed by the small business administration based on the unpaid balance of each debenture. There is established a program of business services revolving fund in the state treasury. Proceeds from fees collected on loans processed with assistance from department staff shall be deposited in the program of business services revolving fund. Moneys in the fund are appropriated to the commissioner of energy, planning and development for the purposes of this section.*

Sec. 14. Minnesota Statutes 1980, Section 362.51, Subdivision 1, is amended to read:

Subdivision 1. A small business finance agency is hereby created and is constituted as an authority to act on behalf of the state within the scope of the powers granted to it in sections 362.132 and 362.50 to 362.53 to implement a loan program by which, in cooperation with cities, towns, counties and private or public lenders, adequate funds may be provided on sufficiently favorable terms to assist and encourage the establishment, maintenance and growth of small business in Minnesota and to reduce to a manageable level the cost of the control of pollution and disposal of waste resulting from the operations of small business.

Because of its ability to pool or combine loans to be funded from one or more issues of bonds, *whether or not the interest on the bonds is exempt from federal income taxes*, the agency will be able to spread its financing costs among the small businesses to which the agency makes loans, thereby reducing costs incurred by each small business.

Sec. 15. Minnesota Statutes 1981 Supplement, Section 362.52, Subdivision 2, is amended to read:

Subd. 2. The agency may participate with financial institutions in making or purchasing business loans not exceeding $1,000,000 in principal amount, to be serviced by such institutions, provided that:

(a) The agency's share shall not exceed 90 percent of the total principal amount, and shall be payable with interest at the same times but not necessarily at the same interest rate as the share of the financial institution, and both shares shall be equally and ratably secured by a valid mortgage on or security interest in real or personal property or by any other security satisfactory to the agency to secure payment of the loan *provided, that the agency's share may equal 100 percent of the total principal amount of the business loan if the financial institution participating in the making or purchasing of the business loan by servicing the loan, purchases 100 percent of the total amount of the bonds issued by the agency in connection with the loan;*

(b) The total principal amount shall not exceed 90 percent of the value of the property securing the loan, unless the amount in excess of 90 percent is:

(1) Loaned from available funds which are not proceeds received directly from the sale of the agency's bonds or notes and are not restricted under the terms of any resolution or indenture securing bonds or notes, or

(2) Insured or guaranteed by a federal agency or by a private insurer qualified to write such insurance in the state, insuring a percentage of any claim for loss at least equal to that percentage of the value by which the loan exceeds 90 percent thereof;

(c) The value of the property securing the loan shall be certified by the participating financial institution, on the basis of such appraisals, bids, purchase orders, and engineers' certificates as the agency may require; provided that the value of items purchased and constructed from the proceeds of the loan shall not be deemed to exceed the contract price of purchase or construction;

(d) The agency shall not disburse funds under a commitment to participate in a loan for the construction or substantial improvement of property until the construction or improvement has been completed, unless a financial institution furnishes an irrevocable letter of credit or a qualified corporate surety furnishes payment and performance bonds, satisfactory to the agency and in an aggregate amount equal to the amount payable under the construction contract; and

(e) No other indebtedness may be secured by a mortgage on or security interest in property securing a business loan made or purchased pursuant to this subdivision without the prior express written authorization of the agency.

Sec. 16. Minnesota Statutes 1980, Section 362.53, Subdivision 13, is amended to read:

Subd. 13. It may sell any of its obligations at public or private sale, at such price or prices as the agency shall determine, notwithstanding the limitation on sale price in the fourth sentence of section 462A.09, *and notwithstanding whether or not the interest on any of its obligations is subject to federal income taxes*.

Sec. 17. Minnesota Statutes 1980, Section 487.39, Subdivision 1, is amended to read:

Subdivision 1. An aggrieved party may appeal to the district court from a determination of a county court or a county municipal court. The provisions of this section govern all appeals from the county court and the county municipal court; appeal provisions of all other statutes are inapplicable except as stated in section 484.63.

(a) Except as provided in clause (b), the appeal in a civil case shall be taken by filing written notice thereof with the clerk of court of the county in which the action was heard not more than 30 days after written notice of the court's determination has been served upon the aggrieved party or ~~his~~ *the party's* attorney~~, or in any event within three months after the determination in a civil case~~. *Written notice of the court's determination shall be served by the clerk of court upon the aggrieved party or the party's attorney within 45 days after the determination in a civil case.*

(b) In the appeal of petty misdemeanor, ordinance or criminal cases the written notice of appeal shall be filed with the clerk of court of the county in which the action was heard within ten days of the conviction or other determination, and sentencing thereon, appealed from.

(c) A written notice of appeal shall be served by the appellant upon all parties to the original proceedings or their attorneys not more than five days after filing a written notice of appeal and proof of ~~such~~ service shall be filed with the clerk

of county court or county municipal court in the county in which the action was heard not more than three days after the service of ~~such~~ notice on the opposite party or ~~his~~ *the party's* attorney. The appeal shall be heard and determined by a district court appellate panel pursuant to section 484.63.

Sec. 18. Minnesota Statutes 1981 Supplement, Section 510.05, is amended to read:

510.05 [LIMITATIONS.]

Such homestead exemption shall not extend to any mortgage lawfully obtained thereon, to any valid lien for taxes or assessments, *to a claim filed pursuant to section 256B.15 or section 246.53* or to any charge arising under the laws relating to laborers or materialmen's liens.

Sec. 19. Minnesota Statutes 1980, Section 524.3-805, is amended to read:

524.3-805 [CLASSIFICATION OF CLAIMS.]

(a) If the applicable assets of the estate are insufficient to pay all claims in full, the personal representative shall make payment in the following order:

(1) costs and expenses of administration;

(2) reasonable funeral expenses;

(3) debts and taxes with preference under federal law;

(4) reasonable and necessary medical and hospital expenses of the last illness of the decedent, including compensation of persons attending him;

(5) debts and taxes with preference under other laws of this state;

(6) all other claims.

(b) No preference shall be given in the payment of any claim over any other claim of the same class, and a claim due and payable shall not be entitled to a preference over claims not due, *except that if claims for expenses of the last illness involve only claims filed under section 246.53 for costs of state hospital care and claims filed under section 256B.15, claims filed under section 246.53 have preference over claims filed under section 256B.15.*

Sec. 20. Minnesota Statutes 1981 Supplement, Section 525.145, is amended to read:

525.145 [DESCENT OF HOMESTEAD.]

(1) Where there is a surviving spouse the homestead, including a mobile 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; ~~in all other cases~~ *except that the homestead shall be subject to a claim filed pursuant to section 246.53 for state hospital care or 256B.15. 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. 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.

Sec. 21. [EFFECTIVE DATE.]

This article is effective the day following final enactment.

ARTICLE II

TAXES AND PAYMENT SHIFTS

Section 1. Minnesota Statutes 1981 Supplement, Section 275.50, Subdivision 2, as amended by House File No. 1872, Article XXXV, Section 1, of the 1982 Regular Session, is amended to read:

Subd. 2. [GOVERNMENTAL SUBDIVISION.] "Governmental subdivision" means a county, home rule charter city, statutory city, ~~or~~ town *or special taxing district determined by the department of revenue,* except a town that has a population of less than 5,000 according to the most recent federal census, provided that the population of an incorporated municipality located within the boundaries of a town is not included in the population of the town. The term does not include school districts or the metropolitan transit commission created pursuant to section 473.404.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 290A.07, Subdivision 2a, is amended to read:

Subd. 2a. A claimant ~~not included in subdivision 2~~ who is a renter shall receive full payment prior to August 15 or 60 days after receipt of the application, whichever is later.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 290A.07, Subdivision 3, is amended to read:

Subd. 3. Any claimant not included in subdivision ~~2 or~~ 2a shall receive full payment after September 30 and prior to October 15. Interest shall be added at six percent per annum from October 15 or 60 days after receipt of the application if the application is filed after August 31. Interest will be computed until the date the claim is paid.

Sec. 4. Minnesota Statutes 1981 Supplement, Section 297A.01, Subdivision 3, as amended by House File No. 1872, Article XXXIV, Section 1, of the 1982 Regular Session, is amended to read:

Subd. 3. A "sale" and a "purchase" includes, but is not limited to, each of the following transactions:

(a) Any transfer of title or possession, or both, of tangible personal property, whether absolutely or conditionally, and the leasing of or the granting of a

license to use or consume tangible personal property other than manufactured homes used for residential purposes for a continuous period of 30 days or more, for a consideration in money or by exchange or barter;

(b) The production, fabrication, printing or processing of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production, fabrication, printing or processing;

(c) The furnishing, preparing or serving for a consideration of food, meals or drinks, not including hospitals, sanatoriums, nursing homes or senior citizens homes, meals or drinks purchased for and served exclusively to individuals who are 60 years of age or over and their spouses or to the handicapped and their spouses by governmental agencies, nonprofit organizations, agencies, or churches or pursuant to any program funded in whole or part through 42 USCA sections 3001 through 3045, wherever delivered, prepared or served, meals and lunches served at public and private schools, universities or colleges, or the occasional meal thereof by a charitable or church organization; church organization. Notwithstanding section 297A.25, subdivision 1, clause (a), taxable food or meals include, but is not limited to, the following:

(i) heated food or drinks;

(ii) sandwiches prepared by the retailer;

(iii) single sales of prepackaged ice cream or ice milk novelties prepared by the retailer;

(iv) hand-prepared or dispensed ice cream or ice milk products including cones, sundaes, and snow cones;

(v) soft drinks and other beverages prepared or served by the retailer;

(vi) gum;

(vii) ice;

(viii) all food~~, except candy,~~ sold in vending machines;

(ix) party trays prepared by the retailers; and

(x) all meals and single servings of packaged snack food, single cans or bottles of pop, sold in restaurants and bars;

(d) The granting of the privilege of admission to places of amusement or athletic events and the privilege of use of amusement devices or athletic facilities;

(e) The furnishing for a consideration of lodging and related services by a hotel, rooming house, tourist court, motel or trailer camp and of the granting of any similar license to use real property other than the renting or leasing thereof for a continuous period of 30 days or more;

(f) The furnishing for a consideration of electricity, gas, water, or steam for use or consumption within this state, or local exchange telephone service and intrastate toll service except such service provided by means of coin operated telephones; the tax imposed on amounts paid for telephone services is the liability of and shall be paid by the person paying for the services. Sales by municipal corporations in a proprietary capacity are included in the provisions

of this clause. The furnishing of water and sewer services for residential use shall not be considered a sale;

(g) The furnishing for a consideration of cable television services, including charges for basic monthly service, charges for monthly premium service, and charges for any other similar cable television services.

Sec. 5. Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1, as amended by Laws 1981, Third Special Session Chapter 2, Article V, Section 2, and as amended by House File No. 1872, Article XXXIV, Section 2, of the 1982 Regular Session, is amended to read:

Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, and food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) and which are sold by a retailer, organized as a nonprofit corporation or association, within a place located on property owned by the state or an agency or instrumentality of the state, the entrance to which is subject to an admission charge. *This exemption does not include the following:*

(i) candy and candy products;

(ii) carbonated beverages, beverages commonly referred to as soft drinks containing less than 15 percent fruit juice, or bottled water other than non-carbonated and noneffervescent bottled water sold in individual containers of one gallon or more in size;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, uherapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota *by the purchaser* and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (storage shall not constitute intermediate use); *provided that the property is not subject to tax in that state or country to which it is transported for storage or use, or, if*

subject to tax in that other state, that state allows a similar exemption for property purchased therein and transported to Minnesota for use in this state; except that sales of tangible personal property that is shipped or transported for use outside Minnesota shall be taxed at the rate of the use tax imposed by the state to which the property is shipped or transported, unless that state has no use tax, in which case the sale shall be taxed at the rate generally imposed by this state; and provided further that sales of tangible personal property to be used in other states or countries as part of a maintenance contract shall be specifically exempt; or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of clothing and wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other article intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property

intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except as provided in section 297A.14) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, and any such publication. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use

or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, ''airflight equipment'' includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(s) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(t) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805, as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(u) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a ''public school'' is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(v) The gross receipts from the sale of and the storage of material designed to

advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

(w) The gross receipt from the sale of residential heating fuels in the following manner:

(i) all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April;

(iii) electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April.

(x) The gross receipts from the sale or use of tickets or admissions to the premises of or events sponsored by an association, corporation or other group of persons which provides an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and which qualifies as a tax-exempt organization within the meaning of section 290.05, subdivision 1, clause (i).

(y) The gross receipts from either the sales to or the storage, use or consumption of tangible personal property by an organization of military service veterans or an auxiliary unit of an organization of military service veterans, provided that:

(i) the organization or auxiliary unit is organized within the state of Minnesota and is exempt from federal taxation pursuant to section 501(c), clause (19), of the Internal Revenue Code as amended through December 31, 1978; and

(ii) the tangible personal property which is sold to or stored, used or consumed by the organization or auxiliary unit is for charitable, civic, educational, or nonprofit uses and not for social, recreational, pleasure or profit uses.

(z) The gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene.

Sec. 6. [340.986] [ON-SALE LIQUOR TAX.]

In addition to the taxes imposed by section 297A.02 and chapter 340, a tax is imposed in the amount of five percent on the gross receipts from all retail on-sales of intoxicating liquor and fermented malt beverages when sold at a licensed on-sale liquor establishment or municipal liquor store within the state. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions. The tax collected pursuant to this section shall be deposited in the general fund.

Sec. 7. Laws 1981, Third Special Session Chapter 2, Article III, Section 22, is amended to read:

Sec. 22. [EFFECTIVE DATE.]

Sections 1 and 19 to 21 are effective February 1, 1982. The provision of section 2 relating to commodity tax straddles and section 7 are effective for taxable years beginning after December 31, 1980. The provisions of section 2 relating to the exclusion of dividend and interest income are effective for taxable years beginning after December 31, 1981. Section 2, clauses (a)(22), (b)(24), the portion of clause (a)(16) relating to recovery property, (b)(25), and sections 8, 11, and 12 are effective for property placed in service after December 31, 1980 in taxable years ending after that date. Section 2, clauses (a)(17), (b)(2), the portion of clause (a)(16) relating to gain from the sale or disposition of property and section 9 are effective for ~~the sale or other disposition of property after June 30, 1982~~ *taxable years beginning after December 31, 1982*. Section 6 is effective for taxable years beginning after December 31, 1981. Section 10 is effective for the sale or other disposition of property after December 31, 1982. Sections 13, 14, and 15 are effective for income earned after December 31, 1981. Section 16 is effective for taxable years beginning after December 31, 1981. Sections 17 and 18 are effective for petitions filed after January 31, 1982.

Sec. 8. House File No. 1872, Article I, Section 73, as enacted by the 1982 Regular Session, is amended to read:

Sec. 73. [EFFECTIVE DATE.]

Sections 2, 19 and 67 are effective for taxable years beginning after December 31, 1980. Sections 47, 51, 52, 53, 55, 57, and 59 are effective May 1, 1982. Sections 46 and 54 are effective for bankruptcy proceedings filed on or after October 1, 1979. Sections 12, 45, 50, 56, 58, 64, 66, and 68 are effective the day after final enactment. Section 65 is effective for claims based on rent paid in 1982 and subsequent years. The provisions of section 42 requiring that non-game wildlife designations be made on original returns is effective for taxable years beginning after December 31, 1979, and claims based on rent paid in 1980 and subsequent years, and property taxes payable in 1981 and subsequent years. Those provisions of section 63 that relate to net operating loss carrybacks are effective the day after final enactment. The balance of section 63 is effective for claims based on rent paid in 1982 and succeeding years and property taxes payable in 1983 and succeeding years. The change in section 1, clause (b)(2) is effective for ~~the sale or other disposition of property after June 30, 1982~~ *taxable years beginning after December 31, 1982*. The rest of this article is effective for taxable years beginning after December 31, 1981.

Sec. 9. [HOMESTEAD CREDIT; REDUCTIONS.]

The certification of homestead credit for taxes payable 1982 as shown on the abstract of tax lists shall be reduced by $30,000,000 by the commissioner of revenue as follows:

(a) $20,500,000 shall be subtracted from the total certifications relating to the county levies;

(b) $5,500,000 shall be subtracted from the total certifications relating to the city levies;

(c) $2,000,000 shall be subtracted from the total certification relating to the town levies; and

(d) $2,000,000 shall be subtracted from the total certification relating to special taxing district levies.

Each county, each city, each town, and each special taxing district will receive a proportionate reduction from its original certification after the reduction pursuant to section 10.

Sec. 10. [ADDITIONAL REDUCTION FOR COUNTIES CONTAINING A FIRST CLASS CITY.]

Before reducing the original certifications pursuant to section 9, the commissioner shall reduce the certification for Hennepin, Ramsey, and St. Louis counties. Hennepin county shall be reduced by $1,160,900; Ramsey county shall be reduced by $565,200; and St. Louis county shall be reduced by $273,900. These counties shall apply at least one-half of this aid reduction to reduce county administrative costs rather than to reduce services provided directly to the public.

Sec. 11. [HOMESTEAD CREDIT; PAYMENT.]

The total amount of the appropriation from the general fund to the commissioner of revenue for homestead credit payments for taxes payable in 1982, including the amount appropriated to the commissioner of education pursuant to section 12, shall not exceed $451,600,000. If the amount of homestead credit payable in 1982, following the reductions in sections 9 and 10 exceeds $451,600,000, the amount in excess of $451,600,000 shall be proportionately reduced from the amounts due to each county, special taxing district, city, town and school district.

The proportionate distribution will be made using the certifications after the reductions made pursuant to sections 9 and 10.

Sec. 12. [273.1392] [PAYMENT; AIDS TO SCHOOL DISTRICTS.]

The amounts of homestead credit under section 273.13, subdivisions 6, 7, and 14a; wetlands credit and reimbursement under section 273.115; native prairie credit and reimbursement under section 273.116; attached machinery aid under section 273.138; reimbursement under section 273.139; and agricultural preserve credit under section 473H.10, shall be certified to the department of education by the department of revenue. The amounts so certified shall be paid according to the schedule for payment of foundation aids pursuant to section 124.11. The sum sufficient to make the payments required by this section is appropriated from the general fund to the commissioner of education.

Sec. 13. [REPEALER.]

(a) Minnesota Statutes 1981 Supplement, Section 290A.07, Subdivision 2, is repealed.

(b) Laws 1981, First Special Session, Chapter 1, Article III, Section 3, Subdivision 6, as amended by Laws 1981, Third Special Session Chapter 2, Article IV, Section 15, is repealed.

Sec. 14. [EFFECTIVE DATE.]

Section 1 is effective for taxes levied in 1982 and thereafter, payable in 1983, and thereafter. Sections 2, 3, and 13, clause (a), are effective for claims

based on rent paid in 1982 and thereafter, and property taxes payable in 1983 and thereafter. Sections 4, 5, and 6 are effective for sales occurring on or after May 1, 1982. Sections 7, 8, 9, 10, 11, 12, and 13, clause (b), are effective the day after final enactment.''

Delete the title and insert:

''A bill for an act relating to the financing of government in this state; reducing appropriations for the biennium ending June 30, 1983, with certain conditions; imposing various cost-saving measures; authorizing collection of debts related to trunk highways; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; altering the method of charging for outpatient care; reducing employer and employee contributions to the Minnesota state retirement system; authorizing a certified state development company; making certain changes in the small business finance agency to provide for small business loans; giving claims against estates of deceased patients preferred status; allowing certain claims against estates for medical assistance in some instances; altering the date on which certain property tax refunds are paid; making technical corrections; imposing a tax on on-sales of liquor; delaying the 60 percent exclusion on capital gains for individuals; reducing certain payments to governmental subdivisions; altering the payment date of certain aids to school districts; imposing the sales tax on sales of candy and soft drinks, cable television services, and certain property transported outside Minnesota; appropriating money; amending Minnesota Statutes 1980, Sections 161.20, by adding a subdivision; 246.50, Subdivisions 5 and 6; 246.51; 246.53; 352.04, Subdivisions 2, as amended; and 3, as amended; 352.92, Subdivisions 1, as amended; and 2, as amended; 362.51, Subdivision 1; 362.53, Subdivision 13; 487.39, Subdivision 1; 524.3-805; Minnesota Statutes 1981 Supplement, Sections 246.511; 275.50, Subdivision 2, as amended; 290A.07, Subdivisions 2a, and 3; 297A.01, Subdivision 3, as amended; 297A.25, Subdivision 1, as amended; 362.52, Subdivision 2; 510.05; 525.145; Laws 1981, Third Special Session Chapter 2, Article III, Section 22; House File No. 1872, Article I, Section 73; proposing new law coded in Minnesota Statutes, Chapters 273; 340; and 362; repealing Minnesota Statutes 1981 Supplement, Sections 290A.07, Subdivision 2; Laws 1981, First Special Session, Chapter 1, Article III, Section 3, Subdivision 6, as amended.''

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

House Conferees: (Signed) Michael R. Sieben, Don Samuelson, Phyllis L. Kahn, Lyndon R. Carlson

Senate Conferees: (Signed) Gerald L. Willet, Gerry Sikorski, William P. Luther, Timothy J. Penny, Steve Engler

Mr. Johnson moved that the foregoing recommendations and Conference Committee Report on H.F. No. 2190 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 2190 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 47 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Langseth	Penny	Stern
Berg	Frank	Lantry	Peterson,C.C.	Stokowski
Berglin	Frederick	Luther	Peterson,R.W.	Stumpf
Bernhagen	Frederickson	Menning	Petty	Taylor
Chmielewski	Hanson	Merriam	Purfeerst	Waldorf
Dahl	Hughes	Moe, D. M.	Rued	Wegener
Davies	Humphrey	Moe, R. D.	Schmitz	Willet
Davis	Johnson	Nelson	Setzepfandt	
Dicklich	Knoll	Olhoft	Sikorski	
Dieterich	Kronebusch	Pehler	Spear	

Those who voted in the negative were:

Bang	Bertram	Lindgren	Ramstad	Solon
Belanger	Kamrath	Peterson,D.L.	Renneke	Ulland
Benson	Knutson	Pillsbury	Sieloff	

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

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to inform you that the House has repassed House File No. 1234, notwithstanding the veto of the Honorable Albert H. Quie, Governor of the State.

There is herewith transmitted to the Senate:

1. House File No. 1234: A bill for an act relating to employees and officials of the state; clarifying certain hospital and medical benefits for retired or disabled state officials and employees; amending Minnesota Statutes 1980, Section 471.61, Subdivision 2a.

2. Veto Message of the Governor, dated March 18, 1982.

3. The enrolled copy of House File No. 1234 with all of the signatures of the officers of the Senate and the House but minus the signature of the Governor.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 1982

March 18, 1982

The Honorable Harry Sieben
Speaker
Minnesota House of Representatives

Dear Mr. Speaker:

Attached, herewith, please find House File No. 1234, which I am returning to you, unsigned.

It appears that the intent of the proposal is to make it possible for the State of Minnesota to grant certain paid medical insurance benefits to its retired employees. However, the bill does not specify a program or procedure on how this is to be accomplished.

Sincerely,

Albert H. Quie, Governor

Mr. Spear moved that H.F. No. 1234 be now reconsidered and repassed, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota.

The question was taken on the adoption of the motion of Mr. Spear.

The roll was called, and there were yeas 59 and nays 2, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Penny	Sikorski
Bang	Dieterich	Langseth	Peterson,C.C.	Solon
Belanger	Engler	Lantry	Peterson,D.L.	Spear
Benson	Frank	Lindgren	Peterson,R.W.	Stern
Berg	Frederick	Luther	Petty	Stokowski
Berglin	Frederickson	Menning	Purfeerst	Stumpf
Bernhagen	Hanson	Merriam	Ramstad	Taylor
Bertram	Hughes	Moe, D. M.	Renneke	Ulland
Chmielewski	Humphrey	Moe, R. D.	Rued	Waldorf
Dahl	Johnson	Nelson	Schmitz	Wegener
Davies	Kamrath	Olhoft	Setzepfandt	Willet
Davis	Knoll	Pehler	Sieloff	

Messrs. Knutson and Pillsbury voted in the negative.

The motion prevailed. So the bill was repassed and its title agreed to, the objections of the Governor to the contrary notwithstanding.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to inform you that the House has repassed House File No. 1726, notwithstanding the veto of the Honorable Albert H. Quie, Governor of the State.

There is herewith transmitted to the Senate:

1. House File No. 1726: A bill for an act relating to education; removing the commissioner of education from the state university board and as secretary of the board; allowing teachers at a community college or state university to accrue seniority during a leave of absence; amending Minnesota Statutes 1980, Sections 136.12, Subdivision 1; 136.13; and 136.88, Subdivision 5.

2. Veto Message of the Governor, dated March 18, 1982.

3. The enrolled copy of House File No. 1726 with all of the signatures of the officers of the Senate and the House but minus the signature of the Governor.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 1982

March 18, 1982

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

Dear Mr. Speaker:

Returned to you herewith please find House File No. 1726. I strongly

believe that the Commissioner of Education should remain as a member of the State University Board, and am therefore vetoing this piece of legislation.

The Commissioner, as the spokesman for elementary and secondary education in Minnesota, provides direct communication of behalf of that segment of our educational system to the Board during its deliberations and decision-making processes. The input which the Commissioner is able to provide by his presence on the State University Board can be important in developing educational policy for the State.

I recognize that the number of elementary and secondary teachers which is currently being trained at our State universities is declining. However, I also believe that there will be a time in the future when the need for teachers in our schools will increase.

I have no objection to the provisions contained in Section 3 of the bill. However, I feel so strongly that the Commissioner of Education should remain on the State University Board that I feel compelled to veto this legislation.

Sincerely,

Albert H. Quie, Governor

Mr. Taylor moved that H.F. No. 1726 be now reconsidered and repassed, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota.

The question was taken on the motion of Mr. Taylor.

The roll was called, and there were yeas 54 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,C.C.	Sikorski
Bang	Engler	Lantry	Peterson,D.L.	Spear
Belanger	Frank	Lindgren	Peterson,R.W.	Stern
Benson	Frederickson	Luther	Petty	Stokowski
Berg	Hanson	Menning	Pillsbury	Stumpf
Berglin	Hughes	Moe, D. M.	Purfeerst	Taylor
Bernhagen	Humphrey	Moe, R. D.	Ramstad	Ulland
Bertram	Johnson	Nelson	Renneke	Waldorf
Dahl	Kamrath	Olhoft	Schmitz	Wegener
Davies	Knoll	Pehler	Setzepfandt	Willet
Davis	Knutson	Penny	Sieloff	

Mr. Dieterich, Mrs. Kronebusch and Mr. Rued voted in the negative.

The motion prevailed. So the bill was repassed and its title agreed to, the objections of the Governor to the contrary notwithstanding.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 2169.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1982

Mr. President:

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

Senate Concurrent Resolution No. 13: A Senate concurrent resolution relating to the delivery of bills to the governor after final adjournment.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 19, 1982

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

MOTIONS AND RESOLUTIONS

CONFIRMATION

Mr. Wegener moved that the report from the Committee on Local Government and Urban Affairs, reported March 3, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Wegener moved that the foregoing report be now adopted. The motion prevailed.

Mr. Wegener moved that in accordance with the report from the Committee on Local Government and Urban Affairs, reported March 3, 1982, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA MUNICIPAL BOARD

Kenneth Sette, Route 3, Box 105, Owatonna, Steele County, effective September 15, 1981, for a term expiring September 15, 1987.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Humphrey moved that the report from the Committee on Energy and Housing, reported March 5, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Humphrey moved that the foregoing report be now adopted.The motion prevailed.

Mr. Humphrey moved that in accordance with the report from the Committee on Energy and Housing, reported March 5, 1982, the Senate, having given its advice, do now consent to and confirm the appointments of:

MINNESOTA HOUSING FINANCE AGENCY

Demetrius G. Jelatis, 1161 Oak Street, Red Wing, Goodhue County, effective July 1, 1981, for a term expiring the first Monday in January, 1983.

J. Mark Wedel, 515 Sixth Avenue SE, Aitkin, Aitkin County, effective July 1, 1981, for a term expiring the first Monday in January, 1985.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Schmitz moved that the report from the Committee on Veterans' Affairs, reported March 5, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Schmitz moved that the foregoing report be now adopted. The motion prevailed.

Mr. Schmitz moved that in accordance with the report from the Committee on Veterans' Affairs, reported March 5, 1982, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF VETERANS' AFFAIRS

COMMISSIONER

James H. Main, 1575 Crest Drive, Chaska, Carver County, effective March 2, 1982, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Solon moved that the report from the Committee on Health, Welfare and Corrections, reported March 5, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Solon moved that the foregoing report be now adopted. The motion prevailed.

Mr. Solon moved that in accordance with the report from the Committee on Health, Welfare and Corrections, reported March 5, 1982, the Senate, having given its advice, do now consent to and confirm the appointments of:

GILLETTE HOSPITAL BOARD

Barbara H. Flanigan, 2405 Sheridan Avenue South, Minneapolis, Hennepin County, effective June 11, 1981, for a term expiring the first Monday in January, 1985.

Dr. James House, 1895 Gluek Lane, Roseville, Ramsey County, effective June 11, 1981, for a term expiring the first Monday in January, 1983.

Geoffrey L. Kaufmann, 632 Como Avenue, St. Paul, Ramsey County, effective June 11, 1981, for a term expiring the first Monday in January, 1985.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Chmielewski moved that the report from the Committee on Employment, reported March 5, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chmielewski moved that the foregoing report be now adopted. The motion prevailed.

Mr. Chmielewski moved that in accordance with the report from the Committee on Employment, reported March 5, 1982, the Senate, having given its

advice, do now consent to and confirm the appointment of:

DEPARTMENT OF LABOR AND INDUSTRY
COMMISSIONER

Russell Bruce Swanson, 995 Cliff Road, Eagan, Dakota County, effective July 11, 1981, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Chmielewski moved that the report from the Committee on Employment, reported March 5, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Chmielewski moved that the foregoing report be now adopted. The motion prevailed.

Mr. Chmielewski moved that in accordance with the report from the Committee on Employment, reported March 5, 1982, the Senate, having given its advice, do now consent to and confirm the appointment of:

WORKERS' COMPENSATION COURT OF APPEALS

Leigh J. Gard, Route 2, Box 263G, Lakeville, Dakota County, effective July 1, 1981, for a term expiring June 30, 1987.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Humphrey moved that the report from the Committee on Energy and Housing, reported March 5, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Humphrey moved that the foregoing report be now adopted. The motion prevailed.

Mr. Humphrey moved that in accordance with the report from the Committee on Energy and Housing, reported March 5, 1982, the Senate, having given its advice, do now consent to and confirm the appointments of:

ENERGY POLICY DEVELOPMENT COUNCIL

Vernon D. Albertson, 3103 Asbury Avenue, St. Paul, Ramsey County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

Terry M. Anderson, 5809 Chastek Way, Minnetonka, Hennepin County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

Delbert F. Anderson, RR 2, Box 57, Starbuck, Pope County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

James A. Boerboom, RR 2, Cottonwood, Lyon County, effective No-

vember 16, 1981, for a term expiring the first Monday in January, 1983.

Roland W. Comstock, 71 Mackubin Street, St. Paul, Ramsey County, effective November 16, 1981, for a term expiring the first Monday in January, 1983.

Pat Enz, 728 West 4th Street, Red Wing, Goodhue County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

Brian B. Ettesvold, 2522 Brenner, Roseville, Ramsey County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

Todd L. Parchman, 210 West Grant, Minneapolis, Hennepin County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

Phillip M. Parsons, RR 1, Northfield, Rice County, effective November 16, 1981, for a term expiring the first Monday in January, 1983.

Douglas C. Pratt, 22353 Peabody Trail, Scandia, Washington County, effective November 16, 1981, for a term expiring the first Monday in January, 1983.

Raymond P. Ring, 2522 Marshall Street NE, Minneapolis, Hennepin County, effective November 16, 1981, for a term expiring the first Monday in January, 1983.

Eugene A. Schroedermeier, 7130 Green Ridge Drive, Eden Prairie, Hennepin County, effective November 16, 1981, for a term expiring the first Monday in January, 1983.

J. Robert Snyder, Route 1, Box 246Z, Waconia, Carver County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

Joseph A. Vumbaco, 3314 2nd Avenue East, Hibbing, St. Louis County, effective November 16, 1981, for a term expiring June 30, 1983, or the first Monday in January, 1985, if the Council is continued.

Mary Williams, 2432 Humboldt Avenue South, Minneapolis, Hennepin County, effective November 16, 1981, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Hughes moved that the reports from the Committee on Education, reported March 12, 1982, pertaining to appointments, with the exception of the report pertaining to the Commissioner of Education, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing reports be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the reports from the Committee on Education, reported March 12, 1982, the Senate, having given its advice,

do now consent to and confirm the appointments of:

COUNCIL ON QUALITY EDUCATION

Anna F. Barker, 8129 Hemingway Avenue South, Cottage Grove, Washington County, effective May 6, 1981, for a term expiring the first Monday in January, 1985.

Moira Boyne Rummel, 4105 Linden Hills Blvd., Minneapolis, Hennepin County, effective May 6, 1981, for a term expiring the first Monday in January, 1985.

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Archie Chelseth, 509 Chestnut Street, Cloquet, Carlton County, effective June 22, 1981, for a term expiring the first Monday in January, 1985.

Douglas H. Sillers, Route 2, Moorhead, Clay County, effective June 22, 1981, for a term expiring the first Monday in January, 1985.

Gretchen Taylor, 625 Owatonna Street, Mankato, Blue Earth County, effective June 22, 1981, for a term expiring the first Monday in January, 1985.

Arthur F. Gillen, 8 Chickadee Lane, North Oaks, Ramsey County, effective February 16, 1982, for a term expiring the first Monday in January, 1986.

Robert W. Hatch, 2330 West Lake of the Isles Blvd., Minneapolis, Hennepin County, effective February 16, 1982, for a term expiring the first Monday in January, 1986.

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Leonard J. Rogge, 2237 Riverwood Place, St. Paul, Ramsey County, effective May 6, 1981, for a term expiring the first Monday in January, 1984.

Herbert M. Stellner, Jr., 208 2nd Avenue N.W., Kasson, Dodge County, effective May 6, 1981, for a term expiring the first Monday in January, 1984.

Peter H. Seed, 7923 Jamaca Avenue North, Stillwater, Washington County, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

STATE BOARD FOR COMMUNITY COLLEGES

Elna H. Ponto, Box 235, Route 1, Albert Lea, Freeborn County, effective May 29, 1980, for a term expiring the first Monday in January, 1984.

John Edel, Jr., 2250 Dellridge, St. Paul, Ramsey County, effective July 1, 1981, for a term expiring the first Monday in January, 1983.

Toyse A. Kyle, 3244 Valley Ridge Drive, Eagan, Dakota County, effective July 1, 1981, for a term expiring the first Monday in January, 1985.

Sung Won Son, 2380 Cavell Avenue North, Golden Valley, Hennepin County, effective July 1, 1981, for a term expiring the first Monday in January, 1985.

STATE BOARD OF EDUCATION

Margaret W. Marvin, Box 100, Warroad, Roseau County, effective May 12, 1980, for a term expiring the first Monday in January, 1984.

William J. Ridley, 1562 Portland, St. Paul, Ramsey County, effective June 16, 1980, for a term expiring the first Monday in January, 1984.

Beverly J. Carpenter, 1319 East 94th Street, Bloomington, Hennepin County, effective March 10, 1981, for a term expiring the first Monday in January, 1985.

Louis R. Smerling, 2552 W. Lake of the Isles Blvd., Minneapolis, Hennepin County, effective March 10, 1981, for a term expiring the first Monday in January, 1985.

Marilyn Witty, 521 S. Minnesota Ave., P.O. Box 117, St. Peter, Nicollet County, effective March 10, 1981, for a term expiring the first Monday in January, 1985.

Henry J. Bromelkamp, 2304 Lenwood Drive S.W., Rochester, Olmsted County, effective March 8, 1982, for a term expiring the first Monday in January, 1983.

Erling O. Johnson, 832 Eastwood Lane, Anoka, Anoka County, effective March 8, 1982, for a term expiring the first Monday in January, 1986.

Ruth A. Myers, 1006 East 2nd Street, Duluth, St. Louis County, effective March 8, 1982, for a term expiring the first Monday in January, 1983.

STATE UNIVERSITY BOARD

Christine P. Fritsche, Route 4, Box 79, Marshall, Lyon County, effective September 15, 1981, for a term expiring the first Monday in January, 1985.

Bernard A. Miller, RR 8, Box 471, Bemidji, Beltrami County, effective January 6, 1982, for a term expiring the first Monday in January, 1986.

Elizabeth A. Pegues, 27 Nord Circle Road, North Oaks, Ramsey County, effective January 6, 1982, for a term expiring the first Monday in January, 1986.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Luther, for Mr. Merriam, moved that the report from the Committee on Agriculture and Natural Resources, reported March 10, 1982, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Luther, for Mr. Merriam, moved that the foregoing report be now adopted. The motion prevailed.

Mr. Luther, for Mr. Merriam, moved that in accordance with the report from the Committee on Agriculture and Natural Resources, reported March 10, 1982, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE SOIL AND WATER CONSERVATION BOARD

Glen L. Brown, 9514 Kimbro Avenue South, Cottage Grove, Washington

County, effective August 3, 1981, for a term expring the first Monday in January, 1983.

William H. Bryson, RR 2, Box 173F, Alden, Freeborn County, effective June 18, 1981, for a term expiring the first Monday in January, 1983.

Walfred Bernhardson, Route 2, Ada, Norman County, effective June 18, 1981, for a term expiring the first Monday in January, 1985.

Russell L. Ruud, RR 2, Box 232, Palisade, Aitkin County, effective June 18, 1981, for a term expiring the first Monday in January, 1985.

MINNESOTA WATER RESOURCES BOARD

Duane R. Ekman, Route 1, Argyle, Marshall County, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

BOARD OF ANIMAL HEALTH

Kenneth E. Neeser, Route 1, St. Cloud, Benton County, effective January 4, 1982, for a term expiring the first Monday in January, 1986.

C.H. Contag, 16 South Broadway, New Ulm, Brown County, effective July 1, 1981, for a term expiring the first Monday in January, 1985.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Mrs. Kronebusch moved that her name be stricken as a co-author to S.F. No. 1741. The motion prevailed.

Mr. Moe, R.D. introduced—

Senate Resolution No. 89: A Senate resolution relating to the appointment of a committee to notify the House of Representatives the Senate is about to adjourn sine die.

BE IT RESOLVED, by the Senate:

That a committee of three members be appointed by the President of the Senate to advise the House of Representatives that the Senate is about to adjourn sine die and ascertain if there is any business pending.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

APPOINTMENTS

The President made the following appointments pursuant to Senate Resolution No. 89:

Messrs. Moe, D.M.; Peterson, D.L. and Knoll.

Mr. Moe, R.D. introduced—

Senate Resolution No. 90: A Senate resolution relating to the appointment of a committee to notify the Governor the Senate is about to adjourn sine die.

BE IT RESOLVED, by the Senate:

That the President of the Senate appoint a committee of five members to wait upon The Honorable Albert H. Quie, Governor of the State of Minnesota, and notify him that the Senate is ready to adjourn sine die and determine whether or not he has any message for the Minnesota State Senate.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

APPOINTMENTS

The President made the following appointments pursuant to Senate Resolution No. 90:

Messrs. Merriam, Pillsbury, Bang, Hanson and Stern.

CALL OF THE SENATE

Mr. Moe, R.D. imposed a call of the Senate for the balance of the evening's proceedings. The Sergeant at Arms was instructed to bring in the absent members.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

Without objection, the Senate reverted to the Order of Business of Messages From the House

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1220 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1220 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 19, 1982

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1220

A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.

March 19, 1982

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

The Honorable Jack Davies
President of the Senate

We, the undersigned conferees for H.F. No. 1220, report that we have agreed upon the items in dispute and recommend as follows:

That the House accede to the Senate amendments and that H.F. No. 1220 be further amended as follows:

Amend the amendment placed on H.F. No. 1220 by the Committee on Rules and Administration, adopted by the Senate March 12, 1982, as follows:

Page 1, after line 8, insert:

"Section 1. [176A.01] [DEFINITIONS.]

Subdivision 1. [APPLICATION.] *For the purpose of sections 1 to 14 the terms defined in this section have the meanings given them.*

Subd. 2. [BOARD.] *"Board" means the board of directors of the Minnesota workers' compensation insurance corporation.*

Subd. 3. [CORPORATION.] *"Corporation" means the Minnesota workers' compensation insurance corporation.*

Subd. 4. [FUND.] *"Fund" means the workers' compensation insurance fund established pursuant to section 11.*

Subd. 5. [MANAGER.] *"Manager" means the chief executive officer of the Minnesota workers' compensation insurance corporation.*

Sec. 2. [176A.02] [CREATION OF CORPORATION; BOARD OF DIRECTORS.]

Subdivision 1. [CREATION.] *The Minnesota workers' compensation insurance corporation is created as a nonprofit, public corporation.*

Subd. 2. [BOARD OF DIRECTORS.] *The corporation shall be administered and controlled by a board of directors consisting of six members appointed by the governor with the advice and consent of the senate. Each board member shall serve for a term of six years and shall hold office until a successor is appointed and qualifies.*

The first members appointed shall serve terms which shall expire as follows: two on January 7, 1985; two on January 5, 1987; and two on January 3, 1989.

The board shall annually elect a chairman from among its members and may elect other officers as it deems necessary.

Compensation of board members, removal of members and filling of vacancies shall be as provided for state boards in section 15.0575.

Neither the board, any of its members, nor any officer or employee of the fund shall be held liable in a personal capacity for any act performed or obligation incurred in connection with the administration, management or operation of the corporation.

Sec. 3. [176A.03] [GENERAL POWERS.]

For the purpose of carrying out the specific powers granted to the board pursuant to sections 1 to 14 the board may exercise the following powers:

(a) It may sue and be sued;

(b) It may have a seal and alter it at will;

(c) It may adopt, amend and repeal bylaws, rules and procedures relating to its operation;

(d) It may enter into contracts;

(e) It may in its own name rent, lease, buy or sell property or construct or repair buildings necessary to provide space for its operations; and

(f) It may hire employees and set their compensation.

Sec. 4. [176A.04] [MEMBER OF RATING AND REINSURANCE ASSOCIATIONS.]

Effective January 1, 1985, the board shall be a member of a data service organization and the workers' compensation reinsurance association.

Sec. 5. [176A.05] [TREATMENT AS STATE AGENCY.]

Subdivision 1. [EXEMPTIONS.] *The corporation and the board are exempt from the following provisions applicable to other state agencies and boards:*

(a) Rulemaking and contested case procedures pursuant to sections 15.041 to 15.051;

(b) Civil service and public employee bargaining provisions of chapters 43A and 179; and

(c) All provisions of chapters 16 and 16A.

Subd. 2. [ECONOMIC INTEREST DISCLOSURE.] *Members of the board and the manager shall file statements of economic interest with the ethical practices board as provided in section 10A.09.*

Sec. 6. [176A.06] [MANAGER.]

Subdivision 1. [APPOINTMENT.] *The board shall appoint a manager who shall be responsible for the day-to-day operation of the corporation. The manager shall have proven successful experience as an executive at the general management level. The compensation of the manager shall be set by the board. The manager may be removed at the pleasure of the board.*

Subd. 2. [BOND.] *The manager shall be bonded in an amount and with sureties as approved by the board. The manager shall file the bond with the secretary of state. The premium for the bond shall be paid out of the fund.*

Subd. 3. [POWERS.] *The board may delegate any of its general or specific powers to the manager subject to the direction and approval of the board.*

Sec. 7. [176A.07] [ADMINISTRATION OF STATE CLAIMS.]

Subdivision 1. [PAYMENT BY BOARD.] *Beginning July 1, 1983, the board shall administer all claims for compensation of state employees under chapter 176, including claims in which the loss was incurred or reported before July 1, 1983. The provisions of chapter 176 apply to claims administered under this subdivision. For the purpose of chapter 176 the board shall be treated as the insurer of state employees and the state agency or department employing a claimant shall be considered the employer. Compensation due on state claims administered pursuant to this subdivision shall be paid from the state compensation revolving account upon warrants prepared by the board and submitted to the state treasurer.*

Subd. 2. [REIMBURSEMENT BY AGENCIES.] *The agencies and departments of the state shall reimburse the board for all claims paid to their employees pursuant to subdivision 1. At the end of each calendar quarter, the board shall notify each agency and department of the total amount due under this subdivision. The agency or department shall pay the amount due within 14 days of receipt of this notice. All amounts paid to the board shall be deposited in the state compensation revolving account.*

Sec. 8. [176A.08] [INSURANCE OF STATE LIABILITY.]

Subdivision 1. [POWERS AND DUTIES.] *Beginning January 1, 1985, the board shall insure the liability of the state to pay workers' compensation claims under chapter 176 for all losses incurred on and after January 1, 1985. The board may exercise all powers necessary and convenient to carry out the duties of an insurer under chapter 176 with respect to state claims. Not later than July 1, 1984, the board shall adopt bylaws and procedures for its operation including the form of policies of insurance which will be issued to state agencies and departments.*

Subd. 2. [PREMIUMS; DETERMINATION AND PAYMENT.] *Not later than July 1 of each year, beginning on July 1, 1984, the board shall determine an annual insurance premium for all state departments and agencies which is adequate to insure the workers' compensation losses incurred by the agencies and departments during the next fiscal year. The premium shall be calculated in accordance with workers' compensation insurance rates allowed under chapter 79 or rates otherwise established according to law. The premium shall be sufficient to pay the operating expenses of the board during the fiscal year and to establish adequate reserves for the full payment of losses incurred during the fiscal year as payment becomes due in the future. The premiums shall include an experience rating or retrospective rating plan which is approved by the workers' compensation rating association for use by its members and which is approved by the board and the commissioner of administration.*

The premium for each department or agency shall be separately calculated if the premium is credible. In order to provide for continuous accountability of claims experience for each agency and department, the board shall, for those agencies and departments without a separately calculated premium, devise a method for allocating the cost of the annual premium among those agencies and departments. Each state agency and department shall pay its annual premium or allocation of premium in advance to the board within 14 days after the beginning of the fiscal year to which the premium applies. Premiums paid pursuant to this subdivision shall be deposited in a separate state claims account in the workers' compensation insurance fund.

Subd. 3. [PAYMENT OF INSURED CLAIMS.] *All claims insured under this section which the board determines to be due under chapter 176 or which it agrees or is ordered to pay pursuant to any proceeding under that chapter shall be paid from the separate state claims account in the workers' compensation insurance fund and may not be paid from any other assets of the fund.*

Subd. 4. [PAYMENT OF OUTSTANDING STATE CLAIMS.] *The board shall continue payment of state workers' compensation losses incurred before January 1, 1985, pursuant to the provisions of section 7.*

Subd. 5. [LIABILITY OF STATE.] *In the event that funds are insufficient*

to pay any workers' compensation claim which is due to a state employee as provided in sections 7 and 8 the board shall prepare a warrant for the amount due and present it to the commissioner of finance who shall pay the amount from any unencumbered balance in the general fund.

Sec. 9. [176A.09] [STUDY OF STATE CLAIMS EXPERIENCE.]

The board shall analyze the workers' compensation claims experience of state agencies and departments during the five calendar years ending December 31, 1983 in order to determine actuarially sound premiums for insurance policies issued to state agencies and departments pursuant to section 8, subdivisions 1 to 3.

The board shall also determine the total estimated incurred workers' compensation losses of the state that are outstanding as of January 1, 1985, and shall formulate a plan for the full funding of reserves necessary to pay those losses. Not later than November 1, 1984, the board shall submit this plan to the legislature for its consideration.

This section is repealed January 1, 1985.

Sec. 10. [176A.10] [AUTHORITY TO INSURE OTHER EMPLOYERS.]

Subdivision 1. [POWERS.] *Beginning January 1, 1985, the board may insure any public or private employer against liability for workers' compensation claims of their employees under chapter 176. The board may exercise all powers necessary and convenient to conduct a workers' compensation insurance operation. The board shall adopt bylaws and operating procedures for the conduct of its insurance operation.*

Subd. 2. [SUBJECT TO LICENSING AND REGULATION.] *The board shall not begin operations as an insurer under this section until it has met the requirements of chapter 60A for licensing of a stock company writing workers' compensation insurance. Sections 1 to 14 shall be considered the certificate of incorporation of the board. Except as provided in section 12, subdivision 1, the insurance operations of the board are subject to all of the provisions of chapters 60A and 60B. The commissioner of insurance has the same powers with respect to the board as he has with respect to a private workers' compensation insurer under chapters 60A and 60B. The board shall be considered an insurer for the purposes of chapters 79 and 176. With respect to the operation and procedures relating to state claims pursuant to sections 7 and 8, the regulatory provisions of chapters 60A and 60B, and sections 79.28 to 79.32 shall not apply.*

Subd. 3. [PREMIUMS.] *The board shall charge the lowest insurance premiums possible, including any dividend plans, which are consistent with the maintenance of adequate reserves, the solvency of the fund and the ability of the fund to meet the anticipated demand from employers for insurance coverage.*

Subd. 4. [STATE LIABILITY.] *The insurance operation of the board shall be supported entirely out of the assets of the fund. Except as otherwise provided for state claims pursuant to section 8, subdivision 5, the state is not liable for any obligations of the board.*

Sec. 11. [176A.11] [WORKERS' COMPENSATION INSURANCE FUND.]

Subdivision 1. [CONTENTS OF FUND; EXPENDITURES.] *The workers' compensation insurance fund consists of all insurance premiums paid to the board, all money, securities and property owned by the board and all interest and investment income earned on money, securities and property owned by the board. All claims paid pursuant to policies of insurance written by the board shall be paid from the fund. All expenses of administration related to the insurance operations of the board, including taxes and fees payable by the board and the expense of audits, surveys and reports required by law, shall be paid from the fund. Except as provided in this subdivision, no other expenditures shall be made from the fund.*

Subd. 2. [CUSTODIAN.] *The board shall be the custodian of the fund. No assets belonging to the fund shall be required to be deposited in any fund in the state treasury.*

Subd. 3. [INVESTMENT.] *The board may invest and reinvest the assets of the fund which are in excess of current operating requirements in the same manner and to the same extent as provided in chapter 60A for a stock company writing workers' compensation insurance.*

Subd. 4. [DEPOSITS.] *Any money in the fund which is in excess of current operating requirements and not otherwise invested, may be deposited by the board from time to time in financial institutions authorized by law to accept deposit of public money.*

Sec. 12. [176A.12] [FEES AND TAXES.]

Subdivision 1. [FEE IN LIEU OF PREMIUM TAX.] *The board shall pay a fee in the amount that would have been due if the board were subject to the tax imposed in section 60A.15. The fee shall be paid in the same manner as the tax imposed in section 60A.15 is paid by a domestic stock insurance company.*

Subd. 2. [PROPERTY TAX.] *The board shall not rent, lease or otherwise locate in any property which is not subject to local property taxation. Any real property owned by the board is subject to local property taxation.*

Subd. 3. [TAX EXEMPTION.] *Except as provided in subdivision 2, the board and the corporation are exempt from all state and local taxes.*

Subd. 4. [FEDERAL TAXES.] *The board shall take all steps necessary and proper to qualify the corporation for exemption from federal taxation.*

Sec. 13. [176A.13] [REPAYMENT TO GENERAL FUND.]

The board shall repay, over a period of five years beginning January 1, 1986, to the general fund in equal installments, any amount appropriated to it. The first payment shall be due on January 1, 1987. The amount to be repaid shall include interest at the average rate as is earned by the state board of investment for all investments.

Sec. 14. [176A.14] [AUDIT, SURVEY AND REPORTS.]

Subdivision 1. [AUDIT AND SURVEY.] *The financial affairs of the corporation shall be audited annually by an independent auditor selected by the commissioner of insurance. An actuarial survey shall be conducted annually on the insurance operations of the corporation by an independent actuary selected by the commissioner of insurance.*

Subd. 2. [REPORTS.] *The board shall prepare and submit an annual report*

to the governor and the legislature not later than November 15 of each year, beginning November 15, 1983, concerning the financial status of the corporation, progress in implementing the legal powers and duties of the board and recommendations for legislative action.

Sec. 15. Minnesota Statutes 1980, Section 176.591, Subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] To facilitate the discharge by the state of its obligations under this chapter, there is established a revolving fund to be known as the state compensation revolving fund.

This fund is comprised of the unexpended balance in the fund on ~~July 1, 1935~~ *July 1, 1984*, and the sums which the ~~several~~ departments of the state pay to the fund.

Sec. 16. Minnesota Statutes 1980, Section 176.591, Subdivision 3, is amended to read:

Subd. 3. [COMPENSATION PAYMENTS UPON WARRANTS.] The state treasurer shall make compensation payments from the fund only as authorized by this chapter upon warrants of the ~~commissioner of the department of labor and industry~~ *workers' compensation insurance board.*

Sec. 17. [IMPLEMENTATION.]

The first members of the board of directors of the workers' compensation insurance corporation shall be appointed not later than February 1, 1983. The board shall act promptly to select a manager, hire necessary employees and acquire necessary facilities and supplies to begin operation as required by section 7 on July 1, 1983. The board shall begin the study required under section 9 not later than July 1, 1983.

Sec. 18. Minnesota Statutes 1981 Supplement, Section 15.052, Subdivision 5, as amended by Laws 1981, Third Special Session Chapter 2, Article I, Section 10, is amended to read:

Subd. 5. [COURT REPORTERS; AUDIO RECORDINGS.] The office of administrative hearings may maintain a court reporter system and in addition to or in lieu thereof may contract with nongovernmental sources for court reporter services. The court reporters may additionally be utilized as the chief hearing examiner directs. Unless the chief hearing examiner determines that the use of a court reporter is more appropriate, an audio magnetic recording device shall be used to keep a record at any hearing which takes place under this chapter. In cases arising under chapter 176, the chief hearing examiner shall use audio magentic recording devices to keep the record of hearings except when there are more than two primary parties in a case and the chief hearing examiner determines that the use of a court reporter is more appropriate. If the chief hearing examiner determines that the use of a court reporter is more appropriate, the cost of the court reporter shall be paid by the state. If the chief hearing examiner determines that the use of an audio magnetic recording device is more appropriate in a hearing under chapter 176, any party to that hearing may provide a court reporter at the party's expense. Court reporters provided by a party shall be selected *from court reporters employed by the office of administrative hearings or, if not available,* from the chief hearing examiner's list of non-governmental sources.

The fee charged by a *non-governmental* court reporter to a party shall not exceed the fee which would be charged to the state pursuant to the court reporter's contract with the state. *Fees charged for the services of a court reporter employed by the office of administrative hearings shall be determined by the chief hearing examiner with the approval of the commissioner of finance.*

Court reporters serving in the court reporter system of the office of administrative hearings shall be in the classified service. Notwithstanding the provisions of section 15.17, subdivision 4, copies of transcriptions of hearings conducted pursuant to this section may be obtained only through the office of administrative hearings."

Page 2, after line 7, insert:

"Sec. 22. Minnesota Statutes 1980, Section 79.211, Subdivision 1, is amended to read:

Subdivision 1. [CERTAIN WAGES EXCLUDED FOR RATE MAKING.] The rating association or an insurer shall not include wages paid for a vacation, holiday, or sick leave in the determination of a workers' compensation insurance premium *except that on and after January 1, 1983, this exclusion shall not be made unless the wages paid for a vacation, holiday, or sick leave are in excess of ten percent of the payroll base of an employer and only to the extent of the amount in excess of ten percent.*"

Page 15, line 17, before "Compensation" insert "*Except as may be otherwise provided in subdivision 3a,*"

Page 15, line 19, reinstate the stricken language and after "pending" insert "*completion of*"

Page 15, line 20, reinstate the stricken "compensation for" and before the stricken comma, insert "*rehabilitation*" and before "*when*" insert "*or*"

Page 15, line 23, after "plan", delete the new language

Page 15, delete lines 24 and 25

Page 15, line 26, delete everything before the period

Page 16, line 17, before the comma, insert "*or is in an approved rehabilitation plan pursuant to section 176.102*"

Page 16, line 22, after "employee" insert "*has completed a rehabilitation plan pursuant to section 176.102 or*"

Page 20, line 12, after "*If*" insert "*within 180 days after a determination has been made that an employee is medically recovered*"

Page 20, line 13, delete "*after the employee has medically recovered*"

Page 20, line 19, after "*layoff*" insert "*or the 180 day period has elapsed,*"

Page 27, after line 22, insert:

"*If an employee suffers permanent functional disability of more than one scheduled body part due to personal injury incurred in a single occurrence or as the result of an occupational disease, the total number of weeks of benefit to which the employee is entitled shall be determined by the following formula so*

as to ensure that the maximum number of weeks payable for all functional disability combined shall not exceed 500 weeks:

A + [1.0 - (A/500)]B

where:

A = the number of weeks awardable for the permanent partial disability to the first body part, and

B = the number of weeks otherwise awardable for the second body part.

For permanent partial disabilities to three body parts due to personal injury incurred in a single occurrence or as the result of an occupational disease, the above formula shall be applied, providing that A will equal the result obtained from application of the formula to the first two body parts and B will equal the number of weeks awardable for the third body part. For permanent partial disabilities to four or more body parts incurred as described above, A will equal the result obtained from the prior application of the formula, and B will equal the number of weeks awardable for the fourth body part or more in arithmetic progressions.''

Page 27, delete section 24

Page 36, delete lines 20 to 29

Page 36, line 30, delete everything before the period

Page 38, line 32, delete ''*July 1, 1983,*'' and insert ''*April 1, 1984,*''

Page 39, line 2, after ''[FINANCING.]'' insert ''*Commencing July 1, 1983,*''

Page 39, after line 12, insert:

''*The commissioner shall administer the fund and make the payments required by subdivision 2, pursuant to the rules adopted in subdivision 4.*''

Page 39, after line 27, insert:

''*The accounting, investigation, and legal costs necessary for the administration of the rehabilitation fund shall be paid from the fund during each biennium commencing July 1, 1983. Staffing and expenditures related to the administration of the rehabilitation fund shall be approved through the regular budget and appropriations process.*''

Page 42, delete lines 3 to 19

Page 50, line 7, after ''*supreme court.*'' insert:

''*The commissioner shall be the administrator for the special compensation fund and shall determine the liability of the special compensation fund in each claim within the jurisdiction of the workers' compensation division, enter into stipulations of settlement on behalf of the special compensation fund, and make payment as required by this section. The commissioner shall consider the advice and recommendations of the attorney general as the legal advisor for the special compensation fund in the administration of the special compensation fund.*''

Page 59, line 33, delete ''*to the special compensation fund*'' and before ''*an*'' insert ''*a penalty in*''

Page 59, line 36, after "*amount*" insert "*shall be divided in half and equal amounts paid in a single installment to the employee and the special compensation fund within 30 days of a determination by the commissioner of a violation of this section. This penalty*"

Page 60, after line 7, insert:

"*Subd. 6.* [LIMITATIONS.] *This section shall not create any liabilities or other requirements for the payment of benefits under chapter 176 than are specifically contained within the section.*"

Page 62, after line 18, insert:

"Sec. 91. Laws 1981, Third Special Session Chapter 2, Article I, Section 2, Subdivision 1, Paragraph (k), is amended to read:

(k) Administrative Hearings ..... (66,600) (161,000)

The appropriation reductions in this item are made after the appropriation transfers authorized by Laws 1981, Chapter 346, Section 144.

The office of administrative hearings shall station a compensation judge and necessary support staff in an office in Duluth during the biennium ending June 30, 1983.

~~The chief hearing examiner shall discontinue the use of court reporters who are state employees as soon as existing labor agreements allow. While there continue to be court reporters employed in the office of hearing examiners, the reporters shall be used primarily to provide court reporter services.~~

~~After September 30, 1982, all receipts from transcript fees shall be deposited in the general fund.~~

When a court reporter position becomes vacant, the position shall not be filled but shall be canceled.

The chief hearing examiner shall report to the chairmen of the house appropriations and senate finance committees by February 15, 1983. The report shall contain both a fiscal breakdown of the court reporter costs that have been financed through transcript fees, court reporter fees, and general fund appropriations and a management recommendation concerning continuation of a court reporter system in the workers compensation division of the office of administrative hearings."

Page 62, line 26, delete "*ten*" and insert "*11.1*"

Page 62, line 27, delete "*repeal of*" and insert "*amendment to*"

Page 63, line 30, delete "*and*"

Page 64, line 4, delete the period and insert "*; and*

(e) Chapter 176 for the purpose of recodifying and rewriting that chapter to assure that it is readable and understandable to a person of average intelligence, experience, and education. The commission shall develop legislation to fulfill the purposes of this clause for presentation to the 1984 legislature."

Page 64, line 11, delete "*December*" and insert "*October*"

Page 65, after line 14, insert:

"Sec. 96. [APPROPRIATION.]

The sum of $359,000 is appropriated to the legislative advisory commission for the purposes of transferring funds to the department of labor and industry in order to fulfill the duties required of the workers' compensation division by chapter 176 and this act.''

Page 65, line 16, delete everything after ''*Sections*''

Page 65, line 17, after ''*18;*'' insert ''*176.061, Subdivisions 8 and 9;*''

Page 65, line 18, after the last semicolon, insert '' *176.541, Subdivisions 2, 3, 4, 5, 6 and 8; 176.551; 176.561; 176.571; 176.603; 176.611;*''

Page 65, line 23, after ''*section*'' delete ''*23*'' and insert '' *24*''

Page 65, delete lines 26 to 29 and insert:

''*Sections 15 and 16 are effective July 1, 1983. Sections 1 to 14, 17, 19 to 29, 31, 32, 35 to 57, 59, 61 to 69, and 71 to 90 are effective January 1, 1983. Sections 18, 30, 33, 34, 58, 60 and 91 to 97 are effective the day after final enactment. Section 70 is effective retroactive to January 1, 1982.*''

Page 67, line 1, delete ''*66 2/3*'' and insert ''*60*''

Page 70, line 24, delete ''*1983*'' and insert ''*1984*''

Page 71, line 4, delete ''*1982*'' and insert ''*1983*''

Page 71, line 5, delete ''*1984*'' and insert ''*1985*''

Page 71, line 9, delete ''*1982*'' and insert ''*1983*''

Page 71, line 11, delete ''*1983*'' and insert ''*1984*''

Page 71, line 17, delete ''*1982*'' and insert ''*1983*''

Page 71, line 21, delete ''*1982*'' and insert ''*1983*''

Page 71, line 24, delete ''*1983*'' and insert ''*1984*''

Page 71, line 28, delete ''*1983*'' and insert ''*1984*''

Page 71, line 31, delete ''*1984*'' and insert ''*1985*''

Page 71, line 36, delete ''*1983*'' and insert ''*1984*''

Page 72, line 10, delete ''*1983*'' and insert ''*1984*''

Page 72, line 15, delete ''*1983*'' and insert ''*1984*''

Page 72, line 29, delete ''*1982*'' and insert ''*1983*''

Page 73, line 10, delete ''*1982*'' and insert ''*1983*''

Page 73, line 10, delete ''*1983*'' and insert ''*1984*''

Page 73, line 16, delete ''*1982*'' and insert ''*1983*''

Page 73, line 21, delete ''*1982*'' and insert ''*1983*''

Page 73, line 23, delete ''*1982*'' and insert ''*1983*''

Page 73, line 26, delete ''*1984*'' and insert ''*1985*''

Page 74, line 2, delete ''*1984*'' and insert ''*1985*''

Page 74, line 15, after ''*1982;*'' insert ''*and*''

Page 74, line 15, after the first "*two*" insert "*and one-half*"

Page 74, line 15, delete "*; two*" at end of line

Page 74, delete line 16

Page 74, line 17, delete "*points for 1985*"

Page 74, line 19, after "*1982;*" insert "*and*"

Page 74, line 19, after the first "*two*" insert "*and one-half*"

Page 74, line 19, delete "*; two and*" at end of line

Page 74, delete line 20

Page 74, line 21, delete "*for 1985*"

Page 74, line 21, after "*thereafter*" insert ", *provided that the limitation for a small business employer, as defined in section 645.455, shall be one and one-half percentage points for 1983 and each year thereafter*"

Page 75, line 8, after "*1982;*" insert "*and*"

Page 75, line 8, after the first "*two*" insert "*and one-half*"

Page 75, line 8, delete "*; two and*" at end of line

Page 75, delete line 9

Page 75, line 10, delete "*for 1985*"

Page 75, line 12, after "*3a*" insert ", *provided that the limitation for a small business employer, as defined in section 645.455, shall be one and one-half percentage points for 1983 and each year thereafter*"

Page 82, after line 2, insert:

"*The maximum weekly benefit amount for claims for benefits which establish a benefit year subsequent to June 30, 1984, and prior to July 1, 1985, shall be $198.*"

Page 95, line 3, after "school" insert a comma

Page 95, line 4, strike the comma

Page 95, line 25, after "school" insert a comma

Page 95, line 26, strike the comma

Page 128, after line 21, insert:

"Sec. 42. [WAGE REPORTING.]

Beginning on April 1, 1984, each employer subject to chapter 268 shall provide the commissioner with a quarterly report of wages, as defined in section 268.04, subdivision 25, paid to each employee of that employer covered by chapter 268. The commissioner shall provide the legislature with his recommendations for statutory changes to fully implement this section no later than January 1, 1983."

Page 128, line 34, delete "*4*" and insert "*14*"

Page 128, line 34, delete "*January 1*" and insert "*July 4, 1982*"

Page 128, line 35, delete "*1983*"

Further amend the amendment as follows:

Page 4, line 16, strike "$300,000" and insert "*$200,000*"

Renumber the sections in sequence

Correct internal cross references

Amend the title accordingly

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

House Conferees: (Signed) Wayne A. Simoneau, James I. Rice, Joseph R. Begich

Senate Conferees: (Signed) Collin C. Peterson, Tom A. Nelson, James C. Pehler, Florian Chmielewski

Mr. Peterson, C.C. moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1220 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1220: A bill for an act relating to employment; changing benefits; providing an election not to be covered for certain persons; requiring notices of injury; providing for rules related to excessive health care services; regulating supplemental benefits; providing for benefit adjustments; providing for interest on delayed benefit payments; providing for a legislative commission to study various aspects of workers' compensation; defining terms; providing for certain collective bargaining rights of public employees; providing for continuance of certain insurance coverages; providing for deductible workers' compensation insurance policies; providing for no increase in the retention limits of the reinsurance association; clarifying the responsibilities of governmental licensing and contracting agencies regarding workers' compensation insurance; establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions; providing maximums and minimums; altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 62A.10, Subdivision 1; 62C.14, by adding a subdivision; 62D.10, by adding a subdivision; 79.211, Subdivision 1; 79.25, by adding a subdivision; 147.20; 176.011, Subdivisions 3 and 9a; 176.012; 176.021, Subdivision 5, and by adding a subdivision; 176.041, Subdivision 1; 176.101, Subdivisions 1, 2, and by adding subdivisions; 176.102, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, and by

adding subdivisions; 176.105, by adding a subdivision; 176.111, Subdivisions 1 and 18, and by adding subdivisions; 176.121; 176.131, Subdivisions 1, 1a, and 8; 176.132, Subdivision 1; 176.135, Subdivision 1a; 176.225, Subdivision 1; 176.231, Subdivision 10; 176.235, by adding a subdivision; 176.241, Subdivision 4; 176.591, Subdivisions 1 and 3; 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Sections 15.052, Subdivision 5, as amended; 79.25, Subdivision 1; 79.34, Subdivision 2; 79.63, Subdivisions 1, 2, and 4; 176.011, Subdivision 9; 176.021, Subdivisions 3 and 3a; 176.101, Subdivision 3; 176.131, Subdivision 10, as amended; 176.132, Subdivision 2; 176.133; 176.136; 176.182; 176.221, Subdivisions 2, 3, and 7; 176.225, Subdivision 5; 176.331; 176.391, Subdivision 3; 176.645, Subdivision 2; and 352E.04; proposing new law coded in Minnesota Statutes, Chapters 79; 176; and 268; proposing new law coded as Minnesota Statutes, Chapter 176A; Laws 1981, Third Special Session Chapter 2, Article I, Section 2, Subdivision 1; Laws 1981, Chapter 346, Section 145; repealing Minnesota Statutes 1980, Sections 79.63, Subdivision 3; 176.011, Subdivisions 14 and 18; 176.061, Subdivisions 8 and 9; 176.095; 176.101, Subdivisions 3, Clause (33) and 4; 176.105, Subdivisions 2 and 3; 176.541, Subdivisions 2, 3, 4, 5, 6, and 8; 176.551; 176.561; 176.571; 176.603; 176.611; 268.07, Subdivision 4; 268.16, Subdivision 3, as amended; and Minnesota Statutes 1981 Supplement, Sections 176.102, Subdivision 1a; 176.105, Subdivision 1; and 176.152.

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

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

The roll was called, and there were yeas 40 and nays 21, as follows:

Those who voted in the affirmative were:

Berglin	Frank	Luther	Penny	Solon
Bertram	Hanson	Menning	Peterson,C.C.	Spear
Chmielewski	Hughes	Merriam	Peterson,R.W.	Stern
Dahl	Humphrey	Moe, D. M.	Petty	Stokowski
Davies	Johnson	Moe, R. D.	Purfeerst	Stumpf
Davis	Knoll	Nelson	Schmitz	Waldorf
Dicklich	Langseth	Olhoft	Setzepfandt	Wegener
Dieterich	Lantry	Pehler	Sikorski	Willet

Those who voted in the negative were:

Ashbach	Bernhagen	Knutson	Ramstad	Ulland
Bang	Engler	Kronebusch	Renneke	
Belanger	Frederick	Lindgren	Rued	
Benson	Frederickson	Peterson,D.L.	Sieloff	
Berg	Kamrath	Pillsbury	Taylor	

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

ANNOUNCEMENT

A Committee from the House of Representatives announced that the House of Representatives is ready to adjourn sine die.

ANNOUNCEMENT

Mr. Merriam, for the Committee to notify the Governor, announced that the Governor had been notified that the Senate is ready to adjourn sine die.

ANNOUNCEMENT

Mr. Moe, D.M., for the Committee to notify the House of Representatives, announced that the House of Representatives had been notified that the Senate is ready to adjourn sine die.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

COMMUNICATIONS RECEIVED SUBSEQUENT TO ADJOURNMENT

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 18, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1684, 2048, 1910, 1853, 1967, 1398, 1589, 1888, 1691, 1670, 1644, 1641, 1631, 1605, 1591, 1566, 1539, 1364, 1256, 1231, 787, 412, 411 and 85.

Sincerely,
Albert H. Quie, Governor

March 19, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1837, 1078, 1740, 1561, 1666, 1677, 1765, 2125, 2062, 2051, 1950, 1949, 1840, 1818 and 1715.

Sincerely,
Albert H. Quie, Governor

March 19, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1484	423	March 19	March 19
	2175	424	March 18	March 18
	1786	425	March 18	March 18
	2077	426	March 18	March 18
	2098	427	March 18	March 18
	1906	428	March 18	March 18
	1863	429	March 18	March 18
	1235	430	March 18	March 18
	1794	431	March 18	March 18
	1283	432	March 18	March 18
	1366	433	March 18	March 18
	1580	434	March 18	March 18
	1602	435	March 18	March 18
	773	436	March 18	March 18

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	2021	437	March 18	March 18
	1713	438	March 18	March 18
	1795	439	March 18	March 18
	1120	440	March 18	March 18
	1231	441	March 18	March 18
	2050	442	March 18	March 18
	1701	443	March 18	March 18
	1707	444	March 18	March 18
	2078	445	March 18	March 18
	1622	446	March 18	March 18
	2073	447	March 18	March 18
	1603	448	March 18	March 18
	1720	449	March 18	March 18
	1735	450	March 18	March 18
	1955	451	March 18	March 18
	2011	452	March 18	March 18
1837		453	March 19	March 19
1853		454	March 18	March 18
1910		455	March 18	March 18
1256		456	March 18	March 18
1364		457	March 18	March 18
1566		458	March 18	March 18
1539		459	March 18	March 18
1591		460	March 18	March 18
412		461	March 18	March 18
411		462	March 18	March 18
85		463	March 18	March 18
1641		464	March 18	March 18
787		465	March 18	March 18
1231		466	March 18	March 18
1398		467	March 18	March 18
1967		468	March 18	March 18
1589		469	March 18	March 18
1888		470	March 18	March 18
1691		471	March 18	March 18
1670		472	March 18	March 18
1684		473	March 18	March 18
1631		474	March 18	March 18
1644		475	March 18	March 18
1605		476	March 18	March 18
2048		477	March 18	March 18

Sincerely,

Joan Anderson Growe
Secretary of State

March 19, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982

Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1455	478	March 19	March 19
	1523	479	March 19	March 19
	1579	480	March 19	March 19
	1685	481	March 19	March 19
	1789	482	March 19	March 19
	1852	483	March 19	March 19
	2066	484	March 19	March 19
	2156	485	March 19	March 19
	2170	486	March 19	March 19
1078		487	March 19	March 19
1561		488	March 19	March 19
1666		489	March 19	March 19
1677		490	March 19	March 19
1715		491	March 19	March 19
1740		492	March 19	March 19
1765		493	March 19	March 19
1818		494	March 19	March 19
1840		495	March 19	March 19
1949		496	March 19	March 19
1950		497	March 19	March 19
2051		498	March 19	March 19
2062		499	March 19	March 19
2125		500	March 19	March 19

Sincerely,

Joan Anderson Growe
Secretary of State

March 22, 1982

The Honorable Jack Davies
President of the Senate

Dear Senator Davies:

After careful consideration, and following consultation with a number of concerned groups and individuals, I feel it is necessary, both in my capacity as Governor of the State of Minnesota and as Chairman of the State Board of Investment, to veto Senate File 1637. I have not signed this bill nor filed it with the Secretary of State.

I deplore discrimination anywhere on the basis of race, religion, color, creed or sex as much as any member of the Legislature. The system of apartheid, which is institutionalized in South Africa is a morally repugnant and unacceptable practice. However, it is my belief that S.F. 1637 would have no impact on the policies of the government of South Africa, but, rather, would simply have an impact on the ability of the State of Minnesota to maximize its investment returns for the retirement and State funds managed by the State Board of Investment.

My decision to veto this bill is based on two factors:

1. A number of individuals from the investment community have expressed

concern about any legislation which would reduce the Board's investment flexibility. In addition, the applicability standard established in Section 2 of the bill is unclear and may broaden the scope and impact of the legislation to make it more far-reaching than intended by the Legislature. The State would likely be involved in expensive and lengthy litigation.

2. The State Board of Investment has demonstrated its commitment to promoting corporate social responsibility by actively voting its proxies to effect social and economic change. By prohibiting future investments in certain financial institutions, S.F. 1637 would deprive the Board of its ability to influence through positive actions the loan policies of these institutions. I believe that the State of Minnesota can have a greater impact on these companies by owning their stock and by voting the State's proxies. There is little evidence that prohibiting the State's investment in these institutions will result in any outcome other than having those securities purchased by other investors.

For the foregoing reasons, I believe this bill must be vetoed.

Sincerely,
Albert H. Quie, Governor

March 22, 1982

The Honorable Jack Davies
President of the Senate

Dear Mr. President:

By not signing and not filing with the Secretary of State, I am vetoing Senate File 1988, a bill that relates to the Small Business Community Development Block Grant (CDBG) program.

The Community Development Block Grant program was authorized by Congress in 1974 and is one of a number of federal programs being transferred to the states. The Department of Energy, Planning and Development is charged with the administration of the Small Cities Community Development Block Grant program.

Because states are allowed considerable flexibility in administration of the Community Development Block Grant program, the Department of Energy, Planning and Development has devoted much time and effort during the past eight months to develop a program design which addresses the community development needs of Minnesota's communities while remaining within the intent of federal legislation. The Department of Energy, Planning and Development has been very conscientious in its efforts to solicit and utilize recommendations from concerned organizations, elected oficials and other interested parties throughout the program design process.

The Community Development Block Grant program was designed to give local governments greater flexibility in determining how CDBG funds could best be utilized to meet their local community development needs. Communities could undertake a wide variety of eligible activities set out in the 1974 act: 1) principally benefitting persons of low and moderate income; 2) aiding in the prevention or elimination of slums or blight; 3) meeting other community development needs having a particular urgency.

Senate File 1988 contains no reference to the three objectives of the Community Development Block Grant program and instead emphasizes the requirement of direct benefit to low and moderate income persons.

Therefore, I am vetoing Senate File 1988 for two main reasons: 1) it imposes

additional strings on small cities which are not imposed on large cities, and 2) it limits flexibility in identifying projects at a time when emphasis in state programs is on insuring such flexibility.

Sincerely,
Albert H. Quie, Governor

March 22, 1982

The Honorable Jack Davies
President of the Senate

Dear Mr. President:

By not signing and not filing with the Secretary of State, I am vetoing Senate File 1207, a bill that relates to liquor store licensing.

S.F. 1207 purports to exempt certain off-sale liquor licensees and others having an interest in those licenses from the single license limitation of Minnesota Statutes, Section 340.13, Subdivision 3 (1980). The exception created by S.F. 1207 appears to violate Article XII, Section 1, Minnesota Constitution and Amendment XIV, United States Constitution, to the extent that it amounts to special legislation in denial of equal protection of the law to all persons similarly situated.

Although this legislation might very well resolve one pending lawsuit against the State of Minnesota, further litigation may be invited were it to become law.

Sincerely,
Albert H. Quie, Governor

March 22, 1982

The Honorable Jack Davies
President of the Senate

Dear Mr. President:

I am vetoing Senate File 1588, a bill that creates an advisory council on local government. It seems apparent to me that during a time of drastic budget cuts in state and local government, coupled with reductions by federal and state governments in their assistance to local units of government, it is unwise to create another governmental agency to siphon money and manpower from already overstressed budgets. The idea of an advisory council on local government has some merit as does any exchange of ideas and information between levels of government.

While there are some good points to Senate File 1588, I am vetoing it because of the inappropriateness of instituting this council during a time of governmental reductions.

Sincerely,
Albert H. Quie, Governor

March 22, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1962, 1451 and 1522.

Sincerely,
Albert H. Quie, Governor

March 22, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1859, 1508 and 588.

Sincerely,
Albert H. Quie, Governor

March 22, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1727	501	March 22	March 22
	1492	502	March 22	March 22
	1702	503	March 22	March 22
	1572	504	March 22	March 22
	1550	505	March 22	March 22
	1430	506	March 22	March 22
1522		507	March 22	March 22
1962		508	March 22	March 22
1451		509	March 22	March 22
588		510	March 22	March 22
1859		511	March 22	March 22
	1919	512	March 22	March 22
1508		513	March 22	March 22

Sincerely,

Joan Anderson Growe
Secretary of State

March 22, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1957, 2127, 536, 303, 1621, 1481, 1671, 1702, 1239, 1424, 1443, 1499, 1503, 1538, 2141, 2000, 358, 16, 155, 276, 378, 744, 818, 1015, 1706, 1713, 1758, 1809, 1821, 1856, 1886, 1838, 1894, 1907, 1908, 1948, 1955, 1964, 1965, 2006

and 2054.

Sincerely,
Albert H. Quie, Governor

March 23, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
536		514	March 22	March 22
	612	515	March 22	March 22
	552	516	March 22	March 22
	1469	517	March 22	March 22
	1625	519	March 22	March 22
1621		520	March 22	March 22
	1532	521	March 22	March 22
1481		522	March 22	March 22
	1872	523	March 22	March 22
1671		524	March 22	March 22
	1704	525	March 22	March 22
	1668	526	March 22	March 22
1702		527	March 22	March 22
358		528	March 22	March 22
16		529	March 22	March 22
155		530	March 22	March 22
	253	531	March 22	March 22
276		532	March 22	March 22
	353	533	March 22	March 22
	356	534	March 22	March 22
378		535	March 22	March 22
	492	536	March 22	March 22
	522	537	March 22	March 22
	623	538	March 22	March 22
	685	539	March 22	March 22
744		540	March 22	March 22
	776	541	March 22	March 22
	788	542	March 22	March 22
818		543	March 22	March 22
	879	544	March 22	March 22
	930	545	March 22	March 22
1015		546	March 22	March 22
	1576	547	March 22	March 22
	1555	548	March 22	March 22
	1589	549	March 22	March 22
	1611	550	March 22	March 22
	1635	551	March 22	March 22
	1652	552	March 22	March 22
	1690	553	March 22	March 22

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1698	554	March 22	March 22
1706		555	March 22	March 22
1713		556	March 22	March 22
1758		557	March 22	March 22
1809		558	March 22	March 22
1821		559	March 22	March 22
1856		560	March 22	March 22
1886		561	March 22	March 22
1838		562	March 22	March 22
1894		563	March 22	March 22
1907		564	March 22	March 22
1908		565	March 22	March 22
1948		566	March 22	March 22
1955		567	March 22	March 22
1964		568	March 22	March 22
1965		569	March 22	March 22
2006		570	March 22	March 22
2054		571	March 22	March 22
2141		572	March 22	March 22
	534	573	March 22	March 22
	1697	574	March 22	March 22
	917	575	March 22	March 22
	1663	576	March 22	March 22
2000		577	March 22	March 22
	438	578	March 22	March 22
	1542	579	March 22	March 22
	1477	580	March 22	March 22
	1499	581	March 22	March 22
	1018	582	March 22	March 22
	1025	583	March 22	March 22
	1068	584	March 22	March 22
	1092	585	March 22	March 22
	1115	586	March 22	March 22
1239		587	March 22	March 22
	1278	588	March 22	March 22
1424		589	March 22	March 22
	1365	590	March 22	March 22
1443		591	March 22	March 22
	1456	592	March 22	March 22
1499		593	March 22	March 22
1503		594	March 22	March 22
1538		595	March 22	March 22
	1546	596	March 22	March 22
	1547	597	March 22	March 22
	1553	598	March 22	March 22
	1573	599	March 22	March 22
	1017	600	March 22	March 22
	560	601	March 22	March 22
1957		Resolution No. 6	March 22	March 22
2127		Resolution No. 7	March 22	March 22

Sincerely,

Joan Anderson Growe
Secretary of State

March 23, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, Senate File No. 1738.

Sincerely,
Albert H. Quie, Governor

March 23, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature, the objections of the Governor notwithstanding, have been received from the Office of the Revisor of Statutes, and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1234	602		March 22
	1726	603		March 22

Sincerely,

Joan Anderson Growe
Secretary of State

March 23, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
1738		604	March 23	March 23
	1699	605	March 23	March 23
	1710	606	March 23	March 23
	1712	607	March 23	March 23
	1719	608	March 23	March 23
	1734	609	March 23	March 23
	1737	610	March 23	March 23
	1743	611	March 23	March 23
	1751	612	March 23	March 23
	1760	613	March 23	March 23
	1799	614	March 23	March 23

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1803	615	March 23	March 23
	1804	616	March 23	March 23
	1817	617	March 23	March 23
	1819	618	March 23	March 23
	1831	619	March 23	March 23
	1834	620	March 23	March 23
	1840	621	March 23	March 23
	1867	622	March 23	March 23
	1885	623	March 23	March 23
	1894	624	March 23	March 23
	1897	625	March 23	March 23
	1902	626	March 23	March 23
	1915	627	March 23	March 23
	1939	628	March 23	March 23
	1941	629	March 23	March 23
	1975	630	March 23	March 23
	1993	631	March 23	March 23
	1994	632	March 23	March 23
	2000	633	March 23	March 23
	2005	634	March 23	March 23
	2033	635	March 23	March 23
	2058	636	March 23	March 23
	2065	637	March 23	March 23
	2134	638	March 23	March 23
	2136	639	March 23	March 23
	2188	640	March 23	March 23
	2271	Resolution No. 8	March 23	March 23
303		518	March 22	March 22

Sincerely,

Joan Anderson Growe
Secretary of State

March 31, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 2169.

Sincerely,
Albert H. Quie, Governor

March 31, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Approved 1982	Date Filed 1982
	2190	641	March 31	March 31
2169		642	March 31	March 31

Sincerely,

Joan Anderson Growe
Secretary of State

April 15, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

The Senate Subcommittee on Committees met on April 13, 1982, and the following appointments were made:

Joint Senate/House Committee on Low Level Radioactive Waste - Messrs. Merriam, Pehler, Luther, Davis, Dicklich, Bernhagen and Benson.

Pursuant to Laws 1982, Chapter 532:

Advisory Task Force on the Use of State Facilities - Messrs.Davis, Renneke and Peterson, R.W.

Sincerely,

Roger D. Moe, Chairman
Subcommittee on Committees

BILLS

INDEX
1981-1982

SENATE
BILLS

INDEX

BILLS OF THE SENATE

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1	A bill for an act relating to education; restoring education aids withheld in fiscal year 1981; providing for full payment of education aids in future years; repealing certain provisions relating to pro rata payment of education aids and reimbursements and certificates for the unpaid amounts; appropriating money; amending Minnesota Statutes 1980, Sections 16A.15, Subdivision 1; 124.71; 124.72; 124.73; and 124.781; repealing Minnesota Statutes 1980, Sections 124.77 and 124.78.	34	70	39 61 71	59a 69 78a	114		144	210	1
2	A bill for an act relating to the Mississippi River headwaters area; establishing a joint board of counties to prepare, adopt and implement a comprehensive land use plan for the Mississippi River headwaters area; imposing a temporary moratorium on the use of certain lands subject to city land use controls; proposing new law coded as Minnesota Statutes, Chapter 114B.	34	349	324a	535	616 2185	2185	2185	3118	246
3	A bill for an act relating to education; providing for a final adjustment payment of school aids to school districts for fiscal year 1981; appropriating money.	34								
4	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	34		38	45					
5	A bill for an act providing for establishment of the boundaries of congressional and legislative districts by a commission; providing by law for the duties, powers and operation of the commission; providing for judicial review of an apportionment plan; imposing duties on certain state officials; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 2A; repealing Minnesota Statutes 1980, Sections 2.041 to 2.712 and 2.731 to 2.811.	35		40						
6	A bill for an act relating to Independent School District No. 219, Elmore; requiring revision of its certified statutory operating debt.	35		(H30)						
7	A bill for an act relating to Traverse County; permitting the issuance of bonds by the county to provide funds for the construction, alteration, repair, and improvement of necessary buildings for county fair purposes, and to aid county agricultural societies to defray related financial obligations; providing for payment of the obligations.	35	70	68a 125	71	136		487	591	15

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
8	A bill for an act relating to the city of New London; authorizing the issuance of bonds for the acquisition and betterment of a city hall, community center, and municipal library.	35	112	90a 123 137	149		487	743	16
9	A bill for an act relating to natural resources; changing the definition of public waters; amending Minnesota Statutes 1980, Section 105.37, Subdivision 14.	35		40 45					
10	A bill for an act relating to intoxicating liquor; proof required to purchase, possess or consume; amending Minnesota Statutes 1980, Section 340.039.	35	229	224a 229 392 465 (H496)					
11	A bill for an act relating to liens; increasing the amount of an employee's lien for wages; amending Minnesota Statutes 1980, Section 514.59.	35	263	260 471a	501		1129	1435	43
12	A bill for an act relating to eminent domain; providing for the taking of possession and title by the petitioner under certain circumstances; providing that certain payments deposited with the court shall be paid out under direction of the court; amending Minnesota Statutes 1980, Section 117.042.	36	61	59 61 70 114	124		378	519	8
13	A bill for an act relating to crimes; eliminating the power of a sentencing court to stay the revocation of the driver's license of a person convicted of driving, operating or being in physical control of a motor vehicle while under the influence of alcohol or controlled substances or a combination thereof; amending Minnesota Statutes 1980, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.	36	61	45 59 70 113 114 123	124		378	519	9
14	A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1980, Section 645.44.	36	180	40 176a 243 263	268				
15	A bill for an act relating to statutes; providing a general reference for statutes that change dollar amounts to conform to price changes; proposing new law coded in Minnesota Statutes, Chapter 645.	36	180	177a 1625a	1643				
16	A bill for an act relating to probate; changing certain time limits and procedures for a personal representative to file an inventory and appraisement; amending Minnesota Statutes 1980, Section 524.3-706.	36	61	40 59a 70 125a	135 5114	4502 4707 4749 5113*	4502 5429	5655	529
17	A bill for an act relating to witnesses; exempting parents and minors from testifying with respect to confidential communications made by the minor to parent; amending Minnesota Statutes 1980, Section 595.02.	36	70	40 70 71 125a	136 2265	2265	2264	3119	262

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
18	A bill for an act relating to probate; eliminating requirement of notice to representatives of foreign countries in certain formal testacy proceedings; amending Minnesota Statutes 1980, Section 524.3-403.	36	162	40 161a 243	263 1806	1806	1806	2081	161
19	A bill for an act relating to eminent domain proceedings; allowing an award of costs and attorneys' fees under certain circumstances; amending Minnesota Statutes 1980, Section 117.195.	36	3724	40 61 3582a 4029a	4145				
20	A bill for an act relating to workers' compensation; prohibiting the payment of permanent total and permanent partial benefits for the same injury; creating an incentive to return to work; freezing the permanent partial maximum; amending Minnesota Statutes 1980, Sections 176.021, Subdivision 3; and 176.101, Subdivision 3.	37							
21	A bill for an act relating to workers' compensation; providing for commencement of payment for permanent partial disability upon the employee's return to work; allowing insurers to adjust compensation amounts to the nearest dollar; providing for a new minimum compensation for temporary total disability; empowering the commissioner of labor and industry to enter agreements; regulating notices of discontinuance; regulating payment disputes; providing for a new maximum compensation for permanent partial disability; providing for a waiting period before annual adjustments in benefits are made; providing for apportionment of compensation when a permanent disability involves a prior injury; setting a maximum death benefit; removing the conclusive presumption that certain diseases are occupational diseases for employees of fire and police departments, the Minnesota highway patrol, department of natural resources, state crime bureau and sheriffs' departments; providing for a statute of limitations for certain actions; prohibiting employees of the department of labor and industry from representing workers; requiring the commissioner of labor and industry to establish a schedule of degrees of disability; amending Minnesota Statutes 1980, Sections 176.011, Subdivision 15; 176.021, Subdivision 3, and by adding a subdivision; 176.041, by adding a subdivision; 176.101, Subdivisions 1 and 3; 176.105, Subdivision 1; 176.111, by adding a subdivision; 176.131, Subdivision 1; 176.151; 176.191, Subdivision 3; 176.241, Subdivisions 1, 2, and 3; 176.261; and 176.645.	37		37 78					

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
22	A bill for an act relating to insurance; authorizing the commissioner of public safety to issue a limited license to persons whose licenses have been revoked for failure to provide security required by the no-fault automobile insurance act; amending Minnesota Statutes 1980, Section 65B.67, by adding a subdivision.	37	229	224a 392 671a 1637a					
23	A bill for an act relating to the recording of decrees and certificates in bankruptcy proceedings; providing for the admissibility of certificates as evidence; amending Minnesota Statutes 1980, Section 386.45.	40	70	70a 71 137	148		211	255	2
24	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	40		45					
25	A bill for an act relating to courts; providing for an additional probate judge for Hennepin county; amending Minnesota Statutes 1980, Section 525.04.	40							
26	A bill for an act relating to the city of Madison Lake; authorizing the issuance of general obligation bonds for a municipal center.	40	112	91a 123 162 (H23)					
27	A bill for an act relating to retirement; allowing accrual of service credit in excess of 40 years in a public retirement plan; repealing Minnesota Statutes 1980, Section 356.60.	40							
28	A bill for an act relating to claims against the state; providing for payment of various claims; appropriating money.	41	1802	1792 1979	2051		2201	3119	263
29	A bill for an act relating to appropriations; appropriating funds for swine disease research at the University of Minnesota.	41		123					
30	A bill for an act relating to public utilities; redefining the term "public utility" so as to exempt from public service commission jurisdiction certain small natural gas utilities; amending Minnesota Statutes 1980, Section 216B.02, Subdivision 4.	41	229	45 225a 392	425		520	743	17
31	A bill for an act relating to transportation; restricting the powers of the commissioner of transportation with respect to a certain trunk highway within the city of St. Paul; proposing new law coded in Minnesota Statutes, Chapter 161.	41	422	412 1009	1123 2869	2207 2267 2595 2868*	2206 2896	3124	345
32	A bill for an act relating to cemeteries; requiring the maintenance of certain abandoned cemeteries; amending Minnesota Statutes 1980, Section 306.243, Subdivision 1.	41	123	45 123a 135 163	188				

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
33	A bill for an act relating to the city of Cloquet; permitting the city to contract, pay, and tax for certain public transportation services.	41		45 (H161)	1865					
34	A bill for an act relating to public welfare; allowing the commissioner of public welfare to grant a variance related to certain licenseholders whose licenses have been previously revoked; amending Minnesota Statutes 1980, Section 245.801, Subdivision 6.	41	349	321a	535	615 2287	2287	2287	3119	264
35	A bill for an act relating to taxation; income tax; providing for the postponement of income from certain sales of livestock; amending Minnesota Statutes 1980, Section 290.07, Subdivision 6.	42								
36	A bill for an act relating to local government; providing a tax levy for emergency preparedness; amending Minnesota Statutes 1980, Section 12.26, by adding a subdivision.	42								
37	A bill for an act relating to education; restoring school aids withheld in fiscal year 1981; appropriating money.	42								
38	A bill for an act relating to crimes; prohibiting tattooing intoxicated persons; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.	42								
39	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; removing references to legislative days.	42								
40	A bill for an act relating to legal obligations; permitting legal enforcement of certain written obligations; enacting the uniform written obligations act; proposing new law coded in Chapter 513.	42								
41	A bill for an act relating to acknowledgement of instruments; providing that legal documents can be signed and certified to be true under penalty of perjury in lieu of acknowledgement in the presence of a notary public; prescribing penalties; amending Minnesota Statutes 1980, Section 609.48, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 358.	42		61						
42	A bill for an act relating to elections; permitting certain challenges to voters; providing procedures for election contests; amending Minnesota Statutes 1980, Sections 204A.32, Subdivision 4; 209.02, Subdivisions 3, 4, and 4a; 209.06, Subdivision 2; 209.09; and 209.10, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 209.	42	229	227a	426a	467				

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
43	A bill for an act relating to actions involving negligence; providing that contributory fault be measured against the aggregate fault of persons from whom recovery is sought; amending Minnesota Statutes 1980, Section 604.01, Subdivision 1.	43	606	604a 1639a 3116					
44	A bill for an act relating to commerce; interest rates on money; authorizing variable or indexed principal contracts; proposing new law coded in Minnesota Statutes, Chapter 334.	43							
45	A bill for an act relating to civil actions; providing for recognition of money judgments of foreign states; providing that any party to a claim related to a foreign state may move for an order converting the alleged obligation to a domestic obligation; proposing new law coded in Minnesota Statutes, Chapter 548.	43							
46	A bill for an act relating to property; enacting the uniform disposition of community property rights at death act; proposing new law coded in Minnesota Statutes, Chapter 525.	43	180	177a 355					
47	A bill for an act relating to creditor's remedies; enacting the uniform exemptions act; amending Minnesota Statutes 1980, Sections 69.61; 290.48, Subdivision 2; 290.92, Subdivision 6; 297A.33, Subdivision 6; 571.41, Subdivision 5; and 571.42, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 550; repealing Minnesota Statutes 1980, Sections 550.37; 550.38; 550.39 and 550.41.	43							
48	A bill for an act relating to juveniles; providing a juvenile with a right to jury trial when charged by petition with a felony; amending Minnesota Statutes 1980, Section 260.155, Subdivision 1.	43		61 88 123					
49	A bill for an act relating to probate; adopting provisions of the uniform probate code relating to intestate succession, spouse's elective share, omitted spouses and children, and certain allowances and exempt property; proposing new law coded in Minnesota Statutes, Chapter 524; repealing Minnesota Statutes 1980, Sections 525.13 to 525.16; 525.17; 525.171 to 525.202; and 525.212 to 525.216.	44							
50	A bill for an act relating to workers' compensation; defining family farm corporation; reenacting Laws 1980, Chapter 556; amending Minnesota Statutes 1980, Section 176.011, Subdivision 11a.	44	61	45 59 70 88 113 1501					
51	A bill for an act relating to workers' compensation; defining family farm (Continued next page)	49							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
51	—Continued corporation; reenacting Laws 1980, Chapter 556; amending Minnesota Statutes 1980, Section 176.011, Subdivision 11a.								
52	A bill for an act relating to elections; fair campaign practices; providing a penalty for denial of access to certain dwellings; amending Minnesota Statutes 1980, Section 210A.43, Subdivision 4.	49	212	212a 355	390	1129	682	Veto 1128	
53	A bill for an act relating to local government; permitting the city of Northfield to make payments to the town of Waterford as a condition of an annexation.	49		(H38)					
54	A bill for an act relating to recreation; extending protection from liability for recreational use of land to the state, governmental units and nonprofit corporations; amending Minnesota Statutes 1980, Sections 87.01; and 87.021, Subdivision 3.	49		61					
55	A bill for an act relating to elections; providing for voter registration cards to be supplied by the secretary of state; appropriating money; amending Minnesota Statutes 1980, Section 201.071, by adding a subdivision.	49							
56	A bill for an act relating to insurance; broadening the scope of mandated group accident and health coverage for ambulatory mental health services; modifying certain comprehensive health insurance benefit requirements; amending Minnesota Statutes 1980, Sections 62A.152; and 62E.06, Subdivision 1.	50	1115	1102a 1537a	1607		2201	3119	265
57	A bill for an act relating to public utilities; repealing authority for rate increases pending final commission approval; repealing Minnesota Statutes 1980, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.	50		61 (H12)					
58	A bill for an act relating to retirement; authorizing the purchase of prior service credit in the public employees retirement association by a certain county commissioner.	50							
59	A bill for an act relating to public lands; requiring approval of state land acquisitions by local authorities in certain counties; proposing new law coded in Minnesota Statutes, Chapter 15.	50							
60	A bill for an act relating to crimes; providing that whoever causes the death of a human being when committing certain crimes is guilty of murder in the first degree; amending Minnesota Statutes 1980, Sections 609.185 and 609.195.	50							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
61	A bill for an act relating to workers' compensation; requiring notification to employers of rate increases; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 79.	50							
62	A bill for an act relating to retirement; police survivor benefits in the city of Thief River Falls.	50							
63	A bill for an act relating to retirement; specifying eligibility for early retirement health and welfare insurance coverage for certain employees of the city of St. Paul.	50	3473	3463 4014	4136				
64	A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; increasing the weekly maximums for certain first-party benefits; clarifying legislative intent concerning stacking of insurance policies; coordinating the priority of applicability of security for payment of certain benefits; increasing residual liability benefits; increasing certain uninsured benefits; establishing tort threshold limitations on uninsured motorist coverage; providing mandatory underinsured motorist coverage; increasing certain limitation of damages; amending Minnesota Statutes 1980, Sections 65B.44, Subdivisions 1, 3, 6, and 7; 65B.47, Subdivision 2, and by adding subdivisions; 65B.49, Subdivisions 3 and 4, and by adding a subdivision; and 65B.51, Subdivision 3.	51	583	568a 1073a 1637	1768 2843	1824 2842a			
65	A bill for an act relating to the attorney general; providing that the attorney general may render bond counsel services to state agencies and political subdivisions upon request; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 8.	51		61 601a 2075a 2118 2123					
66	A bill for an act relating to commerce; clarifying the definition of a "sale of goods" as it applies to consumer credit sales to include certain terminable bailments or leases; clarifying the interests of the respective parties; providing for a certain contract provision; amending Minnesota Statutes 1980, Sections 325G.15, Subdivision 5; and 325G.16, by adding subdivisions.	51	229	225a 348 (H87)					
67	A bill for an act relating to elections; prohibiting certain uses of campaign funds; providing a civil penalty; providing that compensation for personal services rendered to influence election of a candidate is not a prohibited expenditure; amending Minnesota Statutes 1980, Section 210A.19, Subdivision 1; and proposing new law coded in Minnesota Statutes, Chapter 210A.	51		61					
68	A bill for an act relating to correction and improvement of state laws; estab-	51							

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a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
68—Continued	lishing a Minnesota law revision council; prescribing its duties and functions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3.								
69	A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; proposing new law coded in Minnesota Statutes 1980, Chapter 645.	51	664 3173	647a 2102 3116 3780a	3855				
70	A bill for an act relating to evidence; limiting the legislative history admissible to determine legislative intent; amending Minnesota Statutes 1980, Section 645.16.	52	422 3310	420a 1286a 1330 3116 3303 5576					
71	A bill for an act relating to civil actions; providing a system for periodic payments of certain judgments; proposing new law coded in Minnesota Statutes, Chapter 548.	52							
72	A bill for an act relating to elections; providing a penalty for preparing or disseminating certain false information; exempting certain broadcasters; amending Minnesota Statutes 1980, Section 210A.04.	52	422	61 418a 1009	1148 2191	1827 2191	1826	3119	266
73	A bill for an act relating to economic development; regulating municipal industrial development; permitting certain industrial development projects within the metropolitan area; prohibiting moral obligation debt; amending Minnesota Statutes 1980, Sections 474.01, Subdivisions 7a, 7b, 8; and by adding a subdivision; 474.02, Subdivision 1b; 474.05; 474.06; and 474.08.	52	1072	349 693a 1027a 1429a	1495				
74	A bill for an act relating to trade regulations; prescribing a penalty for the sale of imitation Indian-made goods without a brand; amending Minnesota Statutes 1980, Section 325F.46.	52	147	124 145 162 203a	213 214 2281	213 2281	2280	3119	267
75	A bill for an act relating to taxation; income tax; abolishing the non-game wildlife checkoff; repealing Minnesota Statutes 1980, Section 290.431.	52							
76	A bill for an act relating to cities; enlarging the class of cities that may maintain cable television systems; clarifying the description of a system; increasing the amount of obligations that may be issued for television systems; providing for revenue obligations; validating prior issuances; amending Minnesota Statutes 1980, Section 465.70.	52	1072	1033a 2047 (H184)					
77	A bill for an act relating to foreign corporations; removing certain deficiencies and ambiguities; defining certain	53	70	69a 71 163a	188 1805	1805	1805	2081	162

(Continued next page)

a Indicates Amendment ( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
77	—Continued activities that do not constitute transacting business in the state; and removing limitations on engaging in the business of making real estate loans; amending Minnesota Statutes 1980, Sections 303.02, Subdivision 3; 303.03; 303.04; and 303.25.								
78	A bill for an act relating to intoxicating liquor; authorizing the sale and dispensing of liquor at the I.R.A. arena in Grand Rapids.	61		(H121)					
79	A bill for an act relating to courts; changing the procedure whereby a judicial district administrator is appointed; amending Minnesota Statutes 1980, Section 484.68, Subdivision 1.	62							
80	A bill for an act relating to the collection and dissemination of data; administration of the state archives and state and local government records; classifying data; providing a penalty; amending Minnesota Statutes 1980, Sections 15.17, Subdivisions 1 and 4; 138.161; 138.17, Subdivisions 1, 6, 7, and by adding subdivisions; 138.19; 138.20; 138.21; proposing new law coded in Minnesota Statutes, Chapter 138; repealing Minnesota Statutes 1980, Sections 16.66 and 138.18.	62							
81	A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1980, Sections 144.50, Subdivision 1; and 144.55.	62		147 212 (H29)					
82	A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting state tax laws to adopt future federal tax law amendments by reference.	62							
83	A bill for an act relating to real estate; directing a conveyance of the states right, title and interest in certain lands to Independent School District No. 417 of Tracy, Minnesota.	62		1007 (H57)					
84	A bill for an act relating to health; providing for financial assistance to persons with end stage renal disease; proposing new law coded in Minnesota Statutes, Chapter 256.	62							
85	A bill for an act relating to towns; providing for election of town supervisors; amending Minnesota Statutes 1980, Section 367.03, Subdivision 2.	62	123	122a 135 163	189 4671	4671	4670	5650	463
86	A bill for an act relating to towns; making authority to exercise certain powers optional with certain towns; amending Minnesota Statutes 1980, Section 368.01, Subdivision 1.	63							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
87	A bill for an act relating to education; establishing a procedure for transferring certain territory from one school district to another; permitting a district from which territory was transferred to enroll certain students from the transferred territory under certain conditions; proposing new law coded in Minnesota Statutes, Chapter 122.	63			78					
88	A bill for an act relating to the city of St. James; authorizing the issuance of revenue bonds for the acquisition and betterment of an airport facility.	63	349	319 (H84)	465					
89	A bill for an act relating to elections; clarifying certain sanctions imposed for violation of fair campaign practices act; providing a good faith exception; amending Minnesota Statutes 1980, Section 210A.39.	63	422	417a	1013a	1147				
90	A bill for an act relating to taxation; income tax; providing that the one time exclusion of gain on sale of a residence is effective at the same time as effective for federal income tax purposes; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	63								
91	A bill for an act relating to natural resources; limiting state land acquisitions for certain purposes, by requiring sale of lands of equal value; proposing new law coded in Minnesota Statues, Chapter 94.	63								
92	A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1980, Section 152.15, by adding a subdivision.	63	112	91 137a	123	149		308	444	6
93	A bill for an act relating to commerce; providing for the regulation and licensing of precious metal dealers; establishing identification procedures and recording requirements; prohibiting certain transactions; providing for criminal and civil penalties; providing remedies; amending Minnesota Statutes 1980, Section 609.53, Subdividion 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 325F.	64		(H79)						
94	A bill for an act relating to land transfers; adopting the uniform simplification of land transfers act; proposing new law coded as Minnesota Statutes, Chapter 506; repealing Minnesota Statutes 1980, Sections 507.24; 507.25; 507.26; 507.34; 507.35; 514.01 to 514.17; 541.02; 541.023; and 541.024.	64								
95	A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1980, Section 435.193.	71	349 531	88 351 1170 (H708)	318 528a 1417					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
96	A bill for an act relating to state property; providing for the conveyance to Kandiyohi County of a residence building in Sibley state park.	71	263	261a 502	534		1989	3115	216
97	A bill for an act relating to agriculture; changing Todd County from area one to area four for the purposes of potato promotion; amending Minnesota Statutes 1980, Section 30.464, Subdivision 1.	71	135	134a 146 163	189		407	519	11
98	A bill for an act relating to local government; providing for the membership of the municipal board; amending Minnesota Statutes 1980, Section 414.01, Subdivision 2.	71	1007	993a 1427	1493 2168	2168	2167	3119	268
99	A bill for an act relating to elections; changing certain procedures and requirements relating to elections; amending Minnesota Statutes 1980, Sections 201.061, as amended; 206.20, Subdivision 2, as amended; 208.03; 208.05; Laws 1981, Chapter 29, Article IV, Section 28; Article V, Sections 10, 24, and 26; Article VI, Sections 15 and 16; repealing Minnesota Statutes 1980, Section 201.18, as amended.	72	229	227a 426a	467 2051	1990 2051	1989	3115	217
100	A bill for an act relating to taxation; providing a credit against the income tax for contributions to candidates for local elective office and removing restriction concerning campaign expenditure limitation agreements; amending Minnesota Statutes 1980, Section 290.06, Subdivision 11.	72		113 212a					
101	A bill for an act relating to health care; prohibiting health care providers from providing professional services unless there is in effect an insurance policy covering claims which may arise from the provision of the services; proposing new law coded in Minnesota Statutes, Chapter 144.	72							
102	A bill for an act relating to towns; providing for certain notice requirements; amending Minnesota Statutes 1980, Section 365.12.	72	123	122a 135 163	189		281	308	5
103	A bill for an act relating to taxation; real property; providing a method for determining the value of agricultural land; amending Minnesota Statutes 1980, Section 273.11, Subdivision 1, and by adding a subdivision.	72							
104	A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession and furnishing; amending Minnesota Statutes 1980, Sections 340.02, Subdivision 8; 340.035, Subdivision 1; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.403, Subdivision 3; 340.73, Subdivision 1; 340.731; 340.78; 340.79; 340.80; and 340.81.	72							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
105	A bill for an act relating to state government; creating an office for promotion of efficiency and productivity in state government; protecting state employees disclosing certain information; appropriating money; proposing new law coded in Minnesota Statutes, Chapters 15 and 43.	73		(H137)					
106	A bill for an act relating to taxation; restricting the allowance of abortion expenses as a medical deduction for income tax purposes; amending Minnesota Statutes 1980, Section 290.09, Subdivision 10.	73		78					
107	A bill for an act relating to taxation; income tax; providing a credit for contributions to institutions of higher education; proposing new law coded in Minnesota Statutes, Chapter 290.	73		78 492					
108	A bill for an act relating to public utilities; repealing authority of a public utility or telephone company to impose increased rates pending a final determination by the public utilities commission; repealing Minnesota Statutes 1980, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.	73		78					
109	A bill for an act relating to crimes; prohibiting assaulting a peace officer; prescribing penalties; amending Minnesota Statutes 1980, Section 609.224; proposing new law coded in Minnesota Statutes, Chapter 609.	73		113(H149)					
110	A bill for an act relating to health maintenance organizations; eliminating any requirements that certain health maintenance organizations provide elective, induced abortions; amending Minnesota Statutes 1980, Sections 62D.02, Subdivision 7; 62D.20; and 62D.22, Subdivision 5.	73	498	88 113 492a 1112 (H63)					
111	A bill for an act relating to civil actions; providing an action for wrongful death and providing for the survival of other actions after death; enacting the uniform survival and death act; proposing new law coded in Minnesota Statutes, Chapter 573; repealing Minnesota Statutes 1980, Sections 573.01; and 573.02.	73		135					
112	A bill for an act relating to real estate; enacting the uniform land transactions act; providing a comprehensive law to govern real estate transactions; amending Minnesota Statutes 1980, Sections 507.32; 513.01; 541.01; 582.01; 582.03; proposing new law coded as Minnesota Statutes, Chapter 506; repealing Minnesota Statutes 1980, Sections 507.07; 507.16; 513.04; 513.05; 559.17; 559.21; 559.213; 559.214; 581.01 to 581.11; 582.02; 582.04 to 582.10; 582.14; 582.15; and Chapter 580.	74							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
113	A bill for an act relating to evidence; providing for audio-visual recording of evidence; enacting the Uniform Audio-Visual Deposition Act; proposing new law coded in Minnesota Statutes 1980, Chapter 600.	74							
114	A bill for an act relating to weights and measures; regulating and restricting conversion to the metric system of measurement; prescribing and limiting the powers and duties of public officers and agencies; enacting the uniform metric system procedure act; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 239; repealing Minnesota Statutes 1980, Sections 239.001; 239.002; 239.003; and 239.004.	74							
115	A bill for an act relating to crimes; extending the coverage of the bribery law to the offering of bribes to owners and employees of the news media and the accepting of bribes by such persons; providing penalties; amending Minnesota Statutes 1980, Section 609.42, by adding a subdivision.	74							
116	A bill for an act relating to insurance; broadening the conversion privilege on group life insurance; amending Minnesota Statutes 1980, Section 61A.09, Subdivision 1.	74							
117	A bill for an act relating to taxation; gasoline tax; increasing the tax on gasoline; amending Minnesota Statutes 1980, Section 296.02, Subdivision 1.	74							
118	A bill for an act relating to crimes; prohibiting the furnishing of tobacco related devices to minors; prohibiting minors from using tobacco or tobacco related devices; prescribing penalties; preserving local ordinances relating to minors' use of tobacco related devices; amending Minnesota Statutes 1980, Section 609.685.	75	1490	113 1478a 1862a 1896	1901 2069	2069	2069	3115	218
119	A bill for an act relating to elections; prohibiting announcement of certain election results before the polls are closed; proposing new law coded in Minnesota Statutes, Chapter 204A.	75							
120	A bill for an act relating to corporations; modernizing and improving provisions governing business corporations; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 53.01; 290.61; 303.05, Subdivision 1; 308.341; 319A.03; 319A.05; 319A.12, Subdivisions 1a and 2; 319A.20; 333.055, Subdivision 4; 333.19, Subdivision 1; 367.42, Subdivision 1; 462.601; and 462.605; proposing new law coded in Minnesota Statutes, Chapters 300, 302A, and 316; repealing Minnesota Statutes 1980, Sections 300.082 and 301.01 to 301.67.	82	1007 2018	976a 1017 2008a 2052	2097 2228	2228	2227	3119	270

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
121	A bill for an act relating to local government; permitting statutory cities and urban towns to publish summaries of ordinances prior to enactment; amending Minnesota Statutes 1980, Sections 368.01, Subdivision 21; and 412.191, Subdivision 4.	82	147	145a 162 202a 215a	241 1959	520 1330 1362 1958*	520 1998	3115	219
122	A bill for an act relating to waters; providing state funds for improvement of Prior Lake in Scott County; appropriating money.	83							
123	A bill for an act relating to waste disposal; declaring unsuitability of a certain site for sewage sludge disposal.	83							
124	A bill for an act relating to retirement; including employees of soil and water conservation districts in membership in the public employees retirement association; amending Minnesota Statutes 1980, Sections 353.01, Subdivision 6; and 353.022.	83							
125	A bill for an act relating to local government; authorizing certain cities and towns to levy an assessment for services provided to the Hennepin County Park Reserve District.	83							
126	A bill for an act relating to retirement; authorizing purchase of allowable service credit by certain members of the teachers retirement fund for prior service as nonpublic school teachers; proposing new law coded in Minnesota Statutes 1980, Chapter 354.	83							
127	A bill for an act relating to crimes; regulating the possession and use of pistols; defining certain terms; property rights of certain persons in pistols; prohibiting discrimination in the issuance of permits to carry pistols; providing penalties; amending Minnesota Statutes 1980, Sections 624.712, Subdivisions 2, 4 and 5 and by adding a subdivision; 624.713; 624.7131, Subdivision 1; 624.714, Subdivisions 1, 5, 9, 10 and by adding a subdivision.	83		88					
128	A bill for an act relating to retirement; extending coverage in the public employees retirement association to certain employees; amending Minnesota Statutes 1980, Section 353.01, Subdivision 2a.	83							
129	A bill for an act relating to taxation; income; allowing an investment credit deduction; amending Minnesota Statutes 1980, Section 290.09, Subdivision 24.	83							
130	A bill for an act relating to taxation; abolishing the native prairie credit; amending Minnesota Statutes 1980, Section 272.02, Subdivision 1; repealing Minnesota Statutes 1980, Section 273.116.	84							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
131	A bill for an act relating to mobile home parks; eliminating certain mobile home park reports made to the secretary of state; repealing Minnesota Statutes 1980, Section 327.29.	84	229	225 422 (H77)					
132	A bill for an act relating to retirement; Duluth teachers retirement fund association; authorizing an increase in retirement allowances and benefits for certain teachers; establishing a new coordinated retirement program within the retirement fund association; amending Minnesota Statutes 1980, Sections 354A.011, Subdivision 11; 354A.092; 354A.093; 354A.12, Subdivision 1; 354A.24; 354A.32; 354A.39; and 354A.41.	84	2018	1143 2007a 2052	2096		2267	3119	269
133	A bill for an act relating to probate; providing for filing of genealogical records; establishing fees; proposing new law coded in Minnesota Statutes, Chapter 525.	84							
134	A bill for an act relating to game and fish; validating fee receipts in instances where deer licenses are unavailable; amending Minnesota Statutes 1980, Section 98.45, Subdivision 1.	84							
135	A bill for an act relating to retirement; authorizing certain persons to purchase prior service credit.	84							
136	A bill for an act relating to elections; changing compensation of certain election judges; amending Minnesota Statutes 1980, Section 204A.23.	84	498	492 1009	1154		2201	3119	271
137	A bill for an act relating to energy; modifying certain planning and zoning statutes to remove barriers to biomass energy production; amending Minnesota Statutes 1980, Sections 394.25, Subdivision 3; 394.27, Subdivision 7; and 462.357, Subdivisions 1 and 6.	85		113					
138	A bill for an act relating to game and fish; authorizing a season on Zenaidura macroura; setting maximum daily and possession limits; amending Minnesota Statutes 1980, Sections 100.27, Subdivision 6; and 100.28, Subdivision 2.	85		350					
139	A bill for an act relating to state employees; including the staff of the council on Black Minnesotans within the unclassified civil service; amending Minnesota Statutes 1980, Section 3.9225, Subdivision 5.	85	263	258a 426 466 498 (H183)					
140	A bill for an act relating to natural resources; changing the term "public waters" to "protected waters"; excluding watercourses with a drainage area of five square miles or less from the definition of protected waters; re- (Continued next page)	85	1007	993a 2146a	2173				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
140	—Continued quiring notice to landowners of designation of wetlands adjacent to their property; permitting repair of drainage systems without a permit; changing the procedure for designating protected waters and wetlands; raising the petitioners' bond in certain drainage project cases and the appellant's bond in the case of certain appeals; eliminating a responsibility imposed on certain water project contractors; amending Minnesota Statutes 1980, Sections 105.37, Subdivisions 14, 15 and 16, and by adding a subdivision; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1, 3, 10 and 11; 105.42, Subdivision 1; 106.041; 106.631, Subdivision 2; repealing Minnesota Statutes 1980, Section 105.463.										
141	A bill for an act relating to the state auditor; reducing the number of county audits; amending Minnesota Statutes 1980, Section 6.48.	85									
142	A bill for an act relating to towns; giving towns general powers to provide for town welfare by police, health and safety ordinances; amending Minnesota Statutes 1980, Section 365.10.	85	135	135 355	146						
143	A bill for an act relating to marriage; changing the liability of spouses for certain debts; amending Minnesota Statutes 1980, Section 519.05.	85	162	160	215	242					
144	A bill for an act relating to creditors' remedies; property exempt from attachment, garnishment or sale on any final process issued from any court; providing for an increase in the amount of the life insurance exemption and extending the class of those eligible to benefit; amending Minnesota Statutes 1980, Section 550.37, Subdivision 10.	86	162	123 215a	161	243			308	444	7
145	A bill for an act relating to crimes; authorizing notices of dishonored checks to be made by certified or regular mail and an affidavit of service by mailing; amending Minnesota Statutes 1980, Section 609.535, Subdivision 3.	86	147	145 215a	162	242 1957	1439 1519 1956*	1491 1539	1439 1999	2285	202
146	A bill for an act relating to workers' compensation; providing for insurance rate setting by individual insurance companies; eliminating duties of rating bureau of Minnesota; creating and eliminating duties for the commissioner of insurance; amending Minnesota Statutes 1980, Sections 70A.02; 70A.04, by adding a subdivision; 70A.09; 70A.19; 79.28; 79.29; 79.30; 79.31; 79.32; 79.35; 79.36; 79.39; 176.185, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 70A; repealing Minnesota Statutes 1980, Sections 79.01, Subdivisions 6 and 7; 79.071 to 79.27; 79.33; and 79.40.	86		88	202						

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
147	A bill for an act relating to taxation; modifying the notification procedure prior to forfeiture of real property in certain cases; amending Minnesota Statutes 1980, Sections 279.37, Subdivision 6; and 281.13.	86								
148	A bill for an act relating to solid waste; prohibiting retail sale of certain plastic nonrefillable beverage containers; imposing penalties; amending Minnesota Statutes 1980, Sections 116F.21; and 116F.22, Subdivision 2, and by adding a subdivision.	86		123						
149	A bill for an act relating to delivery or filing of documents; providing for timely delivery or filing of certain documents with respect to weekends and holidays;amending Minnesota Statutes 1980, Section 645.15; proposing new law coded in Minnesota Statutes, Chapter 645.	88	180	178a	243	269		1632	2042	117
150	A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; requiring a property accounting system for AVTI's; providing for an arts in education program; providing for a low-power T.V. education project; modifying criteria for participation in teacher mobility and early retirement programs; providing for the transfer of proceeds from the sale or exchange of buildings to the capital expenditure fund under certain circumstances; appropriating money; amending Minnesota Statutes 1980, Sections 3.9279, Subdivisions 10 and 12; 116H.126, Subdivisions 2, 4 and 5; 120.0751, Subdivision 5; 120.17, Subdivisions 1a, 3b, 4, 5a, 6, 7 and by adding a subdivision; 120.78; 121.90; 121.902, by adding a subdivision; 121.904, by adding a subdivision; 121.906, Subdivisions 2 and 3; 121.912, Subdivision 1; 121.917, Subdivision 4; 121.931, Subdivision 6; 121.934, Subdivision 7; 121.935, Subdivisions 2 and 6; 121.936, Subdivisions 2, 3 and by adding a subdivision; 121.937, Subdivision 1; 121.938, Subdivision 2; 123.35, Subdivision 15; 123.36, Subdivision 13; 123.39, Subdivision 1 and by adding a subdivision; 123.705; 124.01, Subdivisions 2, 3, 4 and by adding a subdivision; 124.11, Subdivisions 1, 2a, 2b and by adding a subdivision; 124.14, Subdivision 2; 124.17, by adding a subdivision; 124.20; 124.212, Subdivisions 1, 7d, 8a, 9a and by adding subdivisions; 124.223; 124.225, Subdivisions 1, 1a, 2, 3, 4a, 5, 6, 7a, 8a, 8b, 9, 11 and by (Continued next page)	89	1854	1659a 1813a 1923 (H70)	1790 1846 1940		3126			

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
150	—Continued adding a subdivision; 124.247, Subdivision 3; 124.26, Subdivisions 1, 4 and by adding a subdivision; 124.271, Subdivisions 2, 4, 5 and by adding subdivisions; 124.32, Subdivisions 1, 6, 9 and by adding a subdivision; 124.39, Subdivision 5; 124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4 and 5; 124.474; 124.476; 124.561, Subdivisions 2a, 3a and by adding subdivisions; 124.5621, Subdivisions 5, 6 and 12; 124.5622, Subdivisions 3, 4 and 5; 124.5623, Subdivisions 4 and 5; 124.5624, Subdivisions 3, 4 and 6; 124.565, Subdivisions 3, 4, 6 and 7; 124.572, Subdivisions 3, 8 and by adding subdivisions; 124.573, Subdivisions 2, 3, 3a, 5 and by adding subdivisions; 124.574, Subdivisions 2, 4 and 8; 124.646, Subdivision 1; 125.60, Subdivisions 2a and 7; 125.611, Subdivisions 1, 3, 8 and 9; 126.262, Subdivision 8; 126.54, Subdivision 1; 134.35, Subdivision 1; 134.351, Subdivision 5 and by adding subdivisions; 134.36; 273.138, Subdivisions 1 and 6; 275.125, Subdivisions 2a, 6b, 6c, 7a, 8, 9, 11a and by adding subdivisions; 298.28, Subdivision 1; 354.094, Subdivision 1; 354A.091, Subdivision 1; 375.335, Subdivision 4 and by adding subdivisions; and Laws 1973, Chapter 683, Section 26, Subdivision 17, as amended, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapters 3; 121; 124; and 275; repealing Minnesota Statutes 1980, Sections 3.9279, Subdivision 13; 116H.126, Subdivisions 1 and 7; 120.06, Subdivision 2; 120.17, Subdivision 3c; 121.13; 121.49, Subdivision 2; 121.495, Subdivision 6; 123.40, Subdivision 5; 123.703, Subdivision 3; 123.937; 124.225, Subdivisions 4, 7 and 8; 124.247, Subdivision 5; 124.26, Subdivision 3; 124.271, Subdivision 1a; 124.561, Subdivision 4; 124.562, Subdivisions 3 and 4; 124.566; 124.571; 126.263; 273.138, Subdivision 3; 275.125, Subdivision 7b; Laws 1973, Chapter 683, Section 26, Subdivision 13; and Laws 1980, Chapter 609, Article IV, Sections 19, 20 and 21.								
151	A bill for an act relating to local government; regulating the zoning of battered women's shelters; amending Minnesota Statutes 1980, Section 462.357, Subdivisions 7 and 8.	89	292	114 3116 290a					
152	A bill for an act relating to retirement; authorizing certain persons to purchase prior service credit; authorizing certain persons to change retirement coverage for future service.	89		606 (H247) 1133a					

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
153	A bill for an act relating to cemeteries; granting towns certain powers over town cemeteries; regulating town cemeteries; providing that no occupant of cemetery land shall acquire any title to the land by reason of occupancy; amending Minnesota Statutes 1980, Sections 365.26; 365.27; and 541.01.	114	147	146 162 202	214 631	631	631	1183	26
154	A bill for an act relating to crimes; authorizing the release of account information to law enforcement authorities investigating the issuance of worthless checks; authorizing the issuance of account information to payee or holders when a check has been dishonored; providing notification of the release of information; restricting further disclosure of information released; amending Minnesota Statutes 1980, Section 609.535, by adding subdivisions.	115	531	525a 797 (H131)					
155	A bill for an act relating to public welfare; providing for retention of certain receipts by state hospitals; amending Minnesota Statutes 1980, Section 246.57.	115	389	388a 1009	1123 5125	4500 4533 4707 4736 5124*	4500 5430	5655	530
156	A bill for an act relating to elections; providing for elections to fill vacancies on county boards; amending Minnesota Statutes 1980, Section 375.101.	115							
157	A bill for an act relating to state trails; authorizing the sale of certain lands acquired for the Luce Line Trail.	115							
158	A bill for an act relating to juveniles; requiring imposition of restitution sanctions for minors adjudicated delinquent for crimes against property; creating criminal liability for persons in positions of authority over minors adjudicated delinquent for crimes against property when proper supervisory control over the minor is not exercised; amending Minnesota Statutes 1980, Section 260.185, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 260.	115		123 230					
159	A bill for an act relating to transportation; providing for the allocation of federal aid secondary funds; and the full utilization of those funds; amending Minnesota Statutes 1980, Section 161.086.	115	180	179a 243	270		1989	2285	203
160	A bill for an act relating to crimes; establishing a bill of rights for victims and witnesses of crime; providing a right to protection from harm and a right to bring an action against an employer if dismissed for court appearance purposes; establishing certain participatory, informational, notification and referral rights for victims and witnesses; encouraging counties to provide certain (Continued next page)	115		123 162					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
160	—Continued services, information, and notices to victims and witnesses; authorizing counties to assess a surcharge on fines to be used for providing victim and witness services; providing senior citizen court calendar preference; amending Minnesota Statutes 1980, Sections 244.10, Subdivision 1; 357.22; 546.07; 609.115, Subdivision 1; 630.36; proposing new law coded in Minnesota Statutes, Chapters 181; 241; 630; and 631.								
161	A bill for an act relating to the operation of state government; establishing a system of periodic review of certain agencies; requiring economic impact information for proposed legislation and proposed administrative rules; providing for hearings; creating guidelines; establishing legislative review procedures for administrative rule-making; setting termination dates; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 15.0413, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 3; and 15.	116		124					
162	A bill for an act relating to taxation; extending and changing the property tax targeting credit; providing maximum household income limits; amending Minnesota Statutes 1980, Section 290A.04, Subdivision 2c.	116							
163	A bill for an act relating to financial institutions; broadening the application of the escrow account requirement for certain mortgages; requiring the escrowing of funds for the payment of special assessments or other obligations; amending Minnesota Statutes 1980, Section 47.20, Subdivision 9.	116							
164	A bill for an act relating to workers' compensation; regulating insurance companies reserves for claims; amending Minnesota Statutes 1980, Section 79.071, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 79.	116	349	347a 3116					
165	A bill for an act relating to public safety; specifying the crime of fleeing from a peace officer by use of a motorized vehicle; providing that whoever flees a peace officer in a motorized vehicle shall be liable for any loss caused by such flight; prohibiting insurers from excluding such liability from their policies; providing for legislation impact evaluation by the bureau of criminal apprehension; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapters 65B and 609.	116		(H91)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
166	A bill for an act relating to unemployment compensation; requiring benefit requalification following a voluntary quit or misconduct disqualification to be treated like initial qualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.	117							
167	A bill for an act relating to the city of Moorhead; increasing the amount which the city may expend for public transportation services; amending Laws 1969, Chapter 192, Section 1.	117	1397	124 179a 1378a 1541	1620				
168	A bill for an act relating to intoxicating liquor; providing for a liquor license fee to be set by a town board in certain cases; requiring town board approval of certain county liquor licenses; amending Minnesota Statutes 1980, Section 340.11, Subdivision 10.	117	583	577a 1077a	1156		1805	2042	118
169	A bill for an act relating to metropolitan government; removing the city of Hanover from definitions of metropolitan areas; amending Minnesota Statutes 1980, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; and 473F.02, Subdivisions 2 and 8.	117							
170	A bill for an act relating to natural resources; requiring county boards to give due consideration to town officer recommendations when local approval of acquisition of wildlife lands is required by law; amending Minnesota Statutes 1980, Section 97.481, Subdivision 2.	117							
171	A bill for an act relating to probate; changing certain provisions relating to descent of a cemetery lot; amending Minnesota Statutes 1980, Section 525.14.	117	162	160 202	263		631	1082	25
172	A bill for an act relating to taxation; recodifying and simplifying the income tax law for individuals; increasing conformance to federal income tax laws; allowing income averaging; providing an accrual system for determining the federal income tax adjustment to gross income; abolishing the homemakers credit; abolishing the farm loss modification; and abolishing the substandard buildings deduction limitation; extending the uses of agricultural electricity exempt from sales and use tax; proposing new law; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3e; 290.09, Subdivisions 29 and 30; 290.101.	117							
173	A resolution memorializing Congress to enact legislation relating to the early release of election returns.	118		123 (H35)					

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
174	A bill for an act relating to state government; requiring agency rules to be submitted to the legislative commission to review administrative rules before their final adoption; providing for legislative approval of rules; amending Minnesota Statutes 1980, Sections 3.965, Subdivision 2; 15.0412, Subdivision 4f, and by adding a subdivision; and 15.0413, Subdivisions 1 and 2.	118							
175	A bill for an act relating to accountancy; removing an expiration provision related to the board of accountancy; repealing Laws 1979, Chapter 326, Section 15.	118	180	178 243	269		407	519	12
176	A bill for an act relating to the legislature; making permanent the council on the economic status of women; changing certain membership and reporting requirements of the council; appropriating money; amending Laws 1976, Chapter 337, Section 1, Subdivisions 2 and 4, as amended, and Subdivision 3; repealing Laws 1976, Chapter 337, Section 3, as amended.	126		135 179					
177	A bill for an act relating to foods; directing the establishment of labeling requirements for wild rice which is planted or cultivated; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 30.	126	1518	135 1507a 1979	2026		2166	3118	249
178	A bill for an act relating to financial institutions; providing for deposits of certain public funds in credit unions; amending Minnesota Statutes 1980, Sections 118.005; 118.01, Subdivisions 1, 8, and 9; 118.11; and 118.16.	126		135					
179	A bill for an act relating to economic development; regulating business loans to Indians; amending Minnesota Statutes 1980, Section 362.40, Subdivisions 2, 8, 9, 11, 12, 14, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 362.40, Subdivisions 4, 5, and 10.	126	180	135 179a 180 427a 532 1075a	1155 2909	2204 2227 2267 2595 2909*	2204 2978	3122	308
180	A bill for an act relating to public utilities; including municipalities furnishing water to consumers outside the boundaries of a city of the first class under the rate regulatory jurisdiction of the public utilities commission; amending Minnesota Statutes 1980, Section 216B.02, Subdivisions 4 and 6.	127							
181	A bill for an act relating to commerce; revising the small loan act; increasing the loan amount which determines the necessity of obtaining a license; increasing the application fee; increasing the amount of liquid assets which must be maintained by a licensee; allowing certain purchasers of accounts to obtain	127							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
181	—Continued a license; providing for the regulation of closings of licensees on holidays and weekends; providing for examinations at the commissioner's discretion; allowing the use of certain mechanical or electronic data processing methods to be used as books of account; allowing alternative compliance on certain rates of charge statements; allowing certain loans to be secured by real estate; restating maximum rates and charges; providing for the making of certain open-end loans; regulating licensee provisions concerning certain insurance in connection with loans made; allowing industrial loan and thrifts to make secured or unsecured loans on the terms, rates, and conditions permitted licensees; providing remedies; defining terms; providing for miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 53.04, by adding a subdivision; 56.01; 56.02; 56.04; 56.07; 56.09; 56.10; 56.11; 56.12; 56.14; 56.15, Subdivision 1; 56.16; 56.17; 56.18; 56.19; 56.26; and proposing new law coded in Minnesota Statutes, Chapter 56; repealing Minnesota Statutes 1980, Sections 53.04, Subdivisions 3, 4, 6, and 7; 53.051; 56.06; 56.13; 56.15, Subdivision 2; and 56.20.								
182	A bill for an act relating to probate; increasing the surviving spouse's share of certain personal property; amending Minnesota Statutes 1980, Section 525.15.	127	349	317a 535	611		1632	1988	103
183	A bill for an act relating to insurance; requiring reassignment of certain policies upon termination of the agency relationship; amending Minnesota Statutes 1980, Sections 65A.27, Subdivision 1; 65B.14, Subdivision 1; and 65B.17; proposing new law coded in Minnesota Statutes, Chapters 65A; and 65B.	127		135					
184	A bill for an act relating to taxation; increasing the maximum pension exclusion; providing that it increase according to annual increases in Social Security benefits; eliminating the income offset; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	127							
185	A bill for an act relating to transportation; requiring reflectors on railroad cars and cabooses; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 219	128		135					
186	A bill for an act relating to public utilities; prohibiting inclusion of expenses relating to cancelled facilities in a rate base; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.	128							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
187	A bill for an act relating to public utilities; statement of delinquency charges; amending Minnesota Statutes 1980, Section 222.75.	128							
188	A bill for an act relating to crimes; regulating the possession, use, sale, and furnishing of tear gas and tear gas compounds; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 624; repealing Minnesota Statutes 1980, Section 624.73.	128	798	792a 1120a	1167 2205	2205	2204	3120	283
189	A resolution memorializing the Congress and the President of the United States to seek peaceful means to carry out our nation's diplomatic aims.	128							
190	A bill for an act relating to courts; excluding constitutional issues from the tax court's jurisdiction; amending Minnesota Statutes 1980, Section 271.01, Subdivision 5.	128							
191	A bill for an act relating to insurance; requiring insurers to notify the commissioner of public safety if an insured fails to renew or cancels a required plan of reparation security; amending Minnesota Statutes 1980, Section 65B.69.	128							
192	A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.171; 201.18; 201.211; 201.221; 201.27; 201.275; 202A.11; 202A.16, Subdivision 1; 205.01; 205.03; 205.11, Subdivision 4a; 205.13, Subdivision 1; 205.14, Subdivision 4; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.026, Subdivision 5; 206.07, Subdivision 1; 206.185, Subdivisions 1 and 5; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04, Subdivisions 1 and 2; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.06, Subdivision 11; 290.21, Subdivision 3; 365.51; 365.52; 375.20; 382.28; and 487.03, Subdivi- (Continued next page)	129							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
192	—Continued sion 2; proposing new law coded in Minnesota Statutes, Chapters 200, 201, 205, and 210A; proposing new law coded as Minnesota Statutes, Chapters 203B, 204B, 204C, and 204D; repealing Minnesota Statutes 1980, Sections 201.231; 201.26; 201.33; 202A.21 to 202A.721; and 210.22; and Chapters 203A, 204A, and 207.								
193	A bill for an act relating to Olmsted County; authorizing the board of county commissioners to improve and maintain the Olmsted county hospital; amending Laws 1978, Chapter 509, Section 1.	129							
194	A bill for an act relating to workers' compensation; redefining a family farm for terms of employee coverage; amending Minnesota Statutes 1980, Section 176.011, Subdivision 11a.	129							
195	A bill for an act relating to agriculture; imposing certain requirements on milk houses for milk used for manufacturing; setting up an inspection program; requiring permits for certain dairy operations; amending Minnesota Statutes 1980, Section 32.212.	129							
196	A bill for an act relating to Carver county; providing for payment of expenses of the county commissioners.	129	465	447 1009	1150		1407	1805	66
197	A bill for an act relating to highway traffic regulations; providing for the type and placement of reflectors on certain farm equipment; amending Minnesota Statutes 1980, Section 169.55, Subdivision 2.	130	292	283a 535	609		1184	1435	44
198	A bill for an act relating to information practices of public bodies; regulating the treatment of government data; providing conditions for disclosure; enacting the uniform information practices code; providing penalties; amending Minnesota Statutes 1980, Sections 3.97, Subdivisions 9 and 11; 10A.02, Subdivision 11a; 72A.062, Subdivision 2; 115A.14, Subdivision 3; 123.704; 123.741, Subdivision 5; 136A.162; 144.1761, Subdivision 2; 144.216, Subdivision 2; 144.218; 144.225, Subdivision 1; 144.691, Subdivision 4; 144.693; 145.925, Subdivision 6; 147.073, Subdivision 1; 169.126, Subdivision 2; 241.44, Subdivision 1a; 241.66, Subdivision 1; 245.69, Subdivision 2; 256B.27, Subdivision 5; 268.40, Subdivision 3; 270A.11; 299F.055; 462A.065; and 626.557, Subdivisions 11 and 12; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 2; 144A.10, Subdivision 3; 197.603, Subdivision 2; (Continued next page)	130	3724	3621a 4430 4517 4533 5045(H930)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
198	—Continued 241.62, Subdivision 5; 362.53, Subdivision 17; 626.556, Subdivision 11; proposing new law coded as Minnesota Statutes, Chapter 16B; repealing Minnesota Statutes 1980, Sections 15.167; 15.1674; 15.1675; 15.1676; 15.1677; 15.1678; 15.1679; 15.1681; 15.1691; 15.1694; 15.1696; and 15.1697; and Minnesota Statutes 1981 Supplement, Sections 15.1611; 15.162; 15.1621; 15.163; 15.1642; 15.165; 15.166; 15.1671; 15.1672; 15.1673; 15.1682; 15.1683; 15.1692; 15.1693; 15.1695; 15.1698; 15.1699; 15.771; 15.772; 15.773; 15.774; 15.775; 15.776; 15.777; 15.778; 15.779; 15.781; 15.782; 15.783; 15.784; 15.785; 15.786; 15.787; 15.788; 15.789; 15.791; 15.792; and 15.793.								
199	A bill for an act relating to education; modifying and clarifying certain provisions governing a discretionary levy; amending Minnesota Statutes 1980, Section 275.125, Subdivision 7a.	130							
200	A bill for an act relating to agriculture; prohibiting the sale of certain female cattle; amending Minnesota Statutes 1980, Section 35.245, Subdivision 3.	130	162	160	202	214	1504	1826	86
201	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money.	130	162	159a (H230)	188				
202	A bill for an act relating to fire control services; providing for reimbursement by railroads and the public safety department; setting the time limit for claims; amending Minnesota Statutes 1980, Sections 161.465; and 219.761, Subdivision 1.	131	292	283a (H201)	348				
203	A bill for an act relating to unemployment compensation;redefining wages for contribution purposes; regulating contribution rates; amending Minnesota Statutes 1980, Sections 268.04, Subdivision 25; 268.06, Subdivisions 3a, 5, 6 and 8; and 268.071, Subdivision 6.	131		389					
204	A bill for an act relating to education; restoring funds appropriated to community colleges, state universities and the University of Minnesota and withheld in fiscal year 1981; providing for full payment of higher education appropriations in future years; appropriating money; amending Minnesota Statutes 1980, Section 16A.15, Subdivision 1.	131							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
205	A bill for an act relating to economic development; regulating municipal industrial development projects; amending Minnesota Statutes 1980, Sections 474.01, Subdivisions 7a, 7b, 8, and by adding a subdivision; and 474.06.	137		147 180					
206	A bill for an act relating to agriculture; requiring notice of real estate improvement liens to be given to certain farmers; amending Minnesota Statutes 1980, Section 514.011, Subdivision 4.	137		(H14)					
207	A bill for an act relating to retirement; making various changes in the laws governing the operation of the public employees retirement association; amending Minnesota Statutes 1980, Section 353.01, Subdivision 19; 353.03, Subdivisions 1, 2, and 3a; 353.15; 353.27, Subdivision 4; 353.28, Subdivision 5; 353.29, Subdivision 8; 353.31, Subdivision 1; 353.32, Subdivision 9; 353.33, Subdivisions 4, 5, and 6; 353.64, Subdivisions 1 and 6; 353.656, Subdivision 2; and 353.657, Subdivision 3; repealing Minnesota Statutes 1980, Sections 353.272; 353.37, Subdivision 1a; and 353.46, Subdivision 1.	138	1283	1267a 1543a	1618		1989	2200	180
208	A bill for an act relating to air pollution; allowing cities and urban towns to adopt ordinances to permit and regulate open burning of leaves; amending Minnesota Statutes 1980, Section 116.07, by adding a subdivision.	138	263	262a 536a 664	607				
209	A bill for an act relating to gambling devices; clarifying definitions of gambling devices; authorizing an additional gambling device; authorizing certain payments for operation of gambling devices; changing prize limitations; changing the penalty provision for violation; amending Minnesota Statutes 1980, Sections 349.26, Subdivisions 2, 4, 5, 12, 13, 14 and 15, and by adding a subdivision; 349.30, Subdivision 2; and 349.31, Subdivision 1.	138	229	147 162 226 393a	426 1897	632 1290 1330 1362 1896*	632 1975	2285	204
210	A bill for an act relating to highway traffic regulations; increasing the driver license revocation period for second and subsequent convictions of driving under the influence of alcohol or controlled substances; amending Minnesota Statutes 1980, Section 169.121, Subdivision 4.	138							
211	A bill for an act relating to workers' compensation; creating the Minnesota workers' compensation insurance corporation as a nonprofit public corporation; changing the procedure for the administration of compensation claims of state employees; appropriating money; amending Minnesota Statutes 1980, (Continued next page)	138		3775					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
211	—Continued Section 176.591, Subdivisions 1 and 3; proposing new law coded as Minnesota Statutes, Chapter 176A; repealing Minnesota Statutes 1980, Sections 176.061, Subdivisions 8 and 9; 176.541, Subdivisions 2, 3, 4, 5, 6 and 8; 176.551; 176.561; 176.571; 176.603 and 176.611.								
212	A bill for an act relating to unemployment compensation;clarifying certain disqualifications from benefits; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.	139							
213	A bill for an act relating to courts; authorizing the district court to adopt by rule guidelines for the awarding of maintenance, child support and disposition of property in dissolution, legal separation and maintenance proceedings; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 518.	139							
214	A bill for an act relating to motor vehicles; providing for the transfer of title; requiring the transferor in certain cases to mail or deliver the certificate, application for a new certificate, assignment, and any tax due on the transfer to the department of public safety; amending Minnesota Statutes 1980, Section 168A.10, Subdivision 1; repealing Minnesota Statutes 1980, Section 168A.10, Subdivision 2.	139							
215	A bill for an act relating to taxation; allowing urban towns to increase their tax levy limit base by eight percent per year; amending Minnesota Statutes 1980, Section 275.52, Subdivision 2.	139	292 422	283 293 417a 1009	1146		1989	2285	205
216	A bill for an act relating to elections; allowing a candidate to transport parents of the candidate or the candidate's spouse to or from the polls; amending Minnesota Statutes 1980, Section 210A.13, Subdivision 3.	139	229	226a 471 531(H269)					
217	A bill for an act relating to retirement; authorizing teachers on extended leave of absence or their employers to make employer contributions when state funds are not available; amending Minnesota Statutes 1980, Sections 354.094, Subdivision 1; and 354A.091, Subdivision 1.	139		472					
218	A bill for an act relating to landlords and tenants; changing the time limit for landlords to furnish tenants with certain information; amending Minnesota Statutes 1980, Section 290A.19.	139	389	162 383 535	619		1632	1988	104
219	A bill for an act relating to state historic sites; adding the Wayzata Depot to the registry of state historic sites; amending Minnesota Statutes 1980, Section 138.56, by adding a subdivision.	140	229	226 350	294		1439	1805	67

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
220	A bill for an act relating to the operation of state government; providing for the expiration or periodic reevaluation of various regulatory programs; requiring program and fiscal review of regulatory programs; providing for performance audits by the legislative auditor; establishing a pilot program; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 15.	140							
221	A bill for an act relating to taxation; exempting from the sales and use tax meals sold to charitable, religious and educational organizations; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	140		147					
222	A bill for an act relating to state government; providing for the maintenance of spending priorities established by state law in cases of legal challenge; appropriating money; amending Minnesota Statutes 1980, Section 8.14.	140							
223	A bill for an act relating to insurance; providing for allocation of certain automobile insurance benefits; appropriating money; amending Minnesota Statutes 1980, Section 65B.49, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 65B; repealing Minnesota Statutes 1980, Section 65B.53, Subdivisions 1 and 4.	140							
224	A bill for an act relating to insurance; prescribing no-fault security requirements for school buses; requiring coverage for drivers and other occupants; amending Minnesota Statutes 1980, Section 65B.47, Subdivision 1.	140							
225	A bill for an act relating to labor; regulating certain charges to persons earning the minimum wage; amending Minnesota Statutes 1980, Section 177.24, by adding subdivisions.	141	263	259a 427a	468 1532	1505 1532	1505	1826	87
226	A bill for an act relating to civil actions; limitation of actions; requiring that certain actions relating to recovery of wages and other claims be brought within six years; requiring that certain actions be brought within two years; amending Minnesota Statutes 1980, Sections 541.05, Subdivision 1; and 541.07.	141	263	260a 471a					
227	A bill for an act relating to the organization and operation of government; creating a legislative commission on metropolitan governance; requiring a study of relationships among metropolitan institutions and agencies of government; specifying other duties; mandating a report to the legislature.	141	1072	409 410a 581 1027a 1427a	1494 2112	2112	2112	3118	250

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
228	A bill for an act relating to taxation; amending the definition of redevelopment district in the Minnesota tax increment financing act; amending Minnesota Statutes 1980, Section 273.73, Subdivision 10.	141								
229	A bill for an act relating to the capitol area architectural and planning board; providing for disposition of tax-forfeited property within the capitol area; amending Minnesota Statutes 1980, Section 15.50, Subdivision 6.	141	389	384 (H487)	795					
230	A bill for an act relating to labor; regulating public employee labor relations; granting the public employee relations board jurisdiction over unfair labor practice; reconstituting the board; amending Minnesota Statutes 1980, Sections 179.64, Subdivision 5; 179.67, Subdivisions 3 and 13; 179.68, Subdivision 1; 179.72, Subdivisions 1, 2, 3, and 4; proposing new law coded in Minnesota Statutes, Chapter 179; repealing Minnesota Statutes 1980, Section 179.72, Subdivision 1a.	141								
231	A bill for an act relating to environmental protection; imposing a moratorium on enforcement of the law banning plastic milk containers; repealing Laws 1977, Chapters 268, Section 3; and 455, Section 96.	142		147						
232	A bill for an act relating to compensation of persons injured in recreational activities; allowing persons potentially liable for such injuries to provide recreational insurance covering their liabilities; prescribing benefits under such insurance; providing for recovery of benefits and other damages in such cases; placing certain limitations on recovery of damages and on actions for damages; providing for the handling of claims and the payment of benefits; providing for subrogation and indemnification rights; prescribing certain powers and duties of the commissioner of insurance; proposing new law coded as Minnesota Statutes, Chapter 65C.	142		147						
233	A bill for an act relating to retirement; authorizing the repayment of a refund by certain current and former University of Minnesota, Duluth campus, employees; providing for the recomputation of certain retirement annuities.	142	3360	3345a	3437	3507		3878	4562	391
234	A bill for an act relating to health; providing for the establishment of a joint legislative study commission to study the educational programs in patient care at the University of Minnesota Medical School; appropriating money.	142								

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
235	A bill for an act relating to motor vehicle carriers; providing procedures for granting permits to courier service carriers in certain cases; amending Minnesota Statutes 1980, Section 221.121, Subdivision 4.	142		147(H168)					
236	A bill for an act relating to highways; prohibiting certain actions affecting portions of St. Louis county state-aid highway No. 25 unless payment is first made to the county of St. Louis for certain costs of betterments and improvements, declaring certain instruments null and void as against public policy.	142							
237	A bill for an act relating to state lands; authorizing the conveyance of certain lands in St. Louis County.	142	389	386a 421 (H40)					
238	A bill for an act relating to pesticides; prescribing certain limitations on the aerial application of pesticides; imposing requirements for pesticide application in certain areas; proposing new law coded in Minnesota Statutes, Chapter 18A.	143		162					
239	A bill for an act relating to taxation; income; providing a credit for certain motor vehicle fuel costs; proposing new law coded in Minnesota Statutes, Chapter 290.	143							
240	A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates; proposing new law coded as Minnesota Statutes, Chapter 207A.	150							
241	A bill for an act relating to state government; making permanent the state council on affairs of the Spanish-speaking people; appropriating money; amending Laws 1978, Chapter 510, Sections 2 and 5; repealing Laws 1978, Chapter 510, Section 10.	150		263 282a					
242	A bill for an act relating to highway traffic regulations; requiring motor vehicle inspections; providing penalties; and appropriating money; proposing new law coded in Minnesota Statutes, Chapter 169.	150							
243	A bill for an act relating to public employees; providing for student participation in certain labor negotiations; proposing new law coded in Minnesota Statutes, Chapter 179.	150		162					
244	A bill for an act relating to agriculture; consolidating certain promotional fund accounts; regulating deposit of certain funds; appropriating money; amending Minnesota Statutes 1980, Sections 17.59, Subdivisions 3, 4 and by adding a subdivision; 21A.09, Subdivdision 1; 29.17; 30.469; 30.47; 32B.07; and 32B.12.	150	349	322a 535 606(H471)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
245	A bill for an act relating to state government; making Martin Luther King's Birthday an official state holiday; amending Minnesota Statutes 1980, Section 645.44, Subdivision 5.	150									
246	A bill for an act relating to courts; authorizing a committee consisting of county and county municipal court judges to adopt by rule guidelines for the awarding of maintenance, child support and disposition of property in dissolution, legal separation and maintenance proceedings; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 518.	150									
247	A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; requiring actions to abate airport noise; amending Minnesota Statutes 1980, Sections 473.608, Subdivision 20; and 473.667, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 473.	151	201	199a	243a	270 667	408 500 665*	499 558	408 682	1183	27
248	A bill for an act relating to agriculture; permitting cultivation of certain plants on public lands; amending Minnesota Statutes 1980, Section 18.171, Subdivision 5.	151									
249	A bill for an act relating to watershed districts; requiring published notice and a public hearing before district managers adopt a budget; amending Minnesota Statutes 1980, Section 112.611, Subdivision 1.	151	349	322a	535	615			1439	1826	88
250	A bill for an act relating to economic development; raising certain matching grant limitations; changing the composition of a community development corporation board; amending Minnesota Statutes 1980, Sections 362.12, Subdivision 4; and 362.41, Subdivision 6.	151	422	419	1009	1148			2201	3120	284
251	A bill for an act relating to insurance; requiring insurers to notify the commissioner of public safety if an insured fails to renew or cancels a required plan of reparation security; requiring the commissioner to take certain actions; amending Minnesota Statutes 1980, Sections 65B.67, Subdivision 4a; and 65B.69.	151		162							
252	A bill for an act relating to aid to families with dependent children; authorizing county agencies to grant aid in the form of protective or vendor payments for recipients 17 years of age or younger; amending Minnesota Statutes 1980, Section 256.81.	151									
253	A bill for an act relating to the town of Great Scott; granting the town certain powers of a municipality.	151	349	162 535 (H297)	342 604						

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
254	A bill for an act relating to natural resources; providing for the designation of endangered plant species; establishing a temporary technical advisory committee; amending Minnesota Statutes 1980, Section 97.488.	152	465	453a 1170a	1333 2203	2203	2203	3120	285
255	A bill for an act relating to health; repealing a certain administrative rule of the department of health prohibiting the use of locks on patient room doors in nursing homes.	152		(H45)					
256	A bill for an act relating to drivers' licenses; directing the commissioner of public safety to promulgate rules related to denying, restricting, and cancelling licenses based on mental and physical disabilities; authorizing a medical advisory committee; amending Minnesota Statutes 1980, Sections 171.04; 171.09; and 171.14.	152							
257	A bill for an act relating to administrative rules; clarifying certain powers and duties of the legislative commission to review administrative rules; amending Minnesota Statutes 1980, Section 3.965, Subdivision 3, and by adding a subdivision.	152	263	260a 1112 (H272)					
258	A bill for an act relating to administrative rules; clarifying which rules have the force of law; amending Minnesota Statutes 1980, Section 15.0413, Subdivision 1.	152	263	260a 1115 (H90)					
259	A bill for an act relating to health; repealing a certain administrative rule of the department of health prohibiting double beds in nursing homes and boarding care homes.	152		(H44)					
260	A bill for an act relating to financial institutions; creating the bank of Minnesota; establishing its governing board; defining its powers and duties; providing for initial capitalization limits; providing for the making of loans and the handling of deposits; providing for the handling of civil actions against the bank; providing for audits and examinations; defining terms; proposing new law coded as Minnesota Statutes, Chapter 45A.	152		162					
261	A bill for an act relating to the city of St. Paul; authorizing the issuance of a license for the sale of intoxicating liquor at Town Square Park.	153		(H321)					
262	A bill for an act relating to Independent School District No. 625; providing for times of election and terms of office; amending Laws 1965, Chapter 705, Section 1, Subdivision 2, as amended.	153	498	211 492 530(H330)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
263	A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescribing penalties; amending Minnesota Statutes 1980, Section 169.685, Subdivision 4, and by adding a subdivision.	153	292	284a 389	350 536a	609		1362	1546	56
264	A bill for an act relating to human rights; providing that certain statutes be equally applicable to all persons regardless of sex, including statutes related to the health department, suits for seduction, garnishment actions, judicial pensions, and probate proceedings; providing for penalties; amending Minnesota Statutes 1980, Sections 46.09, Subdivision 1; 144.06; 181.07; 242.47; 246.53; 256.85; 290.28, Subdivision 3; 490.102, Subdivisions 6 and 7; 510.06; 525.05; 525.082; 540.07; 540.08; 540.09; 558.28; 576.08; 609.375; 629.55; and 631.09.	153	349	310a (H173)	421					
265	A bill for an act relating to highway traffic regulations; providing for a confidential test of drivers believed to be under the influence of alcohol or controlled substances and providing for the procedures therefor; providing penalties; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 2, and 3, and by adding a subdivision.	153								
266	A bill for an act relating to the legal obligation of support; enacting the revised uniform reciprocal enforcement of support act; proposing new law coded as Minnesota Statutes 1980, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41 to 518.53.	153								
267	A bill for an act relating to criminal procedure; providing a single comprehensive post-conviction remedy to challenge the legality of conviction or sentence but not replacing appeal; enacting the uniform post-conviction procedure act; proposing new law coded in Minnesota Statutes, Chapter 590; repealing Minnesota Statutes 1980, Sections 590.01 to 590.06.	154								
268	A bill for an act relating to insurance; regulating suicide provisions in life insurance contracts; proposing new law coded in Minnesota Statutes, Chapter 61A.	154	798	748	1117a	1165		2201	3120	286
269	A bill for an act relating to public employment; authorizing recognition of legal strike by non-members of bargaining unit; amending Minnesota Statutes 1980, Section 179.64, by adding a subdivision.	154	798	751a	2272					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
270	A bill for an act relating to hospitalization and commitment; providing patients with right of access to medical records; amending Minnesota Statutes 1980, Section 144.335, Subdivision 2.	154							
271	A bill for an act relating to crimes; repealing the offenses of sodomy, adultery and fornication; repealing Minnesota Statutes 1980, Sections 609.293; 609.34; and 609.36.	154							
272	A bill for an act relating to public welfare; requiring certain facilities to safeguard the well-being of persons in their care; specifying persons mandated to report; providing penalties; amending Minnesota Statutes 1980, Sections 626.556, by adding a subdivision; 626.557, Subdivisions 2 and 19; Minnesota Statutes 1981 Supplement, Section 626.556, Subdivision 2.	154	798	744a 1116	1163 3879	3879	3879	4741	393
273	A bill for an act relating to retirement; authorizing repayment of employee contributions to the Minneapolis Municipal Employees Retirement Fund by a certain former member.	154							
274	A bill for an act relating to marriage dissolution; providing for restraining orders, temporary orders and interim support orders in certain cases; amending Minnesota Statutes 1980, Section 518.131, Subdivision 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 518.	155							
275	A bill for an act relating to counties; permitting escalation clauses or negotiated price changes in county contracts; clarifying advertising requirements; amending Minnesota Statutes 1980, Section 375.21, Subdivision 1.	155	349	319 535	612 1146	1022 1146	1022	1434	45
276	A bill for an act relating to health; establishing an advisory task force on the use of state facilities in lieu of reimbursing private facilities for some purposes; appropriating money.	155	3934	2271a 3173 3182a 3461a 3924a 4014	4168		4954	5655	532
277	A bill for an act relating to public welfare; authorizing the commissioner of economic security to provide funds for power assisted wheelchairs to handicapped persons under certain circumstances; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 129A.	155		320a					
278	A bill for an act relating to transportation; extending the life of the joint commuter rail study commission and the deadline for its report; amending Laws 1980, Chapter 607, Article XIII, Section 2, Subdivisions 3 and 5.	155	606	592a 1171a	1333		2871	3120	287

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
279	A bill for an act relating to taxation; providing that certain emergency shelters are exempt from the property tax; amending Minnesota Statutes 1980, Section 272.02, Subdivision 1.	155	389	383a 535	619 2136	2136	2136	3118	251
280	A bill for an act relating to taxation; providing for state income tax to be imposed on taxpayer's federal tax liability; removing agricultural electricity credit from the income tax return; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 1, 7, and by adding subdivisions; 290.03; 290.05; 290.07, Subdivisions 1 and 2; 290.34, Subdivision 3; 290.37, Subdivisions 1 and 3; 290.38; 290.93, Subdivision 1; 290A.03, Subdivision 3; 297A.25, Subdivision 1; and proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 290.01, Subdivisions 1a to 6, 8 to 13, 15, 17 to 19, and 21 to 27; 290.013; 290.02; 290.032; 290.04; 290.06, Subdivisions 1 to 3c; 290.07, Subdivisions 3 to 7; 290.071 to 290.081; 290.085; 290.09, Subdivisions 1 to 21, 24, 25, and 27 to 30; 290.091 to 290.33; 290.35 to 290.361; 290.39, Subdivision 2; 290.40; and 297A.35, Subdivision 3.	155							
281	A bill for an act relating to retirement; city of West St. Paul; authorizing certain police officers to change retirement coverage for future service, to purchase prior service credit and to receive a refund of certain member contributions.	156							
282	A bill for an act relating to agriculture; requiring the commissioner of agriculture to examine fluid milk and milk product marketing and packaging; proposing new law coded in Minnesota Statutes, Chapter 32.	156		664(H312)					
283	A bill for an act relating to agriculture; providing for contracts for deed in the family farm security program; providing for exclusion from gross income of interest from contracts for deed for farmland for certain older taxpayers; amending Minnesota Statutes 1980, Sections 41.52, Subdivisions 5, 8 and 9; 41.56, Subdivision 3; 41.58, Subdivision 2; and 290.01, Subdivision 20.	156		606 1084a					
284	A bill for an act relating to taxation; recodifying the income tax law; repealing Minnesota Statutes 1980, Chapter 290.	156							
285	A bill for an act relating to natural resources; permitting conservation officers to enforce prohibitions of vandalism of shelters and facilities on state and local trails; regulating the use of state funded trails; providing a penalty; (Continued next page)	156	1283	1280a 1577 (H582)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
285	—Continued amending Minnesota Statutes 1980, Section 84.90, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 85.								
286	A bill for an act relating to economic development; prescribing the powers and duties of the bureau of business licenses regarding the consolidation, simplification, and expedition of business license procedures of state agencies; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 362; repealing Minnesota Statutes 1980, Section 362.45.	157		199a 350 1199a					
287	A bill for an act relating to health; prescribing procedures for notification of parents, guardians, and conservators prior to performing abortions on certain persons; providing a penalty; amending Minnesota Statutes 1980, Section 144.343.	157	1007	880a 1912a 2046(H284)					
288	A bill for an act relating to economic development; establishing a uniform business licensing policy; defining its scope; and detailing its application and effect; appropriating money; amending Minnesota Statutes 1980, Section 3.965, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 362.	157		199a 1195a					
289	A bill for an act relating to aircraft; broadening the insurance exemption for certain aircraft; amending Minnesota Statutes 1980, Section 360.59, Subdivision 10.	157							
290	A bill for an act relating to state fire aid; definitions; amending Minnesota Statutes 1980, Section 69.011, Subdivision 1.	157		162					
291	A bill for an act relating to counties; repealing the law prohibiting persons holding the office of deputy sheriff from holding public office; prohibiting county commissioners from being employed by their counties; providing a penalty; amending Minnesota Statutes 1980, Sections 375.09; and 387.13.	157	349	342a 862a	1008		1826	2081	163
292	A bill for an act relating to commerce; providing for the regulation and licensing of precious metal dealers; establishing identification procedures and recording requirements; prohibiting certain transactions; providing for criminal and civil penalties; providing remedies; amending Minnesota Statutes 1980, Section 609.53, Subdivision 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 325F.	157		162					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
293	A bill for an act relating to the legislature; creating a legislative intern commission and a legislative intern program; defining their powers and duties; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3.	158							
294	A bill for an act relating to employment; providing assistance to employees who lose their jobs, affected communities and businesses which may suffer due to business closings, plant relocations, and reductions in operations; requiring advance notification to affected employees, employee organizations, municipalities, and the state of business closings, plant relocations, and reductions of operations; prescribing duties of certain departments, governmental bodies, and officers with respect to business closings, plant relocations, and reductions of operations; creating the Minnesota community, business and job preservation board; providing penalties; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 268A.	158		456a 464 1227a					
295	A bill for an act relating to elections; eliminating the party primary ten percent requirement; amending Minnesota Statutes 1980, Sections 202A.23, Subdivision 2; and 202A.41, Subdivision 2; repealing Minnesota Statutes 1980, Section 202A.41, Subdivision 3.	158		162(H432)					
296	A bill for an act relating to the operation of state government; providing for the expiration or periodic reevaluation of various regulatory programs; requiring program and fiscal review of regulatory programs; providing for performance audits by the legislative auditor; establishing a pilot program; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 15.	158							
297	A bill for an act relating to labor relations; making certain collective bargaining agreements binding and enforceable upon transferee employers; proposing new law coded in Minnesota Statutes, Chapter 179.	158							
298	A bill for an act relating to public waters; changing the procedure for the designation of public waters; amending Minnesota Statutes 1980, Section 105.391, Subdivision 1.	163							
299	A bill for an act relating to public welfare; removing the presumption of eligibility from the general assistance program; amending Minnesota Statutes 1980, Section 256D.07.	164							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
300	A bill for an act relating to children; providing that certain children are neglected; amending Minnesota Statutes 1980, Section 260.015, Subdivision 10, and by adding a subdivision.	164							
301	A bill for an act relating to education; changing a reference to the provisions governing the student loan program; including parents within the definition of eligible student for guaranteed student loan purposes; requiring the higher education coordinating board to receive approval prior to implementing a parent loan program; increasing the bonding authority of the higher education coordinating board; expanding the career guidance program; providing exclusive property rights in certain records; providing for development of procedures by the higher education coordinating board and the state board for vocational education; amending Minnesota Statutes 1980, Sections 136A.141; 136A.15, Subdivision 7; 136A.16, Subdivisions 3 and 4, and by adding a subdivision; 136A.17, Subdivisions 1, 4, and 10; 136A.171; 136A.85; 136A.86, Subdivisions 2, 3, and by adding a subdivision.	164	1750	201 494a 1655 2088 (H477)					
302	A bill for an act relating to crimes; changing the amount of pecuniary gain on damage sustained incident to a violation of law requisite to being categorized as a felony; amending Minnesota Statutes 1980, Sections 609.27, Subdivision 2; and 609.563, Subdivision 1.	164	349	229 321a 862a 1398					
303	A bill for an act proposing an amendment to the Minnesota Constitution, Article X, by adding a section to permit the legislature to authorize on-track parimutuel betting on horse racing.	164	4081	3308 3544a 4032 4611a	4618 5208	4744 4763 4958 5207*	4743 5427	5655	518
304	A bill for an act relating to state lands and tax-forfeited land sales; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1980, Sections 92.06, Subdivision 1; 94.11; 282.01, Subdivision 4; 282.15; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3.	165		180(H253)					
305	A bill for an act relating to retirement; various retirement funds; crediting service for vesting and benefit accrual purposes in the Minnesota demonstration job-sharing program; removing certain transitional provisions governing the fire state aid program; providing police state aid for municipalities which employ police officers with less than a full year of service; allowing disability benefit recipients to elect actuarially equivalent joint and survivor optional annuities; providing retirement cover-	165	860	830a 1116	1168		1436	1805	68

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
305	—Continued age in the public employees retirement association for employees of the Range Association of Municipalities and Schools, the soil and water conservation districts and the Suburban Public Health Nursing Service, Incorporated; increasing the minimum salary requirement for inclusion in membership in the public employees retirement association; requiring various public pension plans to provide information on annuity forms to retiring members and notification to spouse of annuity form elected; authorizing certain former members of the Minneapolis municipal employees retirement fund to repay refund amounts under certain conditions; authorizing benefit increases for the Chisholm police relief association, the Chisholm firefighters relief association, the Eveleth police and firefighters retirement trust fund, the Thief River Falls police retirement trust fund, and the Buhl police relief association; specifying the investment authority of the St. Paul police relief association and the St. Paul firefighters relief association; amending Minnesota Statutes 1980, Sections 43.60, Subdivision 3; 69.011, Subdivisions 1 and 2; 69.021, Subdivisions 1, 2, 6 and 7; 69.031, Subdivision 5; 352.113, Subdivisions 3 and 12; 352.95, Subdivision 5 and by adding a subdivision; 352B.10; 352B.105; 353.01, Subdivisions 2a, 2b and 6; 353.33, Subdivision 11 and by adding a subdivision; 353.656, Subdivision 6 and by adding a subdivision; 354.48, Subdivision 10 and by adding a subdivision; 354A.36, Subdivision 10 and by adding a subdivision; Laws 1945, Chapter 74, Sections 2, as amended, 3 and 4, as amended; 1955, Chapters 151, Section 7, as amended; and 375, Section 12, as amended; 1961, Chapter 631, Section 1, as amended; 1974, Chapter 435, Section 3.03; 1977, Chapter 61, Section 6; and 1978, Chapter 689, Section 5; proposing new law coded in Minnesota Statutes, Chapters 43; 353; 356; and 422A; repealing Minnesota Statutes 1980, Section 353.022.								
306	A bill for an act relating to insurance; providing for the calculation of state aid to police and fire departments; requiring property owners who self-insure or who insure in unauthorized companies to pay a tax equivalent amount; requiring an annual report from certain property owners; providing for the disposition of amounts collected; providing a penalty; appropriating money; amending Minnesota Statutes 1980, Sections 69.021, Subdivision 5; and 60.031, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapter 287A; repealing Minnesota Statutes 1980, Sections 69.58 to 69.61.	165							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
307	A bill for an act relating to commerce; authorizing the use of certain milk and dairy product containers; repealing Minnesota Statutes 1980, Sections 116F.21 and 116F.22.	165							
308	A bill for an act relating to financial institutions; providing for maximum interest rates on overdraft checking loans; amending Minnesota Statutes 1980, Section 48.185, Subdivision 3.	165	1072	1036 1517 (H588)					
309	A bill for an act relating to eminent domain; providing for attorney's fees on appeal; amending Minnesota Statutes 1980, Section 117.175, Subdivision 2.	165							
310	A bill for an act relating to labor; extending cooling-off period; amending Minnesota Statutes 1980, Section 179.07.	165							
311	A bill for an act relating to public utilities; providing for rights of shareholders of cooperative electric associations; proposing new law coded in Minnesota Statutes, Chapter 216B.	166	1072	201 1054a 2052 2218 (H403)					
312	A bill for an act relating to the administration of criminal justice; requiring prosecuting authorities to notify victims of plea agreements; prohibiting courts from accepting plea agreements if the victim has not been notified; proposing new law coded in Minnesota Statutes, Chapter 630.	166		201					
313	A bill for an act relating to workers' compensation; revising the procedure for division of payroll; permitting the workers' compensation reinsurance association to incorporate; exempting the reinsurance association from taxation; providing for amendment to the reinsurance association plan of operation; making changes in rules, requirements and procedures affecting members of the reinsurance association; reenacting Laws 1980, Chapter 556, Sections 6, 7, 8, 9, 10, 11 and 13.	166							
314	A bill for an act relating to Ramsey County; simplifying the numbering of the county code; amending Laws 1974, Chapter 435, Articles I to IV, as amended.	166	422	410 1403a	1419				
315	A bill for an act relating to health; establishing a state advisory task force on epilepsy; appropriating money.	166	2018	730 1094a 2007a 2052	2097 2266	2266	2266	3120	288
316	A bill for an act relating to education; changing the ballot question for discretionary levy reverse referendums; amending Minnesota Statutes 1980, Section 275.125, Subdivision 7a.	166							
317	A bill for an act relating to trade regulations; requiring service stations selling	166							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
317	—Continued motor vehicle fuel at retail to be equipped with operational devices for inflating motor vehicle tires; proposing new law coded in Minnesota Statutes, Chapter 325E.								
318	A bill for an act relating to taxation; increasing the deduction for tuition, textbooks, and transportation of dependents attending certain schools; amending Minnesota Statutes 1980, Section 290.09, Subdivision 22.	167		340(H242)					
319	A bill for an act relating to taxation; real property; providing a method for determining the value of agricultural land; amending Minnesota Statutes 1980, Section 273.11, Subdivision 1, and by adding a subdivision.	167							
320	A bill for an act relating to taxation; reducing the motor vehicle excise tax on the purchase of new American-made vehicles; proposing new law coded in Minnesota Statutes, Chapter 297B.	167							
321	A bill for an act relating to taxation; income; allowing a credit equal to two percent of the purchase price of a new American-made motor vehicle; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.	167							
322	A bill for an act relating to health care; establishing a study council to examine and report on certain aspects of the catastrophic health expense protection act; appropriating money.	167							
323	A bill for an act relating to towns in St. Louis County; providing a method for determining whether to open or maintain certain town roads.	167	349	343a (H339)	795				
324	A bill for an act relating to general assistance; removing the presumption of eligibility from general assistance; providing that applications be permitted no later than four days after assistance is requested; requiring that determinations be made with respect to the need for emergency general assistance; providing that eligibility determinations for general assistance be made no later than 30 days following application; providing that the first general assistance grant be computed for eligible applicants from the time when assistance is requested; requiring vendor payments of grants until eligibility determinations are complete; amending Minnesota Statutes 1980, Sections 256D.07 and 256D.09, Subdivision 1.	167	292	288a 421 (H117)	293 466				
325	A bill for an act relating to public welfare; establishing a grant mechanism for funding services to adult mentally ill (Continued next page)	168		389a					

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
325—Continued	persons in residential programs; setting forth responsibilities of the commissioner of public welfare; exempting residential facilities for mentally ill persons from certain requirements until July 1, 1984; appropriating money; amending Minnesota Statutes 1980, Section 245.812, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 245.								
326	A bill for an act relating to taxation; income; property tax refund; adopting certain federal income tax amendments; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 290.06, Subdivision 14; 290.07, Subdivision 5; 290.077, Subdivision 4; 290.08, Subdivisions 8 and 20; 290.09, Subdivisions 2, 3, 4, 17a, and 19; 290.091; 290.131, Subdivision 2; 290.132, Subdivision 2; 290.135, Subdivision 2; 290.136, Subdivision 1; 290.138, by adding a subdivision; 290.26, Subdivision 2; 290.31, Subdivision 3; 290.41, by adding subdivisions; 290.92, Subdivision 20; 290.971, by adding a subdivision; 290A.03, Subdivision 3; and Laws 1980, Chapter 607, Article I, Section 34; repealing Minnesota Statutes 1980, Sections 290.08, Subdivisions 7 and 13; 290.09, Subdivision 12; 290.136, Subdivisions 2, 3, 4, 5, 6, 7, and 9; 290.137; and 290.138, Subdivisions 1 and 2.	168		(H435)					
327	A bill for an act relating to criminal justice; establishing a legislative commission; establishing regional crime control advisory councils; authorizing grants to regional crime control advisory councils; appropriating money; amending Minnesota Statutes 1980, Section 299A.03, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 3 and 299A; repealing Minnesota Statutes 1980, Sections 260.125, Subdivision 6; 299A.03; and 299A.04.	168		652a					
328	A bill for an act relating to liens; modifying the penalties for failure to properly use the proceeds of payments made for the satisfaction of labor, skill, material, and machinery costs for improvements to real property; amending Minnesota Statutes 1980, Section 514.02.	168	3432	3360 3401a 3780	3860				
329	A bill for an act relating to probate; providing that certain mobile homes are homesteads; amending Minnesota Statutes 1980, Section 525.145.	168	349	201 293 317a 535	611		1632	1988	105
330	A bill for an act relating to the Riley-Purgatory Creek Watershed District; authorizing certain tax levies.	169	389	386 1009	1122		1439	1805	69

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
331	A bill for an act relating to the military; expanding the authorized uses of the military land fund to include forest management on military lands and to provide an enlisted persons service center at Camp Ripley; amending Minnesota Statutes 1980, Section 190.25, Subdivision 3.	169	349	201 319a 538a	202 350	614			1083	1435	46
332	A bill for an act relating to public welfare; providing that every birth to a minor shall be reported within three working days to the commissioner of public welfare; amending Minnesota Statutes 1980, Section 257.33.	169	389	388a (H157)	498						
333	A bill for an act relating to public employees; regulating bargaining between instructional unit employees and the University of Minnesota; amending Minnesota Statutes 1980, Section 179.741, Subdivision 3.	169	664	642a	1073	1157			1407	1805	70
334	A bill for an act relating to taxes; establishing Project Fair Share; providing for the investigation of unreported or underreported Minnesota income or failure to file a tax return and other cases where tax is owed to the state; appropriating money.	169		382a							
335	A bill for an act relating to insurance; prohibiting insurance companies which offer funeral or burial expense policies from designating as beneficiaries under the policies persons who provide funeral or burial services and supplies; removing the prohibition against an insurance company's affiliation with a funeral establishment; proposing new law coded in Minnesota Statutes, Chapter 72A; repealing Minnesota Statutes 1980, Section 72A.321.	169		(H371)							
336	A bill for an act relating to local government; making explicit the power of local government units to establish more than one recreation board; amending Minnesota Statutes 1980, Section 471.15.	170	292	283	535	608 1145	1083	1145	1083	1435	47
337	A bill for an act relating to education; providing for removing a pupil from class; establishing grounds for removal; establishing procedures for removal and return; amending Minnesota Statutes 1980, Sections 127.27, Subdivision 2, and by adding subdivisions; 127.28; 127.29, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 127.	170									
338	A bill for an act relating to employment; regulating certain hours of work and rates of pay; eliminating certain part time adult vocational education instructors from the definition of public employee; amending Minnesota Statutes 1980, Sections 177.25, Subdivision 1; and 179.63, Subdivision 7.	170	263	258	427a	468 2113 2542	2113 2161 2541*	2130 2211	2112 2865	3120	289

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
339	A bill for an act relating to historic sites; designating an additional historic site; amending Minnesota Statutes 1980, Section 138.58, by adding a subdivision.	170	229	226	271		1439	1805	71
340	A bill for an act relating to financial institutions; authorizing certain branch banks; providing for application and approval of branch banks; permitting change of locations and office closings; permitting establishment of branch banks through merger or consolidation; amending Minnesota Statutes 1980, Sections 48.34 and 49.34.	170							
341	A bill for an act relating to the town of Bass Brook; authorizing the town to exercise certain powers of a statutory city.	170							
342	A bill for an act relating to workers' compensation; making the workers' compensation court of appeals an independent agency; creating medical panels for disability determinations; appropriating money; amending Minnesota Statutes 1980, Sections 175.006, Subdivision 1; 175.007, Subdivision 1; 175.07; 175.08; 175.10; 175.101; 175.11, Subdivision 1; 175.14; and 175.17; 176.101, Subdivision 3; 176.291; proposing new law coded as Minnesota Statutes, Chapter 175A; proposing new law coded in Minnesota Statutes, Chapter 176; repealing Minnesota Statutes 1980, Sections 175.006, Subdivisions 1a and 2; 175.0061; 175.09; 176.155, Subdivision 2; and 176.391, Subdivisions 2, 3, and 4.	170							
343	A bill for an act relating to taxation; motor vehicle excise tax; reducing the rate of tax on the purchase price of certain motor vehicles; appropriating money.	171							
344	A bill for an act relating to retirement; granting town employees an option as to public employees retirement association coverage for new employees; proposing new law coded in Minnesota Statutes, Chapter 353.	171							
345	A bill for an act relating to crimes; increasing the penalty for certain forms of cruelty to animals; amending Minnesota Statutes 1980, Section 346.29.	171	349	180 212 316a 426 466	469		631	806	22
346	A bill for an act relating to workers' compensation; requiring detailed information on Minnesota business experience under workers' compensation insurance to be supplied by the Minnesota workers' compensation insurance rating association in any request for a modification of the rate schedule; (Continued next page)	171	201	200a 212 264a	294				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
346	—Continued amending Minnesota Statutes 1980, Section 79.171; proposing new law coded in Minnesota Statutes, Chapter 79.										
347	A bill for an act relating to Hennepin county; providing for the administration of the county library system; repealing Laws 1957, Chapter 788, as amended; and Extra Session Laws 1967, Chapter 24, as amended.	190	349	319	535	613			1083	1435	48
348	A bill for an act relating to Hennepin County; providing for the acquisition of hospital facilities; permitting issuance of bonds.	190									
349	A bill for an act relating to public health; requiring family planning employees who advise an abortion, sterilization, or contraceptive use to a minor to notify the parent before this recommendation; amending Minnesota Statutes 1980, Section 145.925, Subdivision 4.	190									
350	A bill for an act relating to St. Louis County; authorizing an eleven member county extension committee.	190	465	449a (H525)	530						
351	A bill for an act relating to employment; regulating employee inventions related to energy; amending Minnesota Statutes 1980, Section 181.78, by adding a subdivision.	190									
352	A bill for an act relating to commerce; providing for the regulation of motor vehicle franchises; prohibiting certain practices by motor vehicle manufacturers; removing motor vehicle franchises from the general statutory provisions regarding franchises; requiring motor fuel franchises to extend to and bind the successors of both parties; prescribing penalties; providing remedies; amending Minnesota Statutes 1980, Section 80C.01, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 80C; proposing new law coded as Minnesota Statutes, Chapter 80E; repealing Minnesota Statutes 1980, Sections 168.27, Subdivision 21; and 325D.17 to 325D.29.	191	349	328a 1282(H332)	1009a						
353	A bill for an act relating to local government; setting conditions for group insurance contract bids; amending Minnesota Statutes 1980, Section 471.616, Subdivision 1.	191	583	567a	1073	1156			1504	1826	89
354	A bill for an act relating to taxation; estate tax; clarifying certain deductions; updating references to internal revenue code; clarifying the method of computing credits; clarifying exemptions and exclusions; providing for a statute of (Continued next page)	191	389	380a	538a	618 1073	871	1073	871	1434	49

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
354	—Continued limitations; eliminating obsolete references; providing disclosure of data to certain persons; clarifying recording procedures; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 291.005, Subdivision 1; 291.03, Subdivision 1; 291.05; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivision 3a; 291.31, Subdivision 1; 291.48; and 600.21.								
355	A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; appropriating funds.	191	2088	807a 2086a 2213(H295)					
356	A bill for an act relating to taxation; authorizing certain taxing districts to provide property tax exemption or abatement for certain new business facilities; requiring an adjustment of the EARC valuation; adjusting the local government aid formula; requiring a report from the commissioner of revenue; requiring county approval and providing for a reverse referendum; amending Minnesota Statutes 1980, Sections 124.212; and 477A.01, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 273.	191	292	285a 673a	799				
357	A bill for an act relating to the environment; providing for county referenda on nuclear waste sites; proposing new law coded in Minnesota Statutes, Chapter 115A.	192		201					
358	A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; making certain sales of non-intoxicating malt liquor illegal; providing civil liability for illegal sales of intoxicating liquor and non-intoxicating malt liquor; amending Minnesota Statutes 1980, Sections 340.035, Subdivision 1; 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision; 340.73, Subdivisions 1 and 3; 340.95; and 340.951.	192	583	567a 1073	1155 5477	4500 4707 4737 5472*	4500 5540	5655	528
359	A bill for an act relating to workers' compensation; expressing the intent of the legislature with respect to chapter 176; providing for transition to competitive workers' compensation insurance rates; transferring compensation judges from the workers' compensation division to a separate division within the office of administrative hearings; making the workers' compensation court of appeals a separate and independent agency with appellate review powers; providing for a discount assumption with respect to calculating reserves for claims of insurance companies; autho-	192	1317	531 907a 1292a 1330 1342a	1357 2791	1942 1944 2107 2719*	1941 2865	3124	346

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
359—Continued	rizing the commissioner of insurance to initiate a rate hearing; transferring responsibility for the assigned risk plan to the commissioner of insurance; creating an assigned risk plan review board; permitting benefit payment transferring certain provisions with respect to the Minnesota workers' compensation reinsurance association; redefining the maximum reinsurance liability limitation as a prefunded limit; modifying filing procedures; providing for a survey of closed compensation claims and an examination of insurer reserving practices; removing the exemption of political subdivisions from the definitions of insurer and insurance in chapter 79; providing for the design and implementation of an improved records and information system in the department of labor and industry; providing for the addition of rehabilitation and computer support personnel in the department of labor and industry; permitting the commissioner of labor and industry to negotiate with his counterparts in other states in jurisdictional disputes; establishing a preponderance of the evidence standard in factual determinations under chapter 176; granting subrogation rights to the special compensation fund in third party actions; providing for lump sum permanent partial disability payments on return to work and weekly payments if an employee could but does not return to work; limiting attorneys' fees to only disputed portions of claims; providing a procedure for settlement offers by any litigant in a disputed claim proceeding; defining employee in certain situations; requiring claimants' attorneys to provide their clients with written information regarding fees under chapter 176; providing a penalty for attorneys who violate the fee provisions of chapter 176; providing a ten year limitation on death benefits to dependents; providing rehabilitation opportunities for dependent surviving spouses; requiring the commissioner of labor and industry to adopt disability degree schedules; prohibiting combined workers' compensation and government survivor benefits from exceeding the limit provided in chapter 176; providing a new formula for determining assessments against employers and insurers for the special compensation fund; providing for payment of attorneys' fees in disputes over supplementary benefits; requiring the commissioner of insurance to develop a medical fee schedule; requiring the commissioner to review the quality of care and other aspects of medical delivery under workers' compensation; establishing a pilot medical panel to re- (Continued next page)								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
359—Continued	solve disputes over medical disability; providing for payment of wage replacement or disability payments by a group insurer under appropriate provisions pending resolution of liability dispute over compensability; providing for early payment of benefits and a penalty for delay; providing for an offset against welfare payments; requiring benefit payments to be made by immediately negotiable instrument; providing that notices of discontinuance of benefit payments be sent directly to claimant by insurer; delaying first benefit adjustment under chapter 176; mandating an insurance rate reduction by an amount reflecting cost savings due to benefit and administrative changes; providing penalties; changing procedures; creating and abolishing duties; appropriating money; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 18; 15.052, Subdivisions 1, 2, 3, 4 and 5; 15A.083, by adding a subdivision; 43.064; 60C.04; 60C.09, Subdivision 2; 79.01, Subdivisions 2 and 3; 79.071, Subdivision 1 and by adding subdivisions; 79.25; 79.26; 79.27; 79.34, Subdivisions 1 and 2; 79.35; 79.36; 175.007; 175.11, Subdivision 1; 175.14; 175.17; 176.011, Subdivisions 6 and 9; 176.021, Subdivisions 1 and 3, and by adding subdivisions; 176.041, by adding a subdivision; 176.061, Subdivisions 1, 3, 4, 5, 6 and 7; 176.081, Subdivisions 1, 2, 3, 4, 6, and by adding subdivisions; 176.101, Subdivision 3; 176.102, by adding a subdivision; 176.105, Subdivision 1; 176.111, Subdivisions 6, 7, 8, 10 and 21, and by adding a subdivision; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.133; 176.136; 176.161, Subdivision 1; 176.181, Subdivisions 2 and 3, and by adding a subdivision; 176.191; 176.221; 176.225, by adding a subdivision; 176.231, Subdivisions 2 and 7; 176.241, Subdivisions 1, 2 and 3; 176.291; 176.301, Subdivision 1; 176.305; 176.311; 176.321, Subdivisions 1 and 3; 176.331; 176.341, Subdivision 1; 176.351; 176.371; 176.381; 176.391; 176.401; 176.411, Subdivisions 1 and 2; 176.421, Subdivisions 1, 4, 5, 6 and 7; 176.431, Subdivision 1; 176.441, Subdivision 1; 176.461; 176.471, Subdivisions 3, 5, 6 and 8; 176.491; 176.511, Subdivision 1; 176.521, Subdivisions 1 and 2; 176.531, Subdivision 3; 176.645; and 179.74, Subdivision 4; reenacting Laws 1980, Chapter 556, Sections 6 to 13; proposing new law coded as Minnesota Statutes, Chapter 175A; and proposing new law coded in Minnesota Statutes, Chapters 79 and 176; repealing Minnesota Statutes 1980, Sections (Continued next page)								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
359	—Continued 79.071, Subdivisions 1, 2, 3, 4, 5, 6, and 7; 79.072; 79.073; 79.074, Subdivision 1; 79.075; 79.076; 79.08; 79.09; 79.11; 79.12; 79.13; 79.14; 79.15; 79.16; 79.17; 79.171; 79.18; 79.19; 79.20; 79.21; 79.22, Subdivision 1; 79.221; 79.23; 79.24; 79.25; 79.26; 79.27; 79.28; 79.29; 79.30; 79.31; 79.32; 79.33; 175.006, Subdivisions 1a and 2; 175.0061; 175.09; 176.111, Subdivision 11; and 176.441, Subdivision 2.								
360	A bill for an act relating to metropolitan government; providing for certain transit commission plans and passes; amending Minnesota Statutes 1980, Sections 473.408, Subdivisions 6 and 7; and 473.411, Subdivision 1.	192		751					
361	A bill for an act relating to taxation; real property; providing a reduced assessment ratio for industrial and commercial property; amending Minnesota Statutes 1980, Section 273.13, by adding a subdivision.	192							
362	A bill for an act relating to claims against the state; reimbursing owners for certain damage by wild animals; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3.	192							
363	A bill for an act relating to labor; providing labor dispute procedures in certain emergency situations; proposing new law coded in Minnesota Statutes, Chapter 179.	193							
364	A bill for an act relating to cable communications; providing for resolution of certain pole attachment disputes; amending Minnesota Statutes 1980, Section 238.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 238.	193		229 (H167)	466				
365	A bill for an act relating to state employees; authorizing the deduction from salaries or wages sums of moneys designated by them for certain combined charitable funds; amending Minnesota Statutes 1980, Section 15.375, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 309; repealing Minnesota Statutes 1980, Section 15.375, Subdivision 1.	193	263	257a	535a	607				
366	A bill for an act relating to taxation; providing a new schedule for payment of income taxes withheld from wages; giving temporary rulemaking authority; amending Minnesota Statutes 1980, Section 290.92, Subdivision 6.	193	263	259a	293	293 504	445 487 504* 472 503	445 520	558	13

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
367	A bill for an act relating to retirement; apportionment of state aid to firefighter's relief associations; amending Minnesota Statutes 1980, Sections 69.011, Subdivision 1; and 69.021, Subdivisions 6 and 7.	193							
368	A bill for an act relating to housing; requiring municipal housing plans to incorporate policies to minimize displacement and encourage citizen participation; encouraging the use of bond proceeds for housing for persons and families of low income; providing that multifamily housing loans may be used to acquire structures for conversion to cooperative ownership; amending Minnesota Statutes 1980, Sections 462C.03, Subdivisions 1 and 2; and 462C.05, Subdivision 1.	193	1007	884a	1400	1424 2201 2267 2965 2594 2964*	2201		
369	A bill for an act relating to the state building code, authorizing stricter fire prevention standards in certain municipalities; proposing new law coded in Minnesota Statutes, Chapter 16.	194		194 (H595)	202				
370	A bill for an act relating to transportation; including motels within the specific information signing program; amending Minnesota Statutes 1980, Sections 160.292; 160.293, Subdivisions 1, 2, and 3; and 160.295, Subdivision 3.	194	349	346a (H521)	531				
371	A bill for an act relating to agriculture; repealing a ban on the use of nonreturnable plastic milk containers; repealing Minnesota Statutes 1980, Sections 116F.21 and 116F.22.	194							
372	A bill for an act relating to agriculture; removing certain buyers and sellers of hay and straw from commission merchant licensing requirements; amending Minnesota Statutes 1980, Sections 223.01; 223.02; 223.03; and 223.05; repealing Minnesota Statutes 1980, Sections 223.06 and 223.12.	194	664	662	1116	1159	1504	1826	90
373	A bill for an act relating to public safety; requiring the state fire marshal to grant or deny variances from the provisions of the state fire code within 30 days; amending Minnesota Statutes 1980, Section 299F.011, Subdivision 5.	194	1072	1033a	1519	1603			
374	A bill for an act relating to solid and hazardous waste;prohibiting waste disposal and processing sites on agricultural land; amending Minnesota Statutes 1980, Sections 115A.03, by adding a subdivision; 115A.09, Subdivision 2; 115A.20; 116.081, by adding a subdivision; 368.01, Subdivision 14; 412.221, Subdivision 22; 473.153, Subdivision 2; and 473.803, Subdivision 1a; proposing new law coded in Minnesota Statutes, Chapters 116C and 400.	194							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
375	A bill for an act relating to Hennepin county; providing for the administration of health care and related services of the county; providing for the administration of the duties and the appointment of the county medical examiner; repealing Laws 1963, Chapter 738, as amended; and Laws 1963, Chapter 848, as amended.	195	349	318a 538a	612 1441	1436 1440	1436	1826	91
376	A bill for an act relating to taxation; altering the method of taxing the income of certain oil companies by prohibiting their use of certain deductions and requiring use of combined worldwide income; eliminating the use of the arithmetic average allocation formula for major oil companies; amending Minnesota Statutes 1980, Sections 290.01, by adding a subdivision; 290.09, Subdivision 1; 290.091; 290.19, Subdivision 1; and 290.21, Subdivision 4.	195	606	597a 1816a	1854				
377	A bill for an act relating to economic development; appropriating money to permit the small business finance agency to participate in business loans; amending Minnesota Statutes 1980, Section 362.53, Subdivision 12.	195		641					
378	A bill for an act relating to marriage dissolution; clarifying factors to consider in awarding maintenance; amending Minnesota Statutes 1980, Section 518.552.	195	1007	958a 1402a	1425 5135	3888 3940 4483 4563 5134*	3888 5430	5655	535
379	A bill for an act relating to commerce; providing for an additional exemption to a certain mechanic's lien notice requirement; amending Minnesota Statutes 1980, Section 514.011, Subdivision 4.	195							
380	A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.	195							
381	A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties; proposing new law coded in Minnesota Statutes 1980, Chapter 609.	195							
382	A bill for an act relating to recycling of solid waste; setting requirements on the percentage of beverage containers which must be returned for reuse; imposing fines on sale of beverage containers which have not met percentage requirements; permitting counties and cities to establish resource recovery programs; imposing duties on the pollution control agency and the attorney general; imposing civil penalties; proposing new law coded in Minnesota Statutes, Chapter 116F.	196	664	636a 3116					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
383	A bill for an act relating to financial institutions; authorizing federal funds transactions for credit unions; removing the limitation on insurance commission income and prohibiting participation of officials in such income; permitting the sale of real estate loans; amending Minnesota Statutes 1980, Section 52.04, Subdivision 1.	203		(H415)					
384	A bill for an act relating to local government; providing that charter commission documents be available to the public; amending Minnesota Statutes 1980, Sections 410.05, Subdivision 4; and 410.07.	203	292	283 535	608				
385	A bill for an act relating to taxation; income; providing a credit for certain research and experimental expenditures; proposing new law coded in Minnesota Statutes, Chapter 290.	203							
386	A bill for an act relating to the city of Pipestone; fixing the method of determining its population for certain purposes.	203		(H590)					
387	A bill for an act relating to agriculture; imposing certain requirements on milk houses for milk used for manufacturing; amending Minnesota Statutes 1980, Section 32.212.	203	389	384a 535	620				
388	A bill for an act relating to public employment labor relations; modifying the definition of non-essential supervisory employees; amending Minnesota Statutes 1980, Sections 179.63, Subdivision 9; and 179.71, Subdivision 3.	203	798	212 263 750a 2100a	2126				
389	A bill for an act relating to the collection and dissemination of data; administration of the state archives and state and local government records; classifying data; providing a penalty; amending Minnesota Statutes 1980, Sections 15.17; 138.161; 138.17, Subdivisions 1, 6, 7, and by adding subdivisions; 138.19; 138.20; 138.21; proposing new law coded in Minnesota Statutes, Chapter 138; repealing Minnesota Statutes 1980, Sections 16.66 and 138.18.	204		(H534)					
390	A bill for an act relating to education; requiring the board of education to establish and fill the position of specialist for industrial arts education and to prescribe the duties of the specialist; appropriating money; amending Minnesota Statutes 1980, Section 121.11, by adding a subdivision.	204		212 340					
391	A bill for an act relating to labor; replacements for persons involved in strikes or lockouts; requiring filing of information with the secretary of state; requiring notice to replacements; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 179.	204	1490	230 293 1464a 2176					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
392	A bill for an act relating to meetings of public bodies; allowing public employers to determine negotiation strategy at a nonpublic meeting; amending Minnesota Statutes 1980, Section 471.705, by adding a subdivision.	204	583	581a 1517 (H54)					
393	A bill for an act relating to taxation; providing that property owned by certain senior citizens' groups be exempt from taxation; amending Minnesota Statutes 1980, Section 272.02, Subdivision 1.	204	422	417a 1009	1125 2862	2861	2861	3122	309
394	A bill for an act relating to agriculture; protecting agricultural operations from nuisance suits under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 561.	204		(H353)					
395	A bill for an act relating to taxation; extending the period for filing gravel tax reports and sending notice of overdue returns; amending Minnesota Statutes 1980, Section 298.75, Subdivisions 2 and 3.	205	2018	2004	2050				
396	A bill for an act relating to retirement; extending the option for purchase of prior service credit by certain legislative employees; amending Laws 1975, Chapter 388, Section 1, Subdivision 3, as added and amended.	205							
397	A bill for an act relating to civil actions; providing for a two year limitation of time for commencing an action for malpractice against podiatrists; amending Minnesota Statutes 1980, Section 541.07.	205							
398	A bill for an act relating to commerce; clarifying the definition of "continuing care"; providing for implementation of the continuing care facilities disclosure and rehabilitation act in a self-executing manner; amending Minnesota Statutes 1980, Sections 80D.01; 80D.02, Subdivision 2, and by adding a subdivision; 80D.03, Subdivision 1; 80D.04; 80D.05; 80D.06; 80D.08; 80D.09; 80D.11; 80D.13, Subdivision 1; 80D.16; and 82.18; repealing Minnesota Statutes 1980, Sections 80D.02, Subdivision 3; 80D.03, Subdivisions 3 and 4; 80D.10; 80D.12; 80D.14; 80D.15; 80D.17; and 80D.18.	205	1072	1059a 1416 (H484)					
399	A bill for an act relating to drugs; requiring imprinting of legend drugs; amending Minnesota Statutes 1980, Section 151.361.	205	389	387a 1400a	1418		1989	2285	206
400	A bill for an act relating to peace officers; changing the designation of part-time officers and reserve officers; removing the hours of work limitation for certain part-time peace officers; providing for two members to the peace of-	205	349	320a 535	614 2838	2137 2161 2212 2837 2838*	2137 2867	3122	310

(Continued next page)

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
400	—Continued ficers standards and training board from among elected city officials; authorizing the board to provide for training for certain part-time peace officers; authorizing the board to obtain criminal history data; amending Minnesota Statutes 1980, Sections 214.10, Subdivision 7; 626.84; 626.841; 626.843, Subdivision 1; 626.845, Subdivision 1; 626.846, Subdivisions 1 and 2; 626.8461; 626.8462; 626.8463; 626.8464; 626.8465, Subdivisions 1 and 2; 626.851, Subdivision 1; 626.852; and 626.88, by adding a subdivision.								
401	A bill for an act relating to elections; changing certain procedures and the effect of absentee ballots; amending Minnesota Statutes 1980, Section 207.05, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 207.	205	498	489a 1016a	1152				
402	A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; appropriating funds; amending Laws 1979, Chapter 293, Section 10, Subdivision 3.	206							
403	A bill for an act relating to taxation; income tax; requiring indication on tax return of school district in which taxpayer resides; amending Minnesota Statutes 1980, Section 290.39, Subdivision 1.	206							
404	A bill for an act relating to retirement; various retirement funds; authorizing disability benefit recipients to elect an actuarially equivalent optional annuity; amending Minnesota Statutes 1980, Sections 352.113, Subdivision 12, and by adding a subdivision; 352.95, Subdivision 5, and by adding a subdivision; 352B.10; 352B.105; 353.33, Subdivision 11, and by adding a subdivision; 353.656, Subdivision 6, and by adding a subdivision; 354.48, Subdivision 10, and by adding a subdivision; and 354A.36, Subdivision 10, and by adding a subdivision.	206							
405	A bill for an act relating to workers' compensation; providing for transition to competitive rates; eliminating duties of rating bureau of Minnesota; creating and eliminating duties for the commissioner of insurance; amending Minnesota Statutes 1980, Sections 60C.04; 60C.09, Subdivision 2; and 79.071, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 79; repealing Minnesota Statutes 1980, Sections 79.071, Subdivisions 1, 2, 3, 4, 5, 6 and 7; 79.072; 79.073; 79.074, Subdivision 1; 79.075; 79.076; 79.08; (Continued next page)	206	1007	897a 1500					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
405	—Continued 79.09; 79.11; 79.12; 79.13; 79.14; 79.15; 79.16; 79.17; 79.171; 79.18; 79.19; 79.20; 79.21; 79.22, Subdivision 1; 79.221; 79.23; 79.24; 79.25; 79.26; 79.27; 79.28; 79.29; 79.30; 79.31; 79.32; and 79.33.									
406	A bill for an act relating to public welfare; authorizing grants to county boards to provide semi-independent living services for mentally retarded persons; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 252.	206		561a						
407	A bill for an act relating to game and fish; re-affirming the protected status of mourning doves; amending Minnesota Statutes 1980, Section 100.27, Subdivision 6; and by adding a subdivision.	207								
408	A bill for an act relating to public welfare; providing for a statewide program of subsidies for families of mentally retarded children; amending Minnesota Statutes 1980, Section 252.27, Subdivision 4.	207	465	453	1009	1151				
409	A bill for an act relating to metropolitan government; providing for election and salaries of council members and for administration of council business; amending Minnesota Statutes 1980, Sections 15A.081, Subdivision 7; and 473.123, Subdivisions 2, 4, 5, and 6, and by adding subdivisions.	207		3129						
410	A bill for an act relating to public safety; requiring certain rules promulgated by the commissioner of public safety be subject to the administrative procedure act; amending Minnesota Statutes 1980, Section 169.128.	207								
411	A bill for an act relating to wild animals; providing additional authority for the commissioner of natural resources to limit the numbers of deer and bear hunters under certain circumstances; increasing resident deer and bear license fees; appropriating money for deer and bear management, computerized licensing systems, and emergency feeding of wild animals during the winter of 1982; clarifying provisions concerning possession of certain equipment usable in taking fish; increasing the deer license habitat amount; authorizing the review of a possible agreement between the commissioner and the Mille Lacs Band of Chippewa Indians; clarifying the guide license to take bear; authorizing negotiated sale of certain surplus equipment; amending Minnesota Statutes 1980, Sections 97.48, Subdivision 24; 97.49, (Continued next page)	207	465	212 1170	450a	1332 4566	4565	4565	5650	462

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
411	—Continued Subdivision 1a, and by adding a subdivision; 97.57; 98.455; 100.29, Subdivisions 14 and 18; 101.42, Subdivision 18; and Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 561.								
412	A bill for an act relating to commerce; providing that married couples filing petitions in bankruptcy select either state or federal exemptions; proposing new law coded in Minnesota Statutes, Chapter 550.	207	3310	3303a 3782a	3855		4661	5650	461
413	A bill for an act relating to labor; regulating migrant labor; requiring employers and recruiters to provide employment statements to migrant workers; setting requirements for employment statements and for payment of wages to migrant workers; providing for private causes of action; proposing new law coded in Minnesota Statutes, Chapter 181.	207	1490	1446a 1572 (H192)					
414	A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1980, Section 168.012, Subdivision 1.	208		(H467)					
415	A bill for an act relating to waters; requiring posting and publication of notice of aeration operations by a permittee of the commissioner of natural resources; establishing a presumption of due care; proposing new law coded in Minnesota Statutes, Chapter 378.	208	1518	1506a 1637 (H126)					
416	A bill for an act relating to labor and employment; status of certain tenured private college employees under compulsory retirement laws; amending Minnesota Statutes 1980, Section 181.811.	208	349	347 535	618		1129	1435	50
417	A bill for an act relating to taxation; income tax; increasing the exclusion for pension income; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	208		213 389 466					
418	A bill for an act relating to retirement; various public pension funds; clarifying service credit for employees in the Minnesota demonstration job-sharing program; amending Minnesota Statutes 1980, Section 43.60, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 43.	208							
419	A bill for an act relating to retirement; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; (Continued next page)	208	3934	3915a 4014 4387(H438)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
419	—Continued teachers retirement association; modifying survivor benefits; authorizing an amendment to the articles of incorporation of the Minneapolis teachers retirement fund association; amending Minnesota Statutes 1981 Supplement, Section 354.46, Subdivisions 1 and 2.								
420	A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; appropriating funds; amending Laws 1979, Chapter 293, Section 10, Subdivision 3.	208							
421	A bill for an act relating to criminal procedure; providing officers of the United States customs service and the immigration and naturalization service with the arrest powers of peace officers; amending Minnesota Statutes 1980, Sections 629.30; and 629.34.	209		(H13)					
422	A bill for an act relating to workers' compensation; creating a small claims division within the workers' compensation division of the department of labor and industry; proposing new law coded in Minnesota Statutes, Chapter 176.	209							
423	A bill for an act relating to crimes; authorizing peace officers to make arrest upon probable cause in cases of domestic abuse; amending Minnesota Statutes 1980, Section 629.341, Subdivision 1.	209		213 583 (H378)					
424	A bill for an act relating to retirement; teacher retirement funds; providing for periodic increases in the amount of employer contributions to the teachers retirement association and to the teachers retirement fund associations in cities of the first class; amending Minnesota Statutes 1980, Sections 354.42, Subdivision 5; and 354A.12, Subdivision 2.	209		213					
425	A bill for an act relating to state police aid; distribution and disposition thereof; amending Minnesota Statutes 1980, Sections 69.011, Subdivisions 1 and 2; 69.021, Subdivision 7; and 69.031, Subdivision 5.	209							
426	A bill for an act relating to workers' compensation; providing clarification of the method of payment to eligible recipients; creating a time limit for payment following issuance of official order; amending Minnesota Statutes 1980, Section 176.221, by adding a subdivision.	216							
427	A bill for an act relating to workers' compensation; providing for change in the method of notice to employees relative to payment of benefits; amending Minnesota Statutes 1980, Section 176.241, Subdivisions 1 and 3.	216							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
428	A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; appropriating funds; amending Laws 1979, Chapter 293, Section 10, Subdivision 3.	216							
429	A bill for an act relating to public safety; regulating boilers, other apparatus and their operators; providing penalties; amending Minnesota Statutes 1980, Sections 183.375, Subdivision 2; 183.38; 183.39, Subdivision 1; 183.41, Subdivision 2; 183.42; 183.44; 183.45; 183.46; 183.465; 183.48; 183.50; 183.51; 183.53; 183.54; 183.545; 183.60; 183.61; 183.62; amending Minnesota Statutes 1981 Supplement, Sections 183.52; 183.56; 183.57, Subdivision 2, and by adding a subdivision; and 183.59; and proposing new law coded in Minnesota Statutes, Chapter 183; repealing Minnesota Statutes 1980, Section 183.39, Subdivision 2.	216	1397	1388a 1820a	1858 3398	3397 3433	3397	3979	379
430	A bill for an act relating to taxation; clarifying which parties are to be served with notices of appeal; restricting native prairie designation; changing requirements for filing certain abstracts and statements of exemption; changing certain fees to be charged by county auditors and treasurers; changing method of computing native prairie and wetland credits and attached machinery aids; requiring notice of wetland designation; clarifying assessment of property of cooperative associations; authorizing estimation of values and mill rates; providing certain dates for delivery and return of tax lists; providing interest rates on delinquent taxes; repealing publisher's bonds; changing certain definitions for the property tax refund and modifying payment to part-year homeowners; providing additional authority for county boards to reduce values; providing county valuation of certain airport property; amending Minnesota Statutes 1980, Sections 270.11, Subdivision 2; 271.10, Subdivision 2; 272.02, Subdivision 1; 272.025, Subdivision 3; 272.46; 272.47; 273.115, Subdivision 1, and by adding a subdivision; 273.116, Subdivision 1; 273.138, Subdivision 2; 273.40; 275.08; 276.01; 277.15; 279.02; 279.03; 279.14; 290A.03, Subdivision 13; 375.192, Subdivision 2; 473.626; repealing Minnesota Statutes 1980, Section 279.11.	216	422	412a 1013a	1124				
431	A bill for an act relating to drivers licenses; providing for the identification of blood types on drivers licenses at the applicants option; amending Minnesota Statutes 1980, Sections 171.06, Subdivision 3; and 171.07, Subdivision 1.	217		229					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
432	A bill for an act relating to taxation; providing dates for settlement of mortgage registry and deed tax receipts; providing for payment of excise tax on special fuel by bulk purchasers; clarifying responsibilities and authority of commissioner of revenue in administering and auditing mineral taxes; providing for filing requirements for royalty reports; amending Minnesota Statutes 1980, Sections 287.12; 287.29, Subdivision 1; 296.12, Subdivisions 3, 4, and 5, and by adding a subdivision; 298.09, by adding a subdivision; 298.15; 299.03; 299.05; and 299.12; and repealing Minnesota Statutes 1980, Section 287.29, Subdivision 2.	217	292	286a 535	610 1823	1760 1823	1760	2081	164
433	A bill for an act relating to workers' compensation; limiting the expense allowance permissible in workers' compensation insurance rate increase proposals; amending Minnesota Statutes 1980, Section 79.071, by adding a subdivision.	217							
434	A bill for an act relating to public welfare; establishing a formula for payments to vendors of dental services in the medical assistance program; prioritizing dental services to be offered if appropriations to the program are inadequate; proposing new law coded in Minnesota Statutes, Chapter 256B.	217		229 386					
435	A bill for an act relating to workers' compensation; requiring and providing for additional state workers' compensation attorneys; appropriating money.	218		229					
436	A bill for an act relating to children; providing for review of foster care status of certain children; amending Minnesota Statutes 1980, Sections 245.783, Subdivision 3; 257.071, Subdivisions 2, 3 and 4; 260.015, Subdivision 7; 260.111, Subdivision 2; and 260.131, by adding a subdivision; proposing new law to be coded in Minnesota Statutes, Chapter 260.	218	664	648a 1073	1158 2272	2204 2272	2203	3120	290
437	A bill for an act relating to Carlton county; abolishing the office of court commissioner.	218		(H159)					
438	A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 3; allowing the status of the University of Minnesota to be provided by law.	218							
439	A bill for an act relating to the department of public safety; changing the name of the highway patrol to the state patrol; amending Minnesota Statutes 1980, Section 299D.01, Subdivision 1.	218	465	229 446 530(H470)					
440	A bill for an act establishing the North Koochiching county waste water treatment board; prescribing its duties and powers; providing for the treatment and disposal of waste water in described areas.	218	1854	1215a 1835a 1979	2029 2186	2186	2186	3120	291

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
441	A bill for an act relating to public welfare; providing for actions against parents for contributions on behalf of certain children; providing for withholding from income for the enforcement of a court order for child support and maintenance of a parent of a dependent child; amending Minnesota Statutes 1980, Sections 256.87, Subdivision 1; 256.872; and 256.873.	218		321					
442	A bill for an act relating to employment; exempting search firms from employment agency licensing; amending Minnesota Statutes 1980, Section 184.22, Subdivision 2.	219							
443	A bill for an act relating to commerce; regulating franchises; providing a penalty; amending Minnesota Statutes 1980, Sections 80C.01, Subdivision 4, and by adding subdivisions; 80C.03; 80C.14; 80C.17, by adding a subdivision; 80C.18, Subdivision 2; and 80C.19, Subdivision 1.	219	583	575a 1401a	1420		1826	2081	165
444	A bill for an act relating to state lands; granting authority for the extension of certain timber permits.	219							
445	A bill for an act relating to local government; changing responsibilities for the administration of the Ramsey county court house and Saint Paul city hall building; authorizing appointment of district court judges to hear cases arising under the juvenile court act for terms up to six years; lengthening the term of the presiding judge of Hennepin County family court division; amending Minnesota Statutes 1980, Sections 260.019, Subdivision 3; 484.65, Subdivision 1; Laws 1974, Chapter 435, Section 3.12; and repealing Laws 1980, Chapter 612, Section 5.	219	1007	991a 1519	1602 2541	1874 1979 1999 2538*	1873 2794	3120	292
446	A bill for an act relating to the legislature; changing the membership and manner of appointment of certain committees and commissions with legislative members; amending Minnesota Statutes 1980, Sections 3.30, Subdivision 2; 3.855, Subdivision 1; 15.50, Subdivision 1; 16.872, Subdivision 3; and 121.938, Subdivision 1.	219	389 1637	383a 533 1636a 1979a	2028				
447	A bill for an act relating to retirement; providing for an increase in the amount of employer contributions to the teachers retirement association and to the teachers retirement fund associations in cities of the first class; amending Minnesota Statutes 1980, Sections 354.42, Subdivision 5; and 354A.12, Subdivision 2.	219		1208a					
448	A bill for an act relating to workers' compensation; requiring payment of at- (Continued next page)	220		230					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
448	—Continued torneys' fees by employer where claim is upheld; increasing temporary partial benefits; requiring payment of spousal travel expenses in certain cases; increasing interest rates and expanding liability in cases of disputes between insurers; amending Minnesota Statutes 1980, Sections 176.081, Subdivision 7; 176.101, Subdivision 2; 176.133; 176.135, Subdivision 1; and 176.191.								
449	A bill for an act relating to the pollution control agency; voiding certain rules of the agency unless they are repromulgated by a specific date; requiring the agency to enforce federal regulations under some circumstances; proposing new law coded in Minnesota Statutes, Chapter 116.	220							
450	A bill for an act relating to public welfare; providing for verification of applications for general assistance; allowing vendor payments during verification; allowing the commissioner of public welfare to promulgate more restrictive eligibility standards under certain circumstances; amending Minnesota Statutes 1980, Sections 256D.07; 256D.08; 256D.09, Subdivision 1; and 256D.11, Subdivision 6.	220							
451	A bill for an act relating to public welfare; requiring certain facilities to safeguard the well-being and safety of persons in their care; providing for penalties; proposing new law coded in Minnesota Statutes, Chapter 245.	220							
452	A bill for an act relating to the state board of investment; establishing standards for the selection of certain prudent investments; amending Minnesota Statutes 1980, Section 11A.09.	220	664	650a 1288a	798 1339	2082 2110 2134 2839* 2847 2896 3117 4658 4708	2081		
453	A bill for an act relating to waters; removing the right of the commissioner of natural resources to appeal the decision of a hearings unit in certain cases; amending Minnesota Statutes 1980, Section 105.391, Subdivision 1.	220							
454	A bill for an act relating to crimes; redefining criminal sexual conduct; amending Minnesota Statutes 1980, Sections 609.341, Subdivision 11; 609.342; 609.343; and 609.345.	221	349	318a	537a 612		1129	1435	51
455	A bill for an act relating to highway traffic regulations; providing for the designation and undesignation of routes to carry certain gross weights; amending Minnesota Statutes 1980, Section 169.832, Subdivision 11; repealing Minnesota Statutes 1980, Section 169.832, Subdivision 12.	221		(H847)					
456	A bill for an act relating to education; providing an appropriation to pay for capital expenses required by certain desegregation orders.	221							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
457	A resolution memorializing the Congress and the President of the United States to cease all military and economic aid to El Salvador.	221	583	263 580a 1144(H486)					
458	A bill for an act relating to the city of Moorhead; permitting a city levy for the arts and humanities; providing for a reverse referendum.	221	389	380a 389					
459	A bill for an act relating to the city of Edina; providing for the purchasing and contracting authority of the city manager and council.	221	349	343a (H341) 465					
460	A bill for an act relating to intoxicating liquor; authorizing the use of wine catalogs by off-sale dealers; amending Minnesota Statutes 1980, Section 340.15, Subdivision 1.	221	1072	1036 1500	1529				
461	A bill for an act relating to intoxicating liquor; authorizing off-sale licensees to dispense samples of wine, liqueurs and cordials; amending Minnesota Statutes 1980, Section 340.11, Subdivision 15.	221	1283	1188 1752	1774				
462	A bill for an act relating to labor; providing for increases in fees for certain steamfitters; prohibiting certain time credit when applying for license; amending Minnesota Statutes 1980, Sections 326.48, Subdivision 1; and 326.50.	222	465	447a 1009	1150		1407	1805	72
463	A bill for an act relating to credit unions; permitting a change of titles of officers; amending Minnesota Statutes 1980, Sections 52.06, Subdivision 1; and 52.09, by adding a subdivision.	244	583	569a	668		1407	1805	73
464	A bill for an act relating to commerce; providing for a lien on all personal property stored at certain storage facilities; defining terms; establishing a procedure for the enforcement of the liens; proposing new law coded in Minnesota Statutes, Chapter 514.	244	1072	1028a 1429a	1495				
465	A bill for an act relating to public waters; changing the coverage of the inventory of public waters and wetlands; amending Minnesota Statutes 1980, Section 105.37, Subdivision 14.	244							
466	A bill for an act relating to education; creating a program for arts education in the elementary and secondary schools; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3.	245							
467	A bill for an act relating to retirement; requiring public pension funds to provide information concerning optional annuity forms with the retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances;proposing new law coded in Minnesota Statutes, Chapter 356.	245		263					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
468	A bill for an act relating to taxation; providing that the proceeds of the motor vehicle excise tax shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1980, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.	245		593a						
469	A bill for an act relating to the collection and dissemination of data; classifying data; clarifying definitions; proposing new definitions and classifications of data; amending Minnesota Statutes 1980, Sections 15.162, Subdivisions 3, 4, and 5a; 15.165, by adding a subdivision; 390.11, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 15.	245								
470	A bill for an act relating to the collection and dissemination of data; classifying data; proposing classifications of data as private, confidential nonpublic and protected nonpublic; making certain changes in laws relating to the collection and dissemination of data; amending Minnesota Statutes 1980, Sections 15.1611, Subdivision 2; 15.162, Subdivisions 2a, 5a, 5b, 5c, and 8; 15.163, Subdivision 4; 15.1642, Subdivision 2a; 15.165, Subdivision 3; 15.1672; 15.1673; 15.1692, Subdivision 3, and by adding a subdivision; 15.1693, by adding a subdivision; 15.1695, Subdivision 1; 15.1698, Subdivision 1; and 15.1699; providing for the recodification of Minnesota Statutes, Sections 15.1611 to 15.1699; repealing Minnesota Statutes 1980, Section 15.162, Subdivision 1a.	245	1007	961a	1427	1496 2793	2793	2792	3122	311
471	A bill for an act relating to juveniles; creating a classification of "persons in need of supervision" for children; providing procedures and dispositions in the juvenile court for children classified as persons in need of supervision; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 5, and by adding a subdivision; 260.131, by adding a subdivision; 260.145; 260.155, Subdivision 5; 260.165, Subdivision 1; 260.173, Subdivision 3, and by adding subdivisions; 260.185, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 260.	245								
472	A bill for an act relating to education; providing for special elections for school district pairing agreements; amending Minnesota Statutes 1980, Section 122.541.	246								
473	A bill for an act relating to intoxicating liquor; validating liquor licenses in certain expanded facilities; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.	246								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
474	A bill for an act relating to education; increasing the aid amount and percent of pupils who qualify for gifted and talented educational programs; amending Minnesota Statutes 1980, Section 124.247, Subdivision 3.	246							
475	A bill for an act relating to courts; permitting all judicial districts except Hennepin county to set salaries of law clerks; clarifying employment status in every judicial district to be unclassified and without tenure; amending Minnesota Statutes 1980, Section 484.545, Subdivision 2, and by adding a subdivision.	246	738	686	861				
476	A bill for an act relating to crimes; providing the court with discretion to require a presentence investigation in the case of felony convictions; requiring a presentence sentencing worksheet for a defendant convicted of a felony; specifying the crime of fleeing from a peace officer by use of a motor vehicle; providing that whoever flees a peace officer in a motor vehicle shall be liable for any loss caused by such flight; prescribing penalties; amending Minnesota Statutes 1980, Section 609.115, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 65B and 609.	246	738	687a 1116a	1160 2861	2861	2860	3123	312
477	A bill for an act relating to commerce; increasing the amount of the surety bond required of collection agencies; authorizing the commissioner of securities and real estate to investigate and examine certain collection agencies; broadening the classification of prohibited practices; amending Minnesota Statutes 1980, Sections 332.34; 332.37; and 332.40.	246	1577	1561a 1847 (H673)					
478	A bill for an act relating to taxation; real property; extending 3 classification to certain property used for recreational purposes; amending Minnesota Statutes 1980, Section 273.13, Subdivision 4.	247		(H142)					
479	A bill for an act relating to the environment; establishing a superfund to finance the clean up costs associated with certain hazardous substances; providing for liability, compensation, and emergency response for hazardous substances released into the environment or stored in disposal facilities; requiring the director of the pollution control agency to adopt rules to implement the superfund program; assessing fees to be paid by certain industries and facilities to establish the superfund; providing for penalties; proposing new law coded in Minnesota Statutes, Chapter 115A.	247							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
480	A bill for an act relating to crimes; authorizing counties to expend money for the purpose of investigating criminal activity relating to selling or receiving stolen property; proposing new law coded in Minnesota Statutes, Chapter 375.	247	3432	350 3402a 3850(H492)					
481	A bill for an act relating to workers' compensation; permitting certain local units of government to join the reinsurance association; amending Minnesota Statutes 1980, Section 79.34, Subdivision 1.	247							
482	A bill for an act relating to real estate; prohibiting time shared estates in real property; proposing new law coded in Minnesota Statutes, Chapter 500.	247							
483	A bill for an act relating to medical malpractice; providing limited liability for health care providers who disclose medically induced injuries to their patients; proposing new law coded in Minnesota Statutes, Chapter 62F.	247							
484	A bill for an act proposing an amendment to the Minnesota Constitution, Article X, Section 6; removing restrictions upon the power to tax the mining, production or beneficiation of copper, copper-nickel or nickel.	247							
485	A bill for an act proposing an amendment to the Minnesota Constitution; repealing Article X, Section 6; repealing the taconite amendment.	248							
486	A bill for an act relating to workers' compensation; limiting products liability in case of workplace injury; amending Minnesota Statutes 1980, Section 176.061, Subdivision 4.	248							
487	A bill for an act relating to health; regulating the use of ionizing radiation; directing the commissioner of health to set standards related to the use of x-ray equipment; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 144.	248							
488	A bill for an act relating to legal notice; requiring notice of various matters of public interest to be published in the state register; amending Minnesota Statutes 1980, Sections 15.051, Subdivision 1; 15.054; 16A.67, Subdivision 4; 18.361, Subdivision 1; 18.371; 25.40, Subdivision 2; 43.13, Subdivision 2; 60A.08, Subdivision 7; 85A.03, Subdivision 4a; 92.14; 93.16; 123.33, by adding a subdivision; 144.13; 155.17; 167.50, Subdivision 2; 169.06, Subdivision 2; 182.655, Subdivision 2; 340.63, Subdivision 2; and 360.302, Subdivision 2.	248							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
489	A bill for an act relating to crimes; immunity from prosecution; changing the current transactional immunity to conform with federal use immunity; amending Minnesota Statutes 1980, Section 609.09.	248	422	420 422 1009	1149 2207	2207	2207	3120	293
490	A bill for an act relating to peace officers; requiring peace officers to wear name tags; providing penalties; amending Minnesota Statutes 1980, Section 626.88, by adding a subdivision.	248							
491	A bill for an act relating to courts; providing for interest rates on judgments; amending Minnesota Statutes 1980, Section 549.09, Subdivision 1.	249							
492	A bill for an act relating to optometrists; requiring advice to patients under certain conditions; proposing new law coded in Minnesota Statutes, Chapter 148.	249							
493	A bill for an act relating to education; establishing an experimental mobile unit grant program; appropriating money.	249							
494	A bill for an act relating to agriculture; regulating livestock marketing; providing a penalty; amending Minnesota Statutes 1980, Sections 17A.02; 17A.03, Subdivision 7; 17A.14; proposing new law coded in Minnesota Statutes, Chapter 17A.	249	389	384a 583 (H349)					
495	A bill for an act relating to agriculture; requiring department of agriculture approval and receipt of certain grain storage receipts; regulating the family farm security program; changing terms of members of the family farm advisory council; regulating denaturing of certain food; identifying fur pelts; updating references in the shade tree control law; amending Minnesota Statutes 1980, Sections 17.35, Subdivision 7; 18.023, Subdivision 3a; 31.095; 41.52, Subdivisions 5, 8 and 9, and by adding subdivisions; 41.54, Subdivision 2; 41.56, Subdivisions 1, 2, 3 and 4; 41.58, Subdivision 2; 232.06, Subdivision 1; 233.03; 234.27; 236.03; 275.50, Subdivision 6; 290.01, Subdivision 20; and 290.08, Subdivision 24; repealing Minnesota Statutes 1980, Sections 29.091 and 234.02.	249		720a(H409)					
496	A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 171.	249							
497	A bill for an act relating to animals; prohibiting the transfer of certain animals for experimental purposes; amending Minnesota Statutes 1980, Section 35.71.	249		3141					

a Indicates Amendment

( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
498	A bill for an act relating to local government; providing that vacancies on charter commissions be filled by the governing bodies of cities; providing for reports to and removals by the governing bodies; amending Minnesota Statutes 1980, Section 410.05, Subdivision 2.	250		(H539)						
499	A bill for an act relating to education; authorizing Independent School District No. 701 to transfer a certain amount of money from the debt service fund to the capital expenditure fund to partially pay for replacement of a steam line; providing for no reduction of the maintenance levy pursuant to this transfer.	250		485						
500	A bill for an act relating to unemployment compensation;regulating employer misconduct; providing penalties; amending Minnesota Statutes 1980, Section 268.18, Subdivision 3.	250		263						
501	A bill for an act relating to labor; requiring prevailing wage payment on certain projects; amending Minnesota Statutes 1980, Section 471.345, Subdivision 7.	250		263	389					
502	A bill for an act relating to public welfare; modifying certain provisions regarding continued eligibility for medical assistance; amending Minnesota Statutes 1980, Section 256B.062.	250	465	453		502		2111	3117	231
503	A bill for an act relating to juveniles; requiring imposition of restitution sanctions for minors adjudicated delinquent for crimes against property; amending Minnesota Statutes 1980, Section 260.185, Subdivision 1.	250		263						
504	A bill for an act relating to crimes; specifying the crime of theft of services; amending Minnesota Statutes 1980, Section 609.52, Subdivisions 1 and 2.	250		(H305)						
505	A bill for an act relating to insurance; allowing a township mutual fire insurance company to insure property in cities of the second class; amending Minnesota Statutes 1980, Section 67A.14, Subdivision 5.	251		(H564)						
506	A bill for an act relating to health; establishing a model rural program for community-based treatment of adolescents with serious chemical abuse problems; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 254A.	251		451a						
507	A bill for an act relating to intoxicating liquor; authorizing the issuance of one off-sale license in the town of Tofte.	251		(H574)						

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
508	A bill for an act relating to taxation; providing a reduction of certain property taxes; providing reimbursement to taxing districts for revenue lost as a result thereof; appropriating money; amending Minnesota Statutes 1980, Section 273.13, Subdivisions 9 and 15a.	251		1750					
509	A bill for an act relating to corrections; clarifying the transfer of correctional inmates to medical facilities; providing for tuberculosis testing for correctional employees; clarifying unclaimed property of correctional inmates, and diversified labor accounts;changing terminology of correctional facilities; harmonizing furlough provisions; prescribing the time for counties to submit estimates for reimbursement for probation services; amending Minnesota Statutes 1980, Sections 241.07; 241.09; 241.14; 241.22; 241.64, Subdivisions 1 and 2; 242.20; 242.22; 242.43; 242.44; 242.45; 242.47; 242.48; 243.05; 243.20; 243.211; 243.465; 243.57; 243.58; 243.64; 244.07, Subdivision 1; 260.311, Subdivision 5; repealing Minnesota Statutes 1980, Sections 241.01, Subdivision 8; 241.15; 242.23; 242.24; 242.375; 242.52; 242.53; 243.06; 243.22; 243.25; 243.26; and 243.78.	251	583	563a 860 (H624)					
510	A bill for an act relating to arrest; providing for the extradition and rendition of accused persons, escapees and other persons subject to orders in criminal proceedings; enacting the uniform extradition and rendition act; amending Minnesota Statutes 1980, Sections 480.059, Subdivision 7; 611.14; and 629.404, Subdivision 2; proposing new law coded as Minnesota Statutes, Chapter 629A; repealing Minnesota Statutes 1980, Sections 629.01 to 629.29.	251	422	420a 1400a	1419				
511	A bill for an act relating to corrections; providing for the transfer of convicted offenders under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 243.	252		(H615)					
512	A bill for an act relating to energy; providing tenant enforcement of certain conservation standards; proposing new law coded in Minnesota Statutes, Chapter 504.	252							
513	A bill for an act relating to interest; clarifying the usury exemption on certain loans; increasing rates of interest on loans for business and agricultural transactions and loans made by agricultural credit corporations; removing certain deficiencies and ambiguities; amending Minnesota Statutes 1980, Sections 334.01, Subdivision 2; 334.011, Subdivision 1; 334.061; and 334.16, Subdivision 1.	252	798	747a 1116	1165 2845	2264 2844	2264	3124	347

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
514	A bill for an act relating to courts; authorizing the supreme court to adopt a uniform fee schedule for civil actions; proposing new law coded in Minnesota Statutes, Chapter 480.	252		(H147)						
515	A bill for an act relating to taxation; income; adopting federal treatment of unemployment compensation; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	252								
516	A bill for an act relating to persons handicapped in communication; prohibiting persons serving as foreign language interpreters or interpreters for persons with hearing or speaking impairments from disclosing communications made to them during the course of civil, criminal or administrative proceedings; amending Minnesota Statutes 1980, Sections 546.42; 546.44, by adding a subdivision; 595.02; 611.30; 611.31; and 611.33, by adding a subdivision.	252	798	790a (H413)	1114					
517	A bill for an act relating to financial institutions; allowing new mortgage instruments; modifying rate restrictions on certain loans; providing a maximum late charge on certain loans; amending Minnesota Statutes 1980, Section 47.20, Subdivisions 1, 2, 4, 4a, 6, 12, and by adding subdivisions.	253	798	754a (H579)	857					
518	A bill for an act relating to cable communications; changing certain definitions and procedures relating to cable communications system franchises and operations; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.03; 238.05, by adding a subdivision; 238.06, Subdivision 6; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2.	253	3851	3810a	4014	4163				
519	A bill for an act relating to public welfare; establishing and empowering a board for the blind; transferring certain powers and duties of the commissioner of public welfare to the board; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 248; repealing Minnesota Statutes 1980, Sections 248.07; and 248.08.	253		263	562a					
520	A bill for an act relating to elections; allowing cities and counties to elect to use data processing systems in lieu of duplicate registration cards; requiring the secretary of state to prescribe alternate forms for duplicate registration files; changing voter verification requirements for cities and counties which elect to use data processing systems; amending Laws 1981, Chapter 29, Article II, Section 9; Article II, Section 24; and Article V, Section 10.	253	422	418a	1013a	1147 1437	1437	1437	1826	92

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
521	A bill for an act relating to public welfare; authorizing the commissioner of public welfare to designate the county of financial responsibility for patients transferred under the Interstate Compact on Mental Health who are not residents of Minnesota; amending Minnesota Statutes 1980, Section 245.52.	253		(H410)					
522	A bill for an act relating to peace officers; prescribing colors for uniforms; amending Minnesota Statutes 1980, Section 626.88.	254	465	446a 1013a	1149				
523	A bill for an act relating to the cities of St. Paul and Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2.	254	738	263 633a 731 796 (H347)					
524	A bill for an act relating to taxation; exempting sales of currency or legal tender from the sales and use tax; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	254							
525	A bill for an act relating to advertising devices; requiring compensation for removing certain devices; providing for maintenance of areas; increasing certain fees for outdoor advertising permits; requiring recommendations to the legislature for a comprehensive directional signing program; amending Minnesota Statutes 1980, Sections 173.13, and 173.17; proposing new law coded in Minnesota Statutes, Chapter 173.	271	498	490a 1286a	1337 2187	2187	2186	3120	294
526	A bill for an act relating to probate; changing the order of descent of a cemetery lot in intestate proceedings; amending Minnesota Statutes 1980, Section 525.14.	271							
527	A bill for an act relating to education; specifying the authority of a school board for selection and employment of a superintendent; amending Minnesota Statutes 1980, Section 123.34, Subdivision 9.	271	498	492 605 (H443)					
528	A bill for an act relating to the city of New Ulm; authorizing issuance of a license for the sale of intoxicating liquor at Vogel arena.	272		(H575)					
529	A bill for an act relating to securities; providing for improved regulation of the sale of securities and the licensing of broker-dealers, agents, and investment advisers; making miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 80A.04, Subdivision 4; 80A.05, Subdivision 1; 80A.07, Subdivision 1; 80A.12, Subdivision 3; 80A.14; 80A.15, Subdivisions 1 and 2; 80A.16; 80A.21, Subdivision 1; 80A.28, Subdivisions 1, 2, 3, 4 and 7, and by adding a subdivision; 80A.30, Subdivision 2.	272	583	567a 796 (H634)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
530	A bill for an act relating to game and fish; revising certain provisions concerning the transportation of pistols and revolvers; amending Minnesota Statutes 1980, Section 100.29, Subdivisions 5 and 17.	272	465	449a 1014a	1151				
531	A bill for an act relating to game and fish; providing for placement of boats, blinds, and decoys; amending Minnesota Statutes 1980, Section 100.29, Subdivision 18.	272		293					
532	A bill for an act relating to crimes; providing the court with discretion to require presentence investigations when the defendant has been convicted of a felony; requiring the preparation of sentencing worksheets for felony convictions; amending Minnesota Statutes 1980, Section 609.115, Subdivision 1.	272							
533	A bill for an act relating to crimes; authorizing law enforcement agencies in municipalities with more than 2,500 inhabitants to seize property unlawfully used in connection with controlled substance violations; amending Minnesota Statutes 1980, Section 152.01, Subdivision 17.	272	798	746a 1116	1164		2285	3120	295
534	A bill for an act relating to game and fish; free licenses to certain disabled veterans; amending Minnesota Statutes 1980, Section 98.47, Subdivision 16.	272		293					
535	A bill for an act relating to corporations; providing for the issuance of stock in a professional corporation to a partnership or a professional corporation performing the same kind of service; providing for the transfer of stock to a partnership or a professional corporation; amending Minnesota Statutes 1980, Section 319A.11.	273	738	686a 1116a	1160		2201	3120	296
536	A bill for an act relating to government operations; providing for powers of the Western Lake Superior Sanitary District; providing for the board membership and powers of the Moose Lake and Windemere area sanitary sewer district; authorizing the city of Sandstone to exchange certain lands with the federal government; authorizing the city of Lake Wilson to exceed certain levy limits; authorizing Carver County to make electronic funds transfers; authorizing the city of Finlayson to interpret certain fire code provisions; changing certain definitions and procedures relating to cable communications system franchises and operations; requiring the commissioner of human rights to provide coordination services; eliminating certain animal licensing and registration requirements; appropriating money; amending Minnesota Statutes (Continued next page)	273	498	490 1500	1525 5496	4885 4951 5138 5493*	4885 5559	5655	514

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
536—Continued	1980, Sections 238.02, Subdivision 3; 238.03; 238.05, by adding a subdivision; 238.06, Subdivision 6; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2; Laws 1971, Chapter 478, Section 2, Subdivision 17; Section 8, as amended; Section 9, Subdivision 1; and Section 9a, Subdivision 1, as amended; Laws 1974, Chapter 400, Section 3, Subdivision 12, as amended; and Section 4, Subdivision 2, as amended; repealing Minnesota Statutes 1980, Section 35.695; and Laws 1974, Chapter 400, Section 8, Subdivision 5, as amended.										
537	A bill for an act relating to highway traffic regulations; increasing the length of certain vehicles; establishing permit fees for certain oversize vehicles; creating a legislative study commission; clarifying the operation of certain combination vehicles; amending Minnesota Statutes 1980, Sections 169.81, Subdivision 3; 169.86, Subdivision 5; and 169.861.	273	349	343a	535	617 3065	2864 2896	2882 3061*	2864 3114	3124	348
538	A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; proposing new law coded in Minnesota Statutes, Chapter 462; repealing Minnesota Statutes 1980, Section 462.431.	273	422	409 (H569)	1327						
539	A bill for an act relating to family law; allowing joint custody of minor children; providing for acknowledgements of paternity; changing provisions related to venue; providing for disposition of certain marital property; providing for child support enforcement fees; amending Minnesota Statutes 1980, Sections 257.34, Subdivision 1; 518.003, by adding a subdivision; 518.09; 518.145; 518.17; 518.551; and 518.58.	273	860	422 1116	808a	1167 2543	2543		2543	3124	349
540	A bill for an act relating to crimes; establishing penalties for the crime of issuing a worthless check; amending Minnesota Statutes 1980, Section 609.535, Subdivisions 1, 2, 3, 4, and by adding subdivisions.	273		293							
541	A bill for an act relating to emergency services; transferring the division of emergency services from the department of public safety to the office of the governor; amending Minnesota Statutes 1980, Sections 12.04; and 12.11, Subdivision 2; repealing Minnesota Statutes 1980, Sections 12.05; and 12.11, Subdivision 1.	273		293							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
542	A bill for an act relating to taxation; extending application of the revenue recapture act to county government; amending Minnesota Statutes 1980, Sections 270A.02; and 270A.03, Subdivision 2.	274							
543	A bill for an act relating to taxation; income; providing depreciation and amortization deductions for the rehabilitation and improvement of historic structures; disallowing expenses, losses and depreciation for the alteration or demolition of historic structures; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.	274		719					
544	A bill for an act relating to taxation; sales and use; extending the exclusion for arts events to arts events sponsored by certain other institutions; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	274							
545	A bill for an act relating to courts; Ramsey county municipal and conciliation courts; requiring fees to be taxed to the state and certain other governmental subdivisions in certain criminal prosecutions; requiring the state and city of St. Paul to pay fees in civil actions; providing for compensation of conciliation court referees; amending Minnesota Statutes 1980, Sections 488A.20, Subdivision 4; 488A.23, Subdivision 6; 488A.30, Subdivision 1; 488A.31, Subdivisions 1 and 5; 488A.33, Subdivisions 5 and 8; and 488A.34, Subdivision 2.	274							
546	A bill for an act relating to taxation; clarifying the time for payment and interest for property tax refunds; amending Minnesota Statutes 1980, Section 290A.07.	274							
547	A bill for an act relating to Ramsey County; providing for an age for mandatory retirement of employees; amending Laws 1974, Chapter 435, Section 3.03.	274							
548	A bill for an act relating to taxation; providing for state income tax to be imposed on taxpayer's federal tax liability; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 1, 7, and by adding subdivisions; 290.03; 290.05; 290.07, Subdivisions 1 and 2; 290.34, Subdivision 3; 290.37, Subdivisions 1 and 3; 290.38; 290.93, Subdivision 1; 290A.03, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 290.01, Subdivisions 1a, 2, 3, 4, 5, 6, 8, 8a, 9, 10, 11, 12, 13, 15, 17, 18, 19, 20, 21, (Continued next page)	275							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
548	—Continued 22, 23, 24, 25, 26 and 27; 290.013; 290.02; 290.032; 290.04; 290.06; 290.067; 290.07, Subdivisions 3, 4, 5, 5a, 6 and 7; 290.071 to 290.08; 290.085 to 290.33; 290.35; 290.36; 290.361; 290.39, Subdivision 2; and 290.40.									
549	A bill for an act relating to elections; clarifying and correcting certain provisions and eliminating certain obsolete provisions of the ethics in government act; amending Minnesota Statutes 1980, Sections 10A.25, Subdivisions 2 and 6; 10A.255, by adding a subdivision; 10A.31, Subdivision 2; 10A.32, Subdivision 3b; and 10A.335; repealing Minnesota Statutes 1980, Section 10A.25, Subdivision 7.	275	349	340a	1403	1418				
550	A bill for an act relating to education; changing the time period for filing an application to be placed on the ballot for board elections; amending Minnesota Statutes 1980, Section 123.32, Subdivision 4.	275	498	489	1009	1152		1826	2081	166
551	A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Sections 6 and 11; providing that highway bonds may be issued on the same conditions as other state bonds.	275								
552	A bill for an act relating to taxation; altering the procedure by which certain pollution control equipment is exempted from the property tax; amending Minnesota Statutes 1980, Section 272.02, Subdivision 1.	275								
553	A bill for an act relating to waters; maintaining existing classification of the water use designation of Okabena Creek in Jackson and Nobles Counties.	276								
554	A bill for an act relating to education; increasing the number of members of the higher education coordinating board who have knowledge of and interest in vocational education; adding the assistant commissioner for vocational education to the membership of the higher education advisory council; amending Minnesota Statutes 1980, Section 136A.02, Subdivisions 1 and 6.	276								
555	A bill for an act relating to real property; providing a fee for issuing noncertified copies of instruments or parts of instruments on file in the office of the registrar of titles; amending Minnesota Statutes 1980, Section 508.82.	276		(H749)						
556	A bill for an act relating to motor vehicles; providing for registration and regulating the display of plates and insignia; providing exemptions from (Continued next page)	276	1115	1096a	1535	1605		1826	2081	167

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
556	—Continued registration and taxation for nonresident servicemen; specifying the time when the tax is due and payable; amending Minnesota Statutes 1980, Sections 168.04, Subdivision 1; 168.09, Subdivisions 1 and 3; and 168.31, Subdivision 1.								
557	A bill for an act relating to veterans; creating a tuition allowance program for certain veterans; proposing new law coded in Minnesota Statutes, Chapter 197.	276		649a					
558	A bill for an act relating to the city of Robbinsdale; providing that certain tax increment backed bond issues shall be exempt from net debt limits.	276	498 1330	293 491a 500 1324 1541	1618		1989	2285	207
559	A bill for an act relating to public utilities; removing municipal utilities from public utilities commission jurisdiction and granting an option in regard thereto; amending Minnesota Statutes 1980, Section 216B.11; proposing new law coded in Minnesota Statutes, Chapter 216B; repealing Minnesota Statutes 1980, Sections 216B.10, Subdivision 6; 216B.12, Subdivision 2; and 216B.13, Subdivision 2.	276		1072(H775)					
560	A bill for an act relating to employment; prohibiting certain cities or counties from establishing residency requirements as a condition of employment; proposing new law coded in Minnesota Statutes, Chapter 415.	277	389	380 538a 864	1122 1897	1874 1897	1874	2200	181
561	A bill for an act relating to state government; allowing other public employees to participate in state employee van pools under certain circumstances; amending Minnesota Statutes 1980, Section 16.756, by adding a subdivision.	277							
562	A bill for an act relating to housing; providing statutory warranties on home improvement work; establishing a cause of action for breach of warranty; providing remedies; amending Minnesota Statutes 1980, Sections 327A.01, Subdivisions 5, 8 and by adding subdivisions; 327A.02, by adding a subdivision; 327A.03; 327A.04, Subdivision 2; 327A.05; and 327A.07; proposing new law coded in Minnesota Statutes, Chapter 327A.	277	1007	350 883a 1402a	1423		1805	2042	119
563	A bill for an act relating to labor; imposing a moratorium on certain credit obligations during a labor dispute; proposing new law coded in Minnesota Statutes, Chapter 181.	277							
564	A bill for an act relating to commerce; establishing a statewide consumer outreach service in the section of consumer services; appropriating money; amending Minnesota Statutes 1980, Section 45.16, by adding a subdivision.	277							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
565	A bill for an act relating to housing; creating a demonstration program in congregate housing; appropriating money; amending Minnesota Statutes 1980, Sections 462A.02, by adding a subdivision; 462A.03, by adding a subdivision; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.	277		293					
566	A bill for an act relating to taxation; income; increasing the amount of nonfarm income which can be used to offset farm expenses and losses; amending Minnesota Statutes 1980, Section 290.09, Subdivision 29.	278							
567	A bill for an act relating to state lands; providing for the sale by taxing districts of certain tax-forfeited land; amending Minnesota Statutes 1980, Section 282.018.	278							
568	A bill for an act relating to financial institutions; permitting banks to make adjustable-rate mortgage loans; proposing new law coded in Minnesota Statutes, Chapter 48.	278	583	567 1016a 1170 1181 1854 1963a	2021				
569	A bill for an act relating to agriculture; changing the name of the joint legislative committee on agricultural land preservation; amending Laws 1979, Chapter 315, Sections 2 and 3.	278		(H480)					
570	A bill for an act relating to public safety; requiring permission from the chief of police or county sheriff and the superintendent of the bureau of criminal apprehension to use radio equipment, base fixed monitors, or portable radio units capable of receiving signals from any police emergency frequency; amending Minnesota Statutes 1980, Section 299C.37, Subdivisions 1 and 3.	278							
571	A bill for an act relating to Goodhue county; authorizing an increase in the levy limit to allow a levy for county fairs.	278	1956	579a 1949 2052	2095				
572	A bill for an act relating to family; changing provisions relating to orders for continuing contributions by parents, withholding of income and payments of support to the public authority in certain cases; amending Minnesota Statutes 1980, Sections 256.87; 256.872; 256.873; 256.875; 256.877; 518.54, by adding subdivisions; 518.551; and 518.611; repealing Minnesota Statutes 1980, Section 256.87, Subdivision 3.	278							
573	A bill for an act relating to taxation; real property; extending the homestead credit to certain noncontiguous property; amending Minnesota Statutes 1980, Sections 273.13, Subdivision 7; and 290A.03, Subdivision 6.	279		293 350					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
574	A bill for an act relating to judicial procedures; changing certain provisions relating to guardianship, conservatorship, and actions brought on behalf of minor children; amending Minnesota Statutes 1980, Sections 525.539, by adding a subdivision; 525.54; 525.541; 525.542; 525.543; 525.55; 525.551; 525.5515; 525.56, Subdivisions 3 and 4; 525.58; 525.591, Subdivisions 2 and 3; 525.618, Subdivision 1; 525.6185; 525.619; 525.6192; 525.6196; 525.6198; 525.62; 525.67; 525.69; 525.703; and 540.08; proposing new law coded in Minnesota Statutes, Chapter 525; repealing Minnesota Statutes 1980, Section 525.504.	279	738	687a	1116	1160 2872	2872	2871	3123	313
575	A bill for an act relating to public utilities; placing certain cooperative electric associations under the jurisdiction of the public utilities commission for rate making purposes; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.	279								
576	A bill for an act relating to the city of East Grand Forks; permitting the city to acquire and develop certain land for industrial purposes.	279	798	746 (H696)	1326					
577	A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited land.	279		1025						
578	A bill for an act relating to the bureau of criminal apprehension; including the superintendent within workers' compensation coverage; amending Minnesota Statutes 1980, Section 299C.19.	295		(H420)						
579	A bill for an act relating to care for the elderly; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation for substandard care; requiring licensure for adult day care facilities; revising a penalty; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; 245.782, Subdivision 2; 245.783, by adding a subdivision; 256B.02, Subdivision 7; Minnesota Statutes 1981 Supplement, Sections 245.791; and 256B.02, Subdivision 8, as amended.	295	4704	466 3230a 5576	3221 4679a					
580	A bill for an act relating to health; providing for an automatic fine in certain instances relating to nursing home inspections; setting a penalty; amending Minnesota Statutes 1980, Section 144A.10, Subdivision 6.	295		3281a						

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
581	A bill for an act relating to employment; authorizing the commissioner of economic security to make certain summer youth employment advances; amending Minnesota Statutes 1980, Section 268.34.	295	422	419 796 1518(H876)					
582	A bill for an act relating to education; providing for the use of the proceeds of the sale or exchange of school buildings or real property of a school district; amending Minnesota Statutes 1980, Section 123.36, Subdivision 13.	295							
583	A bill for an act relating to the legislature; reducing appropriations to the legislature for the 1981 fiscal year by ten percent.	296							
584	A bill for an act relating to the legislature; providing that amendments to the U. S. Constitution must be approved by a three-fifths vote of each house; amending Minnesota Statutes 1980, Section 5.06; proposing new law coded in Minnesota Statutes, Chapter 3.	296							
585	A bill for an act relating to metropolitan government; providing conditions for parks and open spaces acquisition, management and conveyance; amending Minnesota Statutes 1980, Section 473.333.	296							
586	A bill for an act relating to crimes; providing for the return of stolen property; providing that photographic records of stolen property shall be admissible as evidence; proposing new law coded in Minnesota Statutes, Chapter 609.	296							
587	A bill for an act relating to public employees; redefining "confidential employee" for purposes of the public employees labor relations act; amending Minnesota Statutes 1980, Section 179.63, Subdivision 8.	296							
588	A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; revising certain restrictions on highway bonds.	296	4081	341 493a 4032 4485	4529 4779	4779	4779	5655	510
589	A bill for an act relating to education; permitting certain school districts to levy taxes for certain costs of non-resident tuition; amending Minnesota Statutes 1980, Sections 123.39, by adding a subdivision; and 275.125, Subdivision 4.	296							
590	A bill for an act relating to taxation; income tax; excise tax; altering the rate of tax on corporations; amending Minnesota Statutes 1980, Sections 290.06, Subdivision 1; and 290.361, Subdivision 2.	296							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
591	A bill for an act relating to taxation; providing for the taxation of gain on the sale of real property by a nonresident alien; requiring reporting of certain transactions; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; and 290.41, by adding a subdivision.	297								
592	A bill for an act relating to retirement; increasing the minimum period of service required to qualify for a legislator retirement allowance; amending Minnesota Statutes 1980, Section 3A.02, Subdivision 1.	297								
593	A bill for an act relating to cooperatives; procedure for elections by members or shareholders of cooperative electric associations on public utilities commission regulation; amending Minnesota Statutes 1980, Section 216B.02, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 216B.	297		(H918)						
594	A bill for an act relating to the military; expanding the authorized uses of the military land fund to include reseeding and tree spraying on military lands and to acquire services for the morale of troops serving at Camp Ripley; amending Minnesota Statutes 1980, Section 190.25, Subdivision 3.	297								
595	A bill for an act relating to education; providing for the preparation of a report by the legislative commission on employee relations analyzing current insurance programs available to teachers and other public school employees in Minnesota; amending Minnesota Statutes 1980, Section 3.855, Subdivision 3.	297	798	765a	1400	1421		2201	3123	314
596	A bill for an act relating to agriculture; regulating fertilizers and soil and plant amendments; providing a penalty; amending Minnesota Statutes 1980, Sections 17.711; 17.713; 17.714; 17.716, by adding subdivisions; 17.717, Subdivisions 4, 5 and by adding a subdivision; 17.718, Subdivision 1; 17.719; 17.72; 17.721; 17.722; 17.723; 17.725; 17.726; 17.727; 17.728, Subdivision 1; 17.729; repealing Minnesota Statutes 1980, Section 17.717, Subdivision 2.	297		(H562)						
597	A bill for an act relating to taxation; income tax; providing a credit for energy conservation expenditures; amending Minnesota Statutes 1980, Section 290.06, Subdivision 14.	298		350						
598	A bill for an act relating to transportation; permitting establishment of toll bridges on county highways and county state aid highways; authorizing the issuance of bonds to finance their cost; proposing new law coded in Minnesota Statutes, Chapter 165.	298		412						

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
599	A bill for an act relating to motor vehicles; increasing the period of time for which number plates may be issued for certain vehicles and adjusting the tax accordingly; providing for the issuance of single dealer plates; amending Minnesota Statutes 1980, Sections 168.013, Subdivisions 1c and 1e; 168.12, Subdivisions 1 and 2a; 168.27, Subdivisions 16 and 17; 169.79, and 297B.035, Subdivision 2.	298		(H434)					
600	A bill for an act proposing an amendment to the Minnesota Constitution, Article I, adding a section to provide that the right to possess and use arms shall not be abridged.	298		350					
601	A bill for an act relating to Independent School District No. 191; allowing proceeds from the sale of school buildings or real property to be placed in the capital expenditure fund.	298							
602	A bill for an act relating to intoxicating liquor; correcting the wording of the ballot question for a municipal liquor store referendum; amending Minnesota Statutes 1980, Section 340.353, Subdivision 2.	298	1577	1547 1853 (H619)					
603	A bill for an act relating to insurance; providing for the payment of certain expenses incurred in prosecuting a claim; proposing new law coded in Minnesota Statutes, Chapter 60A.	299							
604	A bill for an act relating to local government; requiring elections to approve annexations of territory of certain towns; proposing new law coded in Minnesota Statutes, Chapter 414.	299							
605	A bill for an act relating to taxation; income; providing a carryforward of the charitable contributions credit; amending Minnesota Statutes 1980, Section 290.21, Subdivision 3.	299							
606	A bill for an act relating to gravel taxation; providing definitions; allowing distribution to cities; extending the time for payment; amending Minnesota Statutes 1980, Section 298.75.	299							
607	A bill for an act relating to taxation; exempting feminine hygiene products from the sales and use tax; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	299							
608	A bill for an act relating to motor vehicles; providing for the taxation and registration of certain collector's vehicles; including additional vehicles entitled to classic car license plates; increasing the tax thereon; amending Minnesota Statutes 1980, Section 168.10, Subdivision 1b.	299		(H704)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
609	A bill for an act relating to taxation; extending the availability of IRRRB and taconite area environmental protection funds to areas within counties containing municipalities defined as taconite relief areas; amending Minnesota Statutes 1980, Sections 298.223; and 298.28, Subdivision 1.	299							
610	A bill for an act relating to the legislature; proposing an amendment to Article IV, Section 23 of the Minnesota Constitution; extending the ordinary period for the governor to consider vetoing a bill; providing for a "veto session" of the legislature at which it may consider overriding a governor's veto of a bill returned after the legislature's adjournment; and to otherwise simplify the veto process.	300							
611	A bill for an act relating to motor vehicles; requiring certain owners of motorcycles to furnish evidence of security under the Minnesota no-fault automobile insurance act; amending Minnesota Statutes 1980, Section 65B.68, Subdivision 2.	300	583	566	670		1407	1805	74
612	A bill for an act relating to insurance; prohibiting the inclusion of household or family exclusions in homeowners insurance policies; proposing new law coded in Minnesota Statutes, Chapter 60A.	300							
613	A bill for an act relating to attachment; prescribing the grounds when a writ of attachment may be issued for purposes of securing property or acquiring quasi in rem jurisdiction over defendants; amending Minnesota Statutes 1980, Section 570.02.	300	1490	1462a 1852 (H1044)					
614	A bill for an act relating to the state register; specifying the contents and requiring various matters of public interest to be published in the state register; amending Minnesota Statutes 1980, Sections 3.21; 15.0412, Subdivision 6; 15.051, Subdivision 1; and by adding a subdivision; 16.07, Subdivision 2; 16A.67, Subdivision 4; 41.56, Subdivision 4; 60A.08, Subdivision 7; 85.021, Subdivision 2; 85A.03, Subdivision 4a; 90.101, Subdivision 2; 92.14; 93.16; 94.10, Subdivision 2; 97.48, Subdivision 11; 155.17; 161.23, Subdivision 2; 161.44, Subdivision 6; 167.50, Subdivision 2; 241.09, Subdivision 2; 299C.07; 340.63, Subdivision 2; 345.47, Subdivision 2; 360.302, Subdivision 2; and 370.07.	300							
615	A bill for an act relating to education; school districts; authorizing districts to make additional levies for the installation of energy conserving devices; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.	300							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
616	A bill for an act relating to education; increasing certain state aids; establishing the foundation allowance and the basic maintenance mill rate for the 1982-1983 school year; reducing the percent of aids paid in certain fiscal years and increasing the percent of aids paid in October; providing funds for 12 districts to purchase and operate mobile units; providing for development of chemical use programs; authorizing the state board to use funds appropriated for post-secondary vocational instructional aid for new programs; providing that the quarterly tuition at a post-secondary vocational technical school shall be set by the state board for vocational education rather than by statute; exempting the state board from the rulemaking requirements of chapter 15 when it sets the tuition; providing for suspension of penalty in 1981 when districts levy less than the maximum allowable basic maintenance levy; appropriating money; amending Minnesota Statutes 1980, Sections 123.705; 124.01, Subdivisions 2 and 3; 124.11, Subdivisions 1 and 2a, and by adding a subdivision; 124.212, by adding a subdivision; 124.225, Subdivision 11; 124.247, Subdivision 3; 124.26, Subdivisions 3 and 4; 124.32, Subdivision 9; 124.565, Subdivisions 3, 4 and 6; 124.566; 124.572, Subdivision 8; 124.573, Subdivision 5; 124.646, Subdivision 1; 275.125, Subdivision 2a; and proposing new law coded in Minnesota Statutes, Chapter 124.	301								
617	A bill for an act relating to taxation; changing interest rates on delinquent taxes; rescheduling certain payments to local governments; changing definition of claimant for property tax refund and offsetting credit based on amount of medical assistance; providing for declaration and estimated payments of gross earnings tax; allowing deduction of federal taxes on the accrual basis; repealing distribution of estate taxes to counties; amending Minnesota Statutes 1980, Sections 270.75; 273.13, Subdivision 15a; 273.136, Subdivision 3; 290.01, Subdivisions 20 and 23; 290.09, Subdivision 4; 290.10; 290.18, Subdivision 2; 290A.03, Subdivision 8; 290A.04, by adding a subdivision; 290A.07, Subdivision 2; 477A.01, Subdivision 4b; and 477A.13; proposing new law coded in Minnesota Statutes, Chapter 295; repealing Minnesota Statutes 1980, Section 291.33.	301								
618	A bill for an act relating to public welfare; modifying the payment responsibility for costs of care for mentally retarded persons in state institutions; prorating the first month's grant; reduc- (Continued next page)	301		1318a					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
618	—Continued ing the scope of services provided under the medical assistance program; limiting payments to vendors; changing medical assistance eligibility standards; eliminating certain income disregards; prohibiting automatic applications for nursing home residents' spouses; restricting eligibility for general assistance; redefining the term "income" for purposes of determining eligibility for general assistance; limiting general assistance medical care to emergency situations; eliminating free choice of general assistance medical care vendor; setting a limit on the personal needs allowance for general assistance; modifying the catastrophic health expense protection program; providing a penalty; amending Minnesota Statutes 1980, Sections 62E.52, Subdivisions 2 and 3; 62E.53, Subdivision 2; 62E.54, by adding a subdivision; 245.0313; 256.76, Subdivision 1; 256B.02, Subdivision 8; 256B.03; 256B.06, Subdivision 1; 256B.08; 256D.01, Subdivision 1; 256D.02, Subdivisions 4 and 8; 256D.03, Subdivisions 2 and 3, and by adding a subdivision; 256D.04; 256D.05, Subdivisions 1, 2, and 4, and by adding a subdivision; 256D.06, Subdivisions 1, 2, and 3, and by adding a subdivision; 256D.14; and 261.23; repealing Minnesota Statutes 1980, Sections 256D.02, Subdivisions 9 and 10; and 256D.11.									
619	A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the public employees retirement association; appropriating funds.	302		422						
620	A bill for an act relating to economic development; extending the date on which the report of the conference on small business is due; extending the life of certain appropriations; amending Laws 1980, Chapter 613, Sections 4 and 5.	302	349	347 441	426	469		520	558	14
621	A bill for an act relating to commerce; allowing the manufacture, sale, and shipment of gambling devices for use in other states; amending Minnesota Statutes 1980, Sections 349.31, Subdivision 1; 609.75, Subdivision 1; 609.76; proposing new law coded in Minnesota Statutes, Chapter 349.	302		(H258)						
622	A bill for an act relating to taxation; imposing the sales tax on sales of building materials purchased for use in another state; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	302								
623	A bill for an act relating to taxation; sales and use tax; exempting meals and lodging furnished to jurors; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	302		350						

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
624	A bill for an act relating to marriage dissolution; providing for a child support enforcement service charge to obligors; amending Minnesota Statutes 1980, Section 518.551.	303							
625	A bill for an act relating to landlords and tenants; permitting certain tenant remedies actions and certain actions in unlawful detainer to be done by nonattorneys;permitting termination of a residential lease upon the death of the tenant; extending the time between service of the summons in unlawful detainer proceedings and the return day; providing for a stay of the writ of restitution in unlawful detainer proceedings in cases of hardship; changing obsolete terms in certain landlord and tenant statutes; amending Minnesota Statutes 1980, Sections 481.02, Subdivision 3; 566.05; 566.06; and 566.09; proposing new law coded in Minnesota Statutes, Chapter 504.	303	531	521a 1286a 1330	1337 1808	1807	1807	2081	168
626	A bill for an act relating to McLeod county; providing for a special election to fill a vacancy in the office of county auditor.	303							
627	A bill for an act relating to energy; providing for the confidentiality of certain energy data; changing the duties of Minnesota energy agency; subdivision regulations; providing for certain inspections; extending biomass plan deadline; amending Minnesota Statutes 1980, Sections 116H.08; 116H.12, Subdivision 3a, and by adding a subdivision; 116H.129, Subdivision 4; 116H.19, Subdivision 1; 462.358, Subdivision 2a; proposing new law coded in Minnesota Statutes, Chapter 15.	303	738	699a 1180a 1329 (H1269)					
628	A bill for an act relating to labor; overtime; changing the maximum workweek; amending Minnesota Statutes 1980, Section 177.25, Subdivision 1.	303							
629	A bill for an act relating to the city of St. Paul; repealing the people mover act; repealing Minnesota Statutes 1980, Chapter 458B.	303		(H591)					
630	A bill for an act relating to taxation; amending the definition of redevelopment district in the Minnesota tax increment financing act; amending Minnesota Statutes 1980, Section 273.73, Subdivision 10.	303							
631	A bill for an act relating to tax increment financing; clarifying the definition of administrative expenses; amending Minnesota Statutes 1980, Section 273.73, Subdivision 13.	304							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
632	A bill for an act relating to financial institutions; providing for approval of bank charters, detached facilities, and the acquisition and holding of real estate after satisfaction of additional condition; amending Minnesota Statutes 1980, Sections 45.07; 47.10; and 47.54, Subdivision 2.	304							
633	A bill for an act relating to taxation; tax increment financing; clarifying certain definitions to exclude vacant lands; amending Minnesota Statutes 1980, Section 273.73, Subdivisions 10, 11, and 12.	304							
634	A bill for an act relating to taxation; prohibiting use of tax increment proceeds for construction of certain roads; amending Minnesota Statutes 1980, Section 273.75, Subdivision 4.	304							
635	A bill for an act relating to taxation; imposing certain requirements and restrictions on the use of tax increment financing; amending Minnesota Statutes 1980, Sections 273.73, Subdivisions 10 and 13; 273.74, Subdivisions 1, 2, 3, and 4, and by adding a subdivision; 273.75, Subdivisions 3, 4 and 6, and by adding a subdivision; 273.76, Subdivision 4; and 273.77.	304	1854	1836a 2177a 2882 2883a	2883	2883			
636	A bill for an act relating to taxation; providing that the disallowance of income tax deductions relating to substandard housing shall not expire; amending Laws 1975, Chapter 226, Section 4, as amended.	355	531	528 1963 2018	2022				
637	A bill for an act relating to state departments; providing for maintaining museums of Minnesota military history at Fort Snelling and Camp Ripley; appropriating money.	355		718a					
638	A bill for an act relating to local government; providing conditions for the establishment and dissolution of charter commissions; amending Minnesota Statutes 1980, Section 410.05, Subdivision 1, and by adding a subdivision.	355							
639	A bill for an act relating to metropolitan government; requiring that metropolitan council boundaries be redrawn after each federal census; amending Minnesota Statutes 1980, Section 473.123, Subdivision 2.	356	498	491a 1015a	1153	4881 4951 5080	4881		
640	A bill for an act relating to crimes; prohibiting the possession, manufacture, or delivery of drug paraphernalia; prohibiting the delivery of drug paraphernalia to minors; prohibiting the advertisement of drug paraphernalia; providing for civil forfeiture of drug paraphernalia; prohibiting the sale of (Continued next page)	356							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
640	—Continued cigarette paper or the means for making cigarettes if there is knowledge or reason to believe that the items will be used in violation of the controlled substance law; prohibiting owners of real property to lease or otherwise permit the use of their property for the retail sale of drug paraphernalia; prescribing penalties; amending Minnesota Statutes 1980, Sections 152.01, by adding subdivisions; 152.19, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapter 152.								
641	A bill for an act relating to financial institutions; providing for uniform administration of liquidity reserve requirements among deposit institutions; amending Minnesota Statutes 1980, Sections 46.04, Subdivision 1; 50.175; and 52.17; proposing new law coded in Minnesota Statutes, Chapters 48; and 51A; and repealing Minnesota Statutes 1980, Sections 48.22; and 51A.36.	356	1115	1101a 1535	1606		1873	2200	182
642	A bill for an act relating to financial institutions; authorizing establishment of detached facilities resulting from mergers and consolidations; amending Minnesota Statutes 1980, Sections 49.34; 49.36; and 49.45.	356	1072	1036 1500	1528 1545	1545	1544	1632	57
643	A bill for an act relating to commerce; prohibiting producers or refiners of petroleum from operating retail service stations with company personnel; providing exceptions; defining certain terms; providing for enforcement; proposing new law coded in Minnesota Statutes, Chapter 325E.	356		390					
644	A bill for an act relating to taxation; providing that certain debts may be satisfied by set-off of income tax refunds; proposing new law coded in Minnesota Statutes, Chapter 518.	356							
645	A bill for an act relating to cemeteries; requiring public cemeteries having permanent care and improvement funds to file a notice and an annual report with the county auditor; increasing the filing fee for the report; amending Minnesota Statutes 1980, Section 306.761.	357	465	447a 605 (H601)					
646	A bill for an act relating to transportation; delaying the effective date of the laws establishing and prescribing the powers and duties of the transportation regulation board; amending Laws 1980, Chapter 534, Section 87.	357		1026(H848)					
647	A bill for an act relating to taxation; providing that the rate of interest on delinquent taxes other than property taxes shall be adjusted according to the prime rate charged by banks; providing that (Continued next page)	357							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
647	—Continued the rate of interest on refunds on overpayments of taxes other than property taxes shall be adjusted according to the prime rate charged by banks; amending Minnesota Statutes 1980, Sections 270.75, by adding a subdivision; 290.50, Subdivision 1; 290.92, Subdivisions 11 and 13; 290.93, Subdivision 9; 290.936; 290A.07, Subdivision 4; 291.18; 293.09; 293.11; 294.09, Subdivision 1; 297A.35, Subdivision 1; 299.08; 299.10; and 340.492; proposing new law coded in Minnesota Statutes, Chapter 270.								
648	A bill for an act relating to marriage dissolution; adopting the revised uniform reciprocal enforcement of support act; proposing new law coded as Minnesota Statutes, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41 to 518.53.	357	4002	3995a (H773)	4132				
649	A bill for an act relating to probate; limiting benefits under life insurance policies payable to corporations to portion of shares not owned by person who killed decedent; establishing procedures for distribution of unpaid benefits; amending Minnesota Statutes 1980, Section 524.2-803.	357	1007	961a	1427	1492		2285	3123	315
650	A bill for an act relating to education; providing for the inclusion of certain community college and state university faculty members in the definition of an employee under the public employment labor relations act of 1971; amending Minnesota Statutes 1980, Section 179.63, Subdivision 7.	357	664	642a	1170	1335 2281	2204 2281 3122	2204	Veto 3121	
651	A bill for an act relating to education; clarifying and removing references to a school district building energy report; repealing an obsolete provision requiring a study and report on school district energy management personnel; amending Minnesota Statutes 1980, Section 116H.126, Subdivisions 2, 4, and 5; repealing Minnesota Statutes 1980, Section 116H.126, Subdivisions 1 and 7.	358		(H329)					
652	A bill for an act relating to education; authorizing Independent School District No. 152 to place proceeds from the sale of buildings and real property in the capital expenditure fund.	358							
653	A bill for an act relating to courts; authorizing the judges of the sixth judicial district to set the salaries of court reporters.	358		(H138)					
654	A bill for an act relating to the city of Moorhead; authorizing imposition of a tax on the gross receipts from the furnishing of certain lodging.	358							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
655	A bill for an act relating to financial institutions; permitting the sale of certain loans of credit unions; providing for the withdrawal of credit union members; amending Minnesota Statutes 1980, Sections 52.04 and 52.19.	358	1115	1100a 1535	1606 2206	2205	2205	3123	316
656	A bill for an act relating to coroners; eliminating the requirement of filing a certificate of no inquest; amending Minnesota Statutes 1980, Section 390.17.	358	1007	961 (H515) 1765					
657	A bill for an act relating to courts; providing for additional clerk and administrator duties in conciliation court; changing the jurisdiction of conciliation courts; providing for a procedure to assist in collection of conciliation court judgments; changing certain deadlines; providing penalties; amending Minnesota Statutes 1980, Sections 487.30, Subdivision 1, and by adding a subdivision; 488A.12, Subdivision 3; 488A.13, Subdivision 2; 488A.14, Subdivisions 4 and 5; 488A.16, Subdivisions 2, 5, 6 and 8; 488A.17, Subdivisions 2 and 3; 488A.29, Subdivision 3; 488A.30, Subdivision 2; 488A.31, Subdivisions 4 and 5; 488A.33, Subdivisions 2, 5, 7 and 8; 488A.34, Subdivisions 2 and 12.	358	1072	1049a 1501a	1531				
658	A bill for an act relating to taxation; income; providing a 60 percent exclusion of capital gain from the sale of a residence; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20; and 290.091.	359							
659	A bill for an act relating to financial institutions; providing a usury exemption on open end credit extended in the use of bank credit cards; detailing certain notice requirements; regulating the charges for certain types of insurance issued in connection with the extension of such credit; amending Minnesota Statutes 1980, Sections 48.185, Subdivisions 3 and 4, and by adding a subdivision; 51A.21, Subdivision 19; repealing Minnesota Statutes 1980, Section 48.185, Subdivision 4a.	359	1072	1035a 1912					
660	A bill for an act relating to local government; providing for adoption of certain joint cable franchises; providing correct references to certain civil service procedures; amending Minnesota Statutes 1980, Sections 238.08, Subdivision 5; 375.58, Subdivision 3; and 375.62.	359	465	447a 1009	1149 2536	1990 2030 2070 2534*	1990 2794	3123	317
661	A bill for an act relating to county courts; establishing the responsibility for prosecution of violations; establishing the manner of disposition of fines, fees and other moneys; amending Minnesota Statutes 1980, Sections 487.25, Subdivision 10; and 487.33, Subdivision 5; repealing Minnesota Statutes 1980, Section 487.33, Subdivision 6.	359							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
662	A bill for an act relating to commerce; providing for examinations of financial institutions; providing for the proportioning of annual assessments; providing a penalty for failure to pay certain fees and assessments; providing uniform retention periods for records; clarifying the definition of financial institution; expanding the definition of municipality to include townships with a bank; clarifying the distance drive-in or walk-up facilities may be located from a detached facility under certain circumstances; clarifying the notice and approval procedures and judicial review procedures for detached facilities; providing that voting equity in a bank's holding company satisfies the stock requirement of a director; providing additional time for submitting certain bank reports and authorizes acceptance of certain substitute reports; modifying the definition of "demand deposits"; clarifying certain withdrawal provisions applicable to savings associations; requiring credit unions to obtain a commitment for insurance of accounts prior to approval of its application for organization; expanding the exemption from the licensing requirement for sales finance companies to include certain other financial institutions; providing for a compliance exam of sales finance companies once every two years instead of annually; removing the requirement that a state bank's name contain the words "state bank"; removing an obsolete provision; amending Minnesota Statutes 1980, Sections 46.04, Subdivision 1; 46.131, Subdivisions 4 and 9; 46.21; 47.015, Subdivision 1; 47.51; 47.52; 47.54; 48.06; 48.34; 48.48; 48.51; 51A.33; 52.01; 168.67; 168.705; and 300.025; repealing Minnesota Statutes 1980, Sections 46.131, Subdivision 6; and 47.17.	359	1283	1190a 1541a	1613		2081	3115	220
663	A bill for an act relating to taxation; real property; decreasing the classification ratio on apartments; amending Minnesota Statutes 1980, Section 273.13, Subdivision 19.	360		(H315)					
664	A bill for an act relating to water resources; altering certain provisions concerning the regulation of shoreland use and development in municipalities; amending Minnesota Statutes 1980, Section 105.485, Subdivision 6.	360	664	660a 664 1170	1336				
665	A bill for an act relating to insurance; establishing standards applicable to accident or health insurance policies which purport to supplement medicare benefits; prescribing minimum levels of coverage; providing for certain disclosures; and prescribing penalties;	360	1490	422 1450a 1757a	1778 2173	1874 1978 1999 2172*	1874 2210	3123	318

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
665	—Continued amending Minnesota Statutes 1980, Section 62E.02, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 62A.									
666	A bill for an act relating to agriculture; prohibiting pension funds from acquiring certain farm land; amending Minnesota Statutes 1980, Section 500.24, Subdivisions 3, 4 and 5.	360		(H28)						
667	A bill for an act relating to financial institutions; setting application fees for industrial loan and thrifts; providing for publication of notices; establishing procedures for consideration of applications for consent to sell and issue certificates; increasing the minimum amounts for insurance of accounts; amending Minnesota Statutes 1980, Sections 53.03, Subdivision 1, and by adding subdivisions; and 53.10, Subdivision 1.	360		(H436)						
668	A bill for an act relating to marriage; changing the fee for marriage licenses; providing funds for certain battered women and displaced homemaker programs; appropriating money; amending Minnesota Statutes 1980, Section 517.08, Subdivision 1b, and by adding a subdivision.	361		646a						
669	A bill for an act relating to condominiums; providing for certain amendments to the declaration, bylaws, or floor plans of a condominium; amending Minnesota Statutes 1980, Section 515A.1-102.	361								
670	A bill for an act relating to taxation; exempting certain income of elderly persons from taxation; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	361								
671	A bill for an act relating to crimes; conforming the definition of trade secret in the law proscribing theft to the definition of trade secret in the uniform trade secrets act; amending Minnesota Statutes 1980, Section 609.52, Subdivision 1.	361	1007	957	1400	1424		1760	2042	120
672	A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands acquired for trail purposes.	361	1115	1105a	1535	1607				
673	A bill for an act relating to transportation; providing for continued Amtrak service between Minneapolis-St. Paul to Fargo on the Empire Builder; appropriating money.	361								
674	A resolution memorializing the President and Congress to seek a settlement of the White Earth Indian Reservation controversy.	361	465	448	1170	1332		2285	3123	Res. 3

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
675	A bill for an act relating to retirement; age for payment of lump sum service pensions by volunteer firefighters associations; amending Minnesota Statutes 1980, Section 422A.02, Subdivision 1.	362							
676	A bill for an act relating to highway traffic regulation; authorizing and regulating the use of strobe lamps on school buses; amending Minnesota Statutes 1980, Section 169.64, by adding a subdivision.	362		(H357)					
677	A bill for an act relating to volunteer services; authorizing a volunteer incentive program; proposing new law coded in Minnesota Statutes, Chapter 4.	362		(H518)					
678	A bill for an act relating to Ramsey county, providing for the administration of the soldiers' rest; amending Laws 1974, Chapter 435, Section 1.0212.	362		556(H483)					
679	A bill for an act relating to eminent domain; providing for the computation of interest rates on damages; amending Minnesota Statutes 1980, Section 117.195.	362	3173	3169 3285	3310				
680	A bill for an act relating to education; adjusting amounts used to compute "replacement" levies and foundation aid in certain districts; amending Minnesota Statutes 1980, Section 124.212, by adding a subdivision.	362		1397					
681	A bill for an act relating to education; providing mobility incentives for teachers at the school for the deaf and at the braille and sight-saving school; proposing new law coded in Minnesota Statutes, Chapter 128A.	362		664 729a					
682	A bill for an act relating to workers' compensation; eliminating concurrent payment of permanent partial and permanent total benefits; creating an incentive to return to work; freezing the permanent partial maximum at $70; providing for payment in weekly installments; reforming the payment of permanent partial benefits; amending Minnesota Statutes 1980, Sections 176.021, Subdivision 3; and 176.101, Subdivision 3.	363							
683	A bill for an act relating to crimes; creating the crime of intrafamilial sexual abuse; amending Minnesota Statutes 1980, Sections 595.02; 609.348; 609.35; and 626.556, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 609.	363							
684	A bill for an act relating to retirement; authorizing increases in benefits payable by the Eveleth police and fire trust fund.	363							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
685	A bill for an act relating to health; providing for coordination and support of efforts to prevent problems related to the use of drugs and alcohol; appropriating money; amending Minnesota Statutes 1980, Section 254A.03, by adding a subdivision.	363		532 877a 1490					
686	A bill for an act relating to creation of a budget stabilization bookkeeping account; providing for transfers into and out of the account; providing for the maintenance and administration of the account; relating the operation of the account to the budget process of this state; prescribing the powers and duties of certain state officers; amending Minnesota Statutes 1980, Sections 16A.11, by adding a subdivision; 16A.15, Subdivision 1; and proposing new law coded in Minnesota Statutes, Chapter 16A.	363							
687	A bill for an act relating to taxation; income; property tax refund; making technical corrections; deleting obsolete provisions; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 3, 19, 20, 21, 22, 23, 25, 26, and 27; 290.011; 290.032, Subdivision 2; 290.06, Subdivisions 1, 2c, 3e, 3f, and 11; 290.07, Subdivision 3; 290.071, Subdivisions 2 and 3; 290.075; 290.077, Subdivisions 1 and 2; 290.079, Subdivision 6; 290.08, Subdivision 8; 290.081; 290.085; 290.09, Subdivisions 1, 2, 4, 5, 6, 7, 10, 15, 18, 21, and 29; 290.095, Subdivision 2; 290.10; 290.101, Subdivision 9; 290.12, Subdivisions 1, 2, and 4; 290.13, Subdivision 5; 290.131, Subdivisions 1 and 3; 290.132, Subdivision 1; 290.133, Subdivision 2; 290.134, Subdivision 1; 290.135, Subdivision 1; 290.14; 290.16, Subdivisions 1, 3, 7, 8, 9, 12, and 13; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 1, 3, 3a, 4, and 7; 290.22; 290.23, Subdivisions 3, 5, 9, and 15; 290.25, Subdivision 1; 290.26, Subdivisions 1, 2a, and 3; 290.281, Subdivision 2; 290.31, Subdivisions 2, 3, 4, 6, 9, 10, 11, 21, and by adding a subdivision; 290.32; 290.34, Subdivision 3; 290.35; 290.39, Subdivision 1; 290.42; 290.45, Subdivision 3; 290.46; 290.48, Subdivision 2; 290.49, Subdivisions 1 and 4; 290.50, Subdivisions 1, 3, and 5; 290.53, Subdivisions 1 and 4; 290.56, Subdivisions 2, 3, and 4; 290.92, Subdivisions 5, 6, 16, and 19; 290.93, Subdivisions 5 and 6; 290.932, Subdivisions 1 and 4; 290A.03, Subdivisions 3 and 13; 290A.04, Subdivisions 2 and 2c; 290A.06; and 290A.07, Subdivision 2; repealing Minnesota Statutes 1980, Sections 290.076; 290.08, Subdivisions 7 and 13; 290.131, Subdivi- (Continued next page)	363	583	570a 1482 (H932)					

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
687	—Continued sions 4, 5, 6, and 7; 290.133, Subdivision 3; 290.134, Subdivisions 2, 3, and 4; 290.135, Subdivisions 2, 3, and 4; 290.23, Subdivisions 1, 2, 6, 7, 8, 10, 11, 12, 13, and 14; 290.24; 290.25, Subdivisions 2, 3, 4, and 5; 290.26, Subdivisions 4 and 7; 290.27; 290.28; 290.60; 290.65, Subdivision 17; 290.931, Subdivision 4; 290.932, Subdivision 3; 290.933, Subdivision 3; and 290.934, Subdivision 6.								
688	A bill for an act relating to health; requiring the registration of nursing pools; imposing requirements for registration; requiring the promulgation of rules; providing penalties; requiring the establishment of maximum reimbursement rates for nursing pools; amending Minnesota Statutes 1980, Section 256B.04, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 144.	364							
689	A bill for an act relating to the legislature; reducing by ten percent the compensation paid to members of the legislature; amending Minnesota Statutes 1980, Section 3.099, Subdivision 2.	364							
690	A bill for an act relating to retirement; providing survivor benefit coverage for certain former judges on deferred status; clarifying retirement coverage for certain members of the public employees police and fire fund; providing survivor benefits for survivors of certain deceased teachers; providing for retroactive effect of a special retirement program for the military affairs department; amending Minnesota Statutes 1980, Section 490.124, Subdivisions 9 and 12.	364	1115	1096 1535 1577	1605 2346	1990 2039 2070 2343*	1990 2795	3123	319
691	A bill for an act relating to corrections; providing programs for women offenders; establishing an advisory board on women offenders in corrections; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 241.	364		562a					
692	A bill for an act relating to Ramsey County; stating positions in the unclassified county service; placing employees of the judicial district administrator's office in the unclassified service; amending Laws 1974, Chapter 435, Section 3.02, Subdivision 6, as amended.	365	798	746	862		1129	1434	52
693	A bill for an act relating to education; authorizing an aid and a levy to reduce class sizes; amending Minnesota Statutes 1980, Sections 124.212, by adding a subdivision; and 275.125, by adding a subdivision; repealing Minnesota Statutes 1980, Section 275.125, Subdivision 7b.	365							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
694	A bill for an act relating to commerce; regulating the manufacture, importation, distribution, sale, leasing and alteration of manufactured homes; conforming state regulatory practices and the state manufactured home building code to federal law; providing for enforcement of the code; prohibiting certain practices; providing civil and criminal penalties; amending Minnesota Statutes 1980, Sections 327.31; 327.32; 327.33; and 327.34, Subdivisions 1, 3, and 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 327; repealing Minnesota Statutes 1980, Section 327.34, Subdivision 2.	365	1072	1039a 1501a	1596 2194	1991 2039 2071 2193*	1990 2211	3124	365
695	A bill for an act relating to public welfare; providing access to criminal conviction data of certain applicants for licenses; amending Minnesota Statutes 1980, Section 245.783, Subdivision 3.	365							
696	A bill for an act relating to state lands; authorizing the exchange of certain state lands in Aitkin County.	365							
697	A bill for an act relating to commerce; regulating certain subdivided land sales, clarifying the regulation of subdivided lands; providing penalties; amending Minnesota Statutes 1980, Sections 83.20, Subdivisions 1, 5, 11, and by adding subdivisions; 83.21; 83.23; 83.24; 83.25, Subdivision 1; 83.26; 83.27; 83.28; 83.29, by adding subdivisions; 83.30; 83.31; 83.33; 83.34, Subdivision 1; 83.35; 83.36; 83.37; 83.38, Subdivision 2; 83.39; 83.40; 83.41; 83.42; and proposing new law coded in Minnesota Statutes, Chapter 83.	365		499					
698	A bill for an act relating to taxation; exempting property held longer than three years by a political subdivision for economic development purposes; amending Minnesota Statutes 1980, Section 272.02, Subdivision 5.	366	1956	1949a 3116					
699	A bill for an act relating to transportation; authorizing the commissioner of transportation to act as agent for political subdivisions for the construction of roads and bridges under certain circumstances; amending Minnesota Statutes 1980, Sections 161.36, Subdivision 3; and 161.38, Subdivision 7.	366	498	490 1015a	1153 3399	3398	3398	3738	376
700	A resolution memorializing the President, Congress, and the United States Postal Service of Minnesota's opposition to the nine digit zip code.	366		(H617)					

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
701	A bill for an act relating to the board of boxing; requiring certain persons or organizations showing closed circuit boxing broadcasts to furnish a bond; amending Minnesota Statutes 1980, Section 341.05, Subdivision 2.	366							
702	A bill for an act relating to courts; county conciliation court; clarifying that the court has jurisdiction of certain actions relating to possession or ownership of property; amending Minnesota Statutes 1980, Section 487.30, by adding a subdivision.	366							
703	A bill for an act relating to workers' compensation; permitting certain local units of government to join the reinsurance association; amending Minnesota Statutes 1980, Section 79.34, Subdivision 1.	366							
704	A bill for an act relating to tax increment financing; providing that the establishment or modification of tax increment districts be approved by ordinance of the municipality in which the district is located; amending Minnesota Statutes 1980, Section 273.74, Subdivision 3.	366							
705	A bill for an act relating to agriculture; establishing a grape research and development program funded by a portion of the wine excise tax; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 340.	367							
706	A bill for an act relating to local government; permitting the cities of Winona and Goodview to impose a tax on the gross receipts from furnishing certain lodging.	367							
707	A bill for an act relating to family; providing for solemnization of marriages by certain court officers; amending Minnesota Statutes 1980, Section 517.04.	367	738	687a (H731)	1115				
708	A bill for an act relating to public employees; excluding the executive secretaries of certain state boards from bargaining units; amending Minnesota Statutes 1980, Section 179.74, Subdivision 4.	367	664	643a	1285	1339			
709	A bill for an act relating to optometrists; authorizing the use of certain topical ocular drugs; providing for education, training and testing requirements; requiring an emergency treatment plan; requiring advice to patients to seek evaluation by physician under certain conditions; providing a penalty; amending Minnesota Statutes 1980, Section 148.57, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 148.	367	3360	390 3357a 3437	422 3432	3509	3793	4496	388

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
710	A bill for an act relating to education; authorizing an additional capital expenditure levy limitation; amending Minnesota Statutes 1980, Section 275.125, Subdivision 11a, and by adding a subdivision.	367							
711	A bill for an act relating to education; allowing a school district to make additional permanent transfers from the pupil transportation fund appropriated for bus purchases to the capital expenditure fund; eliminating a requirement that a levy be reduced by the amount of the transfer; extending the power of certain school districts to pay claims before board approval; amending Minnesota Statutes 1980, Sections 121.912, Subdivision 1; and 123.35, Subdivision 15.	367							
712	A bill for an act relating to retirement; city of St. Paul public housing agency; transferring retirement coverage for certain public employees; amending Laws 1977, Chapter 228, Section 3.	368	1283	1214a 1397 (H536)					
713	A bill for an act relating to drivers licenses; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; providing for the reallocation of certain revenues; requiring reexamination before issuance of a new drivers license after revocation; authorizing married applicants to use their maiden name as their middle name; amending Minnesota Statutes 1980, Sections 171.02, Subdivision 3; 171.06, Subdivisions 1, 2, 4, and by adding a subdivision; 171.07, Subdivision 3; 171.26; and 171.29.	368	664	658a 1077 1081 3058 (See H553)	1159				
714	A bill for an act relating to financial institutions; narrowing a certain exemption relating to the payment of interest on certain escrow accounts; amending Minnesota Statutes 1980, Section 47.20, Subdivision 9.	368							
715	A bill for an act relating to counties; making state land subject to county land use planning and zoning; amending Minnesota Statutes 1980, Section 394.24, Subdivision 3.	368		1024 1025 1635					
716	A bill for an act relating to workers' compensation; allowing the special compensation fund the right of subrogation to the rights of the employee or employee's dependents under certain circumstances; amending Minnesota Statutes 1980, Section 176.061, Subdivisions 1, 3, 4, 5, 6, and 7.	368							
717	A bill for an act relating to state government; providing for a cafeteria operation revolving fund; appropriating money; proposing new law to be coded in Minnesota Statutes, Chapter 16.	368		589					

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
718	A bill for an act relating to marriage; making the age of consent requirements for boys the same as for girls; amending Minnesota Statutes 1980, Section 517.02.	369	738	466	686	800		1362	1632	58
719	A bill for an act relating to parks; removing authority to lease certain lands within Tettegouche state park; repealing Laws 1979, Chapter 301, Section 10, Subdivision 7.	369		(H150)						
720	A bill for an act relating to taxation; exempting certain property purchased by the federal government pursuant to the Wild and Scenic Rivers Act; amending Minnesota Statutes 1980, Section 272.02, Subdivision 1.	369								
721	A bill for an act relating to insurance; requiring agents to possess a chartered life underwriter's designation or equivalent experience as a condition precedent to obtaining a license as to certain lines of insurance; proposing new law coded in Minnesota Statutes 1980, Chapter 60A.	369								
722	A bill for an act relating to employment; providing for workers' compensation and unemployment compensation coverage for certain insurance agents; amending Minnesota Statutes 1980, Sections 176.011, Subdivision 9; and 268.04, Subdivision 12.	369								
723	A bill for an act relating to education; slowing the phase-out of special education services for certain handicapped pupils over age 21; eliminating a restriction on eligibility for those special education services; amending Minnesota Statutes 1980, Section 120.17, Subdivision 1a.	369								
724	A bill for an act relating to game and fish; altering requirements for taking and possession; prescribing requirements for carrying and use of firearms and ammunition; prescribing penalties; amending Minnesota Statutes 1980, Sections 97.4841, Subdivision 2; 98.45, Subdivision 1; 98.46, Subdivisions 2 and 14; 98.47, Subdivision 7; 98.52, Subdivision 1; 99.27, Subdivision 1; and 100.29, Subdivisions 3 and 9; repealing Minnesota Statutes 1980, Section 101.42, Subdivision 10.	369	1283	1277a	1818a	1857				
725	A bill for an act relating to Independent School District No. 22, Detroit Lakes; appropriating money.	370		485						
726	A bill for an act relating to insurance; modifying the definition of a covered claim for purposes of the state's insurance guaranty association act; amending Minnesota Statutes 1980, Section 60C.09, Subdivision 1.	370	798	747 (H407)	1114					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
727	A bill for an act relating to retirement; providing for membership of employees of the Suburban Public Health Nursing Service, Incorporated, in the Public Employees Retirement Association; and authorizing the purchase of prior service credits therein.	370							
728	A bill for an act relating to the city of Northome; authorizing the establishment of detached banking facilities.	370	1577	1550a 1866a 1980	2027 2168	2168 3122	2168	Veto 3122	
729	A bill for an act relating to commerce; requiring disclosure in motor vehicle transactions; proposing new law coded in Minnesota Statutes, Chapter 168.	370		1637(H509)					
730	A bill for an act relating to commerce; requiring invoices on certain repairs; amending Minnesota Statutes 1980, Sections 325F.60; and 325F.64.	370		798 1766 (H462)					
731	A bill for an act relating to courts; prescribing salaries for judges not learned in the law; amending Minnesota Statutes 1980, Section 15A.083, Subdivision 1.	370							
732	A bill for an act relating to insurance; revising the statutory provisions relating to surplus lines insurance; clarifying its operation and coverage; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 60A; repealing Minnesota Statutes 1980, Section 60A.20.	370	798	756a 1117a	1166		2081	3115	221
733	A bill for an act relating to agriculture; regulating alien ownership of land; providing for permanent resident alien and loss of status; amending Minnesota Statutes 1980, Section 500.221.	371	1490	1462a 1576 (H697)					
734	A bill for an act relating to economic development; providing grants to colleges and universities receiving federal small business management grants; appropriating money.	371		744					
735	A bill for an act relating to local government; regulating the tax levy of the joint recreation and park board of the city of Hibbing and Independent School District 701; amending Laws 1971, Chapter 573, Section 2.	371	531	527a 532 (H739)					
736	A bill for an act relating to taxation; providing a sales and use tax exemption for energy conservation and renewable energy source devices and materials; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	371		699					
737	A bill for an act relating to limitation of actions; exempting town roads from the marketable title act; amending Minnesota Statutes 1980, Section 541.023, by adding a subdivision.	371							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
738	A bill for an act relating to metropolitan government; revising the metropolitan agricultural preserves act; amending Minnesota Statutes 1980, Sections 473H.02, Subdivisions 2 and 3, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2 and 5; 473H.08, Subdivision 4; 473H.09; 473H.14; 473H.15, by adding a subdivision; and 473H.16, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 473H.	371	1007 1854	873a 1017 3116	1007 1833					
739	A bill for an act relating to gas utility rates; clarifying rate schedules for certain customers; proposing new law coded in Minnesota Statutes, Chapter 216B.	372								
740	A bill for an act relating to soil and water conservation; imposing duties upon land occupiers to apply and maintain water erosion control systems in accordance with certain rules of soil and water conservation districts; proposing new law coded in Minnesota Statutes, Chapter 40.	372								
741	A bill for an act relating to the town of Woodville; permitting payment of the cemetery directors; repealing Laws 1959, Chapter 149.	372	465	450a	1009	1151		1504	1826	93
742	A bill for an act relating to retirement; granting certain military service credit for teachers; amending Minnesota Statutes 1980, Section 354.53, Subdivisions 1 and 3.	372		466	1518					
743	A bill for an act relating to state government; establishing a Minnesota federal intervention board; authorizing the board to intervene before various bodies of the federal government; providing a staff for intervention proceedings; appropriating money; amending Minnesota Statutes 1980, Sections 216A.05, Subdivision 6; 216B.62, Subdivision 3; and 237.295, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 15; repealing Minnesota Statutes 1980, Section 45.17, Subdivision 7.	372								
744	A bill for an act relating to natural resources; changing and clarifying administrative provisions regarding watershed districts; increasing per diem for district managers; stating procedures for adopting rules by managers; requiring revision of certain plans every ten years; allowing cash bonds; clarifying emergency procedures; amending Minnesota Statutes 1980, Sections 106.271; 106.471, Subdivision 1; 112.35, Subdivision 19; 112.37, Subdi- (Continued next page)	372	1330 3232	998a 3116 3227a	1324 3129 3505a	3506 4883	4883	4883	5655	540

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
744	—Continued vision 1; 112.39, Subdivision 1; 112.42, Subdivisions 3, 5 and 6; 112.43, Subdivisions 1, 3, and by adding a subdivision; 112.46; 112.47; 112.48, Subdivisions 1, 2, and 4; 112.49, Subdivisions 1 and 7; 112.58; 112.61, Subdivision 3; 112.62, Subdivision 1; 112.64; 112.65, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 112.53, Subdivision 1.								
745	A bill for an act relating to the military; requiring the adjutant general to furnish an American flag to the closest surviving relative of a deceased person who served six or more years in the Minnesota National Guard; proposing new law coded in Minnesota Statutes, Chapter 192.	373	531	526a 1007 1009 1144 (H396)					
746	A bill for an act relating to the Greenway joint recreation board; regulating its tax levies.	373	1577	499 992a 1571a 2044 (H1163)					
747	A bill for an act relating to motor vehicles; permitting political subdivisions to use removable identification devices on certain tax exempt vehicles; amending Minnesota Statutes 1980, Section 168.012, Subdivision 1.	373							
748	A bill for an act relating to juveniles; prescribing the elements of a prima facie case for referring a child to adult court for criminal prosecution; amending Minnesota Statutes 1980, Section 260.125, Subdivision 3.	373		1330 2050 (H276)					
749	A bill for an act relating to labor; regulating certain steam engine and boiler operators; exempting certain operators from testing requirements; amending Minnesota Statutes 1980, Section 183.411.	373		(H214)					
750	A bill for an act relating to insurance; broadening the investment authority of township mutual insurance companies; prescribing recordkeeping duties; providing remedies; proposing new law coded in Minnesota Statutes, Chapter 67A; repealing Minnesota Statutes 1980, Sections 67A.23 and 67A.24.	373		(H277)					
751	A bill for an act relating to open space and recreation;authorizing the issuance of state bonds and expenditure of the proceeds for the acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local governmental units and for the acquisition and betterment of state parks, trails, forests, fish and wildlife management, scientific and natural areas, water accesses, wild, scenic and recreational rivers, and canoe and boating routes by the commissioner of natural resources; appropriating money; amending Laws 1979, Chapter 301, Section 6, Subdivision 1.	373		1390a(H900)					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
752	A bill for an act proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25 and 26; Article VIII, Section 1; Article IX, Sections 1 and 2; and Article XI, Section 5;providing for a unicameral legislature of 135 members.	374							
753	A bill for an act relating to retirement; public employees retirement association; reducing the additional employer contributions made for coordinated members; restoring the post-retirement fund to full amount; providing less of a reduction for election of an optional annuity; increasing the amount paid to the beneficiary of a deceased member; providing an additional surviving spouse optional annuity; amending Minnesota Statutes 1980, Sections 353.27, Subdivision 3a; 353.271, by adding a subdivision; 353.30, Subdivision 3; 353.32, Subdivision 1, and by adding a subdivision; and 353.657, by adding a subdivision.	374							
754	A bill for an act relating to public welfare; establishing a sliding fee schedule payment program for child care; appropriating money; amending Minnesota Statutes 1980, Section 245.84, Subdivision 2.	374		451a					
755	A bill for an act relating to education; authorizing school districts to reduce an authorized increase in levy amounts; amending Minnesota Statutes 1980, Section 275.125, Subdivision 2a.	374							
756	A bill for an act relating to the University of Minnesota hospitals; authorizing the sale of state bonds and loan of the proceeds of the sale to the board of regents of the University of Minnesota; appropriating money.	374	2145	601 2144a 2195 2198 (H766)					
757	A bill for an act relating to public employees; regulating arbitration decisions in disputes involving local governments and essential, supervisory and confidential employers, principals, and assistant principals; amending Laws 1979, Chapter 332, Article I, Section 116, as amended.	374							
758	A bill for an act relating to the city of Duluth; authorizing the city to continue to issue the number of liquor licenses it was authorized to issue in the year 1980.	375	1072	1039 1326 (H937)					
759	A bill for an act relating to transportation; establishing a rail bank account; providing for the deposit of money in the rail bank account and specifying the purposes for which it may be expended;	375	664	422 657a 1077a	1158	1284 1359 2154(H769)			

(Continued next page)

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
759	—Continued limiting the means by which the commissioner may acquire certain abandoned railroad right-of-way; appropriating money; amending Minnesota Statutes 1980, Sections 222.49; 222.50, Subdivision 7; 222.63, Subdivision 2, and by adding a subdivision; and Laws 1980, Chapter 610, Section 1.									
760	A bill for an act relating to occupational and professional licensing; removing the consecutive term restriction from the board of nursing; requiring distribution of licensure requirements to secondary school counselors; removing delinquent and non-practicing statutes; providing for nursing permits; repealing outdated statutes; providing for advanced standing for licensed practical nurses; amending Minnesota Statutes 1980, Sections 148.181, Subdivision 2; 148.211, Subdivision 1; 148.231, Subdivisions 1, 4, 5, and 6; 148.251, by adding a subdivision; 148.271; 148.291, Subdivision 1; 148.294 and 148.295; repealing Minnesota Statutes 1980, Section 148.231, Subdivision 2.	375	738	719	1285	1340 1440	1440	1439	1826	94
761	A bill for an act relating to health; establishing a fund to compensate employees with disabilities attributable to occupational diseases and to smoking; imposing an additional excise tax on cigarettes; imposing duties on the commissioner of labor and industry; amending Minnesota Statutes 1980, Sections 297.02, Subdivision 1; and 297.13; proposing new law coded in Minnesota Statutes, Chapter 176.	375								
762	A bill for an act relating to retirement; transferring jurisdiction over investment of funds of the public employees retirement association from the state board of investment to the public employees retirement association board of trustees; amending Minnesota Statutes 1980, Sections 11A.14, Subdivision 5; 11A.23, Subdivision 4; 353.05; and 353.06; proposing new law coded in Minnesota Statutes, Chapter 353; repealing Minnesota Statutes 1980, Section 353.271.	375								
763	A bill for an act relating to the cities of Minneapolis and St. Paul; authorizing the implementation of energy conservation programs; authorizing the financing of residential energy conservation programs; authorizing the issuance of qualified mortgage bonds; requiring a report to the legislature.	375	738	634a 1401a	731	1420 1991	1991	1991	3115	222
764	A bill for an act relating to unemployment compensation;clarifying the provisions extending the base period in (Continued next page)	376	1490	1444a (H636)	1853					

a Indicates Amendment

( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
764	—Continued cases of the receipt of certain workers' compensation benefits; providing that holiday pay not be deducted from benefits; amending Minnesota Statutes 1980, Sections 268.04, Subdivision 2; and 268.07, Subdivision 2.								
765	A bill for an act relating to workers' compensation; excluding certain van pooling operations from coverage; proposing new law coded in Minnesota Statutes, Chapter 176.	376		422					
766	A bill for an act relating to taxation; reducing the rate of taxation of certain corporate and bank income; eliminating use of the arithmetic average for apportionment of income; amending Minnesota Statutes 1980, Sections 290.06, Subdivision 1; 290.19, Subdivision 1; and 290.361, Subdivision 2.	376		1854					
767	A bill for an act relating to counties; providing for publication of certain salary and expense information; amending Minnesota Statutes 1980, Section 375.17.	376	1007	423 664 960a 1404a 1652a	1772 2192	2188 2191	2187	3123	320
768	A bill for an act relating to pollution; providing funds for the costs relating to resolution of groundwater contamination problems at the site of the Reilly Tar and Chemical Company in St. Louis Park; appropriating money.	376							
769	A bill for an act relating to workers' compensation; creating the Minnesota workers' compensation insurance corporation as a nonprofit public corporation; changing the procedure for the administration of compensation claims of state employees; appropriating money; amending Minnesota Statutes 1980, Section 176.591, Subdivisions 1 and 3; proposing new law coded as Minnesota Statutes, Chapter 176A; repealing Minnesota Statutes 1980, Sections 176.061, Subdivisions 8 and 9; 176.541, Subdivisions 2, 3, 4, 5, 6 and 8; 176.551; 176.561; 176.571; 176.603 and 176.611.	394							
770	A bill for an act relating to taxation; income; clarifying the taxable status of certain organizations; clarifying the procedure by which certain organizations establish an exemption; amending Minnesota Statutes 1980, Sections 290.05, Subdivision 1; and 501.76, Subdivision 1.	395							
771	A bill for an act relating to Otter Tail county and the town of Oakport in Clay county; authorizing the Otter Tail county board to grant certain powers for a district created under Minnesota Statutes, Chapter 116A; authorizing the town of Oakport to exercise certain powers.	395	798	747 1116a 1330	1164 1827	1827	1827	2200	183

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
772	A bill for an act relating to the state building code; authorizing municipalities under 5,000 to elect that the code not apply within their jurisdictions; proposing new law coded in Minnesota Statutes, Chapter 16.	395		583					
773	A bill for an act relating to education; changing the contents and time of submission of the school district energy report; removing an obsolete requirement for school district submission of an energy consumption reduction plan; repealing a provision governing the destruction of certain school district records; amending Minnesota Statutes 1980, Section 120.78; repealing Minnesota Statutes 1980, Section 123.40, Subdivision 5.	395							
774	A bill for an act relating to workers' compensation; providing for rounding of benefits to the nearest dollar; proposing new law coded in Minnesota Statutes, Chapter 176.	395							
775	A bill for an act relating to health; providing for home health services through the community health services act; appropriating money; amending Minnesota Statutes 1980, Sections 144A.51, by adding a subdivision; 144A.52, Subdivision 3; 144A.53; 144A.54, Subdivision 1; 145.915, by adding a subdivision; 145.918, by adding subdivisions; 145.919; and 145.95, Subdivision 5.	395	2018	423 882a 2004a 2146 2224 2846a	2847 3086	2963 2977 3056 3085*	2963		
776	A bill for an act relating to education; creating a higher education scholarship program for students active in high school student government; proposing new law coded in Minnesota Statutes, Chapter 136A.	395							
777	A bill for an act relating to taxation; authorizing school district levies for energy conservation and renewable energy measures; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.	396		529a					
778	A bill for an act relating to energy; establishing rates and conditions of service for cogenerators and small power producers; proposing new law coded in Minnesota Statutes, Chapter 216B.	396		(H473)					
779	A bill for an act relating to retirement; St. Paul teachers retirement fund association; removing an expiration date on authority to provide post retirement increases in certain instances; authorizing reduced early retirement in certain instances; amending Laws 1979, Chapter 109, Section 1.	396	1283	1214a 1518 (H659)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
780	A bill for an act relating to crimes; specifying the crime of offering substances purporting to be prohibited for sale; redefining the marital privilege; changing the current transactional immunity to conform with federal use immunity; redefining the minimum terms of imprisonment; regulating the imposition of consecutive sentences; redefining the offense of escape; changing the order of closing argument; redefining the crime of introducing contraband into the county jail; amending Minnesota Statutes 1980, Sections 595.02; 609.09, Subdivision 1; 609.11, by adding a subdivision; 609.15, by adding a subdivision; 609.485, Subdivision 3; 609.52, Subdivision 3; 609.53, Subdivision 1; 631.07; 641.165, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 152.	396							
781	A bill for an act relating to natural resources; procedure on land acquisitions; amending Minnesota Statutes 1980, Section 84.0272.	396							
782	A bill for an act relating to St. Louis county; revising the county civil service law; providing for commissioners' pay, provisional appointments, employment of resignees, and treatment of examination errors; amending Laws 1941, Chapter 423, Sections 2, as amended, 5, as amended, 11, 12, and 17.	396	1007	874	1400	1422			
783	A bill for an act relating to energy; creating the Minnesota energy financing commission; establishing a program of loans and financial assistance for small businesses and municipalities; authorizing the issuance of bonds; appropriating money; proposing new law coded in Minnesota Statutes 1980, Chapter 116H; repealing Minnesota Statutes 1980, Section 3.351.	397		700a 3129	860				
784	A bill for an act relating to insurance; regulating policies of automobile insurance providing comprehensive coverage; requiring full coverage of windshield glass damage; proposing new law coded in Minnesota Statutes, Chapter 65B.	397							
785	A bill for an act relating to taxation; real property; providing open space treatment for archery and firearms ranges; amending Minnesota Statutes 1980, Section 273.112, Subdivision 3.	397	531	528	1009	1155			
786	A bill for an act relating to retirement; volunteer firefighters relief associations; authorizing relief associations to increase retirement benefit and service pension amounts without municipal ratification in certain instances; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 6; 69.773, Subdivision 6; and 424A.02, Subdivision 10.	397	3282	3270a	3315	3363 4502	3432 4501	4501	5580	421

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
787	A bill for an act relating to retirement; volunteer firefighters relief associations; financing and benefit amounts; amending Minnesota Statutes 1980, Sections 69.772, Subdivision 2a; 424.01; 424.02; 424.04; 424.16; 424.17; and 424A.02, Subdivisions 3 and 9.	397	3282	3271a 3315	3363 4501	4501	4500	5650	465
788	A bill for an act relating to local government; permitting agreements for compensation for transfers of taxable property in certain annexations; proposing new law coded in Minnesota Statutes, Chapter 414.	397	498	491 605 (H211)					
789	A bill for an act relating to natural resources; increasing motor vehicle permit fees for state parks, monuments, recreation areas, and waysides; establishing a dedicated account; amending Minnesota Statutes 1980, Section 85.05, Subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, Chapter 85.	398	2088	1325 2086a 2227					
790	A bill for an act relating to veterans; requiring the Veterans of Foreign Wars to provide assistance to disabled veterans in filing claims with the United States government; appropriating money.	398		649					
791	A bill for an act relating to elections; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; amending Minnesota Statutes 1980, Sections 204A.18; and 204A.23.	398	664	640a 798 (H604)					
792	A bill for an act relating to insurance; requiring health maintenance organizations to provide chiropractic care equivalent to that provided by health insurance; amending Minnesota Statutes 1980, Sections 62A.15; and 62D.02, Subdivision 7.	398							
793	A bill for an act relating to courts; increasing the salary of court reporters; amending Minnesota Statutes 1980, Section 486.05, Subdivision 1.	398	1072	1028 1327 1637(H449)					
794	A bill for an act relating to public utilities; refunds or credits to customers upon disallowance of rate increases; amending Minnesota Statutes 1980, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.	398							
795	A bill for an act relating to commerce; regulating legal pleadings in product liability actions; permitting the tender of defenses by non-manufacturer defendants; proposing new law coded in Minnesota Statutes, Chapter 544; repealing Minnesota Statutes 1980, Section 544.41.	398							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
796	A bill for an act relating to the state building code; directing the commissioner of administration to make certain changes in the state building code.	399							
797	A bill for an act relating to intoxicating liquor; permitting municipalities to authorize the sale of intoxicating liquor at arenas and sports complexes in certain cases; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.	399							
798	A bill for an act relating to education; providing for full funding of certain programs when funds available are less than the amount appropriated; amending Minnesota Statutes 1980, Section 124.572, by adding a subdivision.	399							
799	A bill for an act relating to hospitals; promoting price competition by requiring hospitals to report certain diagnostic and price information to the commissioner of health; requiring the commissioner of health to analyze and disseminate the information; proposing new law coded in Minnesota Statutes, Chapter 144.	399							
800	A bill for an act relating to health; extending the nursing home dental program; appropriating money; amending Laws 1980, Chapter 570, Section 10.	399		1038a					
801	A bill for an act relating to the state board of investment; authorizing investments in certain precious gems and metals under specified conditions; amending Minnesota Statutes 1980, Section 11A.24, by adding a subdivision.	399							
802	A bill for an act relating to metropolitan government; requiring legislative approval of the budget and complement of the metropolitan council; amending Minnesota Statutes 1980, Section 473.245.	400							
803	A bill for an act relating to education; transferring certain powers and duties of the state board of education; creating a state education advisory council; amending Minnesota Statutes 1980, Sections 121.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 121; repealing Minnesota Statutes 1980, Sections 121.11, Subdivision 1; and 121.16.	400		1490					
804	A bill for an act relating to motor vehicles; providing for the re-registration of certain motor vehicles and combinations of vehicles; defining gross vehicle weight;exempting certain vehicles from certain weight limitations; establishing gross weight limitations on cer- (Continued next page)	400	1115	1097a 1653a	1773 2169	2169	2169	3123	321

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
804	—Continued tain highways for certain motor vehicles and combinations of vehicles; providing exceptions to certain gross weight limitations; providing for the designation and undesignation of certain routes; providing for the weighing of certain vehicles and combinations of vehicles and the enforcement of weight limitations; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits, and providing exceptions; requiring record keeping for shipments loaded or unloaded, and providing exceptions; imposing civil and criminal penalties; amending Minnesota Statutes 1980, Sections 168.013, Subdivision 3; 169.01, Subdivision 46; 169.03, Subdivision 6; 169.832, Subdivision 11; 169.85; 169.851; 169.86, Subdivision 1a; 169.87, Subdivision 2; 169.871; 169.872; proposing new law coded in Minnesota Statutes, Chapter 169; repealing Minnesota Statutes 1980, Sections 169.83; 169.832, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 12; and 169.834.								
805	A bill for an act relating to state government; authorizing a new account in the Minnesota supplemental investment fund; modifying the post-retirement adjustment; authorizing the state board of investment to invest in commingled funds and limited partnerships; amending Minnesota Statutes 1980, Sections 11A.17; 11A.18, Subdivision 9; 11A.24, Subdivisions 3, 4, 5, and by adding a subdivision; 69.77, Subdivision 2; and 69.775.	400	664	650a 1177a	1336		1989	2285	208
806	A bill for an act relating to St. Louis county; permitting the county to maintain two historical societies.	401							
807	A bill for an act relating to penalties for crimes; authorizing penalty assessments for peace officers training; appropriating money; amending Minnesota Statutes 1980, Sections 171.16, Subdivision 3; 588.01, Subdivision 3; 626.845, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 626.	401	2124	1374a 2118a 2220(H968)					
808	A bill for an act relating to the city of Duluth; authorizing the establishment of a home energy conservation program as part of its municipal utility system and the issuance of municipal revenue bonds or notes for that purpose; requiring a report to the legislature.	401	738	635a 731 1400	1421 1992	1992	1992	3115	223
809	A bill for an act relating to agriculture; applying food licensing provisions to certain food preparers; amending Minnesota Statutes 1980, Section 28A.15, Subdivision 2.	401	1115	1107a 1865					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
810	A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; amending Minnesota Statutes 1980, Section 116.18, Subdivision 1.	401	2088	663 2087a 2179	2226				
811	A bill for an act relating to public holidays; regulating the observance of Memorial Day; amending Minnesota Statutes 1980, Sections 465.50; and 645.44, Subdivision 5.	401	664	649 1865					
812	A bill for an act relating to governmental operations; prohibiting the use of state government vehicles for nongovernmental functions; amending Minnesota Statutes 1980, Section 16.753, by adding a subdivision.	401		423(H189)					
813	A bill for an act relating to education; requiring schools and certain other institutions to conduct monthly fire drills; requiring an annual report of the drills to the state fire marshal; removing the requirement of posting records of drills within buildings; requiring one drill a year under the supervision of a local fire department; amending Minnesota Statutes 1980, Section 299F.30.	402		423					
814	A bill for an act relating to metropolitan government; removing the city of Victoria from the metropolitan transit taxing district; amending Minnesota Statutes 1980, Section 473.446, Subdivision 2.	402	583 1145	580a 583 1132a 1535	1610				
815	A bill for an act relating to nuclear energy; adding additional conditions for nuclear fission thermal power plant certificates of need; altering certain rate base computations; amending Minnesota Statutes 1980, Sections 116H.02, by adding subdivisions; 116H.13, by adding a subdivision; and 216B.16, Subdivision 6.	402		423					
816	A bill for an act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6, providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 2.724, Subdivision 2; 3.751, Subdivision 4; 5.08, Subdivision 2; 10A.01, Subdivisions 5 and 19; 15.0416; 15.0417; 15.0424, Subdivisions 1, 2, 3 and 6; 15.0426; 32A.09, Subdivision 5; 43.01, Subdivision 18; 43.43, Subdivision 2; 43.491, Subdivision 4; 44.09, Subdivision 3; 45.07; 45.17, Subdivision 5; 49.18; 51A.03, Subdivision 3; 51A.07; 56.23; 60A.05; 60A.15, Subdivisions 11 and 12; 72A.27; 84.59; 97.481, Subdivision 2; 97.50, Subdivision 6; 106.631, Subdivisions 5 and 6; 110A.36; 111.42; (Continued next page)	402							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
816—Continued	112.82, Subdivisions 1 and 2; 114.13, Subdivision 4; 115.49, Subdivision 5; 116A.19, Subdivision 4; 116C.65; 122.23, Subdivision 16c; 123.32, Subdivision 25; 124.212, Subdivision 17; 127.25, Subdivision 3; 145.698, Subdivision 2; 145.838, Subdivision 4; 150A.08, Subdivision 2; 161.34, Subdivision 4; 168.68; 175.0061; 176.081, Subdivision 4; 176.135, Subdivision 1; 176.225, Subdivision 1; 176.461; 176.471, Subdivisions 1, 2, 4, 6, 7, 8 and 9; 176.481; 176.491; 176.501; 176.511, Subdivisions 4 and 5; 177.29, Subdivision 2; 178.09, Subdivision 2; 179.64, Subdivision 5; 181A.10, Subdivision 2; 185.15; 192A.255, Subdivision 1; 197.481, Subdivision 6; 202A.22, Subdivisions 1, 3 and 5; 202A.25, Subdivisions 1 and 1a; 203A.12, Subdivision 5; 203A.21, Subdivision 1; 204A.04, Subdivision 2; 209.09; 209.10, Subdivision 1; 210A.01, Subdivision 3; 237.39; 244.11; 246.55; 253A.15, Subdivision 2; 253A.21, Subdivision 5; 256.045, Subdivisions 9 and 10; 259.32; 260.291, Subdivision 2; 268.06, Subdivision 20; 268.10, Subdivision 8; 270.076, Subdivision 2; 270.22; 270.23; 270.26; 271.01, Subdivision 5; 271.07; 271.09, Subdivision 1; 271.10, Subdivisions 1 and 2; 271.12; 271.19; 273.16; 279.21; 290.48, Subdivision 6; 290.65, Subdivisions 2 and 9; 290.92, Subdivision 6; 294.09, Subdivision 3; 297.08, Subdivisions 3 and 4; 297A.15, Subdivision 4; 298.09, Subdivision 3; 299F.25; 299F.26, Subdivision 3; 340.404, Subdivision 7; 340.54, Subdivision 2; 357.07; 357.08; 363.072, Subdivisions 1 and 2; 373.11; 375.67, Subdivision 3; 387.41; 412.092, Subdivision 1; 414.07, Subdivision 2; 414.08; 419.12; 420.13; 430.03; 430.031, Subdivision 4; 462.14, Subdivision 12; 462.715; 465.43; 473.675, Subdivision 4; 480.01; 480.054; 480.055, Subdivision 1; 480.061, Subdivision 8; 480.062; 480.19; 483.02; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; 488A.17, Subdivision 12; 488A.18, Subdivision 14; 488A.34, Subdivision 11; 501.35; 508.29; 525.71; 558.215; 562.04; 571.64; 574.18; 582.11; 586.09; 586.11; 589.29; 589.30; 590.01, Subdivision 1; 590.04, Subdivision 3; 590.06; 595.024, Subdivision 3; 595.025, Subdivision 3; 611.07, Subdivisions 2 and 3; 611.071, Subdivisions 1 and 2; 611.14; 611.18; 611.25; 648.39, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 480A; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.								

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
817	A bill for an act relating to retirement; removing the director from the state board investment advisory council; changing the investment authority of the fund; the Minneapolis employees retirement fund; establishing a new retirement benefit fund therein; transferring assets from the Minnesota post-retirement investment fund; amending Minnesota Statutes 1980, Sections 11A.08, Subdivision 1; 422A.05, Subdivision 2c; and 422A.06, Subdivisions 1, 3, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 422A.05, Subdivision 3.	403	664	643a 860 1172a	1335 1341	1341			
818	A bill for an act relating to game and fish; altering requirements for taking and possession; increasing the deer license habitat amount; prescribing requirements for carrying and use of firearms and ammunition; prescribing penalties; restricting the season on cougar;restricting the taking of bear; removing a license fee for beaver; establishing nonresident fees for bobcat, fox, coyote and Canada lynx, allowing tagging for fur bearing animals; clarifying the trout stamp requirement; permitting certain fish to be bought or sold by private hatcheries; clarifying the transportation of firearms; clarifying the use of mechanical harvesting devices for wild rice; restricting the taking of certain muskellunge in certain areas of the state; amending Minnesota Statutes 1980, Sections 84.111, by adding a subdivision; 97.48, Subdivision 24; 97.4841, Subdivision 2; 97.49, Subdivision 1a; 98.45, Subdivision 1; 98.46, Subdivisions 21 and 26; 98.47, Subdivision 7; 98.52, Subdivision 1; 99.27, Subdivision 1; 100.27, Subdivision 1; 100.29, Subdivisions 3, 5 and 9; 101.42, Subdivision 7 and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 97.4842, Subdivision 1; 98.46, Subdivisions 4 and 14; and 98.50, Subdivision 5; repealing Minnesota Statutes 1980, Sections 98.46, Subdivision 20; and 101.42, Subdivision 10.	403	664	662a 1170	1337 2973 3338 5133	2188 2544 2896 2968 2969* 3136 3330* 3399 3474 5125*	2188 3136 3399 5429	5655	543
819	A bill for an act relating to agriculture; increasing a variety of fees charged by the department of agriculture for services, inspections, and other duties; establishing a revolving fund; appropriating money; amending Minnesota Statutes 1980, Sections 17B.15; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 223.03; 231.16; 232.02, Subdivisions 1, 2, and 3; and 233.08.	403		659a					

a Indicates Amendment

( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
820	A bill for an act relating to elections; changing certain election procedures, requirements and time limits; amending Minnesota Statutes 1980, Sections 201.071, Subdivision 1; 202A.26, Subdivision 1; 203A.22, Subdivision 4; 203A.31, Subdivisions 1 and 3; 203A.32; 204A.04, Subdivision 1; 204A.13, Subdivision 1; 204A.17, Subdivision 1; 204A.53, Subdivision 2; 204A.54, Subdivision 1; 205.03, Subdivisions 1 and 3; 207.03, Subdivision 1; 207.04, Subdivision 1; 207.20, Subdivision 1; and 209.02, Subdivision 4; repealing Minnesota Statutes 1980, Sections 201.091, Subdivision 5; and 202A.54.	404	664	640a 1282 (H678)					
821	A bill for an act relating to taxation; sales and use; permitting a deduction for the costs of collection and remittance; amending Minnesota Statutes 1980, Section 297A.26, by adding a subdivision.	404							
822	A bill for an act relating to occupations and professions; providing for oral examinations of electricians by the board of electricity; amending Minnesota Statutes 1980, Section 326.242, Subdivision 7.	404	738	691a 1116	1161 1828	1828	1828	2200	195
823	A bill for an act relating to transportation; regulating apportionment from the municipal state-aid street fund; providing for the inclusion of certain cities in the 1981 apportionment of municipal state-aid street funds.	404	1417	1411 1541	1621		1826	2081	169
824	A bill for an act relating to civil actions; repealing provisions of law which require that a person bringing an action against a public body must obtain a surety bond; repealing Minnesota Statutes 1980, Chapter 562.	404							
825	A bill for an act relating to courts; abolishing the maintenance of certain court records; amending Minnesota Statutes 1980, Sections 485.07; 548.08; 548.15; 548.22; 548.24; and 572.22, Subdivision 1.	404	664	648a	800		1760	2042	121
826	A bill for an act relating to taxation; income; providing that forms for returns shall reflect federal changes affecting the computation of Minnesota taxes for individuals, estates and trusts; proposing new law coded in Minnesota Statutes, Chapter 290.	404							
827	A bill for an act relating to arson; prescribing procedures for the investigation of fires by the fire marshal; amending Minnesota Statutes 1980, Sections 299F.08; and 299F.09.	405	1007	960a 1404a	1426				

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
828	A bill for an act relating to no-fault automobile insurance; providing a civil penalty for failure to provide the required security; amending Minnesota Statutes 1980, Section 65B.67, by adding a subdivision.	405								
829	A bill for an act relating to state government agencies and officials; requiring rules, findings of facts, written opinions, and precedents in certain circumstances; expanding judicial review of actions of agencies and officials; proposing new law coded in Minnesota Statutes, Chapter 15.	405								
830	A bill for an act relating to creditor's remedies; providing for an increase in the amount of household goods exemption; amending Minnesota Statutes 1980, Section 550.37, Subdivision 4.	405	1007	961a	1427	1492 2286	2286	2285	2123	322
831	A bill for an act relating to commerce; regulating consumer credit and related finance charges, insurance, loans and other conditions of credit; enacting the uniform consumer credit code; providing penalties; amending Minnesota Statutes 1980, Sections 53.01; 53.04, Subdivisions 1 and 3; 53.051; 61B.03, Subdivisions 7 and 8; and 62E.02, Subdivision 11; proposing new law coded in Minnesota Statutes, Chapter 337; repealing Minnesota Statutes 1980, Sections 48.153; 48.154; 48.155; 48.156; 48.157; 48.185; 48.195; 48.196; 52.14; 53.04, Subdivisions 4, 6, and 7; 168.66; 168.67; 168.68; 168.69; 168.70; 168.705; 168.706; 168.71; 168.72; 168.73; 168.74; 168.75; 168.76; 168.77; 325G.15; 325G.16; 325G.21; 325G.22; 334.01; 334.011; 334.012; 334.02; 334.021; 334.03; 334.04; 334.05; 334.06; 334.061; 334.16; 334.17; 334.18; and 334.19; and Chapter 56.	405	1397	1368a	1912					
832	A bill for an act relating to financial institutions; authorizing the acquisition of a savings bank located in this state by foreign bank holding companies under certain prescribed conditions; proposing new law coded in Minnesota Statutes, Chapter 49.	406	3282	3279a	3284	3284		3302	3340	372
833	A bill for an act relating to motor vehicles; adjusting bond provisions for dealers; requiring bonds for motorized bicycle dealers; amending Minnesota Statutes 1980, Section 168.27, Subdivision 24.	429		(H921)						
834	A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1980, Sections 62E.52, Subdivisions 2 and 3; 62E.53, Subdivisions 1 and 2; and 62E.531, Subdivision 2.	429		881a(H326)						

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
835	A bill for an act relating to transportation; classifying the engineers' estimates for all state transportation construction projects as non-public data; adding a new route to the trunk highway system in substitution of an existing route; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the temporary transfer of money from certain public funds under certain conditions to certain agency accounts and providing for repayment; increasing the dollar limits for certain contracts and agreements negotiated by the commissioner; defining motor carrier and exempt carrier; granting enforcement powers to hazardous material specialists; transferring the licensing and regulatory provisions for building movers to the transportation regulation board; requiring excess revenue from an airport to be applied to the improvement of the airport or other air navigation facility; increasing the dollar limit for development of landing strips; providing fees for hot air balloons and certain non-resident aircraft; amending Minnesota Statutes 1980, Sections 161.16, Subdivision 4; 161.32, Subdivision 2; 161.36, Subdivision 5; 161.46, Subdivision 3; 221.011, Subdivisions 15 and 22; 221.031, Subdivision 2; 221.221; 221.261; 221.81; 360.037, Subdivision 3; 360.305, Subdivision 4; and 360.55, by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapters 15 and 161.	429	606	594a 1170	1334 1993	1993	1993	2285	209
836	A bill for an act relating to education; tax levies; authorizing Independent School District No. 256 to adjust its 1981 levy for school maintenance purposes.	430		(H923)					
837	A bill for an act relating to taxation; income; excluding the first $1,000 in interest on certain savings; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	430		466					
838	A bill for an act relating to crimes; increasing the maximum fine for petty misdemeanors, misdemeanors, gross misdemeanors and felonies; amending Minnesota Statutes 1980, Sections 169.89, Subdivision 2; 412.231; 609.02, Subdivisions 3 and 4a; 609.03; 609.031; and 609.032.	430	1007	958a 1500					
839	A bill for an act relating to cable communications; requiring that franchised cable communications systems bury all lines underground; proposing new law coded in Minnesota Statutes, Chapter 238.	430							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
840	A bill for an act relating to transportation; authorizing the purchase of the closed combination railroad and highway bridge connecting St. Paul Park in Washington County and Inver Grove Heights in Dakota County, and authorizing its operation as a toll bridge by a private business entity; providing for the regulation of the operation and maintenance of the bridge and the establishment of maximum toll charges by the counties of Washington and Dakota.	430		(H893)					
841	A bill for an act relating to public welfare; providing for the withholding of child support or maintenance; amending Minnesota Statutes 1980, Sections 256.872; 256.873; and 518.611.	430		(H111)					
842	A bill for an act relating to energy; authorizing a state set-aside program to ease shortages of gasoline and petroleum distillates administered by the Minnesota energy agency; permitting certain out of state cities to participate in a municipal power agency; appropriating money; amending Minnesota Statutes 1980, Section 453.52, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 116H.	430		466 532 798 1552a					
843	A bill for an act relating to drivers licenses; providing for the filing of photographic negatives; restricting the use of the negatives; amending Minnesota Statutes 1980, Section 171.07, by adding a subdivision.	431		(H997)					
844	A bill for an act relating to education; transferring certain powers and duties under the maximum effort school aid law from the equalization aid review committee to the commissioner of education; amending Minnesota Statutes 1980, Sections 124.39, Subdivision 5;124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4, and 5; 124.474; and 124.476.	431							
845	A bill for an act relating to education; requiring the school district of residence to provide additional transportation to certain nonpublic school pupils; amending Minnesota Statutes 1980, Sections 120.17, Subdivision 9; 123.76; 123.78; and 123.79.	431							
846	A bill for an act relating to financial institutions; increasing the percentage of capital and surplus a bank or trust company may invest in the stock of certain banks or bank holding companies; amending Minnesota Statutes 1980, Section 48.61, Subdivision 3.	431	1072	1036 1143 (H972)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
847	A bill for an act relating to elections; changing certain definitions, providing for extended time limits, and clarifying certain provisions of the ethics in government law; amending Minnesota Statutes 1980, Sections 10A.01, Subdivisions 7 and 10; 10A.15, Subdivision 3; 10A.27, Subdivision 8; and 10A.28, Subdivision 2.	431	1007	959a 1652					
848	A bill for an act relating to retirement; St. Paul firefighters relief association; specifying the investment authority of the relief association; amending Laws 1955, Chapter 375, Section 12, as amended.	431							
849	A bill for an act relating to education; adding a representative from the Minnesota association of private post-secondary schools to the higher education advisory council; amending Minnesota Statutes 1980, Section 136A.02, Subdivision 6.	432	606	592 1073	1157		1407	1805	75
850	A bill for an act relating to obscenity; prohibiting the promotion and dissemination of obscene materials; providing penalties; amending Minnesota Statutes 1980, Sections 617.26; 617.27; 617.291, Subdivision 2; 617.292, Subdivisions 4, 6, 7 and 8; proposing new law coded in Minnesota Statutes, Chapter 609; repealing Minnesota Statutes 1980, Section 617.241.	432							
851	A bill for an act relating to waters; changing the terminology for public waters and wetlands to protected waters and wetlands; amending Minnesota Statutes 1980, Sections 105.37, Subdivisions 14, 15, and 16; 105.38; 105.39, Subdivision 3; and 105.391, Subdivisions 1, 3, 10, and 12.	432		499					
852	A bill for an act relating to human rights; prohibiting unfair discriminatory practices on the basis of affectional or sexual orientation; amending Minnesota Statutes 1980, Sections 363.01, Subdivision 24, and by adding a subdivision; 363.02, Subdivision 2; 363.03, Subdivisions 1, 2, 3, 4, 5, 7, and 8; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.	432							
853	A bill for an act relating to retirement; providing for periodic increases in the amount of employer contributions to the teachers retirement association and to the teachers retirement fund associations in cities of the first class; amending Minnesota Statutes 1980, Sections 354.42, Subdivision 5; and 354A.12, Subdivision 2.	432							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
854	A bill for an act relating to motor vehicles; defining motorized bicycles; regulating the operation thereof; providing for the licensure of operators; amending Minnesota Statutes 1980, Sections 168.011, Subdivision 27; 169.01, Subdivision 4a; 169.223; 171.01, Subdivision 20; and 171.02, Subdivision 3.	432							
855	A bill for an act relating to claims against the state; appropriating money for the payment thereof.	433	1815	1810a 1979 2044 (H1022)					
856	A bill for an act relating to retirement; Minnesota state retirement system; authorizing the purchase of service credit for prior military and other service in certain instances.	433							
857	A bill for an act relating to metropolitan government; authorizing the metropolitan council to prepare guidelines relating to the amendment of comprehensive plans; amending Minnesota Statutes 1980, Section 473.864, Subdivision 2.	433	738	527a 719 1112(H969)					
858	A bill for an act relating to pensions; increasing the earnings thresholds for eligibility for public employees retirement association membership; amending Minnesota Statutes 1980, Section 353.01, Subdivision 2b.	433							
859	A bill for an act relating to energy; requiring the provision of fuel payment locations; proposing new law coded in Minnesota Statutes, Chapter 116H.	433							
860	A bill for an act relating to municipal land use planning; permitting municipal fees for administrative actions relating to official controls; amending Minnesota Statutes 1980, Sections 462.353, by adding a subdivision; and 462.358, Subdivision 3b; repealing Minnesota Statutes 1980, Section 462.358, Subdivision 4.	433	3255	3253a 3285	3313		4083	5580	415
861	A bill for an act relating to education; authorizing school boards to permit certain persons to enroll in classes and programs at a secondary school; providing for class fees in certain circumstances; prohibiting districts from counting certain persons enrolled in classes and programs for the purposes of state aid; authorizing districts to provide transportation; increasing the administration fee when senior citizens attend classes at higher education institutions; amending Minnesota Statutes 1980, Sections 123.35, by adding subdivisions; 123.39, by adding a subdivision; and 136A.81, Subdivision 1.	433	1330	592a 1330 1572 (H1344)					
862	A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities.	434	4704	659a 4459a 4683 5035 (H1017)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
863	A bill for an act relating to natural resources; authorizing the soil and water conservation board to purchase certain insurance; appropriating money; amending Minnesota Statutes 1980, Section 40.03, Subdivision 4.	434		796					
864	A bill for an act relating to education; authorizing aid for certain school districts to reimburse expenses related to the East Range Vocational Cooperative Center; appropriating money.	434							
865	A bill for an act relating to the city of Buhl; survivor benefits payable by the police relief association.	434							
866	A bill for an act relating to eminent domain; providing for certain procedures relating to condemnation actions and other acquisition of property; establishing rates of interest for certain payments related to acquisition of property; amending Minnesota Statutes 1980, Sections 117.041; 117.042; 117.055; 117.075; 117.085; 117.125; 117.155; 117.175, Subdivision 1; 117.195; 117.231; 117.232; 117.51; 117.52; and proposing new law coded in Minnesota Statutes, Chapter 117.	434		1007					
867	A bill for an act relating to education; broadening and extending the teacher early retirement incentive program; amending Minnesota Statutes 1980, Section 125.611, Subdivisions 1, 8 and 9.	434							
868	A bill for an act relating to taxation; providing that the proceeds of the taconite production tax distributed to certain school districts be adjusted by the steel mill products index; amending Minnesota Statutes 1980, Section 298.28, Subdivision 1.	435							
869	A bill for an act relating to the environmental quality board; requiring notice of intent for construction of large electric power facilities outside of state to supply Minnesota; empowering the board to require notice of intent for large electric power facilities to be constructed within the state; clarifying considerations to be made in adopting site and route criteria and standards; providing support to units of local government in siting and routing of small electric power facilities; authorizing the environmental quality board to consider upgrading of existing facilities; exempting small utilities from payment of general fees; creating limitations on judicial review of certain decisions; providing notice for entry onto land; authorizing temporary emergency suspension of construction; providing for enforcement of certificates and per- (Continued next page)	435							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
869	—Continued mits; requiring the promulgation of emergency rules; amending Minnesota Statutes 1980, Sections 116C.52, by adding subdivisions; 116C.53, by adding a subdivision; 116C.55, Subdivision 2; 116C.57, Subdivisions 1, 2, 4, and by adding a subdivision; 116C.63, by adding subdivisions; 116C.645; 116C.65; 116C.68; and 116C.69, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 116C.										
870	A bill for an act relating to transportation; declassifying the position of district engineer; providing that district engineers shall serve at the pleasure of the commissioner of transportation; establish employment rights of incumbent district engineers not appointed to the unclassified position of district engineer; amending Minnesota Statutes 1980, Section 174.02, Subdivision 2.	435									
871	A bill for an act relating to children; specifying rights of stepparents to visit certain children; proposing new law coded in Minnesota Statutes, Chapter 257.	435		3221	3240						
872	A bill for an act relating to health; requiring physicians to give certain advice to their pregnant patients who are 40 years old or older; proposing new law coded in Minnesota Statutes, Chapter 145.	436									
873	A bill for an act relating to energy; modifying certain need certification criteria; amending Minnesota Statutes 1980, Section 116H.13, by adding a subdivision.	436		583							
874	A bill for an act relating to energy; requiring the provision of energy audits for certain rental housing; expanding certain utility investment programs; amending Minnesota Statutes 1980, Sections 116H.17, by adding a subdivision; 216B.165, Subdivision 2; and 216B.241, by adding a subdivision.	436	738	583 1116a	717a	1162					
875	A bill for an act relating to commerce; providing for an alternative method of meeting the organizational membership requirement for the conducting of bingo occasions by organizations; amending Minnesota Statutes 1980, Section 349.14.	436		(H623)							
876	A bill for an act relating to state government; improving the state's personnel management and labor relations functions; appropriating money; amending Minnesota Statutes 1980, Sections 3.095; 15.55; 16A.17, Subdivision 7; 216A.035; and 484.54, Subdivision 1; proposing new law coded as Minnesota	436	1283	1229a	1755a	1815 2019	1994	2019	1994	2285	210

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
876—Continued	Statutes, Chapter 43A; proposing new law coded in Minnesota Statutes, Chapter 210A; repealing Minnesota Statutes 1980, Chapter 43.								
877	A bill for an act relating to financial institutions; increasing the maximum lawful interest rate chargeable by state banks and savings banks on certain transactions; amending Minnesota Statutes 1980, Section 48.195.	436		(H188)					
878	A bill for an act relating to workers' compensation; permitting a single employee to constitute a payroll classification; reenacting Laws 1980, Chapter 556, Section 6; amending Minnesota Statutes 1980, Section 79.211, Subdivision 2.	436							
879	A bill for an act relating to education; eliminating the aid for the costs of necessary equipment for certain secondary vocational education programs; authorizing an aid for necessary equipment costs in certain programs; requiring secondary vocational trade and industrial arts courses to be held for a specified amount of time to receive funding; restricting the aids to certain vocational programs which replace nonvocational programs; requiring a report; imposing certain duties on the commissioner of education; amending Minnesota Statutes 1980, Section 124.573, Subdivisions 2 and 3, and by adding a subdivision.	437		466					
880	A bill for an act relating to courts; establishing judicial nominating commissions in each judicial district in the state; providing for membership and terms of office of commissions; providing a nomination procedure for selection of qualified persons to fill judicial vacancies; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 494.	437							
881	A bill for an act relating to retirement; authorizing special coverage for members of the Minnesota state retirement system prohibited from performing specified duties after age 60; clarifying various aspects of the special retirement program for certain employees of the department of military affairs; amending Minnesota Statutes 1980, Section 352.85, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapter 352.	437	3934	3894a 4380 (H917)					
882	A bill for an act relating to public utilities; factors in computing rate of return; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.	437							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
883	A bill for an act relating to commerce; prohibiting a certain class of lenders from enforcing loans secured by real estate; proposing new law coded in Minnesota Statutes, Chapter 53.	437							
884	A bill for an act relating to taxation; providing for imposition of a sales tax in Hennepin County and use of the proceeds of the tax to finance a light rail transit system; requiring a reverse referendum; authorizing expansion of the system into other counties and imposition of the tax therein.	437		466					
885	A bill for an act relating to regional railroad authorities; providing that cities of the first class may join in the organization of a regional railroad authority in conjunction with one or more counties; amending Minnesota Statutes 1980, Sections 398A.02; 398A.03; 398A.04, Subdivisions 8 and 9; and 398A.06, Subdivision 1.	438	583	466 580	669				
886	A bill for an act relating to health; requiring a written disclosure and labeling information regarding dimethyl sulfoxide; regulating the sale of dimethyl sulfoxide; proposing new law coded in Minnesota Statutes, Chapters 147 and 151.	438	1007	466 878a 1285	1341 2837	2170 2184 2212 2836*	2170 2867	3123	323
887	A bill for an act relating to housing; permitting certain investments by the Minneapolis retirement board; authorizing temporary rulemaking to define certain terms; providing for the continuation of staff complement; providing for changes in the assumability of agency loans; making non-citizen veterans eligible for certain loans; permitting certain loans; permitting the transfer of certain funds; providing for a revolving account; restricting the use of municipal housing revenue bonds in redevelopment areas; eliminating restrictions on the issuance of certain bonds exempted by federal law; appropriating money; amending Minnesota Statutes 1980, Sections 422A.05, by adding a subdivision; 462A.03, Subdivision 10; 462A.04, Subdivision 8; 462A.05, Subdivisions 17 and 19, and by adding subdivisions; 462A.07, by adding a subdivision; 462A.20, Subdivision 3; 462A.21, Subdivision 8, and by adding a subdivision; 462A.22, Subdivision 9; 462C.03, by adding a subdivision; 462C.05, Subdivision 3; 462C.07, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462C; repealing Minnesota Statutes 1980, Section 462A.21, Subdivision 11.	438	2018	528a 2015a 2130 2134 (H1005)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
888	A bill for an act relating to education; authorizing aid for driver education courses offered by school districts; appropriating money; amending Minnesota Statutes 1980, Section 124.212, by adding a subdivision.	438								
889	A bill for an act relating to state government; abolishing the center for study of Minnesota folklife; abolishing the position of state folklorist; amending Minnesota Statutes 1980, Sections 138.81; 138.82; and 138.83; repealing Minnesota Statutes 1980, Sections 138.84; 138.85; 138.86; and 138.87.	438								
890	A bill for an act relating to wild animals; increasing the amount of the reward which may be paid for information relating to game law violations; amending Minnesota Statutes 1980, Section 97.51.	439	1115	1093	1535	1604 2286	2286	2286	3123	324
891	A bill for an act relating to financial institutions; detached banking facilities; expanding the definition of municipality to include townships with a bank; amending Minnesota Statutes 1980, Section 47.51.	439								
892	A bill for an act relating to courts; county and county municipal courts; changing the name of the municipal courts of Hennepin and Ramsey counties to Hennepin and Ramsey county court; raising the jurisdictional limit on civil actions; providing for gross misdemeanor jurisdiction; requiring municipal prosecution of gross misdemeanors; raising the jurisdictional level in conciliation court; providing costs and disbursements to the prevailing party in a conciliation court cause removed to county or county municipal court; requiring notification of the opposing party before removal from conciliation court to county or county municipal court; amending Minnesota Statutes 1980, Sections 487.15; 487.16; 487.18; 487.25, Subdivision 10; 487.30, Subdivision 1, and by adding subdivisions; 488A.01, Subdivisions 1, 4 and 6; 488A.10, Subdivision 11; 488A.12, Subdivision 3; 488A.17, Subdivisions 2 and 10; 488A.18, Subdivisions 1, 4, 7 and 13; 488A.27, Subdivision 11; 488A.29, Subdivision 3; 488A.34, Subdivisions 2 and 9; proposing new law coded in Minnesota Statutes, Chapters 487 and 488A.	439								
893	A bill for an act relating to commerce; increasing the maximum finance charge on open end credit sales; broadening the application of this provision; removing the requirements relating to the computation of the average daily balance; amending Minnesota Statutes 1980, Section 334.16, Subdivision 1; repealing Minnesota Statutes 1980, Section 334.16, Subdivision 3.	439								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
894	A bill for an act relating to taxation; sales and use; providing a deduction to retailers for collection and reporting costs; amending Minnesota Statutes 1980, Section 297A.26, by adding a subdivision.	439							
895	A bill for an act relating to energy; amending certain provisions for home energy disclosure reports; amending Minnesota Statutes 1980, Section 116H.129, Subdivisions 1, 2, 5, 6, and 7.	439		(H98)					
896	A bill for an act relating to crimes; establishing minimum terms of imprisonment for use of a dangerous weapon or possession of a firearm; amending Minnesota Statutes 1980, Sections 609.11, Subdivision 1, and by adding subdivisions; and 609.135, Subdivision 1; repealing Minnesota Statutes 1980, Section 609.11, Subdivision 3.	440		466					
897	A bill for an act relating to insurance; regulating interest rates on life insurance policy loans; establishing written pricing and dividend policies in certain circumstances; prescribing penalties; amending Minnesota Statutes 1980, Section 61A.03; proposing new law coded in Minnesota Statutes, Chapter 72A.	440	1283	1189 1963	1418				
898	A bill for an act relating to state parks; waiving admission and certain other fees for certain motor vehicles and the permanently and totally disabled; amending Minnesota Statutes 1980, Section 85.05, Subdivisions 1 and 2.	440							
899	A bill for an act relating to commerce; transferring the powers, duties, staff, and unexpended funds of the board of cosmetology examiners to the office of consumer services; establishing an advisory commission; authorizing licensing by occupation and operations; providing for enforcement; providing a complaint handling procedure; prescribing penalties; providing remedies; proposing new law coded as Minnesota Statutes, Chapter 155A; repealing Minnesota Statutes 1980, Sections 155.01 to 155.21.	440		440 1072	467				
900	A bill for an act relating to public safety; regulating amusement rides; requiring state safety inspections of amusement rides; requiring liability insurance covering amusement rides; providing penalties; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 182A.	440		467					
901	A bill for an act relating to commerce; modifying the initial and continuing education requirements for real estate	441							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
901	—Continued salespersons; clarifying the commissioner's authority to prescribe curriculum requirements and standards for instructors; amending Minnesota Statutes 1980, Section 82.22, Subdivisions 6, 8, and 10; repealing Minnesota Statutes 1980, Section 82.22, Subdivisions 7, 9, and 13.								
902	A bill for an act relating to health; prohibiting the possession of skunks; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 145.	441							
903	A bill for an act relating to the city of Minneapolis; providing for amendment of certain special revenue obligations; amending Laws 1975, Chapter 188, Section 3, by adding a subdivision.	472	738	636a 731 1116	1163		2111	3118	252
904	A bill for an act relating to education; specifying methods of computing summer school enrollments for aid purposes; requiring the state board of education to adopt rules to define summer school expenditures; authorizing school districts to levy for summer school expenditures; amending Minnesota Statutes 1980, Sections 124.17, Subdivisions 2 and 2c, and by adding a subdivision; 124.20; and 275.125, by adding a subdivision.	472							
905	A bill for an act relating to appropriations; appropriating funds to the department of natural resources for the purchase of land within Chengwatana State Forest.	473							
906	A bill for an act relating to taxation; providing income tax credits for the investment in property used in recycling and on the gross receipts from sales of recycled materials; exempting from the sales and use tax certain materials used in recycling; amending Minnesota Statutes 1980, Sections 290.06, by adding subdivisions; and 297A.25, Subdivision 1.	473							
907	A bill for an act relating to waters; providing for notice of hearings on certain watershed improvements; amending Minnesota Statutes 1980, Section 112.53.	473							
908	A bill for an act relating to insurance; providing for a program of continuing education; establishing a continuing insurance education advisory committee; authorizing the commissioner of insurance to promulgate rules to implement the program; requiring certain disclosures on credit insurance policies and applications; amending Minnesota Statutes 1980, Section 62B.06, Subdivisions 2, 3 and 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 60A.	473		1565a(H546)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
909	A bill for an act relating to agriculture; excluding pipeline companies from certain restrictions on acquisition of agricultural land; amending Minnesota Statutes 1980, Section 500.221, Subdivision 2.	473	1115	499 1107a 1535	1608				
910	A bill for an act relating to taxation; income; increasing the amount of nonfarm income which may be used to offset farming expenses and losses; amending Minnesota Statutes 1980, Section 290.09, Subdivision 29.	473							
911	A bill for an act relating to motor vehicles; providing for a reduced registration tax on certain vehicles owned by senior citizens who do not operate the vehicles on the public streets and highways during certain periods; amending Minnesota Statutes 1980, Section 168.013, by adding a subdivision.	473							
912	A bill for an act relating to waters; altering the definition of public wetlands; amending Minnesota Statutes 1980, Section 105.37, Subdivision 15.	474							
913	A bill for an act relating to retirement; authorizing the purchase of allowable service credit by a certain member of the teachers retirement association.	474							
914	A bill for an act relating to state departments; creating a revolving fund for use by the board of electricity to deposit inspection fees and pay costs of inspection; appropriating money; amending Minnesota Statutes 1980, Sections 326.241, Subdivision 3; and 326.244, Subdivision 2.	474							
915	A bill for an act relating to sheriff fees; prescribing fees to be charged by the sheriff; amending Minnesota Statutes 1980, Section 357.09, Subdivisions 1 and 2, and by adding a subdivision; repealing Laws 1978, Chapter 743, Section 12.	474	583	578a 1285	1338 2263	2263	2263	3123	325
916	A bill for an act relating to local government; fixing dollar limitations for bidding procedures; amending Minnesota Statutes 1980, Sections 160.17, Subdivision 2; 365.37; 375.21, Subdivision 1; 412.311; and 429.041, Subdivisions 1 and 2.	474	583	579a 1285	1338				
917	A bill for an act relating to the statutes; removing archaic language from certain laws related to animals; amending Minnesota Statutes 1980, Sections 346.20; 346.21; 346.215; 346.216; 346.22; 346.23; 346.24; 346.25; 346.26; 346.27; 346.28; 346.31; 346.32; 346.33; 346.34; and 347.23.	474	606	602a	669		1129	1435	53

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
918	A bill for an act relating to Minnesota Statutes; making various clarifications and technical amendments relating to the style and form of Minnesota Statutes 1980, Chapter 56; amending Minnesota Statutes 1980, Sections 56.01; 56.02; 56.04; 56.05; 56.06; 56.07; 56.09; 56.10; 56.11; 56.12; 56.13; 56.14; 56.15, Subdivision 1; 56.16; 56.17; 56.18; 56.19; 56.20; 56.21; 56.22; 56.23; 56.24; 56.25; proposing new law coded in Minnesota Statutes, Chapter 56; repealing Minnesota Statutes 1980, Sections 56.15, Subdivision 2; and 56.26.	475	606	602	670				
919	A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating redundant, conflicting and superseded provisions; reenacting certain laws; amending Minnesota Statutes 1980, Sections 10.30; 12.03, Subdivision 9; 12.25, Subdivision 1; 15.0412, Subdivision 4d; 15.1611, Subdivisions 1 and 2; 15.1621, Subdivision 2; 15.163, Subdivision 6; 15.166, Subdivisions 1, 2 and 4; 15.1671; 15.50, Subdivision 1; 15.61, Subdivision 2; 16.172; 16.822, Subdivisions 3 and 6; 17.72; 17B.23; 27.01, Subdivision 1; 31.58; 32A.04, Subdivision 1; 35.067; 40.05, Subdivision 4; 40.071; 43.12, Subdivision 19; 43.126, Subdivisions 1 and 2; 43.24, Subdivision 2; 43.323, Subdivision 3; 47.203; 48.88, Subdivision 2; 50.14, Subdivision 5, as reenacted; 55.15; 60A.23, Subdivision 8; 62A.152, Subdivision 2; 62D.22, Subdivision 6; 62D.28, Subdivisions 2 and 3; 65B.05; 65B.06, Subdivision 2; 65B.71, Subdivision 2; 69.031, Subdivision 5; 69.29; 72A.20, Subdivision 15; 72C.11; 79.34, Subdivision 1; 84.55; 84A.52; 84B.05; 90.195; 92.36; 93.45, Subdivision 2; 111.09, Subdivision 2; 111.11; 111.31; 111.36; 111.78; 112.43, Subdivision 2; 115.34, Subdivision 1; 116.02, Subdivision 3; 116.06, Subdivision 1; 116.10; 122.532, Subdivision 3; 144.125; 144.653, Subdivision 1; 144.801, Subdivision 8; 144.92; 144A.01, Subdivision 2; 144A.10, Subdivision 3; 145.838, Subdivision 3; 148.88; 151.26, Subdivision 1; 161.38, Subdivision 6; 162.08, Subdivision 3; 173.12; 173.13, Subdivision 2; 173.20; 173.21; 174.256, Subdivision 5; 176.011, Subdivision 11a; 179.68, Subdivision 2; 179.69, Subdivision 3a; 179.691; 179.692; 182.661, Subdivision 1; 183.52; 183.56; 183.57, Subdivision 2; 183.59; 197.13; 197.48; 197.603, Subdivision 2; 218.031, Subdivision 1; 218.041, Subdivisions 2, 7 and 8; 219.39; 219.40; 219.741; 237.30; 239.05, Subdivision 1; 239.09; (Continued next page)	475	606	603 664 1328(H912)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
919—Continued	241.021, Subdivision 2; 241.045, Subdivision 6; 241.27, Subdivision 2; 241.62, Subdivision 5; 243.87; 245.05; 245.06; 245.07; 245.781; 245.782, Subdivisions 1, 11 and 12; 245.783, Subdivisions 1, 2 and 3; 245.791; 245.801, Subdivision 5; 245.802, Subdivision 2; 245.803, Subdivisions 1, 2 and 3; 245.812, Subdivisions 2, 5 and 6; 250.05, Subdivisions 2 and 4; 256.25; 256.263, Subdivision 1; 256.483, Subdivision 1; 256B.15; 256E.03, Subdivision 2; 256E.06, Subdivision 2; 257.64, Subdivision 1; 260.241, Subdivision 4; 273.13, Subdivision 6; 275.50, Subdivisions 2 and 5; 282.281; 290.05, Subdivision 1; 290.14; 290.35; 290.53, Subdivision 4; 290.92, Subdivision 5; 290A.01; 290A.02; 290A.03, Subdivisions 1, 3, 8, 11 and 12; 290A.08; 290A.09; 290A.11, Subdivision 1; 290A.13; 290A.15; 290A.16; 290A.17; 290A.20; 290A.22; 294.25; 295.34, Subdivision 1; 297.03, Subdivision 3; 298.223; 298.244, Subdivision 2; 299F.19, Subdivision 6; 299H.22, Subdivision 2; 308.07, Subdivision 10; 325F.34; 326.02, Subdivisions 1, 2, 3, 4a and 5; 326.03, Subdivision 5; 326.08, Subdivision 1; 326.11, Subdivision 1; 326.12, Subdivision 3; 326.13; 340.54, Subdivisions 1 and 2; 349.11; 352.22, Subdivision 3; 352B.075, Subdivision 1; 353.661, Subdivision 2; 353.71, Subdivision 1; 354.44, Subdivision 1a; 354A.21; 360.037, Subdivision 2; 368.86; 412.251; 414.0325, Subdivisions 1 and 5; 418.20; 423.075, Subdivision 2; 427.09; 447.34, Subdivision 1; 447.35; 447.45, Subdivision 1; 465.72; 471.371, Subdivision 3; 471.616, Subdivision 1; 471.617; 471.74, Subdivision 2; 473.438, Subdivision 3; 473F.02, Subdivision 17; 474.03; 480.059, Subdivision 7; 485.14; 508.37, by adding a subdivision; 518.155; 518.66; 595.021; 595.022; 611.07, Subdivision 3; 611.12, Subdivision 7; 626.556, Subdivision 11; 626A.12, Subdivision 5; 628.56; 629.404, Subdivision 1; Laws 1980, Chapter 614, Section 163; reenacting Minnesota Statutes 1980, Section 50.14, Subdivision 5; reenacting and validating Laws 1980, Chapters 528 and 556; repealing Minnesota Statutes 1980, Chapters 2A and 3B; Sections 115.15; 115.16; 218.041, Subdivision 3; 273.061, Subdivision 11; 282.11; 325F.33; 325F.49; 325F.50; 473F.08, Subdivision 11; 475.53, Subdivision 2; 508.37, Subdivision 1; Laws 1979, Chapters 40, Sections 6 and 9; 303, Article 2, Section 7, and Article 10, Section 7; and 334, Article 3, Section 15; Laws 1980, Chapters 437, Section 4; (Continued next page)								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
919	—Continued 460, Sections 5, 18, 19 and 27; 487, Section 14; 509, Section 127; 528, Section 4; 534, Sections 27, 31, 39, 47, 53 and 54; 579, Section 3; and 600, section 8.								
920	A bill for an act relating to the environment; changing procedures for the appointment of the director of the environmental education board; requiring litter bags and receptacles in certain places; prohibiting littering; directing the commissioner of transportation to support certain public education programs related to pollution; requiring a litter collection analysis; establishing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116E.03, Subdivisions 7, 7a and 8; and 174.02, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 174; repealing Minnesota Statutes 1980, Sections 85.20, Subdivision 6; 169.42; and 609.68.	476							
921	A bill for an act relating to public utilities; requiring a single zone for telephone service in the metropolitan area; proposing new law coded in Minnesota Statutes, Chapter 239.	476							
922	A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Fergus Falls.	476	1330	1325a 1415 (H1052)					
923	A bill for an act relating to municipal industrial development; stating policies; giving duties to the commissioner of economic development; requiring approval of qualifying projects; providing for interest rates on industrial development bonds; prohibiting "moral obligation" debt; amending Minnesota Statutes 1980, Sections 474.01, Subdivisions 1, 7a, and by adding a subdivision; 474.02, Subdivision 7; 474.04; 474.05; 474.06; 474.07; and 474.08; repealing Minnesota Statutes 1980, Section 474.01, Subdivision 7b.	476							
924	A bill for an act relating to transportation; modifying and prescribing certain duties of the metropolitan transit commission regarding the special transportation services program; amending Minnesota Statutes 1980, Section 174.31.	477		751a					
925	A bill for an act relating to the environment; directing regional development commissions to assist certain cities and towns to carry out environmental impact review procedures; reimbursing local governments for certain litigation costs; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 116D.	477		1026a					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
926	A bill for an act relating to marriage dissolution; changing provisions relating to venue, disposition of the homestead and marital assets, and modification of support orders; providing for expedited hearings in certain cases; amending Minnesota Statutes 1980, Sections 518.09; 518.131, by adding a subdivision; 518.58; and 518.64, Subdivision 2.	477							
927	A bill for an act relating to taxation; authorizing governmental subdivisions to levy taxes for energy conservation measures; amending Minnesota Statutes 1980, Section 275.50, by adding a subdivision.	477		3635					
928	A bill for an act relating to taxation; increasing the amount of market value on homestead property taxed at lower rates; increasing the maximum homestead credit from $650 to $700; amending Minnesota Statutes 1980, Section 273.13, Subdivision 7.	477							
929	A bill for an act relating to commerce; requiring manufacturers of alcohol fueled motor vehicles to offer the same for sale within the state; proposing new law coded in Minnesota Statutes, Chapter 325E.	478	3724	499 4008	3636	4150			
930	A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; appropriating funds; amending Laws 1979, Chapter 293, Section 10, Subdivision 3.	478							
931	A bill for an act relating to crimes; providing for compensation and travel expenses of jurors; amending Minnesota Statutes 1980, Section 593.48.	478							
932	A bill for an act relating to tort liability; fixing the maximum liability of the state, political subdivisions and their employees; permitting subrogation of certain claims; amending Minnesota Statutes 1980, Sections 3.736, Subdivision 4; 466.01, Subdivision 1; 466.03, Subdivision 2; 466.04; 466.05, Subdivision 2; 466.06; and 466.07.	478							
933	A bill for an act relating to energy; requiring solar heating for outdoor swimming pools; proposing new law coded in Minnesota Statutes, Chapter 116H.	478							
934	A bill for an act relating to health; providing for the purchase of special dietary formula in order to combat phenykretonuria; appropriating money.	478							
935	A bill for an act relating to liquor; registration of labels; amending Minnesota Statutes 1980, Section 340.621.	478							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
936	A bill for an act relating to taxation; providing for reduced assessment of property with conservation restrictions; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 273.	479							
937	A bill for an act relating to insurance; prohibiting the issuance or renewal of certain health policies or plans which exclude or limit coverage on DES related conditions; proposing new law coded in Minnesota Statutes, Chapter 62A.	479	1072	499 1038a 1500	1530 2975	2206 2267 2594 2974*	2206 3057	3124	350
938	A resolution memorializing the President and Congress to maintain the present schedule for natural gas price decontrol.	479							
939	A bill for an act relating to human rights; authorizing injunctions for acts of reprisal; increasing the award of punitive damages; permitting the recovery of damages for mental anguish and suffering; amending Minnesota Statutes 1980, Sections 363.06, Subdivision 4; and 363.071, Subdivision 2.	479	738 1007	730a 739 959a 1404a	1426 2876 2976	1994 2039 2071 2876* 2884 2976*	1994 3057	3124	364
940	A bill for an act relating to autopsies; requiring autopsies for deaths related to the discharge of firearms; amending Minnesota Statutes 1980, Sections 390.11, Subdivision 2; and 390.32, Subdivision 2.	479							
941	A bill for an act relating to crimes; creating the crime of intrafamilial sexual abuse; amending Minnesota Statutes 1980, Sections 15.1695, Subdivision 1; 595.02; 609.346; 609.348; 609.35; and 626.556, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 609.	479	1490	532 739 1465a 1861 1956(H586)					
942	A bill for an act relating to the secretary of state; requiring that government survey documents be maintained on microfilm; amending Minnesota Statutes 1980, Section 5.03.	479	1283	1193a 1397 (H1088)					
943	A bill for an act relating to education; requiring the counting of home visitation days for preschool handicapped pupils as days of program attendance; amending Minnesota Statutes 1980, Section 124.17, Subdivision 1.	480							
944	A bill for an act relating to metropolitan government; providing for a metropolitan rail transit program; providing financing; appropriating money; amending Minnesota Statutes 1980, Sections 473.401, by adding subdivisions; 473.402, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 473.	480							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
945	A bill for an act relating to public welfare; defining homestead for purposes of receiving medical assistance and aid to families with dependent children; amending Minnesota Statutes 1980, Sections 256.73, Subdivision 2; and 256B.06, Subdivision 1.	480	1283	1227a 1543a	1617				
946	A bill for an act relating to local government; permitting Murray county and the city of Slayton to make joint powers agreements for the administration of county ditches.	480		(H875)					
947	A bill for an act relating to state government; extending the contract preference for United States materials to include Mexican and Canadian made materials; amending Minnesota Statutes 1980, Section 16.073.	480							
948	A bill for an act relating to local government; providing for the valuation and assessment for property taxes of certain unique mining property.	480							
949	A bill for an act relating to the environment; changing procedures for the appointment of the director of the environmental education board; requiring litter bags and receptacles in certain places; prohibiting littering; directing the commissioner of transportation to support certain public education programs related to pollution; requiring a litter collection analysis; establishing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116E.03, Subdivisions 7, 7a and 8; 174.02, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 174; repealing Minnesota Statutes 1980, Sections 85.20, Subdivision 6; 169.42; and 609.68.	481		499					
950	A bill for an act relating to the city of Isanti; authorizing the city to issue general obligation bonds for the acquisition and betterment of a municipal building.	481	1397	1366 1417 (H928)					
951	A bill for an act relating to crimes; prescribing mandatory minimum and mandatory sentences for certain offenses relating to promotion of prostitution; amending Minnesota Statutes 1980, Section 609.322, Subdivision 1.	481							
952	A bill for an act relating to municipal development; providing limitations on, and requiring public purpose findings for, commercial revenue bonds; redefining redevelopment district for purposes of tax increment law; amending Minnesota Statutes 1980, Sections 474.01, Subdivision 7b; and 273.73, Subdivision 10; proposing new law coded in Minnesota Statutes, Chapter 474.	481		499					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
953	A bill for an act relating to financial institutions; savings associations; increasing the loan term of direct reduction loans; providing for the organization, operation, conversion, merger, reorganization, consolidation, and dissolution of mutual and capital stock associations; granting the commissioner certain supervisory powers; providing certain examination and reporting requirements; authorizing the issuance and sale of capital certificates; authorizing the payment of dividends on capital stock; authorizing the issuance of certain accounts to married persons or minors as sole owners thereof; defining terms; prescribing penalties; amending Minnesota Statutes 1980, Sections 51A.02, Subdivisions 2 and 4, and by adding subdivisions; 51A.03; 51A.04; 51A.07; 51A.08; 51A.09; 51A.10; 51A.11; 51A.12; 51A.13; 51A.15, Subdivision 7; 51A.19, Subdivision 1, and by adding subdivisions; 51A.20; 51A.21, Subdivision 5, and by adding subdivisions; 51A.22; 51A.50; 51A.52; 51A.53; proposing new law coded in Minnesota Statutes, Chapter 51A; repealing Minnesota Statutes 1980, Sections 51A.06; and 51A.49.	481	1750	1655a 2047 (H986)					
954	A bill for an act relating to manufactured homes; requiring provision for manufactured homes in planning and zoning; amending Minnesota Statutes 1980, Section 462.357, by adding a subdivision.	482							
955	A bill for an act relating to taxation; changing the property tax targeting; repealing the maximum amount of credit; amending Minnesota Statutes 1980, Section 290A.04, Subdivision 2c.	482							
956	A bill for an act relating to crimes; authorizing state funding for the Minnesota automated fingerprint identification network; appropriating money; amending Minnesota Statutes 1980, Sections 299C.46; and 299C.48.	482		647a					
957	A bill for an act relating to water; abolishing the water planning board; transferring certain duties of the water planning board to the environmental quality board; appropriating money; amending Minnesota Statutes 1980, Sections 116C.03, Subdivision 2; and 116C.04, by adding a subdivision; repealing Minnesota Statutes 1980, Section 105.401.	482							
958	A bill for an act relating to health; providing for the capping of an inverted well in White Bear Lake; appropriating money.	482							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
959	A bill for an act relating to taxation; property tax; extending the energy device exemption to certain devices used to provide energy for sale; amending Minnesota Statutes 1980, Section 273.11, Subdivision 6.	482		3636a					
960	A bill for an act relating to transportation; authorizing road authorities to designate nine-ton collector routes; prescribing maximum vehicle weights on those routes; proposing new law coded in Minnesota Statutes, Chapter 169.	483	1072	1037a 1979	2023				
961	A bill for an act relating to housing; allowing certain elderly and handicapped assisted-living housing to be included as municipal industrial development projects; amending Minnesota Statutes 1980, Section 474.02, Subdivision 1d.	483							
962	A bill for an act relating to counties; concerning Anoka county; providing for a seven member board of commissioners; amending Minnesota Statutes 1980, Section 375.01.	483		532(H829)					
963	A bill for an act relating to economic development; transferring certain administrative authorities from the commerce department to the department of economic development; referring municipal adoption of guidelines for industrial revenue bonds; amending Minnesota Statutes 1980, Section 474.01, Subdivisions 7a, 7b, and by adding subdivisions.	483							
964	A bill for an act relating to human rights; requiring certain state contractors to have affirmative action plans approved by the commissioner of human rights; amending Minnesota Statutes 1980, Section 363.073; proposing new law coded in Minnesota Statutes, Chapter 363.	483	738	692a 1120a	1285 2836	2170 2184 2212 2835*	2170 2868	3123	326
965	A bill for an act relating to health; requiring the commissioner of health to adopt rules; establishing an air quality standard within residential units; prohibiting the sale of residential units which contain unsafe levels of formaldehyde; requiring a warning on building materials that emit formaldehyde; providing penalties and remedies; appropriating money; amending Minnesota Statutes 1980, Section 8.31, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 325F; repealing Minnesota Statutes 1980, Sections 144.495; and 325F.18.	483							
966	A bill for an act relating to motor vehicles; providing that number plates issued to a vehicle shall be retained by the owner; providing for the transfer of (Continued next page)	484							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
966	—Continued number plates from one vehicle to another vehicle; amending Minnesota Statutes 1980, Sections 168.014; 168.041, Subdivision 7; 168.10, Subdivision 3; 168.11, Subdivision 1; 168.12, Subdivisions 1, 2, and 2a; 168.13; 168.15; 168.16; 168.30; 168.31, Subdivision 3; 168.36, Subdivision 2; 168A.13, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 168.								
967	A bill for an act relating to alcoholic beverages; actions by governing bodies on applications for non-intoxicating malt liquor licenses; amending Minnesota Statutes 1980, Section 340.01.	484							
968	A bill for an act relating to unemployment compensation;eliminating the requirement of a waiting period prior to payment of unemployment compensation benefits; amending Minnesota Statutes 1980, Sections 268.08, Subdivision 1; 268.09, Subdivisions 1 and 2; and 268.231.	484		499					
969	A bill for an act relating to unemployment compensation; removing the disqualification from benefits of employees who voluntarily terminate their employment and employees who are engaged in a labor dispute; amending Minnesota Statutes 1980, Section 268.09, Subdivisions 1 and 3.	484		499					
970	A bill for an act relating to unemployment compensation;increasing the amount of earnings not deducted from benefits; amending Minnesota Statutes 1980, Section 268.07, Subdivision 2.	484		499					
971	A bill for an act relating to unemployment compensation; including retroactive wage awards within the definition of wages for unemployment compensation purposes; amending Minnesota Statutes 1980, Section 268.04, Subdivisions 25, 26, and 29.	484		499(H904)					
972	A bill for an act relating to transportation; providing for the financing of certain services of the department of transportation; adjusting the motor vehicle registration tax on certain vehicles; increasing driver license fees and providing that all fees shall be credited to the trunk highway fund; increasing the tax on gasoline and special fuels; authorizing the issuance of state transportation bonds and appropriating the proceeds for the purpose of providing money for capital improvements comprising construction and reconstruction of key bridges on the trunk highway system, segments of the interstate system and interstate highway substitution proj- (Continued next page)	485							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
972	—Continued ects; amending Minnesota Statutes 1980, Sections 168.011, Subdivisions 7 and 10; 168.013, Subdivisions 1a, 1b, 1c, 1d, 1e, 1h, and 2; 171.02, Subdivision 3; 171.06, Subdivision 2; 171.13, Subdivision 5; 171.26; 174.50, Subdivision 1; and 296.02, Subdivision 1; repealing Minnesota Statutes 1980, Section 168.013, Subdivision 17.									
973	A bill for an act relating to local government; permitting the city council to fix the compensation of the park board in statutory cities; amending Minnesota Statutes 1980, Section 412.501.	485	531	527a	1009	1154				
974	A bill for an act relating to retirement; reducing a certain deduction from amounts available to pay post-retirement adjustments; appropriating funds; amending Minnesota Statutes 1980, Section 11A.18, Subdivision 9.	505	1115	1109 2124(H681)	1417					
975	A bill for an act relating to financial institutions; authorizing the making and purchasing of cooperative apartment loans; providing for the determination of interest rates on certain mortgage instruments; prescribing certain requirements and conditions applicable to these loans; redefining the term "graduated payment home loan" to include cooperative apartment loans; eliminating the state override of the federal usury preemption on certain loans; amending Minnesota Statutes 1980, Sections 47.20, Subdivisions 1, 2, 3, 4a, 6a, as amended, 7, 13, and 13a, and by adding a subdivision; 47.201; 47.203; and 47.21; proposing new law coded in Minnesota Statutes, Chapter 47; repealing Minnesota Statutes 1980, Section 47.20, Subdivision 4.	505	1283	1188	1754	1774 2862	2862	2862	3124	351
976	A bill for an act relating to health; prescribing periods of retention for hospital medical records; amending Minnesota Statutes 1980, Section 145.32.	505								
977	A bill for an act relating to the housing finance agency; altering the formula for distribution of funds through a housing program offering assistance to Indians; amending Minnesota Statutes 1980, Section 462A.21, Subdivision 10.	505								
978	A bill for an act relating to workers' compensation; changing the funding for administrative expenses related to the special compensation fund; amending Minnesota Statutes 1980, Section 176.131, Subdivision 10.	506								
979	A bill for an act relating to agriculture; eliminating the requirement for anaplasmosis testing of breeding cattle; repealing Minnesota Statutes 1980, Section 35.251.	506		532						

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
980	A bill for an act relating to state lands; providing for the lease of certain lands to the city of Hastings.	506	1518	1508a 1861	1903 2114	2114	2113	3117	232
981	A bill for an act relating to retirement; Minneapolis teachers retirement fund association; authorizing the establishment of a lump sum post retirement adjustment program; authorizing service credit for parental leaves.	506	1283	1215a 1397 (H976)					
982	A bill for an act relating to the city of St. Cloud; authorizing the improvement and operation of the city-owned Mississippi River dam to provide for generation of hydroelectric power, and the issuance of revenue bonds to finance the project.	506	738	532 692a 1116a	1161		1989	2200	184
983	A bill for an act relating to retirement; making various administrative changes in the teachers retirement law; authorizing a medical advisor; payment of shortages in member deductions; amending Minnesota Statutes 1980, Sections 354.06, Subdivisions 2 and 2a; 354.091; 354.092; 354.41, by adding a subdivision; 354.44, Subdivisions 4 and 8; 354.48, Subdivisions 2, 4, and by adding a subdivision; 354.51, Subdivision 5; 354.52, Subdivision 4; and 354.62, Subdivisions 4 and 5.	506	1283	1211a 1417 2124(H996)					
984	A bill for an act relating to game and fish; increasing game and fish licenses and other fees; including resident alien in the definition of resident for purposes of game and fish licenses; requiring the commissioner of natural resources to submit a license consolidation and elimination proposal to the legislature; amending Minnesota Statutes 1980, Sections 97.40, Subdivision 21; 98.45, Subdivision 6; 98.46, Subdivisions 2, 2a, 3, 4, 5, 5a, 6, 7, 8, 9, 9a, 10, 11, 12, 14, 15, 16, 17, 18, and 19, and by adding a subdivision; 100.35, Subdivisions 1 and 5; and 101.44; proposing new law coded in Minnesota Statutes, Chapter 97; repealing Minnesota Statutes 1980, Section 99.28, Subdivision 5.	506	1397	1393a 1822a	1859				
985	A bill for an act relating to crimes; providing for the type of proof of the fact of killing in murder and manslaughter cases; amending Minnesota Statutes 1980, Section 634.051.	507	1007	583 798 957a 1417 (H1059)					
986	A bill for an act relating to corrections; providing for sheriffs expenses incurred in conveying convicts to correctional facilities; amending Minnesota Statutes 1980, Section 243.17, Subdivision 1.	507		579a					
987	A bill for an act relating to public dancing places; repealing law requiring public dancing places to be brightly illuminated; repealing Minnesota Statutes 1980, Section 624.48.	507							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
988	A bill for an act relating to fire insurance; allowing an application to be introduced as evidence; requiring that the insured in case of loss shall show the damaged property and related records to the company and consent to be examined under oath; permitting reduction of the amount to be paid in case of loss if the building is not repaired or replaced; providing for a two-way exchange of information on fire loss or potential fire loss between insurance companies and authorized persons; amending Minnesota Statutes 1980, Sections 65A.01, Subdivisions 3 and 5; 65A.08, Subdivision 2; 299F.054, Subdivision 1; and by adding a subdivision.	507							
989	A bill for an act relating to taxation; providing that interest on estate tax should begin to accrue 18 months after the death of the decedent; providing that the purchase price of a motor vehicle for purposes of the motor vehicle excise tax shall be reduced by the trade-in value of any personal property taken in part payment; amending Minnesota Statutes 1980, Sections 291.131, Subdivision 6; 291.132, Subdivision 1; 291.15; 291.18; and 297B.01, Subdivision 8.	507							
990	A bill for an act relating to charitable trusts; transferring responsibility of keeping certain records; amending Minnesota Statutes 1980, Sections 501.75; 501.76; 501.77; and 501.78, Subdivision 4.	508	738	719 796 (H1083)					
991	A bill for an act relating to social and charitable organizations; increasing the threshold dollar amount required for the use of a certified financial statement; determining what is properly included in cost of goods or services; amending Minnesota Statutes 1980, Sections 309.53, Subdivision 3; and 309.555, Subdivision 2.	508	738	718a 796 (H1075)					
992	A bill for an act relating to taxation; abolishing the income tax credit for premium taxes paid by insurance companies; amending Minnesota Statutes 1980, Section 290.06, Subdivision 3f.	508		1766					
993	A bill for an act relating to children; authorizing counties to establish multidisciplinary child protection teams; proposing new law coded in Minnesota Statutes, Chapter 626.	508	1283	1226a 1415 (H1080)					
994	A bill for an act relating to taxation; sales; exempting sales of road building materials used in road construction and maintenance; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1; repealing Minnesota Statutes 1980, Section 297A.25, Subdivision 4.	508							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
995	A bill for an act relating to commerce; providing for compensation for certain actions of political subdivisions regarding licensed private waste collectors, processors, or disposers; proposing new law coded in Minnesota Statutes, Chapter 115A.	508							
996	A bill for an act relating to game and fish; increasing nonresident hunting license fees; amending Minnesota Statutes 1980, Section 98.46, Subdivision 14.	508							
997	A bill for an act relating to workers' compensation; defining home care attendants for handicapped persons who are paid by the state as state employees for workers' compensation purposes; amending Minnesota Statutes 1980, Section 176.011, Subdivision 9.	509							
998	A bill for an act relating to education; creating a raptor research and rehabilitation program in the veterinary school of the University of Minnesota; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 137.	509		1093					
999	A bill for an act relating to public welfare; changing the general assistance program so that it covers only emergency needs; providing for vendor and voucher payments; setting standards for eligibility; limiting the duration of assistance; amending Minnesota Statutes 1980, Sections 256D.01, Subdivision 1; 256D.02, Subdivisions 4, 4a, 11, and 13, and by adding a subdivision; 256D.03; 256D.04; 256D.05; 256D.06, Subdivisions 1 and 3, and by adding a subdivision; 256D.07; 256D.08; 256D.09, Subdivision 1; 256D.10; 256D.11, Subdivisions 1, 4, 5, and 8, and by adding a subdivision; 256D.13, Subdivision 1; 256D.15; and 256D.16; repealing Minnesota Statutes 1980, Sections 256D.06, Subdivisions 1a and 2; 256D.09, Subdivision 2; and 256D.11, Subdivisions 1a, 2a, and 3a.	509							
1000	A bill for an act relating to commerce; regulating the licensing of electricians; amending Minnesota Statutes 1980, Section 326.242, Subdivision 2.	509		(H401)					
1001	A bill for an act relating to agriculture; providing for state-wide agricultural land preservation; amending Minnesota Statutes 1980, Sections 473H.01; 473H.02; 473H.04; 473H.06; and 473H.08, Subdivision 4.	509							
1002	A bill for an act relating to tax forfeited lands; sale of stumpage without bids; amending Minnesota Statutes 1980, Section 282.04, Subdivision 1.	509	1072	1026a 1427	1493				

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1003	A bill for an act relating to public waters; requiring notice by certified mail to owners of property which includes or is adjacent to areas proposed to be designated as public waters or wetlands; amending Minnesota Statutes 1980, Section 105.391, Subdivision 1.	510							
1004	A bill for an act relating to children; amending the definitions of shelter care facility and secure detention facility; extending the time limit for detaining children who may be dependent or neglected children; defining the privilege doctrine to exempt child abuse or neglect proceedings; creating an exception for chemical dependency personnel in a proceeding or investigation for child abuse or neglect; changing the disposition provision for children found to be neglected or dependent; changing the definition of sexual abuse in the reporting maltreatment of minors law; including attorneys and clergy to persons mandated to report child abuse and neglect; requiring persons who report child abuse or neglect to share all relevant information to the authorities authorized to receive and investigate the report; requiring the local welfare agency and police department to destroy records seven years after the date of final entry in the case record; amending Minnesota Statutes 1980, Sections 254A.09; 260.015, Subdivisions 16 and 17; 260.171, Subdivisions 2, 4, 5 and 6; 260.172, Subdivision 1; 260.191, Subdivision 1; 626.556, Subdivisions 2, 3, 7, 8 and 11; repealing Minnesota Statutes 1980, Section 260.015, Subdivision 15.	510							
1005	A bill for an act relating to local housing programs; authorizing certain combined multifamily housing and health care facility developments; providing an exemption from the limits on aggregate amount of bonds that may be issued; amending Minnesota Statutes 1980, Section 462C.05, Subdivision 1, and by adding a subdivision.	510	1007	992a 1652a	1772 2265	2265	2265	3123	327
1006	A bill for an act relating to taxation; income; excluding from gross income the first $500 of income paid for voluntary firefighter services; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	510							
1007	A bill for an act relating to retirement; teachers' occupational disability benefits; amending Minnesota Statutes 1980, Section 354.05, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 354.	510							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1008	A bill for an act relating to courts; tax court; increasing the number of authorized administrative employees; amending Minnesota Statutes 1980, Section 271.02.	511	1007	958 1400	1424				
1009	A bill for an act relating to real estate; enabling municipalities to require filing of contracts for deed; proposing new law coded in Minnesota Statutes, Chapter 507.	511							
1010	A bill for an act relating to human rights; allowing certain complaints of discrimination to be submitted to binding arbitration; proposing new law coded in Minnesota Statutes, Chapter 363.	511							
1011	A bill for an act relating to health; proposing a population-based, statewide cancer and birth defects surveillance system; establishing an advisory task force; designing a system and pilot test; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 144.	511		798 882a (H826)					
1012	A bill for an act relating to health; encouraging philanthropic support of hospitals; providing that funds derived from specified types of gifts or grants shall not be deducted from the operating costs of a hospital; proposing new law coded in Minnesota Statutes, Chapter 144.	511		1518(H979)					
1013	A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; amending Minnesota Statutes 1980, Section 2.021.	511							
1014	A bill for an act relating to financial institutions; providing for reasonable time to respond to requests for documents and reasonable compensation for costs of document production; proposing new law coded in Minnesota Statutes, Chapter 47.	511							
1015	A bill for an act relating to civil actions; limitations of actions; providing that actions for malpractice against health care professionals and veterinarians be commenced within two years; amending Minnesota Statutes 1980, Sections 145.61, Subdivision 2; and 541.07.	512	3146	3145a 3157a	3174		4661	5655	546
1016	A bill for an act relating to Independent School District No. 624, White Bear Lake; authorizing it to transfer interest earnings from capital outlay and debt redemption funds to its general fund.	512							
1017	A bill for an act relating to commerce; requiring that consumer contracts be written in clear and coherent language; providing remedies; proposing new law coded in Minnesota Statutes, Chapter 325G.	512	1577	1547a 1950 (H616)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1018	A bill for an act relating to taxation; eliminating unnecessary language concerning a property tax exemption for cheese; amending Minnesota Statutes 1980, Sections 272.02, Subdivision 1; 273.115, Subdivisions 1, 2, and 3; and 273.116, Subdivisions 1 and 2.	512	1854	1834	1961				
1019	A bill for an act relating to transportation; providing for continuing Amtrak rail passenger service between Duluth and the Twin Cities metropolitan area; appropriating money.	512							
1020	A bill for an act relating to taxation; providing a reduction of certain property taxes; providing reimbursement to taxing districts for revenue lost as a result thereof; appropriating money; amending Minnesota Statutes 1980, Section 273.13, Subdivisions 9 and 15a.	512							
1021	A bill for an act relating to child abuse; requiring reports of certain sexual and physical abuse of children; requiring reports to parents in certain cases; amending Minnesota Statutes 1980, Section 626.556, Subdivisions 1, 2, 3, 7 and 9.	513							
1022	A bill for an act relating to water; raising the petitioners' bond in certain drainage project cases and the appellant's bond in the case of certain appeals; clarifying the responsibility imposed on certain water project contractors; amending Minnesota Statutes 1980, Sections 105.463; 106.041; and 106.631, Subdivision 2.	513	3724	3658a 4014	4154				
1023	A bill for an act relating to crimes; requiring the sentencing guidelines commission to modify the sentencing guidelines by providing for more frequent application of incarcerative sanctions and increasing the duration of presumptive sentences; requiring modification of the sentencing guidelines to include specific aggravating factors for major narcotics offenses; requiring the commission to authorize judicial consideration of "real offense" information in certain cases involving the plea negotiation process; requiring the commission to study the impact of the plea negotiation process on the operation of the guidelines; amending Minnesota Statutes 1980, Section 244.09, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 244.	513							
1024	A bill for an act relating to criminal justice; creating an office of criminal justice within the state planning agency; establishing a criminal justice advisory council to serve as an advisory committee to the office of criminal justice; proposing new law coded in Minnesota Statutes, Chapter 4; repealing Minnesota Statutes 1980, Section 299A.03.	513							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1025	A bill for an act relating to children; requiring stepparents to support their unadopted stepchildren; proposing new law coded in Minnesota Statutes, Chapter 257.	513							
1026	A bill for an act relating to public welfare; providing for alternatives to nursing home care in counties with preadmission screening; appropriating money; amending Minnesota Statutes 1980, Section 256B.091, by adding a subdivision.	513		879a					
1027	A bill for an act relating to health; clarifying certain requirements regarding the Hill-Burton program; defining terms; providing remedies and penalties; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 145.	514							
1028	A bill for an act relating to crimes; eliminating the defenses of mental illness and mental deficiency; amending Minnesota Statutes 1980, Section 611.026.	514		583 1007					
1029	A bill for an act relating to education; permitting school boards to deposit the proceeds from the sale or exchange of school buildings or real property in the capital expenditure fund under certain circumstances; amending Minnesota Statutes 1980, Section 123.36, Subdivision 13.	514							
1030	A bill for an act relating to education; providing that in certain circumstances the words, terms and phrases in certain sections have the meanings given them in the manual for the uniform financial accounting and reporting system; providing that encumbrances do not constitute expenditures or liabilities; providing that certain purchase orders shall be expenditures in the fiscal year the liability is incurred; amending Minnesota Statutes 1980, Sections 121.90; and 121.906, Subdivisions 2 and 3.	514							
1031	A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; 466.01, by adding a subdivision; and 466.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 115A.06, Subdivision 13; proposing new law coded as Minnesota Statutes, Chapter 115B.	514	4512	3409a 3559a 3834a 4508a 4711 4736 (H1176)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1032	A bill for an act relating to transportation; providing for the financing of certain services of the department of transportation; increasing the motor vehicle registration tax on certain vehicles; increasing the tax on gasoline and special fuels; authorizing the issuance of state transportation bonds and appropriating the proceeds for the purpose of providing money for capital improvements comprising construction and reconstruction of key bridges on the trunk highway system, segments of the interstate system and interstate highway substitution projects; amending Minnesota Statutes 1980, Sections 168.011, Subdivisions 7, 10, 17 and 25; 168.013, Subdivisions 1a, 1b, 1c, 1d, 1e, 1g, 1h and 2; 168.017, Subdivisions 1 and 3; 168.10, Subdivisions 1a, 1b, 1c and 1d; 168.12, Subdivision 2a; 174.50, Subdivision 1; and 296.02, Subdivision 1; repealing Minnesota Statutes 1980, Section 168.013, Subdivisions 16 and 17.	514		606 887a					
1033	A bill for an act relating to intoxicating liquor; permitting holders of both on-sale wine and on-sale non-intoxicating malt beverages licenses to sell intoxicating malt beverages; amending Minnesota Statutes 1980, Section 340.11, Subdivision 20.	515							
1034	A bill for an act relating to the state building code; authorizing municipalities to adopt certain provisions which are stricter than the state building code; proposing new law coded in Minnesota Statutes, Chapter 16.	515							
1035	A bill for an act relating to individual housing accounts; providing for the subtraction from federal adjusted gross income of certain contributions to and interest earned on individual housing accounts; repealing the deduction for individual housing account contributions and interest; clarifying various provisions relating to individual housing accounts; amending Minnesota Statutes 1980, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; 52.136; 290.01, Subdivision 20; 290.08, by adding a subdivision; and 290.17, Subdivision 2; repealing Minnesota Statutes 1980, Section 290.09, Subdivision 30.	515		(H519)					
1036	A bill for an act relating to contracts; providing for the enforceability of certain agreements between certain cohabiting parties; proposing new law coded in Minnesota Statutes, Chapter 513; repealing Minnesota Statutes 1980, Section 513.075.	515							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1037	A bill for an act relating to juveniles; providing for the detention of juveniles for whom a motion to refer for prosecution is pending before the court; amending Minnesota Statutes 1980, Section 260.173, Subdivision 4.	515							
1038	A bill for an act relating to education; authorizing school boards to increase their maximum authorized levy in any amount unless disapproved at a referendum; amending Minnesota Statutes 1980, Section275.125, Subdivision 2a.	516		532					
1039	A bill for an act relating to energy; allowing the use of certain gas lamps; amending Minnesota Statutes 1980, Section 116H.12, Subdivision 3a, and by adding a subdivision.	516							
1040	A bill for an act relating to the environment; clarifying terms, procedures, powers, and duties in the waste management act and for counties and metropolitan waste management; extending time limits for site selections and reports; providing that certain appropriations shall remain available until expended; amending Minnesota Statutes 1980, Sections 115A.03, Subdivisions 15 and 29; 115A.05, Subdivision 3; 115A.06, Subdivisions 4 and 5, and by adding a subdivision; 115A.08, Subdivisions 4, 5 and 6; 115A.09; 115A.11, Subdivision 1; 115A.19; 115A.20; 115A.21; 115A.22, Subdivisions 3 and 4; 115A.23; 115A.24; 115A.26; 115A.28, Subdivision 2; 115A.33; 115A.34; 115A.37, Subdivision 2; 115A.54, Subdivision 3; 116.07, Subdivisions 2 and 4; 116.41, Subdivision 2; 400.161; 473.149, Subdivisions 2b, 2c, 2e, and by adding a subdivision; 473.153, Subdivisions 1, 2, 3 and 6; 473.516, Subdivision 4; 473.801, by adding a subdivision; 473.803, Subdivision 1a; 473.811, Subdivisions 2, 3, 4, 5b, 8, and by adding subdivisions;473.831, Subdivision 1; 473.833, by adding a subdivision; and 473.834, Subdivision 2; repealing Minnesota Statutes 1980, Section 473.834, Subdivisions 4 and 5.	516	1815	1218a 1811a 1979	2028 2223	2138 2223	2138	3124	352
1041	A bill for an act relating to elections; changing certain requirements for voting by absent and disabled voters; amending Minnesota Statutes 1980, Sections 207.02; and 207.03, Subdivision 1.	516		(H1021)					
1042	A bill for an act relating to the city of Minneapolis; requiring the proceeds of the sale of unclaimed stolen property to be placed in the general fund.	516							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1043	A bill for an act relating to administrative procedures; providing for changes in the recompilation, publication, and drafting of administrative rules; modifying the powers of the revisor of statutes with respect to compiling, publishing, and drafting of administrative rules; clarifying which rules are to be published; fixing a common nomenclature for certain steps in the administrative process; extending statutory standard definitions of terms and principles of construction to administrative rules; providing for the effect of transferring responsibilities between agencies; extending the jurisdiction of the Legislative Commission to Review Administrative Rules; clarifying when a rule suspended by the Legislative Commission to Review Administrative Rules becomes effective; allowing an agency to enact a rule repealed by the legislature and the Legislative Commission to Review Administrative Rules to suspend it again; modifying certain provisions of the administrative procedure act; removing certain obsolete terms and clarifying certain language; amending Minnesota Statutes 1980, Sections 3.965, Subdivision 2; 15.0411, Subdivisions 2 and 3; 15.0412, Subdivisions 1, 1a, 2a, 4, 4c, 4d, 4e, 4f, 4g, 4h, 5, 7, 8, 9 and 10; 15.0413; 15.0415; 16.86, Subdivision 2; 62E.10, Subdivision 8; 121.931, Subdivision 8; 121.932, Subdivision 3; 169.128; 182.655, Subdivision 1; 238.09, Subdivision 9; 271.06, Subdivision 7; 299A.03, Subdivision 6; 299F.19, Subdivision 6; 360.015, Subdivisions 4, 5 and 16; 648.31, Subdivision 6; 648.50, Subdivisions 1, 2, 3, 4 and 6, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapters 15 and 645; repealing Minnesota Statutes 1980, Sections 15.015 to 15.04; 15.0412, Subdivision 4a; 174.06, Subdivision 6; and 245.04 to 245.07.	516	798	532 765a 1118a	1166 2115	2115	2114	3118	253
1044	A bill for an act relating to the city of Echo; authorizing the issuance of bonds for the acquisition and betterment of a community center.	516	738	698a 1116	1162		1436	1805	76
1045	A bill for an act relating to elections; providing for preparation of consolidated primary election ballots by counties at state expense; appropriating money; amending Minnesota Statutes 1980, Section 203A.23, Subdivision 1.	539		874a					
1046	A bill for an act relating to education; continuing the responsibility of educational cooperative service units to establish and maintain an educational planning task force; amending Minnesota Statutes 1980, Section 122.86.	539							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1047	A bill for an act relating to negligent fires; altering minimum sentences for negligent fires; amending Minnesota Statutes 1980, Section 609.576.	539	1007	959a 1400	1425		1539	2041	107
1048	A bill for an act relating to public utilities; prohibiting the averaging of rates by natural gas utilities; proposing new law coded in Minnesota Statutes, Chapter 216B.	539							
1049	A bill for an act relating to energy; providing loans to communities for district heating systems; clarifying authority for municipalities to own and operate district heating systems; providing authority for city governments to authorize district heating improvements; expanding the definition of district heating systems to include cogeneration facilities; appropriating money; authorizing sale of bonds; amending Minnesota Statutes 1980, Sections 412.351; 412.361, Subdivision 3; and 429.021, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 116H and 465.	539		583 664					
1050	A bill for an act relating to statute of limitations; providing a limitation on actions against land surveyors; proposing new law coded in Minnesota Statutes, Chapter 541.	539							
1051	A bill for an act relating to transportation; providing for continuing Amtrak rail passenger service between Duluth and the Twin Cities metropolitan area; appropriating money.	540							
1052	A bill for an act relating to retirement; highway patrol benefits and refunds; providing annual benefit increases to pre-1973 retirees and surviving spouses; appropriating funds; amending Minnesota Statutes 1980, Section 352B.11, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 352B.02, Subdivision 1; 352B.08, Subdivision 2; and 352B.11, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 352B.	540	3775	3767a 3969 (H1336)					
1053	A bill for an act relating to retirement; providing annual benefit increases to pre-1973 retirees and surviving spouses of the highway patrolmen's retirement fund; appropriating funds; proposing new law coded in Minnesota Statutes, Chapter 352B.	540							
1054	A bill for an act relating to insurance; proscribing certain discriminatory practices relating to price quotations to agents and brokers; amending Minnesota Statutes 1980, Section 72A.20, by adding a subdivision.	540							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1055	A bill for an act relating to state trails; authorizing the conveyance of certain lands acquired by the department of natural resources for trail purposes.	540	1577	1557a (H217)	1764					
1056	A bill for an act relating to the state civil service; providing for the apportionment of veteran's preference points; amending Minnesota Statutes 1980, Section 43.30.	540	1072	1038	1535					
1057	A bill for an act relating to the state fire marshal; deleting references to a dedicated fund and to archaic misdemeanor fines; prescribing procedures for the investigation of fires; repealing obsolete statutory requirements pertaining to flammable liquids, fire extinguishers, doors of buildings, and theaters; correcting an erroneous designation of responsibility concerning fire insurance premium returns; setting a penalty; amending Minnesota Statutes 1980, Sections 299F.011, Subdivision 1; 299F.08; 299F.09; 299F.19; 299F.20; 299F.21; 299F.22; 299F.23; 299F.24; 299F.26, Subdivision 1; 299F.29; 299F.31; 299F.36, Subdivision 2; 299F.391, Subdivision 1; and 299F.46, Subdivision 1; repealing Minnesota Statutes 1980, Sections 299F.011, Subdivision 2; 299F.27; 299G.10; 299H.01; 299H.02; and 299H.28, Subdivision 1.	540	1072	1027	1428a	1494		1632	1988	106
1058	A bill for an act relating to elections; authorizing the validation of absentee ballots by judges of absentee ballot precincts; providing for notice to election judges in an absentee ballot precinct; amending Laws 1981, Chapter 29, Article III, Sections 10; 12; and 13.	541	1007	875a	1285	1340 1978	1978	1978	2200	185
1059	A bill for an act relating to courts; providing that the chief judge of each judicial district shall be a district court judge and that the assistant chief judge shall be a judge of county, county municipal or probate court; requiring consent of the affected judge before assignment to a court other than the one the judge serves; amending Minnesota Statutes 1980, Section 484.69, Subdivisions 2 and 3.	541								
1060	A bill for an act relating to courts; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; abolishing the office of court commissioner; providing for continuance of the Ramsey county court commissioner position for a limited time; amending Minnesota Statutes 1980, Sections 260.031, Subdivision 1, and by adding a subdivision; 484.70, Subdivision 1, and by adding (Continued next page)	541								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1060	—Continued subdivisions; 487.08, Subdivisions 2 and 3, and by adding a subdivision; 489.01; 525.10; repealing Minnesota Statutes 1980, Sections 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; and 489.05.									
1061	A bill for an act relating to education; maintaining a low-power television transmission project; authorizing the department of education to hire consultants to review the existing low-power television transmission project, study the need for expanding the project, recommend sites and procedures for additional projects, and assist school districts in applying for federal communications licenses; appropriating money.	541								
1062	A bill for an act relating to local government; exempting certain small cities from the per capita tax levy limitation; amending Minnesota Statutes 1980, Section 275.11, Subdivision 1.	542								
1063	A bill for an act relating to watershed districts; limiting assessment of properties contributing water to a proposed watershed improvement; amending Minnesota Statutes 1980, Section 112.501, Subdivision 2, and by adding a subdivision.	542								
1064	A bill for an act relating to crimes; changing certain penalties and enforcement procedures in the fair campaign practices act; amending Minnesota Statutes 1980, Sections 210A.05, by adding a subdivision; and 210A.37.	542	1007	874a	1400	1422				
1065	A bill for an act relating to housing; establishing a veterans housing assistance program in the department of veterans affairs; abolishing the veterans housing assistance program of the housing finance agency; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196; repealing Minnesota Statutes 1980, Section 462A.05, Subdivision 19.	542								
1066	A bill for an act relating to franchises; requiring motor fuel franchises to extend to and bind the successors of both parties; proposing new law coded in Minnesota Statutes, Chapter 80C.	542								
1067	A bill for an act relating to taxation; eliminating the required appeal to the county board of equalization prior to appeal to the small claims division of the tax court; allowing claims that property has been assessed unfairly in comparison with other property in the school district to be determined by the district court; amending Minnesota Statutes 1980, Sections 271.21, Subdivision 4, and 278.01, Subdivision 1.	542								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1068	A bill for an act relating to agriculture; authorizing gradual increases in assessments for potato research and promotion; amending Minnesota Statutes 1981 Supplement, Section 30.469.	543	3255	3251a 3285	3312				
1069	A bill for an act relating to workers' compensation; revising the method for members of the reinsurance association to select a retention limit; changing the indexing provisions for the retention limits of the reinsurance association; increasing the prefunded limit of the association; providing for the reinsurance association to return excess premiums or collect deficient premiums from association members; changing the limitations of the purchase of workers' compensation reinsurance from private entities; amending Minnesota Statutes 1980, Sections 79.34, Subdivisions 1 and 2; 79.35; and 79.36.	543							
1070	A bill for an act relating to local government; changing responsibilities for the administration of the Ramsey county court house and Saint Paul city hall building; amending Laws 1974, Chapter 435, Section 3.12; and repealing Laws 1980, Chapter 612, Section 5.	543							
1071	A bill for an act relating to resolution of disputes; authorizing establishment of dispute resolution mechanisms; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 494.	543							
1072	A bill for an act relating to the city of Falcon Heights; authorizing the imposition of a tax on the gross receipts of amusements within the city limits.	543		(H1184)					
1073	A bill for an act relating to transportation; providing for continuing Amtrak rail passenger service between Duluth and the Twin Cities metropolitan area; appropriating money.	543							
1074	A bill for an act relating to natural resources; extending the permissible term of agricultural leases of state peat lands; providing that certain lands may be sold; authorizing an easement on certain lands; amending Minnesota Statutes 1980, Section 92.50, Subdivision 1.	543	1115	664 1093 1535	1604 2192	2188 2192	2188	3123	328
1075	A bill for an act relating to agriculture; providing for continuation of certain farm tenancies on termination of life estates; proposing new law coded in Minnesota Statutes, Chapter 500.	544	1490	1459a 1573 (H732)					
1076	A bill for an act relating to natural resources; raising limitations on values of state timber which may be sold at public auction or informal sale; providing for (Continued next page)	544	1518	1510a 1850 (H936)					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1076	—Continued intermediate auction sales and changing certain other provisions relating to the sale and removal of state timber; permitting extension of certain timber permits; amending Minnesota Statutes 1980, Sections 90.031, Subdivision 4; 90.041, by adding a subdivision; 90.101, Subdivision 1; 90.151, Subdivisions 11 and 13; 90.161, Subdivision 1; 90.173; 90.181, Subdivision 2; 90.191, Subdivision 1; 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90.								
1077	A bill for an act relating to taxation; real property; adjusting the maximum amount of market value subject to certain homestead classification ratios based upon average sale price of residential homes; amending Minnesota Statues 1980, Section 273.13, Subdivisions 6 and 7; proposing new law coded in Minnesota Statutes, Chapter 273.	544							
1078	A bill for an act relating to game and fish; allowing the commissioner of natural resources to authorize the use of snowmobiles in connection with taking beaver or otter; amending Minnesota Statutes 1980, Section 100.29, Subdivision 30.	544	3775	3747a 4014	4158		4954	5650	487
1079	A bill for an act relating to retirement; providing for an exemption from membership therein for city managers; modifying the income taxation of deferred compensation contributions by certain city managers; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20; proposing new law coded in Minnesota Statutes, Chapter 353.	544	1283 1577	583 1270a 1330 1570 1865	1907 2137	2137	2137	3118	254
1080	A bill for an act relating to crimes; increasing the penalty for intentional and unintentional homicides committed while committing certain felonies; amending Minnesota Statutes 1980, Sections 609.185; 609.19; 609.195; and 609.20.	544							
1081	A bill for an act relating to the state auditor; providing funding to be used to prepare the report to the legislature on the general financial condition of the various volunteer firefighters' relief associations; appropriating money.	545		765a (H1098)					
1082	A bill for an act relating to natural resources; imposing reclamation requirements on mining and removal of peat; amending Minnesota Statutes 1980, Sections 93.44; 93.46, Subdivision 2; 93.47, Subdivision 2; and 93.481, Subdivision 1.	545		798					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1083	A bill for an act relating to alcoholic beverages; removing the prohibition against sale on election days; amending Minnesota Statutes 1980, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.	545							
1084	A bill for an act relating to intoxicating liquor; hours for Sunday sale; amending Minnesota Statutes 1980, Section 340.14, Subdivision 5.	545	1577	1560a 1865	1906 2125 2863 2875	1906 2099a 2863 2875	2863	3124	368
1085	A bill for an act relating to local government; regulating the appointment, procedures, duties and organization of charter commissions; amending Minnesota Statutes 1980, Sections 410.05; 410.06; 410.07; and 410.12, Subdivision 1.	545							
1086	A bill for an act relating to special assessments; permitting special assessments for certain residential energy conservation improvements; amending Minnesota Statutes 1980, Section 429.011, by adding a subdivision; and 429.021, Subdivision 1.	545	738	698a 739 798					
1087	A bill for an act relating to insurance; providing for the examination of certain insurers; requiring certain reports and providing certain alternatives to examinations; authorizing the commissioner to promulgate rules; broadening the commissioner's power to revoke or suspend certificates of authority; expanding certain insurers' investment authority; allowing the commissioner to regulate an insurer's ratio of qualified assets to required liabilities; broadening the coverage of the financial statement requirement; providing for annual audits; providing standards for the investment of assets of insurance companies; allowing the use of certain depositories and systems; providing certain limitations on the acquisition of specified investments and holdings; providing for miscellaneous changes and clarifications; amending Minnesota Statutes 1980, Sections 60A.031, Subdivisions 1, 3, 4, 5, and by adding subdivisions; 60A.05; 60A.11, by adding subdivisions; 60A.13, Subdivisions 1 and 6, and by adding subdivisions; 61A.28, Subdivisions 2, 3, and 6; 61A.282; 61A.29, Subdivision 2; 61A.30; 61A.31, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapters 60A and 61A; repealing Minnesota Statutes 1980, Sections 60A.031, Subdivision 2; and 60A.11, Subdivisions 2 to 8.	546	1490	1456a 1625	1646 1995	1995	1994	2285	211
1088	A bill for an act relating to real property; providing for the registration of certain possessory estates in real property without court proceedings; provid-	546	3310	3304a 3364	3434		3793	4741	396

(Continued next page)

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1088	—Continued ing for a changeover from a certificate of possessory title to a certificate of title after a certain number of years; proposing new law coded as Minnesota Statutes, Chapter 508A.								
1089	A bill for an act relating to public welfare; modifying the liability of counties for reimbursement to the state of the costs of certain state hospital patients; amending Minnesota Statutes 1980, Section 246.54.	546							
1090	A bill for an act relating to Washington county; providing for the appointment, powers and compensation of a court commissioner.	546							
1091	A bill for an act relating to education; providing for a raptor research center at the University of Minnesota; appropriating money.	546		583					
1092	A bill for an act relating to taxation; providing for the collection of taxes; amending Minnesota Statutes 1980, Sections 270.70, Subdivisions 1, 2, 3 and 5, and by adding subdivisions; 290.48, Subdivisions 1, 3 and 4; 290.54; 290.92, Subdivision 6; 297A.33, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 270; and repealing Minnesota Statutes 1980, Sections 290.48, Subdivision 2; 297A.33, Subdivision 6; and 297A.40, Subdivision 2.	547							
1093	A bill for an act relating to taxation; income; providing for a deduction for excess costs associated with the employment of disabled persons; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; and 290.09, by adding a subdivision.	547							
1094	A bill for an act relating to courts; providing for certain reorganization of the court system in the state; providing that Hennepin and Ramsey municipal courts shall also be probate courts; abolishing the office of referee; providing for continuance of certain referee positions for a limited time; providing for continuance of certain judicial officer positions for a limited time; abolishing the office of court commissioner; providing for continuance of the Ramsey county court commissioner position for a limited time; changing the jurisdiction of county courts and county municipal courts; providing for the prosecution of gross misdemeanors by municipalities; creating certain judicial positions; abolishing certain judicial positions by attrition; appropriating money; amending Minnesota Statutes 1980, Sections 2.722, Subdivision 1, (Continued next page)	547	2124	1007 1041a 2120a 2217 (H1139)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1094	—Continued and by adding a subdivision; 260.031, Subdivision 1; 484.70, Subdivision 1, and by adding subdivisions; 487.03, by adding a subdivision; 487.08, Subdivisions 2 and 3; 487.15; 487.16; 487.18; 487.25, Subdivision 10; 488A.01, Subdivisions 4, 6, and 8; 488A.18, Subdivisions 4, 7, 9, and 13; 488A.27, Subdivision 11; 489.01; 525.10; repealing Minnesota Statutes 1980, Sections 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 489.05; and 525.04.								
1095	A bill for an act relating to the department of economic security; authorizing financial assistance to community action agencies; defining terms; providing a formula for the distribution of funds; proposing new law coded as Minnesota Statutes, Chapter 268A.	547	2018	1093a 2014a 2221 (H1253)					
1096	A bill for an act relating to energy; authorizing the Minnesota energy agency to administer a program of loans to municipalities for establishing and improving district heating systems; authorizing the issuance of state bonds pursuant to Article XI of the Minnesota constitution; appropriating money; amending Minnesota Statutes 1980, Sections 412.321, Subdivision 1; 412.351; 412.361, Subdivision 3; and 429.021, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 116H, 465, and 475.	547		583 708a 716 1956 (H493)					
1097	A bill for an act relating to intoxicating liquors; authorizing the sale of distilled spirits in miniature containers; proposing new law coded in Minnesota Statutes, Chapter 340.	548							
1098	A bill for an act relating to crimes; redefining the crime of indecent exposure; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 617; repealing Minnesota Statutes 1980, Section 617.23.	548							
1099	A bill for an act relating to corrections; authorizing parole of inmates by majority vote of the corrections board; amending Minnesota Statutes 1980, Section 243.05.	548							
1100	A bill for an act relating to employment, authorizing school boards to establish a merit pay program for teachers; amending Minnesota Statutes 1980, Section 179.66, by adding a subdivision.	548		3724					
1101	A bill for an act relating to economic development; providing for changes in the small business finance agency law to better provide assistance for small business; making technical changes; (Continued next page)	548	664	641a 665 675 1636 (H1125)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1101	—Continued amending Minnesota Statutes 1980, Sections 362.50, Subdivisions 4, 5, 9 and 10; 362.52, Subdivisions 2 and 4; 362.53, Subdivisions 11, 12, 15 and 17; repealing Minnesota Statutes 1980, Section 362.50, Subdivisions 6 and 7.								
1102	A bill for an act relating to unemployment compensation;abolishing the waiting period prior to receipt of benefits; amending Minnesota Statutes 1980, Sections 268.08, Subdivision 1; and 268.231.	548							
1103	A bill for an act relating to nursing homes; requiring the installation of automatic sprinkler systems; authorizing the small business finance agency to make certain loans; amending Minnesota Statutes 1980, Sections 144A.08, Subdivision 1; and 362.52, by adding a subdivision.	549		664					
1104	A bill for an act relating to the public defender; establishing the board of public defense; transferring public defender responsibilities from the judicial council to the board of public defense; abolishing the judicial council; amending Minnesota Statutes 1980, Sections 611.23; 611.24; 611.26, Subdivisions 1, 2, 3, 4, and 5; proposing new law coded in Minnesota Statutes, Chapter 611; repealing Minnesota Statutes 1980, Sections 480.053; 483.01; and 483.02.	549	1007	990a 1427	1492				
1105	A bill for an act relating to education; establishing an improved learning program; authorizing the state board of education to approve improved learning programs; providing for a report by the department of education to the legislature; establishing local advisory councils; establishing mandatory and optional program components; providing for state aid to districts establishing an improved learning program; appropriating money; proposing new law coded in Minnesota Statutes, Chapters 3 and 124.	549		739					
1106	A bill for an act relating to retirement; clarifying certain ambiguous provisions; correcting certain oversights, inconsistencies, unintended results and erroneous provisions; eliminating certain redundant, obsolete or conflicting provisions; amending Minnesota Statutes 1980, Sections 3.85, Subdivision 3; 3A.01, Subdivisions 2 and 7; 3A.02, Subdivision 1; 3A.04, Subdivisions 1, 1a, 2 and 4; 3A.05; 3A.09; 3A.11, Subdivisions 1 and 2; 3A.12, Subdivision 1; 11A.17, Subdivision 11; 11A.23, Subdivision 2; 15A.083, Subdivision 3; 16A.19; 43.051, Subdivision 4; (Continued next page)	549	1145	1136a 1538a	1611		2081	3115	224

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1106—Continued	69.011, Subdivision 1; 69.031, Subdivisions 5 and 6; 69.051, Subdivision 1; 69.77, Subdivisions 1, 1a, 2 and 2a; 69.772, Subdivisions 2 and 2a; 69.773, Subdivision 2; 118.01, Subdivision 11; 136.80, Subdivision 1; 136.81; 136.82; 136.83; 136.85; 136.87, Subdivisions 1 and 2; 275.125, Subdivision 6a; 275.50, Subdivision 5; 352.01, Subdivisions 2A, 11, 19 and 23; 352.029, Subdivision 1; 352.03, Subdivision 6; 352.113, Subdivision 4; 352.115, Subdivision 10; 352.116, Subdivision 3; 352.12, Subdivision 11; 352.22, Subdivisions 2a, 3 and 10; 352.72, Subdivisions 2 and 4; 352.75; 352.85, by adding a subdivision; 352.90; 352.91, Subdivision 2; 352B.02, Subdivision 1; 352B.08, Subdivision 2; 352B.11, Subdivision 2; 352B.26, Subdivisions 1 and 3; 352C.031, by adding a subdivision; 352C.04, Subdivision 1; 352D.02, Subdivisions 1 and 2; 352D.04, Subdivision 2; 352D.09, Subdivision 1; 352E.01, Subdivision 1; 353.01, Subdivisions 6, 7 and 10; 353.023; 353.03, Subdivision 1; 353.16; 353.28, Subdivisions 6 and 8; 353.29, Subdivision 4; 353.30, Subdivision 1c; 353.31, Subdivisions 1 and 9; 353.32, Subdivision 1a; 353.33, Subdivision 2; 353.34, Subdivision 3; 353.36, Subdivision 2; 353.37, Subdivisions 1 and 1a; 353.46, Subdivision 1a, and by adding a subdivision; 353.64, by adding a subdivision; 353.656, Subdivision 6; 353.71, Subdivision 1; 354.05, Subdivisions 2, 13, 24, 25 and 26; 354.06, Subdivision 1; 354.07, Subdivision 1; 354.43, Subdivision 4; 354.44, Subdivisions 1a, 4, 5, 6, 7 and 8; 354.47, Subdivision 1; 354.48, Subdivision 10, and by adding a subdivision; 354.50, Subdivision 2; 354.51, Subdivisions 1, 4 and 5; 354.52, Subdivisions 2, 3 and 4; 354.53, Subdivisions 1 and 3; 354.55, Subdivision 11; 354.56; 354.57; 354.60; 354.62, Subdivision 5; 354.66; 354.69; 354A.011, Subdivision 27; 354A.091, Subdivisions 1 and 6; 354A.092; 354A.094, Subdivisions 3, 8, 11, and by adding a subdivision; 354A.31, Subdivision 3; 354A.35, Subdivisions 2 and 3; 355.07; 355.11, Subdivisions 2, 4 and 5; 355.13, Subdivision 2; 355.21, Subdivisions 2 and 4; 355.22; 355.23, Subdivision 1; 355.29, Subdivisions 1, 3 and 4; 355.311, Subdivisions 1, 2 and 4; 355.41, Subdivisions 2, 3, 4 and 7; 355.46, Subdivision 3; 355.71, Subdivision 6; 355.72; 355.73, by adding a subdivision; 356.18, Subdivision 1; 356.20; 356.215; 356.216; 356.22, Subdivision 1; 356.24; 356.25; 356.32, Subdivision 1; 356.39; 356.45, Subdi-								

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1106—Continued	vision 2; 356.60, Subdivision 1; 422A.01, Subdivision 11; 422A.06, Subdivisions 2, 3 and 5; 422A.08, Subdivisions 1 and 5; 422A.09, Subdivision 3; 422A.101; 422A.11, Subdivision 1; 422A.15, Subdivision 1; 422A.16, Subdivision 8; 422A.22, Subdivision 2; 422A.23, Subdivision 5; 422A.24; 422A.26; 423.075, Subdivision 1; 423.38; 423.801, Subdivision 2; 423.802; 423.805; 423.806, Subdivision 1; 423.807, Subdivisions 1 and 2; 423.808; 423.809, Subdivisions 1 and 2; 423.810, Subdivision 1; 423.815, Subdivision 1; 423A.04; 424A.02, Subdivisions 1 and 8; 424A.04; 424A.05, Subdivision 1; 458.18, Subdivision 1; 484.61; 484.68, Subdivision 8; 487.01, Subdivisions 7 and 9; 488A.115; 488A.285; 490.101, Subdivision 2; 490.106; 490.107; 490.12, by adding a subdivision; 490.121, Subdivisions 1, 4, 6 and 7; 490.122; 490.123, Subdivision 1; 490.124, Subdivisions 1, 2, 6 and 10; 490.126, Subdivision 1; 490.129; and 490.132; Laws 1955, Chapter 75, Section 12, Subdivision 2, as amended; Laws 1959, Chapter 131, Section 10, Subdivision 1, as amended; Laws 1965, Chapters 446, Section 7, Subdivision 1, as amended; 458, Section 3, Subdivision 2, as amended; and 498, Section 1, Subdivision 1, as amended; Laws 1967, Chapters 575, Section 9, Subdivision 2; 742, Section 2; 775, Section 8, as amended; 798, Section 1, Subdivision 1, as amended; and 815, Section 8, Subdivision 1; Laws 1969, Chapters 526, Section 11, Subdivision 1; 576, Section 1, Subdivision 1, as amended; 641, Section 2, Subdivision 1, as amended; 719, Section 2; 1088, Section 8, Subdivision 1, as amended; and 1105, Section 4; Laws 1971, Chapters 51, Sections 9, as amended, and 10, Subdivision 2, as amended; 114, Section 8, Subdivision 1; 184, Sections 4 and 5; 214, Section 10; 407, Section 1, Subdivisions 2 and 3; 614, Section 2; and 810, Section 7, as amended; Laws 1973, Chapters 304, Section 3, Subdivision 1; and 587, Section 1, Subdivisions 3, as amended, and 5, as amended; Laws 1974, Chapter 251, Section 1, Subdivisions 2 and 3; Laws 1975, Chapter 424, Section 11, as amended; Laws 1976, Chapter 36, Sections 2, 3 and 4; Laws 1977, Chapter 61, Section 5, Subdivision 2, as amended; and Laws 1978, Chapter 689, Sections 4, Subdivision 2, and 8; proposing new law coded in Minnesota Statutes, Chapters 345, 352, 353, 355 and 356; repealing Minnesota Statutes 1980, Sections 136.86; 352.115, Subdivision 13; 352.1181; 352B.075; 352D.10; 354.09, Subdivisions 1 and 4; (Continued next page)								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1106	—Continued 354.41, Subdivisions 6 and 8; 355.302; 355.303; 355.304; 355.305; 355.306; 355.307; 355.308; 355.309; 355.53; 355.73, Subdivisions 5, 6 and 7; 356.18, Subdivision 2; 422A.01, Subdivisions 14, 15 and 16; 422A.08, Subdivisions 2, 3, 4 and 6; 422A.081; 422A.091; 422A.30; 422A.31; 422A.32; 422A.33; 422A.34; 422A.35; 422A.39; 423.075, Subdivision 2; 423.815, Subdivision 3; 487.06; 490.104; 490.127; 490.128; and 490.13; Laws 1969, Chapter 252; Laws 1973, Chapter 481; Laws 1975, Chapter 429; Laws 1978, Chapter 538, Section 6; and Laws 1980, Chapters 342, Section 20; and 509, Section 135.								
1107	A bill for an act relating to public welfare; authorizing the commissioner of public welfare to use money in the revolving fund for vocational rehabilitation of the blind for certain purposes; removing the preference given to blind operators of vending machines who have resided in the state for a year; amending Minnesota Statutes 1980, Section 248.07, Subdivision 8.	551	3360	739	3357	3725		3943	4741	395
1108	A bill for an act relating to unemployment compensation; changing the time period for an appeal from a decision of the commissioner; amending Minnesota Statutes 1980, Section 268.10, Subdivision 8.	551								
1109	A bill for an act relating to wild animals; prescribing requirements for carrying firearms under certain conditions; amending Minnesota Statutes 1980, Section 100.29, Subdivisions 3 and 9.	551								
1110	A bill for an act relating to teachers' retirement funds; creating a study commission.	551								
1111	A bill for an act relating to public safety; providing for the issuance of driver's licenses and Minnesota identification cards; eliminating the requirement that the licenses and cards be plastic with embossed identification information; amending Minnesota Statutes 1980, Section 171.07, Subdivisions 1 and 3.	551								
1112	A bill for an act relating to costs and attorney fees; providing for recovery of costs and attorney fees by prevailing parties in civil actions against the state and political subdivisions and in administrative contested cases; proposing new law coded in Minnesota Statutes, Chapters 3 and 15.	552								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1113	A bill for an act relating to education; establishing a state board for technical institutes and community colleges; requesting the release of the technical colleges from the University of Minnesota; transferring powers, duties and functions from school districts, school boards, the state board for vocational education, and the state board for community colleges to the state board for technical institutes and community colleges; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 135A.	552							
1114	A bill for an act relating to courts; requiring notice to remove a judge to be made on the day set for trial before any other motions; amending Minnesota Statutes 1980, Sections 487.40, Subdivision 2; and 542.16, Subdivision 1.	552							
1115	A bill for an act relating to municipal industrial development; stating municipal and redevelopment agency powers; requiring that industrial development projects be located within the territory of the municipality or redevelopment agency; amending Minnesota Statutes 1980, Section 474.03.	552							
1116	A bill for an act relating to municipal industrial development; prohibiting purchase of industrial development bonds by certain benefited parties; amending Minnesota Statutes 1980, Section 474.06.	552							
1117	A bill for an act relating to education; authorizing Independent School District No. 621 to transfer the proceeds of certain sales of school buildings and real property from the debt retirement fund to the capital expenditure fund; authorizing the district to place the proceeds of certain other sales of school buildings and real property into the capital expenditure fund.	552							
1118	A bill for an act relating to local government; removing a limit on advertising budgets of certain statutory cities; amending Minnesota Statutes 1980, Section 465.56, Subdivision 1; repealing Minnesota Statutes 1980, Section 465.56, Subdivision 2.	553	798	746 1116 1283(H241)					
1119	A bill for an act relating to education; authorizing school districts to levy the amount of the regional average grandfather levy; providing matching foundation aid; providing foundation aid for the 1982-1983 school year; amending Minnesota Statutes 1980, Sections 124.212, by adding a subdivision; and 275.125, by adding a subdivision.	553							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1120	A bill for an act relating to retirement; city of Chisholm police and firefighters' relief associations; increasing service pensions and survivors' benefits; amending Laws 1945, Chapter 74, Sections 2, as amended, 3, and 4, as amended; and Laws 1961, Chapter 631, Section 1, as amended.	553								
1121	A bill for an act relating to Lake of the Woods Independent School District No. 390; establishing subdistricts for the purpose of funding K-6 programs; granting bonding and levy authority; requiring a referendum.	553		1108a						
1122	A bill for an act relating to veterans; changing the method of appointment and termination of the administrator of the Minnesota veterans home; amending Minnesota Statutes 1980, Section 198.06.	553	1007	876a 1519	1401a	1600		1873	2200	186
1123	A bill for an act relating to taxation; authorizing the establishment of education savings accounts; providing that contributions to an account which are used exclusively in connection with the eductional expenses of a child are deductible for income tax purposes; providing tax penalties; amending Minnesota Statutes 1980, Sections 48.159, by adding a subdivision; 50.157, by adding a subdivision; 51A.21, by adding a subdivision; 290.09, by adding a subdivision; 290.17, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 52.	553								
1124	A bill for an act relating to counties; providing county licensing requirements for building contractors; proposing new law coded in Minnesota Statutes, Chapter 373.	554								
1125	A bill for an act relating to the cities of Bloomington and St. Louis Park; authorizing use of electronic voting systems for absentee voting; imposing rulemaking duties on the secretary of state.	554	1072	1040a	1500	1531				
1126	A bill for an act relating to insurance; providing for continued health and accident coverage for former spouses and children after dissolution of the marriage in certain circumstances; amending Minnesota Statutes 1980, Section 62A.21, Subdivision 3, and by adding subdivisions; repealing Minnesota Statutes 1980, Section 62A.21, Subdivision 2.	554	1283	1189a	1538a	1613 2792	2792	2792	3123	329
1127	A bill for an act relating to forestry; cutting, removal and transportation of decorative trees; amending Minnesota Statutes 1980, Sections 88.642; and 88.648; repealing Minnesota Statutes 1980, Sections 88.643; 88.644; 88.646; and 88.649.	554								

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1128	A bill for an act relating to the operation of state government; abolishing certain boards, commissions, and other bodies; proposing new law coded in Minnesota Statutes, Chapter 15.	554							
1129	A bill for an act relating to taxation; exempting certain airport property of municipalities from the property user tax on exempt property; amending Minnesota Statutes 1980, Sections 272.01, Subdivision 2; and 360.035.	554	2124	583 2122a 3116					
1130	A bill for an act relating to state lands; authorizing the conveyance by the state of its interest in certain lands in Lyon County and Wright County.	555	3724	1007 3173 3660a 4014 4334 (H1235)					
1131	A bill for an act relating to elections; authorizing changing of certain precinct boundaries; amending Minnesota Statutes 1980, Section 204A.06, Subdivision 1.	555	860	857 2099					
1132	A bill for an act relating to education; allowing area vocational-technical institutes to grant associate degrees under certain conditions; proposing new law coded in Minnesota Statutes, Chapter 121.	555	1115	1109a 1535	1609 2908	2082 2085 2110 2135 2907*	2082 2977	3124	353
1133	A bill for an act relating to retirement; Minnesota state retirement system; authorizing certain persons to purchase prior service credit.	555							
1134	A bill for an act relating to crimes; specifying the crime of mail, telegraph and telephone harassment; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.	555							
1135	A bill for an act relating to education; providing for comprehensive planning by post-secondary institutions; requiring reports; amending Minnesota Statutes 1980, Sections 121.21, by adding a subdivision; 136.14; 136.62, by adding a subdivision; 136A.16, by adding a subdivision; and 137.02, by adding a subdivision.	555	1115	1107 1538a 1820a 2052					
1136	A bill for an act relating to education; providing matching funds for capital expenditures made by Lake of the Woods Independent School District No. 390; appropriating money.	555							
1137	A bill for an act relating to education; authorizing school districts with more than 1,000 square miles to receive an increased amount of money from the sparsity portion of the replacement levy; amending Minnesota Statutes 1980, Section 124.212, Subdivision 7d.	555							
1138	A bill for an act relating to the environment; exempting automobile racetracks from certain noise pollution standards; amending Minnesota Statutes 1980, Section 116.07, Subdivision 2a.	584							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1139	A bill for an act relating to taxation; income; property tax refund; adopting federal income tax limitations on the deduction of interest; authorizing the commissioner to provide a short form income tax return; clarifying the computation of the low income alternative tax; providing for the computation of net operating loss; allowing for disclosures of information between the department of economic security and the commissioner of revenue regarding unemployment compensation; allowing for disclosures of information between the commissioner of revenue and the commissioner of public welfare; allowing the commissioner to obtain information required on returns by court action; allowing the commissioner to designate the places returns may be filed; conforming information return requirements to the federal requirements; requiring certain statements to be furnished to subjects of information returns; providing that payment of taxes of a decedent shall be made by successors in the absence of a personal representative; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; adopting the federal requirements for withholding and reporting on tips; clarifying the liability of employers in regard to withholding tax returns; conforming information requirements of withholding statements to federal law; allowing notification of an employer by the department that a withholding certificate is invalid; providing for verification of withholding exemptions and appeal by the claimant; allowing certain spouses to file a joint property tax return claim; conforming estimated tax requirements with federal law; altering the computation of the corporate estimated tax; conforming tax exempt provisions with federal law; altering filing requirements for corporations; allowing the commissioner to adjust the computation of federal adjusted gross income in certain circumstances; specifying or increasing interest rates on certain delinquent taxes and penalties; abolishing an election relating to the lump sum distribution tax; providing for the computation of basis; providing for the liability of taxes due on a combined return; clarifying property tax refund interest provisions; providing penalties; amending Minnesota Statutes 1980, Sections 10A.31, Subdivision 1; 15.1691, Subdivision 2; 268.12, Subdivision 12; 290.05; 290.06, Subdivision 3d; 290.067, Subdivision 2; 290.09, Subdivision 3; 290.095, Subdivisions 1, 9, and by adding a subdivision; 290.14; 290.37, Subdivision 1; 290.39, Subdivisions 1 (Continued next page)	584	1397	1379a 2014 (H1143)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1139—Continued	and 2, and by adding a subdivision; 290.41, Subdivision 2, and by adding subdivisions; 290.42; 290.43; 290.44; 290.46; 290.53, Subdivisions 3 and 3a; 290.61; 290.92, Subdivisions 1, 2a, 7, 15, and by adding subdivisions; 290.93, Subdivisions 1, 3 and 10; 290.931, Subdivision 1; 290.934, Subdivisions 4 and 5; 290A.03, Subdivision 7; 290A.07, Subdivisions 2 and 3; 290A.08; 290A.11, Subdivisions 2 and 4; proposing new law coded in Minnesota Statutes, Chapters 290 and 290A; repealing Minnesota Statutes 1980, Sections 290.032, Subdivision 4; and 290A.07, Subdivision 4.								
1140	A bill for an act relating to statutory cities; raising the limitation on city contracts which the city manager may make; amending Minnesota Statutes 1980, Section 412.691.	585	1007	589 874 1400	1422				
1141	A bill for an act relating to education; modifying procedures for the dissolution and attachment of a school district; amending Minnesota Statutes 1980, Section 122.22, Subdivisions 3, 4, 5, 8, 9, 11, 13, 14, 20, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 122.22, Subdivisions 10, 12, 15, and 16.	585		606					
1142	A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; appropriating funds; amending Laws 1979, Chapter 293, Section 10, Subdivisions 1, as amended, 3 and 4.	585							
1143	A bill for an act relating to minors; permitting blood donation by minors; providing circumstances under which minors are emancipated; providing procedures for a declaration of emancipation; amending Minnesota Statutes 1980, Sections 145.41; 260.015, by adding a subdivision; 260.131, Subdivision 2; 260.135, Subdivision 3; 260.141, Subdivision 1; 260.155, Subdivision 2; 260.185, Subdivision 1; 260.191, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 260.111, Subdivision 2; and 525.6192; and proposing new law coded in Minnesota Statutes, Chapter 260.	585	4560	4550a 4704					
1144	A bill for an act relating to agriculture; requiring prompt payment by livestock market agency or livestock dealer; changing legal notice requirements for claims against bonds; amending Minnesota Statutes 1980, Section 17A.06, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 17A.	585							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1145	A bill for an act relating to education; permitting the operation of single sex wrestling teams; amending Minnesota Statutes 1980, Section 126.21, Subdivision 3.	585		(H817)					
1146	A bill for an act relating to crimes; establishing minimum terms of imprisonment for use of a dangerous weapon or possession of a firearm; amending Minnesota Statutes 1980, Sections 609.11, Subdivision 1, and by adding subdivisions; and 609.135, Subdivision 1; repealing Minnesota Statutes 1980, Section 609.11, Subdivision 3.	585							
1147	A bill for an act relating to public welfare; providing medical assistance payments for attendant care on an equivalent basis with other providers; appropriating money; amending Minnesota Statutes 1980, Section 256B.02, Subdivision 8.	586		664 1037a					
1148	A bill for an act relating to taxation; redefining "original assessed value" for purposes of the Minnesota tax increment financing act; amending Minnesota Statutes 1980, Sections 273.73, Subdivision 7; and 273.76, Subdivision 1.	586							
1149	A bill for an act relating to insurance; requiring private passenger vehicle insurers to disclose surcharge rates and plans; proposing new law coded in Minnesota Statutes, Chapter 65B.	586							
1150	A bill for an act relating to the interstate compact on juveniles; amending the compact to require the home state to authorize the return of a runaway juvenile and to permit a state in which a juvenile is found to return him to a state in which the juvenile is charged with being a delinquent by reason of a violation of criminal law; amending Minnesota Statutes 1980, Section 260.51.	586	1007	960 1400	1427		3167	3269	371
1151	A bill for an act relating to county recorders; providing for the disposal of various obsolete records including state and federal liens; amending Minnesota Statutes 1980, Section 386.46.	586	3173	3169a 3255	3284		3454	3738	377
1152	A bill for an act relating to taxation; providing that an electing small business corporation for federal income tax purposes shall be an electing small business corporation for Minnesota income tax purposes; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 290.974; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 290.971; 290.972; and 290.975.	586	1854	1834a 2052 2545 (H1210)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1153	A bill for an act relating to state government; establishing a department of health and social services; transferring duties and powers to the new department from the departments of health and public welfare; abolishing the department of health; prescribing salaries; appropriating money; amending Minnesota Statutes 1980, Sections 3.738, Subdivision 1; 3.755; 6.48; 15.01; 15.1691, Subdivision 1; 15.43, Subdivision 3; 15.46; 15A.081, Subdivision 1; 16A.72; 43.09, Subdivision 2a; 62D.02, Subdivision 3; 116C.03, Subdivision 2; 136.11, Subdivision 1; 144.05; 144.053, Subdivisions 1, 3, and 4; 144.1761; 144.218, Subdivision 2; 144.225, Subdivision 2; 144.226, Subdivision 1; 144.417; 144.422, Subdivisions 6, 9, and 10; 144.424, Subdivision 11; 144.425; 144.53; 144.571; 144.653; 144.656; 144.696, Subdivision 2; 144A.01, Subdivision 2; 144A.05; 144A.10, Subdivisions 1, 3, and 8; 144A.19, Subdivision 1; 144A.52, Subdivision 1; 144A.53, Subdivision 4; 144A.611, Subdivision 3; 145.411, Subdivision 3; 145.833, Subdivision 2; 145.896; 181.54; 214.14; 241.07; 241.31, Subdivision 6; 241.69, Subdivisions 1 and 6; 243.24, Subdivision 1; 243.55, Subdivisions 2 and 3; 243.88, Subdivision 2; 245.03; 245.0311; 245.75; 245.781; 245.782, Subdivision 8; 246.01; 246.14; 246.15, Subdivision 1; 246.151; 246.16; 246.18; 246.28; 246.33, Subdivision 1; 246.50, Subdivision 2; 246.59, Subdivisions 2, 3, and 4; 246.60; 252.31; 252A.02, Subdivision 3; 252A.04, Subdivision 4; 253.20; 253A.14, Subdivision 1; 254A.02, Subdivision 13; 256.01, Subdivision 2; 256.012; 256.12, Subdivision 19; 256.482, Subdivision 1; 256.736, Subdivisions 3, 4, 5, and 7; 256.74, Subdivisions 1 and 2; 256.93; 256.94; 256.96; 256.965; 256.971; 256.975, Subdivisions 1 and 2; 256.9753; 256.976, Subdivisions 2, 3, and 4; 256.977, Subdivisions 4 and 5; 256.978; 256B.51, Subdivisions 1 and 2; 257.42; 259.21, Subdivision 5; 259.261, Subdivisions 1 and 3; 376.62; 376.65; 376.66; 462A.03, Subdivision 7; and 473.149, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 15.45, Subdivision 3; 15.47; 144.011; 144.13; 245.04; 245.05; 245.06; 245.07; 253.201; 256.01, Subdivisions 1, 5, 6, 7, 9, and 10; 256.02; 256.05; 256.06; 256.08; 256.09; and 256.10.	587								
1154	A bill for an act relating to public resources; authorizing the conveyance of certain state lands in Pine county to the Amherst H. Wilder Foundation; per- (Continued next page)	587	1072	1025a 1427	1497 2968	2116 2227 2267 2594 2966*	2116 3056	3124	354

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1154	—Continued mitting Independent School District No. 573, Independent School District No. 576, or a joint powers board to request and assume responsibility for educating children at an Amherst H. Wilder Foundation camp; extending the availability of an appropriation to the city of Cloquet for the purpose of constructing a water filtration plant; providing a procedure for determination of a rate and making of a contract for water service between the cities of Hermantown and Duluth.								
1155	A bill for an act relating to unemployment compensation; providing for the collection of contributions; defining employment; providing for contribution rates; regulating extended benefits; regulating benefit eligibility and amount; providing for benefit determination procedures; regulating the use of data; raising the interest rate on late contributions and payments; providing for personal liability for unpaid contributions; providing for recovery of overpayments; and regulating the return and charging of wrongfully paid or received benefits; providing penalties; amending Minnesota Statutes 1980, Sections 268.04, Subdivision 12; 268.06, Subdivisions 19 and 22; 268.071, by adding subdivisions; 268.08, Subdivisions 1, 3, 4, and 6; 268.09, Subdivision 2; 268.10, Subdivisions 1 and 2; 268.11, Subdivision 3; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Section 268.16, Subdivision 3.	587							
1156	A bill for an act relating to port authorities; clarifying the exemption of a special county levy for a port authority from certain levy limitations; amending Minnesota Statutes 1980, Section 458.14.	588	2124	2123	3116				
1157	A bill for an act relating to education; providing for school bus safety education; eliminating the requirement that a school bus driver wait until children have crossed the road; amending Minnesota Statutes 1980, Section 169.44, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 126.	588							
1158	A bill for an act relating to civil actions; enacting the uniform class actions act; proposing new law coded in Minnesota Statutes, Chapter 540.	588							
1159	A bill for an act relating to labor; prohibiting the use of certain evidence by employers; proposing new law coded in Minnesota Statutes, Chapter 181.	588							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1160	A bill for an act relating to public utilities; extending an option as to rate regulation by the public utilities commission to certain small telephone companies; amending Minnesota Statutes 1980, Sections 237.01; 237.075, Subdivision 9; and 237.081, Subdivision 1a.	588	1490	1450a 1852 (H1065)					
1161	A bill for an act relating to taxation; income; abolishing the farm loss deduction limitation; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; and 290A.03, Subdivision 3; repealing Minnesota Statutes 1980, Section 290.09, Subdivision 29.	589							
1162	A bill for an act relating to public finance; providing an alternative general system to issue state and local debt obligations; enacting the "Minnesota All-Government Bond Act"; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 16B.	589							
1163	A bill for an act relating to health; requiring installation of telecommunication devices for the deaf in county sheriff's offices and public safety agencies; requiring the commissioner of health to make telecommunication devices available to county sheriff's offices; proposing new law coded in Minnesota Statutes, Chapter 145.	623		664					
1164	A bill for an act relating to crimes; providing for application for relief of sentences imposed prior to adoption of sentencing guidelines; amending Minnesota Statutes 1980, Section 590.01, by adding a subdivision.	623	1072	1052a 1501a	1532 2858 2964	1647 2176 2857a 2964	2964	3124	366
1165	A bill for an act relating to Ramsey county; modifying procedures for the publication of a board journal; amending Laws 1974, Chapter 435, Section 2.05, as amended.	624							
1166	A bill for an act relating to transportation; limiting construction on certain trunk highways; amending Minnesota Statutes 1980, Section 161.123.	624							
1167	A bill for an act relating to transportation; prohibiting the expenditure of funds on a certain interstate route; requiring application for the withdrawal of the route from the interstate system and transfer and substitution of its federal funding entitlements to certain eligible transportation projects.	624							
1168	A bill for an act relating to education; providing for removing pupils from class; establishing powers and duties of school personnel relative to students; amending Minnesota Statutes 1980, Sections 127.27, Subdivision 2, and by adding a subdivision; 127.28; proposing new law coded in Minnesota Statutes, Chapter 127.	624							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1169	A bill for an act relating to education; modifying the provisions governing teachers placed on unrequested leave of absence in experimental paired districts; amending Minnesota Statutes 1980, Section 122.85, Subdivision 4.	624	1115	1108a 1326 (H1015)					
1170	A bill for an act relating to tort claims against the state and political subdivisions; specifying liability; raising liability limits; clarifying existing law; amending Minnesota Statutes 1980, Sections 3.732, Subdivisions 1, 2, and 3; 3.736, Subdivisions 1, 3, 4, 5, 7, 8, 9, and by adding subdivisions; 3.755; 3.84; 75.125, Subdivision 4; 466.04, Subdivisions 1 and 3; and 466.06.	624	1072 3775	1053a 2176 3750a 5576					
1171	A bill for an act relating to financial institutions; allowing banks and trust companies to establish trustservice offices at the location of other banks; proposing new law coded in Minnesota Statutes, Chapter 48.	625							
1172	A bill for an act relating to state government; changing the name of the department of public welfare to the department of social services; amending Minnesota Statutes 1980, Section 245.03.	625	1072	1007 1038 1535					
1173	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and building on the Fergus Falls state hospital campus of a capital nature; authorizing issuance of state bonds; appropriating money.	625		887a					
1174	A bill for an act relating to retirement; local police relief associations; authorizing the payment of benefits outside the United States in certain instances; proposing new law coded in Minnesota Statutes, Chapter 423; repealing Minnesota Statutes 1980, Section 423.811.	625	1115	1109 1535	1610		2111	3117	233
1175	A bill for an act relating to crimes; prohibiting tampering with a witness; prohibiting burglary; increasing penalties; amending Minnesota Statutes 1980, Section 609.498; proposing new law coded in Minnesota Statutes, Chapter 609; repealing Minnesota Statutes 1980, Section 609.58.	625	4471	664 3255 4133 4466a 4753(H352)		5589			
1176	A bill for an act relating to investment of retirement funds; clarifying the appointing authority of the investment advisory council; creating a state board of pension investment; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1980, Sections 11A.01; 11A.02, Subdivisions 2 and 4; 11A.04; 11A.08, Subdivision 1; 11A.13, Subdivision 1; 43.064; 179.74, Subdivision 4; propos-	626							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1176	—Continued ing new law coded as Minnesota Statutes, Chapter 11B; repealing Minnesota Statutes 1980, Sections 11A.13, Subdivision 2; 11A.14; 11A.17 to 11A.19; 11A.23; and 11A.24.								
1177	A bill for an act relating to crimes; establishing classifications for the crime of burglary; prescribing terms of imprisonment for certain burglary offenses; proposing new law coded in Minnesota Statutes, Chapter 609; repealing Minnesota Statutes 1980, Section 609.58.	626	3851	3826a 5576					
1178	A bill for an act relating to taxation; real property; providing a reduced assessment ratio for industrial and commercial property; amending Minnesota Statutes 1980, Section 273.13, by adding a subdivision.	626							
1179	A bill for an act relating to state government; providing for the appropriation of funds equal to the value of transferred assets when certain assets are transferred among state agencies; transferring to the commissioner of finance certain duties of the state auditor related to Minnesota aeronautics bonds; providing for the state auditor to approve bonds for officers and employees of regional development commissions; providing for audits of housing and redevelopment authorities under certain conditions; transferring duties of the state auditor to the commissioner of finance related to state taxes on the sale of certain obligations; appropriating money; amending Minnesota Statutes 1980, Sections 16.73; 360.302; 462.389, Subdivision 4; and 475.73, Subdivision 2.	626	1283	1194a 1757a	1775				
1180	A bill for an act relating to public employment labor relations; modifying the definition of public employee; amending Minnesota Statutes 1980, Section 179.63, Subdivision 7.	627							
1181	A bill for an act relating to education; revising the formula for use by school districts in computing state aid and levy for operating a community education program; amending Minnesota Statutes 1980, Sections 124.271, by adding a subdivision; and 275.125, Subdivision 8.	627							
1182	A bill for an act relating to education; requiring the state board of education to adopt standards for area vocational-technical institutes to account for fixed assets; requiring all area vocational-technical institutes to implement a system to account for fixed assets; making certain changes to comply with uniform financial accounting and reporting sys-	627							

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a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1182	—Continued tem requirements; amending Minnesota Statutes 1980, Sections 121.902, by adding a subdivision; 121.931, Subdivision 6; 121.934, Subdivision 7; 121.935, Subdivisions 2 and 6; 121.936, Subdivisions 2 and 3, and by adding a subdivision; 121.937, Subdivision 1; 121.938, Subdivision 2; 124.5624, Subdivision 6.									
1183	A bill for an act relating to retirement; basing the annuities of retired judges upon the current salaries for active judges; amending Minnesota Statutes 1980, Section 490.102, Subdivision 2.	627								
1184	A bill for an act relating to taxation; providing for the distribution and division of the proceeds of the taconite production tax; appropriating money; providing for certain tax credits; amending Minnesota Statutes 1980, Sections 298.225; 298.24, Subdivision 3; 298.28, Subdivisions 1 and 2; repealing Minnesota Statutes 1980, Section 273.135, Subdivision 4.	627								
1185	A bill for an act relating to highway traffic regulations; establishing a 65 mile per hour maximum speed on interstate highways; amending Minnesota Statutes 1980, Section 169.141, by adding a subdivision.	627								
1186	A bill for an act relating to the city of Rochester; permitting the imposition of certain taxes within the city; requiring a referendum; permitting the issuance of certain bonds by the city.	628		1034a						
1187	A bill for an act relating to game and fish; increasing and making permanent a surcharge on small game licenses for wildlife land acquisition; amending Minnesota Statutes 1980, Section 97.482, Subdivision 1; repealing Laws 1961, Chapter 66, Section 1, as amended.	628	1397	1393a	1979	2023				
1188	A bill for an act relating to human rights; clarifying the meaning of reprisal; permitting the filing of a charge of unfair discriminatory practice directly in district court; permitting access to certain documents; granting certain powers to the commissioner of human rights and eliminating the requirement that the commissioner provide a bond; amending Minnesota Statutes 1980, Sections 363.03, Subdivision 7; 363.06, Subdivisions 1, 3, and 4, and by adding a subdivision; 363.14, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 363; repealing Minnesota Statutes 1980, Section 363.04, Subdivision 3.	628	1072	1055a	1537a	1603 2202	2202	2202	3123	330

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1189	A bill for an act relating to education; authorizing transportation for certain handicapped pupils from home to hospitals or treatment centers when instructional programs are provided; amending Minnesota Statutes 1980, Sections 123.39, by adding a subdivision; and 124.223.	628							
1190	A bill for an act relating to retirement; transferring jurisdiction over investment of funds of the public employees retirement association from the state board of investment to the public employees retirement association board of trustees; amending Minnesota Statutes 1980, Sections 11A.14, Subdivision 5; 11A.23, Subdivision 4; 353.05; and 353.06; proposing new law coded in Minnesota Statutes, Chapter 353; repealing Minnesota Statutes 1980, Section 353.271.	628							
1191	A bill for an act relating to taxation; income; providing a credit for home care of the elderly; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.	628							
1192	A bill for an act relating to workers' compensation; requiring evidence of insurance before issuing certain permits and licenses; increasing the penalty for failure to provide insurance coverage; amending Minnesota Statutes 1980, Section 176.181, Subdivision 3;proposing new law coded in Minnesota Statutes, Chapter 176.	629							
1193	A bill for an act relating to the city of Crystal; providing for the designation of polling places in a certain precinct.	675	1417	1414a	1500		1826	2081	170
1194	A bill for an act relating to taxation; property tax refund; excluding from eligibility certain residents of institutions; amending Minnesota Statutes 1980, Section 290A.03, Subdivision 8.	676							
1195	A bill for an act relating to crimes; deleting obsolete terminology and substituting new terminology consistent with other laws; amending Minnesota Statutes 1980, Sections 192A.605; 241.51, Subdivision 2; 609.11, Subdivision 1; 624.712, Subdivision 5; and 626A.05, Subdivision 2.	676							
1196	A bill for an act relating to highways; modifying restrictions on the loading of vehicles driven on the highways; amending Minnesota Statutes 1980, Section 169.81, Subdivision 5.	676		(H1185)					
1197	A bill for an act relating to state government; clarifying fee adjustments and minimum deposits with the state treasurer; facilitating the general fund's re- (Continued next page)	676		3114					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1197	—Continued ceipt of amounts from canceled warrants; modifying provisions relative to the state's issuance of certificates of indebtedness; appropriating money for the payment of certificates, interest thereon and other expenses; authorizing a state property tax under certain conditions; amending Minnesota Statutes 1980, Sections 16A.128 and 16A.275; proposing new law coded in Minnesota Statutes, Chapter 16; repealing Minnesota Statutes 1980, Sections 16A.67; 16A.75 to 16A.754; 268.15, Subdivision 4; 352.04, Subdivision 10; 352B.061; and 354.61.								
1198	A bill for an act relating to public welfare; requiring medical assistance recipients to enroll in a prepaid health care plan or co-pay for optional services; amending Minnesota Statutes 1980, Section 256B.02, Subdivision 8.	676							
1199	A bill for an act relating to game and fish; restricting commercial fishing on Lake of the Woods and Rainy Lake to rough fish only; amending Minnesota Statutes 1980, Section 102.26, Subdivisions 1 and 3.	676		1397					
1200	A bill for an act relating to St. Louis county; establishing a law library.	677							
1201	A bill for an act relating to crimes; providing for distribution of proceeds from sale of forfeited property; amending Minnesota Statutes 1980, Section 152.19, Subdivision 5.	677							
1202	A bill for an act relating to taxation; providing an income tax credit for electric heating equipment designed or equipped to function in accordance with a utility controlled monitoring device; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.	677							
1203	A bill for an act relating to occupations and professions; expanding the definition of a class B master electrician to encompass specified work done in commercial and family dwellings in certain towns and municipalities; amending Minnesota Statutes 1980, Section 326.01, Subdivision 6.	677							
1204	A bill for an act relating to the city of Blaine; permitting all council members to serve on the housing and redevelopment authority.	677	1397	1330 1366 1417 (H1237)					
1205	A bill for an act relating to taxation; real property; allowing property used by certain disabled persons to qualify for 3cc classification; amending Minnesota Statutes 1980, Section 273.13, Subdivision 7.	677	1854	1835a 2052	2095				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1206	A bill for an act relating to public safety; authorizing the sale to and use by engineers of fireworks; amending Minnesota Statutes 1980, Section 624.21.	677		(H1120)					
1207	A bill for an act relating to intoxicating liquor; providing an exemption from the multiple interest limitation on off-sale licenses for pre-existing franchise agreements; amending Minnesota Statutes 1980, Section 340.13, Subdivision 3.	677	3724	3567 4007a	4139 4951	4951 5654	4951	Veto 5654	
1208	A bill for an act relating to workers' compensation; patterning the law after the law of Wisconsin; generally changing all facets of the workers' compensation law; amending Minnesota Statutes 1980, Sections 10.30; 43.12, Subdivision 18; 60B.26, Subdivision 1; 60B.39, Subdivision 5; 60C.02, Subdivision 1; 62A.22; 70A.02, Subdivision 2; 84.089, Subdivision 3; 175.006; 175.07; 175.08; 175.10; 175.101; 175.11, Subdivision 1; 175.14; 175.17; 181.80; 251.043, Subdivision 3; 256.482, Subdivision 5; 257.34, Subdivision 1; 393.07, Subdivision 7; proposing new law coded in Minnesota Statutes, Chapter 175; proposing new law coded as Minnesota Statutes, Chapters 79A and 176A; repealing Minnesota Statutes 1980, Sections 175.0061; 175.007; and 175.09 and Chapters 79 and 176.	678							
1209	A bill for an act relating to crimes; defining terms for purposes of arson laws; establishing mandatory minimum prison sentences for arson in the first degree and arson in the second degree; increasing penalties for certain negligent fires; prohibiting removal or concealment of property to defraud an insurer; prohibiting submission of false insurance claims; amending Minnesota Statutes 1980, Sections 609.556, by adding subdivisions; 609.561; 609.562; 609.576; 609.611; and 609.645.	678							
1210	A bill for an act relating to elected public officials; limiting certain per diem payments; proposing new law coded in Minnesota Statutes, Chapter 16.	678							
1211	A bill for an act relating to courts; permitting the use of electronic recording equipment in certain court proceedings; amending Minnesota Statutes 1980, Sections 486.02; and 486.03; proposing new law coded in Minnesota Statutes, Chapter 484.	678	1490	1459a 1765 (H691)					
1212	A bill for an act relating to municipalities; discontinuance of unprofitable municipal liquor stores; restricting expenditure of public funds for liquor	678	1490	1445a 1815 1822a	1860 2534	2070 2110 2135 2533*	2070 2795	3123	331

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a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1212	—Continued store operation; publication of operating statement and balance sheet; amending Minnesota Statutes 1980, Section 340.353, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 426 and 471.								
1213	A bill for an act relating to metropolitan government; providing for metropolitan transportation planning; altering the decision making process to be consistent with federal guidelines for setting the priority of projects using certain federal funds; amending Minnesota Statutes 1980, Section 473.146, Subdivision 4.	679		739					
1214	A bill for an act relating to adoption; providing for record retention; providing for services by adoption agencies; proposing new law coded in Minnesota Statutes, Chapter 259.	679							
1215	A bill for an act relating to public utilities; prohibiting rate increases under bond by certain electric utilities with excess generating capacities; amending Minnesota Statutes 1980, Section 216B.16, Subdivision 3, and by adding a subdivision.	679							
1216	A bill for an act relating to public utilities; exclusion of excess generating capacity from an electric utilities rate base; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.	679							
1217	A bill for an act relating to education; imposing affirmative action duties on school districts and the state board of education; providing a penalty for school districts which fail to fulfill the duties; authorizing a program of grants for certain administrative interns; appropriating money; amending Minnesota Statutes 1980, Sections 124.15, Subdivision 2; 125.12, Subdivision 6b; proposing new law coded in Minnesota Statutes, Chapter 123.	679							
1218	A bill for an act relating to the environment; providing approval authority for critical areas only to the legislature; providing plan and regulation approval authority to the state planning agency; permanently designating the Mississippi River Corridor Critical Area within the Twin Cities metropolitan area; amending Minnesota Statutes 1980, Sections 116G.03, by adding a subdivision; 116G.04; 116G.06; 116G.07; 116G.08; 116G.09, Subdivisions 1, 3, and 4; 116G.10; 116G.12, Subdivision 4; and 116G.14; proposing new law coded in Minnesota Statutes, Chapter 116G; repealing Minnesota Statutes 1980, Section 116G.09, Subdivision 2.	679	1115	1091a	3116				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1219	A bill for an act relating to the environment; requiring notice of intent to develop uranium; creating an advisory committee; requiring adoption of a state policy; appropriating money; imposing a civil and criminal penalty; proposing new law coded in Minnesota Statutes, Chapter 116C.	680		3654a					
1220	A bill for an act relating to limitation of actions; providing a five year statute of limitations for criminal sexual offenses; tolling the statute of limitations for victims of criminal sexual conduct; amending Minnesota Statutes 1980, Section 628.26.	680							
1221	A bill for an act relating to the city of Brooklyn Center; authorizing the establishment of a home energy conservation program; permitting special assessment for energy improvements.	680	3724	3636a 4104	4151				
1222	A bill for an act relating to elections; requiring loan repayments in an election year to be counted against certain contribution and approved expenditure limits; amending Minnesota Statutes 1980, Section 10A.32, Subdivision 3.	680							
1223	A bill for an act relating to water well contractors; altering the exemption from license requirements for certain registered professional engineers; amending Minnesota Statutes 1980, Section 156A.03, Subdivision 3.	680	1283	1193a 1518 (H889)					
1224	A bill for an act relating to taxation; increasing the amount of adoption expenses deductible for income tax purposes; amending Minnesota Statutes 1980, Section 290.09, Subdivision 27.	681							
1225	A bill for an act relating to workers' compensation; permitting political subdivisions to provide additional benefits; amending Minnesota Statutes 1980, Section 176.021, Subdivision 5.	681		861 3156					
1226	A bill for an act relating to courts; extending application of the provision of law providing for payment of travel expenses for certain district court judges; amending Laws 1980, Chapter 614, Section 162.	681	1490	1459 1895 (H1200)					
1227	A bill for an act relating to financial institutions; providing that no employee, officer, director, or shareholder of a banking institution, or corporation, partnership, association in which these persons have an interest, may retain income from the sale of credit life, accident and health insurance in connection with any loan made by the banking institution; providing that the income must be turned over to the banking institution; proposing new law coded in Minnesota Statutes, Chapter 48.	681							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1228	A bill for an act relating to cities; authorizing city rehabilitation loan programs for small and medium sized commercial buildings; and providing for the issuance of revenue bonds to finance the programs; proposing new law coded in Minnesota Statutes, Chapter 459.	681	4132	1024a 4115 4342 (H1365)					
1229	A bill for an act relating to game and fish; setting forth a model city trapping ordinance; restricting further prohibitions; providing for imposition of a penalty; proposing new law coded in Minnesota Statutes, Chapter 100.	681							
1230	A bill for an act relating to the city of St. Paul; authorizing issuance of general obligation bonds for capital improvements; fixing amounts; amending Laws 1971, Chapter 773, Section 1, as amended; and Laws 1978, Chapter 788, Section 5.	682		1024a(H386)					
1231	A bill for an act relating to waters; exempting certain watercraft from requirements related to personal flotation devices; amending Minnesota Statutes 1980, Section 361.141, Subdivision 1.	682	3173	3173 3285	3311		4661	5650	466
1232	A bill for an act relating to education; making certain changes to the higher education advisory council; amending Minnesota Statutes 1980, Section 136A.02, Subdivision 6.	739							
1233	A bill for an act relating to game and fish; authorizing doe permits in designated areas and seasons; amending Minnesota Statutes 1980, Section 98.48, by adding a subdivision.	739							
1234	A bill for an act relating to public employment labor relations; clarifying the definition of "employer"; amending Minnesota Statutes 1980, Section 179.63, Subdivision 4.	739	4132	1072 4105a 4379 (H1278)					
1235	A bill for an act relating to local government aid; increasing the amount and providing for the distribution of aids to local government; appropriating money; amending Minnesota Statutes 1980, Sections 16A.15, Subdivision 1, as amended; 477A.01, Subdivisions 2 and 4; and 477A.03; repealing Minnesota Statutes 1980, Section 477A.01, Subdivision 1.	739							
1236	A bill for an act relating to taxation; altering the penalty to be imposed upon assessment districts having large coefficients of dispersion; amending Minnesota Statutes 1980, Section 477A.04, Subdivisions 1, 2, and 3.	740							
1237	A bill for an act relating to taxation; extending the special levy for shade tree disease control by two years; amending Minnesota Statutes 1980, Section 275.50, Subdivision 6.	740	1854	798 1834	1911				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1238	A bill for an act relating to education; providing a state aid incentive for class size reductions in kindergarten through twelfth grade; proposing new law coded in Minnesota Statutes, Chapter 124.	740							
1239	A bill for an act relating to the operation of state government; authorizing the state board of investment to employ investment management firms to invest certain funds on its behalf; permitting the board to invest in certain housing finance agency loans; appropriating money; amending Minnesota Statutes 1980, Section 11A.04; and Minnesota Statutes 1981 Supplement, Section 11A.24, Subdivision 4.	740	3282	3274 3315 3330	3364 5116	4567 4607 4707 4737 5115 5116*	4567 5429	5655	587
1240	A bill for an act relating to courts; providing that district judges shall elect a chief judge and that county or county municipal judges shall elect a chief judge; amending Minnesota Statutes 1980, Section 484.69, Subdivision 3, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 484.69, Subdivisions 1 and 2.	740							
1241	A bill for an act relating to Independent School District No. 706; permitting issuance of bonds for the construction, equipment, and furnishing of a physical education building and the levying of taxes for their payment.	740							
1242	A bill for an act relating to state employees; creating an incentive pay program; proposing new law coded in Minnesota Statutes, Chapter 16.	741	3724	798 3664a 3730 4031					
1243	A bill for an act relating to handicapped persons; providing that certain social services be available to recipients of attendant care; proposing new law coded in Minnesota Statutes, Chapter 256C.	741	1518	1516a 1861	1904				
1244	A bill for an act relating to taxation; property; altering the taxation of certain lands owned by the United States and leased for a term of three or more years; amending Minnesota Statutes 1980, Section 273.19, Subdivision 1, and by adding a subdivision.	741							
1245	A bill for an act relating to retirement; recalculation of survivor benefits payable to the surviving spouse of a deceased member of the teachers retirement association.	741							
1246	A bill for an act relating to local and metropolitan government; regulating transportation planning and zoning; allowing official maps to show state trunk highway corridors; permitting loans by the metropolitan council for the purpose of purchasing certain highway rights-of-way under certain conditions; autho- (Continued next page)	741							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1246—Continued	rizing a tax levy in the metropolitan area; amending Minnesota Statutes 1980, Sections 394.22, Subdivision 12; 462.352, Subdivision 10; and 473.167.								
1247	A bill for an act relating to education; permitting districts to purchase insurance coverage for the operation of leased buses in certain circumstances; amending Minnesota Statutes 1980, Section 123.39, Subdivisions 8 and 9 and by adding a subdivision.	741	1490	1444a 1625	1644 2089	1875 2089	1874	3117	234
1248	A bill for an act relating to local improvements; regulating the issuance of temporary improvement bonds; amending Minnesota Statutes 1980, Section 429.091, Subdivision 3, and by adding subdivisions.	742	1417	1413 1541	1624		1826	2081	171
1249	A bill for an act relating to courts; providing for continuation of juvenile and family court referees in the second and fourth judicial districts until the positions are vacated; providing for creation of juvenile and family court judgeships in the second and fourth judicial districts; providing for the duties and powers of family court referees in the second and fourth judicial districts; providing for continuation of probate court referee positions in the second and fourth judicial districts; providing for the continuation of certain other referee and judicial officer positions; amending Minnesota Statutes 1980, Sections 260.031, Subdivision 1, and by adding a subdivision; 484.64; 484.70, Subdivisions 1 and 3; 487.08, Subdivisions 2, 3 and 4; 525.10; Laws 1980, Chapter 580, Section 23; repealing Minnesota Statutes 1980, Section 484.65.	742							
1250	A bill for an act relating to taxation; creating a new property classification and providing a reduced assessment ratio for commercial and industrial property; amending Minnesota Statutes 1980, Section 273.13, Subdivision 9.	801		2221					
1251	A bill for an act relating to health; changing the mandatory fluoridation program to an optional one; amending Minnesota Statutes 1980, Section 144.145.	801							
1252	A bill for an act relating to insurance; removing insurance solicitors from insurance licensing provisions; prescribing certain fees; providing for licensing of certain legal entities as agents; providing for the licensing of other insurance agents; providing for examinations; providing exceptions to the licensing requirements; authorizing temporary licenses; providing for appointment of agents by insurers; prohib-	801	1577	1561a 2049 (H1048)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1252	—Continued iting certain persons from obtaining an agent's license; providing for the revocation or suspension of licenses upon specified conditions; providing for the surrender, loss, or destruction of licenses; prescribing certain powers of the commissioner; authorizing the sale of contracts on a variable basis without licensure in certain circumstances; authorizing the commissioner to promulgate rules; prescribing penalties; amending Minnesota Statutes 1980, Sections 60A.02, Subdivision 7; 60A.14, Subdivision 1; 60A.17, Subdivisions 1, 3, 5, 6, 10, 12, and 13, and by adding subdivisions; repealing Minnesota Statutes 1980, Sections 60A.02, Subdivision 8; and 60A.17, Subdivisions 2, 2a, 2b, 4, 5a, 6a, 7, and 9.								
1253	A bill for an act relating to consumer protection; providing for a definition of building materials which may contain urea formaldehyde; providing for exceptions; amending Minnesota Statutes 1980, Section 325F.18, by adding a subdivision.	802	1577	1552a 1895 (H1301)					
1254	A bill for an act relating to state government; changing the name of the department of public welfare to the department of social services; amending Minnesota Statutes 1980, Section 245.03.	802		1007					
1255	A bill for an act relating to taxation; exempting sales of certain food products from the sales tax; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	802							
1256	A bill for an act relating to state government; directing the commissioner of administration to obtain state office space in certain types of historically significant buildings when practical; amending Minnesota Statutes 1980, Section 16.243.	802	3360	3355a 3437	3508		4661	5650	456
1257	A bill for an act relating to drainage; eliminating requirement for auditor's lien statement; changing payment procedures for assessments for certain ditches and drainage systems; amending Minnesota Statutes 1980, Sections 106.371; 106.381; 106.391; 106.401; 106.411, Subdivision 9; 106.471, Subdivisions 5 and 6; 106.491; and 112.64, Subdivision 2; repealing Minnesota Statutes 1980, Sections 106.341, 106.351 and 106.361.	802							
1258	A bill for an act relating to state contracts; requiring public work contracts to contain an equitable adjustment clause; proposing new law coded in Minnesota Statutes 1980, Chapter 446.	803							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1259	A bill for an act relating to Independent School District No. 281, Robbinsdale; providing an alley system for at large election of school board members.	803	1417	1412	1498		1805	2081	152
1260	A bill for an act relating to taxation; providing that owners or occupants of auxiliary forest lands and owners of forest lands under the tree growth tax law shall not be required to build or maintain partition fences; amending Minnesota Statutes 1980, Sections 88.49, by adding a subdivision; and 270.38, by adding a subdivision.	803							
1261	A bill for an act relating to health; altering the definition of certain terms in the certificate of need act; allowing health care facilities to change some services under certain circumstances without obtaining a certificate of need; amending Minnesota Statutes 1980, Section 145.833, Subdivision 5.	803							
1262	A bill for an act relating to the Coon Creek watershed district; authorizing an annual administrative levy by the district.	803	1577	1106a 1571 1865	1961				
1263	A bill for an act relating to commerce; prohibiting certain sales of gasoline for prices which are determined by certain factors other than actual gallonage received; proposing new law coded in Minnesota Statutes, Chapter 296.	803		1896 (H6)					
1264	A bill for an act relating to taxation; correcting the formula for limiting the property tax credit for transmission lines; amending Minnesota Statutes 1980, Section 273.42, Subdivision 2,	803	1330	1324 1752	1776				
1265	A bill for an act relating to the Ramsey-Washington Metro watershed district; permitting deferral of special assessments in certain cases of hardship.	804	1490	1106a 1446a	1533 2860	2860	2860	3123	332
1266	A bill for an act relating to retirement; granting an option as to public employees retirement association membership to employees of public hospitals, nursing homes and extended care facilities; proposing new law coded in Minnesota Statutes, Chapter 355; repealing Minnesota Statutes 1980, Section 355.73, Subdivision 6.	804							
1267	A bill for an act relating to public employment; creating a new bargaining unit for state employees; amending Minnesota Statutes 1980, Section 179.741, Subdivision 1, and by adding a subdivision.	804							
1268	A bill for an act relating to education; requiring schools to offer certain subjects; exempting nonpublic schools from the requirement of offering cer-	865							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1268	—Continued tain subjects; requiring classroom teachers in nonpublic schools to be licensed; excluding licensed nonpublic school teachers from certain duties and benefits; requiring nonpublic schools to report certain information to school district superintendents; providing additional remedies to enforce the compulsory attendance laws; prohibiting the state board of education from promulgating rules pursuant to this act; amending Minnesota Statutes 1980, Sections 120.10, Subdivision 2; 120.12, Subdivisions 2 and 3; 125.03, Subdivision 1, and by adding a subdivision; and 125.04; proposing new law coded in Minnesota Statutes, Chapter 120.								
1269	A bill for an act relating to agriculture; consolidating existing laws; providing for agricultural commodity research and promotion councils; establishing procedures; providing penalties; amending Minnesota Statutes 1980, Sections 17.53; 17.54; 17.56; 17.57; 17.58; 17.59, Subdivisions 1, and 2; 17.60; 17.62; 17.63; 17.64; and 17.67; Minnesota Statutes 1981 Supplement, Section 17.59, Subdivision 4; repealing Minnesota Statutes 1980, Sections 17.55; 17.601; 17.65; 17.68; 21A.01 to 21A.19, as amended; 29.14 to 29.16; 29.18; 29.19; 30.461 to 30.468, as amended; 30.472 to 30.479; 32B.01 to 32B.06; 32B.08 to 32B.11; 32B.13; Minnesota Statutes 1981 Supplement, Sections 29.17; 30.469; 30.47; 32B.07; and 32B.12.	865	4362	4323a 4592 (H1018)					
1270	A resolution memorializing the Peace Corps in recognition of the outstanding achievements of Peace Corps volunteers from Minnesota on the occasion of the Peace Corps' 20th anniversary.	865		(H1321)					
1271	A bill for an act relating to the city of East Bethel, Anoka County; changing the application of urban district in the Minnesota highway traffic regulation act.	865							
1272	A bill for an act relating to public employees; permitting public employers to require their employees to have a state residence; proposing new law coded in Minnesota Statutes, Chapter 179.	866							
1273	A bill for an act relating to taxation; income; increasing the amount of nonfarm income which can be used to offset farm expenses and losses; amending Minnesota Statutes 1980, Section 290.09, Subdivision 29.	866							
1274	A bill for an act relating to employees and officials of the state; clarifying certain hospital and medical benefits for retired or disabled state officials and employees; amending Minnesota Statutes 1980, Section 471.61, Subdivision 2a.	866	3775	3771a 4000 (H1234)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1275	A bill for an act relating to transportation; providing for the repair of impassable town roads; establishing a dollar limit per mile for work performed by a county on impassable town roads; amending Minnesota Statutes 1980, Section 163.16, Subdivision 3.	866		(H1078)					
1276	A bill for an act relating to transportation; providing for the maintenance of the trunk highway system by certain counties pursuant to contract with the commissioner of transportation; defining terms; amending Minnesota Statutes 1980, Section 161.32, Subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, Chapter 161; repealing Minnesota Statutes 1980, Section 161.32, Subdivision 4.	866							
1277	A bill for an act relating to mobile homes; regulating lot rentals; specifying conditions on which a lessor may recover possession of land upon which a mobile home is located; amending Minnesota Statutes 1980, Sections 327.44; and 327.553, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 327.	866	1397	1007 1367a 1481(H886)					
1278	A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1980, Sections 205.10; 205.17, by adding a subdivision; and 412.02, Subdivision 2, and by adding a subdivision.	866	1417	1413 1541	1624		1826	2081	172
1279	A bill for an act relating to costs and attorney fees; providing for recovery of costs and attorney fees by prevailing parties in civil actions against the state and administrative contested cases; proposing new law coded in Minnesota Statutes, Chapters 3 and 15.	867							
1280	A bill for an act relating to public welfare; increasing the time period during which certain transfers of property by persons seeking medical assistance will result in their ineligibility for assistance; amending Minnesota Statutes 1980, Section 256B.17.	867							
1281	A bill for an act relating to employment; establishing a state employment and training program; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 268.	867		1007 1519					
1282	A bill for an act relating to metropolitan revenue distribution; changing the determination of contributions to the area-wide tax base; amending Minnesota Statutes 1980, Section 473F.06.	867							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1283	A bill for an act relating to soil conservation; providing a state paid property tax credit to agricultural property owners who carry out and maintain approved soil conservation practices under agreements with soil and water conservation districts; appropriating money; amending Minnesota Statutes 1980, Section 40.07, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 273.	867							
1284	A bill for an act relating to health; exempting students in schools of dental assisting from the requirement of a dental license; amending Minnesota Statutes 1980, Section 150A.05, Subdivision 2.	867		(H1070)					
1285	A bill for an act establishing at the Fergus Falls State Hospital a domiciliary home for veterans; correcting obsolete provisions in the law relating to the location of state hospitals; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1980, Section 253.015; proposing new law coded in Minnesota Statutes, Chapter 198.	868		1007 1115					
1286	A bill for an act relating to local government; defining state mandated services and standards; providing for a definition of state initiated mandates; providing for a listing and estimate of state mandated costs and a procedure for reimbursement of these costs; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 275.	868							
1287	A bill for an act relating to education; extending due dates for plans and reports relating to the statewide education management information system; authorizing the state board to perform certain duties according to specified criteria in the absence of rules; amending Minnesota Statutes 1980, Sections 121.931, Subdivisions 3, 4 and 7; and 121.938, Subdivision 2.	868	1115	1108 1518 (H1218)					
1288	A bill for an act relating to agriculture; creating a family farm finance agency; authorizing the agency to issue bonds and to make loans for the acquisition of farm land; transferring the family farm security program to the agency; appropriating money; amending Minnesota Statutes 1980, Sections 41.51; 41.52, Subdivisions 1, 2 and 10, and by adding subdivisions; 41.54, Subdivisions 1 and 4, and by adding a subdivision; 41.55; 41.57; 41.58, Subdivisions 1 and 3; 41.59, Subdivisions 1 and 2; and 41.60; Minnesota Statutes 1981 Supplement, Sections 41.52, Subdivisions 5, 8, 9, 11 and 12; 41.54, Subdivision 2; 41.56, Subdivisions 3 and 4; and 41.58, Sub- (Continued next page)	868	4430	3464a 3587 4426a 4874					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1288	—Continued division 2; proposing new law coded in Minnesota Statutes, Chapter 41; repealing Minnesota Statutes 1980, Sections 41.52, Subdivision 3; 41.53; 41.54, Subdivisions 3 and 5; and 41.56, Subdivisions 5 and 6; and Minnesota Statutes 1981 Supplement, Section 41.56, Subdivisions 1 and 2.								
1289	A bill for an act relating to state government; providing for deficiencies in and supplementing appropriations for the expenses of state government; appropriating money.	868		(H1304)					
1290	A bill for an act relating to taxation; providing for the rule making powers of the state board of assessors; amending Minnesota Statutes 1980, Section 270.47.	1017							
1291	A bill for an act relating to state lands; directing conveyance of certain lands in Washington County.	1017		(H1231)					
1292	A bill for an act relating to children; providing for reports of neglect and abuse of children; allowing courts to compel testimony under certain circumstances; amending Minnesota Statutes 1980, Sections 254A.09; and 626.556, Subdivision 11.	1017	1490	1461a 1852 (H774)					
1293	A bill for an act relating to retirement; teachers retirement association and teacher retirement fund associations in cities of the first class; allowing certain types of survivor coverage be provided to a designated beneficiary instead of a surviving spouse; requiring public pension funds to provide information concerning optional annuity forms with retirement application form; requiring the signature of the spouse of a member on the retirement application form in certain instances; amending Minnesota Statutes 1980, Sections 354.46, Subdivisions 1 and 2, and by adding a subdivision; 354.47, Subdivision 1; and 354A.35, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 356.	1018	1397	1372a 1417 2124(H567)					
1294	A resolution memorializing the President and Congress to adopt legislation requiring a health hazard notice be required on all bottles of alcoholic beverage.	1018		(H990)					
1295	A bill for an act relating to public welfare; changing a definition regarding determination of the county of financial responsibility for purposes of the general assistance program; amending Minnesota Statutes 1980, Section 256D.18, Subdivisions 2 and 3.	1018							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1296	A bill for an act relating to public improvements; allowing deferment of special assessments in cases of hardship regardless of the age of the owner; amending Minnesota Statutes 1980, Section 435.193.	1018							
1297	A bill for an act relating to the city of New Brighton; authorizing a project and the issuance of revenue bonds under Minnesota Statutes, Chapter 474.	1018							
1298	A resolution memorializing the President and Congress to continue the price support level for milk and milk products.	1018		(H668)					
1299	A bill for an act relating to game and fish; affording protection to the coyote; authorizing a season thereon; amending Minnesota Statutes 1980, Sections 100.26, Subdivision 1; and 100.27, Subdivisions 3 and 7.	1018							
1300	A bill for an act relating to the city of South St. Paul; permitting the city to refund special assessments collected for the city's sewer separation project by the use of money in the general fund or the proceeds of bonds, and to cancel the remaining special assessments relating to the project.	1019							
1301	A bill for an act relating to privacy; government data practices; classifying certain law enforcement data; amending Minnesota Statutes 1980, Section 15.1695, Subdivision 1.	1019							
1302	A bill for an act relating to commerce; removing the auctioneer's exception to the definition of "real estate broker"; exempting certain real estate brokers and salespersons from the licensing requirements for mobile home manufacturers and dealers; amending Minnesota Statutes 1980, Sections 82.18; 82.34, Subdivision 7; and 327.55, by adding a subdivision.	1019	1577	1551a 1895 (H1160)					
1303	A bill for an act relating to public welfare; establishing state aid funding formulas for medical assistance and general assistance medical care; prohibiting counties from spending funds on medical care not covered by medical assistance or general assistance medical care; amending Minnesota Statutes 1980, Sections 256B.19, Subdivision 1; 256D.03, Subdivision 3; and 256D.04; proposing new law coded in Minnesota Statutes, Chapters 256B and 256D.	1019							
1304	A bill for an act relating to natural resources; permitting the commissioner of natural resources to sell all lands acquired for the Root River trail and abolishing that trail; repealing Minnesota Statutes 1980, Section 85.015, Subdivision 7.	1019							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1305	A bill for an act relating to the city of Duluth and the city of Cloquet and the city of Hermantown; extending the availability of an appropriation to the city of Cloquet for the purpose of constructing a water filtration plant; requiring the public utilities commission to set the terms for water service to be provided by the city of Duluth to the city of Hermantown unless the cities conclude a contract governing those services; amending Laws 1969, Chapter 720, Section 11, Subdivision 1, as amended.	1019	1397	1379a 1756a 1909a	1909				
1306	A bill for an act relating to soil and water conservation; allocating certain state cost sharing funds for high priority erosion problems identified by local districts; imposing duties on the state and local soil and water conservation boards; providing technical assistance grants to local districts; appropriating money; amending Minnesota Statutes 1980, Sections 40.036; and 40.07, Subdivision 9.	1020							
1307	A bill for an act relating to the city of Pierz; appropriating money for an emergency warning system.	1020							
1308	A bill for an act relating to landlords and tenants; allowing tenants to cancel tenancy agreements under certain conditions; proposing new law coded in Minnesota Statutes, Chapter 504.	1020							
1309	A bill for an act relating to elections; permitting employees time off to vote; amending Minnesota Statutes 1980, Section 204A.36.	1020							
1310	A bill for an act relating to the town of Oak Port in Clay county; authorizing the town to exercise certain powers.	1020							
1311	A bill for an act relating to education; imposing duties on certain test agencies; providing a penalty for failure to perform the duties; proposing new law coded in Minnesota Statutes, Chapter 136A.	1020							
1312	A bill for an act relating to insurance; requiring health maintenance organizations to offer certain benefits for alcoholics and drug dependents; specifying the requirements of this coverage; amending Minnesota Statutes 1980, Section 62A.149.	1020		1490 3310					
1313	A bill for an act relating to nuclear energy; providing for the storage and disposal of certain radioactive wastes; requiring licensure of radioactive waste management facilities in Minnesota; proposing new law coded in Minnesota Statutes, Chapter 116C.	1021		1397					

a Indicates Amendment

( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1314	A bill for an act relating to education; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1980, Section 124.43, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 124.	1021		1554a					
1315	A bill for an act relating to retirement; authorizing the purchase of prior service credit by a certain member of the Minnesota state retirement system.	1021							
1316	A bill for an act relating to taxation; sales tax; changing the definition of "sale"; amending Minnesota Statutes 1980, Section 297A.01, Subdivision 3.	1021							
1317	A bill for an act relating to health; changing the claim limitations on cost of removing nuisances; authorizing the commissioner of health to issue orders concerning well water quality; clarifying the commissioner's authority over water wells and exploratory boring to include repairs and abandonment; changing the penalties for violations; amending Minnesota Statutes 1980, Sections 145.22; 156A.02, Subdivisions 1, 2, and 3; 156A.03, Subdivisions 1 and 2;156A.05; 156A.07, Subdivisions 1 and 4; and 156A.08.	1079	1518	1510 2050 (H1051)					
1318	A bill for an act relating to the Mountain Iron joint recreation board; regulating its tax levy.	1079		(H1357)					
1319	A bill for an act relating to education; authorizing a levy for Independent School District No. 112 to recover certain expenses relating to transportation of nonresident handicapped pupils.	1079							
1320	A bill for an act relating to taxation; income; excluding certain dividend and interest income; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20.	1079							
1321	A bill for an act relating to the city of Granite Falls; authorizing the establishment of a community development program and providing powers for it.	1079	1417	1414a 1541	1624 1996	1996	1995	3115	225
1322	A bill for an act relating to counties; providing that the compensation of members of the St. Louis county board of commissioners be set pursuant to general law; amending Minnesota Statutes 1980, Section 375.055, Subdivision 1; repealing Laws 1965, Chapter 843.	1079	1417	1413 1895 (H1190)					
1323	A bill for an act relating to local government; Lake County, Independent School District No. 381, and the town of Beaver Bay; providing for the valuation and assessment for property taxes of certain unique mining property.	1080	1577	1571a 1865	1908		2081	3115	226

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1324	A bill for an act relating to metropolitan government; providing for review by the metropolitan council of the entire budget of the metropolitan waste control commission; amending Minnesota Statutes 1980, Section 473.163, Subdivision 2.	1080							
1325	A bill for an act relating to education; establishing grants for alternative educational delivery systems in small rural school districts; appropriating money.	1080							
1326	A bill for an act relating to elections; fixing the majority necessary to approve an amendment to a home rule charter; amending Minnesota Statutes 1980, Section 410.12, Subdivision 4.	1080		1115 1896 (H1247)					
1327	A bill for an act relating to the board of medical examiners; allowing temporary suspension of physicians' licenses without a hearing under certain conditions; amending Minnesota Statutes 1980, Section 147.021, by adding a subdivision.	1080		(H1178)					
1328	A bill for an act relating to community social services; defining groups of persons for whom counties are responsible; establishing certain funding levels; clarifying sections of the community social services act; amending Minnesota Statutes 1980, Sections 245.64; 245.66; 245.84, Subdivision 5; 252.21; 252.24, Subdivisions 1, 3 and 4; 254A.03, Subdivision 1; 254A.05, Subdivision 1; 254A.07, Subdivision 2; 254A.08, Subdivision 1; 256E.03, Subdivision 2; 256E.04, Subdivision 1; 256E.05, Subdivisions 2 and 3; 256E.06, Subdivisions 2, 4, and 5; 256E.07, Subdivision 2; 256E.08, Subdivisions 1 and 7; 256E.09, Subdivisions 1, 3, and by adding a subdivision; 256E.10; and 256E.12, Subdivision 3; repealing Minnesota Statutes 1980, Sections 245.67; 245.68; 245.72; 245.84, Subdivision 2; 245.87; 252.26; 252.27, Subdivisions 1, 2 and 3; 256E.06, Subdivision 11; 256E.07, Subdivision 1; 256E.08, Subdivision 9; and 261.27.	1080		(H3)					
1329	A bill for an act relating to natural resources; providing for an adult hunter education program; appropriating money.	1126							
1330	A bill for an act relating to taxation; estate tax; abolishing the reporting of certain bank deposits and the inventorying of safe deposit boxes; repealing Minnesota Statutes 1980, Sections 55.10, Subdivision 2; 291.20; and 385.36.	1126							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1331	A bill for an act relating to crimes; defining the term "collateral source" for purposes of the crime reparations act; requiring inclusion of victim comment on presentence investigation reports; providing that restitution shall be the preferred sanction for persons convicted of crimes who are placed on probation; amending Minnesota Statutes 1980, Sections 299B.02; 609.115, Subdivision 1; and 609.135, Subdivision 1.	1126							
1332	A bill for an act relating to waters; authorizing conveyance of the state's interest in certain lands in Sherburne county.	1126							
1333	A bill for an act relating to the city of Hibbing; providing for the election and terms of city officers.	1126							
1334	A bill for an act relating to metropolitan government; providing for membership on the metropolitan sports facilities commission; amending Minnesota Statutes 1980, Section 473.553, Subdivisions 2 and 4.	1127							
1335	A bill for an act relating to courts; providing for the establishment of misdemeanor violation bureaus for Hennepin county; changing the compensation of Hennepin County conciliation court referees; amending Minnesota Statutes 1980, Sections 488A.08, Subdivision 1; and 488A.13, Subdivision 1.	1127	1490	1476a 1573 (H25)					
1336	A bill for an act relating to financial institutions; redefining "contract for deed" to include sales of mobile homes used as a residence by the seller; amending Minnesota Statutes 1981 Supplement, Section 47.20, Subdivision 2.	1127	3775	3742a 4177 4476 4485	4515				
1337	A bill for an act relating to public utilities; directing the averaging of natural gas costs of service in a certain geographic area.	1127		2002a (H1376)					
1338	A bill for an act relating to taxation; redefining agricultural land for purposes of the agricultural homestead credit and state school agricultural credit; amending Minnesota Statutes 1980, Section 273.13, Subdivision 6.	1181							
1339	A bill for an act relating to education; allowing certain teachers to obtain a permanent teaching certificate.	1181							
1340	A bill for an act relating to local government; exempting the fire protection district levy of the towns of Erin, Forest, Webster and Wheatland in Rice County from the levy limitation.	1181							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1341	A bill for an act relating to taxation; eliminating the mill rate limitation on the levy of the city of Duluth; repealing certain special city tax authority; repealing Laws 1969, Chapter 785; and Laws 1980, Chapter 511.	1181							
1342	A bill for an act relating to public improvements; providing for a new women's correctional facility; providing for a bond issue; appropriating money.	1182							
1343	A bill for an act relating to elections; providing for automatic recounts in certain judicial elections; amending Laws 1981, Chapter 29, Article V, Section 35.	1182	1417	1412	1499 1829	1829	1828	2200	187
1344	A bill for an act relating to the legislature; reducing the number of members of the senate and house of representatives; providing for the determination of the compactness of all reapportionment plans considered by the legislature; amending Minnesota Statutes 1980, Section 2.021.	1182							
1345	A bill for an act relating to taxation; imposing an excise tax on the wholesale sales of liquor, beer, and wine; providing for distribution of the proceeds of the tax to meet the cost of chemical dependency programs and control of drunken driving; providing penalties; appropriating funds; proposing new law coded in Minnesota Statutes, Chapter 340.	1182							
1346	A bill for an act relating to the revenue recapture act; expanding the definition of claimant agencies to include counties; amending Minnesota Statutes 1980, Sections 270A.02; and 270A.03, Subdivision 2.	1290		1789 (H1132)					
1347	A bill for an act relating to welfare; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; changing the responsibility of relatives under certain circumstances;altering the method of charging for outpatient care; giving claims against estates of deceased patients or responsible relatives preferred status; amending Minnesota Statutes 1980, Sections 246.50, Subdivision 5; 246.51; 246.53; and 487.39, Subdivision 1.	1290		(H942)					
1348	A bill for an act relating to cooperatives; allowing electric cooperatives to acquire certain unclaimed distributions, redemptions, or payments by forfeiture; proposing new law coded in Minnesota Statutes, Chapter 308.	1290							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1349	A bill for an act relating to taxation; property tax assessment; providing penalties and bonuses for certain property assessment performance; amending Minnesota Statutes 1980, Section 275.51, Subdivision 3d; proposing new law coded in Minnesota Statutes, Chapter 477A; repealing Minnesota Statutes 1980, Section 477A.04.	1290							
1350	A bill for an act relating to state departments; creating a department of planning, energy and development; transferring all the functions of the state planning agency, energy agency, and department of economic development, and the staff of the crime control planning board, to the department of planning, energy and development; abolishing the state planning agency, energy agency, and department of economic development; creating an advisory committee on energy policy development; appropriating money; amending Minnesota Statutes 1980, Sections 3.922, Subdivision 1; 4.10; 4.11, Subdivisions 4, 5 and 8; 4.12; 4.125; 4.13; 4.17; 4.18, Subdivision 2; 4.191; 4.26, Subdivision 1; 4.27; 4.29; 4.35; 4.36, Subdivisions 2, 3, 4, and 5; 15.01; 15.057; 15.50, Subdivision 2; 15A.081, Subdivision 1; 16.014, Subdivision 1; 16.084; 16.086, Subdivisions 1 and 2; 16.125, Subdivision 2; 16.756, Subdivision 1; 18.023, Subdivision 11; 18.024, Subdivision 1; 43.09, Subdivision 2a; 84.028, Subdivision 2; 84.54; 85.016; 85.017; 86.72, Subdivision 3; 86A.06; 86A.09, Subdivisions 1, 2, 3, and 4; 92.35; 92.36; 92.37; 104.03, Subdivision 1; 104.35, Subdivisions 2 and 3; 105.484; 105.485, Subdivision 3; 114A.03, Subdivision 1; 115A.07, Subdivision 1; 115A.12, Subdivision 2; 115A.15, Subdivision 5; 116C.03, Subdivisions 2, 3, and 4; 116H.05; 116H.06, 116H.07; 116H.08; 116H.085; 116H.087; 116H.088, Subdivision 1; 116H.089; 116H.09, Subdivisions 1, 4, and 5; 116H.10; 116H.11; 116H.12, Subdivisions 1, 1b, 2, 4, 5, 6, and 9; 116H.121, Subdivisions 1 and 2; 116H.122; 116H.123; 116H.124; 116H.126; 116H.127; 116H.128; 116H.129, Subdivisions 1, 4, 5, 6, and 8; 116H.13; 116H.14; 116H.15, Subdivision 2; 116H.17; 116H.18; 116H.19, Subdivision 1; 116H.23; 120.78, Subdivision 1; 124.225, Subdivision 4a; 126.111, Subdivision 2; 137.31, Subdivision 6; 138.93, Subdivision 4; 145.834; 145.835, Subdivision 1; 145.836, Subdivision 1; 145.837, Subdivision 1; 145.845; 145.912, Subdivision 15; 160.262, Subdivisions 1 and 3; 160.265, Subdivision 1; 174.03, Subdivision 7; 204A.06, Subdivision 1b; (Continued next page)	1291		1484a 3116						

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1350—Continued	216B.241, Subdivision 2; 222.62; 222.65; 245.783, Subdivision 2; 268.014; 273.74, Subdivisions 2 and 5; 275.53, Subdivisions 1, 3, and 4; 290.06, Subdivision 14; 298.48, Subdivision 4; 299A.03, Subdivision 5; 299A.04; 301.75; 301.77, Subdivision 1; 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 325F.19, Subdivisions 3 and 6; 325F.20, Subdivision 1; 325F.21, Subdivision 2; 325F.23, Subdivision 1; 325F.24, Subdivision 3a; 362.12, Subdivision 1; 362.13; 362.132; 362.40, Subdivisions 8, 9, and 10; 362.41, Subdivision 5; 362.42; 362.51, Subdivisions 8 and 10; 362A.06; 402.045; 402.062, Subdivision 1; 402.095; 451.09, Subdivision 2; 462.375; 462.384, Subdivision 7; 462.385, Subdivisions 1 and 3; 462.386, Subdivision 1; 462.387; 462.39, Subdivisions 2 and 3; 462.391, Subdivisions 2, 3, and 4; 462.395; 462.396, Subdivision 1; 462.398; 462.421, Subdivision 21; 462A.05, Subdivision 15b; 473.204, Subdivision 2; 473.411, Subdivision 1; 473.857, Subdivision 2; 473H.06, Subdivision 5; 474.01, Subdivisions 6, 7, and 8; 641.24; proposing new law coded as Minnesota Statutes, Chapter 116J; proposing new law coded in Minnesota Statutes, Chapter 299A; repealing Minnesota Statutes 1980, Sections 4.11, Subdivisions 1, 2, 3, 6, and 7; 4.15; 4.16; 16.014, Subdivision 3; 116H.001; 116H.02, Subdivisions 2 and 4; 116H.03; 116H.09, Subdivisions 2 and 3; 116H.12, Subdivision 3b; 126.52, Subdivision 12; 254A.06; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12, Subdivisions 2 and 3; 362.15; 362.17; 362.18; 362.19; 362.23; 462.711; and 473.571, Subdivisions 2, 3, and 4.									
1351	A bill for an act relating to counties; excepting a county legal assistance levy from levy limits; amending Minnesota Statutes 1980, Section 375.167, Subdivision 1.	1292		(H1448)					
1352	A bill for an act relating to metropolitan government; eliminating the requirement that certain commissions reimburse the metropolitan council for certain costs; repealing Minnesota Statutes 1980, Sections 473.164 and 473.595, Subdivision 4.	1405							
1353	A bill for an act relating to transit; eliminating certain requirements from the metropolitan transit commission; amending Minnesota Statutes 1980, Section 473.164, Subdivision 1.	1405							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1354	A bill for an act relating to landlords and tenants; requiring landlords to pay interest on security deposits and advance payments of rent by commercial tenants; proposing new law coded in Minnesota Statutes, Chapter 504.	1405							
1355	A bill for an act relating to health; prohibiting discrimination by health maintenance organizations against optometrists; amending Minnesota Statutes 1980, Section 62D.12, by adding a subdivision.	1405							
1356	A bill for an act relating to public employment; providing for transfer of accrued vacation or compensatory time under certain conditions; amending Minnesota Statutes 1980, Section 16A.17, Subdivision 7.	1405							
1357	A bill for an act relating to intoxicating liquor; prohibiting discrimination in sales; filing of wholesale prices; amending Minnesota Statutes 1980, Sections 340.114, Subdivision 1; and 340.983.	1405							
1358	A bill for an act relating to transportation; including within the specific information signing program commercial establishments that provide resort recreational or related services to the recreational traveler; amending Minnesota Statutes 1980, Sections 160.292, Subdivisions 2 and 9, and 160.293, Subdivisions 1 and 3.	1406							
1359	A bill for an act relating to gambling; allowing certain organizations to conduct casino nights under specified conditions; amending Minnesota Statutes 1980, Sections 349.26, Subdivisions 8, 10, 11, 12, 13, 14, and by adding a subdivision; and 609.75, Subdivision 3.	1406							
1360	A bill for an act relating to retirement; Buhl police relief association; authorizing the purchase of service credit for probationary service.	1406							
1361	A bill for an act relating to juveniles; providing that delinquency hearings shall be open to the public; providing that certain children adjudicated delinquent may be detained in secure detention facilities for eight days; authorizing certain children adjudicated delinquent to be placed in semisecure treatment programs; amending Minnesota Statutes 1980, Sections 260.155, Subdivision 1; 260.173, by adding subdivisions; and 260.185, Subdivision 1.	1406							
1362	A bill for an act relating to taxation; increasing the sales and use tax and motor vehicle excise tax rate for sales occurring after June 30, 1981 and prior to July 1, 1983; amending Minnesota Statutes 1980, Sections 297A.02; 297A.14; and 297A.24.	1406		1490					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1363	A bill for an act relating to taxation; providing for delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings; proposing new law coded in Minnesota Statutes, Chapter 273.	1430	2018	2003a 3116					
1364	A bill for an act relating to local government; providing for the separation of the city and town of Sturgeon Lake and the city of Rutledge and town of Kettle River; authorizing the town of Oakport in Clay county to exercise certain powers; amending Laws 1981, Chapter 183, Section 3.	1430	3255	3252a 3285	3312 4503	4503	4502	5650	457
1365	A bill for an act relating to services for the mentally retarded and cerebral palsied; requiring the commissioners of education and public welfare to plan for the transfer of developmental achievement services for pre-school children; permitting reimbursement under medical assistance for developmental achievement and semi-independent living services provided to certain mentally retarded and cerebral palsied persons; transferring funds; amending Minnesota Statutes 1980, Section 256B.02, Subdivision 7; Minnesota Statutes 1981 Supplement, Sections 256B.02, Subdivision 8, as amended; and 256B.03.	1430	4430	3058 3640a 3776 4371a 4756					
1366	A bill for an act relating to data processing by certain public bodies; establishing the Minnesota state data processing board; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 18; 16.90, Subdivision 4; 16.911, Subdivision 2; 16.94; 16.95; proposing new law coded as Minnesota Statutes, Chapter 16B; repealing Minnesota Statutes 1980, Sections 16.90, Subdivision 1; 16.91; and 16.955.	1430							
1367	A bill for an act relating to taxation; suspending the taxable net income brackets inflation adjustments; imposing an income tax surcharge on individuals; imposing an additional withholding tax.	1431							
1368	A bill for an act relating to charitable organizations; providing for registration and reporting requirements applicable to certain charitable organizations; amending Minnesota Statutes 1980, Sections 309.52, by adding subdivisions; 309.53, by adding subdivisions; 309.532, by adding a subdivision; and 309.534, by adding a subdivision.	1431		(H1092)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1369	A bill for an act relating to taxation; imposing a tax on the gross receipts from sales of petroleum products; amending Minnesota Statutes 1980, Section 271.01, Subdivision 5; proposing new law coded as Minnesota Statutes, Chapter 295A.	1431							
1370	A resolution declaring Raoul Wallenberg to be an honorary citizen of the State of Minnesota and memorializing the Union of Soviet Socialist Republics to return him to his native country.	1431	2124	2123 2910	2910		2977	3120	Res. 2
1371	A bill for an act relating to public health; creating a physician's duty to make certain information available to women before performing the legalized killing of an unborn person; providing a criminal penalty; proposing new law coded in Minnesota Statutes, Chapter 145.	1502							
1372	A bill for an act relating to taxation; altering temporarily the unemployment compensation contribution computation for employers.	1502							
1373	A bill for an act relating to agriculture; regulating commerce in produce; providing penalties; amending Minnesota Statutes 1980, Sections 27.001; 27.01; 27.03; 27.04; 27.041; 27.06; 27.13; 27.14; 27.15; 27.19; 27.20; proposing new law coded in Minnesota Statutes, Chapter 27.	1502							
1374	A bill for an act relating to crimes; specifying the crime of theft of utility services; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.	1503							
1375	A bill for an act relating to public use of private land; clarifying and altering landowners' liability in the recreational use of their land; amending Minnesota Statutes 1980, Sections 87.021, Subdivisions 2 and 3; 87.0221; 87.023; 87.025; and 87.03; repealing Minnesota Statutes 1980, Section 87.022.	1503		3146 3282 (H583)					
1376	A bill for an act relating to taxation; income; providing that certain medical payments shall not be included in income in determining whether an individual is a dependent for purposes of the low income alternative tax or the personal credits; amending Minnesota Statutes 1980, Section 290.06, Subdivisions 3d, and 3f.	1503							
1377	A bill for an act relating to health; encouraging philanthropic support of hospitals; providing that funds derived from specified types of gifts or grants shall not be deducted from the operating costs of a hospital; proposing new law coded in Minnesota Statutes, Chapter 144.	1503							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1378	A bill for an act relating to taxation; crime; providing that losses of resident individuals occurring outside the state shall not be reduced by certain tax preference items; amending Minnesota Statutes 1980, Section 290.17, Subdivision 1.	1503							
1379	A bill for an act relating to criminal justice; imposing a tax on alcoholic beverages sold for resale by the drink; providing for the distribution of the proceeds to local units of government to meet the costs of enforcement of laws relating to driving offenses involving alcohol or drugs; requiring payment of certain costs by persons receiving treatment for alcoholism; providing penalties; appropriating money; proposing new law coded in Minnesota Statutes, Chapters 169 and 340.	1539							
1380	A bill for an act relating to civil actions; requiring jury fees to be refunded upon settlement prior to trial; proposing new law coded in Minnesota Statutes, Chapter 546.	1540							
1381	A bill for an act relating to local government; extending application of the revenue recapture act to certain local governments; amending Minnesota Statutes 1980, Sections 270A.02; and 270A.03, Subdivision 2.	1540							
1382	A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature; amending H.F. Nos. 182, Sections 1, Subdivision 3; and 2; Section 11, Subdivision 2; 493, Section 7, Subdivisions 1 and 3; 1125, Article II, Section 3, Subdivision 2a; 1434, Sections 1; 2, Subdivisions 4 and 6; 1443, Sections 358 and 377; 1446; Articles I, Section 2, Subdivision 5; II, Section 54; S.F. Nos. 359, Section 144, Subdivisions 3 and 7; 1087, Section 42; Minnesota Statutes 1980, Sections 15.0413, Subdivision 3, as amended; 47.20, Subdivision 6a, as amended; 56.19, Subdivision 1; 60A.11, Subdivision 7; 124.11, Subdivisions 2a and 2b, as amended; 124.5624, Subdivision 3, as amended; 177.25, Subdivision 1, as amended; 216B.16, Subdivision 1b, as amended; 237.075, Subdivision 1b, as amended; 256.05, Subdivision 1; 256D.03, Subdivision 2; 260.031, Subdivision 1, as amended; 290A.03, Subdivision 8, as amended; 484.70, Subdivision 1, as amended; 570.02, Subdivision 1; 595.02, as amended; Laws 1981, Chapter 59, Sections 10, Subdivision 1; 11, Subdivision 4; 15, Subdivision 1; repealing S.F. No. 876, Section 30, Subdivision 3.	1540	2272	2268a 3090a	3112				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1383	A bill for an act relating to game and fish; enlarging the definition of fur bearing animals and regulating the taking and possession thereof; amending Minnesota Statutes 1980, Sections 97.40, Subdivisions 7 and 9; 97.45, Subdivision 13; 97.482, Subdivision 1; 97.55, Subdivision 9; 98.45, Subdivision 7; 98.46, Subdivisions 2a, 4, 14, and 21; 98.47, Subdivisions 1, 6, and 10; 98.48, Subdivision 5; 98.50, Subdivision 1; 98.51, Subdivisions 1 and 3; 99.27, Subdivision 1; 100.273, Subdivisions 2 and 7; 100.29, Subdivision 11; and 100.30.	1540								
1384	A bill for an act relating to taxation; sales and use tax; clarifying the exemption of wrapping paper purchased for custom meat processing; amending Minnesota Statutes 1980, Section 297A.25, Subdivision 1.	1540							
1385	A resolution memorializing the President and Congress of the United States of Minnesota's opposition to the decontrol of natural gas prices.	1541							
1386	A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes, including the department of education, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1980, Sections 15.38; and 144A.61, Subdivision 3.	1541	1577	1541 1594 (H1421)					
1387	A bill for an act relating to congressional districts; making legislative findings; apportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811; proposing new law coded in Minnesota Statutes, Chapter 2.	1628	3155	3146 3151a 3220 (H1478)					
1388	A bill for an act relating to taxation; providing a levy limit base adjustment for governmental subdivisions; amending Minnesota Statutes 1980, Section 275.52, by adding a subdivision.	1628							
1389	A bill for an act relating to the budget; authorizing a deficit in the budget at the end of fiscal year 1981 to be carried forward to the following fiscal year; appropriating money.	1629							
1390	A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain moneys in the state (Continued next page)	1629	1637	1629 1649 1651 (H1443)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1390—Continued	treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; creating a department of planning, energy and development; transferring all the functions of the state planning agency, energy agency, and department of economic development, and the staff of the crime control planning board, to the department of planning, energy and development; abolishing the state planning agency, energy agency, and department of economic development; creating an advisory committee on energy policy development; amending Minnesota Statutes 1980, Sections 3.3005, Subdivision 3; 3.304, by adding a subdivision; 3.922, Subdivision 1; 4.10; 4.11, Subdivisions 4, 5 and 8; 4.12; 4.125; 4.13; 4.17; 4.18, Subdivision 2; 4.191; 4.26, Subdivision 1; 4.27; 4.29; 4.35; 4.36, Subdivisions 2, 3, 4, and 5; 9.061, Subdivision 5; 15.01; 15.057; 15.50, Subdivision 2; 15A.081, Subdivision 1; 16.014, Subdivision 1; 16.084; 16.086, Subdivisions 1 and 2; 16.125, Subdivision 2; 16.756, Subdivision 1; 18.023, Subdivision 11; 18.024, Subdivision 1; 16.97, Subdivision 3; 16A.123; 17B.15; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 40.071; 43.09, Subdivision 2a; 84.028, Subdivision 2; 84.54; 85.016; 85.017; 86.72, Subdivision 3; 86A.06; 86A.09, Subdivisions 1, 2, 3, and 4; 89.43; 92.35; 92.36; 92.37; 104.03, Subdivision 1; 104.35, Subdivisions 2 and 3; 105.484; 105.485, Subdivision 3; 114A.03, Subdivision 1; 115A.07, Subdivision 1; 115A.12, Subdivision 2; 115A.15, Subdivision 5; 116C.03, Subdivisions 2, 3, and 4; 116C.69, Subdivisions 2, 2a and 3; 116H.05; 116H.06; 116H.07; 116H.08; 116H.085; 116H.087; 116H.088, Subdivision 1; 116H.089; 116H.09, Subdivisions 1, 4, and 5; 116H.10; 116H.11; 116H.12, Subdivisions 1, 1b, 2, 4, 5, 6, and 9; 116H.121, Subdivisions 1 and 2; 116H.122; 116H.123; 116H.124; 116H.126; 116H.127; 116H.128; 116H.129, Subdivisions 1, 4, 5, 6, and 8; 116H.13; 116H.14; 116H.15, Subdivision 2; 116H.17; 116H.18; 116H.19, Subdivision 1; 116H.23; 120.78, Subdivision 1; 124.225, Subdivision 4a; 126.111, Subdivision 2; 137.31, Subdivision 6; 138.93, Subdivision 4; 139.17, Subdivision 1 and by adding a subdivision; 139.18, Subdivisions 1, 3 and 4; 139.19, Subdivisions 3, 4, 5 and 6; 145.834; 145.835, Subdivision 1; 145.836, Subdivision 1; 145.837, Subdivision 1; 145.845; 145.912, Subdivision 15; 160.262, Subdivisions 1 and 3; (Continued next page)								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1390—Continued	160.265, Subdivision 1; 174.03, Subdivision 7; 176.183, Subdivision 2; 204A.06, Subdivision 1b; 216B.241, Subdivision 2; 222.62; 222.65; 223.03; 231.16; 232.02, Subdivisions 1, 2, and 3; 233.08; 245.783, Subdivision 2; 268.014; 273.74, Subdivisions 2 and 5; 275.53, Subdivisions 1, 3, and 4; 290.06, Subdivision 14; 290.431; 298.48, Subdivision 4; 299A.03, Subdivision 5; 299A.04; 301.75; 301.77, Subdivision 1; 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 322A.16; 322A.71; 325F.19, Subdivisions 3 and 6; 325F.20, Subdivision 1; 325F.21, Subdivision 2; 325F.23, Subdivision 1; 325F.24, Subdivision 3a; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 345.53; 354.43, Subdivision 3; 355.06; 362.12, Subdivision 1; 362.13; 362.132; 362.40, Subdivisions 8, 9, and 10; 362.41, Subdivision 5; 362.42; 362.51, Subdivisions 8 and 10; 362A.06; 402.045; 402.062, Subdivision 1; 402.095; 451.09, Subdivision 2; 453.52, Subdivision 3; 462.375; 462.384, Subdivision 7; 462.385, Subdivisions 1 and 3; 462.386, Subdivision 1; 462.387; 462.39, Subdivisions 2 and 3; 462.391, Subdivisions 2, 3, and 4; 462.395; 462.396, Subdivision 1; 462.398; 462.421, Subdivision 21; 462A.05, Subdivision 15b; 473.204, Subdivision 2; 473.411, Subdivision 1; 473.857, Subdivision 2; 473H.06, Subdivision 5; 474.01, Subdivisions 6, 7, and 8; 480.0595; 641.24; and 648.39; proposing new law coded as Minnesota Statutes, Chapter 116J; proposing new law coded in Minnesota Statutes, Chapters 116H and 299A; Laws 1976, Chapter 337, Section 1, Subdivisions 2, as amended, 3, and 4, as amended; Laws 1978, Chapter 510, Sections 2 and 5; repealing Minnesota Statutes 1980, Sections 3.351; 4.11, Subdivisions 1, 2, 3, 6, and 7; 4.15; 4.16; 16.014, Subdivision 3; 116H.001; 116H.02, Subdivisions 2 and 4; 116H.03; 116H.09, Subdivisions 2 and 3; 116H.12, Subdivision 3b; 116H.124, Subdivision 1; 116H.126, Subdivision 1; 126.52, Subdivision 12; 254A.06; 299A.03, Subdivisions 12, 13, and 14; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12, Subdivisions 2 and 3; 362.15; 362.17; 362.18; 362.19; 362.23; 462.711; 473.571, Subdivisions 2, 3, and 4; 648.45; 648.46; Laws 1976, Chapter 337, Section 4, as amended; and Laws 1978, Chapter 510, Section 10.								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1391	A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, health, sentencing guidelines, corrections ombudsman, and health related boards; amending Minnesota Statutes 1980, Sections 16.851, by adding a subdivision; 144A.08, by adding a subdivision; 145.913, by adding a subdivision; 145.914, Subdivision 2; 241.021, by adding subdivisions; 241.13; 241.69, Subdivision 4; 245.0313; 245.765, Subdivision 1; 245.802, by adding a subdivision; 245.812, by adding a subdivision; 245.84, Subdivision 2; 246.151; 246.54; 256.76, Subdivision 1; 256.87; 256.872; 256.873; 256.875; 256.877; 256B.02, Subdivision 8; 256B.03; 256B.06, Subdivision 1; 256B.08; 256B.15; 256D.01, Subdivision 1; 256D.02, Subdivisions 4 and 8; 256D.03, Subdivisions 2 and 3, and by adding a subdivision; 256D.04; 256D.05, Subdivisions 1 and 4, and by adding a subdivision; 256D.06, Subdivisions 1 and 2, and by adding a subdivision; 256D.14; 260.311, Subdivision 5; 261.23; 393.07, Subdivision 10; 401.04; 401.12; 517.08, Subdivision 1b, and by adding a subdivision; 518.54, by adding subdivisions; 518.551; and 518.611; 518.64, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 144; 145; 241; 245; 256D; and 609; repealing Minnesota Statutes 1980, Sections 256.87, Subdivision 3; 256D.02, Subdivisions 9 and 10; and 256D.11.	1642	1765	1642 1781 1789 (H1446)					
1392	A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; providing for the regulation of professional wrestling; imposing a tax on the gross receipts from admission to professional wrestling exhibitions, and on the gross receipts from the lease or sale of radio, motion picture and television rights therein; providing penalties; amending Minnesota Statutes 1980, Sections 12.14; 15.0412, Subdivision 4; 16A.128; 161.242, Subdivision 4; 168.013, Subdivisions 1c and 1e; 168.12, Subdivisions 1 and 2a; 168.27, Subdivisions 16 and 17; 168.33, Subdivision 7; 169.09, Subdivision 7; 169.79; 169.974, Subdivision 2; 171.13, by adding a subdivision; 171.36; 173.25; 174.255, by adding a subdivision; 174.31; 214.06, Subdivision 1; 216B.62, Subdivision 3 and by (Continued next page)	1751	1765	1751 1779 1789 (H1434)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1392—Continued	adding a subdivision; 237.295, Subdivision 2 and by adding a subdivision; 239.10; 239.52; 270.051, Subdivision 2; 297B.035, Subdivision 2; 319A.21; 326.241, Subdivision 3; 326.244, Subdivision 2; 340.02, Subdivisions 4 and 5; 340.11, Subdivisions 3, 3a and 14; 340.113, Subdivision 2; 340.119, Subdivision 3; 340.14, Subdivision 5; 340.17; 340.18, Subdivision 4; 340.402; 340.435, Subdivision 2; 340.493, Subdivision 2; 340.62; 341.01; 341.02; 341.04; 341.05; 341.07; 341.08; 341.09; 341.10; 341.12; 341.13; 341.15; 360.021, Subdivisions 1 and 2; 360.305, by adding subdivisions; 388.14; 388.19, Subdivision 1; 473.408, Subdivisions 6 and 7; 473.411, Subdivision 1; and 626.845, by adding a subdivision; Laws 1980, Chapter 534, Section 87; proposing new law coded in Minnesota Statutes, Chapter 138; repealing Minnesota Statutes 1980, Sections 168C.01; 168C.02; 168C.03; 168C.04; 168C.05; 168C.06; 168C.07; 168C.08; 168C.09; 168C.11, 168C.12; 168C.13; and 239.521.								
1393	A bill for an act relating to taxation; appropriating money for state payments to local units of government; providing for the financing of certain services of the department of transportation; defining and clarifying certain gross weights; increasing the motor vehicle registration tax on certain vehicles; providing for temporary farm truck licenses; increasing the tax on gasoline and special fuels; limiting the amount of homestead credits; limiting local levies; imposing additional income taxes on individuals, estates, trusts, and corporations; limiting certain deductions; redefining the method for inflation proofing brackets, credits, and deductions; changing interest rates on delinquent taxes; rescheduling certain payments to local governments; changing definition of claimant for property tax refund and offsetting credit based on amount of medical assistance; providing for declaration and estimated payments of gross earnings tax; allowing deduction of federal taxes on the accrual basis; repealing distribution of estate taxes to counties; increasing the permissible levy for school districts to 23 mills; providing for a one year suspension of the penalty for school district underlevy; amending Minnesota Statutes 1980, Sections 124.01, Subdivision 3; 124.213; 124.212, by adding a subdivision; 168.011, Subdivisions 7, 10, 16, 17 and 25; 168.013, Subdivisions 1a, 1b, 1c, 1d, 1e, 1g, 1h, 2, and 3; 168.017, Subdivisions 1 and 3; 168.10, Subdivisions 1a, 1b, 1c, and 1d; 168.12, Subdivision (Continued next page)	1751	1895	1876a 2035a 2039 (H1445)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1393	—Continued 2a; 270.75; 273.115, Subdivision 4; 273.116, Subdivision 4; 273.13, Subdivision 15a; 273.136, Subdivision 3; 273.138, Subdivision 5; 273.139, Subdivision 3; 275.125, Subdivision 2a; 275.50, Subdivision 2; 275.51, Subdivision 1 and by adding subdivisions; 275.55; 290.01, Subdivisions 20 and 23; 290.06, Subdivisions 2d, 3g, and by adding subdivisions; 290.067, Subdivision 2; 290.09, Subdivisions 4, 10, and 15; 290.10; 290.18, Subdivision 2, and by adding a subdivision; 290A.03, Subdivision 8; 290A.04, by adding a subdivision; 290A.07, Subdivision 2; 296.02, Subdivision 1; 477A.01, Subdivision 4b; 477A.03; 477A.13; proposing new law coded in Minnesota Statutes, Chapters 168, 275 and 295; repealing Minnesota Statutes 1980, Sections 168.013, Subdivision 17; 168.31, Subdivision 3; 275.50, Subdivisions 5 and 6; 275.51, Subdivisions 3d, 4, and 5; 275.52; 275.53; 275.54; 275.551; 275.552; 275.58; 275.59 and 291.33.								
1394	A bill for an act relating to congressional districts; apportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; and 2.801.	1752							
1395	A bill for an act relating to transportation; creating the Minnesota state highway improvement fund; appropriating money from the fund for improvements to the state trunk highway system; authorizing the issuance of state bonds for the fund pursuant to article XI of the constitution; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 174.	1802							
1396	A bill for an act relating to retirement; computation of benefits for correctional officers receiving social security payments; repealing Minnesota Statutes 1980, Section 352.93, Subdivision 3.	1802							
1397	A bill for an act relating to probate; allowing claims based on certain medical assistance to be made against the homestead; amending Minnesota Statutes 1980, Sections 510.05; and 525.16.	1802							
1398	A bill for an act relating to motor vehicles; providing for special license plates for certain motor vehicles owned and operated by members of certain fire departments; imposing an additional fee for firefighter license plates; amending Minnesota Statutes 1980, Section 168.12, by adding a subdivision.	1802	3360	3348a 3782a	3859 4568	4568	4568	5650	467

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1399	A bill for an act relating to agriculture; regulating commerce in seed; establishing fees; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 21.47; 21.48; 21.49; 21.50; 21.51; 21.52; 21.53; 21.54, Subdivision 3; 21.55; 21.58; and proposing new law coded in Minnesota Statutes, Chapter 21.	1803							
1400	A bill for an act relating to probate; changing certain records-keeping requirements; amending Minnesota Statutes 1980, Section 525.03.	1803	3724	3583a 3932 (H1456)					
1401	A bill for an act relating to the city of White Bear Lake; authorizing the city to have certain powers of a statutory city.	1803							
1402	A bill for an act relating to private detectives and protective agents; requiring private detectives, protective agents and their employees to present identification cards upon request; amending Minnesota Statutes 1980, Section 326.336, Subdivision 2.	1803							
1403	A bill for an act relating to mobile homes; requiring mobile home park owners to provide ground anchoring systems and storm shelters; authorizing the establishment of a loan program to help finance the cost of these improvements; prescribing rules; appropriating money; amending Minnesota Statutes 1980, Sections 327.20, by adding subdivisions; 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.	1864							
1404	A bill for an act relating to crimes; authorizing counties to establish crime victim service funds and coordinating committees on victim assistance; requiring the commissioner of corrections to develop a model victim service plan; providing for a penalty assessment on convicted persons; proposing new law coded in Minnesota Statutes, Chapter 241.	1865		2172					
1405	A bill for an act relating to education; adjusting amounts used to compute replacement levies and foundation aid in districts where the number of pupil units have increased in the 1980-1981 school year; amending Minnesota Statutes 1980, Section 124.212, by adding a subdivision.	1911							
1406	A bill for an act relating to liens for improvements made to real property; prescribing notice requirements to owners by subcontractors; defining owner; amending Minnesota Statutes 1980, Section 514.011, Subdivisions 2 and 5.	1912	3724	3573a 3932 (H1366)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1407	A bill for an act relating to taxation; allowing home rule charter and statutory cities to impose a tax on the gross receipts from sales of lodging; proposing new law coded in Minnesota Statutes, Chapter 297A.	1912							
1408	A bill for an act relating to public utilities; prohibiting city jurisdiction over securities or indebtedness of a utility; amending Minnesota Statutes 1980, Sections 216B.36; and 216B.49, Subdivision 5.	1962	3255	3255 3285	3313		3454	3738	378
1409	A bill for an act relating to education; providing state aid to school district programs for handicapped children; amending Minnesota Statutes 1980, Section 124.32, Subdivision 1.	1962							
1410	A bill for an act relating to energy; providing for statewide enforcement of energy conservation standards; amending Minnesota Statutes 1980, Section 16.868.	2033							
1411	A bill for an act relating to real estate brokers and salespersons; providing for the automatic transfer of a saleperson's license under certain circumstances; amending Minnesota Statutes 1980, Section 82.20, Subdivision 9.	2033	3969	3955a 4124 (H1455)					
1412	A bill for an act relating to taxation; providing for a freeze on property taxes paid on homesteads owned by elderly persons; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 273.	2040							
1413	A bill for an act relating to taxation; providing a property tax credit to certain veterans awarded the congressional medal of honor; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 273.	2040							
1414	A bill for an act relating to congressional districts; reapportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811.	2076		2124					
1415	A bill for an act relating to publicly owned lands; directing the commissioner of natural resources to take certain actions and make recommendations intended to stabilize the acreage of publicly owned lands within the state; amending Minnesota Statutes 1980, Section 84.027, by adding a subdivision.	2076							
1416	A bill for an act relating to taxation; providing property tax relief for certain agricultural woodlands; providing reimbursement to the counties for lost revenue; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 273.	2076							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1417	A bill for an act relating to education; providing for the higher education coordinating board to be the commissioner of administration; appropriating money; amending Minnesota Statutes 1980, Sections 136A.02, Subdivision 1; and 136A.142; proposing new law coded in Minnesota Statutes, Chapter 136A; repealing Minnesota Statutes 1980, Section 136A.02, Subdivisions 1a and 3.	2076							
1418	A bill for an act relating to natural resources; authorizing an addition to Split Rock Creek Recreation Area and authorizing land acquisition in relation thereto.	2076	4132	4108a 4342 (H1492)					
1419	A bill for an act relating to taxation; increasing the rate of taxes on intoxicating liquors and tobacco products; imposing additional taxes on cigarettes; imposing penalties; amending Minnesota Statutes 1980, Sections 297.32, Subdivisions 1 and 2; and 340.47, Subdivisions 1 and 1a; proposing new law coded in Minnesota Statutes, Chapter 297.	2077							
1420	A bill for an act relating to labor; providing for wage deductions in certain instances; amending Minnesota Statutes 1980, Section 181.79, Subdivision 1.	2077							
1421	A bill for an act relating to fish and wildlife; providing additional authority for the commissioner of natural resources to limit the numbers of deer and bear hunters under certain circumstances; increasing resident deer and bear license fees; providing for deer and bear management, computerized licensing systems, and emergency feeding of wild animals during the winter of 1982; clarifying provisions concerning possession of certain equipment usable in taking fish; authorizing negotiated sale of certain surplus equipment; appropriating money; amending Minnesota Statutes 1980, Sections 97.48, Subdivision 24; 97.49, Subdivision 1a, and by adding a subdivision; and 101.42, Subdivision 18; and Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 2.	2077	3934	3432 3773a 3925a 4014	4169				
1422	A bill for an act relating to motor vehicles; allowing the registrar of motor vehicles to issue amateur radio and personalized license plates to motorcycle owners; amending Minnesota Statutes 1981 Supplement, Section 168.12, Subdivisions 2 and 2a.	2098	3360	3349 3434a	3436				
1423	A bill for an act relating to St. Louis county; providing for the tort liability of the St. Louis county promotional bureau.	2098							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1424	A bill for an act relating to insurance; regulating minimum nonforfeiture benefits and reserves of life insurance policies and annuity contracts; modifying the definitions of "insolvent insurer" and "covered claim" for purposes of the insurance guaranty association act; amending Minnesota Statutes 1980, Sections 61A.24, Subdivisions 2, 4, 6, 9, 10, 11, 12, 13, 14, and by adding subdivisions; 61A.25, Subdivisions 3, 3a, 4, 5, 7, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Sections 60C.03, Subdivision 8; and 60C.09, Subdivision 1.	2098	3282	3275a 3315	3725		4954	5655	589
1425	A bill for an act relating to local improvements; establishing conditions for the special assessment of costs of operation, maintenance, or promotion of public improvements; amending Minnesota Statutes 1980, Sections 429.031; 429.051; and 429.061, Subdivision 1, and by adding subdivisions.	2098							
1426	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1980, Sections 116.18, Subdivisions 1 and 4; and 174.50, Subdivision 1.	2134		2134 2152 (H1475)					
1427	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 121.	2134		2134 2153 (H1474)					
1428	A bill for an act relating to public health; providing for the development, promotion and coordination of regional emergency medical services systems; providing for the organization of emergency medical services districts; proposing new law coded in Minnesota Statutes, Chapter 145.	2175							
1429	A bill for an act relating to metropolitan government; changing the membership of the metropolitan parks and open space commission; amending Minnesota Statutes 1980, Section 473.301, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 473; and repealing Minnesota Statutes 1980, Section 473.303.	2175							
1430	A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Sections 7 and 8; providing for the appointment and election of judges.	2175							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1431	A bill for an act relating to energy; establishing the Coleman Corporation to provide low cost home heating oil to Minnesota residents; proposing new law coded as Minnesota Statutes, Chapter 116J.	2175		3058					
1432	A bill for an act relating to taxation; authorizing an income tax exemption for certain new business facilities; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; and 290.08, by adding a subdivision.	2176							
1433	A bill for an act relating to metropolitan government; providing a method for election of metropolitan council members; fixing the size of the council; amending Minnesota Statutes 1980, Sections 473.121, by adding a subdivision; and 473.123.	2176							
1434	A bill for an act relating to trade regulation; prohibiting certain unfair and deceptive practices and unreasonable restraints of trade in the business of motion picture distribution; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 325D.	2176							
1435	A bill for an act relating to metropolitan government; giving the metropolitan transit commission power to regulate the operation of taxicabs within the seven county metropolitan area; amending Minnesota Statutes 1980, Section 473.405, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 473.	2194							
1436	A bill for an act relating to municipal housing programs; providing that a city that has enacted a general system of residential rent control may not use certain authority granted regarding multifamily housing developments; amending Minnesota Statutes 1980, Section 462C.05, Subdivision 1.	2195		2195					
1437	A bill for an act relating to the city of White Bear Lake; permitting a property tax for park purposes.	2195							
1438	A bill for an act relating to energy; establishing a state energy fund within the housing finance agency; authorizing issuance of bonds and notes to finance energy conservation measures; amending Minnesota Statutes 1980, Section 11A.24, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 462A.	2195							
1439	A bill for an act relating to health; requiring immediate availability of counseling when notice of minor's impending abortion is delivered; amending Minnesota Statutes 1980, Section 144.343, as amended in 1981, and by adding a subdivision.	2262							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1440	A bill for an act relating to health; prescribing procedures for notifying the putative father or his parents, when practical, before performing an abortion on certain persons; amending Minnesota Statutes 1980, Section 144.343, as amended in 1981, by adding a subdivision.	2262							
1441	A bill for an act relating to state government; supplementing appropriations for the expenses of state government with certain conditions; amending Minnesota Statutes 1980, Sections 124.32, Subdivision 1; 256B.02, Subdivision 8, as amended; 256B.03; 256B.06, Subdivision 1, as amended; 256B.08; amending laws enacted at the 1981 regular session styled as H. F. No. 70, Article I, Section 21, Subdivision 1; and H. F. No. 1446, Article II, Section 2, Subdivision 1.	2262		2263 (H1132)					
1442	A bill for an act relating to outdoor recreation; creating the citizen's advisory sportsmen's council on Minnesota's outdoor recreational resources; prescribing its powers and duties; providing for a surcharge on fish and game licenses to fund the council; appropriating money; repealing Minnesota Statutes 1980, Section 86A.10.	2840							
1443	A bill for an act relating to agriculture; prohibiting the trafficking in skunks; setting a penalty; proposing new law coded in Minnesota Statutes, Chapter 145.	2840	3432	3431a 3780	3861 5045	4669 4708 4748 5045*	4669 5559	5655	591
1444	A bill for an act relating to elections; providing for computerized voter registration files; amending Minnesota Statutes 1980, Section 201.221, Subdivision 2, as amended.	2840							
1445	A bill for an act relating to taxation; extending the duration of the property tax targeting credit; limiting its availability to non-agricultural homesteads in cities having a population of 10,000 or more; amending Minnesota Statutes 1980, Section 290A.04, Subdivision 2c.	2840		3058					
1446	A bill for an act relating to taxation; providing an urban homestead property tax credit; providing state reimbursement to local units of government; appropriating funds; proposing new law coded in Minnesota Statutes, Chapter 273.	2840							
1447	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2877							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1448	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2878							
1449	A bill for an act relating to commerce; revising and modernizing laws relating to hotels; providing for the rights and duties of innkeepers and their guests; prohibiting certain practices; imposing penalties; amending Minnesota Statutes 1980, Section 363.03, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 327; repealing Minnesota Statutes 1980, Sections 327.01 to 327.095.	2878	4471	3058 4455a 4599 (H1469)					
1450	A bill for an act relating to snowmobiles; increasing registration fees and appropriating collections for recreational purposes; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3, and by adding a subdivision; and 84.83.	2878	4430	3934 4037a 4379a 4690 (H1477)					
1451	A bill for an act relating to storm and waste water management; providing for the establishment and operation of a water planning and management program in the metropolitan area; requiring watershed and local water management plans in the metropolitan area; providing for the establishment and operation of watershed management organizations in the metropolitan area; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; authorizing debt; authorizing taxes; amending Minnesota Statutes 1980, Sections 112.35, by adding a subdivision; 112.37, Subdivision 1, and by adding a subdivision; 112.42, Subdivision 3 and by adding a subdivision; 112.43, by adding a subdivision; 112.46; Laws 1981, Chapter 291, Section 2, Subdivisions 1 and 2, and by adding subdivisions; 4, Subdivision 1; 5, Subdivision 2; 7; 8, Subdivisions 1 and 2, and by adding a subdivision; and 24; proposing new law coded in Minnesota Statutes, Chapter 473.	2878	4081	3129 3668a 4036a 4534a	4667 5046	4744 4763 5046	4744	5654	509
1452	A bill for an act relating to local water management; establishing a natural resources management fund; providing for duties of counties, cities, towns, watershed districts, and soil and water conservation districts; appropriating money; amending Minnesota Statutes 1980, Sections 40.03, Subdivision 4; 40.036, by adding a subdivision; 40.07, Subdivision 9, and by adding a subdivision; 40.072, by adding a subdivision; 106.021, Subdivisions 3 and 6, and by adding a subdivision; 112.39, Subdivi-	2878							

(Continued next page)

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1452	—Continued sion 3, and by adding a subdivision; 112.411, Subdivison 1, and by adding a subdivision; 112.43, Subdivision 1, and by adding subdivisions; 112.46; 112.47; 378.31, Subdivision 2; and 459.20; proposing new law coded as Minnesota Statutes, Chapter 105A.									
1453	A bill for an act relating to Special School District No. 1 of the city of Minneapolis; providing for alley system of electing members of the board of education; amending Laws 1959, Chapter 462, Section 3, Subdivision 3, as amended.	2879								
1454	A bill for an act relating to taxation; providing a homestead rebate; repealing the homestead credit; appropriating money; amending Minnesota Statutes 1980, Sections 273.13, Subdivisions 6, 6a, 7, 14a, and 16; 273.135, Subdivision 5; 290A.03, Subdivision 13; 290A.04, Subdivisions 2 and 3, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 273.13, Subdivision 15a.	2879								
1455	A bill for an act relating to retirement; including employees at the state ceremonial building in the unclassified employees plan; amending Minnesota Statutes 1981 Supplement, Section 352D.02, Subdivision 1.	2879	3360	3347a	3780	3858		3980	5579	399
1456	A bill for an act relating to driver licensing; requiring certain reports to be made to the commissioner of public safety; making insurance coverage inapplicable in certain instances; proposing new law coded in Minnesota Statutes, Chapters 65B and 171.	2879		3361						
1457	A bill for an act relating to highway traffic regulations; providing for administrative driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; authorizing revocations prior to judicial review; revising the procedure for hearings and appeals on administrative revocations; authorizing introduction into evidence certain peace officer records and reports; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 5, 5a, 6, 7, and by adding a subdivision.	2879		3146	3156					
1458	A bill for an act relating to courts; authorizing the awarding of costs and disbursements, witness fees and attorney's fees in certain actions or proceedings; amending Minnesota Statutes 1980, Section 549.21.	2880								

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1459	A bill for an act relating to the commitment of persons who are mentally ill, mentally ill and dangerous, mentally retarded, or chemically dependent; providing for informal institutionalization by consent, involuntary emergency institutionalization and for involuntary commitment by civil judicial procedures; providing for rights of persons hospitalized under voluntary, emergency or involuntary judicial procedures; requiring pre-petition screening; providing for commitment hearings and procedures in conformance with due process; requiring a final hearing before final determination of commitment; providing for commitment for determinate periods; providing for provisional discharge and partial institutionalization; requiring special review boards for mentally ill and dangerous and psychopathic personalities; establishing review boards for civilly committed persons; providing penalties; proposing new law coded as Minnesota Statutes, Chapter 253B; repealing Minnesota Statutes 1980, Sections 253A.01 to 253A.23.	2880	3724	3588a 4008a 4339 4343 (H1499)					
1460	A bill for an act relating to safety; imposing an additional fee for two-wheeled vehicle endorsements for motorcycle safety programs; providing for the disposition of the proceeds of the additional fee; exempting from the motor vehicle excise tax certain purchasers of motorized bicycles for resale; prescribing duties of the commissioners of public safety and education; establishing a fund; appropriating money; amending Minnesota Statutes 1980, Sections 171.06, by adding a subdivision; 297B.035, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 126.	2880	4704	3821a 4036 4682a 4863 (H1025)					
1461	A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; proposing new law coded in Minnesota Statutes, Chapter 145.	2880							
1462	A bill for an act relating to occupations and professions; providing for the licensing of burglar alarm contractors; requiring the commissioner of public safety to promulgate rules establishing performance and maintenance standards for burglar alarms; prescribing penalties; appropriating money; amending Minnesota Statutes 1980, Section 326.338, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 326.	2880		3282					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1463	A bill for an act relating to local government; enlarging the class of cities that may maintain cable television systems; clarifying the description of a system; removing a debt limit; amending Minnesota Statutes 1980, Section 465.70.	2881							
1464	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2881							
1465	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2881							
1466	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2881							
1467	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2881							
1468	A bill for an act relating to corrections; providing funds for a Hennepin County work-study release facility; appropriating money.	2881							
1469	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2881							
1470	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2882							
1471	A resolution memorializing the United States Congress relating to amending the United States Constitution to protect human life; applying to Congress to call a constitutional convention to provide for protection of all human life.	2882							
1472	A bill for an act relating to taxation; providing for the valuation of income producing property; amending Minnesota Statutes 1980, Section 273.12.	2882		3058					
1473	A bill for an act relating to retirement; establishing a uniform defined contribution public employee retirement plan; proposing new law coded as Minnesota Statutes, Chapter 356A.	3113							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1474	A bill for an act relating to public employment labor relations; modifying the definition of public employee; amending Minnesota Statutes 1980, Section 179.63, Subdivision 7.	3113		3129					
1475	A bill for an act relating to intoxicating liquor; authorizing issuance of special off-sale wine licenses to general food stores; prohibiting a person from being licensed as both retailer and wholesaler; amending Minnesota Statutes 1980, Sections 340.07, by adding a subdivision; 340.11, Subdivisions 13 and 14; 340.13, by adding a subdivision; and 340.14, Subdivisions 1 and 3.	3114							
1476	A bill for an act relating to the legislature; reducing the number of senators and representatives; requiring that state legislative districts consolidate with United States congressional districts; amending Minnesota Statutes 1980, Sections 2.021 and 2.031, Subdivision 1.	3114							
1477	A bill for an act relating to counties; fixing the maximum amount of county money that may be spent by development organizations for certain county developments; amending Minnesota Statutes 1980, Section 395.08.	3130		3140					
1478	A bill for an act relating to unemployment compensation; altering provisions with respect to the advance of federal funds; altering "triggers" relating to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; amending Minnesota Statutes 1980, Sections 268.05, Subdivision 6; 268.071, Subdivisions 1, 3, 5, and 6, and by adding subdivisions; 268.08, Subdivision 1; and 268.09, by adding a subdivision.	3130							
1479	A bill for an act relating to insurance; extending the temporary joint underwriting association act for an additional two year period; extending the termination date of certain insurance policies; amending Minnesota Statutes 1980, Sections 62F.01, Subdivision 2; and 62F.06, Subdivision 1.	3130							
1480	A bill for an act proposing an amendment to the Minnesota Constitution, to repeal Article XIII, Section 5; removing the prohibition against lotteries.	3130		3156 3403					
1481	A bill for an act relating to state government; providing a one time early retirement insurance benefit option for certain state employees; providing that certain other early retirement incentives may be negotiated; amending Minnesota Statutes 1981 Supplement, Section 43A.24, Subdivision 2.	3130	3310	3309a 3781a 3856a	3856 4760	4662 4760	4662	5655	522

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1482	A bill for an act relating to local government; providing initial conditions for the establishment of charter commissions and charters; amending Minnesota Statutes 1980, Section 410.05, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 410.10, Subdivision 4.	3133	3724	3551a 4014					
1483	A bill for an act relating to public employees; authorizing school districts to renegotiate certain teacher contracts.	3133							
1484	A bill for an act relating to Independent School District No. 084, Sleepy Eye; requiring revision of its certified statutory operating debt.	3134							
1485	A bill for an act relating to taxation; classifying industrial employment property for the purpose of assessment and taxation; amending Minnesota Statutes 1981 Supplement, Section 273.13, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 273.	3137							
1486	A bill for an act relating to taxation; removing the provision that a school referendum levy may be held only once for each school year; amending Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 2d.	3137		3140					
1487	A bill for an act relating to taxation; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982 without penalty.	3137	3969	3140 3947a	4345				
1488	A bill for an act relating to real property; providing procedures for termination of contracts for deed; eliminating the requirement of 12 point or larger bold type in published notice; amending Minnesota Statutes 1980, Section 559.21, Subdivision 4.	3137		3140					
1489	A bill for an act relating to taxation; repealing the individual homeowners account provisions; amending Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20; and 290.17, Subdivision 2; repealing Minnesota Statutes 1981 Supplement, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; 52.136; and 290.08, Subdivision 25.	3137		3140					
1490	A bill for an act relating to the organization of state government; providing that the commissioner of finance may be removed only for cause after notice and hearing; amending Minnesota Statutes 1980, Section 16A.01, Subdivision 2.	3137							
1491	A bill for an act relating to education; authorizing transportation aid for pupils who reside one mile or more from the school attended; amending Minnesota Statutes 1981 Supplement, Section 124.223.	3138		3310					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1492	A bill for an act relating to education; altering the election selected to determine the number of voters needed to sign a petition for the purpose of calling a referendum for a discretionary levy; amending Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 7a.	3138							
1493	A bill for an act relating to health; allowing payment for day treatment services provided by certain mental health centers through general assistance medical care; amending Minnesota Statutes 1981 Supplement, Section 256D.03, Subdivision 4; repealing Minnesota Statutes 1980, Section 256D.03, Subdivision 4.	3138	4471	3140 3141 3564a 4449a 4514					
1494	A bill for an act relating to retirement; Buhl school district; altering the effective date of retirement for the payment of the post-retirement increase; requiring payment of necessary reserves.	3138	3775	3765 3931 (H1646)					
1495	A bill for an act relating to crimes; requiring mandatory jail sentences for persons convicted of driving while under the influence of alcohol or a controlled substance; prescribing penalties; amending Minnesota Statutes 1980, Section 169.121, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.	3138							
1496	A bill for an act relating to game and fish; establishing permanent senior citizen recreation cards to provide free small game hunting, fishing and park admissions; amending Minnesota Statutes 1981 Supplement, Sections 85.05, Subdivision 2; and 98.47, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 98; repealing Minnesota Statutes 1980, Section 98.45, Subdivision 8.	3141		3146					
1497	A bill for an act relating to counties; permitting the counties to spend a certain sum for promotion of development; amending Minnesota Statutes 1980, Section 395.08.	3142	3282	3274a 3282 3315 3361 3366a 3473 (H1616)					
1498	A bill for an act relating to agriculture; clarifying the food handling license requirements applicable to carnivals, circuses, and fairs; proposing new law coded in Minnesota Statutes, Chapter 28A.	3142		3174					
1499	A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 168.	3142	3360	3282 3350a 3437	3508 5115	4568 4707 4756 4775 5114 5115*	4568 5428	5655	593

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1500	A bill for an act relating to elections; providing for school district primaries; proposing new law coded in Minnesota Statutes, Chapter 123.	3142							
1501	A bill for an act relating to county court district 7A; providing for election of a county judge in Becker County.	3142							
1502	A bill for an act relating to education; providing for aids to education, aids to libraries; tax levies and distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education; appropriating money; amending Minnesota Statutes 1980, Sections 120.73, Subdivision 1; 121.904, Subdivisions 2, 4, and 4a, as added; 123.32, Subdivision 1 and by adding a subdivision; 124.225, as amended; 124.32, Subdivisions 2, 7, and 10; 124.572, Subdivision 2; 124.574, Subdivision 3; 134.34, by adding a subdivision; 275.125, Subdivision 5, as amended, and by adding subdivisions; 275.48; Minnesota Statutes 1981 Supplement, Sections 120.17, Subdivision 6; 121.912, Subdivision 1; 123.705; 123.937; 124.2122, Subdivisions 1, as amended, and 2, as amended; 124.2124, by adding a subdivision; 124.2125, Subdivision 2; 124.2126, Subdivision 3; 124.2129, by adding a subdivision; 124.223; 124.245, Subdivisions 1 and 1a; 124.246, Subdivision 2; 124.247, Subdivision 3; 124.26, Subdivision 1; 124.271, Subdivision 2; 124.273, Subdivisions 1 and 2; 124.32, Subdivisions 1, 1b, and 5; 124.38, Subdivision 7; 124.5621, Subdivision 12; 124.5624, Subdivisions 3 and 4; 124.5627, Subdivisions 3, 4, and 5; 124.573, Subdivisions 2 and 3a; 124.574, Subdivision 2; 125.611, Subdivision 5; 275.125, Subdivisions 1, 2d, 7a, and 11b; 354.66, Subdivision 6; Laws 1981, Chapter 358, Article II, Section 15, Subdivision 3; Third Special Session Chapter 2, Article II, Sections 1, 2, and 20; and Article IV, Section 3, Subdivisions 2, 3, 4, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 121; repealing Minnesota Statutes 1980, Sections 121.96; 128.05; Laws 1967, Chapters 251 and 253; Laws 1976, Chapter 20, Section 8; Laws 1981, Third Special Session Chapter 2, Article IV, Sections 2 and 7.	3142		3678a 3847a					
1503	A bill for an act relating to game and fish; fees for firearms safety and snowmobile training courses; amending Minnesota Statutes 1980, Sections 84.86, Subdivision 1; and 97.85, Subdivision 1.	3142	3255	3250a 3285	3311 4957	4957	4956	5655	594

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1504	A bill for an act relating to health; establishing the right to complete information on all alternative treatments for patients with breast cancer; amending Minnesota Statutes 1980, Section 144.651.	3143	4342	3146 4282a 4429 (H1572)					
1505	A bill for an act relating to occupations and professions; establishing a truth and deception examiner's board; prescribing its powers and duties; providing for the regulation of persons using instruments to verify the truth of statements or detect deception; providing licensing requirements; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 326.	3143							
1506	A bill for an act relating to public welfare; changing certain provisions governing aid to families with dependent children as authorized or required by federal law; changing or adding provisions governing definitions, eligibility standards, payment levels and amounts, income disregards, budgeting methods, child support or maintenance orders; eliminating a stepparents' general support duty and specifying the amount of stepparent income to be considered available in determining need; eliminating coverage of the unborn; extending medical assistance coverage to certain pregnant women; amending Minnesota Statutes 1980, Sections 256.12, Subdivision 14, and by adding subdivisions; 256.73, Subdivisions 3a, 5, and 6; 256.736, Subdivisions 3 and 4; 256.74, Subdivision 1, and by adding a subdivision; 256.99; and 256B.07; Minnesota Statutes 1981 Supplement, Sections 256.73, Subdivision 2; 256.872, Subdivision 1, and by adding a subdivision; 256B.06, Subdivision 1; and 518.551, Subdivision 7; proposing new law coded in Minnesota Statutes, Chapter 256; repealing Minnesota Statutes 1980, Section 256.935, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 257.021.	3143		3360					
1507	A bill for an act relating to commerce; regulated loans; applying the statutory provisions relating to conventional loan defaults to regulated loans; clarifying the method for the computation of interest; allowing the combination of loans of different maturities and interest rates; prohibiting attorney's fees except in connection with mortgage foreclosures; placing certain restrictions on the procurement of insurance in connection with a loan; providing miscellaneous technical and clarifying amendments; amending Minnesota Statutes 1980, Section 53.04, Subdivision 5; and Minnesota Statutes 1981 Supplement, Sec- (Continued next page)	3146	4471	3156 3174 4451a 4601 (H1576)					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
1507	—Continued tions 53.01; 53.04, Subdivision 3a; 56.12; 56.131, Subdivisions 1 and 5; 56.155; 334.02; and 334.03; proposing new law coded in Minnesota Statutes, Chapter 56.										
1508	A bill for an act relating to veterans; establishing information and referral assistance programs; authorizing limited studies; mandating annual reports; establishing an Agent Orange information and assistance section in the department of veterans affairs; providing Agent Orange information to health professionals; providing genetic information and counseling; classifying certain information as confidential; authorizing certain class actions; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 196.	3147	4606	3302	4581a	4710 5503	5503		5502	5655	513
1509	A bill for an act relating to health; directing the commissioner of health to establish certain regional screening programs related to the use of diethylstilbestrol; proposing new law coded in Minnesota Statutes, Chapter 145.	3147									
1510	A bill for an act relating to highway traffic regulations; removing certain requirements for bug deflectors; amending Minnesota Statutes 1980, Section 169.743.	3147	3360	3349	3437	3507 3978	3944	3977	3944	5579	400
1511	A bill for an act relating to Independent School District No. 708; requiring certification of statutory operating debt.	3147									
1512	A bill for an act relating to education; authorizing a school district to decrease a school day by one hour for teacher inservice training; requiring that any time lost shall be replaced by extending other school days or by additional days; amending Minnesota Statutes 1980, Section 124.19, Subdivision 4, and by adding a subdivision.	3147									
1513	A bill for an act relating to taxidermy; changing certain reporting requirements; amending Minnesota Statutes 1980, Section 98.51, Subdivision 3.	3147									
1514	A bill for an act relating to public works; extending the availability of an appropriation to the city of Cloquet for the purpose of constructing a public water facility; repealing Third Special Session Laws 1981, Chapter 2, Article I, Section 76.	3148	3282	3274		3313			3878	4741	394
1515	A bill for an act relating to taxation; altering the date on which warrants are issued to the sheriff for collection of certain delinquent mobile home property taxes; amending Minnesota Statutes 1980, Section 274.19, Subdivision 3.	3148	4430	4368	4704						

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1516	A bill for an act relating to environmental protection; establishing primary and secondary ambient air quality standards; proposing new law coded in Minnesota Statutes, Chapter 116.	3148		3156					
1517	A bill for an act relating to workers' compensation; limiting the liability of the state and its political subdivisions when evidence of workers' compensation insurance is not required of contractors and licensees; amending Minnesota Statutes 1981 Supplement, Section 176.182.	3148							
1518	A bill for an act relating to industrial development; extending the industrial development law to all towns; amending Minnesota Statutes 1980, Section 474.02, Subdivision 2.	3148							
1519	A bill for an act relating to juries; authorizing petit juries composed of 12 persons in civil actions; amending Minnesota Statutes 1980, Section 593.01, by adding a subdivision.	3148							
1520	A bill for an act relating to unemployment compensation; regulating benefit deductions for national guard and military reserve pay; amending Minnesota Statutes 1980, Section 268.07, Subdivision 2.	3149							
1521	A bill for an act relating to crimes; defining "complainant" for purposes of criminal sexual misconduct offenses; amending Minnesota Statutes 1980, Section 609.341, Subdivision 13.	3149	3724	3573	3777		3878	4496	385
1522	A bill for an act relating to local government; changing the filing of the bond of the town clerk and the town treasurer; permitting towns to self insure in the same way as other political subdivisions; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; authorizing governmental units to provide services for other governmental units; permitting subordinate service districts; providing for the maintenance of St. Louis county historical societies; amending Minnesota Statutes 1980, Sections 275.50, by adding a subdivision; 367.10; 367.15; 368.01, Subdivisions 1, 30, and by adding subdivisions; 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; 462.36, Subdivision 1; 471.59, by adding a subdivision; and 471.98, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 462; and proposing new law coded as Minnesota Statutes, Chapter 375B.	3149	3724	3567a 4014a	4141 5113	4673 4708 4750 5105*	4673 5428	5654	507

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1523	A bill for an act relating to the city of Little Falls; extending a certain expired deferred compensation option to the city administrator therein.	3159	3775	3233 3764 4014	4160				
1524	A bill for an act relating to retirement; Minnesota state retirement system; providing a post retirement adjustment for certain persons.	3159							
1525	A bill for an act relating to commerce; regulating the disclosure of information on individuals by tenant screening services; providing remedies; imposing penalties; proposing new law coded in Minnesota Statutes, Chapter 325E.	3159		3174 3221					
1526	A bill for an act relating to taxation; real property; allowing further deferment of tax recapture or payment acceleration of deferred special assessments upon certain sales of qualifying agricultural property; amending Minnesota Statutes 1980, Section 273.111, by adding a subdivision.	3159		4037a					
1527	A bill for an act relating to education; requiring all public elementary and secondary schools to provide instruction in chemical dependency prevention; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.	3160		3174 3969					
1528	A bill for an act relating to taxation; real property; clarifying the assessment of property owned by a neighborhood real estate trust; amending Minnesota Statutes 1980, Section 273.13, Subdivision 17d.	3160							
1529	A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract of state lands to Bethlehem Lutheran Church of Waskish, Minnesota.	3160							
1530	A bill for an act relating to St. Louis county; providing for the calculation of vacation and sick leave allowances of certain employees.	3160	3473	3463a 3933 (H1713)					
1531	A bill for an act relating to labor; providing for occupational safety and health; defining "toxic substance"; requiring certain information; creating a right to refuse work with a toxic substance under certain conditions; amending Minnesota Statutes 1980, Sections 182.651, by adding a subdivision; 182.654, by adding a subdivision; and 182.655, Subdivision 10.	3160		3174 3221 3232 4106a					
1532	A bill for an act relating to taxation; permitting the towns of Erin, Forest, Webster, and Wheatland in Rice County to impose a special levy for fire protection purposes; providing for a reverse referendum on the levy question.	3160		3483 3484a 4031					

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1533	A bill for an act relating to agriculture; changing Becker, Hubbard and Otter Tail Counties from area one to area four for purposes of potato promotion; amending Minnesota Statutes 1981 Supplement, Section 30.464, Subdivision 1.	3160	3532	3523a 4014					
1534	A bill for an act relating to courts; authorizing the chief judge of the sixth judicial district to fill vacancies in the office of judicial officer in St. Louis, Steele and Carlton counties; amending Minnesota Statutes 1981 Supplement, Section 487.08, Subdivision 2.	3161							
1535	A bill for an act relating to state lands; providing for the transfer of ownership of certain state land to the Mankato State University Foundation.	3161	3532	3525a 3969 (H1622)					
1536	A bill for an act relating to taxation; modifying the exemption of certain town levies; amending Minnesota Statutes 1981 Supplement, Section 275.515.	3161							
1537	A bill for an act relating to local government; permitting counties, towns and cities to impose a separate property tax to pay the cost of elections; proposing new law coded in Minnesota Statutes, Chapter 465.	3161		3407a					
1538	A bill for an act relating to peace officers, private detectives, and protective agents; providing for unclassified civil service status of employees of board of peace officer standards and training; clarifying the use by certain protective agents and private detectives of the word "patrol" in their names; correcting a statutory reference; providing for appointment of peace officers, constables and deputy constables in towns; requiring towns to notify the peace officers standards and training board before employing law enforcement officers; amending Minnesota Statutes 1980, Sections 214.04, Subdivision 3; 326.337, Subdivision 1; 367.03, Subdivisions 1, 2, and 3; 367.22; 367.40, Subdivisions 3 and 4; 367.41; Minnesota Statutes 1981 Supplement, Sections 357.09, Subdivision 2; and 367.42, Subdivision 1; repealing Minnesota Statutes 1981 Supplement, Section 382.28.	3161	3255	3254a 3285	3362 4759	3517 3730 3793 4756* 4878	3516	5655	595
1539	A bill for an act relating to state collective bargaining units; adopting a modified unit composition schedule for state employees; excluding certain employees from collective bargaining and providing other means of compensation; amending Minnesota Statutes 1980, Section 179.741, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 179.74, Subdivision 4.	3161	3310	3308 3365a	3434 4670	4670	4670	5650	459

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1540	A bill for an act relating to motor vehicles; taxation of certain motor vehicles and combinations in the ninth and succeeding years of vehicle life; amending Minnesota Statutes 1981 Supplement, Section 168.013, Subdivision 1e.	3161							
1541	A bill for an act relating to accident and health insurance; broadening continuation and conversion privileges of survivors and former spouses; amending Minnesota Statutes 1980, Sections 62A.145; 62A.146; 62C.142; and 62D.101; and Minnesota Statutes 1981 Supplement, Section 62A.21, Subdivisions 2a and 2b.	3162	3851	3174 3724 3803a 4014 4133	4162				
1542	A bill for an act relating to highway traffic regulations; providing that certain evidence be admissible in the trial or prosecution of persons arrested for driving, operating, or being in physical control of a motor vehicle while under the influence of alcohol, a controlled substance, or a combination thereof; amending Minnesota Statutes 1980, Section 169.121, Subdivision 2.	3162		3174					
1543	A bill for an act relating to real property; regulating the conditions of certain easements; enacting the uniform conservation easement act; proposing new law coded in Minnesota Statutes, Chapter 500.	3162							
1544	A bill for an act relating to energy; requiring landlords to bear part of the cost of heating their rental units; amending Minnesota Statutes 1980, Section 116H.129, by adding a subdivision.	3162							
1545	A bill for an act relating to highway traffic regulations; authorizing admission into evidence of blood sample reports taken pursuant to the implied consent law; amending Minnesota Statutes 1980, Section 634.15.	3162							
1546	A bill for an act relating to courts; providing for removal of tax court judges; proposing new law coded in Minnesota Statutes, Chapter 271.	3162							
1547	A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1980, Sections 353.01, Subdivisions 12 and 16; 353.35; and 353.657, Subdivision 2a; Minnesota Statutes 1981 Supplement, Sections 353.01, Subdivisions 2a and 2b; 353.27, Subdivision 4; 353.36, Subdivision 2; and 353.64, Subdivision 1; repealing Minnesota Statutes 1980, Sections 353.01, Subdivision 34; and 353.017, Subdivision 4; Minnesota Statutes 1981 Supplement, Section 353.023.	3162	3360	3221 3346a 3780	3857		3980	5579	404

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1548	A bill for an act relating to retirement; public employees retirement association; changing the reduction factors for early retirement; amending Minnesota Statutes 1980, Section 353.30, Subdivisions 1 and 1a; Minnesota Statutes 1981 Supplement, Section 353.30, Subdivision 1c; repealing Minnesota Statutes 1980, Section 353.30, Subdivision 1b.	3163	3775	3221 3770a 4334 4512 (H1625)					
1549	A bill for an act relating to retirement; public employees retirement association; increasing in line of duty disability benefits for police and firefighters; amending Minnesota Statutes 1980, Section 353.656, Subdivision 1.	3163		3174 3221					
1550	A bill for an act relating to retirement; public employees retirement association; increasing the retirement annuity formula; changing the reduction factors for early retirement; reducing the actuarial factors to provide a joint and survivor benefit; providing an additional surviving spouse optional annuity; amending Minnesota Statutes 1980, Sections 353.29, Subdivisions 2 and 3; 353.30, Subdivisions 1, 1a, and 3; 353.651, Subdivisions 2 and 3; and 353.656, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 353.30, Subdivision 1c and 353.32, Subdivision 1a; repealing Minnesota Statutes 1980, Section 353.30, Subdivision 1b.	3163		3221					
1551	A resolution memorializing the life and work of Sigurd F. Olson.	3163		3474					
1552	A bill for an act relating to legislative districts; reapportioning legislative districts; amending Minnesota Statutes 1980, Sections 2.021; 2.031; and 2.711; proposing new law coded in Minnesota Statutes, Chapter 2; repealing Minnesota Statutes 1980, Sections 2.041 to 2.701 and 2.712.	3163	3220	3183a 3241a	3242				
1553	A bill for an act relating to elections; establishing a local government election day for election of county, city, and school district officers, county and county municipal judges and officers of all other political subdivisions except towns; requiring uniform and coordinated election precincts and polling places for municipalities and school districts; integrating municipal and school district election laws with laws applicable to other elections; superseding certain inconsistent general and special laws and home rule charter provisions; amending Minnesota Statutes 1980, Sections 40.05, Subdivision 1; 40.06, Subdivision 1; 122.23, Subdivision 17; 122.25, Subdivision 2; 123.12, Subdivision 1; 123.32, Subdivisions 9 (Continued next page)	3164							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1553	—Continued and 23; 123.33, Subdivisions 1 and 4; 123.34, Subdivision 1; 123.351, Subdivisions 1 and 3; 123.51; 128.01; 209.02, Subdivisions 1 and 3; 375.025, Subdivision 4; 375.03; 375.101, Subdivision 2; 375A.02, Subdivision 1; 375A.09, Subdivision 4; 382.01; 389.011, Subdivision 2; 397.06; 397.07; 398.04; 410.21; 412.021, Subdivision 2; 412.571, Subdivision 5; 447.32, Subdivisions 1 and 2; 487.03, Subdivision 5; 488A.021, Subdivision 3; 488A.19, Subdivision 3; Minnesota Statutes 1981 Supplement, Sections 40.05, Subdivisions 3 and 4; 200.02, by adding subdivisions; 201.071, Subdivisions 1, 3, and by adding a subdivision; 203B.05, Subdivision 2; 203B.06, Subdivision 3; 203B.09; 204B.02; 204B.08, Subdivision 3; 204B.09; 204B.11, Subdivision 1; 204B.12, Subdivisions 1 and 2; 204B.14, by adding a subdivision; 204B.16, Subdivision 1; 204B.18, Subdivision 2; 204B.33; 204B.34, Subdivisions 2 and 3; 204B.35, Subdivision 1; 204B.40; 204C.02; 204C.05, Subdivision 1; 204C.10, Subdivision 1; 204C.19, Subdivision 2; 204C.25; 204C.27; 204C.28, by adding a subdivision; 204C.32; 204C.33; 204C.36; 204D.02; 204D.05, Subdivision 2; 204D.07; 204D.08, Subdivision 6; 204D.09; 204D.10, Subdivision 3; 204D.11, Subdivisions 3 and 5; 204D.12; 204D.16; 204D.28, Subdivisions 4, 5, 6, and 7; 365.51; 412.02, Subdivision 2; and 487.03, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 204B, 204D, 206, and 210A; repealing Minnesota Statutes 1980, Sections 123.015; 123.11, Subdivisions 2, 3, 4, 5, and 6; 123.32, Subdivisions 1, 2, 3, 5, 6, 8, 8a, 11, 22, 24, 25, 26, and 27; 447.32, Subdivisions 3 and 4; and Chapter 205; Minnesota Statutes 1981 Supplement, Sections 123.32, Subdivisions 4 and 7; 200.015; 201.095; 205.01; 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.13, Subdivision 1; 205.14, Subdivision 4; 205.15; 205.17, Subdivisions 2 and 6; and 205.20, Subdivisions 2 and 5.								
1554	A bill for an act relating to crimes; providing for additional sentences for theft against the elderly; requiring the sentencing guidelines commission to modify the sentencing guidelines to require application of incarcerative sanctions for theft against the elderly; prescribing penalties; amending Minnesota Statutes 1980, Section 609.52, by adding a subdivision.	3164		3174					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1555	A bill for an act relating to crimes; establishing mandatory minimum terms of imprisonment for the use of a dangerous weapon or firearm in crimes committed against the elderly and handicapped; prescribing penalties; amending Minnesota Statutes 1981 Supplement, Section 609.11, Subdivisions 4, 5, 7, and 8; and by adding a subdivision.	3165		3174					
1556	A bill for an act relating to public safety; prohibiting the sale of certain metal-penetrating bullets; prohibiting the possession or use of metal-penetrating bullets during the commission of a crime; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.	3165	4704	4003 4087 4109a 4683 4864 5576 (H1704)					
1557	A bill for an act relating to public utilities; limiting the amount of proposed rate increases that may be put into effect during suspension of a rate schedule pending final approval; amending Minnesota Statutes 1980, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.	3165							
1558	A bill for an act relating to crimes; lengthening the statute of limitations for prosecutions for certain crimes; amending Minnesota Statutes 1980, Section 628.26.	3175							
1559	A bill for an act relating to taxation; income; providing job expansion and investment credits for new businesses; proposing new law coded as Minnesota Statutes, Chapter 290B.	3175		3232					
1560	A bill for an act relating to municipal bonds; providing a formula for determining limitations on interest rates; changing a public sale requirement; amending Minnesota Statutes 1980, Sections 474.06; 475.55 and 475.60, Subdivision 2.	3175		3356a					
1561	A bill for an act relating to child support and maintenance payments; authorizing release of information for location of certain parents of deserted children; providing for the collection and withholding of payments; amending Minnesota Statutes 1980, Section 256.978; Minnesota Statutes 1981 Supplement, Sections 256.872, Subdivisions 1, as amended, and 2; 518.551, Subdivisions 1 and 2; and 518.611, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 518; repealing Minnesota Statutes 1980, Sections 256.874 and 256.878; and Minnesota Statutes 1981 Supplement, Sections 256.875 and 256.877.	3175	3724	3631a 4019a	4149	4343	4954	5650	488

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1562	A bill for an act relating to crimes; requiring mandatory minimum jail sentences for persons convicted of driving while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1980, Section 169.121, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5.	3175		3221						
1563	A bill for an act relating to education; authorizing certain school districts in each development region to make a special grandfather levy; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.	3175		3221	3432					
1564	A bill for an act relating to education; authorizing certain school districts in development region eleven to make a special grandfather levy; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.	3176								
1565	A bill for an act relating to education; authorizing certain school districts in Washington County which did not qualify for the grandfather levy to make an additional levy for school maintenance purposes; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.	3176								
1566	A bill for an act relating to the environment; expediting the receipt of federal moneys for emergency response to hazardous waste releases; expediting the variance issuance procedures of the pollution control agency; amending Minnesota Statutes 1980, Sections 116.03, Subdivision 3; and 116.07, Subdivision 5.	3176	3532	3523a	3866	3974		4661	5650	458
1567	A bill for an act relating to judicial procedures; providing an alternative time for a guardian or conservator to file an annual report; amending Minnesota Statutes 1981 Supplement, Section 525.58, Subdivision 1.	3176	3432	3404a	3726a	3726		3980	5579	401
1568	A bill for an act relating to retirement; recognizing service covered by multiple retirement funds for entitlement to a disability benefit; proposing new law coded in Minnesota Statutes, Chapter 356.	3176	3775	3760 (H1720)	3997					
1569	A bill for an act relating to family; creating a preference for joint custody of children after dissolution of a marriage; amending Minnesota Statutes 1981 Supplement, Section 518.17.	3176								
1570	A bill for an act relating to cable communications; prohibiting newspapers from owning or controlling cable communications companies operating within their market areas; proposing new law coded in Minnesota Statutes, Chapter 238.	3176								

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1571	A bill for an act relating to retirement; city of Plymouth; prohibiting double pension coverage for certain firefighters.	3177							
1572	A bill for an act relating to taxes; defining institutions of public charity that are exempt from property taxation; amending Minnesota Statutes 1981 Supplement, Section 272.02, Subdivision 1.	3177							
1573	A bill for an act relating to taxation; limiting property tax on certain homesteads; providing for replacement by state of certain revenue lost by local government units; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 273.	3177							
1574	A bill for an act relating to crimes; requiring mandatory jail sentences and other dispositional alternatives for persons convicted of driving while under the control of alcohol or a controlled substance; prescribing penalties; amending Minnesota Statutes 1980, Section 169.121, by adding subdivisions; 169.123, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5; repealing Minnesota Statutes 1980, Section 169.121, Subdivisions 3 and 4.	3177							
1575	A bill for an act relating to health; directing the elimination of health systems agencies; transferring health planning authority to the commissioner of health; requiring the commissioner of health to analyze and disseminate hospital price information; amending Minnesota Statutes 1980, Sections 144.05; 144.802, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Sections 250.05, Subdivision 4; 447.45, Subdivision 1; and 474.03; proposing new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; Minnesota Statutes 1981 Supplement, Sections 62D.22, Subdivision 6; and 144.801, Subdivision 8.	3177		3221					
1576	A bill for an act proposing an amendment to the Minnesota Constitution to repeal Article XIII, Section 5; repealing the prohibition against lotteries.	3177							
1577	A bill for an act relating to game and fish; authorizing special permits to take deer with a crossbow under certain circumstances; amending Minnesota Statutes 1980, Sections 98.48, by adding a subdivision; and 100.29, Subdivision 7.	3178	3969	3961a 4131 (H1652)					
1578	A bill for an act relating to elections; changing certain times for precinct caucuses; prohibiting certain events; amending Minnesota Statutes 1980, Sections 202A.14, Subdivision 1; 202A.15, Subdivision 1; 202A.19, Subdivisions 1 and 3.	3178							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1579	A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.	3178		3221 4031 4133 4177					
1580	A bill for an act relating to public safety; providing that certain fines and forfeited bail money collected from persons violating motor vehicle weight laws and apprehended by the state patrol by means of stationary or portable scales be allocated between the state and certain political subdivisions; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.	3178		3282					
1581	A bill for an act relating to local government; providing for orderly annexations in accordance with the terms of the resolutions of local government units; amending Minnesota Statutes 1981 Supplement, Section 414.0325, Subdivision 1.	3178							
1582	A bill for an act relating to port authorities; authorizing seaway port authorities to establish a fiscal year based on the season for international shipping through the St. Lawrence Seaway; amending Minnesota Statutes 1981 Supplement, Section 458.14.	3178	3432	3407	3727		3792	4496	387
1583	A bill for an act relating to public finance; repealing and suspending authority to incur state debt; repealing Laws 1980, Chapter 610; and Laws 1981, Chapter 275.	3179		3179 3823					
1584	A bill for an act relating to power plant siting; transferring the powers and duties in administration of the power plant siting act to the commissioner of the department of energy, planning and development from the environmental quality board; defining terms; clarifying language; annual hearings; adoption of an inventory of study areas; savings clause; public hearings for inventory criteria; public meeting requirements of the commissioner for routing and siting decisions; amending Minnesota Statutes 1980, Sections 116C.52, Subdivision 2, and by adding a subdivision; 116C.53; 116C.54; 116C.55, Subdivision 3; 116C.57; 116C.58; 116C.59; 116C.61, Subdivisions 2 and 3; 116C.62; 116C.64; 116C.645; 116C.65; 116C.66; 116C.68, Subdivision 2; and 116C.69, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivisions 2, 2a, and 3; proposing new law coded in Minnesota Statutes, Chapter 116J; repealing Minnesota Statutes 1980, Sections 116C.55, Subdivision 2; 116C.60; and 116C.67.	3179							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1585	A bill for an act relating to education; authorizing school boards to transfer interest earnings from the capital expenditure fund and the debt redemption fund to the general fund of the district.	3179							
1586	A bill for an act relating to education; authorizing school boards to require tuition fees for summer school programs not required for graduation; authorizing school districts to require participation fees for co-curricular and extra curricular activities; allowing school boards to waive the fees for certain students; amending Minnesota Statutes 1980, Section 120.73, Subdivision 1.	3179		3282					
1587	A bill for an act relating to juveniles; expanding definition of "dependent child;" defining "serious juvenile offender;" permitting jury trials for and jailing of "serious juvenile offenders;" describing relevant evidence in contributing to delinquency cases; requiring reports to justify out of state placement of children; increasing parents' liability for willful and malicious injury caused by their child; prescribing penalties; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 6 and by adding a subdivision; 260.155, Subdivisions 1 and 2, and by adding a subdivision; 260.185, Subdivision 1, and by adding a subdivision; 260.315; and 540.18, Subdivision 1.	3180							
1588	A bill for an act relating to state and local government; creating an advisory council on local government; prescribing its duties; applying provisions to certain tax increment districts; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 15B; proposing new law coded in Minnesota Statutes, Chapter 273.	3221	3473	3341a 3461a 4028a	4344 4882	4882 5654	4882	Veto	
1589	A bill for an act relating to crimes; amending the definitions of shelter care facility and secure detention facility; extending the time limit for detaining children who may be dependent or neglected children; clarifying the definition of physically helpless victims of criminal sexual conduct; amending Minnesota Statutes 1980, Sections 260.015, Subdivisions 16 and 17; 260.171, Subdivisions 2, 4, 5, and 6, and by adding a subdivision; 260.172, Subdivision 1; 609.341, Subdivision 9; repealing Minnesota Statutes 1980, Section 260.015, Subdivision 15.	3221	3432	3360 3404a 3532 3780	3861 4567	3934 4567	4566	5650	469
1590	A bill for an act relating to retirement; prohibiting membership in a volunteer firefighters' relief association by certain persons; proposing new law coded in Minnesota Statutes, Chapter 424A.	3222							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1591	A bill for an act relating to retirement; volunteer firefighters relief associations; fire and police state aid programs; combining various reports for purposes of qualifying for fire state aid; modifying the presumptions used in determining qualification for fire or police state aid; clarifying the duration of disqualification from receipt of fire or police state aid in the event of noncompliance with financing guidelines; clarifying the procedure for crediting service by certain probationary volunteer firefighters; clarifying a limitation on the payment of service pensions to active volunteer firefighters; amending Minnesota Statutes 1980, Sections 69.021, Subdivision 4; 69.051, Subdivision 3; 69.771, Subdivision 3; and 424A.01, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 69.011, Subdivision 2; 69.051, Subdivision 1; 69.77, Subdivision 1; and 424A.02, Subdivision 1.	3222	3360	3347a 3780	3857		4661	5650	460
1592	A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Brainerd.	3222							
1593	A bill for an act relating to state lands; providing for the conveyance of certain tax forfeited lands.	3222							
1594	A bill for an act relating to commerce; providing for the licensing, bonding, and insuring of certain builders; proposing new law coded in Minnesota Statutes, Chapter 326.	3222							
1595	A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.	3222							
1596	A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.	3222	4132	3240 3930a 4115a 4588 4885 (H1553)					
1597	A bill for an act relating to courts; providing that a county court judge with judicial tenure of 25 years shall be considered learned in the law; amending Minnesota Statutes 1980, Sections 15A.083, Subdivision 1; and 487.03, Subdivision 1; repealing Minnesota Statutes 1980, Section 487.04.	3223							
1598	A bill for an act relating to retirement; public employees retirement association; providing for an election of exclusion from retirement coverage for certain persons employed by the Prior Lake-Spring Lake watershed district.	3223							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1599	A bill for an act relating to crimes; requiring mandatory jail sentences and other dispositional alternatives for persons convicted of driving while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1980, Sections 169.121, by adding subdivisions; 169.123, Subdivision 2; repealing Minnesota Statutes 1980, Section 169.121, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5.	3223		3282					
1600	A bill for an act relating to juveniles; designating a juvenile justice agency; providing for termination of jurisdiction over juveniles; providing for the apprehension of juvenile absconders and escapees; amending Minnesota Statutes 1980, Sections 242.19; 260.181, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 4.12, by adding a subdivision; and 242.44.	3223	4002	3996a 4132 (H1803)					
1601	A resolution memorializing the governments of the United States and the Socialist Republic of Vietnam to take all possible actions to determine the fate of persons missing in action in Southeast Asia.	3223							
1602	A bill for an act relating to animals; eliminating certain licensing and registration requirements; repealing Minnesota Statutes 1980, Section 35.695.	3224	3532	3524 3866	3975				
1603	A bill for an act relating to administrative procedure; providing procedures for the adoption of administrative rules and the determination of administrative disputes; providing for publication of administrative rules and disposition of administrative appeals; enacting the model administrative procedure act; proposing new law coded as chapter 15B; repealing Minnesota Statutes 1980, Sections 15.0411, as amended; 15.0412, as amended; 15.0416; 15.0417; 15.0418; 15.0419; 15.0421; 15.0422; 15.0424; 15.0425; 15.0426; 15.047; 15.0471; 15.048; 15.049; 15.05; 15.051; and 648.50, as amended; and Minnesota Statutes 1981 Supplement, Sections 15.041; 15.0413; 15.0415; and 15.052.	3224							
1604	A bill for an act relating to education; authorizing school districts to levy a special grandfather levy equal to the maximum grandfather levy of any district in region eleven; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision.	3224							
1605	A bill for an act relating to public welfare; requiring audits of nursing home cost reports; amending Minnesota Statutes 1980, Sections 256B.27, Subdivision 2a; and 256B.35, Subdivision 4.	3224	3724	3557a 3936a	4013		4661	5650	476

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings		Returned from House	Approved	Chapter
1606	A bill for an act relating to taxation; income; establishing a credit for upgrading certain waste disposal systems located on shorelands; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.	3224									
1607	A bill for an act relating to public welfare; changing liquid asset limits for medical assistance eligibility; amending Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by a law passed in the 1981 third special session styled as House File No. 2, Article I, Section 32.	3224									
1608	A bill for an act relating to crimes; requiring incarceration as the presumptive sentence for a defendant convicted of a crime against persons; proposing new law coded in Minnesota Statutes, Chapter 244.	3225									
1609	A bill for an act relating to highway traffic regulations; regulating the height of vehicles; establishing a height limitation for certain buses; providing for an annual permit fee for certain overheight buses; amending Minnesota Statutes 1980, Section 169.81, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 169.86, Subdivision 5.	3225	3851	3833a	4364						
1610	A bill for an act relating to taxation; providing for withholding of income tax refunds from child support debtors; amending Minnesota Statutes 1980, Section 290.50, by adding a subdivision.	3233	3969	3949a	5576						
1611	A bill for an act relating to law libraries; recodifying the laws governing county law libraries; amending Minnesota Statutes 1980, Sections 140.34; 140.35; 140.36; 140.37; 140.38; 140.39; 140.40; 140.44; 140.45; 140.46; and 480.09, Subdivision 5; proposing new law coded in Minnesota Statutes 1980, Chapter 140; repealing Minnesota Statutes 1980, Sections 140.01 to 140.20; 140.212 to 140.33; 140.41 to 140.435; Minnesota Statutes 1981 Supplement, Section 140.21.	3233	4132	4088a (H1663)	4341						
1612	A bill for an act relating to retirement; eliminating certain reductions in annuities for correctional employees; amending Minnesota Statutes 1980, Section 352.93, Subdivision 3.	3233									
1613	A bill for an act relating to state departments and agencies; regulating the disposition of certain land within the capitol area; amending Minnesota Statutes 1981 Supplement, Section 15.50, Subdivision 6.	3233	3503	3487a	3866	3971 4343	4279	4343	4279	5580	422

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1614	A bill for an act relating to labor; including sheltered workers within definition of employee in the labor relations act; amending Minnesota Statutes 1980, Section 179.01, Subdivision 4.	3233		3282					
1615	A bill for an act relating to education; granting discretion to local school boards regarding the use of bequests, donations, or gifts to school districts; amending Minnesota Statutes 1980, Sections 123.40, Subdivision 3; and 465.03.	3234							
1616	A bill for an act relating to intoxicating liquor; town board approval of certain county liquor licenses; amending Minnesota Statutes 1981 Supplement, Section 340.11, Subdivision 10.	3234							
1617	A bill for an act relating to public welfare; changing liquid asset limits for medical assistance eligibility; amending Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended by a law passed in the 1981 third special session styled as House File No. 2, Article I, Section 32.	3234	4606	3281 4583a 5576					
1618	A bill for an act relating to crimes; prohibiting the sale, transfer and delivery of simulated controlled substances; prohibiting their sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.	3234							
1619	A bill for an act relating to retirement; public employees retirement association and public employees police and fire fund; authorizing a modification in the payment of employee contributions to make them exempt from federal income taxation until disbursed as retirement annuities or benefits; amending Minnesota Statutes 1980, Sections 353.01, Subdivision 16; 353.27, Subdivisions 2, 7, 8, 9, 12, and by adding a subdivision; 353.28, Subdivision 1; 353.29, Subdivision 2; 353.32, Subdivisions 1, 2, 3, and 4; 353.34, Subdivisions 1, 2, and 5; 353.38; 353.65, Subdivisions 1, 2, 4, and by adding a subdivision; 353.656, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 353.27, Subdivision 4; 353.34, Subdivision 3; and 353.37, Subdivision 1.	3234							
1620	A bill for an act relating to the town of St. Cloud; providing for the homestead credit treatment of its property tax levy.	3234							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1621	A bill for an act relating to transportation; changing eligibility for a state transportation program; providing for transportation information on official maps; providing conditions for purchase of land for transportation facilities; appropriating money for the Amtrak North Star Line; amending Minnesota Statutes 1980, Sections 394.22, Subdivision 12; 462.352, Subdivision 10; and 473.167; and Minnesota Statutes 1981 Supplement, Section 16.756, Subdivision 1a.	3235	3360	3356 3437	3508 5059 5497	4661 4708 4750 5056* 5497	4661 5558	5655	520
1622	A bill for an act relating to taxation; providing homestead treatment for certain cooperative housing; amending Minnesota Statutes 1980, Section 273.133, by adding a subdivision.	3243							
1623	A bill for an act relating to municipal bonds; providing a formula for determining limitations on interest rates; changing a public sale requirement; amending Minnesota Statutes 1980, Sections 474.06; 475.55 and 475.60, Subdivision 2.	3243	3934	3401 3405a 3775 3925a 4014	4169				
1624	A bill for an act relating to education; changing certain dates related to approval of special education programs by the commissioner of education; changing the date aid is paid for special education summer school programs; amending Minnesota Statutes 1980, Section 124.32, Subdivisions 7 and 10.	3243							
1625	A bill for an act relating to state lands; providing for the conveyance of certain lands to the heirs of John G. and Ruby A. Handberg.	3244	3724	3543a 3936	4009				
1626	A bill for an act relating to public welfare; providing for reimbursement of chiropractic services for people receiving general assistance medical care; clarifying the meaning of medically certified for purposes of eligibility for general assistance; amending Minnesota Statutes 1981 Supplement, Sections 256D.03, Subdivision 4; and 256D.05, Subdivision 1.	3244		3519a					
1627	A bill for an act relating to debt management; creating the legislative commission on debt management and prescribing its duties; requiring reports; proposing new law coded in Minnesota Statutes, Chapter 3.	3244		3255					
1628	A bill for an act relating to retirement; validating a certain post retirement adjustment granted by the Virginia firefighters relief association; authorizing increases in benefits payable by the Eveleth police and fire trust fund; Virginia police relief association; defining certain terms; providing for the govern-	3244	3934	3890a 4002 (H1697)					

(Continued next page)

a Indicates Amendment

( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1628	—Continued ance of separate and distinct general and special funds; providing benefit improvements for certain participants and benefit recipients; validating adoption of third class city police law; validating past payments; clarifying the authority to approve alternative benefit increases; repealing Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235.								
1629	A bill for an act relating to the city of Hibbing; authorizing increases in certain firefighters service pensions and survivor benefits; amending Laws 1977, Chapter 169, Section 1; and Laws 1971, Chapter 614, Section 1, Subdivision 2.	3244	3775	3764 4334 (H1701)					
1630	A bill for an act relating to the legislature; changing January payment date; amending Minnesota Statutes 1980, Section 3.099, Subdivision 1.	3244	3851	3824a 4014	4165				
1631	A bill for an act relating to the Red River watershed; naming all counties in which the special taxing authority of certain watershed districts applies; amending Laws 1976, Chapter 162, Section 1.	3245	3775	3748a 4014	4159		4661	5650	474
1632	A bill for an act relating to education; providing for enrollment in a school district other than the district of residence in cases of particular hardship; amending Minnesota Statutes 1980, Section 120.0751, Subdivision 3, and by adding a subdivision.	3245	4132	4106a 5576					
1633	A bill for an act relating to transportation; removing a route from the trunk highway system; changing the descriptions of certain trunk highway routes; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; prohibiting a certain highway connection until a full environmental impact statement is made; amending Minnesota Statutes 1980, Sections 161.117; 161.12; 161.1245, Subdivision 1, and by adding a subdivision.	3245	4560	3876 3981a 4334 4560a 4691 (H1939)					
1634	A bill for an act relating to employment; providing protection for employees who perform certain civic duties; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 181.	3245							
1635	A bill for an act relating to education; modifying provisions governing school districts financial statements; amending Minnesota Statutes 1980, Section 121.908, Subdivision 3.	3245	3503	3499a 3868a	3972				

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1636	A bill for an act relating to elections; requiring notices and reports concerning certain fundraisers; proposing new law coded in Minnesota Statutes, Chapter 10A.	3245							
1637	A bill for an act relating to state investment policy; prohibiting certain investments in countries not following human rights standards; proposing new law coded in Minnesota Statutes, Chapter 11A.	3245	3432	3404a 3784a 4473 4486a 4730	4516 4730	5652	5560	Veto	
1638	A bill for an act relating to education; authorizing the use of the special purpose capital expenditure levy for payment of special assessments against school district property; amending Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 11b.	3246							
1639	A bill for an act relating to retirement; Hennepin county supplemental retirement program; providing for a phase out of the program; authorizing current participants to withdraw from the program; providing for an increased withdrawal benefit option in certain instances; amending Laws 1969, Chapter 950, Sections 1, 2, 3, as amended, 4, as amended, 5 and 6; repealing Laws 1969, Chapter 950, Section 8.	3246	3775	3764a 4001 (H1735)					
1640	A bill for an act relating to Hennepin County; providing for the interest on and name of certain debt; regulating personnel provisions; clarifying self insurance authority; permitting the county board members to be paid an allowance in lieu of mileage; removing an exception to the general law; amending Minnesota Statutes 1981 Supplement, Section 375.055, Subdivision 1; Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended, and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.	3246	3851	3824a 4014	4165	5502	5502		
1641	A bill for an act relating to family law; defining a species of marital co-ownership of property and providing for its division in dissolution and annulment actions; amending Minnesota Statutes 1980, Section 518.54, Subdivision 5, and Minnesota Statutes 1981 Supplement, Section 518.58.	3246	3473	3459a 3780	3863		4661	5650	464
1642	A bill for an act relating to agriculture; clarifying the provision of state livestock weighing services; amending Minnesota Statutes 1980, Sections 17A.04, by adding a subdivision; 17A.10; and 17A.11; Minnesota Statutes 1981 Supplement, Section 17A.04, Subdivision 5.	3246		3568a					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1643	A bill for an act relating to agriculture; requiring the commissioner of agriculture to make certain rules relating to milk for manufacturing purposes; proposing new law coded in Minnesota Statutes, Chapter 32.	3246							
1644	A bill for an act relating to securities; removing the exemption from filing fees for an agent who is a primary officer, partner, or director of a licensed broker-dealer; amending Minnesota Statutes 1981 Supplement, Section 80A.28, Subdivision 2.	3247	3724	3615	3779		4661	5650	475
1645	A bill for an act relating to easements; permitting utilization of wind easements for the operation of wind power systems; amending Minnesota Statutes 1980, Section 500.30.	3247							
1646	A bill for an act relating to the city of Lakeville; authorizing advances of cash or engineering services, or both, by the city of Lakeville to the commissioner of transportation to expedite construction and improvement on a certain trunk highway within the city of Lakeville; authorizing the commissioner of transportation, by contract, to accept the advances and repay the advances from the trunk highway fund.	3247							
1647	A bill for an act relating to retirement; permitting augmentation of benefits after 30 years of service in certain cases; proposing new law coded in Minnesota Statutes, Chapter 356.	3247							
1648	A bill for an act relating to nonprofit corporations; providing an internal reference correction; providing for the conduct of meetings by telephone; amending Minnesota Statutes 1980, Sections 317.16, Subdivision 2; 317.20, Subdivision 8; and 317.22, by adding a subdivision.	3247	3724	3579a	3777		4500	5580	420
1649	A bill for an act relating to education; modifying certain provisions governing abatement levy limitation adjustments as related to school districts; amending Minnesota Statutes 1980, Section 275.48.	3247							
1650	A bill for an act relating to public welfare; establishing foster care maintenance payments by the state; requiring the commissioner of public welfare to promulgate rules which establish a state goal for the reduction of the number of children in residential facilities for more than 24 months; requiring the commissioner of public welfare to comply with the requirements of Title IV-E of the federal Social Security Act in order to obtain adoption assistance funds for eligible children; expanding (Continued next page)	3247	4430	3455a 4370a 4598 (H1690)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1650	—Continued the eligibility for medical assistance to include children receiving foster care maintenance payments or adoption assistance under Title IV-E of the federal Social Security Act; authorizing the transfer of funds; amending Minnesota Statutes 1980, Sections 256.82; 257.071, by adding a subdivision; and 259.40, Subdivisions 2, 3, and 10; Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended.								
1651	A bill for an act relating to the legislature; changing the dates on which members of the legislature are paid; amending Minnesota Statutes 1980, Section 3.099, Subdivision 1.	3248							
1652	A bill for an act relating to taxation; providing an income tax credit for certain expenditures for woodburning appliances; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.	3248							
1653	A bill for an act relating to taxation; reducing the rate of taxation on certain corporate and bank income; amending Minnesota Statutes 1980, Section 290.361, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 1.	3248							
1654	A bill for an act relating to taxation; adopting certain federal depreciation provisions; amending Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20; 290.09, Subdivision 7; and 290.091.	3248							
1655	A bill for an act relating to state government; establishing a task force on waste and mismanagement in governmental operations; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 4.	3248							
1656	A bill for an act relating to taxation; increasing the income tax exclusion for pension income; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20.	3248							
1657	A bill for an act relating to taxation; extending the effective date for the energy credit; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.	3249	4471	3635a 5576	4443a				
1658	A bill for an act relating to civil actions; providing civil liability for illegal sale or barter of alcoholic beverages; amending Minnesota Statutes 1980, Sections 340.95; and 340.951; proposing new law coded in Chapter 340.	3249							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1659	A bill for an act relating to game and fish; prohibited methods of taking certain quadrapeds; amending Minnesota Statutes 1980, Section 100.29, Subdivision 14.	3255							
1660	A bill for an act relating to welfare; requiring notice to property owners of the establishment of certain facilities; amending Minnesota Statutes 1980, Section 245.821, Subdivision 1.	3255							
1661	A bill for an act relating to retirement; local police and salaried firefighters relief associations; providing minimum disability benefit coverage for police officers and firefighters in certain local relief associations; providing for the recomputation of a disability benefit as a service pension upon the attainment of a certain age; providing service credit for periods of disability in certain instances; requiring the provision of less hazardous duty employment positions for marginally disabled police officers and firefighters; requiring offsets from disability benefits in certain instances; authorizing the establishment and operation of the West St. Paul firefighters relief association; validating prior actions by the West St. Paul firefighters relief association; proposing new law coded in Minnesota Statutes, Chapter 423A.	3256	4342	4285a 4594 (H1737)					
1662	A bill for an act relating to transportation; allowing certain vehicles to cross certain railroad crossings without stopping; removing certain geographical operating limitations on passenger motor buses; removing the requirement for designated routes for intercity buses; modifying the public transit capital grant assistance program; modifying certain public transit contract procedures; amending Minnesota Statutes 1980, Sections 169.28; 169.29; 169.80, Subdivisions 2 and 2a; 174.245; Laws 1981, Chapter 363, Section 55, Subdivision 1, as amended; repealing Minnesota Statutes 1980, Section 219.21.	3256	3724	3563a 4004 4335 (H1707)					
1663	A bill for an act relating to education; removing dental assessments, laboratory tests and nutritional assessments from the health and developmental screening program for pre-kindergarten children; amending Minnesota Statutes 1981 Supplement, Section 123.702, Subdivision 1a.	3256							
1664	A bill for an act relating to occupations and professions; clarifying the scope and extent of chiropractic practice; providing rulemaking authority to the board of chiropractic examiners; amending Minnesota Statutes 1980, Sections 148.01 and 148.08, by adding subdivisions.	3256							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1665	A bill for an act relating to the legislature; creating a committee on human and economic development and prescribing its duties; proposing new law coded in Minnesota Statutes, Chapter 3.	3256							
1666	A bill for an act relating to legal services; providing for a surcharge on civil filing fees; authorizing the supreme court to appoint an advisory committee; authorizing the distribution of the surcharge funds to qualified programs providing legal services to certain persons; requiring a report to the legislature; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 375.167, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 480.	3256	3935	3574a 3934 4014	4170 4745	4745	4744	5650	489
1667	A bill for an act relating to local government; removing town levy limits; amending Minnesota Statutes 1981 Supplement, Section 275.50, Subdivision 2.	3257							
1668	A bill for an act relating to the military; providing for the administration of oaths and acknowledgments by a member of the armed forces of the United States; amending Minnesota Statutes 1980, Sections 192.205, by adding a subdivision; and 358.32.	3257							
1669	A bill for an act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6; and Article VIII, Section 2; providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 480.01; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; and Minnesota Statutes 1981 Supplement, Sections 204B.06, Subdivision 6; 204B.34, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapters 480A and 632; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.	3257	4704	4100a 4683a 4866 (H1727)					
1670	A bill for an act relating to guardianship and conservatorship; providing for delegation of certain powers by parents or guardians; applying the rules of evidence to certain proceedings; providing administrative procedures for the appointment of guardians or conservators for minors; providing a procedure for discharge of guardians or conservators in certain cases; clarifying certain provisions; amending Minnesota Statutes 1980, Sections 525.6165; and 525.618, by adding subdivisions; Minnesota Statutes 1981 Supplement, Sections	3257	3473	3459a 4014	4134		4661	5650	472

(Continued next page)

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1670	—Continued 525.55, Subdivisions 1 and 3; 525.551, Subdivision 3; 525.5515, Subdivision 2; and 525.6196; proposing new law coded in Minnesota Statutes, Chapters 524 and 525; repealing Minnesota Statutes 1981 Supplement, Section 525.5515, Subdivision 3.								
1671	A bill for an act relating to environment; providing for the chairmanship, staff, and administration of the environmental quality board; transferring the swim program from the water planning board to the department of energy, planning and development; extending the water planning board; appropriating money; amending Minnesota Statutes 1980, Section 116C.03, Subdivision 2a, and by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 116C.04, Subdivisions 8 and 9; 116C.05; 116C.07; and Minnesota Statutes 1981 Supplement, Section 116C.03, Subdivision 3.	3258	3724	3463a 3584 3777 3781a	3854 5137	4569 4707 4749 5135*	4569 5427	5655	524
1672	A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.	3258							
1673	A bill for an act relating to health; requiring reports of cases of Reyes syndrome; proposing new law coded in Minnesota Statutes, Chapter 144.	3258	3473	3455a 3780	3862		3980	5580	419
1674	A bill for an act relating to education; increasing the amount of money an area vocational-technical institute may expend for lands or buildings or for capital improvements without approval of the state board of education and authorization by specific legislative act; amending Minnesota Statutes 1980, Section 121.21, Subdivision 4a.	3258							
1675	A bill for an act relating to education; providing that post-secondary vocational equipment aid be used for renting or leasing buildings for school purposes; amending Minnesota Statutes 1981 Supplement, Sections 124.5624, Subdivisions 3 and 4; and 124.5627, Subdivisions 3, 4, and 5.	3258							
1676	A bill for an act relating to commerce; petroleum products; providing specifications for fuel oil sold as kerosene; amending Minnesota Statutes 1980, Section 296.05, Subdivision 2, and by adding a subdivision.	3258		3310					
1677	A bill for an act relating to local government; changing municipal and county planning and zoning laws; prohibiting exclusion of manufactured homes and other types of single family dwellings; amending Minnesota Statutes 1980, Sections 394.25, Subdivision 3; and 462.357, Subdivision 1.	3259	3724	3638a 4004	4151 4672	4672	4672	5650	490

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1678	A bill for an act relating to the city of Minneapolis; providing for the security for certain rehabilitation loans; amending Laws 1977, Chapter 138, Section 2.	3259	3503	3483 3780 3931 (H1747)					
1679	A bill for an act relating to the military; providing for the administration of oaths and acknowledgments by a member of the armed forces of the United States; amending Minnesota Statutes 1980, Sections 192.205, by adding a subdivision; and 358.32.	3259	3473	3282 3462 3780	3863				
1680	A resolution memorializing the President and Congress of the United States to provide winter navigation of the Great Lakes and the St. Lawrence Seaway.	3259		3282					
1681	A bill for an act relating to agriculture; transferring the state soil and water conservation board to the department of agriculture; amending Minnesota Statutes 1980, Section 40.03, Subdivisions 1, 2 and 4.	3259							
1682	A bill for an act relating to local government; permitting various leases and installment purchases of equipment; providing for their tax and fiscal treatment; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 297B.03; and 465.71; Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1.	3259	4002	3989a 4485	4527				
1683	A bill for an act relating to metropolitan government; providing for the allocation of certain sewage costs; amending Minnesota Statutes 1980, Section 473.517, Subdivision 2.	3260	3724	3549 3776 3936	4011				
1684	A bill for an act relating to commerce; providing uniformity in requiring insurance of accounts in depository financial institutions; clarifying examination reports as confidential records; clarifying permissible transactions at financial institutions by examiners; defining building and loan association; clarifying financial institution real estate investment authority; establishing an application procedure for certain bank detached facilities; providing for clearly differentiating a detached facility from the parent bank principal office; establishing a uniform authority for financial institutions' limited trust powers and individual housing accounts; clarifying certain words, terms and phrases relating to supervision of banks and trust companies; eliminating the filing requirement for bank directors' oaths; clarifying exceptions to prohibition against bank or trust company sale of assets; providing for uniform quarterly reporting by banks or trust companies; providing uniform (Continued next page)	3260	3851	3811a 4023a	4163		4661	5650	473

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1684	—Continued capital requirements for stock savings banks and approval procedures for amending articles or certificates of incorporation; removing inconsistencies in fees payable to secretary of state; removing the expiration date for the credit union advisory council; removing inconsistencies with earlier laws regarding certificate loan plans of industrial loan and thrift companies; providing for liquidity reserve requirements by insured industrial loan and thrift companies consistent with other depository institutions; providing for reasonable fees, annual renewals and surety bond limits for licensing safe deposit companies; clarifying default charges, deferments, conversion rights, interest after maturity and issuance of receipts on regulated loans; limiting licensing and examination of sales finance companies to those located in this state; authorizing the restatement of articles of incorporation of financial institutions; removing ceiling on interest rate paid by mortgagor during redemption period; amending Minnesota Statutes 1980, Sections 46.07, Subdivision 2; 46.09, as amended; 47.01, Subdivision 5; 47.10; 48.01, Subdivision 1; 48.16; 48.21; 48.76; 50.25; 51A.23, Subdivision 6; 52.061; 52.24; 53.04, Subdivision 5; 53.07; 55.04, Subdivision 2; 55.05; 168.66, Subdivision 8; 580.23, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 48.06; 48.48; 51A.03, Subdivision 5; 56.131, Subdivision 1; 56.14; proposing new law coded in Minnesota Statutes, Chapters 45; 47; 55; and 300; repealing Minnesota Statutes 1980, Sections 47.16, Subdivision 2; 48.159, Subdivision 1; 48.25; 50.157, Subdivision 1; 51A.21, Subdivision 16; 52.135; Minnesota Statutes 1981 Supplement, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; and 52.136.								
1685	A bill for an act relating to metropolitan government; regulating the organization, duties and powers of the metropolitan mosquito control district and commission; increasing size of commission membership; increasing certain commission expenditure amounts; authorizing taxes; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.703, Subdivision 1; 473.704, Subdivision 17; 473.705; and 473.711, Subdivision 2; repealing Minnesota Statutes 1980, Sections 473.701, Subdivisions 5 and 6; 473.713; and 473.717.	3260	4606	3922a 4604a 4753 (H1542)					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1686	A bill for an act relating to courts; authorizing courts to obtain the presence of persons confined in state institutions for court appearances; proposing new law coded in Minnesota Statutes, Chapter 589.	3261	4002	3994a 4383 (H1743)					
1687	A bill for an act relating to Ramsey county; providing for the organization, powers and duties of the Saint Paul-Ramsey Medical Center commission; permitting the issuance of revenue bonds; amending Laws 1974, Chapter 435, Section 3.14, as amended.	3261	3360	3344a 3504a 3780	3857		4500	5580	418
1688	A bill for an act relating to regional development commissions; establishing procedures for counties and municipalities to withdraw or join; amending Minnesota Statutes 1980, Section 462.387, by adding a subdivision.	3261							
1689	A bill for an act relating to the operation of state government; authorizing the legislative auditor to approve contracts for auditing state agencies; clarifying certain provisions regarding the term of the legislative auditor; modifying authority of the housing finance agency and certain other agencies to contract for audits without approval; amending Minnesota Statutes 1980, Sections 3.97, Subdivision 4; 3.972; 362.41, by adding a subdivision; and 462A.22, Subdivision 10.	3261	3724	3586a 3778 3780 3851	3935 3936 4659	3935a 4280 4658	4280		
1690	A bill for an act relating to agriculture; changing certain procedures relating to fertilizers and soil and plant amendments; imposing a penalty; amending Minnesota Statutes 1980, Sections 17.713, by adding a subdivision; 17.721, Subdivision 2; and 17.728, as amended; Minnesota Statutes 1981 Supplement, Sections 17.713, Subdivisions 8, 12, 17a, and 20; 17.714, Subdivision 2; 17.716, Subdivision 6; 17.719, Subdivision 1, and by adding a subdivision; 17.721, Subdivision 1; 17.725, Subdivision 1; and 17.726; proposing new law coded in Minnesota Statutes, Chapter 17.	3261							
1691	A bill for an act relating to housing and redevelopment authorities; clarifying the need for a conflict of interest disclosure statement; amending the method of determining a quorum when a conflict of interest exists; providing for membership on the Duluth housing and redevelopment authority; providing penalties; granting powers to authorities created pursuant to special laws; amending Minnesota Statutes 1980, Section 462.445, by adding a subdivision; amending Minnesota Statutes 1981 Supplement, Section 462.432, Subdivisions 1 and 2.	3262	3432	3407a 3784a	3861 4673	4673	4673	5650	471

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1692	A bill for an act relating to the military; prohibiting entry to Camp Ripley without authorization of the adjutant general; imposing a penalty; amending Minnesota Statutes 1980, Sections 609.60 and 609.605.	3262	3473	3462 3780 3931 (H1700)					
1693	A bill for an act relating to public utilities; requiring utilities to supply local government units with plans of their facilities; proposing new law coded in Minnesota Statutes, Chapter 216A.	3262							
1694	A bill for an act relating to the standard of time; providing that the Minnesota standard of time conform to the federal standard of time; amending Minnesota Statutes 1980, Section 645.071.	3262		3851					
1695	A bill for an act relating to historic sites; adding the Consumers Pure Ice and Storage Company Building in St. Cloud to the registry of state historic sites; amending Minnesota Statutes 1980, Section 138.58, by adding a subdivision.	3262	3473	3462	3727		3878	4562	392
1696	A bill for an act relating to crimes; changing the blood alcohol concentration level required for the offense of driving while under the influence; amending Minnesota Statutes 1980, Sections 169.121, Subdivisions 1 and 2; 169.123, Subdivisions 2, 4, 5a, and 6.	3262							
1697	A bill for an act relating to alcoholic beverages; increasing the maximum dollar value of equipment furnished to beer retailers by brewers and wholesalers; deleting obsolete language; amending Minnesota Statutes 1980, Section 340.405.	3263		3775 4512					
1698	A bill for an act relating to education; removing the requirement of commissioner of education's approval when the proceeds of the capital expenditure levy are used to rent or lease buildings for school purposes; removing general procedures requiring and governing commissioner of education's approval of contracts for rental of school rooms, buildings or other facilities; amending Minnesota Statutes 1980, Section 123.78, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 11a; repealing Minnesota Statutes 1980, Section 123.37, Subdivisions 3 to 14.	3263	3503	3500a 3868a 3972 4348a 4663					
1699	A bill for an act relating to taxation; providing that individuals may designate a portion of their income tax refund or make a donation in addition to payment of income tax to the United States olympic committee; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 290.	3263		3282					

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1700	A bill for an act relating to transportation; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; making certain accident reports available to governmental agencies for specified purposes and authorizing a fee for copies of these accident reports; governing the movement of certain vehicles on certain highways; expanding the definition of advertising device; exempting the state transportation plan from the provisions of the administrative procedure act; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and establishing fees; allowing expenditures from the state airports fund for educational programs to promote interest and safety in aeronautics; amending Minnesota Statutes 1980, Sections 161.41; 169.09, Subdivision 13; 169.80, Subdivision 1; 173.02, Subdivision 2; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 221.011, Subdivision 22; and 221.81; proposing new law coded in Minnesota Statutes, Chapter 221.	3263	3724	3535a 4130 (H1817)					
1701	A bill for an act relating to government operations; revising the public employment labor relations act; modifying the definition of "essential employee" to include state employees in the health care non-professional unit; removing constraints from the mediation and strike processes; amending Minnesota Statutes 1980, Sections 179.63, Subdivision 11; 179.64, Subdivisions 1 and 1b; 179.69, Subdivisions 1 and 3; 179.70, Subdivision 1; repealing Minnesota Statutes 1980, Section 179.64, Subdivision 1a; Minnesota Statutes 1981 Supplement, Sections 179.691 and 179.692.	3263							
1702	A bill for an act relating to corrections; limiting certain inmate functions; authorizing the appointment of internal security investigators for adult correctional facilities in the unclassified civil service; clarifying the "good time" and solitary confinement provisions relating to county jails; amending Minnesota Statutes 1980, Sections 241.01, Subdivision 3a; 641.09; and 643.29, Subdivision 1.	3264	3473	3458 3780	3862 5102	4672 4708 4748 5102*	4672 5428	5655	527
1703	A bill for an act relating to boxing; establishing certain conditions for participation in professional matches; proposing new law coded in Minnesota Statutes, Chapter 341.	3264	3432	3282 3403a 3502 (H1732)					

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1704	A bill for an act relating to local government; changing certain notice requirements and meeting dates; establishing a homestead credit replacement aid formula; abolishing the homestead credit; altering the maximum amounts of property tax refunds for taxes payable; repealing the levy limit extension; amending Minnesota Statutes 1980, Sections 270.12, Subdivisions 2 and 3; 270.13; 273.13, Subdivision 8a, and by adding a subdivision; 274.01, Subdivision 1; 274.14; 290A.04, Subdivision 3, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 273.13, Subdivisions 4, 6, 7, and 9; proposing new law coded in Minnesota Statutes, Chapter 273; repealing Minnesota Statutes 1980, Sections 273.115, as amended; 273.116, as amended;273.121; 273.13, Subdivisions 7a, 14, 14a, and 18; 273.139; Minnesota Statutes 1981 Supplement, Sections 124.213; 273.13, Subdivisions 15a and 15b; Laws 1981, Third Special Session, Chapter 2, Article IV, Sections 9, 10, and 11.	3264								
1705	A bill for an act relating to crimes; providing prima facie evidentiary standards for determining if persons were driving while under the influence of alcohol; enhancing criminal penalties for persons who are convicted of more than one offense of driving while under the influence of alcohol or a controlled substance; enhancing the length of revocation of a driver's license or operating privileges for each additional offense of driving while under the influence of alcohol or a controlled substance; requiring results of preliminary screening tests be recorded on a driver's record if there is an alcohol concentration between .05 and .10; authorizing chemical tests for persons incapable of refusing to submit to tests; authorizing written blood sample reports into evidence; amending Minnesota Statutes 1980, Sections 169.121, Subdivisions 1, 2, 3, 4, and 6; 169.123, Subdivisions 2, 3, 4, and by adding a subdivision; 171.12, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5.	3264								
1706	A bill for an act relating to insurance; modifying the definitions of insolvent insurer and a covered claim for purposes of the insurance guaranty association act; authorizing separate accounts for certain pension plans;broadening continuation and conversion privileges of survivors and former spouses; amending Minnesota Statutes 1980, Sections 62A.145; 62A.146; 62C.142; and 62D.101; Minnesota Statutes 1981 Supplement, Sections 60C.03, Subdi- (Continued next page)	3265	3724	3567 4004	4140 5499	4954 5080 5139 5498*	4954 5558	5655	555

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1706	—Continued vision 8; 60C.09, Subdivision 1; and 61A.282, Subdivision 2; 62A.21, Subdivisions 2a and 2b; proposing new law coded in Minnesota Statutes, Chapter 61A.								
1707	A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.	3265	3969	3282 3963a 4595 (H1760)					
1708	A bill for an act relating to the environment; regulating certain assessments for the environmental quality board; amending Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3.	3265		3651a					
1709	A bill for an act relating to retirement; teachers retirement association; authorizing the purchase of service credit for military service leaves of absence for certain veterans.	3265	3934	3896a 4000 (H2098)					
1710	A bill for an act relating to public safety; providing that fines and forfeited bail money from overweight vehicles apprehended at state-operated scales be allocated between the state and certain political subdivisions; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.	3265	3503	3485a 4177					
1711	A bill for an act relating to waters; making time limits mandatory for certain statutory duties of the commissioner of natural resources; amending Minnesota Statutes 1980, Sections 105.391, Subdivision 3; and 105.44, Subdivision 4.	3266							
1712	A bill for an act relating to public welfare; allowing claims for medical assistance to be made against homestead property which is part of an estate; specifying abandonment of homestead for medical assistance; amending Minnesota Statutes 1980, Sections 510.05 and 524.3-805; and Minnesota Statutes 1981 Supplement, Sections 256B.06, Subdivision 1, as amended; 256B.15 and 525.145.	3266	4430	3310 3926a 3934 4377a 4687 (H1840)					
1713	A bill for an act relating to transportation; providing for the coordination and regulation of special transportation services; amending Minnesota Statutes 1980, Sections 174.29 and 174.30.	3266	3532	3520a 3866	3974		4954	5655	556

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1714	A bill for an act relating to the environment; limiting and reducing emissions of sulphur dioxide in the state; requiring adoption of an acid deposition control standard and plan by the pollution control agency; requiring reports; imposing an assessment on utilities; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 116.	3266	4132	3282 3310 3649a 4114a 4485 4692 (H1789)					
1715	A bill for an act relating to the city of Minneapolis; providing duties of the civil service commission; providing for positions in the unclassified service; permitting the city to change the name of the housing and redevelopment authority; permitting the transfer of certain employees to employment of the housing and redevelopment authority; establishing terms for transfer of the employees; permitting certain employees to purchase service credit from the Minneapolis employees retirement fund; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding subdivisions; and Laws 1980, Chapter 595, Section 2, Subdivision 1 and Section 3, by adding a subdivision.	3285	3503	3500a 3730 3869a 3972 4014a	4133 4742	4742	4742	5650	491
1716	A bill for an act relating to taxation; exempting sales of chances to use gambling devices sold by certain organizations from the sales tax; amending Minnesota Statutes 1981 Supplement, Section 297A.25, Subdivision 1, as amended.	3285							
1717	A bill for an act relating to automobile insurance; prohibiting any right of subrogation on underinsurance claims; amending Minnesota Statutes 1980, Section 65B.53, by adding a subdivision.	3285							
1718	A bill for an act relating to the city of Minneapolis; changing limitations on housing programs in two Minneapolis development districts; amending Laws 1971, Chapter 677.	3285	3724	3550 4014a 4337 (H1795)					
1719	A bill for an act relating to crimes; requiring mandatory jail sentences and other dispositional alternatives for persons convicted of driving while under the influence of alcohol or a controlled substance; amending Minnesota Statutes 1980, Sections 169.121, by adding subdivisions; 169.123, Subdivision 2; repealing Minnesota Statutes 1980, Section 169.121, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5.	3286							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1720	A bill for an act relating to probate; validating certain contract, gift, conveyance and trust provisions; proposing new law coded in Minnesota Statutes, Chapter 524.	3286								
1721	A bill for an act relating to education; changing certain notification dates for school districts that educate nonresident pupils; providing that districts of residence are not liable for any billings if notification is received after a certain date; amending Minnesota Statutes 1981 Supplement, Section 124.2129, Subdivision 3.	3286	3503	3500a		3729				
1722	A bill for an act relating to taxation; providing for reassessment of homestead property damaged by a disaster; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 273.	3286								
1723	A bill for an act relating to retirement; Minnesota state retirement system; imposing liability for certain omitted employee contributions on the employing unit; elective state officers retirement plan; providing benefit adjustments for retired constitutional officers and surviving spouses; amending Minnesota Statutes 1980, Section 352.04, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 352C.	3286	3934	3893a	4430	4521				
1724	A bill for an act relating to juveniles; authorizing imposition of fines and other dispositions for children adjudicated delinquent for offenses relating to controlled substances and intoxicating liquors; amending Minnesota Statutes 1980, Sections 152.15, by adding a subdivision; 340.035, Subdivision 2, and by adding a subdivision; 340.73, Subdivision 3, and by adding a subdivision; and 340.732.	3286								
1725	A bill for an act relating to labor; changing the exclusion from minimum wage coverage for certain carnival, circus or fair workers; amending Minnesota Statutes 1980, Section 177.23, Subdivision 7.	3287								
1726	A bill for an act relating to metropolitan government; providing a salary maximum for metropolitan government employees; amending Minnesota Statutes 1980, Section 15A.081, Subdivision 7.	3287								
1727	A bill for an act relating to retirement; second class city police relief associations; eliminating a dollar amount limitation on the payment of salaries to relief association officers; amending Minnesota Statutes 1981 Supplement, Section 423.808.	3287	3473	3463	3780	3864		3980	5579	403

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1728	A bill for an act relating to education; establishing a limit on the amount of special education aid a district may receive for administrative and other similar personnel; exempting certain stations and facilities from the limit; exempting Independent School District No. 166 from the limit; suspending a rule; granting authority to adopt temporary rules; providing for permanent rules; amending Minnesota Statutes 1981 Supplement, Section 124.32, Subdivision 1.	3287							
1729	A bill for an act relating to the city of St. James; providing for the calculation of its property tax levy limitation.	3287							
1730	A bill for an act relating to education; providing for certain circumstances under which a pupil may attend school in a district which is not the pupil's district of residence; amending Minnesota Statutes 1980, Sections 120.075, Subdivision 4, and by adding subdivisions; repealing Minnesota Statutes 1980, Section 120.075, Subdivisions 1, 2, and 3a.	3287							
1731	A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 168.	3287							
1732	A bill for an act relating to housing; increasing the number of commissioners for certain housing authorities;increasing per diem compensation for attendance of commissioners at meetings of the housing authorities; amending Minnesota Statutes 1980, Sections 462.425, Subdivisions 5 and 6; and 462.441.	3288							
1733	A bill for an act relating to the military; increasing the minimum pay for enlisted personnel called into active service; amending Minnesota Statutes 1980, Section 192.51, Subdivision 2.	3288	3473	3463 3780 3931 (H1725)					
1734	A bill for an act relating to motor vehicles; authorizing the operation of motorized wheelchairs and motorized golf carts by certain persons on designated roadways of city streets; regulating the operation thereof; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 169.522; and proposing new law coded in Minnesota Statutes, Chapter 169.	3288		3310					
1735	A bill for an act relating to crimes; providing increased penalties for robbery for narcotics and receipt of stolen goods from a minor; amending Minnesota Statutes 1980, Sections 609.24; 609.245; and 609.53, by adding subdivisions.	3288							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1736	A bill for an act relating to Independent School District No. 507, Nicollet; authorizing a transfer of funds collected by referendum levy to reduce statutory operating debt.	3288							
1737	A bill for an act relating to commerce; providing an energy code compliance warranty applicable to the construction or repair of certain dwellings; proposing new law coded in Minnesota Statutes, Chapter 327A.	3288							
1738	A bill for an act relating to crimes; prohibiting possession of obscene works appealing to pedophiles; increasing the fines for distribution of obscene material; prescribing penalties; amending Minnesota Statutes 1980, Sections 617.241; and 617.246, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 617.	3289	4002	3724 3990a 4534a	4666 5501	5501	5501	5658	604
1739	A bill for an act relating to taxation; authorizing counties imposing a gravel tax under local law to elect to impose a gravel tax under general law; amending Minnesota Statutes 1981 Supplement, Section 298.76.	3289							
1740	A bill for an act relating to real estate; providing an exception for certain restrictions based on familial status in cooperative housing; permitting administrators of rental housing to petition the court for certain powers; clarifying the court's discretion to make certain orders; amending Minnesota Statutes 1980, Sections 363.01, by adding a subdivision; 363.02, Subdivision 2; 566.25; and 566.29, Subdivision 4.	3289	3724	3570a 4006a	4141		4954	5650	492
1741	A bill for an act relating to education; removing the commissioner of education from the state university board and as secretary of the board; allowing teachers at a community college or state university to accrue seniority during a leave of absence; amending Minnesota Statutes 1980, Sections 136.12, Subdivision 1; 136.13; and 136.88, Subdivision 5.	3289	3503	3498a 3850 5634 (H1726)					
1742	A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; reducing the minimum tax rate and increasing the maximum tax rate; providing for retroactive tax rate changes; increasing the weeks necessary to establish a claim during favorable economic conditions; providing for the payment of additional benefits and reducing the weeks necessary to establish a claim during unfavorable economic conditions; limiting the maximum benefit amount; eliminating payment of the waiting week; removing (Continued next page)	3289							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1742	—Continued the limitation on the deductibility of severance payments; providing for the full deduction of vacation pay, holiday pay, and of military retirement payments; providing for the deduction of secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; redefining suitable wages for seasonal workers; amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 23 and 29; 268.06, Subdivisions 8 and 19; 268.07, Subdivision 2, and by adding a subdivision; 268.08, Subdivisions 1 and 3; 268.09, Subdivisions 1 and 2; repealing Minnesota Statutes 1980, Section 268.07, Subdivision 4.								
1743	A bill for an act relating to the environment; prohibiting out-of-state hazardous waste from being brought into the state; prohibiting generation of certain hazardous waste; proposing new law coded in Minnesota Statutes, Chapter 116.	3290							
1744	A bill for an act relating to taxation; income tax; property tax refund; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; imposing penalties on a preparer for wilfully understating an income tax liability or wilfully overstating a property tax refund claim; proposing new law coded in Minnesota Statutes, Chapters 290 and 290A.	3290	3503	3485a 3503 3780	3865				
1745	A bill for an act relating to workers' compensation; prohibiting double recovery for certain permanent partial disabilities; amending Minnesota Statutes 1980, Section 176.101, by adding a subdivision.	3290							
1746	A bill for an act relating to state contracts; rules governing eligibility for award of small business set aside contracts; amending Minnesota Statutes 1980, Section 16.085.	3290							
1747	A bill for an act relating to natural resources; requiring payment of interest on late refunds to timber sale permit holders; authorizing reappraisal of damaged or destroyed timber sold under a permit; authorizing settlement of permit obligations when a permittee is incapacitated or deceased; extending the time during which the commissioner of natural resources may extend timber permits; amending Minnesota Statutes 1980, Section 90.201; and Laws 1981, Chapter 305, Section 11.	3290	3724	3432 3647a 4020a	4153	4343			

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1748	A bill for an act relating to the city of Waconia; authorizing the sale of certain revenue bonds at a price less than par value and in an amount and with a maturity date to be determined by the governing body.	3290	3724	3550a 3933 (H1955)					
1749	A bill for an act relating to local improvements; providing the method for action on certain improvements by certain towns; amending Minnesota Statutes 1980, Section 429.011, Subdivision 2b.	3290	3503	3485a 3780	3864				
1750	A bill for an act relating to taxation; exempting from the motor vehicle excise tax certain purchases of motorized bicycles for resale; amending Minnesota Statutes 1980, Section 297B.035, by adding a subdivision.	3291							
1751	A bill for an act relating to drainage; increasing certain authorized repair expenditures; amending Minnesota Statutes 1980, Section 106.471, Subdivision 2.	3291							
1752	A bill for an act relating to elections; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; and 205.84; Minnesota Statutes 1981 Supplement, Section 205.10; proposing new law coded in Minnesota Statutes, Chapter 205; repealing Minnesota Statutes 1980, Sections 205.021; 205.04; 205.11, Subdivisions 1, 2, 3, 4 and 5; 205.14, Subdivisions 1, 2 and 3; 205.18; and 205.19; and Minnesota Statutes 1981 Supplement, Sections 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.	3291	3532	3524 4592 (H2199)					
1753	A bill for an act relating to elections; providing for experimental mail elections; proposing new law coded in Minnesota Statutes, Chapter 204B.	3291							
1754	A bill for an act relating to the military; precluding the payment of workers' compensation when a member is not paid from state funds; amending Minnesota Statutes 1981 Supplement, Section 176.011, Subdivision 9.	3291							
1755	A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.	3291	3724	3310 3573a 4001 (H2050)					
1756	A bill for an act relating to Independent School District No. 699; requiring certification of statutory operating debt.	3292	3503	3498	3728		3792	4496	386

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1757	A bill for an act relating to the legislature; reducing the senate from 67 to 50 members and the house of representatives from 135 to 100 members; amending Minnesota Statutes 1980, Section 2.021.	3292							
1758	A bill for an act relating to crimes; prohibiting conspiracies to violate controlled substances laws; allowing use of forfeited property; prohibiting the manufacture, delivery, possession, or advertising of drug paraphernalia; providing for civil forfeiture of drug paraphernalia; clarifying the crime of escape from jail; prescribing penalties; amending Minnesota Statutes 1980, Sections 152.01, by adding a subdivision; 152.19, Subdivisions 1, 3, and 5; and 609.485, Subdivision 3; proposing new law coded in Chapter 152.	3292	3775	3741a 4014	4157 5481	4676 4708 4737 5477*	4675 5541	5655	557
1759	A bill for an act relating to education; establishing a legislative commission on education mandates; requiring a review of all state education mandates; requiring submission of a report to the legislature.	3292							
1760	A bill for an act relating to natural resources; setting a limit on acquisition of land from a single owner as an activity area for land disposal of hazardous waste; proposing new law coded in Minnesota Statutes, Chapter 115A.	3292							
1761	A bill for an act relating to credit unions; providing for approval of amendments to certificates of organization and bylaws; authorizing the board of directors to appoint a credit committee or a credit manager; prescribing the powers of a credit committee and credit manager; allowing certain nonmembers to establish individual retirement accounts; amending Minnesota Statutes 1980, Sections 52.02; 52.08; 52.09, Subdivisions 2 and 3; 52.10; and 52.135.	3292	3851	3817a 4014 4337 (H1863)					
1762	A bill for an act relating to natural resources; requiring payment of interest on late refunds to timber sale permit holders; authorizing reappraisal of damaged or destroyed timber sold under a permit; authorizing settlement of permit obligations when a permittee is incapacitated or deceased; amending Minnesota Statutes 1980, Section 90.201.	3292		3474					
1763	A bill for an act relating to local government; establishing a board to implement and administer a plan for a segment of the Minnesota river in Blue Earth, Brown, Le Sueur, Nicollet, Redwood and Renville counties.	3293	4175	4173a 4381 (H1915)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1764	A bill for an act relating to local government; removing towns from general levy limits; amending Minnesota Statutes 1981 Supplement, Section 275.50, Subdivision 2.	3293								
1765	A bill for an act relating to game and fish; removing the restriction upon issuance of wild turkey licenses; amending Minnesota Statutes 1980, Section 100.271, Subdivision 3a; and Minnesota Statutes 1981 Supplement, Section 98.46, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 98.	3293	3724	3648	4485	4517 4780	4780	4779	5650	493
1766	A bill for an act relating to taxation; making technical corrections and administrative changes to the income tax and property tax refund; amending Minnesota Statutes 1980, Sections 290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivision 1; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.53, by adding a subdivision; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivision 13; 290.93, Subdivision 9; 290.936; 290A.11, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Sections 270.075, Subdivisions 4 and 5, as amended; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.075; 290.081; 290.09, Subdivisions 4, and 15; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.92, Subdivisions 2a, 5, 5a, and 6; 290.93, Subdivisions 1 and 10; 290.9725; 290.974; 290A.03, Subdivisions 3 and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; Laws 1981, Third Special Session Chapter 2, Article III, Section 6, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Sub- (Continued next page)	3293	3532	3526a	3870a	3975				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1766	—Continued divisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7.								
1767	A bill for an act relating to taxation; income tax; providing for allocation of income for nonresident athletes and entertainers; providing for apportionment of income for athletic teams; providing for withholding;amending Minnesota Statutes 1980, Sections 290.19, Subdivision 1; and 290.92, Subdivision 4a; and Minnesota Statutes 1981 Supplement, Section 290.17, Subdivision 2, as amended.	3294	3969	3947a 4486					
1768	A bill for an act relating to counties; fixing conditions for the operation of waste facilities; amending Minnesota Statutes 1980, Section 400.16.	3294							
1769	A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules.	3294	3724	3360 3557a 3931 (H1885)					
1770	A bill for an act relating to highway traffic regulations; revising procedures for hearings and appeals on driver license revocations for failure to submit to chemical testing or for exceeding prescribed alcohol concentrations; amending Minnesota Statutes 1980, Section 169.123, Subdivisions 5, 5a, 6, and by adding a subdivision.	3294							
1771	A bill for an act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; modifying certain provisions relating to medical assistance; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256.74, Subdivisions 1, as amended, and 1a, as added; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966.	3294	4704	3310 3357 4694a 5042 (H2188)					
1772	A bill for an act relating to state departments and agencies; transferring the duties of the former department of economic development to the secretary of state; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 5.	3295							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1773	A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, Article VII, Section 9, to limit campaign expenditures by candidates for the United States senate and house of representatives; providing implementing legislation; changing campaign spending limits for state officers; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 13, and by adding a subdivision; 10A.20, Subdivision 3a, and by adding a subdivision; 10A.22, by adding a subdivision; 10A.25, Subdivisions 2, 5, 6, 7, 10, and by adding a subdivision; 10A.28, Subdivision 1; 10A.31, Subdivisions 2 and 7; and 10A.335; Minnesota Statutes 1981 Supplement, Sections 10A.255, Subdivision 1; and 10A.31, Subdivisions 1, 3, and 5; repealing Minnesota Statutes 1980, Section 10A.27, Subdivision 7.	3295		3354a 3645a					
1774	A bill for an act relating to taxation; sales; exempting paper plant material; proposing new law coded in Minnesota Statutes, Chapter 297A.	3295		3310					
1775	A bill for an act relating to health; providing for an advisory task force to make recommendations on the distribution of funds for maternal and child health care needs; proposing new law coded in Minnesota Statutes, Chapter 145.	3295	3934	3432 3920a 4014 4335 4513 (H1794)					
1776	A bill for an act relating to local government aid; requiring a portion of the state general fund to be distributed for local government aid; providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; authorizing the delay of 1982 aid payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.	3295							
1777	A bill for an act relating to local government aid; requiring a portion of sales tax collections to be distributed for local government aid; providing for payment of local government aid; requiring the commissioner of revenue to estimate payments; appropriating money; amending Minnesota Statutes 1981 Supplement, Sections 477A.014, Subdivision 1; 477A.015; and 477A.03.	3295							
1778	A bill for an act proposing an amendment to the Minnesota Constitution, Article VI, Section 8; providing for an election to be called to fill vacancies in the office of judge; amending Minnesota Statutes 1980, Sections 487.03, Subdivision 5; 488A.021, Subdivision 3; 488A.19, Subdivision 3; and 525.052.	3296							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1779	A bill for an act relating to insurance; directing the commissioner of public safety to promulgate rules regarding mandatory vehicle insurance; amending Minnesota Statutes 1980, Section 65B.68, by adding a subdivision.	3296							
1780	A bill for an act relating to highway traffic regulations; governing the movement of certain vehicles on certain highways; allowing the use of certain combinations of vehicles; allowing certain axle weight combinations; establishing allowable axle weight combinations; establishing allowable axle weights on restricted routes; modifying the distribution of receipts collected as fines; amending Minnesota Statutes 1980, Section 169.80, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 169.81, Subdivision 3; 169.825, Subdivisions 8, 10, and 12; 299D.03, Subdivision 5; repealing Minnesota Statutes 1981 Supplement, Section 169.861.	3296	3724	3563a 4005a	4139				
1781	A bill for an act relating to taxation; providing for conformity to federal income tax treatment of contributions to individual retirement accounts and Keogh plans; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended.	3296							
1782	A bill for an act relating to education; establishing limitations on appropriations for higher education interstate tuition reciprocity agreements; declaring legislative intention to discontinue appropriating money for higher education interstate tuition reciprocity agreements; providing that continuing students shall remain eligible for remission on nonresident tuition; requiring the higher education coordinating board to determine categories of students eligible for remission of nonresident tuition; encouraging discontinuance of courses of study and schools when duplication exists in this state and adjacent states when economically advantageous; amending Minnesota Statutes 1980, Sections 136A.04, Subdivision 1; and 136A.08; Laws 1981, Chapter 359, Section 3, Subdivision 6.	3296							
1783	A bill for an act relating to Independent School District No. 465, Litchfield; authorizing the school board to transfer money from the capital expenditure fund to the general fund before June 30, 1983.	3315							
1784	A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 171.	3315							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1785	A bill for an act relating to intoxicating liquor; brand registration and discrimination in wine sales; amending Minnesota Statutes 1980, Section 340.114, Subdivision 4; and Minnesota Statutes 1981 Supplement, Section 340.621.	3315							
1786	A bill for an act relating to local improvements; providing for certain local improvements and special assessments; amending Minnesota Statutes 1981 Supplement, Section 429.021, Subdivision 1.	3315							
1787	A bill for an act relating to state lands; directing the sale and conveyance of a certain tract.	3316							
1788	A bill for an act relating to the legislature; providing for the filling of a vacancy in the term of the legislative auditor; amending Minnesota Statutes 1980, Section 3.97, Subdivision 4.	3316							
1789	A bill for an act relating to claims against the state; providing for payment of various claims; providing for cancellation of old claims; appropriating money.	3316	4606	4584a 4704 (H1834)					
1790	A bill for an act relating to municipal planning; authorizing towns to plan; providing for standards and criteria for conditional uses and variances; authorizing the establishment of a board for planning in certain areas; amending Minnesota Statutes 1980, Sections 462.352, Subdivision 2; 462.357, Subdivision 6; 462.358, Subdivision 1a; and 462.36, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 462.	3316	3724	3432 3544a 3936	4010				
1791	A bill for an act relating to the joint exercise of powers between governmental units; authorizing governmental units to provide services for other governmental units; amending Minnesota Statutes 1980, Section 471.59, by adding a subdivision.	3316	3724	3543 3936	4010				
1792	A bill for an act relating to towns; authorizing certain towns to exercise special powers by affirmative vote of the town electors; requiring notice; amending Minnesota Statutes 1980, Section 368.01, Subdivisions 1, 30, and by adding subdivisions.	3316	3724	3432 3548a 3936	4011				
1793	A bill for an act relating to local government; authorizing the establishment of subordinate service districts in order to provide and finance governmental services; establishing provision for the event that grant funding is not received for the North Koochiching area sanitary district; amending Minnesota Statutes 1980, Section 275.50, by adding a sub-	3316	4471	3549a 4444a	4610	5503	5503		

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BILLS OF THE SENATE—Continued.

S. F. No	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1793	—Continued division; Laws 1981, Chapter 291, Sections 2, Subdivisions 1 and 2, and by adding subdivisions; 4, Subdivision 1; 5, subdivision 2; 7; 8, Subdivisions 1 and 2, and by adding a subdivision; and 24; proposing new law coded as Minnesota Statutes, Chapter 375B.								
1794	A bill for an act relating to health; providing for evaluation of certain changes in certificate of need review; requiring monitoring; amending the thresholds of review; providing for additional waivers; requiring reports; encouraging price disclosure; amending Minnesota Statutes 1980, Sections 145.833, Subdivision 5; and 145.835, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Sections 250.05, Subdivision 4; 447.45, Subdivision 1; 474.03; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; and Minnesota Statutes 1981 Supplement, Sections 62D.22, Subdivision 6; 145.834; and 145.845.	3317	4132	4002 4116a 4385 (H1799)					
1795	A bill for an act relating to public safety; providing that certain fines and forfeited bail money collected from persons violating motor vehicle weight laws and apprehended by the state patrol by means of stationary or portable scales be allocated between the state and certain political subdivisions; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.	3317							
1796	A bill for an act relating to education; eliminating provisions governing review and comment by the commissioner of education for school district construction; amending Minnesota Statutes 1981 Supplement, Section 124.43, Subdivision 1; repealing Minnesota Statutes 1980, Section 122.90.	3317							
1797	A bill for an act relating to game and fish; prohibiting harassment of hunters, trappers and fishers; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 97.	3317		3432					
1798	A bill for an act relating to public cemeteries; permitting assessments of public cemetery property; amending Minnesota Statutes 1980, Section 306.14, Subdivision 1.	3317							
1799	A bill for an act relating to taxation; income; providing a credit for home care of the elderly; appropriating money; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.	3317							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1800	A bill for an act relating to taxation; clarifying the taxation of meals and food products for sales tax purposes; amending Minnesota Statutes 1981 Supplement, Sections 297A.01, Subdivision 3; and 297A.25, Subdivision 1, as amended.	3318	4606	4572a 4706					
1801	A bill for an act relating to local government; allowing the city of Orr and the town of Leiding to assess the cost of maintenance of television relay service.	3318	3934	3360 3475 3914 4014 4334 (H1906)					
1802	A bill for an act relating to natural resources; requiring the waste management board to give first priority to incineration and recycling of hazardous wastes and avoidance of land disposal; postponing the certification of a hazardous waste land disposal facility; amending Minnesota Statutes 1981 Supplement, Sections 115A.11, Subdivision 1; and 115A.24, Subdivision 1.	3318							
1803	A bill for an act relating to taxation; providing for the imposition of sales tax on certain retail sales of manufactured homes; amending Minnesota Statutes 1981 Supplement, Sections 297A.01, Subdivision 3; 297A.02; and 297A.25, Subdivision 1.	3318							
1804	A bill for an act relating to local government; specifying the extent of the tax on aggregate materials; authorizing counties imposing a gravel tax under local law to elect to impose an aggregate material tax under general law; providing that Clay county may levy a gravel tax of up to ten cents per cubic yard; amending Minnesota Statutes 1980, Section 298.75, Subdivisions 5 and 6; Minnesota Statutes 1981 Supplement, Sections 298.75, Subdivisions 1 and 2; 298.76; and Laws 1961, Chapter 605, Section 1.	3318	3503	3486a 3866a	3971				
1805	A bill for an act relating to transportation; providing for the construction of a new bridge crossing the Mississippi River at Wabasha.	3318	3724	3563a 3936	4013				
1806	A bill for an act relating to health; requiring development of a roster to monitor the development of the practice of acupuncture; establishing limited practice standards; providing remedies; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 144.	3319							
1807	A bill for an act relating to juveniles; providing that commission of certain offenses constitutes prima facie evidence in reference for prosecution cases; amending Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3.	3319							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1808	A bill for an act relating to public welfare; amending the community social services act; removing certain requirements related to biennial plans and the sliding fee for child care; providing for identification of certain rules; exempting the commissioner from certain rulemaking procedures; providing for allocation of funds to counties; providing for notice and comment procedures with respect to proposals to amend or repeal certain rules; amending Minnesota Statutes 1980, Section 256E.09, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 245.84, Subdivision 2; 256E.03, Subdivision 2; 256E.05, Subdivision 3; and 256E.07, Subdivision 3; repealing Minnesota Statutes 1981 Supplement, Section 256E.07, Subdivision 2.	3319	3724	3541a 3933 (H1712)					
1809	A bill for an act relating to crimes; providing for the protection of the victims of criminal sexual conduct and intrafamilial sexual abuse; classifying data; specifying the competency of witnesses; amending Minnesota Statutes 1981 Supplement, Sections 15.791, Subdivision 9; and 595.02; proposing new law coded in Minnesota Statutes, Chapters 15 and 631.	3319	3724	3582a 4006a	4144 4880	4880	4880	5655	558
1810	A bill for an act relating to energy; directing a pilot program on load management; amending Minnesota Statutes 1980, Section 216B.241, by adding a subdivision.	3319							
1811	A bill for an act relating to education; establishing programs for youth who leave or are likely to leave high school before graduation; authorizing the department of education to award grants and perform certain other duties; appropriating money.	3319							
1812	A bill for an act relating to education; encouraging school districts to make efficient and effective use of the learning year; allowing a school district flexibility in scheduling hours and days of attendance; requiring state board approval; amending Minnesota Statutes 1980, Section 124.19, by adding a subdivision.	3320	3503	3499a 3866	4009				
1813	A bill for an act relating to public welfare; delaying the duty of the commissioner of administration to sell certain land and buildings; amending Laws 1981, Chapter 360, Article I, Section 2, Subdivision 5.	3320	4430	4369a 4588 (H1698)					
1814	A bill for an act relating to the city of Maplewood; authorizing a project and the issuance of revenue bonds.	3320	3724	3550 3936	4012				
1815	A bill for an act relating to economic development; providing for a Minnesota conference on job formation; appropriating money.	3320	3934	3487a 3923a 5035 (H2080)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1816	A bill for an act relating to retirement; authorizing purchase of prior service credit by a certain member of the public employees retirement association.	3320							
1817	A bill for an act relating to waters; allowing local governmental units to discontinue federal flood insurance coverage; amending Minnesota Statutes 1980, Section 104.08, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 104.	3320							
1818	A bill for an act relating to financial institutions; providing for maximum interest rates on the unpaid balance of loans made by a bank, savings bank, savings association, or credit union; making a temporary, superseding interest rate provision permanent; amending Minnesota Statutes 1980, Sections 48.153, Subdivisions 1a and 3a; 52.14, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 48.195; repealing Minnesota Statutes 1980, Sections 48.153, Subdivisions 1 and 3; and 52.14, Subdivision 1.	3320	3851	3808a 4014	4170		4954	5650	494
1819	A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; proposing new law coded in Minnesota Statutes, Chapter 344.	3321	3775	3758a 3999 (H1804)					
1820	A bill for an act relating to the legislature; limiting the payment of per diem and mileage payable to legislators during an interim period and special sessions; amending Minnesota Statutes 1980, Sections 3.099, Subdivision 1; 3.101; 3.102; and 3.103.	3321							
1821	A bill for an act relating to community corrections; clarifying and harmonizing the provisions of Minnesota Statutes relating to the administrative structure of participating counties, the composition of the corrections advisory board, the powers of probation officers, and the powers and duties of the commissioner of corrections; amending Minnesota Statutes 1980, Sections 401.01, Subdivision 2; 401.02, Subdivisions 1, 3, and 4; 401.06; 401.08, Subdivisions 1 and 2; and 401.13.	3321	3532	3519 3869	3973 5101	4672 4708 4738 5100*	4671 5430	5655	559
1822	A bill for an act relating to energy; exempting ethanol or fuel alcohol plants from certificate of need requirements; amending Minnesota Statutes 1981 Supplement, Section 116H.13, Subdivision 8.	3321							
1823	A bill for an act relating to the environment; requiring the waste management board to consider certain technologies to be feasible and prudent in relation to hazardous waste management; amending Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1.	3321							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1824	A bill for an act relating to the environment; establishing a grant program administered by the pollution control agency to stimulate research related to hazardous waste; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 115A.	3321							
1825	A bill for an act relating to the collection and dissemination of data; proposing the classification of certain welfare data as nonpublic; amending Minnesota Statutes 1980, Section 15.1691, Subdivision 6; Minnesota Statutes 1981 Supplement, Sections 15.781, Subdivision 1; and 15.791, Subdivision 9.	3322	3724	3584 4004	4145				
1826	A bill for an act relating to agriculture; setting a standard of proof and procedures for decision and appeal for claims of damage to livestock by endangered species; amending Minnesota Statutes 1980, Section 3.737, by adding a subdivision.	3322	4342	4321a 4428 (H1941)					
1827	A bill for an act relating to crimes; authorizing the district court to sentence up to the statutory maximum; amending Minnesota Statutes 1980, Section 244.10, Subdivision 2, and by adding a subdivision.	3322							
1828	A bill for an act relating to commerce; regulating certain sales of wood as fuel; requiring standard measurements and delivery ticket or sales invoices; providing exceptions; amending Minnesota Statutes 1980, Section 325E.01; and proposing new law coded in Minnesota Statutes, Chapter 239.	3322							
1829	A bill for an act relating to landlords and tenants; prohibiting screening fees; providing remedies; providing penalties; proposing new law coded in Minnesota Statutes, Chapter 504.	3322							
1830	A bill for an act relating to highway traffic regulations; requiring the use of child passenger restraint systems for certain children under the age of four years; prescribing penalties; amending Minnesota Statutes 1980, Section 169.685, by adding a subdivision; repealing Minnesota Statutes 1981 Supplement, Section 169.685, Subdivision 5.	3322							
1831	A bill for an act relating to education; authorizing school boards to transfer certain funds from the capital expenditure fund to the general fund before June 30, 1983.	3323							
1832	A bill for an act relating to homestead exemptions; changing the time period for which a homestead is deemed to be abandoned through failure to occupy; amending Minnesota Statutes 1980, Section 510.07.	3323							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1833	A bill for an act relating to taxation; extending the redemption period for certain tax-forfeited land.	3323							
1834	A bill for an act relating to human rights; including sexual harassment as a form of unfair discriminatory practices for certain purposes; amending Minnesota Statutes 1980, Section 363.01, Subdivision 10, and by adding a subdivision.	3323	3969	3963a 4125 (H1831)					
1835	A bill for an act relating to workers' compensation; changing benefits; providing for rehabilitation; requiring notices of injury; providing for the release of medical data; regulating supplemental benefits; providing for benefit adjustments; providing for various studies; defining terms; providing for continuance of certain insurance coverages; amending Minnesota Statutes 1980, Sections 62A.10, Subdivision 10; 62C.14, by adding a subdivision; 62D.10, by adding a subdivision; 176.011, Subdivision 3, and by adding subdivisions; 176.111, Subdivision 18; 176.131, Subdivisions 1, 1a, and 8; 176.132, Subdivision 1; 176.235, by adding a subdivision; and 176.641; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.221, Subdivisions 1, 2, and 3; and 176.645, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 176; repealing Minnesota Statutes 1980, Sections 176.011, Subdivisions 14 and 18; 176.095; 176.101, as amended; 176.102, as amended; 176.105, as amended; 176.111, as amended; and 176.235, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3a; and 176.152.	3323		4513					
1836	A bill for an act relating to the operation of state government; providing procedures for state mandating of local government functions; allowing for certain mandated functions to be discretionary; modifying the requirements of certain other mandated activities; amending Minnesota Statutes 1980, Sections 18.231, Subdivisions 1, 2, and 3; 162.04; 162.10; 169.14, Subdivision 5; 344.01; 373.01, by adding a subdivision; 373.052, Subdivision 1; 375.12, Subdivision 1; 394.01; 403.01, Subdivision 1; 410.19; and 477A.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 477A.04, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 10.	3324							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1837	A bill for an act relating to health; establishing a permanent council on health promotion and wellness; proposing new law coded in Minnesota Statutes, Chapter 145.	3324	3724	3557a 3936	4012		4954	5650	453
1838	A bill for an act relating to administrative procedures; providing for notice of temporary rulemaking; amending Minnesota Statutes 1981 Supplement, Section 15.0412, Subdivision 5; and 256B.02, Subdivision 8, as amended.	3324	3724	3646 4004	4152 4957	4957	4957	5655	562
1839	A bill for an act relating to transportation; modifying the purpose of certain programs relating to public transit assistance and transportation management; defining certain terms applicable to certain public transit assistance and transportation management programs; requiring the commissioner of transportation to define by rule total operating cost; providing for the administration of certain programs; providing for the distribution of assistance under the public transit participation program; changing eligibility requirements for replacement transit service; amending Minnesota Statutes 1980, Section 174.21; 174.22, by adding subdivisions; 174.23, by adding subdivisions; 174.24, Subdivisions 1, 2, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 174.24, Subdivision 3; and 174.265, Subdivision 4; repealing Minnesota Statutes 1980, Sections 174.25 and 174.26.	3324	4430	3828a 4377a 4689 (H1115)					
1840	A bill for an act relating to commerce; providing an alternative distribution of assets following voluntary dissolution of a cooperative association; providing for a determination of when certain property held by a financial institution or business organization is presumed abandoned; amending Minnesota Statutes 1980, Sections 308.14, by adding a subdivision; 345.32, as amended; and 345.39, as amended.	3324	3724	3614a 4028a	4147 4675	4675	4675	5650	495
1841	A bill for an act relating to the legislature; creating a legislative commission on science and technology; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 3; repealing Minnesota Statutes 1980, Section 3.351.	3324		3386 3488a					
1842	A bill for an act relating to transportation; establishing a highway maintenance cost containment council.	3325	3724	3562a 4014	4138				
1843	A bill for an act relating to public employment; providing for an optional separate bargaining unit for teachers at area vocational-technical institutes; amending Minnesota Statutes 1980, Section 179.63, Subdivision 17; proposing new law coded in Minnesota Statutes, Chapter 179.	3325		3360					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1844	A bill for an act relating to state government; regulating the data practices of the department of economic security; amending Minnesota Statutes 1980, Section 268.12, Subdivision 12.	3325							
1845	A bill for an act relating to metropolitan government; providing for the management of waste resulting from sewage treatment; requiring a study and certification of need before the establishment of new disposal facilities; amending Minnesota Statutes 1980, Section 473.153, by adding subdivisions.	3325							
1846	A bill for an act relating to metropolitan solid waste management; allowing the removal of the moratorium on development at certain sites; amending Minnesota Statutes 1981 Supplement, Section 473.803, Subdivision 1a.	3325	3724	3659a 4704					
1847	A bill for an act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely affecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivision 4; 40.036; 40.07, Subdivision 9; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.	3325	4430	4032a 4378a 4592 (H1919)					
1848	A bill for an act relating to labor; extending the time period for wage claim actions; amending Minnesota Statutes 1980, Sections 541.05, Subdivision 1; and 541.07.	3326							
1849	A bill for an act relating to workers' compensation; regulating interest rates on payments; amending Minnesota Statutes 1981 Supplement, Section 176.221, Subdivision 7.	3326							
1850	A bill for an act relating to workers' compensation; regulating reports of injury or death; providing a penalty; amending Minnesota Statutes 1980, Section 176.231, Subdivision 10.	3326							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1851	A bill for an act relating to workers' compensation; redefining the term "daily wage"; amending Minnesota Statutes 1980, Section 176.011, Subdivision 3.	3326							
1852	A bill for an act relating to workers' compensation; redefining the term "weekly wage;" amending Minnesota Statutes 1980, Section 176.011, Subdivision 18.	3326							
1853	A bill for an act relating to agriculture; changing fee provisions relating to abstracts of mortgages and liens on grain crops; amending Minnesota Statutes 1980, Sections 386.42 and 386.43.	3326	3724	3580a 3779 3781a	3854		4661	5650	454
1854	A bill for an act relating to state and local governments; providing hearing and judicial review provisions applicable to rejected bidders on public contracts; amending Minnesota Statutes 1980, Section 16.08; proposing new law coded in Minnesota Statutes, Chapter 471.	3327							
1855	A bill for an act relating to insurance; eliminating certain mandatory filings with the commissioner of insurance; authorizing the commissioner to enjoin violations of chapter 60A; providing certain exceptions to variable contract license requirements; amending Minnesota Statutes 1981 Supplement, Section 60A.17, Subdivisions 6c and 13; repealing Minnesota Statutes 1980, Section 72A.062.	3327	4471	4453a 4597 (H1867)					
1856	A bill for an act relating to state government; improving the state's personnel management functions; amending Minnesota Statutes 1980, Sections 6.582; 11A.07, Subdivision 4; 12.04, Subdivision 1; 15.0575, Subdivision 3; 15.059, Subdivision 3; 15.43, Subdivision 1; 60B.09, Subdivision 2; 84.028, Subdivision 3; 84.081, Subdivision 1; 85A.03, Subdivision 2; 124.645, Subdivision 3; 128A.02, Subdivision 3; 136A.55, Subdivision 4; 144A.52, Subdivision 2; 168.325, Subdivision 1; 171.015, Subdivision 1; 216A.04, Subdivision 3; 246.017, Subdivision 2; 299E.01, Subdivision 1; 299F.01, Subdivision 2; and 352D.02, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 3.855, Subdivision 3; 43A.02, Subdivision 28; 43A.04, Subdivisions 3, 4, and by adding a subdivision; 43A.05, Subdivision 4; 43A.08, Subdivisions 1, 3, and by adding subdivisions; 43A.11, Subdivisions 3, 4, 7 and 8; 43A.13, Subdivisions 1, 4 and 5; 43A.15, Subdivisions 6 and 10; 43A.17, Subdivision 4; 43A.18, Subdivisions 3 and 4; 43A.19, Subdivision 1; 43A.27, Subdivision 3; (Continued next page)	3327	3360	3351a 3432 3782a 3859a	3860 5099	4279 4483 4563 5098*	4278 5430	5655	560

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1856	—Continued 43A.33, Subdivisions 1, 3 and 4; 43A.37, Subdivision 1; 43A.38; 43A.39; 43A.41, Subdivision 4; 43A.42; 43A.44, Subdivision 2; 124.41, Subdivision 3; 254A.03, Subdivision 1; 352D.02, Subdivision 1; and 462A.04, Subdivision 8; Laws 1971, Extra Session, Chapter 3, Section 19, Subdivision 5; Laws 1980, Chapter 564, Article XII, Section 1, Subdivision 6; Laws 1981, Chapter 210, Section 55; repealing Minnesota Statutes 1980, Sections 12.05; 124.615, Subdivision 3; 190.081; and 190.095; and Minnesota Statutes 1981 Supplement, Section 43A.08, Subdivision 2.								
1857	A bill for an act relating to education; authorizing a school board to charge fees for summer programs; authorizing summer programs to include community education programs, community recreation programs, improved learning programs and elementary and secondary summer school programs; authorizing school districts to use aid for improved learning programs, aid for community education programs and the proceeds of community education levies for summer programs; amending Minnesota Statutes 1980, Sections 120.73, Subdivision 1; 124.271, as amended; 275.125, by adding a subdivision; Minnesota Statutes 1981 Supplement, Section 124.251; 275.125, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 121.	3327		3361					
1858	A bill for an act relating to education; authorizing school districts to develop programs enabling secondary students to attend courses at post secondary institutions; permitting the granting and transfer of credits for students; allowing reimbursement for instruction; proposing new law coded in Minnesota Statutes, Chapter 123.	3328	3724	3361 3639a 4004 4382 (H1819)					
1859	A bill for an act relating to forestry; establishing a forest resource management policy and plan; realignment of forestry boundaries; establishing a forest management fund and accounting system; changing certain procedures for timber sales from state and tax-forfeited lands; extending certain timber permits; making various changes in forestry laws; amending Minnesota Statutes 1980, Sections 16A.125, Subdivision 5; 89.001, and by adding subdivisions; 89.01, Subdivision 6; 89.021, Subdivision 1; 89.036; 89.37, Subdivisions 2, 3, 3a, and 4; 90.201; 90.251, Subdivisions 1 and 4; 197.447; 282.01, Subdivisions 1 and 3; 282.02; and 282.132; Minnesota Stat- (Continued next page)	3328	3851	3361 3786a 3848a 4354a	4480 4767	4746 4767	4745	5655	511

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1859—Continued	utes 1981 Supplement, Section 282.04, Subdivision 1; Laws 1981, Chapter 305, Section 11; proposing new law coded in Minnesota Statutes, Chapters 88, 89, 90, and 282; repealing Minnesota Statutes 1980, Sections 282.031; 282.032; 282.033; 282.034; 282.035; 282.036; and 282.037.								
1860	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other improvements of a capital nature relating to public communications; authorizing issuance of state bonds; appropriating money.	3328							
1861	A bill for an act relating to tax exempt property; providing for certain payments to the state by the state agricultural society, the metropolitan airports commission and the metropolitan sports facilities commission; amending Minnesota Statutes 1980, Sections 473.556, Subdivision 4; and 473.608, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 37 and 473.	3328							
1862	A bill for an act relating to taxation; providing energy credits for property providing a certain thermal integrity factor; extending the time when the credit will be available; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.	3329							
1863	A bill for an act relating to criminal penalties; providing for additional fines for drivers convicted of driving while intoxicated or for violations of the implied consent law; amending Minnesota Statutes 1981 Supplement, Sections 609.101; and 626.861, Subdivision 1.	3366							
1864	A bill for an act relating to the legislature; repealing the reduction in membership of the council on the economic status of women; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 3.9222, Subdivision 2, as amended; repealing Laws 1981, Third Special Session Chapter 2, Article I, Section 8.	3366		3543a					
1865	A bill for an act relating to cable communications; changing the definition of cable communications system; reducing the number of days available to the metropolitan council for review of cable service territory proposals; conforming the certificate of confirmation term to the franchise term; authorizing rules preventing obstruction of service to multiple unit dwellings and tracts of multiple dwelling units; providing to municipalities the option concerning (Continued next page)	3366	3851	3816a 4014	4345	4430 4512 (H612)			

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1865	—Continued cable service rates information included in a franchise; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.05, Subdivision 7, and by adding a subdivision; 238.09, Subdivisions 6 and 7, and by adding a subdivision; 238.12, by adding a subdivision; repealing Minnesota Statutes 1980, Section 238.12, Subdivisions 1 and 2.									
1866	A bill for an act relating to counties; providing for meetings of the county board of commissioners; amending Minnesota Statutes 1980, Section 375.07.	3367								
1867	A bill for an act relating to retirement; Edgerton volunteer ambulance service retirement fund; authorizing the establishment and maintenance of the retirement fund; validating prior municipal contributions and prior pension payments.	3367								
1868	A bill for an act relating to public welfare; authorizing payment of claims for medical assistance from homestead property which is part of an estate; amending Minnesota Statutes 1981 Supplement, Section 525.145.	3367								
1869	A bill for an act relating to local government; permitting counties to make electronic funds transfers; amending Minnesota Statutes 1980, Section 471.38, Subdivision 3.	3367	3851	3825a	4014	4166				
1870	A bill for an act relating to highway traffic regulations; regulating speed limits and hours when speed limits are in effect within school zones; amending Minnesota Statutes 1980, Section 169.14, Subdivision 5a.	3367								
1871	A bill for an act relating to taxation; extending class 3 property to certain property owned by certain fraternal beneficiary societies or associations for community service; amending Minnesota Statutes 1981 Supplement, Section 273.13, Subdivision 4.	3367								
1872	A bill for an act relating to real property; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the governor; authorizing the governor to declare by proclamation a public economic emergency under certain conditions, limiting its duration, and providing nullifying powers in the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments.	3368								

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1873	A bill for an act relating to fairs, carnivals and circuses; clarifying the food handling license requirements applicable to fairs, carnivals and circuses; changing the exclusion from minimum wage coverage for certain fair, carnival or circus workers; updating and clarifying certain powers and duties of the state agricultural society; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, Subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; 37.22; 177.23, Subdivision 7; proposing new law coded in Minnesota Statutes, Chapter 28A; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.	3368	3724	3546a 4493a 4603 (H1897)					
1874	A bill for an act relating to the prevention of crime; private security; providing for the registration and training of security guards; setting forth criteria for the use of deadly force by security guards; prescribing penalties; amending Minnesota Statutes 1980, Sections 326.32, by adding a subdivision; 326.33, Subdivision 1; 326.331; 326.332, Subdivision 1; 326.333; 326.336, by adding subdivisions; 326.338, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 326.	3368							
1875	A bill for an act relating to the city of St. Paul; establishing certain taxes; authorizing the issuance of bonds for certain city facilities.	3368		3474 4448a					
1876	A bill for an act relating to gambling; increasing the amount of compensation for assistants at a bingo occasion; amending Minnesota Statutes 1980, Section 349.17, Subdivision 1.	3368							
1877	A bill for an act relating to the city of Saint Paul; authorizing the issuance of bonds to provide funds to repair, remodel, construct or reconstruct the civic center facilities.	3369		3474					
1878	A bill for an act relating to state historic sites; the Old Federal Courts building; amending Minnesota Statutes 1980, Section 138.56, Subdivision 7.	3369	3724	3646	3779		4500	5580	417
1879	A bill for an act relating to state government; allowing for disclosures of information between the commissioner of revenue and the department of economic security; amending Minnesota Statutes 1980, Section 268.12, Subdivision 12; and Minnesota Statutes 1981 Supplement, Section 290.61.	3369	3934	3914 4014	4167		4500	5580	416

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1880	A bill for an act relating to public welfare; requiring vendors of medical care participating in any public assistance program to provide care to all public assistance recipients; prohibiting discrimination against public assistance recipients through denial of medical care or treatment because of program reimbursement limits; amending Minnesota Statutes 1980, Sections 256B.064, by adding a subdivision; and 363.03, by adding a subdivision.	3369							
1881	A bill for an act relating to courts; authorizing the continuance of the office of court referee in the second and fourth judicial districts; amending Minnesota Statutes 1981 Supplement, Section 484.70, Subdivision 1.	3369							
1882	A bill for an act relating to taxation; providing for conformity to federal income tax treatment of contributions to individual retirement accounts and Keogh plans; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended.	3369		3432					
1883	A bill for an act relating to crimes; prohibiting driving a motor vehicle when impaired by alcohol; providing prima facie evidentiary standards for determining if persons were driving while impaired or under the influence of alcohol; requiring blood, breath or urine tests of surviving drivers involved in accidents; authorizing written blood sample reports; amending Minnesota Statutes 1980, Sections 169.121, Subdivisions 1, 2, 3, and 4; 169.123, Subdivisions 2, 3, 4, 6, and by adding a subdivision.	3370							
1884	A bill for an act relating to waters; regulating nonmotorized paddle boats; amending Minnesota Statutes 1980, Sections 361.02, by adding a subdivision; and 361.03, by adding a subdivision.	3370							
1885	A bill for an act relating to public utilities; specifying the appropriate treatment of certain advertising expenses and charitable contributions; amending Minnesota Statutes 1980, Section 216B.16, Subdivisions 8 and 9.	3370							
1886	A bill for an act relating to the public utilities commission; specifying the role of the department of energy, planning and development before the public utilities commission; clarifying and assigning certain public utilities commission responsibilities; defining "district heating systems" for purposes of the program of loans to municipalities for establishing and improving district heating systems; amending Minnesota (Continued next page)	3370	3724	3636a	4014	4150 4743	4343	4743	4742	5650	561

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1886	—Continued Statutes 1980, Sections 116H.02, Subdivision 5; 218.021, Subdivision 1; 218.041, Subdivision 4; and 218.071, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 116H.11, by adding a subdivision; 116H.13, Subdivision 8; 116H.31, Subdivisions 1 and 2; 216B.241, Subdivision 2; 218.031, Subdivision 1; 218.041, Subdivision 2; and 465.74, by adding a subdivision.									
1887	A bill for an act relating to corrections; creating the Minnesota board of supervised release; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1980, Sections 241.05, Subdivisions 1, 2, 3, 3a, and by adding a subdivision; 244.01, Subdivision 7, and by adding a subdivision; 244.05, Subdivisions 2, 3, and 5; 244.06; 244.065; Minnesota Statutes 1981 Supplement, Sections 241.045, Subdivision 6; and 243.05; repealing Minnesota Statutes 1980, Sections 241.045, Subdivisions 7 and 8; 243.07; 243.10; 243.12; and 244.08.	3370	4342	4282a	5576					
1888	A bill for an act relating to education; requiring welfare and correctional institutions to submit an educational policy to the commissioner of education; proposing new law coded in Minnesota Statutes, Chapter 121.	3371	3724	3639a	4004	4152	4513	4741	5650	470
1889	A bill for an act relating to the legislature; reestablishing a legislative buildings commission; providing for its duties; proposing new law coded in Minnesota Statutes, Chapter 3; repealing Minnesota Statutes 1980, Section 3.473.	3371								
1890	A bill for an act relating to real property; providing for the modification and extension of contracts for deed; providing dates for applicable laws relating to termination of contracts; amending Minnesota Statutes 1980, Section 559.21, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 508.	3371	3775	3748a	4014					
1891	A bill for an act relating to real property; providing for a legislative study commission on farm credit and the need for special legislation on farm mortgage foreclosures.	3371	4704	3870a 4469a 4683	4443 4494 5092a					
1892	A bill for an act relating to courts; authorizing the Ramsey County commissioners to set fees for conciliation court causes removed to municipal court; amending Minnesota Statutes 1981 Supplement, Section 488A.34, Subdivision 2.	3371								

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1893	A bill for an act relating to commerce; petroleum products; requiring producers or refiners to sell retail service stations to franchisees in certain circumstances; requiring the producer or refiner to provide financing; providing remedies; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 325E.	3371							
1894	A bill for an act relating to energy; changing the duties of the commissioner of the department of energy, planning and development; expanding the scope of certain energy education programs; changing certain residential energy sales programs; providing for wind energy conversion systems in county and municipal zoning law; creating wind easements; amending Minnesota Statutes 1980, Sections 16.86, Subdivision 4; 116H.02, by adding a subdivision; 116H.15, Subdivisions 1 and 3; 500.30; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.088, Subdivision 1; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.12, Subdivision 4; 116H.128; 116H.15, Subdivision 2; 116H.18; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.12, Subdivision 8; and Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1.	3372	3724	3661a 4020a	4155 5123	4343 4746 4756 4879 5117*	4746 5431	5655	563
1895	A bill for an act relating to no-fault automobile insurance; providing for reduced premiums for certain qualified drivers; proposing new law coded in Minnesota Statutes, Chapter 65B.	3372							
1896	A bill for an act relating to human rights; allowing discrimination based on marital status under certain circumstances; amending Minnesota Statutes 1980, Section 363.02, Subdivision 2.	3372							
1897	A bill for an act relating to veterans; providing for the furnishing of chiropractic care to residents of the Minnesota veterans home; proposing new law coded in Minnesota Statutes, Chapter 198.	3372	4430	3432 3520a 4378a 4692 (H702)					
1898	A bill for an act relating to taxation; imposing a tax on the gross earnings of individuals, estates, and trusts; reducing the rate of income tax on individuals, estates, and trusts; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivisions 2c and 3d; proposing new law coded in Minnesota Statutes, Chapter 290.	3372							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1899	A bill for an act relating to trunk highways; requiring reimbursement of local expenses for combating fire and combating the release of toxic and hazardous chemicals originating in trunk highway right-of-way; amending Minnesota Statutes 1981 Supplement, Section 161.465.	3373		3432					
1900	A bill for an act relating to waters; making the water well contractors and exploratory borers advisory council permanent; amending Minnesota Statutes 1980, Section 156A.06, Subdivision 1.	3373	4342	4322 4429 (H1852)					
1901	A bill for an act relating to employment; providing for equitable compensation relationships among certain government employees; amending Minnesota Statutes 1981 Supplement, Sections 43A.01, by adding a subdivision; 43A.02, by adding subdivisions; 43A.05, by adding a subdivision; and 43A.18, Subdivision 8, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 137.	3373	4606	3724 3765a 4582a 4703 (H2005)					
1902	A bill for an act relating to the city of Hibbing; providing for the size of the Hibbing public utilities commission.	3373	3775	3746 4431					
1903	A bill for an act relating to economic development; excepting motor carriers from the definition of "business license;" amending Minnesota Statutes 1981 Supplement, Section 362.452, Subdivision 2a.	3373	3724	3567 3931 (H1920)					
1904	A bill for an act relating to taxation; changing certain requirements for school district levy referenda; amending Minnesota Statutes 1981 Supplement, Section 275.125, Subdivision 2d.	3373							
1905	A bill for an act relating to education; changing the dates relating to maximum effort debt service levy; amending Minnesota Statutes 1981 Supplement, Section 124.38, Subdivision 7.	3373		3432					
1906	A bill for an act relating to education and public data on individuals; requiring the disclosure of names, addresses, telephone numbers and dates of birth of students in secondary schools to recruiting officers for any branch of the United States armed forces unless the parents request in writing that the information not be released; requiring certain procedures to be followed prior to release; restricting the dissemination of disclosed information; amending Minnesota Statutes 1980, Section 15.1693, Subdivision 2, and by adding a subdivision.	3374							

a Indicates Amendment

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1907	A bill for an act relating to real property; requiring certification by the municipality prior to transfer by the county auditor of certain unplatted properties; proposing new law coded in Minnesota Statutes, Chapter 272.	3374	3775	3741a 4014	4157 5500	4954 5080 5138 5499*	4954 5558	5655	564
1908	A bill for an act relating to waters and watercraft safety; clarifying certain watercraft definitions and changing registration fees; amending Minnesota Statutes 1980, Sections 361.02, by adding a subdivision; and 361.03, Subdivisions 3 and 12.	3374	3724	3651a 4014	4153 4956	4956	4955	5655	565
1909	A bill for an act relating to air pollution; allowing certain cities and towns to adopt ordinances to permit and regulate open burning of leaves; amending Minnesota Statutes 1980, Section 116.07, by adding a subdivision.	3374							
1910	A bill for an act relating to public welfare; requiring preadmission screening for patients entering nursing homes from hospitals; allowing hospital discharge planners to attend certain preadmission screening assessments; allowing recipient choice between long term care and alternative care; modifying cost limits for alternative care; amending Minnesota Statutes 1980, Section 256B.091, Subdivisions 2, 4, and 6; and Minnesota Statutes 1981 Supplement, Section 256B.091, Subdivision 8.	3374	3532	3519a 3870a	3974	4002	4563	5650	455
1911	A bill for an act relating to commerce; requiring the commissioner of public safety to adopt fire extinguisher licensing and certification rules; providing exceptions; proposing new law coded in Minnesota Statutes, Chapter 299F.	3374							
1912	A bill for an act relating to local government; providing for the examination of town accounts by the state auditor pursuant to petition or resolution; amending Minnesota Statutes 1980, Sections 6.54; and 6.55.	3375							
1913	A bill for an act relating to state government; establishing a chemical dependency board; transferring powers and duties to the new board from the alcohol and other drug abuse section; abolishing the alcohol and other drug abuse section; proposing new law coded as Minnesota Statutes, Chapter 254B; repealing Minnesota Statutes 1980, Sections 254A.01; 254A.02; 254A.03, Subdivision 2; 254A.031; 254A.04; 254A.07, Subdivision 1; 254A.08, Subdivision 2; 254A.10; 254A.12; 254A.14; 254A.15; 254A.16; Minnesota Statutes 1981 Supplement, Sections 254A.03, Subdivisions 1 and 3; 254A.05, Subdivision 1; 254A.07, Subdivision 2; 254A.08, Subdivision 1; and 254A.09.	3375	3724	3551a 5576					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1914	A bill for an act relating to criminal justice; providing for appointment of a peace officer to the sentencing guidelines commission; amending Minnesota Statutes 1980, Section 244.09, Subdivision 2.	3375							
1915	A bill for an act relating to solid waste; directing a study of solid waste utilization in the St. Cloud area; appropriating money.	3375	4430	3659a 4370a 4706					
1916	A bill for an act relating to taxation; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; amending Minnesota Statutes 1980, Sections 278.01; and 278.05, Subdivision 2.	3375							
1917	A bill for an act relating to Independent School District No. 176, Pillager; authorizing the school board to transfer money from the capital expenditure fund to the general fund before June 30, 1983.	3375							
1918	A bill for an act relating to manufactured homes; requiring manufacturers and dealers of manufactured homes to be licensed and regulated by the commissioner of administration; providing for the rights and duties of owners and residents of manufactured home parks; making certain changes in the procedure for titling manufactured homes; requiring park owners to adopt storm safety plans for the protection of residents; empowering municipalities to enforce certain ordinances within manufactured home parks and recreational camping areas; clarifying the procedures to be used in the repossession of a manufactured home; clarifying certain language; prohibiting certain practices; imposing fees and penalties; providing remedies; defining terms; proposing new law coded in Minnesota Statutes, Chapter 168A; proposing new law coded as Minnesota Statutes, Chapters 327B and 327C; amending Minnesota Statutes 1980, Sections 168A.02, Subdivision 3; 327.14; 327.16, Subdivision 2; 327.20, Subdivision 1; 327.24, by adding a subdivision; 327.26; 327.27, Subdivision 2, and by adding a subdivision; 327.62, Subdivision 2; 327.63; 327.65; 327.66; 363.02, by adding a subdivision; and 566.18, Subdivisions 2, 7, and 8; repealing Minnesota Statutes 1980, Sections 327.41; 327.42; 327.43; 327.45; 327.451; 327.452; 327.46; 327.47; 327.51; 327.52; 327.53; 327.54; 327.55; 327.551; 327.552; 327.553, Subdivisions 2, 3 and 4; 327.554; 327.56; and Minnesota Statutes 1981 Supplement, Sections 327.44; 327.441; 327.55, Subdivision 1a; and 327.553, Subdivision 1.	3376		3490a 4513					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1919	A bill for an act relating to local government; allowing cities to impose gravel taxes; amending Minnesota Statutes 1981 Supplement, Section 298.75, as amended.	3376							
1920	A bill for an act relating to local government; permitting towns to issue off-sale liquor licenses; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.	3376	4471	4457a 4589 (H1975)					
1921	A bill for an act relating to the legislature; requiring certain bills to be reviewed by certain committees; amending Minnesota Statutes 1980, Section 3.98, by adding a subdivision.	3376		3586a					
1922	A bill for an act relating to the organization and operation of state government; providing for salary supplements for employees of the University of Minnesota and removing certain provisions related to the salary supplements; amending Laws 1981, Chapter 359, Section 7, Subdivision 2.	3377							
1923	A bill for an act relating to liquor; making certain sales of non-intoxicating malt liquor illegal; providing civil liability for illegal sales of intoxicating liquor and non-intoxicating malt liquor; amending Minnesota Statutes 1980, Sections 340.035, Subdivision 1; 340.14, Subdivision 1a; 340.73 and 340.95; proposing new law coded in Minnesota Statutes, Chapter 340; repealing Minnesota Statutes 1980, Section 340.951.	3377							
1924	A bill for an act relating to courts; authorizing the county board of the fifth judicial district to set the salaries of court reporters; proposing new law coded in Minnesota Statutes, Chapter 486.	3377							
1925	A bill for an act relating to education; requiring the board of teaching and the state board of education to accept certain life experiences in lieu of a training program containing human relations components for issuance or renewal of a license in education; amending Minnesota Statutes 1980, Section 125.05, by adding a subdivision.	3377							
1926	A bill for an act relating to constitutional amendments; proposing an amendment to the people to change the majority necessary to approve a constitutional amendment at an election to a majority of those voting on the question rather than a majority of those voting at the election.	3377							
1927	A bill for an act relating to Ramsey County; providing duties for the county surveyor; amending Laws 1974, Chapter 435, Section 3.151, as amended.	3377							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1928	A bill for an act relating to public welfare; providing for regulation of aversive or deprivation procedures for behavior modification of mentally retarded individuals in order that the procedures are appropriately selected, planned, and implemented with due regard for human rights and needs; proposing new law coded in Minnesota Statutes, Chapter 245.	3378	4606	3557a 4603a 5039 (H2065)					
1929	A bill for an act relating to liquor; permitting counties to issue off-sale licenses in unincorporated areas; amending Minnesota Statutes 1980, Section 340.11, Subdivision 10a.	3378							
1930	A bill for an act relating to financial institutions; authorizing bank or trust company investment in community welfare projects; permitting certain shared appreciation mortgages; providing that the mortgage becomes due and payable upon its sale or transfer; amending Minnesota Statutes 1980, Section 48.61, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 47.20, Subdivision 4b.	3378	4471	4450a 4595 (H1994)					
1931	A bill for an act relating to taxation; providing a system of levy limitations to apply to certain units of local government; extending the date of application of the coefficient of dispersion penalty; amending Minnesota Statutes 1980, Section 275.51, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 273.13, Subdivision 15b, as amended; 275.50, Subdivisions 2 and 5, as amended; 275.51, Subdivision 4; 477A.04, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 275; repealing Minnesota Statutes 1981 Supplement, Section 275.51, Subdivision 3e, as amended.	3378	4002	3986a 4364					
1932	A bill for an act relating to local government; changing certain notice requirements and meeting dates; establishing a homestead credit replacement aid formula; abolishing the homestead credit; altering the maximum amounts of property tax refunds for taxes payable; establishing the procedure for replacing the revenue lost by the reduced assessment of class 4c property; tying payments to local units of government to sales tax revenues; appropriating money; amending Minnesota Statutes 1980, Sections 270.12, Subdivisions 2 and 3; 270.13; 273.13, Subdivision 8a, and by adding a subdivision; 274.01, Subdivision 1; 274.14; 290A.04, Subdivision 3, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 273.13, Subdivisions 4, 6, 7, and 9; 273.139, by adding a subdivision; proposing new law coded in Min- (Continued next page)	3378							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1932—Continued	nesota Statutes, Chapters 273 and 477A; repealing Minnesota Statutes 1980, Sections 273.115, as amended; 273.116, as amended; 273.121; 273.13, Subdivisions 7a, 14, 14a, and 18; 273.139, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 124.213; and 273.13, Subdivisions 15a and 15b.								
1933	A bill for an act relating to public safety; providing that certain fines and forfeited bail money collected from persons violating motor vehicle weight laws and apprehended by the state patrol by means of stationary or portable scales be allocated between the state and certain political subdivisions; amending Minnesota Statutes 1981 Supplement, Section 299D.03, Subdivision 5.	3379							
1934	A bill for an act relating to local government; fixing various conditions for the use of day labor by political subdivisions; amending Minnesota Statutes 1980, Section 471.345.	3379							
1935	A bill for an act relating to taxation; providing an income tax credit for employers who create new jobs; proposing new law coded in Minnesota Statutes, Chapter 290.	3379		3432					
1936	A bill for an act relating to taxation; making technical corrections and administrative changes to the income tax and property tax refund; amending Minnesota Statutes 1980, Sections 290.012, Subdivision 2; 290.02; 290.03; 290.06, Subdivisions 9 and 9a; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivision 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.36; 290.45, Subdivision 1; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.53, by adding a subdivision; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivision 13; 290.93, Subdivision 9; 290.936; 290A.11, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivisions 20 and 27; 290.05, Subdivisions 1 and 4; 290.075; 290.081; 290.09, Subdivisions 2, 4, and 15; 290.091; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1;290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.92, Subdivisions 2a, 5, 5a, and 6; (Continued next page)	3379							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1936	—Continued 290.93, Subdivisions 1 and 10; 290.9725; 290.974; 290A.03, Subdivisions 3 and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 62E.03, Subdivision 2; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.973; and Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; and 290.971, Subdivision 7.								
1937	A bill for an act relating to the city of Madison; authorizing the city to make certain loans from its public utilities fund to promote economic development in the city; repealing Laws 1967, Chapter 239.	3380	3775	3759a 4431					
1938	A bill for an act relating to occupations and professions; cosmetology; providing for the licensing of cosmetologists and certain related occupations; establishing a board of cosmetology; providing for the powers, duties, terms, compensation, and removal of members; authorizing the board to promulgate rules; prescribing penalties; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 155B; repealing Minnesota Statutes 1981 Supplement, Sections 155A.01 to 155A.18.	3380		3432					
1939	A bill for an act relating to highway traffic regulations; making the accident report available to governmental agencies for specified purposes; authorizing a fee for copies of the accident report; amending Minnesota Statutes 1980, Section 169.09, Subdivision 13.	3380							
1940	A bill for an act relating to motor vehicles; providing for the display of license plates; requiring two license plates on farm trucks; amending Minnesota Statutes 1981 Supplement, Section 169.79.	3380							
1941	A bill for an act relating to municipal housing; authorizing the planning, implementation, and financing of rehabilitation and energy improvement loans; amending Minnesota Statutes 1980,	3380	4132	4110a 4600 (H1894)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1941	—Continued Sections 462C.01; 462C.02, Subdivisions 3, 4 and 5, and by adding subdivisions; 462C.03, as amended; 462C.04, Subdivision 2; 462C.05, Subdivisions 2 and 5; 462C.07, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 462C.05, Subdivisions 1 and 3; and 462C.09; repealing Minnesota Statutes 1981 Supplement, Section 462C.07, Subdivision 2.								
1942	A bill for an act relating to housing; authorizing a housing interest reduction program for housing and redevelopment authorities; amending Minnesota Statutes 1980, Sections 462.421, Subdivision 14; 462.445, by adding subdivisions; and 462.545, Subdivision 1.	3381	3724	3666a 3724 4723					
1943	A bill for an act relating to crimes; providing that motor vehicles of persons convicted of a second violation of driving under the influence of alcohol or a controlled substance are subject to forfeiture; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 169.	3381							
1944	A bill for an act relating to no-fault automobile insurance; directing the commissioner of public safety to promulgate rules requiring persons to identify their insurance agents and requiring insurance agents to report when required insurance is not in force; amending Minnesota Statutes 1980, Section 65B.68, by adding a subdivision.	3381							
1945	A bill for an act relating to the city of Bloomington; regulating the port authority of the city of Bloomington; permitting the issuance of bonds to provide for improvements in a development district and the use of tax increments derived from the development district; requiring city council consent to certain port authority action; amending Laws 1980, Chapter 453, by adding a section.	3381							
1946	A bill for an act relating to taxation; income; property tax refund; adopting certain federal income tax amendments; limiting the income tax investment credit subtraction; adopting full accelerated cost recovery system for individuals and corporations; reducing the income tax rate for corporations; amending Minnesota Statutes 1980, Section 290.16, Subdivisions 15, as amended, and 16, as amended; Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; 290.06, Subdivision 1, as amended; 290.09, Subdivisions 7, as amended, and 29; 290.091, as amended; 290.92, Subdivision 15; 290.93, Subdivision 1; 290.934, Subdivision 4; 290A.03, Subdivision 3; repealing Minnesota Statutes 1980, Section 290.65, Subdivisions 2, 3, 4, 5, 6, and 7.	3381							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1947	A bill for an act relating to taxation; imposing certain requirements and restrictions on the use of tax increment financing; amending Minnesota Statutes 1980, Sections 273.73, Subdivisions 10 and 13; 273.74, Subdivisions 1, 3 and 4; 273.75, Subdivisions 2, 3, 4 and 6, and by adding a subdivision; 273.76, Subdivisions 1 and 4; and 273.77; and Minnesota Statutes 1981 Supplement, Section 273.74, Subdivision 2.	3382	4081	4035a 4874					
1948	A bill for an act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.	3382	3775	3771a 4436a	4520 5537	4780 4867 5097 5535*	4780 5559	5655	566
1949	A bill for an act relating to state departments and agencies; secretary of state; eliminating and simplifying certain filings; amending Minnesota Statutes 1980, Sections 300.06; 300.14, Subdivision 2; 300.45; 301.42, Subdivision 4; 303.14, Subdivision 3, as amended; 333.001, Subdivisions 2 and 3; Minnesota Statutes 1981 Supplement, Sections 301.071, Subdivision 2; 303.05, Subdivision 1; and 322A.16; repealing Minnesota Statutes 1980, Sections 300.07; 301.06, Subdivision 3; 301.07; 301.071, Subdivision 1; and 301.33, Subdivision 3.	3382	3724	3576a 4004 4344a	4344		4954	5650	496
1950	A bill for an act relating to corporations; correcting certain errors; removing certain deficiencies and ambiguities; and amending Minnesota Statutes 1981 Supplement, Sections 300.083, Subdivision 2; 300.49, Subdivision 1; 302A.011, Subdivisions 4, 10, 17, 21, 25, 29, 30, and 31; 302A.021, Subdivisions 2, 4, 7, and 8; 302A.111, Subdivisions 2, 3, and 4; 302A.115, Subdivision 2; 302A.123; 302A.131; 302A.135, Subdivisions 2 and 4; 302A.181, Subdivision 3; 302A.201, Subdivision 2; 302A.207; 302A.235; 302A.239, Subdivision 1; 302A.241, Subdivisions 1 and 2; 302A.243; 302A.251, Subdivisions 2 and 3; 302A.255, Subdivision 1; 302A.401, Subdivision 2; 302A.403, Subdivisions 2 and 4; 302A.405, Subdivision 1; 302A.413, Subdivision 4; 302A.431, Subdivision 2; 302A.433, Subdivisions 1 and 2; 302A.435, Subdivision 1; 302A.437, Subdivision 1; 302A.443; 302A.445, Subdivisions 1 and 6; 302A.455; 302A.457, Subdivisions 1 and 2; 302A.461, Subdivision 2; 302A.463; 302A.467; 302A.521, Subdivision 2; 302A.551, Subdivisions 1 and 2; 302A.559, Subdivision 1; 302A.613, Subdivisions 2 and 3; 302A.661, Subdivision 2; 302A.721, Subdivision 2; 302A.723, Subdivision (Continued next page)	3382	3724	3581a 4007a	4143		4954	5650	497

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1950	—Continued 1; 302A.727, Subdivision 2; 302A.729, Subdivision 1; 302A.731, Subdivision 2; 302A.733, Subdivision 1; 302A.741; 302A.751, Subdivisions 2 and 3; 302A.781, Subdivision 1; 302A.821, Subdivisions 4 and 5; repealing Minnesota Statutes 1981 Supplement, Sections 302A.011, Subdivision 35; and 302A.241, Subdivision 3.									
1951	A bill for an act relating to regional development; clarifying procedures for the dissolution of regional development commissions; amending Minnesota Statutes 1980, Section 462.398, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 462.398, Subdivision 2.	3383								
1952	A bill for an act relating to the University of Minnesota hospitals; limiting the amount of certain bonds previously authorized; amending Laws 1981, Chapter 275, Section 1, Subdivision 1.	3383								
1953	A bill for an act relating to health; providing criteria for renewal of certain certificates related to basic life support transportation services; amending Minnesota Statutes 1980, Section 144.804, Subdivision 1.	3383								
1954	A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to prescribe certain inalienable rights.	3383								
1955	A bill for an act relating to tax forfeited land; restoring certain funds to the real estate assurance account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 284.28, Subdivision 8.	3383	3724	3631	4014	4149 4884	4884	4884	5655	567
1956	A bill for an act relating to education; establishing four levels of extended discretionary aids and levies for the 1985-1986 school year and each year thereafter; establishing extended discretionary aids and levies for the 1983-1984 and 1984-1985 school years; amending Minnesota Statutes 1980, Section 275.125, Subdivision 18, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 124.212, Subdivision 1; 124.2128, Subdivision 1; 275.125, Subdivisions 2a, 2d, and 9; proposing new law coded in Minnesota Statutes, Chapter 124; repealing Minnesota Statutes 1981 Supplement, Sections 124.2123; 124.2124, as amended; 124.2125, as amended; 124.2128, Subdivision 6; and 275.125, Subdivisions 2e, 6b, 6c, 7a, and 7c.	3383		3433						
1957	A resolution memorializing the President and Congress of the United States in support of a mutual freeze with the Soviet Union on the testing, production, and deployment of nuclear weapons and delivery systems.	3384	3851	3433 4014	3824 4133	4165		5560	5655	Res. 6

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1958	A bill for an act relating to taxation; providing for the creation of urban shelter preserves in which property taxes on residential property rented to low income persons would be reduced; proposing new law coded in Minnesota Statutes, Chapter 273.	3384							
1959	A bill for an act relating to public safety; emergency services; requiring local civil defense agencies to operate under a personnel merit system; amending Minnesota Statutes 1980, Sections 12.22, Subdivision 3; and 12.25, by adding a subdivision.	3384							
1960	A bill for an act relating to the environment; transferring the functions of the environmental quality board under the environmental coordination procedures act to the commissioner of energy, planning and development and the business licensing bureau; amending Minnesota Statutes 1980, Sections 116C.24, Subdivision 3, and by adding a subdivision; 116C.25; 116C.32; 116C.33, Subdivision 2; and 116C.34.	3384							
1961	A bill for an act relating to agriculture; providing for the licensing and regulation of certain grain buyers; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 223; repealing Minnesota Statutes 1980, Chapter 223, as amended; and Sections 232.01; 232.02, as amended; 232.04; and 232.06, Subdivision 5.	3384	4606	3652a 4583a	4876	5048 5049 (H2033)			
1962	A bill for an act relating to agriculture; providing for the regulation of grain storage warehouse operators; changing certain fee provisions; providing penalties; appropriating money; amending Minnesota Statutes 1980, Section 236.02; Minnesota Statutes 1981 Supplement, Sections 231.16; and 233.08; proposing new law coded in Minnesota Statutes, Chapter 232; repealing Minnesota Statutes 1980, Sections 232.06, Subdivisions 2, 3, 4, 6 and 7; 232.07 to 232.19; Minnesota Statutes 1981 Supplement, Section 232.06, Subdivision 1.	3385	4704	3799a 4693a	4876 5543	5470 5471 5508 5542*	5470 5560	5654	508
1963	A bill for an act relating to commerce; motor vehicle sale and distribution; providing for the termination or cancellation of franchise agreements and certain payments to be made by manufacturers in the event thereof; specifying certain circumstances establishing good cause for entering into or relocating an additional franchise for the same line make; amending Minnesota Statutes 1981 Supplement, Sections 80E.03, Subdivision 8; 80E.07, Subdivision 1; 80E.09, Subdivisions 1, 2 and 3; 80E.11, Subdivisions 2 and 6; and 80E.14, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 80E.	3385	4002	3532 3984a 4338 (H2011)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1964	A bill for an act relating to state government; ratifying state employee and University of Minnesota labor agreements and compensation plans; clarifying meet and confer status for professional employees; extending final offer arbitration to certain public employee impasses under PELRA; removing it for others except on a voluntary basis; amending Minnesota Statutes 1980, Sections 179.66, Subdivision 7; 179.72, Subdivisions 7 and 7b; 299D.03, Subdivision 2; Laws 1979, Chapter 332, Article I, Section 116, as amended; proposing new law coded in Minnesota Statutes, Chapter 486; repealing Minnesota Statutes 1980, Sections 179.72, Subdivision 7a; 299C.041; and 299D.03, Subdivision 3.	3385	3775	3760a 3852	3852 5552 5556	3888 4606 4707 4738 5458* 5469 5497 5545* 5556	3888 5558	5655	568
1965	A bill for an act relating to the environment; amending various provisions of the waste management act; authorizing the commissioner of administration to acquire certain development rights; defining terms for purposes of the resource recovery program; prohibiting the waste management board from certifying the use of facilities for disposal of radioactive waste; stating various policies and requirements relating to solid and hazardous waste plans and facility permits; prescribing standards, procedures, approvals, and supervision relating to designations of resource recovery facilities; requiring the board to place its highest priority on alternatives to land disposal of hazardous waste; allowing the removal of the moratorium on development at certain sites; directing a study of solid waste utilization in the St. Cloud area; appropriating money; amending Minnesota Statutes 1980, Sections 115A.08, by adding a subdivision; 115A.15, Subdivisions 2, 6, and by adding a subdivision; 115A.42; 115A.46; 115A.62; 115A.69, Subdivision 10; 115A.70, Subdivisions 1, 2, and 3; 116.07, Subdivision 4b; 400.16; 400.162; 473.149, Subdivision 1; 473.153, by adding subdivisions; 473.802; 473.803, Subdivision 1, and by adding a subdivision; 473.811, Subdivision 7, and by adding a subdivision; 473.823, Subdivision 3; 473.827, Subdivision 1, and by adding a subdivision; 473.831, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 115A.06, Subdivisions 4 and 13; 115A.11, Subdivision 1; 115A.21, Subdivision 3; 115A.24, Subdivision 1, and by adding a subdivision; 473.803, Subdivision 1a; and 473.831, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 115A and 116; repealing Minnesota Statutes 1980, Section 473.827, Subdivisions 2, 3, 4, 5, and 6.	3385	3934	3898a 4437a 4632a	4633 5104	4715 4717 4776 5103*	4714 5431	5655	569

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1966	A bill for an act relating to education; authorizing Independent School District No. 742 to commence AVTI construction subject to certain conditions; permitting the state university board to replace certain buildings.	3385	3934	3639 4023a	3924	4168				
1967	A bill for an act relating to highway traffic regulations; including a person in a wheelchair within the definition of pedestrian; amending Minnesota Statutes 1980, Sections 169.01, Subdivision 24, and by adding a subdivision; and 169.21, Subdivision 5.	3386	3775	3740a	4014	4156		4661	5650	468
1968	A bill for an act relating to crimes; prohibiting the manufacture or delivery of drug paraphernalia; prohibiting the delivery of drug paraphernalia to minors; prohibiting the advertisement of drug paraphernalia; providing for civil forfeiture of drug paraphernalia; prescribing penalties; amending Minnesota Statutes 1980, Sections 152.01, by adding a subdivision; 152.19, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapter 152.	3386		3724						
1969	A bill for an act relating to labor; providing that certain public safety communications personnel are essential employees for purposes of the public employment labor relations act; amending Minnesota Statutes 1980, Section 179.63, Subdivision 11.	3386		3452						
1970	A bill for an act relating to local government; creating the Morrison County rural development finance authority; authorizing the establishment of a development and redevelopment program and the authorization of powers for it.	3386	3724	3503 3936	3545a	4011				
1971	A bill for an act relating to taxation; reducing the rate of capitalization of rent to be applied to agricultural land; establishing a procedure for determining farm rental values; amending Minnesota Statutes 1981 Supplement, Section 273.11, Subdivision 7.	3386								
1972	A bill for an act relating to highway traffic regulations; requiring establishment of detention facilties for purposes of detaining persons arrested or convicted of driving under the influence of alcohol or a controlled substance; funding detoxification centers, detention facilities and acquisition of equipment related to control of drunken driving by imposition of an excise tax on the wholesale sales of liquor, beer, and wine; prohibiting driving a motor vehicle when the driver is impaired by alcohol; providing prima facie evidentiary standards for determining if persons were driving while impaired by or under the influence of alcohol; modifying criminal	3387								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1972	—Continued penalties for persons convicted of driving under the influence; requiring imposition of surcharges on defendants convicted of driving under the influence; enhancing the length of revocation of a driver's license or operating privileges for each additional offense of driving while under the influence; requiring that results of preliminary screening tests be recorded on a driver's record if there is an alcohol concentration between .05 and .10; providing for impoundment and forfeiture of motor vehicles used in committing the offense of driving under the influence; requiring consent to a chemical test as a condition of the issuance of a driver's test; permitting peace officers to make arrest upon probable cause when a person is driving a motor vehicle while under the influence; prescribing penalties; appropriating money; amending Minnesota Statutes 1980, Section 169.121, Subdivisions 1, 2, 3, 4, 6, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 169.121, Subdivision 5; and 629.341, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 169, 254A, and 340; repealing Minnesota Statutes 1980, Section 169.123.								
1973	A bill for an act relating to local government; providing for the proration of local government aids in proportion to sales tax revenues; proposing new law coded in Minnesota Statutes, Chapter 477A.	3437							
1974	A bill for an act relating to commerce; exempting dairy retailers from prohibitions against certain practices; limiting certain powers of the commissioner of agriculture; amending Minnesota Statutes 1980, Section 32A.05, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 32A.04, Subdivision 1.	3437							
1975	A bill for an act relating to economic development; establishing a program of challenge grants for certain University of Minnesota research centers with the ultimate purpose of aiding the state's high technology business; appropriating money.	3437		3503					
1976	A bill for an act relating to unemployment compensation; altering provision as to advance of federal funds; altering "triggers" relating to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the federal trade act of 1974; providing for the interception of unemploy- (Continued next page)	3437							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1976—Continued	ment benefits to satisfy child support obligations; amending Minnesota Statutes 1980, Sections 268.05, Subdivision 6; 268.071, Subdivisions 1, 3, 5, and 6, and by adding subdivisions; 268.08, Subdivision 1; and 268.09, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Section 268.07, Subdivision 4.								
1977	A bill for an act relating to insurance; group health and accident; including certain debtors under the provisions relating to this insurance; amending Minnesota Statutes 1980, Section 62A.10, Subdivision 1.	3438							
1978	A bill for an act relating to energy; making administrative changes in laws governing duties of the commissioner, fuel set-asides, report confidentiality, agency reporting, demonstration projects and energy efficient building education; deleting a requirement for reporting by public schools; amending Minnesota Statutes 1980, Section 116H.15, Subdivisions 1 and 3; Minnesota Statutes 1981 Supplement, Sections 116H.07; 116H.095, Subdivisions 4 and 5; 116H.10, Subdivision 4; 116H.11, Subdivision 1; 116H.128; 116H.15, Subdivision 2; and 116H.18; repealing Minnesota Statutes 1981 Supplement, Section 120.78, Subdivision 1.	3438							
1979	A bill for an act relating to intoxicating liquor; veterans' organization licenses in first class cities; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11.	3438	3969	3954a 4337 (H1993)					
1980	A bill for an act relating to libraries; requiring each county to be a member of a regional public library system; making a county's decision to join a particular system subject to board of education approval; establishing conditions under which a county shall be allowed to join an existing regional public library system; proposing new law coded in Minnesota Statutes, Chapter 375.	3438							
1981	A bill for an act relating to taxation; providing that cost of certain energy conservation improvements is a special levy; extending the residential energy credit to certain superinsulation construction; amending Minnesota Statutes 1980, Section 275.50, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.	3438							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1982	A bill for an act relating to education; clarifying provisions concerning the Minnesota Indian scholarship committee which assists the state board of education in awarding scholarships to Indian residents; appropriating money; amending Minnesota Statutes 1980, Section 124.48.	3439							
1983	A bill for an act relating to agriculture; changing certain deadlines; eliminating certain duties of the commissioner of agriculture and county agricultural agents; allowing the sale of certain flowers, canning compounds and butter; eliminating certain presumptions relating to dairy industry discrimination; amending Minnesota Statutes 1980, Section 38.02, Subdivisions 1 and 3; repealing Minnesota Statutes 1980, Sections 17.031; 17.032; 17.23; 31.401 to 31.406; 32.12; 32.472; and 32.473.	3439							
1984	A bill for an act relating to taxation; income; deleting certain provisions relating to the taxation of unitary business income; amending Minnesota Statutes 1980, Section 290.34, Subdivision 2, as amended; Minnesota Statutes 1981 Supplement, Section 290.17, Subdivision 2, as amended; 290.21, Subdivision 4, as amended.	3439							
1985	A bill for an act relating to agriculture; transferring the state soil and water conservation board to the department of agriculture; amending Minnesota Statutes 1980, Section 40.03, Subdivisions 1, 2 and 4.	3439							
1986	A bill for an act relating to energy; definition of large facility; conservation information and education; emergency plan; local zoning of wind energy conversion systems; amending Minnesota Statutes 1980, Sections 116H.02, Subdivision 5; 394.25, Subdivision 2; and 462.357, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 116H.085; 116H.088, Subdivision 1; and 116H.09, Subdivision 1; repealing Minnesota Statutes 1980, Sections 116H.088, Subdivision 2; 116H.19, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 116H.19, Subdivision 1.	3439							
1987	A bill for an act relating to taxation; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; amending Minnesota Statutes 1980, Sections 278.01; and 278.05, Subdivision 2.	3439	3934	3914a 4014	4167				

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1988	A bill for an act relating to housing; directing the commissioner of energy, planning and development to administer certain federal money; proposing new law coded in Minnesota Statutes, Chapter 362.	3440	3724 4512	3585a 3978 4507a	4608 5501	5500 5653	5500	Veto	
1989	A bill for an act relating to Blue Earth County; permitting county board members to serve on the county housing and redevelopment authority.	3440							
1990	A bill for an act relating to agriculture; requiring state grain inspection and grading at terminal warehouses; amending Minnesota Statutes 1980, Section 17B.11.	3440							
1991	A bill for an act relating to education; providing for the inclusion of certain community college and state university faculty members in the definition of an employee under the public employment labor relations act of 1971; amending Minnesota Statutes 1981 Supplement, Section 179.63, Subdivision 7.	3440							
1992	A bill for an act relating to crimes; prohibiting plea agreements when the offense is a crime against persons involving firearms or other dangerous weapons; proposing new law coded in Minnesota Statutes, Chapter 244.	3440							
1993	A bill for an act relating to taxation; permitting the city of Minneapolis to require registration of certain rental housing; limiting certain income tax deductions; amending Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; and 290.09, Subdivision 1.	3440	3969	3951a 4364					
1994	A bill for an act relating to unemployment compensation; permitting the use of contingent account moneys for investigatory purposes; regulating the collection of benefit overpayments; amending Minnesota Statutes 1980, Section 268.15, Subdivision 3; and 268.18, Subdivision 1.	3441							
1995	A bill for an act relating to human rights in education; establishing that ten percent or fewer minority group pupils in a school district is not an unfair discriminatory practice or segregation; amending Minnesota Statutes 1980, Section 363.02, Subdivision 3.	3441							
1996	A bill for an act relating to Polk County; authorizing the county to establish subordinate service areas to provide and finance governmental services.	3441		3758					

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1997	A bill for an act relating to retirement; volunteer ambulance services; authorizing the establishment of local volunteer ambulance attendants relief associations; authorizing the relief association to pay lump sum service pensions and other retirement benefits; establishing service pension maximums based on the ability to finance the service pension amount; establishing minimum financing guidelines; imposing an obligation to provide financing on the affiliated volunteer ambulance service; amending Minnesota Statutes 1980, Section 69.80; proposing new law coded as Minnesota Statutes, Chapter 424B.	3441							
1998	A bill for an act relating to retirement; public employees retirement association; authorizing the purchase of prior service credit for certain former elected officials.	3441							
1999	A bill for an act relating to crimes; prohibiting the sale or dissemination of obscene materials to minors; prohibiting false representation of age or parental status to procure obscene materials harmful to minors; prohibiting public display of obscene materials harmful to minors; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 260; repealing Minnesota Statutes 1980, Sections 617.291 to 617.297.	3441							
2000	A bill for an act relating to local government; authorizing the Brooklyn Center housing and redevelopment authority to carry out a housing interest buy-down program; providing security for housing and redevelopment bonds; permitting housing and redevelopment authorities to provide interest rate reduction assistance; allowing the city of Brooklyn Center certain housing related powers; regulating the debt, personnel, insurance and compensation powers of Hennepin county; describing land to be acquired for open space purposes; amending Minnesota Statutes 1980, Sections 462.445, by adding a subdivision; 273.75, Subdivision 4; Laws 1965, Chapter 855, Section 4, Subdivision 1, as amended, and Section 7, Subdivisions 3, as amended, and 4, as amended; Laws 1979, Chapter 55, Section 1; and Laws 1979, Chapter 198, Article II, Section 7, Subdivisions 1 and 2.	3442	3724	3668a	4014	4156 5488	4676 4708 4749 5481*	4676 5559	5655	577
2001	A bill for an act relating to taxation; income; specifying the deduction for use of an automobile while making a charitable contribution; amending Minnesota Statutes 1981 Supplement, Section 290.21, Subdivision 3.	3442							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2002	A bill for an act relating to public improvements; providing for a therapeutic pool at the Cambridge state hospital; authorizing issuance of state bonds; appropriating money.	3442								
2003	A bill for an act relating to agriculture; providing for the establishment of a legislative commission on farm commodity prices for the prevention of economic waste in the marketing of certain agricultural crops produced in Minnesota.	3442		4172a						
2004	A bill for an act relating to education; authorizing school districts to transfer money from their capital expenditure fund to the general fund.	3442		3474						
2005	A bill for an act relating to natural resources; authorizing the acquisition of certain state water access sites.	3442		3474						
2006	A bill for an act relating to gambling; providing an exception for certain nonprofit organizations to the annual limitation on prizes awarded from the conduct of raffles; amending Minnesota Statutes 1980, Section 349.26, Subdivision 9, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 349.26, Subdivision 15.	3443	3775	3740a 4021a	3934	4156 4881	4881	4881	5655	570
2007	A bill for an act relating to education; authorizing school districts to transfer money from the capital expenditure fund to the general fund.	3443								
2008	A bill for an act relating to Special School District No. 1; prohibiting the district from implementing a plan for closing schools until the 1983-1984 school year; amending Laws 1959, Chapter 462, Section 3, as amended.	3443								
2009	A bill for an act relating to local government; permitting the establishment of special service districts; providing taxing and other financial authority; proposing new law coded as Minnesota Statutes, Chapter 429A.	3443		3474	4513					
2010	A bill for an act relating to local government; permitting special charges for disposal of various classes of waste; proposing new law coded in Minnesota Statutes, Chapter 471.	3443	3724	3648	4430					
2011	A bill for an act relating to education; providing that persons whose employment is terminated by certain schools, institutions and educational agencies because of discontinuance of position, lack of students, financial limitations or merger shall not receive unemployment benefits if the person has been rehired by the terminating employer within 12 weeks after notice of termination; amending Minnesota Statutes 1980, Section 268.08, Subdivision 6.	3443								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2012	A bill for an act relating to corrections; authorizing the earning of good time for voluntary participation in rehabilitation oriented programs; amending Minnesota Statutes 1980, Sections 244.02; and 244.04, by adding a subdivision.	3443							
2013	A bill for an act relating to crimes; requiring restitution as a condition of probation for property offenses; proposing new law coded in Minnesota Statutes, Chapter 609.	3444							
2014	A bill for an act relating to controlled substances; defining "hashish"; adding new substances to the schedules of controlled substances; amending Minnesota Statutes 1980, Sections 152.01, Subdivision 16, and by adding a subdivision; 152.02, Subdivisions 2, 3, 4, and 5.	3444							
2015	A bill for an act relating to gambling; changing the penalty provision for violation of the offense of bookmaking; authorizing the forfeiture of gambling devices, prizes and proceeds; amending Minnesota Statutes 1981 Supplement, Section 609.76; proposing new law coded in Minnesota Statutes, Chapter 609.	3444							
2016	A bill for an act relating to crimes; providing for forfeiture of certain property; permitting an agency to retain forfeited property; conforming definitions with other statutes; amending Minnesota Statutes 1980, Section 152.19, Subdivisions 1, 2, 4, 5 and 8.	3444							
2017	A bill for an act relating to crimes; forfeitures of conveyances, containers, weapons used and contraband property; proposing new law coded in Minnesota Statutes, Chapter 609.	3444							
2018	A bill for an act relating to natural resources; providing for the inventory, classification, and protection of aggregate deposits or resources within the state; proposing new law coded in Minnesota Statutes, Chapter 84.	3444							
2019	A bill for an act relating to the city of Hibbing; fixing the amount of the mayor's contingent fund; amending Laws 1939, Chapter 329, Section 1.	3445							
2020	A bill for an act relating to state government; providing incentive bonuses for certain state employees; appropriating money.	3445							
2021	A bill for an act relating to highway traffic regulations; requiring defendants to pay the cost of alcohol assessment reports; amending Minnesota Statutes 1980, Section 169.126, by adding a subdivision.	3445							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2022	A bill for an act relating to agriculture; prohibiting waste disposal and processing sites on certain agricultural land; amending Minnesota Statutes 1980, Sections 115A.03, by adding a subdivision; 116.081, by adding a subdivision; 368.01, Subdivision 14; 412.221, Subdivision 22; Minnesota Statutes 1981 Supplement, Sections 115A.09, Subdivision 2; 115A.20; 473.153, Subdivision 2; 473.803, Subdivision 1a; proposing new law coded in Minnesota Statutes, Chapters 116C and 400.	3445							
2023	A bill for an act relating to unemployment compensation; redefining wages; providing for rate notices; regulating experience rating transfers; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; providing penalties; amending Minnesota Statutes 1980, Sections 268.04, Subdivision 25; 268.06, Subdivisions 22, 25, and 28; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and 3; 268.10, Subdivisions 1 and 2; 268.12, Subdivision 13; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Section 268.16, Subdivision 3, as amended.	3445							
2024	A bill for an act relating to economic development; removing the interest ceiling on municipal industrial development bonds; amending Minnesota Statutes 1980, Section 474.06.	3445		3474					
2025	A bill for an act relating to economic development; transferring the duties of the securities and real estate division under the municipal industrial development act to the department of energy, planning and development; appropriating money; amending Minnesota Statutes 1980, Section 474.01, Subdivisions 7a and 7b; Minnesota Statutes 1981 Supplement, Sections 474.01, Subdivision 7; and 474.03.	3446							
2026	A bill for an act relating to state government; authorizing the commissioner of the department of economic security to delegate certain powers; amending Minnesota Statutes 1980, Section 268.011, Subdivision 2.	3446	3724	3587a 3933 (H2078)					
2027	A bill for an act relating to taxation; providing for the collection of taxes; imposing penalties; amending Minnesota Statutes 1980, Sections 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, (Continued next page)	3446	4606	3474 4578a 4756					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2027	—Continued and 5, and by adding subdivisions; 290.45, Subdivision 2; 290.48, Subdivisions 3, 4, 6, and 8; 290.53, Subdivisions 2 and 5; 290.54; 290.92, Subdivision 23; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supplement, Sections 270.063; 270.66; 270.75, as amended, by adding a subdivision; 290.92, Subdivisions 6 and 15; 296.12, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 270; repealing Minnesota Statutes 1980, Sections 290.48, Subdivisions 1 and 9; 290.51; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 290.48, Subdivision 2.									
2028	A bill for an act relating to taxation; income tax; property tax refund; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; imposing penalties on a preparer for wilfully understating an income tax liability or wilfully overstating a property tax refund claim; proposing new law coded in Minnesota Statutes, Chapters 290 and 290A.	3446								
2029	A bill for an act relating to education; providing for the deduction from foundation aid and from levy limitations the rentals and royalties paid to school districts because of permits or leases on lands or minerals and mineral rights held by the state in trust; amending Minnesota Statutes 1980, Section 93.335, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 124.2128, Subdivision 5; and 275.125, Subdivision 9.	3446								
2030	A bill for an act relating to economic development; granting power to the commissioner of energy, planning and development with respect to community development corporation grants; amending Minnesota Statutes 1980, Section 362.41, by adding a subdivision.	3447	3724	3585a	4004	4146				
2031	A bill for an act relating to economic development; authorizing the formation of a state development company for small business aid purposes; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 362.	3447								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2032	A bill for an act relating to economic development; permitting the commissioner of energy, planning and development to assist local governments; amending Minnesota Statutes 1981 Supplement, Section 4.12, Subdivision 5.	3447							
2033	A bill for an act relating to taxation; providing for homestead treatment of certain condominium leased land; clarifying use of additional sales ratio study information; amending Minnesota Statutes 1980, Sections 273.13, Subdivision 7c; and 278.05, Subdivision 4.	3447	4430	4367a 5576					
2034	A bill for an act relating to retirement; altering the period of prior service credit which may be purchased by certain employees or former employees of the department of employment services; amending Laws 1981, Chapter 297, Section 2, Subdivision 1.	3447							
2035	A bill for an act relating to victim reparation for wrongful death; a clarification of the time limitations for maintaining an action for death by intentional wrongful act where the act causing the death constitutes the crime of murder; amending Minnesota Statutes 1980, Section 573.02, Subdivision 1.	3447	3775	3474 3749a 4014	4160				
2036	A bill for an act relating to municipal industrial development; defining development projects; amending Minnesota Statutes 1980, Section 474.02, Subdivision 1b.	3448		3535 3585a 4031					
2037	A bill for an act relating to local government; providing for city facilities related to armories; authorizing issuance of bonds; proposing new law coded in Minnesota Statutes, Chapter 193.	3448		3535 3646					
2038	A bill for an act relating to public welfare; providing for classification, access, and destruction of certain child abuse report records; clarifying the classification of reports regarding vulnerable adults; prescribing penalties; amending Minnesota Statutes 1980, Sections 626.556, Subdivisions 3, 7, and by adding a subdivision; 626.557, Subdivision 19, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 626.556, Subdivision 11.	3448	4471	4458a 4596 (H2058)					
2039	A bill for an act relating to state government; allowing for disclosures of information between the commissioner of revenue and the department of economic security; amending Minnesota Statutes 1980, Section 268.12, Subdivision 12; and Minnesota Statutes 1981 Supplement, Section 290.61.	3448		3475					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2040	A bill for an act relating to education; authorizing Independent School District No. 47, Sauk Rapids, to receive replacement aid and to levy replacement amounts for certain school years.	3448							
2041	A bill for an act relating to education; authorizing school districts to charge fees for secondary school programs and activities that do not have credit toward graduation; authorizing school districts to levy up to three mills for secondary school programs and activities that do not have credit toward graduation; requiring a public hearing prior to a proposed levy; requiring the district to present a fee schedule and program and activity costs at a public hearing; requiring a reverse referendum on a proposed levy; amending Minnesota Statutes 1980, Sections 120.73, Subdivision 1; and 275.125, by adding a subdivision.	3448							
2042	A bill for an act relating to Ramsey County; permitting the county to establish a small business set-aside program.	3449	3775	3746 3931 (H1902)					
2043	A bill for an act relating to health insurance; providing for a statewide catastrophic health expense protection plan; providing for an increase in the income tax liability of taxpayers by the amount of the yearly premium; prescribing powers and duties; creating a certain account in the state treasury; appropriating money; proposing new law coded in Minnesota Statutes, Chapters 62E and 290; repealing Minnesota Statutes 1980, Sections 62E.51 to 62E.55.	3449							
2044	A bill for an act relating to public welfare; modifying certain provisions relating to medical assistance; providing for a case management system and competitive bidding procedures; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; Minnesota Statutes 1981 Supplement, Sections 256.966; and 256B.06, Subdivision 1, as amended.	3449		4107a					
2045	A bill for an act relating to commerce; uniform commercial code; extending the time period for the perfection of or priority over certain security interests; amending Minnesota Statutes 1980, Sections 336.9-301; 336.9-306; and 336.9-312.	3449							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2046	A bill for an act relating to local government; permitting the city of Bloomington to acquire court facilities; authorizing the issuance of bonds for them subject to referendum; allowing for long-term lease arrangements with Hennepin county; permitting the relocation of the municipal court serving the city of Bloomington.	3449	3775	3746a 3776					
2047	A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1980, Sections 62E.52, Subdivisions 2 and 3; 62E.53, Subdivisions 1 and 2; 62E.531, Subdivision 2; 62E.54, by adding a subdivision; and 256.98; proposing new law coded in Minnesota Statutes, Chapter 62E.	3450		3474					
2048	A bill for an act relating to state parks; restating the boundaries of Tower Soudan state park; authorizing conveyance of certain park lands.	3450	3775	3747 4014	4159		4661	5650	477
2049	A bill for an act relating to economic development; granting a state tax credit to certain business firms which contribute to neighborhood organizations or engage in activities which tend to upgrade impoverished areas of the state; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 362.	3450		3851					
2050	A bill for an act relating to victims of sexual assault; classifying certain data; specifying the competency of witnesses; amending Minnesota Statutes 1981 Supplement, Section 595.02; proposing new law coded in Minnesota Statutes, Chapter 15.	3450							
2051	A bill for an act relating to rural development; changing the purposes of rural development financing authorities; providing for small business finance agency loans to a farm business; amending Minnesota Statutes 1980, Sections 362.52, Subdivision 3; 362A.01, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 362.50, Subdivisions 5 and 9.	3450	3775	3474 3759a 4433a 4518	4519		4954	5650	498
2052	A bill for an act relating to taxation; providing for reimbursement to local units of government for certain tax-exempt lands; appropriating money; amending Minnesota Statutes 1980, Sections 477A.11, by adding a subdivision; 477A.12; and 477A.14.	3450							
2053	A bill for an act relating to education; authorizing the state university board to lease land on Mankato state university campus; permitting Mankato state university to lease a building; transferring title for a building to the state; proposing new law coded in Minnesota Statutes, Chapter 136.	3451	4132	3773 4113 4485 4593 (H2156)					

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2054	A bill for an act relating to the department of economic security; regulating community action programs and agencies; amending Minnesota Statutes 1981 Supplement, Sections 268.52, Subdivisions 1, 2, and 4; 268.53, Subdivisions 1, 2, and by adding subdivisions; 268.54, Subdivision 2.	3451	4132	3588 4114 4610a	4610		4954	5656	571
2055	A bill for an act relating to resource recovery; permitting the use of waste oil burners in gasoline stations and commercial garages; proposing new law coded in Minnesota Statutes, Chapter 299F.	3451	3724	3648a 4020a 4133 4336 4513 (H2073)					
2056	A bill for an act relating to taxation; abolishing the gravel removal production tax; repealing Minnesota Statutes 1980, Section 298.75, as amended; Minnesota Statutes 1981 Supplement, Section 298.76.	3451							
2057	A bill for an act relating to intoxicating liquor; authorizing the city of International Falls to issue one short term on-sale liquor license.	3451	3724	3615 3931 (H2068)					
2058	A bill for an act relating to the environment; requiring testing of certain pipelines for integrity; providing civil penalties; proposing new law coded in Minnesota Statutes, Chapter 116.	3451		3532					
2059	A bill for an act relating to housing; prohibiting certain rent control ordinances in cities, counties, and towns; proposing new law coded in Minnesota Statutes, Chapter 471.	3451		3969					
2060	A bill for an act relating to retirement; authorizing increases in benefits payable by the Eveleth police and fire trust fund.	3452							
2061	A bill for an act relating to elections; removing expenditure limits for campaigns for certain offices; amending Minnesota Statutes 1980, Section 210A.22.	3452	3532	3524a 5576					
2062	A bill for an act relating to courts; providing for the appointment of a court commissioner to solemnize marriages in the combined county court district of Benton and Stearns.	3452	3724	3631 4004	4149		4661	5650	499
2063	A bill for an act relating to taxation; income; deleting certain provisions relating to the taxation of unitary business income; amending Minnesota Statutes 1980, Section 290.34, Subdivision 2, as amended; Minnesota Statutes 1981 Supplement, Section 290.17, Subdivision 2, as amended; 290.21, Subdivision 4, as amended.	3475							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2064	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; authorizing the revisor of statutes to make necessary reference changes if the administrative procedure act is recompiled as a separate chapter; amending Minnesota Statutes 1980, Sections 60C.02, Subdivision 1; 62B.04, Subdivision 1; 92.03, Subdivision 4; 106.011, Subdivision 20; 106.021, Subdivision 2; 106.081, Subdivision 1; 106.091, Subdivision 2; 120.17, Subdivisions 4a and 5; 123.21; 123.78, Subdivision 1; 123.932, Subdivision 1a; 125.12, Subdivision 3; 129.121, Subdivision 1; 136.015; 145.61, Subdivision 2; 145.833, Subdivisions 9, 10 and 11; 160.05, Subdivision 1; 175.35; 177.23, Subdivisions 4, 7 and 10; 177.27; 177.28; 177.29; 177.30; 177.31; 177.32; 177.33; 177.34; 177.35; 214.14, Subdivision 1; 273.11, Subdivision 5; 282.01, Subdivision 1; 290.41, Subdivision 3; 458.192, Subdivision 15; 462.415, Subdivisions 4 and 6; 462.421, Subdivisions 1, 2 and 20; 462.425, Subdivision 7; 462.426, Subdivision 1; 462.427, Subdivision 2; 462.428, Subdivision 3; 462.445, Subdivisions 1, 4 and 5; 462.451, Subdivision 2; 462.461, Subdivisions 1 and 2; 462.485; 462.511; 462.541, Subdivision 2; 462.545, Subdivisions 1, 2, 3 and 6; 462.555; 462.561; 462.571; 462.581; 462.591, Subdivision 1; 462.621, Subdivisions 1 and 3; 462.631, Subdivision 1; 462.635; 462.645, Subdivisions 1, 5 and 7; 462.665; 462.671; 462.701; 462.705; 462.712; 462.713; 473.195, Subdivision 1; 504.24, Subdivision 2; Chapter 111, by adding a section; Minnesota Statutes 1981 Supplement, Sections 11A.18, Subdivision 9; 43A.08, Subdivision 2; 43A.27, Subdivision 2; 47.20, Subdivisions 4a and 4b; 60A.11, Subdivisions 9 and 10; 69.011, Subdivision 2; 69.031, Subdivision 5; 97.488, by adding a subdivision; 116H.129, Subdivisions 1, 5 and 6; 156A.02, Subdivision 6; 168.013, Subdivision 1c; 169.825, Subdivision 10; 171.36; 176.306, Subdivision 2; 204B.31; 222.63, Subdivision 4; 273.11, Subdivision 1; 290.077, Subdivision 4; 290.09, Subdivision 15; 299F.011, Subdivision 1; 353.01, Subdivisions 2a and 6; 355.11, Subdivision 5; 414.0325, Subdivision 5; 462.601; 462.605; 514.011, Subdivision 4a; 525.551, Subdivision 5; 525.6198; and Laws 1981, Chapter 224, Section 73; repealing Minnesota Statutes 1980, Section 60A.11, Subdivisions 5a and 5b; Minnesota Statutes (Continued next page)	3475	3724	3575a 3934 4343 (H2175)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2064	—Continued 1981 Supplement, Section 290.971, Subdivision 7; Laws 1980, Chapter 587, Article I, Sections 31, 32, 33, 34, 35, 36, 37, 38 and 39; Laws 1981, Chapters 31, Section 7; 60, Section 14; 137, Section 3; 158; 178, Section 33; 205, Section 1; 224, Section 92; 255, Sections 1, 3 and 4; 356, Sections 99, 189, 190, 191, 210 and 212; and 357, Section 28.								
2065	A bill for an act relating to health and welfare; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the general assistance program; revising a penalty; reappropriating money; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1, and by adding a subdivision.	3476	4704	3556a 4699a 5044 (H2000)					
2066	A bill for an act relating to taxation; income; providing a credit for certain energy management training expenditures; amending Minnesota Statutes 1980, Section 290.06, by adding a subdivision.	3476							
2067	A bill for an act relating to taxation; eliminating the reduction of certain property tax refunds; repealing Laws 1981, Third Special Session Chapter 2, Article IV, Section 14.	3477							
2068	A bill for an act relating to highway traffic regulations; authorizing and regulating the use of liquefied petroleum gas for motor fuel in school buses; amending Minnesota Statutes 1980, Section 169.44, by adding a subdivision.	3477							
2069	A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.	3477							
2070	A bill for an act relating to economic development; authorizing the creation of enterprise zones in distressed areas; granting powers to the department of economic development; providing special tax and other treatment for enterprise zones; proposing new law coded in Minnesota Statutes, Chapter 362.	3477							
2071	A bill for an act relating to crimes; defining "vulnerable adult" under the vulnerable adult reporting law; amending Minnesota Statutes 1980, Section 626.557, Subdivision 2.	3477							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2072	A bill for an act relating to condominiums; regulating restrictions on the alienability of units; amending Minnesota Statutes 1980, Sections 515A.1-102; 515A.2-119; and 515A.3-102.	3477							
2073	A bill for an act relating to nonjudicial resolution of disputes; establishing a study commission; requiring a report to the governor and legislature.	3477							
2074	A bill for an act relating to public safety; providing for enforcement of warrants issued for traffic violations; requiring certain county license bureaus and deputy registrars of motor vehicles to have computers interconnected with the Minnesota crime information services network; requiring interchange of certain information; prohibiting the issuance of motor vehicle number plates, tabs or stickers and driver's licenses or renewals until outstanding warrants have been satisfied; increasing sheriffs' fees for serving certain process; amending Minnesota Statutes 1981 Supplement, Section 357.09, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 299A.	3478							
2075	A bill for an act relating to taxation; providing a new system for property taxation of railroads; amending Minnesota Statutes 1981 Supplement, Section 272.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 270; repealing Minnesota Statutes 1980, Sections 270.80 to 270.90.	3478							
2076	A bill for an act relating to the state fire code; repealing an administrative rule of the department of public safety; amending Minnesota Statutes 1981 Supplement, Section 299F.011, Subdivision 1.	3478							
2077	A bill for an act relating to the city of Roseville; providing an exception from the Roseville police civil service system for the chief and deputy chief of police.	3478							
2078	A bill for an act relating to education; authorizing school boards to charge certain fees and deposits; requiring certain waivers; amending Minnesota Statutes 1980, Sections 120.72; 120.73, Subdivisions 1 and 4; 120.74, Subdivisions 1 and 2; repealing Minnesota Statutes 1980, Section 120.75.	3478							
2079	A bill for an act relating to taxation; changing certain procedures concerning delinquent property taxes and tax-forfeited land sales; indexing interest rates; allowing county boards to reduce installment contract terms; providing (Continued next page)	3478							

a Indicates Amendment

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2079	—Continued alternate selling methods; allowing lease of certain lands without advertising for bids; simplifying distribution of tax-forfeited land proceeds; amending Minnesota Statutes 1980, Sections 278.08; 279.37, Subdivisions 1, 2, and by adding a subdivision; 282.01, Subdivision 4, and by adding a subdivision; 282.04, by adding a subdivision; 282.08; and 282.261; Minnesota Statutes 1981 Supplement, Section 279.03.								
2080	A bill for an act relating to proposing an amendment to the Minnesota Constitution, Article XI, Section 1; limiting state spending to a percentage of tax revenues.	3479							
2081	A bill for an act relating to agriculture; establishing an apiary account in the state treasury; amending Minnesota Statutes 1980, Section 19.19, Subdivision 3; Minnesota Statutes 1981 Supplement, Sections 19.19, Subdivisions 1 and 2; and 19.20, Subdivision 4.	3479	4430	4034a 4368a 4704					
2082	A bill for an act relating to taxation; adopting certain changes in federal income tax law; eliminating the allocation of federal income tax deduction between spouses; modifying certain unitary tax provisions; altering the rate and application of the research and development credit and extending its carryover; extending the duration of the energy credit; providing a system of levy limitations; delaying the effective date of the coefficient of dispersion penalty; providing for household treatment for certain leasehold cooperatives; clarifying the neighborhood real estate trust provision; requiring registration of rental housing property in the city of Minneapolis and denying certain income tax deductions for owners who fail to comply with the requirement; allowing the waiver of property taxes on certain property located in municipal development districts; authorizing the city of Minneapolis to provide property tax reductions for lower income rental property; changing certain procedures and interest rates applicable to delinquent property taxes and tax-forfeited land sales; clarifying certain gravel tax provisions; authorizing the issuance of bonds for court facilities for the city of Bloomington and for a jail for Lake County; allowing cities, counties and school districts to acquire property under lease-purchase agreements and providing that the property be exempt from taxation; reducing the rate of interest on estate tax installment payments; changing the effective date of certain estate tax provisions to conform with federal law; providing for the taxa- (Continued next page)	3479	4274	4182a 4357 4364 (H1872)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2082—Continued	tion of sales of tangible personal property transported out of the state; clarifying the taxation of the income of athletes and entertainers; providing means of varying agricultural and commercial property; requiring a study of financial problems of border communities; authorizing the cities of Duluth, Moorhead, East Grand Forks, and Breckenridge to adopt varying property tax assessment ratio systems; eliminating property tax refunds for residents in tax-exempt nursing homes; imposing a transient lodging tax in the city of St. Paul; allowing issuance of bonds to promote tourism projects in the metropolitan area; authorizing a waiver of certain deposits of Olmsted County; establishing a port authority for the city of South St. Paul; providing for distribution of campaign funds after reapportionment; authorizing the creation of special services districts in the cities of Minneapolis and St. Cloud; adjusting the distribution of the production tax to the town of Stony River, the town of Beaver Bay, and Lake County; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 270.75, by adding a subdivision; 273.11, by adding a subdivision; 273.13, Subdivision 17d; 273.133, by adding a subdivision; 275.51, by adding a subdivision; 278.08; 279.37, Subdivisions 1 and 2, and by adding a subdivision; 282.01, Subdivision 4, and by adding a subdivision; 282.04, by adding a subdivison; 282.08; 282.261; 290.067, Subdivision 1; 290.095, by adding a subdivision; 290.16, Subdivisions 15, as amended, and 16, as amended; 290.19, Subdivision 1; 290.92, Subdivision 4a; 291.015, as amended; 291.051, Subdivision 1, as amended; 291.09, Subdivision 1a, as amended; 291.15; 297B.03; 298.75, Subdivisions 5 and 6; 465.71; and 474.02, Subdivision 1b; Minnesota Statutes 1981 Supplement, Sections 10A.31, Subdivison 5; 273.11, Subdivision 7; 273.13, Subdivision 15b, as amended; 275.50, Subdivisions 2 and 5, as amended; 275.51, Subdivision 4; 279.03; 290.01, Subdivision 20, as amended; 290.06, Subdivision 14; 290.09, Subdivisions 1, 7, as amended, and 29; 290.091, as amended; 290.17, Subdivision 2, as amended; 290.18, Subdivision 2; 290.21, Subdivision 4, as amended; 290.92, Subdivision 15; 290.93, Subdivision 1; 290.934, Subdivision 4; 290A.03, Subdivisions 3, 8 and 12; 291.03, Subdivison 3, as amended; 297A.25, Subdivision 1, as amended; 298.28, Subdivision 1; 298.75, Subdivisions 1 and 2; 298.76; 477A.04, Subdivision 2; and 474.03; and Laws 1961, Chapter 605, Section 1; (Continued next page)								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2082	—Continued Laws 1981, Third Special Session Chapter 2, Article III, Sections 6 and 22 and Article VI, Section 8; proposing new law coded in Chapter 275; repealing Minnesota Statutes 1980, Section 290.65, Subdivisions 2, 3, 4, 5, 6, and 7; and Minnesota Statutes 1981 Supplement, Section 275.51, Subdivision 3e, as amended.								
2083	A bill for an act relating to crimes; requiring mandatory jail sentences for persons convicted of driving while under the influence of alcohol or a controlled substance; prescribing penalties; amending Minnesota Statutes 1980, Section 169.121, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.	3479							
2084	A bill for an act relating to taxation; providing for a refund to distributors of certain uncollected gasoline taxes; amending Minnesota Statutes 1980, Section 296.14, by adding a subdivision.	3479							
2085	A bill for an act relating to retirement; providing for an exemption from membership therein for managers; modifying the income taxation of deferred compensation contributions by certain municipal utility managers; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended; proposing new law coded in Minnesota Statutes, Chapter 353.	3479							
2086	A bill for an act relating to natural resources; requiring rules and actions of the commissioner to be consistent with local zoning ordinances; amending Minnesota Statutes 1980, Section 84.03.	3480							
2087	A bill for an act relating to workers' compensation; regulating the second injury fund; providing coverage for certain occupational diseases; amending Minnesota Statutes 1980, Section 176.131, Subdivision 7.	3480							
2088	A bill for an act relating to garnishment; authorizing an employer to recover expenses incurred for administering garnishment of an employee's wages; amending Minnesota Statutes 1980, Section 571.57.	3480							
2089	A bill for an act relating to taxation; authorizing certain taxing jurisdictions to impose certain taxes or fees; proposing new law coded in Minnesota Statutes, Chapter 471; repealing Minnesota Statutes 1981 Supplement, Section 477A.016.	3480							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2090	A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract in order to correct a survey error.	3480	4342	4322 4429 (H2170)					
2091	A bill for an act relating to retirement, Virginia police relief association; defining certain terms; providing for the governance of separate and distinct general and special funds; providing benefit improvements for certain participants and benefit recipients; validating adoption of police pension law for cities of the third class; validating past payments;repealing Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235.	3480							
2092	A bill for an act relating to judicial procedures; extending the court's jurisdiction in certain domestic proceedings; amending Minnesota Statutes 1980, Section 543.19, Subdivision 1.	3481							
2093	A bill for an act relating to insurance; authorizing the commissioner to enjoin violations of chapter 60A; amending Minnesota Statutes 1981 Supplement, Section 60A.17, Subdivision 6c.	3481							
2094	A bill for an act relating to professional records; providing for ownership and control of medical records by their individual subjects; providing for client ownership of certain records in the hands of an attorney; amending Minnesota Statutes 1980, Sections 144.335, Subdivision 2, and by adding a subdivision; 144.651; and 481.14.	3481							
2095	A bill for an act relating to state government; implementing the provisions of certain reorganization orders issued by the commissioner of administration; clarifying certain regulations relating to professional boxing; amending Minnesota Statutes 1980, Sections 176.281; and 474.01, Subdivisions 7a and 7b; Minnesota Statutes 1981 Supplement, Section 474.03; and Laws 1982, Chapter 375, Section 1.	3481	3724	3585 3851	3778 4472	4280 4472	4279	5580	405
2096	A bill for an act relating to metropolitan government; requiring the metropolitan waste control commission to submit certain information to the commissioner of energy, planning and development for review; amending Minnesota Statutes 1980, Section 473.535; and Minnesota Statutes 1981 Supplement, Section 4.12, Subdivision 2.	3481							
2097	A bill for an act relating to taxation; authorizing the designation of enterprise zones comprising areas of pervasive poverty, unemployment, and distress; classifying income derived from enter-	3481							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2097	—Continued prises and employment in these areas for the purpose of taxation; amending Minnesota Statutes 1980, Sections 290.01, by adding subdivisions; 290.07, by adding a subdivision; 290.08, by adding a subdivision; 290.16, Subdivision 4, as amended; and 290.095, Subdivision 3; Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended; 290.091, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.								
2098	A bill for an act relating to energy; providing for the lease of potential hydropower sites by the state or political subdivisions; amending Minnesota Statutes 1980, Sections 272.02, Subdivision 1, and by adding a subdivision; 273.19, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 116H.	3482							
2099	A bill for an act relating to taxation; extending the research and development credit to certain contributions; amending Laws 1981, Third Special Session Chapter 2, Article III, Section 6, Subdivisions 1 and 2.	3482							
2100	A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs under certain circumstances; prohibiting the issuance of arrest warrants for violations of parking laws by certain courts; defining parking violations and participating jurisdictions; requiring notice to violators; appropriating money; amending Minnesota Statutes 1980, Sections 169.99, Subdivision 1, and by adding a subdivision; and 171.16, Subdivision 3, and by adding subdivisions.	3482							
2101	A bill for an act relating to the arts; requiring the state arts board to give special consideration to certain individuals and organizations; changing requirements for advisory committee members; requiring written reports from advisory committees to applicants for assistance; amending Minnesota Statutes 1980, Section 139.10, Subdivisions 1 and 2.	3510							
2102	A bill for an act relating to the city of Duluth; providing for the size of the housing and redevelopment authority.	3510							
2103	A bill for an act relating to retirement; St. Cloud firefighters relief association; clarifying and resolving an inconsistency in prior enactments concerning medical and health insurance coverage for certain relief association members; amending Laws 1974, Chapter 382, Sections 4, Subdivision 3, as amended; and 6, Subdivision 4.	3510	3775	3764	3865		3980	5579	402

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2104	A bill for an act relating to taxation; providing for conformity to federal income tax treatment of contributions to individual retirement accounts and Keogh plans and of distributions of certain utility stock; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended.	3510							
2105	A bill for an act relating to retirement; teachers' surviving dependent children benefits; joint and survivor elections by spouse; amending Minnesota Statutes 1981 Supplement, Section 354.46, Subdivisions 1 and 2.	3510		3532					
2106	A bill for an act relating to housing and redevelopment; providing for the appointment of commissioners of multi-county authorities; amending Minnesota Statutes 1980, Section 462.428, Subdivision 2.	3510							
2107	A bill for an act relating to education; establishing a minimum number of hours within six years for an adult farm management program; authorizing additional instructional hours if the individual pays the cost of the instruction; amending Minnesota Statutes 1980, Section 124.572, by adding a subdivision; repealing Minnesota Statutes 1980, Section 124.572, Subdivision 9.	3510							
2108	A bill for an act relating to taxation; changing the distribution of cigarette and tobacco tax revenues; amending Minnesota Statutes 1980, Section 297.13, Subdivision 1.	3511							
2109	A bill for an act relating to real estate; directing a conveyance of the state's right, title and interest in certain lands to Beltrami County.	3511							
2110	A bill for an act relating to public welfare; establishing standards for disregarding certain income and assets in the case of totally disabled persons for purposes of receiving medical assistance; amending Minnesota Statutes 1980, Section 256B.06, by adding a subdivision.	3511							
2111	A bill for an act relating to real estate; directing conveyances of the state's right, title and interest in certain lands to Lake of the Woods County and Beltrami County.	3511	3724	3652a 4014	4154				
2112	A bill for an act relating to taxation; adopting certain retroactive changes in federal estate tax law; amending Laws 1981, Third Special Session Chapter 2, Article VI, Section 8.	3511							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2113	A bill for an act relating to public welfare; providing for the establishment of a state foster care advisory council and local review boards under the jurisdiction of juvenile judges; prescribing conditions of membership and duties of board members; requiring agency cooperation; providing for the adoption of supreme court rules; setting limitations; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 260.	3511							
2114	A bill for an act relating to highway traffic regulations; prescribing minimum mandatory terms in jail and other sanctions for driving while under the influence of alcohol; requiring permanent revocation of a driver's license, permit or nonresident driving privilege upon a second refusal to submit to chemical testing; authorizing limited licenses for drivers whose licenses have been revoked under the implied consent law only for travel to work; amending Minnesota Statutes 1980, Sections 169.121, by adding subdivisions; 169.123, Subdivisions 2, 4, and 9; and 169.129; Minnesota Statutes 1981 Supplement, Section 169.121, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 169; repealing Minnesota Statutes 1980, Section 169.121, Subdivisions 3 and 4.	3512							
2115	A bill for an act relating to government operations; creating the Minnesota loan guarantee agency; authorizing guarantees of mortgage-backed securities and of other securities backed by eligible loans; prescribing agency functions and duties; authorizing the issuance of capital certificates; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 462D.	3512							
2116	A bill for an act relating to crimes; providing mandatory minimum sentences for certain acts of criminal sexual conduct; amending Minnesota Statutes 1981 Supplement, Section 609.11, Subdivision 9; proposing new law coded in Minnesota Statutes, Chapter 609.	3512							
2117	A bill for an act relating to local government; providing for the economic development of University Avenue in the cities of Minneapolis and St. Paul; creating an authority to develop and implement transit, housing, and economic development projects; providing for a preliminary comprehensive plan.	3512	4430	3758 4366a 5576					
2118	A bill for an act relating to real property; providing that certain contracts and purchase agreements for the conveyance of homestead property are voidable within a specified time; proposing new law coded in Minnesota Statutes, Chapter 507.	3512							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2119	A bill for an act relating to state lands; providing for the conveyance of a certain building and lands of Rochester state hospital to a nonprofit corporation.	3513							
2120	A bill for an act relating to public welfare; clarifying the scope of coverage of the severance plan for employees stationed at the Rochester state hospital; amending Laws 1981, Chapter 360, Article I, Section 2, Subdivision 5.	3513							
2121	A bill for an act relating to Olmsted County; allowing the county recorder to extend credit for the payment of charges.	3513	3775	3746 4014	4158				
2122	A bill for an act relating to state finances; appropriating money for expenses incidental to a land exchange; providing for the exchange of certain land in Hennepin County on certain conditions.	3513		3650a					
2123	A bill for an act relating to the city of Duluth; authorizing the sale of bonds to finance the purchase of certain equipment without an election; providing for a reverse referendum.	3513	3851 4132	3532 3798a 3851 4115a 4364					
2124	A bill for an act relating to unemployment compensation; creating an acute local unemployment benefits program; establishing eligibility for benefits; imposing duties upon the commissioner of economic security; proposing new law coded in Minnesota Statutes, Chapter 268.	3513							
2125	A bill for an act relating to real property; providing that covenants, conditions, restrictions or extensions thereof annexed to a grant, devise or conveyance of land that are or become nominal shall not operate as a basis of forfeiture; providing for the modification and extension of contracts for deed; providing dates for applicable laws relating to termination of contracts; removing a time limitation on the duration of covenants, conditions and restrictions; amending Minnesota Statutes 1980, Sections 500.20, Subdivision 1; 559.21, Subdivision 1, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 508; repealing Minnesota Statutes 1980, Section 500.20, Subdivision 2.	3513	3724	3630 4021a	4148 4717	4717	4716	5650	500
2126	A bill for an act relating to the attorney general; establishing a division of land title litigation in the office of the attorney general; proposing new law coded in Minnesota Statutes, Chapter 8.	3514	3724	3585	3778				
2127	A resolution memorializing the President and Congress of the United States to take immediate steps to curb the sources of acid rain.	3532	4081	3724 4032 4485	4529		5560	5655	Res. 7

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2128	A bill for an act relating to alcoholic beverages; extending the on-sale closing hour to three a.m.; amending Minnesota Statutes 1980, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 340.14, Subdivision 5.	3532							
2129	A bill for an act relating to state lands; authorizing the sale of a certain lakeshore lot in Douglas County.	3532							
2130	A bill for an act relating to statutes; clarifying certain terms; proposing new law coded in Minnesota Statutes, Chapter 645.	3532							
2131	A bill for an act relating to health; health maintenance organizations; authorizing health maintenance organizations to exclude from coverage under health maintenance contracts health services objected to by certain parties on the grounds of conscience; amending Minnesota Statutes 1980, Section 62D.05, Subdivision 2.	3533							
2132	A bill for an act relating to agriculture; specifying the qualifications of private grain inspectors; proposing new law coded in Minnesota Statutes, Chapter 17B.	3533							
2133	A bill for an act relating to retirement; Richfield firefighters relief association; eliminating various obsolete special law provisions; validating certain prior payments or actions; amending Extra Session Laws 1961, Chapter 28, Section 14; repealing Extra Session Laws 1961, Chapter 28, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13; and Laws 1963, Chapter 464.	3533	3775	3765 3931 (H1948)					
2134	A bill for an act relating to taxation; property; granting an exemption from the general levy limits for cities and counties with high population growth; proposing new law coded in Minnesota Statutes, Chapter 275.	3533							
2135	A bill for an act relating to taxation; establishing state paid tax credits for designated commercial and industrial properties in economically distressed areas; exempting certain equipment from sales tax; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 273.13, Subdivision 15a; 297A.25, as amended; proposing new law coded in Minnesota Statutes, Chapter 273.	3533							
2136	A bill for an act relating to insurance; increasing the percentage of the state comprehensive health plan premium that may be used to pay certain fees and expenses; amending Minnesota Statutes 1980, Section 62E.11, Subdivision 3.	3533	3969	3953a 3997 (H2077)					

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings		Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2137	A bill for an act relating to municipal industrial development; authorizing municipalities to waive certain property taxes; amending Minnesota Statutes 1981 Supplement, Section 474.03.	3533								
2138	A bill for an act relating to highway traffic regulations; authorizing ambulances equipped with studded tires to use the public highways between certain dates; amending Minnesota Statutes 1980, Section 169.72, Subdivision 1.	3534								
2139	A bill for an act relating to Lake County; providing conditions for the issuance of bonds for a county jail.	3534	3775	3534 3776	3746					
2140	A bill for an act relating to insurance; requiring the commissioner of public welfare to purchase a group medical assistance policy for eligible persons; establishing bid specifications; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 62E.	3534								
2141	A bill for an act relating to local government; authorizing county boards to publish its official proceedings completely or partially; allowing towns and cities to set license fees for cigarette sellers; amending Minnesota Statutes 1980, Sections 375.12, Subdivision 1; and 461.12; repealing Minnesota Statutes 1980, Sections 461.03 to 461.06; and 461.14.	3534	3851	3826a	4014	4166 4955	4955	4955	5655	572
2142	A bill for an act relating to family; authorizing release of information for location of certain parents of deserted children; amending Minnesota Statutes 1980, Section 256.978.	3731								
2143	A bill for an act relating to education; establishing the basis upon which financial stipends for scholarships and grants-in-aid are determined; amending Minnesota Statutes 1980, Section 136A.121, Subdivision 7; Minnesota Statutes 1981 Supplement, Section 136A.121, Subdivisions 4 and 5.	3731		3776						
2144	A bill for an act relating to taxation; real property; providing that certain transmission lines located in unorganized townships shall be listed and assessed where situated; amending Minnesota Statutes 1980, Sections 273.36; 273.37, Subdivision 2; and 273.42, Subdivision 1.	3731								
2145	A bill for an act relating to agriculture; providing an additional tax on certain capital gains from the sale of agricultural land; amending Minnesota Statutes 1980, Section 290.01, Subdivision 20; proposing new law coded in Minnesota Statutes, Chapter 290.	3731								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2146	A bill for an act relating to state lands; conveyance; authorizing the conveyance by the state of certain land in the county of Stearns.	3731							
2147	A bill for an act relating to the environment; providing for regulation of storage facilities for waste; prohibiting acquisition of certain land by condemnation; authorizing the metropolitan council to abrogate the development moratorium on on sites and buffer areas for waste facilities; amending Minnesota Statutes 1980, Sections 115A.03, Subdivisions 6, 25, 35, 36, and by adding subdivisions; 115A.10; 115A.18; 115A.22, Subdivisions 1 and 5; 115A.25, Subdivision 1; 116.06, by adding subdivisions; 116.41, Subdivisions 1 and 1a; 473.516, Subdivision 1; 473.811, Subdivision 1; 473.833, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 115A.06, Subdivision 4; 115A.08, Subdivision 4; 115A.11, Subdivision 1; 115A.20; 115A.21, Subdivisions 1 and 2; 115A.23; 115A.24, Subdivisions 1 and 2; 473.153, Subdivision 3; 473.803, Subdivision 1a; repealing Minnesota Statutes 1980, Section 473.833, Subdivision 5.	3731							
2148	A bill for an act relating to health; adding a factor for determining whether to regulate a human services occupation; requiring a surcharge on health related licensing board licenses; changing health related licensing board rule review authority; allowing certain practices under rule authority; changing the composition of the human services occupations advisory council; appropriating money; amending Minnesota Statutes 1980, Sections 214.001, Subdivision 2; 214.13, Subdivisions 2 and 3; 214.14, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 214.06, Subdivision 1.	3732							
2149	A bill for an act relating to the city of Sandstone; authorizing the exchange of certain tax forfeited lands with the federal government.	3732							
2150	A bill for an act relating to taxation; allowing disclosure of private data to permit vendor processing of income and sales tax returns; amending Minnesota Statutes 1980, Section 297A.43; and Minnesota Statutes 1981 Supplement, Section 290.61.	3732	4430	4368	4560				
2151	A bill for an act relating to taxation; property tax refund; redefining rent constituting property taxes; amending Minnesota Statutes 1981 Supplement, Section 290A.03, Subdivisions 11 and 13.	3732							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2152	A bill for an act relating to crimes; requiring the sentencing guidelines commission to modify the guidelines to provide judges with greater sentencing discretion; proposing new law coded in Minnesota Statutes, Chapter 244.	3732		3776					
2153	A bill for an act relating to accident and health insurance; broadening continuation and conversion privileges of survivors and former spouses; amending Minnesota Statutes 1980, Sections 62A.145; 62A.146; 62C.142; and 62D.101; and Minnesota Statutes 1981 Supplement, Section 62A.21, Subdivisions 2a and 2b.	3732							
2154	A resolution memorializing Congress to propose an amendment to the United States Constitution providing that the states may restrict or prevent abortions.	3733							
2155	A bill for an act relating to intoxicating liquor; providing that on-sale licenses issued to certain nonprofit corporations shall authorize sales on all days of the week; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11b.	3733	3969	3952a 3998 (H2134)					
2156	A bill for an act relating to taxation; income; extending the energy credit to certain conservation expenditures; amending Minnesota Statutes 1981 Supplement, Section 290.06, Subdivision 14.	3733		3934					
2157	A bill for an act relating to local government; regulating charges for water service; proposing new law coded in Minnesota Statutes, Chapter 471.	3733							
2158	A resolution memorializing the President and Congress of the United States to extend the cut-off date of benefits for children of retired or deceased workers.	3733							
2159	A bill for an act relating to taxation; requiring assessors to consider certain factors in the valuation of property; amending Minnesota Statutes 1981 Supplement, Section 273.11, Subdivision 1.	3733							
2160	A bill for an act relating to taxation; providing that the homestead credit does not apply to the first $100 of tax liability; increasing the maximum credit; amending Minnesota Statutes 1980, Section 273.13, Subdivision 14a; and Minnesota Statutes 1981 Supplement, Section 273.13, Subdivisions 6 and 7.	3733							
2161	A bill for an act relating to taxation; reducing the percentage rate of the homestead credit; increasing the maximum credit; amending Minnesota Statutes 1980, Section 273.13, Subdivision 14a; and Minnesota Statutes 1981 Supplement, Section 273.13, Subdivisions 6, 7 and 15b, as amended.	3734							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2162	A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections, to provide for initiative and referendum; implementing the initiative and referendum process, including the manner of petitioning and voting on initiative and referendum measures and judicial review; precluding corporations from deducting as expenses the costs of ballot issue campaigns; imposing duties on certain officials; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 10A.20, by adding a subdivision; and 645.02; Minnesota Statutes 1981 Supplement, Sections 204C.33, Subdivision 3; 204D.11, Subdivision 2; 204D.15, Subdivision 1; 290.09, Subdivision 2; and 290.21, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapter 3B.	3734							
2163	A bill for an act relating to taxation; providing for conformity to federal income tax treatment of contributions to individual retirement accounts and Keogh plans; amending Minnesota Statutes 1981 Supplement, Section 290.01, Subdivision 20, as amended.	3734		3776					
2164	A bill for an act relating to taxation; exempting interest earned on all savers certificates from income tax; amending Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20; and 290.09, Subdivision 3.	3734		3776					
2165	A bill for an act relating to taxation; income; exempting certain corporations from the requirement of combined reporting of unitary business income; amending Minnesota Statutes 1980, Section 290.34, Subdivision 2, as amended.	3734							
2166	A bill for an act relating to taxation; providing agricultural homestead treatment to noncontiguous residence of owner of farm; amending Minnesota Statutes 1981 Supplement, Section 273.13, Subdivision 6.	3735							
2167	A bill for an act relating to Yellow Medicine County; providing for the consolidation of the offices of county auditor and treasurer.	3735							
2168	A bill for an act relating to transportation; providing for alternate bids for pavement surfacing on trunk highway construction projects; proposing new law coded in Minnesota Statutes, Chapter 161.	3735							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2169	A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, omitted and obsolete references and text; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature in the 1982 regular session and the third special session of 1981; redefining drug paraphernalia to exclude items used in conjunction with permitted uses under the controlled substance law; amending Minnesota Statutes 1980, Sections 62C.142, Subdivision 3; 62D.101, Subdivision 3; 123.933, Subdivision 3; 152.01, Subdivision 18, as amended; 244.09, Subdivision 2, as amended; 327.14, Subdivision 8; 340.951, as amended; 475.61, Subdivision 3, as amended; Minnesota Statutes 1981 Supplement, Sections 56.12; 124.2125, Subdivision 1, as amended; 124.73, Subdivision 1; 273.13, Subdivision 9, as amended; 475.55, Subdivision 2, as amended; Laws 1981, Third Special Session Chapter 2, Article IV, Section 1, as amended; Laws enacted at the 1982 regular session styled as S.F. Nos. 1451, Section 20, Subdivision 1; 1538, Section 13; 1818, by adding a section; H.F. No. 1025; proposing new law coded in Minnesota Statutes, Chapter 327; repealing laws enacted at the 1982 regular session styled as H.F. Nos. 552 and 1663, Section 1.	3735	5581	5581 5590a	5599		5627	5659	642
2170	A bill for an act relating to taxation; providing for changes in the laws relating to delinquent real estate taxes; real estate tax judgment sales and redemptions and tax forfeited land sales; amending Minnesota Statutes 1980, Sections 276.04; 279.05; 279.06; 279.14; 279.15; 279.16; 279.20; 280.01; 280.07; 280.10; 280.38; 280.385, Subdivision 1; 281.01; 281.02; 281.03; 281.05; 281.17; 281.18; 281.34; 281.36; 281.39, proposing new law coded in Minnesota Statutes, Chapters 276; 279; 280; and 281; proposing new law coded as Minnesota Statutes, Chapters 282A; 282B; 282C; 282D; and 282E; repealing Minnesota Statutes 1980, Sections 279.32; 280.001; 280.02; 280.03; 280.04; 280.05; 280.06; 280.08; 280.09; 280.11; 280.13; 280.25; 280.26; 280.27; 280.28; 280.29; 280.33; 280.35; 280.36; 280.37; 281.04; 281.13, as amended; 281.14; 281.15; 281.20; 281.21; 281.22; 281.23; 281.24; 281.26; 281.27; 281.273; 281.274; 281.275; 281.276; 281.277; 281.31; 281.32; 281.321; 281.322; 281.323; 281.324; 281.325; 281.326; 281.327; 281.33; and 281.38; and Chapter 282, as amended.	3735							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2171	A bill for an act relating to education; requiring the higher education coordinating board to submit a report on undergraduate enrollments in public post-secondary schools.	3785							
2172	A bill for an act relating to crimes; clarifying methods of and responsibility for imposing and collecting penalty assessments; amending Minnesota Statutes 1981 Supplement, Section 609.101.	3785	4471	4460a 4596 (H1849)					
2173	A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections, to provide for initiative and referendum; implementing the initiative and referendum process, including the manner of petitioning and voting on initiative and referendum measures and judicial review; permitting corporations to spend money to promote or defeat ballot questions; requiring disclosure of contributions and expenditures on ballot questions; imposing duties on certain officials; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 10A.20, by adding a subdivision; and 645.02; Minnesota Statutes 1981 Supplement, Sections 204C.19, Subdivision 2; 204C.33, Subdivision 3; 204D.11, Subdivision 5, and by adding a subdivision; 204D.15; 290.09, Subdivision 2; 290.21, Subdivision 3; and by proposing new law coded as Minnesota Statutes, Chapter 3B.	3785							
2174	A bill for an act relating to appropriations; canceling and reappropriating money to the housing development fund for certain purposes.	3785	3851	3849a 3851	3851		3943	4496	380
2175	A bill for an act relating to the city of South St. Paul; giving the city the powers of a port authority.	3786							
2176	A bill for an act relating to real property; changing certain restrictions on corporate ownership of agricultural land; amending Minnesota Statutes 1981 Supplement, Section 500.24, Subdivision 3.	3786							
2177	A bill for an act relating to economic development; recognizing the problems of distressed border cities; directing the department of energy, planning and development to identify border city equalization zones and disparity relief measures.	3786		3851					
2178	A bill for an act relating to public utilities; requiring the averaging of natural gas rates; amending Minnesota Statutes 1980, Section 216B.16, by adding a subdivision.	3786							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2179	A bill for an act relating to state government; providing for chiropractic positions in state government civil service; providing for the provision of chiropractic services; proposing new law coded in Minnesota Statutes, Chapters 43A and 148.	3786							
2180	A bill for an act relating to taxation; authorizing the commissioner of revenue to adopt certain rules; limiting recording of certain real estate transfers; amending Minnesota Statutes 1980, Section 272.115, by adding a subdivision; repealing Minnesota Statutes 1980, Section 287.241, Subdivision 2.	3876							
2181	A bill for an act relating to corrections; providing for chiropractic services to persons confined in correctional institutions; amending Minnesota Statutes 1981 Supplement, Section 241.021, Subdivision 4.	3876							
2182	A bill for an act relating to Independent School District No. 624; authorizing a tax levy for community recreation programs.	3876							
2183	A bill for an act relating to local government; authorizing the city of Mankato and the city of North Mankato to impose a tax on the gross receipts from the furnishing of certain lodging.	3876							
2184	A bill for an act relating to education; authorizing school districts aid and levy to reduce class sizes; amending Minnesota Statutes 1980, Section 275.125, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 124.	3876							
2185	A bill for an act relating to game and fish; prohibiting the use of gill nets in taking fish; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 101.	3877							
2186	A bill for an act relating to game and fish; authorizing the designation of lakes for northern pike propagation and management; proposing new law coded in Minnesota Statutes, Chapter 101.	3877							
2187	A bill for an act relating to public welfare; designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of federal funds to counties and defining duties of counties in the use of the funds; amending Minnesota Statutes 1980, Sections 245.70; and 245.71; proposing new law coded in Minnesota Statutes, Chapter 245.	3877							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2188	A bill for an act relating to taxation; income; providing business incentives by adopting full accelerated cost recovery system, gradually reducing income tax rates, and providing an additional capital gains deduction for corporations; amending Minnesota Statutes 1980, Section 290.16, Subdivisions 15, as amended, and 16, as amended, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; 290.06, Subdivisions 1, as amended, and 2c; 290.09, Subdivision 7, as amended.	3941		4133					
2189	A bill for an act relating to taxation; conforming with the federal effective dates of changes to the estate tax law; correcting citations to federal law; amending Minnesota Statutes 1980, Sections 291.015, as amended; 291.03, Subdivision 3, as amended; 291.051, Subdivision 1, as amended; 291.09, Subdivision 1a, as amended; and Laws 1981, Third Special Session Chapter 2, Article VI, Section 8.	3941		4133					
2190	A bill for an act relating to the city of St. Paul; authorizing the city to impose a gross earnings tax on individuals; providing penalties.	3941							
2191	A bill for an act relating to taxation; income; providing that the deduction for federal income taxes may be apportioned between spouses who file a combined return as they elect; amending Minnesota Statutes 1981 Supplement, Section 290.18, Subdivision 2.	3941							
2192	A bill for an act relating to malt beverages; requiring identification of kegs and purchasers thereof; proposing new law coded in Minnesota Statutes, Chapter 340.	3976							
2193	A bill for an act relating to taxation; income; property tax refund; adopting certain federal income tax amendments; altering the adoption of accelerated cost recovery system; limiting the deduction to individual retirement accounts and certain retirement plans; limiting the dependent care credit; amending Minnesota Statutes 1980, Sections 290.067, Subdivision 1; and 290.16, Subdivisions 15, as amended, and 16, as amended; Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; 290.09, Subdivisions 7, as amended, and 29; 290.091, as amended; 290.92, Subdivision 15; 290.93, Subdivision 1; 290.934, Subdivision 4; 290A.03, Subdivision 3; repealing Minnesota Statutes 1980, Section 290.65, Subdivisions 2, 3, 4, 5, 6, and 7.	3977							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2194	A resolution memorializing the President and Congress of the United States to take immediate steps to curb the sources of acid rain.	3977		4002					
2195	A bill for an act relating to tort claims against the state; clarifying certain excluded liability; amending Minnesota Statutes 1980, Section 3.736, Subdivision 3.	3977							
2196	A bill for an act relating to public welfare; allowing the commissioner of public welfare to designate that certain license fees can be retained by counties; amending Minnesota Statutes 1980, Section 245.811.	3977							
2197	A bill for an act relating to nursing homes; requiring new procedures for determining nursing home rates; amending Minnesota Statutes 1980, Sections 256B.41; 256B.47; and 256B.48; proposing new law coded in Minnesota Statutes, Chapter 256B; repealing Minnesota Statutes 1980, Sections 256B.42; 256B.43; 256B.44; 256B.45; and 256B.46.	4029							
2198	A bill for an act relating to commuter vehicles; providing a tax credit for corporations operating a ride-sharing program; providing a commuter vehicle investment tax credit; creating a vehicle registration category and setting vehicle registration fees for commuter vehicles; amending Minnesota Statutes 1980, Sections 168.011, by adding a subdivision; 168.013, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 290.	4029							
2199	A bill for an act relating to education; establishing a demonstration grant program for elementary pupils; appropriating money.	4029							
2200	A bill for an act relating to taxation; subjecting certain taconite production capacity to the taconite tax; amending Minnesota Statutes 1980, Section 298.24, Subdivision 1.	4029							
2201	A bill for an act relating to workers' compensation; changing benefits; providing for rehabilitation; requiring notices of injury; providing for the release of medical data; regulating supplemental benefits; providing for benefit adjustments; providing for various studies; defining terms; providing for continuance of certain insurance coverages; amending Minnesota Statutes 1980, Sections 62A.10, Subdivision 10; 62C.14, by adding a subdivision; 62D.10, by adding a subdivision; 176.011, Subdivision 3, and by adding subdivisions; 176.111, Subdivision 18; (Continued next page)	4030							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2201	—Continued 176.131, Subdivisions 1, 1a, and 8; 176.132, Subdivision 1; 176.235, by adding a subdivision; and 176.641; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3; 176.131, Subdivision 10; 176.132, Subdivision 2; 176.221, Subdivisions 1, 2, and 3; and 176.645, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 176; repealing Minnesota Statutes 1980, Sections 176.011, Subdivisions 14 and 18; 176.095; 176.101, as amended; 176.102, as amended; 176.105, as amended; 176.111, as amended; and 176.235, Subdivisions 1 and 2; Minnesota Statutes 1981 Supplement, Sections 176.021, Subdivision 3a; and 176.152.								
2202	A bill for an act relating to workers' compensation; replacing the current law with law based on that recently enacted by the state of Florida; proposing new law coded as Minnesota Statutes, Chapter 176; repealing Minnesota Statutes 1980, Chapter 176, as amended.	4030							
2203	A bill for an act relating to health; exempting certain drivers of basic life support transportation vehicles from certain requirements; amending Minnesota Statutes 1980, Section 144.804, Subdivision 1.	4175							
2204	A bill for an act relating to education; modifying the definition of teachers for the purpose of licensure; modifying the personnel licensed by the board of teaching and the state board of education; adding a vocational teacher to the board of teaching; requiring the board of teaching to take into consideration vocational education teacher licensure requirements adopted by the state board for vocational education; requiring that rules adopted by the board of teaching shall not affect the validity of certain vocational personnel or the rights and privileges of the holders; amending Minnesota Statutes 1980, Sections 125.03, Subdivision 1; 125.05, Subdivision 1; 125.183, Subdivision 3; 125.185, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 125; repealing Minnesota Statutes 1980, Section 125.03, Subdivision 4.	4175							
2205	A bill for an act relating to public welfare; altering eligibility standards for medical assistance for certain persons; amending Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended.	4175							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2206	A bill for an act relating to data privacy; establishing standards and procedures for the release of financial information; proposing new law coded in Minnesota Statutes, Chapter	4176							
2207	A bill for an act relating to data privacy; establishing standards and procedures relating to the release of insurance data; proposing new law coded in Minnesota Statutes, Chapter	4176							
2208	A bill for an act relating to commerce; regulating the substitution of certain fuels sold; requiring the grading and labeling of gasoline; defining a term; prescribing penalties; amending Minnesota Statutes 1980, Sections 325E.01; 325E.09, Subdivisions 3 and 4; proposing new law coded in Minnesota Statutes, Chapter 325E; repealing Minnesota Statutes 1980, Section 325E.09, Subdivisions 4a to 8.	4176							
2209	A bill for an act relating to the county attorneys council; providing for the disposition of its records and equipment.	4176							
2210	A bill for an act relating to transportation; appropriating funds for matching federal funds for continuance of Amtrak service between the Twin Cities and Duluth.	4176							
2211	A bill for an act relating to taxation; providing that Minnesota itemized deductions shall be federal itemized deductions with certain modifications; amending Minnesota Statutes 1980, Section 290.07, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 19; 290.077, Subdivision 2; 290.09, Subdivisions 1, 2, 3, as amended, 4, 5, and 6; 290.14; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 1 and 3; 290.23, Subdivision 5; 290.31, Subdivisions 2 and 3; 290.39, Subdivision 2; 290.92, Subdivision 2a; 290A.16; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Section 290.09, Subdivisions 22 and 27; Minnesota Statutes 1981 Supplement, Sections 290.09, Subdivisions 10 and 15; 290.21, Subdivisions 3a and 7.	4176							
2212	A resolution memorializing the President of the United States and the Administrator of the Federal Aviation Administration against any attempt to prohibit local governments from restricting aircraft noise.	4176							
2213	A bill for an act relating to watercraft; requiring titling for certain vessels; regulating perfection of security interests in vessels; proposing new law coded in Minnesota Statutes, Chapter 361.	4347							

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*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2214	A bill for an act relating to taxation; income; providing that the deduction for federal income taxes may be apportioned between spouses filing a joint federal return as they elect; altering the method by which certain federal income taxes are deducted; amending Minnesota Statutes 1981 Supplement, Section 290.18, Subdivision 2.	4347							
2215	A bill for an act relating to drainage; authorizing property owners to repair drainage systems located on their property and to credit the value of the repairs against a repair assessment; changing requirements for drainage system repairs without contracts; amending Minnesota Statutes 1980, Section 106.471, Subdivisions 2 and 8.	4347							
2216	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing inter-fund borrowing in anticipation of bond proceeds; providing for bond sale expenses; authorizing covenants to secure certificates of indebtedness; fixing the boundaries of state parks and routes of state trails; postponing the deadline for fencing certain open pit mines; appropriating money; amending Minnesota Statutes 1980, Sections 16A.63, Subdivision 2, as amended; 16A.64, Subdivision 4; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; and 180.03, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 8; proposing new law coded in Minnesota Statutes, Chapter 85.	4364	4430	4533					
2217	A bill for an act relating to local government; establishing an advisory council on school district finance; proposing new law coded as Minnesota Statutes, Chapter 15B.	4483							
2218	A bill for an act relating to Minnesota Statutes; standardizing the form of references to the United States Code, the Code of Federal Regulations, and miscellaneous other foreign publications; correcting obsolete forms of reference to Minnesota laws; replacing requirments that certain officers comply with provisions of law previously repealed with the text of the provisions with which they must comply; removing references to certain obsolete compilations of law; replacing references to certain obsolete compilations of law with their current equivalents; updating references to federal law and regulations to the most recent enactment; amending Minnesota Statutes 1980, (Continued next page)	4483							

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2218—Continued	Sections 4.073; 9.36, Subdivisions 1 and 2; 15.15; 15.162, Subdivision 5; 15.1693, Subdivisions 2 and 4; 16.011; 16A.17, Subdivision 1; 16A.35; 17.694, Subdivision 3; 17A.05, Subdivisions 1 and 2; 18A.21, Subdivision 15; 21.49, Subdivision 1; 31.01, Subdivisions 30 and 32; 31.101, Subdivisions 7, 8 and 28; 31.103, Subdivision 1; 31A.02, Subdivisions 17 and 18; 40.01, Subdivision 13; 40.07, Subdivision 14; 40.072, Subdivision 3; 48.24, Subdivision 6; 48.245; 48.56; 48.59, Subdivision 3; 48.605, Subdivision 1; 48.63; 50.24; 51A.37, Subdivision 3; 54.27, Subdivision 1; 60A.21, Subdivision 1; 61A.245, Subdivision 2; 61A.25, Subdivision 4; 62D.22, Subdivision 4; 62D.30, Subdivision 1; 62E.02, Subdivision 15; 65A.32; 72A.13, Subdivision 2; 72A.17; 72A.33; 72A.40; 84.027, Subdivisions 4, 5 and 6; 84.523, Subdivision 1; 84.43, Subdivision 2; 84B.01, Subdivision 1; 85.33, Subdivision 2; 88.37; 88.38; 88.40; 88.41; 90.50, Subdivision 1; 92.163, Subdivision 2; 98.47, Subdivisions 8 and 17; 100.29, Subdivision 32; 104.08, Subdivision 1; 104.25, Subdivisions 1 and 2; 104.39; 105.401, Subdivision 2; 111.35; 115.03, Subdivisions 1, 6 and 7; 115.44, Subdivision 5; 116.16, Subdivisions 2 and 10; 116I.05; 116I.06, Subdivision 4; 117.52; 117.53; 120.02, Subdivision 14; 120.83, Subdivision 1; 121.48, Subdivision 1; 123.35, Subdivision 12; 123.77, Subdivision 5; 123.932, Subdivision 3; 124.38, Subdivision 2; 124.615, Subdivision 1; 124.625; 124.645, Subdivision 1; 124.67; 124.68; 124.79; 129A.03; 136.43; 136.44; 136.45; 136.502; 136.55, Subdivision 1; 136.67, Subdivision 2; 136.70, Subdivision 1; 138.081, Subdivisions 2 and 3; 139.19, Subdivision 2; 144.10; 145.08, Subdivision 4; 145.61, Subdivision 5; 145.833, Subdivisions 7, 9, 10 and 11; 145.835, Subdivision 4; 145.837, Subdivision 2; 145.838, Subdivision 2; 151.01, Subdivision 21; 152.02, Subdivision 4; 152.21, Subdivision 5; 154.16; 160.276, Subdivision 3; 160.278, Subdivision 1; 161.242, Subdivision 6; 161.433, Subdivision 1; 168.27, Subdivision 12; 173.01; 173.04, Subdivision 5; 173.185, Subdivision 1; 174.245, Subdivision 2; 176.041, Subdivision 1; 177.23, Subdivision 7; 178.03, Subdivisions 3 and 4; 181.73, Subdivision 2; 181A.11; 181B.02, Subdivision 7; 181B.07; 182.651, Subdivision 8; 192.261, Subdivision 5; 192.261, Subdivision 6; 192A.015; 216A.11, Subdivision 2; 216A.12; 216B.165, Subdivisions 1 and 2; 222.48, Subdivision 7; 237.03; 243.51, Subdivision 2; 243.88, (Continued next page)								

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2218—Continued	Subdivision 2; 245.70; 256B.065; 256B.22; 256D.36, Subdivision 1; 268.04, Subdivisions 12 and 25; 268.06, Subdivisions 1, 4, 5, 28 and 32; 268.071, Subdivision 1; 268.09, Subdivisions 4 and 7; 268.12, Subdivisions 11 and 12; 268.14, Subdivision 6; 268.23; 268.37, Subdivision 2; 268.40, Subdivision 1; 273.1105, Subdivision 2; 273.52; 281.275; 281.39; 282.01, Subdivision 9; 282.14; 290.36; 296.28; 299A.03, Subdivision 6; 299C.50; 299F.56, Subdivision 2; 299F.60, Subdivision 3; 299F.63, Subdivision 3; 302.021, Subdivision 1; 308.08; 309.515, Subdivision 1; 315.12; 317.165, Subdivision 1; 325A.01, Subdivision 5; 325F.10; 334.16, Subdivision 2; 347.40; 352E.01, Subdivision 4; 354A.021, Subdivisions 1, 2 and 5; 355.01, Subdivision 9; 355.47, Subdivision 2; 356.454; 360.0161, Subdivision 2; 360.075, Subdivision 1; 360.55, Subdivision 3; 360.59, Subdivision 10; 362.41, Subdivision 3; 373.39; 375.471; 458.192, Subdivision 13; 462.445, Subdivision 5; 462A.21, Subdivision 7; 471.615; 471.655; 472.03, Subdivisions 11 and 13; 473.141, Subdivision 14; 473.568, Subdivision 1; 473F.06; 501.115, Subdivisions 1 and 3; 501.74; 524.3-916; 525.528; 540.153; 571.35, Subdivision 2; 580.15; 600.24; 624.71, Subdivisions 1 and 2; 626.557, Subdivision 2; 626A.02, Subdivision 2; 645.31, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 9.061, Subdivision 2; 17.72; 47.20, Subdivision 2; 47.203; 47.204, Subdivision 1; 48.06; 60A.17, Subdivision 13; 61A.281, Subdivision 4; 62A.21, Subdivision 2b; 97.461, Subdivision 1; 97.488, Subdivision 2; 105.416, Subdivision 2; 111.11; 115A.24, Subdivision 2; 116.18, Subdivision 1; 116H.02, Subdivision 3; 116H.09, Subdivision 1; 116H.129, Subdivisions 2, 5 and 7; 116H.17; 116H.23; 136.87, Subdivision 1; 144.55, Subdivision 3; 144.704, Subdivision 2; 144.801, Subdivision 8; 145.834; 145.845; 145.97; 161.242, Subdivision 4; 168.013, Subdivisions 1a and 1e; 169.44, Subdivision 14; 169.974, Subdivision 2; 176.111, Subdivision 21; 176.132, Subdivision 2; 181.90; 183.465; 190.05, Subdivisions 1 and 7; 192.11; 204D.11, Subdivision 4; 216B.164, Subdivisions 2 and 3; 257.071, Subdivision 4; 273.13, Subdivision 7; 290.01, Subdivision 20; 290.09, Subdivision 5; 290.091; 290.132, Subdivision 2; 290.92, Subdivision 16; 290.971, Subdivision 7; 290A.03, Subdivision 3; 291.05; 297A.01, Subdivision 3; 297A.25, Subdivision 1; 303.02, Subdivision 3; (Continued next page)									

a Indicates Amendment

( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2218	—Continued 326.243; 327.20, Subdivision 1; 327.32, Subdivision 8; 327.35, Subdivision 7; 334.061; 352.115, Subdivision 10; 353.37, Subdivision 1; 353.64, Subdivision 7; 354A.31, Subdivision 3; 354.44, Subdivisions 1a and 5; 354A.21; 462C.05, Subdivision 1; 462C.10; 500.24, Subdivisions 2 and 3; 501.76, Subdivision 1; 609.52, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 111.								
2219	A bill for an act relating to the organization and operation of state government; providing for deficiencies in and supplementing appropriations for the expenses of state government with certain conditions; fixing and limiting fees; imposing various cost saving measures; providing matching money for a microelectronic and information sciences center; altering certain provisions concerning the regulation of shoreland use and development in municipalities; authorizing collection of debts related to trunk highways; authorizing a certified state development company; appropriating money; amending Minnesota Statutes 1980, Sections 105.485, Subdivision 6; 161.20, by adding a subdivision; 296.13; 388.20, by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 15.0412, Subdivision 4; 15.052, Subdivision 5, as amended; 214.06, Subdivision 1; 239.10; Laws 1981, Chapter 356, Section 31, Subdivision 5; Third Special Session Chapter 2, Article I, Section 2, Subdivision 1, Paragraph (k); proposing new law coded in Minnesota Statutes, Chapters 197, 214, and 362.	4485		4485 4640 (H2190)					
2220	A bill for an act relating to unclaimed property; enacting the Uniform Unclaimed Property Act 1981; amending Minnesota Statutes 1980, Sections 149.12; and 624.68; and Minnesota Statutes 1981 Supplement, Section 80C.03; proposing new law coded in Minnesota Statutes, Chapter 345; repealing Minnesota Statutes 1980, Sections 345.31 to 345.41; 345.42, as amended; 345.43 to 345.525; 345.53, as amended; and 345.54 to 345.60; and Minnesota Statutes 1981 Supplement, Section 345.381.	4531							
2221	A bill for an act relating to health; providing benefits for the services of a clinical specialist in psychiatric/mental health nursing; amending Minnesota Statutes 1981 Supplement, Section 62A.152, Subdivision 2.	4532							

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings *	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2222	A bill for an act relating to insurance; requiring health insurance benefits to include services of a registered nurse; proposing new law coded in Minnesota Statutes, Chapter 62A.	4532							
2223	A bill for an act relating to health; requiring licensing of certain home health agencies; directing the department of health to regulate home health agencies; establishing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 144A.51, by adding a subdivision; 144A.52, Subdivision 3; 144A.53; and 144A.54, Subdivision 1; proposing new law coded as Minnesota Statutes, Chapter 144B.	4607							
2224	A bill for an act proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25 and 26; Article V, Sections 3 and 5; Article VIII, Section 1; Article IX, Sections 1 and 2; and Article XI, Section 5; providing for a unicameral legislature of not more than 135 members.	4608							
2225	A bill for an act relating to education; requiring a report on the effect of the transportation aid formula and other state aids on school closings.	4608							
2226	A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; proposing new law coded in Minnesota Statutes, Chapter 65B.	4707							
2227	A bill for an act relating to crimes; prohibiting certain actions taken on the basis of race, color, ancestry, national origin, sex, sexual preference, religion, or creed; providing a penalty; proposing new law coded in Minnesota Statutes, Chapter 609.	4707							
2228	A bill for an act relating to children; requiring reporting of certain chemical abuse; imposing a penalty; proposing new law coded in Minnesota Statutes, Chapter 260.	4762							
2229	A bill for an act relating to local government; providing cities with authority relating to water, sanitary sewer and storm sewer systems; amending Minnesota Statutes 1980, Section 444.075, Subdivisions 1 and 3.	4762							
2230	A bill for an act relating to taxation; redefining agricultural alcohol gasoline; changing the amount and duration of tax reduction for agricultural alcohol gasoline; providing for reciprocity with certain other states; amending Minnesota Statutes 1980, Sections 296.01, Subdivision 24; and 296.02, Subdivision 7.	4763		4867					

a Indicates Amendment

( ) Indicates House File Substitution

*Denotes Conference Committee Report

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2231	A bill for an act relating to health; requiring reports of cases of Reyes syndrome; proposing new law coded in Minnesota Statutes, Chapter 144.	5576							
2232	A bill for an act relating to public welfare; vulnerable adults; providing for an investigation memorandum; classifying data; amending Minnesota Statutes 1980, Section 626.557, Subdivision 12.	5577							
2233	A bill for an act relating to transportation; providing for the removal and disconnection of certain abandoned railroad tracks and the removal of certain signs; requiring highway restoration at certain locations; proposing new law coded in Minnesota Statutes, Chapter 219.	5577							
2234	A bill for an act relating to the metropolitan transit commission; providing for special fares for qualified senior citizens; amending Minnesota Statutes 1980, Section 473.408, Subdivision 3, as amended.	5583							
2235	A bill for an act relating to taxation; property tax refund; increasing the maximum refund amount for disabled persons or persons aged 65 or older; amending Minnesota Statutes 1980, Section 290A.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 290A.04, Subdivision 2.	5583							
2236	A bill for an act relating to children; establishing a program of early intervention for the benefit of developmentally delayed children; appropriating money; proposing new law coded as Minnesota Statutes, Chapter 145A.	5583							
2237	A bill for an act relating to negligence actions; providing for joint and several liability and equal contribution to awards; amending Minnesota Statutes 1980, Section 604.02, Subdivisions 1 and 2.	5583							

a Indicates Amendment

( ) Indicates House File Substitution

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HOUSE
BILLS

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Senate Record of House Bills

1981-82 SESSION

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SENATE RECORD OF HOUSE BILLS

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
2	A bill for an act relating to crimes; establishing mandatory minimum terms of imprisonment for use of a dangerous weapon or possession of a firearm; increasing the penalty for intentional and unintentional homicides committed while committing certain felonies; amending Minnesota Statutes 1980, Sections 609.11, Subdivision 1, and by adding subdivisions; 609.135, Subdivision 1; 609.185; 609.19; 609.195; 609.20; repealing Minnesota Statutes 1980, Section 609.11, Subdivision 3.	445	445	1490	1479a 1863a	1902 2210	2084 2110 2209*	227
3	A bill for an act relating to public welfare; amending the community social services act; defining groups of persons for whom counties are responsible; establishing certain funding levels; clarifying sections of the community social services act; defining the county of financial responsibility for participants in long term sheltered workshops; amending Minnesota Statutes 1980, Sections 245.64, 245.66; 245.84, Subdivisions 2 and 5; 252.21; 252.24, Subdivisions 1, 3 and 4; 252.27, Subdivisions 1 and 2; 254A.03, Subdivision 1; 254A.05, Subdivision 1; 254A.07, Subdivision 2; 254A.08, Subdivision 1; 256D.18, Subdivisions 2 and 3; 256E.03, Subdivision 2; 256E.04, Subdivision 1; 256E.05, Subdivisions 2 and 3; 256E.06, Subdivisions 1, 2, and 5 and by adding a subdivision; 256E.07, Subdivision 2; 256E.08, Subdivisions 1, 7 and 9; 256E.09, Subdivisions 1, 3, and by adding a subdivision; 256E.10; and 256E.12, Subdivision 3; repealing Minnesota Statutes 1980, Sections 245.67; 245.68; 245.72; 252.26; 256E.06, Subdivisions 4 and 11; and 261.27.	1130	1130	2124	1555a 2121a 2275	2275 2982	2793 2847 2978*	355
6	A bill for an act relating to commerce; prohibiting the sale of certain petroleum products on any basis other than gross volume; amending Minnesota Statutes 1980, Section 296.05, by adding a subdivision.	1022	1022	1577	1547 1861	1960		197
12	A bill for an act relating to public utilities; revising the process for approval of rate changes; abolishing "rates under bond"; providing for interim rates; amending Minnesota Statutes 1980, Sections 216B.16, Subdivisions 1, 2, 3, 5, and 7; and 237.075, Subdivisions 1, 2, 3, 5, and 6; and Minnesota Statutes 1981 Supplement, Sections 216B.16, Subdivision 1a; and 237.075, Subdivision 1a.	1184	1188	3724	3615a 4014	4148		414

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
13	A bill for an act relating to criminal procedure; providing officers of the United States customs service and the immigration and naturalization service with the arrest powers of peace officers; amending Minnesota Statutes 1980, Sections 629.30; and 629.34.	308	309	466	446a 1502a	1524		108
14	A bill for an act relating to agriculture; requiring notice of real estate improvement liens to be given to certain farmers; amending Minnesota Statutes 1980, Section 514.011, by adding subdivisions; repealing Minnesota Statutes 1980, Section 514.011, Subdivision 4.	256	256	1490	1477a 1861	1901		213
23	A bill for an act relating to the city of Madison Lake; authorizing the issuance of general obligation bonds for a municipal center.	144	145	162	161a 202a	213		3
25	A bill for an act relating to courts; providing for the establishment of misdemeanor violation bureaus for Hennepin county; changing the compensation of Hennepin county conciliation court referees; amending Minnesota Statutes 1980, Sections 488A.08, Subdivision 1; and 488A.13, Subdivision 1.	1439	1442	1577	1572a 1979	2025		235
28	A bill for an act relating to agriculture; prohibiting pension or investment funds from farming or acquiring certain farm land; amending Minnesota Statutes 1980, Section 500.24, Subdivisions 2, 3, 4 and 5.	408	408	738	719a 1640a 1754a	1770		173
29	A bill for an act relating to hospitals; requiring adoption of federal medicare standards for hospital licensing; regulating hospital inspections; providing for licensing of hospitals accredited by the joint commission on hospital accreditation; amending Minnesota Statutes 1980, Sections 144.50, Subdivision 1; and 144.55.	256	256	389	386a 1500	1522		95
30	A bill for an act relating to Independent School District No. 219, Elmore; requiring revision of its certified statutory operating debt.	281	281	1283	1193	1399		61
35	A resolution memorializing Congress to enact legislation relating to the early release of election returns.	1439	1442					
38	A bill for an act relating to local government; permitting the city of Northfield to make payments to the town of Waterford as a condition of an annexation.	144	145	422	410	501		18
40	A bill for an act relating to state lands; authorizing the conveyance of certain lands in St. Louis County.	378	378	422	421a 535	620		28
44	A bill for an act relating to health; repealing a certain administrative rule of the department of health unconditionally prohibiting double beds in nursing homes and boarding care homes; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1980, Sections 144.56, by adding a subdivision; 144A.04, by adding a subdivision; and 147.09.	224	224	292	291 354 502a	533		23

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
45	A bill for an act relating to health; repealing a certain administrative rule of the department of health unconditionally prohibiting the use of locks on patient room doors in nursing homes; amending Minnesota Statutes 1980, Section 144A.04, by adding a subdivision.	224	224	292	291 355 503a	534		24
54	A bill for an act relating to meetings of public bodies; allowing public employers to determine negotiation strategy at a nonpublic meeting; amending Minnesota Statutes 1980, Section 471.705, by adding a subdivision.	1439	1442	1518	1517a 1752a	1770		174
57	A bill for an act relating to real estate; directing a conveyance of the state's right, title and interest in certain lands to Independent School District No. 417 of Tracy, Minnesota.	408	408	466	445a 1541	1597		153
63	A bill for an act relating to health maintenance organizations; eliminating any requirements that health maintenance organizations provide elective, induced abortions; amending Minnesota Statutes 1980, Sections 62D.02, Subdivision 7; 62D.20; and 62D.22, Subdivision 5.	1022	1024	1115	1112a 1625a 1647	1644 1647		122
70	A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and the state board for vocational education; replacing AVTI capital expenditure aid with AVTI equipment aid and AVTI repair and betterment aid; requiring a property accounting system for AVTI's; providing a new aid and levy authorization for certain capital expenditures; providing for certain alternative projects; modifying certain provisions relating to teacher mobility and early retirement programs; providing for the transfer of proceeds from the sale or exchange of buildings to the capital expenditure fund under certain circumstances; decreasing the state's obligation and changing eligibility standards for the maximum effort school aid program; appropriating money; amending Minnesota Statutes 1980, Sections 3.9278, Subdivision 1; 3.9279, Subdivisions 10 and 12; 116H.126, Subdivisions 2, 4 and 5; 120.03, by adding a subdivision; 120.0751, Subdivision 5; 120.17, Subdivisions 3b, 4, 5a, 6, 7, 9 and by adding a subdivision; 120.78, Subdivision 1; 121.90; 121.902, by adding a subdivision; 121.904, Subdivision 7 and by adding a subdivision; 121.906, Subdivisions 2 and 3; 121.912, Subdivision 1; 121.917, Subdivision 4; 121.931, Sub- (Continued next page)	1363	1364	1923	1637 1791 1854 1922 1923a	1940 2718	1976 1987 2596* 3126	358

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
70—Continued	division 6; 121.934, Subdivision 7; 121.935, Subdivisions 2 and 6; 121.936, Subdivisions 2 and 3 and by adding a subdivision; 121.937, Subdivision 1; 121.938, Subdivision 2; 122.22, Subdivisions 3, 4, 5, 8, 9, 11, 13, 14, and 20,and by adding a subdivision;122.531, Subdivisions 1, 2, 3a, 5, and 6; 123.35, Subdivision 15; 123.36, Subdivision 13; 123.39, Subdivision 1; 123.702, Subdivision 1; 123.703, Subdivision 3; 123.705; 123.937; 124.01, Subdivision 1; 124.11, Subdivisions 1, 2a, 2b, 2c, 4, 5, and by adding a subdivision; 124.14, Subdivisions 2, 3, and 4, and by adding a subdivision; 124.17, Subdivisions 1, 2, 2c and by adding a subdivision; 124.20; 124.212, Subdivision 1, and by adding a subdivision; 124.213; 124.214, Subdivision 2; 124.223; 124.225, Subdivisions 1, 1a, 3, 4a, 6, 7a, 8a, 8b, 9, 11, and 11a; 124.245, Subdivisions 1 and 2, and by adding subdivisions; 124.247, Subdivision 3; 124.26, Subdivisions 1, 4 and by adding subdivisions; 124.271, Subdivision 2, 4, 5 and by adding subdivisions; 124.32, Subdivisions 1, 1a, 1b, 5, 6, 9 and by adding a subdivision; 124.38, Subdivision 7; 124.39, Subdivision 5; 124.40, Subdivision 2; 124.41; 124.42, Subdivisions 1 and 2; 124.43, Subdivisions 1, 2, 3, 4 and 5; 124.474; 124.476;124.561, Subdivisions 2a, 3a and by adding subdivisions;124.562, by adding a subdivision; 124.5621, Subdivisions 2, 5, 6 and 12; 124.5622, Subdivisions 3, 4 and 5; 124.5623, Subdivisions 3, 4 and 5; 124.5624; 124.565, Subdivisions 3, 4, 6 and 7; 124.572, Subdivisions 3 and 8, and by adding subdivisions; 124.573, Subdivisions 2, 3a, 5 and by adding a subdivision; 124.574, Subdivisions 2, 4 and 8; 124.646, Subdivision 1; 125.60, Subdivisions 2a and 7; 125.611, Subdivisions 1, 3, 5, 8, 9 and 10; 126.262, Subdivision 8; 126.54, Subdivision 1; 134.35, Subdivision 1; 134.351, Subdivision 5 and by adding subdivisions; 134.36; 275.125, Subdivisions 1, 2a, 2c, 6b, 6c, 7a, 8, 9, 11a, 19 and 20, and by adding subdivisions; 298.28, Subdivision 1; 354.094, Subdivisions 1, 2 and 3, and by adding a subdivision; 354.66, Subdivision 9; 354A.091, Subdivisions 1, 2 and 3, and by adding a subdivision; 354A.094, Subdivision 9; 375.335, Subdivision 4 and by adding subdivisions; Laws 1967, Chapter 822, Section 1, as amended; Laws 1973, Chapter 683, Section 26, Subdivision 1, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapters 3, 120, 121 and 124; repealing Minnesota Statutes 1980, Sections 116H.126, Subdivisions 1 and								

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a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
70	—Continued 7; 120.06, Subdivision 2; 120.17, Subdivision 3c; 120.78, Subdivision 2; 121.13; 121.49, Subdivision 2; 121.495, Subdivision 6; 122.22, Subdivisions 10, 12, 15 and 16; 122.531, Subdivision 7; 123.40, Subdivision 5; 124.01, Subdivisions 2, 3 and 4; 124.212, Subdivisions 2, 4, 5, 5a, 6c, 7c, 7d, 8a, 9, 9a, 9b, 20, 20a and 21; 124.225, Subdivisions 2, 4, 5, 7 and 8; 124.26, Subdivision 3; 124.247, Subdivision 5; 124.271, Subdivision 1a; 124.561, Subdivision 4; 124.562, Subdivisions 3 and 4; 124.566; 124.571; 126.263; 126.268, Subdivision 1; 126.52, Subdivision 12; 275.125, Subdivisions 2b, 7b, and 14.								
71	A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.171; 201.18; 201.211; 201.221; 201.27; 201.275; 202A.11; 202A.16, Subdivision 1; 205.01; 205.03; 205.11, Subdivision 4a; 205.13, Subdivision 1; 205.14, Subdivision 4; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.026, Subdivision 5; 206.07, Subdivision 1; 206.185, Subdivisions 1 and 5; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04, Subdivisions 1 and 2; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.06, Subdivision 11; 290.21, Subdivision 3; 365.51; 365.52; 375.20; 382.28; and 487.03, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 200, 201, 205, and 210A; proposing new law coded as Minnesota Statutes, Chapters 203B, 204B, 204C, and 204D; repealing Minnesota Statutes 1980, Sections 201.231; 201.26; 201.33; 202A.21 to 202A.721; and 210.22; and Chapters 203A, 204A, and 207.	256	256	349	341 535	616		29
77	A bill for an act relating to mobile home parks; eliminating certain mobile home park reports made to the secretary of state; repealing Minnesota Statutes 1980, Section 327.29.	378	378	422	422 471	501		19

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
79	A bill for an act relating to commerce; providing for the regulation and licensing of precious metal dealers; establishing identification procedures and recording requirements; prohibiting certain transactions; providing for criminal and civil penalties; providing remedies; amending Minnesota Statutes 1980, Section 609.53, Subdivision 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 325F.	308	309	860	825a 1543a	1600 2190	1632 1778 2189*	333
84	A bill for an act relating to the city of St. James; authorizing the issuance of revenue bonds for the acquisition and betterment of an airport facility.	408	409	466	465 535	613		30
87	A bill for an act relating to commerce; clarifying the definition of a "sale of goods" as it applies to consumer credit sales to include certain terminable bailments or leases; clarifying the interests of the respective parties; providing for a certain contract provision; amending Minnesota Statutes 1980, Sections 325G.15, Subdivision 5; and 325G.16, by adding subdivisions.	281	281	349	348a 392a	425		10
90	A bill for an act relating to administrative rules; clarifying which rules have the force of law; amending Minnesota Statutes 1980, Section 15.0413, Subdivision 1, and by adding subdivisions.	871	872	1115	1115a 1501a	1521		109
91	A bill for an act relating to public safety; specifying the crime of fleeing from a peace officer by use of a motorized vehicle; providing that whoever flees a peace officer in a motorized vehicle shall be liable for any loss caused by such flight; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapters 65B and 609.	487	488					
98	A bill for an act relating to energy; amending certain provisions for home energy disclosure reports; amending Minnesota Statutes 1980, Section 116H.129, Subdivisions 1, 2, 5, 6, and 7.	520	521	1007	884a 1519	1601 2139	1807 1979 2138 2139*	255
111	A bill for an act relating to public welfare; providing for the withholding of child support or maintenance; amending Minnesota Statutes 1980, Sections 256.87, Subdivision 1; 256.872; 256.873; and 518.611.	408	408					
117	A bill for an act relating to general assistance; removing the presumption of eligibility from general assistance; providing that applications be permitted no later than four days after assistance is requested; requiring that determinations be made with respect to the need for emergency general assistance; providing that eligibility determinations (Continued next page)	378	379	422	421a 674	799		40

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
117	—Continued for general assistance be made no later than 30 days following application; providing that the first general assistance grant be computed for eligible applicants from the time when assistance is requested; requiring vendor payments of grants until eligibility determinations are complete; amending Minnesota Statutes 1980, Sections 256D.07 and 256D.09, Subdivision 1.							
121	A bill for an act relating to intoxicating liquor; authorizing municipalities to permit on-sale of liquor at publicly-owned sports or convention facilities by existing licensees; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.	224	224	1490	1448a 1625	1645		123
126	A bill for an act relating to waters; requiring posting and publication of notice of aeration operations by a permittee of the commissioner of natural resources; establishing a presumption of due care; changing and clarifying administrative provisions regarding watershed districts; permitting use of a map in lieu of the names of owners or descriptions of affected properties in a notification of a proposed watershed improvement in a watershed benefit; permitting Murray County and the city of Slayton to enter an agreement for the administration of county ditches; amending Minnesota Statutes 1980, Sections 112.36; 112.53, Subdivisions 1, 2 and 4; proposing new law coded in Minnesota Statutes, Chapter 378.	1439	1442	1637	1636a 1866a	1902 2160	1946 1979 2159*	256
131	A bill for an act relating to crimes; authorizing the release of account information to law enforcement authorities investigating the issuance of worthless checks; authorizing the issuance of account information to payee or holders when a check has been dishonored; providing notification of the release of information; amending Minnesota Statutes 1980, Section 609.535, by adding subdivisions.	683	684	798	796a 1638a 1964a	2021		247
137	A bill for an act relating to the legislature; establishing a legislative commission on efficiency and economy in state government; proposing new law coded in Minnesota Statutes, Chapter 3.	1439	1443					
138	A bill for an act relating to courts; authorizing the judges of the sixth judicial district to set the salaries of court reporters.	1022	1022					
142	A bill for an act relating to taxation; real property; extending 3 classification to certain property used for recreational purposes; amending Minnesota Statutes 1980, Section 273.13, Subdivision 4.	1022	1024	1577	1571 1865	1908		188

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
147	A bill for an act relating to courts; authorizing the supreme court to adopt a uniform fee schedule for civil actions; proposing new law coded in Minnesota Statutes, Chapter 480.	683	683					
149	A bill for an act relating to crimes; prescribing penalties for obstructing a peace officer from performing official duties; amending Minnesota Statutes 1980, Section 609.50.	256	256					
150	A bill for an act relating to parks; removing authority to lease certain lands within Tettegouche state park; repealing Laws 1979, Chapter 301, Section 10, Subdivision 7.	559	560	664	663 1500	1526		110
157	A bill for an act relating to public welfare; providing that every birth to a minor shall be reported within three working days to the commissioner of public welfare; amending Minnesota Statutes 1980, Section 257.33.	445	445	498	498a 1500	1522 2230	1633 1823 1864 2230*	257
159	A bill for an act relating to court commissioners; abolishing the office of court commissioner; amending Minnesota Statutes 1980, Section 489.01.	1022	1022					
161	A bill for an act relating to the city of Cloquet; permitting the city to contract, pay, and tax for certain public transportation services.	1762	1762	2018	1865 2003 2052	2095		236
167	A bill for an act relating to cable communications; providing for resolution of certain pole attachment disputes; amending Minnesota Statutes 1980, Section 238.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 238.	308	309					
168	A bill for an act relating to motor vehicle carriers; providing procedures for granting permits to courier service carriers in certain cases.	256	256	798	749a 1519	1598		124
171	A bill for an act relating to historic sites; changing the classification of the Kensington Runestone historic site; amending Minnesota Statutes 1980, Section 138.56, by adding a subdivision; repealing Minnesota Statutes 1980, Section 138.58, Subdivision 7.	559	559	1490	1459	1534		96
173	A bill for an act relating to human rights; providing that certain statutes be equally applicable to all persons regardless of sex, including statutes related to the health department, suits for seduction, garnishment actions, judicial pensions, and probate proceedings; providing for penalties; amending Minnesota Statutes 1980, Sections 46.09, Subdivision 1; 144.06; 181.07; 242.47; 246.53; 256.85; 290.28, Subdivision 3; 490.102, Subdivisions 6 and 7; 510.06; 519.05; 525.05; 525.082; 540.07; 540.08; 540.09; 558.28; 576.08; 609.375; 629.55; and 631.09.	378	379	422	421a 536a	610		31

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
182	A bill for an act relating to commerce; revising the small loan act; increasing the loan amount which determines the necessity of obtaining a license; increasing the amount of liquid assets which must be maintained by a licensee; allowing certain purchasers of accounts to obtain a license; providing for the regulation of closings of licensees on holidays and weekends; providing for examinations at the commissioner's discretion; allowing the use of certain mechanical or electronic data processing methods to be used as books of account; allowing alternative compliance on certain rates of charge statements; allowing certain loans to be secured by real estate; restating maximum rates and charges; regulating licensee provisions concerning certain insurance in connection with loans made; allowing industrial loan and thrifts to make secured or unsecured loans on the terms, rates, and conditions permitted licensees; providing remedies; defining terms; providing for miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 53.04, by adding a subdivision; 56.01; 56.02; 56.04; 56.07; 56.09; 56.10; 56.11; 56.12; 56.14; 56.15, Subdivision 1; 56.16; 56.17; 56.18; 56.19; 56.26; 334.02; 334.03; and proposing new law coded in Minnesota Statutes, Chapter 56; repealing Minnesota Statutes 1980, Sections 53.04, Subdivisions 3, 4, 6, and 7; 53.051; 56.06; 56.13; 56.15, Subdivision 2; and 56.20.	1184	1185	1577	1558a 1869a	1905 2142	1947 1979 2140*	258
183	A bill for an act relating to state employees; including the staff of the council on Black Minnesotans within the unclassified civil service; amending Minnesota Statutes 1980, Section 3.9225, Subdivision 5.	445	445	498	498	533		20
184	A bill for an act relating to cities; enlarging the class of cities that may maintain cable television or signal distribution systems; clarifying the description of a system; increasing the amount of obligations that may be issued for television systems; providing for revenue obligations; validating prior issuances; amending Minnesota Statutes 1980, Section 465.70.	2000	2000	2050	2046a 3116			
188	A bill for an act relating to financial institutions; increasing the maximum lawful interest rate chargeable by banks and savings banks on certain transactions; requiring disclosure of the right to prepay overdraft checking loan balances; amending Minnesota Statutes 1980, Sections 48.185, by adding a subdivision; and 48.195.	1439	1442	1577	1560a 2068	2093		259

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
189	A bill for an act relating to governmental operations; prohibiting the use of state government vehicles for nongovernmental functions; prohibiting compensation of employees for use of personal vehicles for nongovernmental purposes; amending Minnesota Statutes 1980, Section 16.753.	487	487	1283	1195 1541	1615		125
192	A bill for an act relating to labor; regulating migrant labor; requiring employers and recruiters to provide employment statements to migrant workers; setting requirements for employment statements and for payment of wages to migrant workers; providing for private causes of action; proposing new law coded in Minnesota Statutes, Chapter 181.	1439	1443	1577	1572a 1861a	1899		212
201	A bill for an act relating to fire control services; providing for reimbursement by railroads and the department of public safety; setting the time limit for claims; amending Minnesota Statutes 1980, Sections 161.465; and 219.761, Subdivision 1.	281	282	349	348a 535a	608		32
211	A bill for an act relating to local government; permitting agreements for compensation for transfers of taxable property in certain annexations; proposing new law coded in Minnesota Statutes, Chapter 414.	559	559	606	605a 1637	1766		189
214	A bill for an act relating to labor; regulating certain steam engine and boiler operators; exempting certain operators from testing requirements; amending Minnesota Statutes 1980, Section 183.411.	559	559	738	718	801		38
217	A bill for an act relating to state trails; authorizing the sale or conveyance of certain lands acquired for the Luce Line Trail and certain other lands acquired for trail purposes; reducing the selling price on the sale of certain state owned trail land in Fillmore County.	1634	1634	1765	1763a 1867a	1905		190
222	A bill for an act relating to families; designating an American family day; proposing new law coded in Minnesota Statutes, Chapter 517.	632	632	1490	1458	1533		111
230	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money.	176	176	180	176 180 180a	187 239	198 202 223 231*	4
241	A bill for an act relating to local government; removing a limit on advertising budgets of certain statutory cities; amending Minnesota Statutes 1980, Section 465.56, Subdivision 1; repealing Minnesota Statutes 1980, Section 465.56, Subdivision 2.	408	409	1283	1145 1283	1331		62

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
242	A bill for an act relating to taxation; increasing the deduction for tuition, textbooks, and transportation of dependents attending certain schools; amending Minnesota Statutes 1980, Section 290.09, Subdivision 22.	1948	1948					
247	A bill for an act relating to retirement; authorizing certain persons to purchase prior service credit; authorizing certain persons to change retirement coverage for future services; providing for retroactive coverage by the Minnesota state retirement system correctional employees retirement plan in certain instances; amending Minnesota Statutes 1980, Section 352.91, by adding a subdivision.	1408	1408	2018	2005a 2856a	2857		297
253	A bill for an act relating to state bonds and tax-forfeited land sales; changing the interest rate on unpaid sale balances; repealing an obsolete provision; amending Minnesota Statutes 1980, Sections 92.06, Subdivision 1; 94.11; 282.15; 282.222, Subdivision 4; and repealing Minnesota Statutes 1980, Section 282.35.	1808	1808	3173	3169a 4026a	4134 5033	4564 4708 5030*	531
258	A bill for an act relating to commerce; allowing the manufacture, sale, and shipment of gambling devices for use in jurisdictions where use of the gambling device is legal; amending Minnesota Statutes 1980, Sections 349.31, Subdivision 1; 609.75, Subdivision 1; 609.76; proposing new law coded in Minnesota Statutes, Chapter 349.	520	521	798	748a 1519	1598		126
269	A bill for an act relating to elections; allowing a candidate to transport parents of the candidate or the candidate's spouse to or from the polls; amending Minnesota Statutes 1980, Section 210A.13, Subdivision 3.	487	488	531	531a	606		33
272	A bill for an act relating to administrative rules; clarifying certain powers and duties of the legislative commission to review administrative rules; amending Minnesota Statutes 1980, Section 3.965, Subdivision 3, and by adding a subdivision.	1022	1024	1115	1112a 1501a	1521		112
276	A bill for an act relating to juveniles; prescribing the elements of a prima facie case for referring a child to adult court for criminal prosecution; amending Minnesota Statutes 1980, Sections 260.125, Subdivision 3; and 480.0595.	308	309	1490	1478a 1862a	1960		201
277	A bill for an act relating to insurance; broadening the investment authority of township mutual insurance companies; prescribing recordkeeping duties; providing remedies; proposing new law coded in Minnesota Statutes, Chapter 67A; repealing Minnesota Statutes 1980, Sections 67A.23 and 67A.24.	487	488	1417	1411 1541	1622		127

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
284	A bill for an act relating to health; prescribing procedures for notification of parents, guardians, and conservators prior to performing abortions on certain persons; providing a penalty; amending Minnesota Statutes 1980, Section 144.343.	2000	2000	2050	2044a 2089 2099a 2127	2124 2127		228
295	A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees; removing the director from the state board investment advisory council; changing the investment authority of the fund; the Minneapolis employees retirement fund; establishing a new retirement benefit fund therein; transferring assets from the Minnesota post-retirement investment fund; appropriating funds; amending Minnesota Statutes 1980, Sections 11A.08, Subdivision 1; 422A.05, Subdivision 2c; and 422A.06, Subdivisions 1, 3, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1980, Section 422A.05, Subdivision 3.	2109	2109	2221	2173 2213a 2848a	2855 2874	2874	298
296	A bill for an act relating to energy; directing a study of the effect upon energy conservation of smoking in public places.	559	559					
297	A bill for an act relating to the town of Great Scott; granting the town certain powers of a municipality.	559	559	606	604	668		34
305	A bill for an act relating to crimes; specifying the crime of theft of services; conforming the definition of trade secret in the law proscribing theft to the definition of trade secret in the uniform trade secrets act; amending Minnesota Statutes 1980, Section 609.52.	559	560	1115	1109a 2858a 2859a	2859		299
306	A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.	559	560	1330	1324a 1755a 2068	2090		Veto
312	A bill for an act relating to agriculture; requiring the commissioner of agriculture to examine fluid milk and milk product marketing and packaging; repealing the prohibition on the sale of milk in non-returnable plastic containers; proposing new law coded in Minnesota Statutes, Chapter 32; repealing Minnesota Statutes 1980, Sections 116F.21 and 116F.22.	378	379	2033	1506 1508 1792 2033	2035		151
315	A bill for an act relating to taxation; real property; decreasing the classification ratio on apartments; amending Minnesota Statutes 1980, Section 273.13, Subdivision 19.	2282	2282					
321	A bill for an act relating to the city of St. Paul; authorizing the city of St. Paul to permit the dispensing of intoxicating liquor at Town Square Park.	408	409	1490	1449a 1982a 2024 2841	2841		335

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
326	A bill for an act relating to health; changing eligibility requirements for catastrophic health expense protection; including insurance premiums; appropriating money; amending Minnesota Statutes 1980, Sections 62E.52, Subdivisions 2 and 3; 62E.53, Subdivisions 1 and 2; and 62E.531, Subdivision 2; 62E.54, by adding a subdivision; and 256.98; proposing new law coded in Minnesota Statutes, Chapter 62E.	1130	1131	1490	1482a 1594a	1595 1922	1633 1752 1778 1920*	Veto
329	A bill for an act relating to education; clarifying and removing references to a school district building energy report; repealing an obsolete provision requiring a study and report on school district energy management personnel; amending Minnesota Statutes 1980, Section 116H.126, Subdivisions 2, 4, and 5; repealing Minnesota Statutes 1980, Section 116H.126, Subdivisions 1 and 7.	559	559					
330	A bill for an act relating to Independent School District No. 625; providing for times of election and terms of office; amending Laws 1965, Chapter 705, Section 1, Subdivision 2, as amended.	487	488	531	530	621		35
331	A bill for an act relating to education; providing that the deadline for applications for aid for programs for limited English proficient students be set by the commissioner of education, rather than by statute and changing the time for notice of aid to applicants; repealing an obsolete provision requiring the state board of education to promulgate rules for the time schedule for implementation of the uniform minimum school age entrance requirements and a requirement that it make a certain biennial report to the governor; amending Minnesota Statutes 1980, Section 126.263, Subdivisions 3 and 4; repealing Minnesota Statutes 1980, Sections 120.06, Subdivision 2; and 121.13.	281	282					
332	A bill for an act relating to franchises; providing for the regulation of motor vehicle franchises; prohibiting certain practices by motor vehicle manufacturers; removing motor vehicle franchises from the general statutory provisions regarding franchises; requiring motor fuel franchises to extend to and bind the successors of both parties; prescribing penalties; providing remedies; amending Minnesota Statutes 1980, Section 80C.01, Subdivision 4; proposing new law coded as Minnesota Statutes, Chapters 80C and 80E; repealing Minnesota Statutes 1980, Sections 168.27, Subdivision 21; and 325D.17 to 325D.29.	1130	1131	1283	1282a 1342a	1331 1342		59

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
339	A bill for an act relating to towns; providing for the opening of cartways under certain circumstances; providing a method for determining whether to open or maintain certain town roads; amending Minnesota Statutes 1980, Sections 164.08, Subdivision 2; and 365.10.	632	632	798	795a 862	1008 1438	1130 1330 1437 1438*	77
341	A bill for an act relating to the city of Edina; providing for the purchasing and contracting authority of the city manager and council.	408	409	466	464a 535	617		36
347	A bill for an act relating to the cities of St. Paul and Minneapolis; exempting a certain joint housing bonding program from the provisions of Minnesota Statutes, Section 462C.07, Subdivision 2; clarifying the application of Minnesota Statutes 1980, Section 462A.18, Subdivision 2.	683	684	798	795 1502a	1527		97
349	A bill for an act relating to agriculture; regulating livestock marketing; providing a penalty; amending Minnesota Statutes 1980, Sections 17A.02; 17A.03, Subdivision 7; 17A.14; proposing new law coded in Minnesota Statutes, Chapter 17A.	520	521	583	582a 1009	1122		54
352	A bill for an act relating to crimes; establishing classifications for the crime of burglary; prescribing penalties for burglary offenses; affirming the right of victims to bring actions against offenders; establishing the right of a victim to request restitution; providing for implementation of victim and witness rights by law; providing penal sanctions and judicial mechanisms to deter intimidation of witnesses; requiring criminal justice agencies to inform victims of financial assistance and social services; providing for minimal victim participation in the criminal process; providing penalties; amending Minnesota Statutes 1980, Sections 241.26, Subdivisions 5 and 6; 243.23, Subdivision 3; 571.55, by adding a subdivision; 609.115; 609.498; and 631.425, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapters 609 and 611A; repealing Minnesota Statutes 1980, Section 609.58.	4678	4678	4756	4753a 5073a 5576			
353	A bill for an act relating to agriculture; protecting agricultural operations from nuisance suits under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 561.	683	684	1802	1506 1515a 1792 1982a 2055a	2094 2222 5084	2198 2222 2595 2847 3397 3730 5082*	533
356	A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties; proposing new law coded in Minnesota Statutes 1980, Chapter 609.	559	560	1490	1472a 2068a	2092 5506	2167 2184 4777 4867 5504*	534

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
357	A bill for an act relating to highway traffic regulation; authorizing and regulating the use of strobe lamps on school buses; correcting the applicability provision of a school bus law; authorizing and regulating flashing signals or school bus stop signal arms; imposing standards for the signal arms; restricting the meaning of "type three school bus"; prohibiting a type three school bus from being equipped and identified as certain other school buses; amending Minnesota Statutes 1980, Sections 169.44, Subdivisions 3 and 10, and by adding subdivisions; 169.64, by adding a subdivision.	308	309	1417	1410 1816	1859		191
365	A bill for an act relating to building code inspectors; authorizing certain municipalities to choose between two options to enforce the provisions of the building code related to access for handicapped persons; amending Minnesota Statutes 1980, Section 16.861, by adding a subdivision.	1022	1022	1283	1195 1541	1615		128
371	A bill for an act relating to insurance; prohibiting insurance companies which offer funeral or burial expense policies from designating as beneficiaries under the policies persons who provide funeral or burial services and supplies; removing the prohibition against an insurance company's affiliation with a funeral establishment; proposing new law coded in Minnesota Statutes, Chapter 72A; repealing Minnesota Statutes 1980, Section 72A.321.	559	560	798	749a 1519	1598		129
378	A bill for an act relating to crimes; authorizing peace officers to make arrest upon probable cause in cases of domestic abuse; amending Minnesota Statutes 1980, Section 629.341, Subdivision 1.	559	560					
386	A bill for an act relating to the city of St. Paul; authorizing issuance of general obligation bonds for capital improvements; fixing amounts; amending Laws 1971, Chapter 773, Section 1, as amended; and Laws 1978, Chapter 788, Section 5.	871	872	1490	1446a 1861	1899		369
395	A bill for an act relating to state government; allowing other public employees, as well as spouses of state and other public employees, to participate in state employee van pools under certain circumstances; amending Minnesota Statutes 1980, Section 16.756, by adding a subdivision.	487	488	1417	1409 1541	1620		130
396	A bill for an act relating to the military; requiring the adjutant general to furnish an American flag upon request of the person disposing of the remains of a deceased person who served six years or more in the Minnesota national guard; proposing new law coded in Minnesota Statutes, Chapter 192.	1083	1084	1145	1144a	1284 2229	1407 1431 1519 2228 2229*	336

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
400	A bill for an act relating to economic development; authorizing the formation of a state development company for small business aid purposes; making certain changes in the small business finance agency act to provide for small business loans; appropriating money; amending Minnesota Statutes 1980, Sections 362.51, Subdivision 1; 362.53, Subdivision 13; and Minnesota Statutes 1981 Supplement, Section 362.52, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 362.	4569	4569					
401	A bill for an act relating to commerce; regulating the licensing of electricians; amending Minnesota Statutes 1980, Section 326.242, Subdivision 2.	378	378	1283	1195	1400		63
403	A bill for an act relating to public utilities; providing for rights of shareholders of cooperative electric associations; proposing new law coded in Minnesota Statutes, Chapter 216B.	2171	2171	2221 3969	2217a 3116* 3963a 5576			
407	A bill for an act relating to insurance; modifying the definition of a covered claim for purposes of the state's insurance guaranty association act; defining an insolvent insurer; amending Minnesota Statutes 1980, Sections 60C.03, by adding a subdivision; 60C.09, Subdivision 1; and 60C.10, Subdivision 3; repealing Minnesota Statutes 1980, Section 60C.10, Subdivision 2.	872	872	1115	1114 1641a	1771 2797	1942 1979 2795*	260
409	A bill for an act relating to agriculture; requiring department of agriculture approval and receipt of certain grain storage receipts; regulating the family farm security program; changing terms of members of the family farm advisory council; regulating denaturing of certain food; identifying fur pelts; updating references in the shade tree control law; amending Minnesota Statutes 1980, Sections 17.35, Subdivision 7; 18.023, Subdivision 3a; 31.095; 41.52, Subdivisions 5, 8 and 9, and by adding subdivisions; 41.54, Subdivision 2; 41.56, Subdivisions 1, 2, 3 and 4; 41.58, Subdivision 2; 232.06, Subdivision 1; 233.03; 234.27; 236.03; 275.50, Subdivision 6; 290.01, Subdivision 20; and 290.08, Subdivision 24; repealing Minnesota Statutes 1980, Sections 29.091 and 234.02.	683	684	1802	1792a 2052	2094		261
410	A bill for an act relating to public welfare; authorizing the commissioner of public welfare to designate the county of financial responsibility for patients transferred under the Interstate Compact on Mental Health who are not residents of Minnesota; amending Minnesota Statutes 1980, Section 245.52.	487	488	1518	1510	1578		98

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
413	A bill for an act relating to persons handicapped in communication; prohibiting persons serving as foreign language interpreters or interpreters for persons with hearing or speaking impairments from disclosing communications made to them during the course of civil, criminal or administrative proceedings; amending Minnesota Statutes 1980, Sections 546.42; 546.44, by adding a subdivision; 595.02; 611.30; 611.31; and 611.33, by adding a subdivision.	1022	1023	1115	1112a 1519a	1599		131
415	A bill for an act relating to financial institutions; authorizing federal funds transactions for credit unions; removing the limitation on insurance commission income and prohibiting participation of officials in such income; permitting the sale of real estate loans; amending Minnesota Statutes 1980, Section 52.04, Subdivision 1.	378	378	583	569a 1500	1525		99
420	A bill for an act relating to the bureau of criminal apprehension; including the superintendent within workers' compensation coverage; amending Minnesota Statutes 1980, Section 299C.19.	559	559	1145	1143	1398		64
432	A bill for an act relating to elections; eliminating the party primary ten percent requirement; amending Minnesota Statutes 1980, Sections 202A.23, Subdivision 2; and 202A.41, Subdivision 2; repealing Minnesota Statutes 1980, Section 202A.41, Subdivision 3.	487	488					
434	A bill for an act relating to motor vehicles; increasing the period of time for which number plates may be issued for certain vehicles and adjusting the tax accordingly; providing for the issuance of single dealer plates; amending Minnesota Statutes 1980, Sections 168.013, Subdivisions 1c and 1e; 168.12, Subdivisions 1 and 2a; 168.27, Subdivisions 16 and 17; 169.79, and 297B.035, Subdivision 2.	487	489					
435	A bill for an act relating to taxation; income; property tax refund; adopting certain federal income tax amendments; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 290.06, Subdivision 14; 290.07, Subdivision 5; 290.077, Subdivision 4; 290.08, Subdivisions 8 and 20; 290.09, Subdivisions 3, 4, 17a, and 19; 290.091; 290.131, Subdivision 2; 290.132, Subdivision 2; 290.135, Subdivision 2; 290.136, Subdivision 1; 290.138, by adding a subdivision; 290.26, Subdivision 2; 290.31, Subdivision 3; 290.41, by adding subdivisions; 290.92, Subdivision 20; 290.934, Subdivision 4; 290.971, by adding a subdivision; 290A.03, Subdi- (Continued next page)	520	521	1145	1132a 1283	1284		60

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
435	—Continued vision 3; 474.12, Subdivision 2; and Laws 1980, Chapter 607, Article 1, Section 34; repealing Minnesota Statutes 1980, Sections 290.08, Subdivisions 7 and 13; 290.09, Subdivision 12; 290.136, Subdivisions 2, 3, 4, 5, 6, 7, and 9; 290.137, and 290.138, Subdivisions 1 and 2.							
436	A bill for an act relating to financial institutions; setting application fees for industrial loan and thrifts; providing for publication of notices; establishing procedures for consideration of applications for consent to sell and issue certificates; increasing the minimum amounts for insurance of accounts; amending Minnesota Statutes 1980, Sections 53.03, Subdivision 1, and by adding subdivisions; and 53.10, Subdivision 1.	487	488	1417	1412 1541	1623		132
438	A bill for an act relating to retirement; clarifying the retirement service credit for certain participants in the Minnesota demonstration job-sharing program; Minnesota state retirement system; imposing liability for certain omitted employee contributions on the employing unit; elective state officers retirement plan; providing benefit adjustments for retired constitutional officers and surviving spouses; public employees retirement association; increasing the family maximum on survivors benefits; teachers retirement association; authorizing the reimbursement of certain employing unit expenses with respect to board members; providing for the crediting of service credit for employees on a four day work week; modifying survivor benefits; exempting certain money and credits of teachers retirement funds; limiting the amount of public employee retirement annuities; limiting the powers of city officials regarding the administration of relief associations; supreme court justices retirement plan; providing a deferred retirement annuity; modifying a vesting requirement; permitting the repayment of a refund by a member of the Virginia firefighters relief association; validating the purchase of prior service credit for a certain county commissioner; permitting payment of omitted contributions; granting a proportionate annuity for certain persons; authorizing certain persons in various retirement funds to purchase prior service credit and military service credit; authorizing an amendment to the articles of incorporation of the Minneapolis teachers retirement fund association; clarifying various provisions of retirement law; amending Minnesota Statutes 1980, Sections 352.04, Subdivision 8; (Continued next page)	4280	4280	4430	4385a	4515 5204	4677 4708 5180*	578

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
438	—Continued 354.06, Subdivision 4; 354A.094, Subdivision 4; 354A.11; 354A.35, by adding a subdivision; 356.41; 423A.01, Subdivision 2; 490.025, Subdivisions 2 and 3; Minnesota Statutes 1981 Supplement, Sections 43A.34, Subdivision 4; 43A.465; 69.77, Subdivision 2; 353.31, Subdivision 1; 354.091; 354.46, Subdivisions 1 and 2; 354.47, Subdivision 1; 354.48, Subdivision 10; 354.66, Subdivision 4; 354A.12, Subdivision 1; 356.371, Subdivisions 1 and 2; 422A.06, Subdivisions 1, 3, 4 and 5; Laws 1981, Chapter 156, Section 7; proposing new law coded in Minnesota Statutes, Chapters 352C; 356; and 423A; repealing Minnesota Statutes 1980, Sections 356.60, Subdivisions 2 and 3; and 423.815, as amended; Minnesota Statutes 1981 Supplement, Sections 354.48, Subdivision 4a; 356.60, Subdivision 1; Laws 1978, Chapters 690, Section 2; and 720, Section 13; Laws 1981, Chapters 68, Section 1; 160, Section 10; and 224, Sections 73, 92 and 118.							
443	A bill for an act relating to education; specifying the authority of a school board for selection and employment of a superintendent; amending Minnesota Statutes 1980, Section 123.34, Subdivision 9.	559	561	606	605a 1637	1766		175
449	A bill for an act relating to courts; providing that court reporter salaries shall be set by the district court administrator after consultation with the chief judge; amending Minnesota Statutes 1980, Sections 486.05, Subdivision 1; and 487.11, Subdivision 2.	1184	1188	1330	1327a 1519a 1602a	1602		133
462	A bill for an act relating to commerce; requiring invoices on certain repairs; amending Minnesota Statutes 1980, Sections 325F.60; and 325F.64.	487	489	1490	1448a 1625	1644		134
467	A bill for an act relating to motor vehicles; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; amending Minnesota Statutes 1980, Section 168.012, Subdivision 1.	378	378	1417	1410a	1498		113
470	A bill for an act relating to the department of public safety; changing the name of the highway patrol to the state patrol; amending Minnesota Statutes 1980, Section 299D.01, Subdivision 1.	408	409	531	499 530	621		37
471	A bill for an act relating to agriculture; consolidating certain promotional fund accounts; regulating deposit of certain funds; appropriating money; amending Minnesota Statutes 1980, Sections 17.59, Subdivisions 3, 4 and by adding a subdivision; 21A.09, Subdivision 1; 29.17; 30.469; 30.47; 32B.07; and 32B.12.	559	561	606	606a	668		41

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
473	A bill for an act relating to energy; establishing rates and conditions of service for cogenerators and small power producers; proposing new law coded in Minnesota Statutes, Chapter 216B.	871	872	1577	1570a 1867a	1907 2083	1977 1979 2082*	237
477	A bill for an act relating to education; changing a reference to the provisions governing the student loan program; including parents within the definition of eligible student for guaranteed student loan purposes; requiring the higher education coordinating board to receive approval prior to implementing a parent loan program; increasing the bonding authority of the higher education coordinating board; expanding the career guidance program; providing exclusive property rights in certain records; providing for development of procedures by the higher education coordinating board; amending Minnesota Statutes 1980, Sections 136A.141; 136A.15, Subdivision 7; 136A.16, Subdivisions 3 and 4, and by adding a subdivision; 136A.17, Subdivisions 1, 4, and 10; 136A.171; 136A.85; 136A.86, Subdivisions 2, 3, and by adding a subdivision.	2042	2043	2089	2088a 2151a	2174		300
480	A bill for an act relating to agriculture; changing the name of the joint legislative committee on agricultural land preservation; amending Laws 1979, Chapter 315, Sections 2 and 3.	378	379	466	448 1500	1524		78
483	A bill for an act relating to Ramsey county, providing for the administration of the soldiers' rest; amending Laws 1974, Chapter 435, Section 1.0212.	308	309	1007	664 876	1169		42
484	A bill for an act relating to commerce; clarifying the definition of "continuing care"; providing for implementation of the continuing care facilities disclosure and rehabilitation act in a self-executing manner; amending Minnesota Statutes 1980, Sections 80D.01; 80D.02, Subdivision 2, and by adding a subdivision; 80D.03, Subdivision 1; 80D.04; 80D.05; 80D.06; 80D.08; 80D.09; 80D.11; 80D.13, Subdivision 1; 80D.16; and 82.18; repealing Minnesota Statutes 1980, Sections 80D.02, Subdivision 3; 80D.03, Subdivisions 3 and 4; 80D.10; 80D.12; 80D.14; 80D.15; 80D.17; and 80D.18.	1363	1363	1417	1415a 1535	1604		135
486	A resolution memorializing the Congress and the President of the United States to avoid direct military involvement in El Salvador.	1083	1084	1145	1144a 1639a	1769	3115	Res. 1
487	A bill for an act relating to state and local government; providing for the appointment of additional members to the Ramsey County civil service commis-	632	633	798	794a 1983a	2021 2812	2103 2161 2801*	301

(Continued next page)

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
487	—Continued sion; establishing an additional principal assistant position in the unclassified service for the Ramsey County Sheriff's Office; designating the office of county abstract clerk as an agency of Ramsey County; regulating the clerk's salary; providing for the employment of university or college students in the city of Minneapolis; providing for the disposition of tax-forfeited property within the capitol area; authorizing the clerk of probate court in the second district to collect a certain library fee; requiring fees to be taxed to the state and certain other government subdivisions in certain criminal prosecutions; requiring the state and the city of St. Paul to pay fees in civil actions; providing for compensation for Ramsey County conciliation court referees; amending Minnesota Statutes 1980, Sections 15.50, Subdivision 6; 140.21; 488A.20, Subdivision 4; 488A.23, Subdivision 6; 488A.30, Subdivision 1; 488A.31, Subdivisions 1 and 5; 488A.33, Subdivisions 5 and 8; 488A.34, Subdivision 2; Laws 1980, Chapter 612, Section 3; Laws 1974, Chapter 435, Sections 3.02, Subdivisions 2 and 6, as amended; and 3.11.							
492	A bill for an act relating to crimes; adding a peace officer and a parole or probation officer to the sentencing guidelines commission; correcting a statutory reference; authorizing counties to expend money for the purpose of investigating criminal activity relating to selling or receiving stolen property; amending Minnesota Statutes 1980, Section 244.09, Subdivisions 1 and 2; proposing new law coded in Minnesota Statutes, Chapter 375.	3739	3739	3851	3850a 4024a	4134 5457	4564 4707 5455*	536
493	A bill for an act relating to energy; authorizing the Minnesota energy agency to administer a program of loans to municipalities for establishing and improving district heating systems; authorizing the issuance of state bonds pursuant to Article XI of the Minnesota constitution; appropriating money; amending Minnesota Statutes 1980, Sections 412.321, Subdivision 1; 412.351; 412.361, Subdivision 3; 429.021, Subdivision 1; and 474.02, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 16, 116H, 216B, 465, and 475.	2042	2043	2145	2144 2273	2273		334
496	A bill for an act relating to intoxicating liquor; proof required to purchase, possess or consume; amending Minnesota Statutes 1980, Section 340.039.	408	409	466	465	500		21
509	A bill for an act relating to commerce; requiring disclosure in motor vehicle transactions; proposing new law coded in Minnesota Statutes, Chapter 168.	520	521	1490	1448a 1625 1645a	1645		176

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
515	A bill for an act relating to judicial procedures; eliminating the requirement of filing a certificate of no inquest; prescribing the duties of court referees; continuing and abolishing certain referee positions; amending Minnesota Statutes 1980, Sections 260.031, Subdivision 1; 390.17; 484.70, Subdivision 1 and by adding subdivisions; and 525.10; repealing Minnesota Statutes 1980, Sections 484.67; and 484.70, Subdivisions 2, 3, 4 and 5.	1634	1634	1765	1765 2181a	2184		272
518	A bill for an act relating to education; including state institutions as eligible employers for the purpose of work-study grants; amending Minnesota Statutes 1980, Section 136A.233, Subdivision 2.	378	379	1283	1194a	1399		65
519	A bill for an act relating to individual housing accounts; providing for the subtraction from federal adjusted gross income of certain contributions to and interest earned on individual housing accounts; repealing the deduction for individual housing account contributions and interest; clarifying various provisions relating to individual housing accounts; amending Minnesota Statutes 1980, Sections 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; 52.136; 290.01, Subdivision 20; 290.08, by adding a subdivision; and 290.17, Subdivision 2; repealing Minnesota Statutes 1980, Section 290.09, Subdivision 30.	683	685		1515			
521	A bill for an act relating to transportation; including motels within the specific information signing program; amending Minnesota Statutes 1980, Sections 160.292; 160.293, Subdivisions 1, 2, and 3; and 160.295, Subdivision 3.	487	489	531	531a 862 1017	1008 1121		55
522	A bill for an act relating to family; clarifying circumstances in which parent with custody of child may move to another state; amending Minnesota Statutes 1980, Section 518.175, Subdivision 3.	1022	1023	4471	4460a	5060		537
525	A bill for an act relating to St. Louis County; authorizing an eleven member county extension committee.	487	489	531	530a 1500	1525		100
534	A bill for an act relating to the collection and dissemination of data; administration of the state archives and state and local government records; classifying data; providing a penalty; amending Minnesota Statutes 1980, Sections 15.17; 138.161; 138.17, Subdivisions 1, 6, 7, and by adding subdivisions; 138.19; 138.20; 138.21; proposing new law coded in Minnesota Statutes, Chapter 138; repealing Minnesota Statutes 1980, Sections 16.66 and 138.18.	1875	1875	4002	3991a 4773	4774 5534	4959 5080 5534*	573

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
536	A bill for an act relating to retirement; city of St. Paul public housing agency; transferring retirement coverage for certain public employees; amending Laws 1977, Chapter 228, Section 3.	1022	1023	1397	1115 1397 1541	1616		155
539	A bill for an act relating to local government; providing a method for the filling of vacancies on charter commissions; amending Minnesota Statutes 1980, Section 410.05, Subdivision 2.	559	561					
546	A bill for an act relating to insurance; extending the insurance division revolving fund; providing for a program of continuing education; establishing a continuing insurance education advisory committee; authorizing the commissioner of insurance to promulgate rules to implement the program; requiring certain disclosures on credit insurance policies and application; amending Minnesota Statutes 1980, Sections 60A.03, Subdivision 6; and 62B.06, Subdivisions 2, 3 and 4; and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 60A.	2282	2282	4430	4371a 4720a 4739 4759a	4721 4760		
552	A bill for an act relating to commerce; prohibiting fraud in the use of recreational camping areas; providing a penalty; amending Minnesota Statutes 1980, Sections 327.07; and 327.14, Subdivision 8.	1363	1364	3173	3168a 3364a	3433 5162	3738 4460a 4483 5160*	516
553	A bill for an act relating to transportation; providing for the financing of certain services of the department of transportation; adjusting the motor vehicle registration tax on certain vehicles; increasing the fee for personalized license plates; defining and clarifying certain gross weights; providing for temporary farm truck licenses; increasing the tax on gasoline; increasing fees for motorized bicycle operator permits and for driver licenses; establishing a fee for the Minnesota identification card; providing for uniform application fees; requiring reexamination before issuance of new drivers license after revocation; authorizing married applicants to use their maiden name as their middle name; increasing bicycle registration fees; providing that the proceeds of the motor vehicle excise tax be allocated between the general fund, the transit assistance fund, and the highway user tax distribution fund for a certain period, and thereafter the proceeds to be deposited in the highway user tax distribution and transit assistance fund; providing for financial assistance for local transit service; providing for the coordination and financing of metropolitan transit service demonstration program; establishing a metropolitan transit service demonstration program; (Continued next page)	2116	2116	2920	2117 2919 2920a	2962		363

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
553	—Continued providing for alternative uses of metropolitan transit tax levies; authorizing the cities of Moorhead and Duluth to increase its mill rate for public transportation services; appropriating money; amending Minnesota Statutes 1980, Sections 84.87, Subdivision 2; 168.011, Subdivisions 7, 10, 16, 17, and 25; 168.013, Subdivisions 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 2, 3 and by adding a subdivision; 168.017, Subdivisions 1 and 3; 168.12, Subdivisions 2 and 2a; 168.16; 168.27, Subdivision 16; 168C.11, Subdivision 1; 169.11; 169.79; 169.95; 171.02, Subdivision 3; 171.04; 171.06, Subdivisions 1, 2, 3, 4 and by adding a subdivision; 171.07, Subdivisions 1, 3 and by adding a subdivision; 171.17; 171.29; 174.23, Subdivision 1; 174.24, Subdivision 3, and by adding a subdivision; 174.31; 296.02, Subdivision 1; 297B.035, Subdivision 2; 297B.09; 299D.03, Subdivision 5; 473.164, Subdivision 3; 473.408, Subdivisions 6 and 7; 473.411, Subdivision 1; 473.446; Laws 1969, Chapters 192, Section 1; and 720, Section 11, Subdivision 1, as amended; proposing new law coded in Minnesota Statutes, Chapters 168 and 174; repealing Minnesota Statutes 1980, Sections 168.013, Subdivision 17; 174.28; and 174.31, Subdivisions 6 and 7.							
560	A bill for an act relating to courts; authorizing the awarding of costs, disbursements, and attorney's fees in certain actions or proceedings; restoring a right of action for law enforcement officers; amending Minnesota Statutes 1980, Sections 117.195; and 549.21; proposing new law coded in Minnesota Statutes, Chapter 604.	1808	1808	4002	3994a 4492a	4528		601
562	A bill for an act relating to agriculture; regulating fertilizers and soil and plant amendments; regulating the transportation of certain fertilizer materials; providing a penalty; amending Minnesota Statutes 1980, Sections 17.711; 17.713; 17.714; 17.716, by adding subdivisions; 17.717, Subdivisions 4, 5 and by adding a subdivision; 17.718, Subdivision 1; 17.719; 17.72; 17.721, Subdivision 1; 17.722; 17.723; 17.725; 17.726; 17.727; 17.728, Subdivision 1; 17.729; 169.81, Subdivision 10; repealing Minnesota Statutes 1980, Section 17.717, Subdivision 2.	1083	1084	1518	1509a 1863a 1868a	1903		214
564	A bill for an act relating to insurance; allowing a township mutual fire insurance company to insure certain property; amending Minnesota Statutes 1980, Section 67A.14, Subdivision 5.	408	409	1417	1411 1541	1622		136

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
567	A bill for an act relating to retirement; teachers retirement association and teacher retirement fund associations in cities of the first class; allowing certain types of survivor coverage be provided to a designated beneficiary instead of a surviving spouse; requiring public pension funds to provide information concerning optional annuity forms with retirement application form; requiring notice to the spouse of a member in certain instances; amending Minnesota Statutes 1980, Sections 354.46, Subdivisions 1 and 2, and by adding a subdivision; 354.47, Subdivision 1; and 354A.35, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 356.	1363	1363	1417	1416a 1544a	1619		156
569	A bill for an act relating to housing; providing new standards and procedures for disclosing conflicts of interest for commissioners and employees of housing and redevelopment authorities; establishing penalties; proposing new law coded in Minnesota Statutes, Chapter 462; repealing Minnesota Statutes 1980, Section 462.431.	1184	1188	1330	1326a 1501a	1523		79
574	A bill for an act relating to intoxicating liquor; authorizing the issuance of one off-sale license in the town of Tofte.	632	633	1072	1036 1500	1528		114
575	A bill for an act relating to intoxicating liquor; authorizing cities to permit on-sale of liquor at publicly owned sports or convention facilities by existing licensees; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.	683	684					
579	A bill for an act relating to financial institutions; allowing new mortgage instruments; modifying rate restrictions on certain loans; providing a maximum late charge on certain loans; amending Minnesota Statutes 1980, Section 47.20, Subdivisions 1, 2, 4, 4a, 6, 12, and by adding subdivisions.	683	685	860	857a 1520a 1535a	1599		137
582	A bill for an act relating to natural resources; regulating the use of state funded trails; permitting conservation officers to enforce prohibitions of vandalism of shelters and facilities on state and local trails; providing a penalty; amending Minnesota Statutes 1980, Section 84.90, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 85.	1505	1505	1577	1576a 1752	1776 2032	1829 1864 2030*	215
583	A bill for an act relating to public use of private land; clarifying and altering landowners' liability in the recreational use of their land; amending Minnesota Statutes 1980, Sections 87.021, Subdivisions 2, 3, 4 and 5; 87.0221; 87.023; 87.025; and 87.03; repealing Minnesota Statutes 1980, Section 87.022.	1808	1809	3173	3169 3285	3311		373

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
586	A bill for an act relating to crimes; authorizing courts to order certain persons to participate in counseling in domestic abuse cases; creating the crime of intrafamilial sexual abuse; prescribing penalties; amending Minnesota Statutes 1980, Sections 15.1695, Subdivision 1; 518B.01, Subdivision 6; 595.02; 609.346; 609.348; 609.35; 626.556, Subdivision 2; and 629.341, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 609.	1875	1875	1956	1950a	2020 2239	2072 2110 2231*	273
588	A bill for an act relating to financial institutions; providing for maximum interest rates on overdraft checking loans; amending Minnesota Statutes 1980, Section 48.185, Subdivision 3.	1439	1441	1518	1517a 1653a	1773		138
590	A bill for an act relating to highways; providing criteria for determining the population of a city for the purposes of the municipal state-aid street system; amending Minnesota Statutes 1980, Section 162.09, Subdivision 4.	1439	1443					
591	A bill for an act relating to the city of St. Paul; repealing the people mover act; repealing Minnesota Statutes 1980, Chapter 458B.	559	560	1397	1365 2859	2859		302
595	A bill for an act relating to the state building code; authorizing stricter fire prevention standards in certain municipalities; proposing new law coded in Minnesota Statutes, Chapter 16.	683	684					
601	A bill for an act relating to cemeteries; requiring public cemeteries having permanent care and improvement funds to file a notice and an annual report with the county auditor; increasing the filing fee for the report; amending Minnesota Statutes 1980, Section 306.761.	559	560	606	605a 1541	1596		139
603	A bill for an act relating to eminent domain; limiting the authority to acquire certain property by condemnation; repealing certain obsolete provisions of law authorizing acquisition by condemnation; changing certain obsolete language; amending Minnesota Statutes 1980, Sections 84.033; 84.154, Subdivision 3; 84A.10; 84A.39; 84A.55, Subdivision 13; 85.015, Subdivisions 12 and 13; 88.09, Subdivision 2; 89.032, Subdivision 1; 105.39, Subdivision 4; 123.64; 136.65, Subdivision 1; 137.01, Subdivision 2; 137.02, Subdivisions 1 and 3; 190.11; 193.143; 193.144, Subdivisions 2 and 3; 459.06, Subdivision 1; 463.03; and 641.263, Subdivision 2; repealing Minnesota Statutes 1980, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 163.12; 193.144, Subdivision 4; and 308.39.	559	560	4560	4542a 5576			

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
604	A bill for an act relating to elections; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; amending Minnesota Statutes 1980, Sections 204A.18; and 204A.23.	683	684	798	797a 1966a	2022	2135 2184 3135 3136 3937* 3939	
606	A bill for an act relating to highway traffic regulations; specifying minimum property damage accident report requirements; making the report available to state agencies; amending Minnesota Statutes 1980, Section 169.09, Subdivisions 7 and 13.	872	872					
612	A bill for an act relating to cable communications; changing the definition of cable communications system; reducing the number of days available to the metropolitan council for review of cable service territory proposals; conforming the certificate of confirmation term to the franchise term; authorizing rules preventing obstruction of service to multiple unit dwellings and tracts of multiple dwelling units; providing to municipalities the option concerning cable service rates information included in a franchise; amending Minnesota Statutes 1980, Sections 238.02, Subdivision 3; 238.05, Subdivision 7; and by adding a subdivision; 238.09, Subdivisions 6 and 7; and by adding a subdivision; 238.12, by adding a subdivision; repealing Minnesota Statutes 1980, Section 238.12, Subdivisions 1 and 2.	4280	4281	4512	4354 4511a	4662		515
615	A bill for an act relating to corrections; providing for the transfer of convicted offenders under certain circumstances; proposing new law coded in Minnesota Statutes, Chapter 243.	683	686	1490	1462a 1979	2025		238
616	A bill for an act relating to commerce; requiring that consumer contracts be written in clear and coherent language; providing remedies; proposing new law coded in Minnesota Statutes, Chapter 325G.	1875	1875	1956	1950 2053a	2092		274
617	A resolution memorializing the President, Congress, and the United States Postal Service of Minnesota's opposition to the nine digit zip code.	683	686		1458			
619	A bill for an act relating to intoxicating liquor; correcting the wording of the ballot question for a municipal liquor store referendum; amending Minnesota Statutes 1980, Section 340.353, Subdivision 2.	1808	1809	1854	1853 1979	2027		198
623	A bill for an act relating to commerce; lowering the organizational membership requirement for the conducting of bingo occasions, operation of gambling devices, and conducting of raffles by organizations; amending Minnesota Statutes 1980, Sections 349.14; and 349.26, Subdivision 9.	1130	1131	3969	3953a 4488a	4523		538

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
624	A bill for an act relating to corrections; clarifying the transfer of correctional inmates to medical facilities; providing for tuberculosis testing for correctional employees; clarifying unclaimed property of correctional inmates, and diversified labor accounts; changing terminology of correctional facilities; harmonizing furlough provisions; prescribing the time for counties to submit estimates for reimbursement for probation services; amending Minnesota Statutes 1980, Sections 241.07; 241.09; 241.14; 241.22; 242.20; 242.22; 242.43; 242.44; 242.45; 242.47; 242.48; 243.05; 243.20; 243.211; 243.465; 243.57; 243.58; 243.64; 244.07, Subdivision 1; 260.311, Subdivision 5; repealing Minnesota Statutes 1980, Sections 241.01, Subdivision 8; 241.15; 242.23; 242.24; 242.375; 242.52; 242.53; 243.06; 243.22; 243.25; 243.26; and 243.78.	683	685	860	857a 1639a	1767		192
630	A bill for an act relating to open meetings; requiring availability of certain materials; prescribing penalties; amending Minnesota Statutes 1980, Section 471.705, Subdivision 2; and by adding a subdivision.	1022	1023					
632	A bill for an act relating to financial institutions; removing certain restrictions on directors' qualifying shares; amending Minnesota Statutes 1980, Section 48.06.	1363	1364					
634	A bill for an act relating to securities; providing for improved regulation of the sale of securities and the licensing of broker-dealers, agents, and investment advisers; making miscellaneous clarifications and revisions; amending Minnesota Statutes 1980, Sections 80A.04, Subdivision 4; 80A.05, Subdivision 1; 80A.07, Subdivision 1; 80A.12, Subdivision 3; 80A.14; 80A.15, Subdivisions 1 and 2; 80A.16; 80A.21, Subdivision 1; 80A.28, Subdivisions 1, 2, 3, 4 and 7, and by adding a subdivision; 80A.30, Subdivision 2.	683	685	798	795 1637	1767		140
636	A bill for an act relating to unemployment compensation; requiring holiday pay not to be deducted from benefits; amending Minnesota Statutes 1980, Section 268.07, Subdivision 2.	1808	1809	1854	1852a 2180a 3066a			
646	A bill for an act relating to courts; authorizing chief judges of judicial districts to serve more than two consecutive terms; amending Minnesota Statutes 1980, Section 484.69, Subdivision 1.	1022	1023					

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
647	A bill for an act relating to commerce; transferring the powers, duties, staff, and unexpended funds of the board of cosmetology examiners to the office of consumer services; establishing an advisory commission; authorizing licensing by occupation and operations; providing for enforcement; providing a complaint handling procedure; prescribing penalties; providing remedies; amending Minnesota Statutes 1980, Section 214.01, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapter 155A; repealing Minnesota Statutes 1980, Sections 155.01 to 155.21.	2000	2000					
659	A bill for an act relating to retirement; St. Paul teachers retirement fund association; removing an expiration date on authority to provide post retirement increases in certain instances; authorizing reduced early retirement in certain instances; amending Laws 1979, Chapter 109, Section 1.	1184	1188	1518	1292 1518 1752	1776		157
668	A resolution memorializing the President and Congress to design the 1981 farm bill so as to protect the family farm system.	1634	1635					
673	A bill for an act relating to commerce; increasing the amount of the surety bond required of collection agencies; authorizing the commissioner of securities and real estate to investigate and examine certain collection agencies; broadening the classification of prohibited practices; amending Minnesota Statutes 1980, Sections 332.34; 332.37; and 332.40.	1762	1762	1854	1847a 2102a	2128		229
678	A bill for an act relating to elections; changing certain election procedures, requirements and time limits; exempting certain transactions from the definition of donation in kind; removing the rulemaking authority of the ethical practices board; changing eligibility requirements and compensation for election judges; authorizing time off from work for election judges; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 10A.01, Subdivision 7b; 10A.02, Subdivision 13; 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; 205.84; and Minnesota Statutes 1981 Supplement, Sections 201.071, Subdivision 1; 203B.02, Subdivision 1; 203B.04, Subdivision 1; 204B.12, Subdivision 1; 204B.19, Subdivision 1; 204B.21, Subdivision 1; 204B.27, Subdivision 1; 204B.31; 204B.34, Subdivision 1; 204B.35, Subdivision 4; 204C.32, Subdivision 2; 204C.33, Subdivision 2; 204D.06; (Continued next page)	1130	1131	1283	1281a 1968a 2099a	2125 5575	2166 2184 3150 3151 3730 5560* 5600	

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
678	—Continued 204D.11, Subdivisions 1 and 5; 204D.14; 204D.15, Subdivision 2; 205.03, Subdivisions 1 and 3; 205.10; proposing new law coded in Minnesota Statutes 1980, Chapter 205; and repealing Minnesota Statutes 1980, Sections 205.04; 205.11, Subdivisions 1, 2, 3, 4, and 5; 205.14, Subdivisions 1, 2, and 3; 205.19; 205.21; and Minnesota Statutes 1981 Supplement, Sections 201.091, Subdivision 6; 204B.12, Subdivision 2; 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.							
681	A bill for an act relating to retirement; reducing a certain deduction from amounts available to pay post-retirement adjustments; appropriating funds; amending Minnesota Statutes 1980, Section 11A.18, Subdivision 9.	1363	1364	1417	1417 1535	1609		158
685	A bill for an act relating to crimes; providing photographic records of evidence shall be admissible as evidence; providing for the return of stolen property; proposing new law coded in Minnesota Statutes, Chapter 609.	3793	3797	3969	3962a 4534a	4666		539
691	A bill for an act relating to courts; permitting the use of electronic recording equipment in certain district court proceedings; permitting all judicial districts except Hennepin county to set salaries of law clerks; clarifying that all law clerks are unclassified employees and without tenure; amending Minnesota Statutes 1980, Sections 484.545, Subdivision 2, and by adding a subdivision; 486.02 and 486.03; and proposing new law coded in Minnesota Statutes, Chapter 484.	1634	1635	1765	1764a 1861a	1900 2020 2800	1901 1963a 2104 2161 2797 2798*	303
696	A bill for an act relating to the city of East Grand Forks; permitting the city to acquire and develop certain land for industrial purposes.	1184	1185	1330	1323 2052	2090		239
697	A bill for an act relating to agriculture; regulating alien use of agricultural land; providing penalties; amending Minnesota Statutes 1980, Section 500.221.	1439	1442	1577	1573a 2052a	2091 2900	2167 2184 2897*	337
704	A bill for an act relating to motor vehicles; providing for the taxation and registration of certain collector's vehicles; including additional vehicles entitled to classic car license plates; redefining a private passenger vehicle for certain purposes; clarifying certain requirements for front and rear bumpers; providing penalties; amending Minnesota Statutes 1980, Sections 168.10, Subdivision 1b; and 169.73.	1022	1023	1417	1410a 1541	1621 1998	1760 1778 1996*	199

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
708	A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1980, Section 435.193.	1363	1363	1417	1417	1491		80
715	A bill for an act relating to the state building code; authorizing certain municipalities under 7,500 to elect that the code not apply within their jurisdictions; proposing new law coded in Minnesota Statutes, Chapter 16.	1808	1809					
716	A bill for an act relating to insurance; regulating policies of automobile insurance providing comprehensive coverage; requiring an option to purchase full coverage of windshield glass damage; proposing new law coded in Minnesota Statutes, Chapter 65B.	3944	3945	4177				
731	A bill for an act relating to family; providing for solemnization of marriages by certain court officers; amending Minnesota Statutes 1980, Section 517.04.	872	873	1115	1114a 1500	1526		101
732	A bill for an act relating to agriculture; providing for continuation of certain farm tenancies on termination of life estates; proposing new law coded in Minnesota Statutes, Chapter 500.	1439	1442	1577	1573a 1861a	1900		370
739	A bill for an act relating to local government; regulating the tax levy of the joint recreation and park board of the city of Hibbing and Independent School District 701; amending Laws 1971, Chapter 573, Section 2.	683	685	1145	1132a 1535	1611		141
749	A bill for an act relating to real property; providing a fee for issuing noncertified copies of instruments or parts of instruments on file in the office of the registrar of titles; amending Minnesota Statutes 1980, Section 508.82.	1363	1363	3432	3403	3726		382
766	A bill for an act relating to the University of Minnesota hospitals; authorizing the sale of state bonds and loan of the proceeds of the sale to the board of regents of the University of Minnesota; limiting the use of the proceeds of the bonds; requiring an annual report to the legislature; appropriating money.	2171	2171	2195	2171 2195	2198		275
769	A bill for an act relating to transportation; appropriating money for acquisition, betterment, and maintenance of the state rail bank; authorizing the issuance of state transportation bonds; amending Minnesota Statutes 1980, Sections 174.50, by adding a subdivision; 222.49; 222.50, Subdivision 7; and 222.63, Subdivisions 1, 2, 4, and by adding a subdivision; and Laws 1980, Chapter 610.	2085	2085	2154	2085 2153 2154a	2157 2906	2208 2267 2902*	338

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
773	A bill for an act relating to marriage dissolution; adopting the revised uniform reciprocal enforcement of support act; proposing new law coded as Minnesota Statutes, Chapter 518C; repealing Minnesota Statutes 1980, Sections 518.41 to 518.53.	3944	3946	4132	4132 4485	4528		436
774	A bill for an act relating to children; providing for reports of neglect and abuse of children; allowing courts to compel testimony under certain circumstances; amending Minnesota Statutes 1980, Sections 254A.09; and 626.556, Subdivision 11.	1808	1809	1854	1851a 1979	2024		240
775	A bill for an act relating to public utilities; removing municipal utilities from public utilities commission jurisdiction and granting an option in regard thereto; amending Minnesota Statutes 1980, Section 216B.11; proposing new law coded in Minnesota Statutes, Chapter 216B; repealing Minnesota Statutes 1980, Sections 216B.10, Subdivision 6; 216B.12, Subdivision 2; and 216B.13, Subdivision 2.	1130	1131	1417	1412 1541	1623		142
776	A bill for an act relating to insurance; requiring private passenger vehicle insurers to disclose surcharge plans; proposing new law coded in Minnesota Statutes, Chapter 65B.	3517	3517	3969	3954a 4870a	4870		541
788	A bill for an act relating to courts; conciliation courts; authorizing actions to recover amounts lost due to worthless checks in the county of issuance and where the plaintiff resides; revising various time limits; amending Minnesota Statutes 1980, Section 487.30, by adding a subdivision; 488A.12, Subdivision 3; 488A.14, Subdivision 4; 488A.16, Subdivisions 2, 5, and 6; 488A.17, Subdivisions 2 and 3; 488A.29, Subdivision 3; 488A.31, Subdivision 4; 488A.33, Subdivision 2; 488A.34, Subdivision 12; and Minnesota Statutes 1981 Supplement, Section 488A.34, Subdivision 2.	1762	1763	4471	4461a 5060a	5063 5542	5427 5432 5541*	542
817	A bill for an act relating to education; permitting the operation of single sex wrestling teams; amending Minnesota Statutes 1980, Section 126.21, Subdivision 3.	1184	1188	1490	1443 1861a	1899 2902	2084 2110 2901*	339
826	A bill for an act relating to health; proposing a population-based, statewide cancer and birth defects surveillance system; designing a system and pilot test.	2000	2000	2089	2086a 2276a	2277		340
829	A bill for an act relating to counties; concerning Anoka county; providing for a seven member board of commissioners; amending Minnesota Statutes 1980, Section 375.01.	559	561	798	747a 1640a	1771 2107	1948 1979 2106*	241

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
838	A bill for an act relating to transportation; delaying the effective date of the laws establishing and prescribing the powers and duties of the transportation regulation board; amending Laws 1980, Chapter 534, Section 87.	1363	1364					
847	A bill for an act relating to highway traffic regulations; providing for the designation and undesignation of routes to carry certain gross weights; amending Minnesota Statutes 1980, Section 169.832, Subdivision 11; repealing Minnesota Statutes 1980, Section 169.832, Subdivision 12.	1022	1023	1417	1409	1497		81
875	A bill for an act relating to local government; permitting Murray county and the city of Slayton to make joint powers agreements for the administration of county ditches.	871	872					
876	A bill for an act relating to employment; authorizing the commissioner of economic security to make certain summer youth employment advances; amending Minnesota Statutes 1980, Section 268.34.	683	683	798	795 1500	1523		82
879	A bill for an act relating to juveniles; removing certain children from definition of "delinquent child"; defining "runaway," "habitual truant," "juvenile petty offender," "juvenile alcohol or controlled substance offender"; simplifying certain pleading and notice procedures; providing hearing rights and dispositional alternatives; amending Minnesota Statutes 1980, Sections 260.015, Subdivision 5, and by adding subdivisions; 260.111, Subdivision 1; 260.121, Subdivisions 1 and 2; 260.155, Subdivision 1; and 260.173, Subdivision 3; Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 260.	3517	3517	4560	4557a 5064a	5073		544
886	A bill for an act relating to mobile homes; regulating lot rentals; specifying conditions on which a lessor may recover possession of land upon which a mobile home is located; amending Minnesota Statutes 1980, Sections 327.44; and 327.553, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 327.	1408	1409	1490	1431 1480a 1755a	1777		177
889	A bill for an act relating to water well contractors; altering the exemption from license requirements for certain registered professional engineers; providing for licensing of thermal exchange devices; amending Minnesota Statutes 1980, Sections 156A.02, by adding a subdivision; and 156A.03, Subdivision 3.	1439	1442	1518	1517a 1752a	1775		179

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
893	A bill for an act relating to transportation; authorizing the purchase of the closed combination railroad and highway bridge connecting St. Paul Park in Washington County and Inver Grove Heights in Dakota County, and authorizing its operation as a toll bridge by a private business entity; providing for the regulation of the operation and maintenance of the bridge and the establishment of maximum toll charges by the counties of Washington and Dakota.	1184	1188	1417	1409 1541	1620		143
900	A bill for an act relating to open space and recreation; authorizing the issuance of state bonds and expenditure of the proceeds for the acquisition and betterment of regional recreation open space lands by the metropolitan council and metropolitan area local governmental units and for the acquisition and betterment of state parks, trails, forest, fish and wildlife management, scientific and natural areas, water accesses, wild, scenic and recreational rivers, and canoe and boating routes by the commissioner of natural resources; changing the terms of certain grants administered by the state planning agency; appropriating money; amending Minnesota Statutes 1980, Section 4.36, Subdivision 2; repealing Laws 1979, Chapter 301, Section 6, Subdivision 1.	2042	2043	2145	2144 2274	2275		304
904	A bill for an act relating to unemployment compensation; including retroactive wage awards within the definition of wages for unemployment compensation purposes; amending Minnesota Statutes 1980, Section 268.04, Subdivisions 25, 26, and 29.	1762	1763					
912	A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating redundant, conflicting and superseded provisions; reenacting certain laws; amending Minnesota Statutes 1980, Sections 10.30; 12.03, Subdivision 9; 12.25, Subdivision 1; 15.0412, Subdivision 4d; 15.1611, Subdivisions 1 and 2; 15.1621, Subdivision 2; 15.163, Subdivision 6; 15.166, Subdivisions 1, 2 and 4; 15.1671; 15.50, Subdivision 1; 15.61, Subdivision 2; 16.172; 16.822, Subdivisions 3 and 6; 17.72; 17B.23; 27.01, Subdivision 1; 31.58; 32A.04, Subdivision 1; 35.067; 40.05, Subdivision 4; 40.071; 43.12, Subdivision 19; 43.126, Subdivisions 1 and 2; 43.24, Subdivision 2; 43.323, Subdivision 3; 47.203; 48.88, Subdivision 2; 50.14, Subdivision 5, as reenacted; 55.15; 60A.23, Subdivision 8; 62A.152, Subdivision 2; 62D.22, Subdivision 6; (Continued next page)	1184	1186	1330	1327a 1817	1855	1943 1979	

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
912—Continued	62D.28, Subdivisions 2 and 3; 65B.05; 65B.06, Subdivision 2; 65B.71, Subdivision 2; 69.031, Subdivision 5; 69.29; 72A.20, Subdivision 15; 72C.11; 79.34, Subdivision 1; 84.55; 84A.52; 84B.05; 90.195; 92.36; 93.45, Subdivision 2; 111.09, Subdivision 2; 111.11; 111.31; 111.36; 111.78; 112.43, Subdivision 2; 115.34, Subdivision 1; 116.02, Subdivision 3; 116.06, Subdivision 1; 116.10; 122.532, Subdivision 3; 144.125; 144.653, Subdivision 1; 144.801, Subdivision 8; 144.92; 144A.01, Subdivision 2; 144A.10, Subdivision 3; 145.838, Subdivision 3; 148.88; 151.26, Subdivision 1; 161.38, Subdivision 6; 162.08, Subdivision 3; 173.12; 173.13, Subdivision 2; 173.20; 173.21; 174.256, Subdivision 5; 179.68, Subdivision 2; 179.69, Subdivision 3a; 179.691; 179.692; 182.661, Subdivision 1; 183.52; 183.56; 183.57, Subdivision 2; 183.59; 197.13; 197.48; 197.603, Subdivision 2; 218.031, Subdivision 1; 218.041, Subdivisions 2, 7 and 8; 219.39; 219.40; 219.741; 237.30; 239.05, Subdivision 1; 239.09; 241.021, Subdivision 2; 241.045, Subdivision 6; 241.27, Subdivision 2; 241.62, Subdivision 5; 243.87; 245.05; 245.06; 245.07; 245.781; 245.782, Subdivisions 1, 11 and 12; 245.783, Subdivisions 1, 2 and 3; 245.791; 245.801, Subdivision 5; 245.802, Subdivision 2; 245.803, Subdivisions 1, 2 and 3; 245.812, Subdivisions 2, 5 and 6; 250.05, Subdivisions 2 and 4; 256.25; 256.263, Subdivision 1; 256.483, Subdivision 1; 256B.15; 256E.03, Subdivision 2; 256E.06, Subdivision 2; 257.64, Subdivision 1; 260.241, Subdivision 4; 273.13, Subdivision 6; 275.50, Subdivisions 2 and 5; 282.281; 290.05, Subdivision 1; 290.14; 290.35; 290.53, Subdivision 4; 290.92, Subdivision 5; 290A.01; 290A.02; 290A.03, Subdivisions 1, 3, 8, 11 and 12; 290A.08; 290A.09; 290A.11, Subdivision 1; 290A.13; 290A.15; 290A.16; 290A.17; 290A.20; 290A.22; 294.25; 295.34, Subdivision 1; 297.03, Subdivision 3; 298.223; 298.244, Subdivision 2; 299F.19, Subdivision 6; 299H.22, Subdivision 2; 308.07, Subdivision 10; 325F.34; 326.02, Subdivisions 1, 2, 3, 4a and 5; 326.03, Subdivision 5; 326.08, Subdivision 1; 326.11, Subdivision 1; 326.12, Subdivision 3; 326.13; 340.54, Subdivisions 1 and 2; 349.11; 352.22, Subdivision 3; 352B.075, Subdivision 1; 353.661, Subdivision 2; 353.71, Subdivision 1; 354.44, Subdivision 1a; 354A.21; 360.037, Subdivision 2; 368.86; 412.251; 414.0325, Subdivisions 1 and 5; 418.20; 423.075, Subdivision 2; 427.09; 447.34, Subdivision 1; 447.35; (Continued next page)								

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
912	—Continued 447.45, Subdivision 1; 465.72; 471.371, Subdivision 3; 471.616, Subdivision 1; 471.617; 471.74, Subdivision 2; 473.438, Subdivision 3; 473F.02, Subdivision 17; 474.03; 480.059, Subdivision 7; 485.14; 508.37, by adding a subdivision; 518.155; 518.66; 595.021; 595.022; 611.07, Subdivision 3; 611.12, Subdivision 7; 626.556, Subdivision 11; 626A.12, Subdivision 5; 628.56; 629.404, Subdivision 1; Laws 1980, Chapter 614, Section 163; reenacting Minnesota Statutes 1980, Section 50.14, Subdivision 5; reenacting and validating Laws 1980, Chapter 528; repealing Minnesota Statutes 1980, Chapters 2A and 3B; Sections 115.15; 115.16; 218.041, Subdivision 3; 273.061, Subdivision 11; 282.11; 325F.33; 325F.49; 325F.50; 473F.08, Subdivision 11; 475.53, Subdivision 2; 508.37, Subdivision 1; Laws 1979, Chapters 40, Sections 6 and 9; 303, Article 2, Section 7, and Article 10, Section 7; and 334, Article 3, Section 15; Laws 1980, Chapters 437, Section 4; 460, Sections 5, 18, 19 and 27; 487, Section 14; 509, Section 127; 528, Section 4; 534, Sections 27, 31, 39, 47, 53 and 54; 579, Section 3; and 600, Section 8.							
917	A bill for an act relating to retirement; authorizing special coverage for members of the Minnesota state retirement system prohibited from performing specified duties after age 60; clarifying various aspects of the special retirement program for certain employees of the department of military affairs; extending deferred compensation option to Little Falls city administrator; amending Minnesota Statutes 1980, Section 352.85, Subdivisions 1 and 3; proposing new law coded in Minnesota Statutes, Chapter 352.	4280	4280	4430	4380a 4609a	4609		575
918	A bill for an act relating to cooperatives; procedure for elections by members or shareholders of cooperative electric associations on public utilities commission regulation; amending Minnesota Statutes 1980, Section 216B.02, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 216B.	683	683	1417	1412 1752	1777		144
921	A bill for an act relating to motor vehicles; adjusting bond provisions for dealers; requiring bonds for motorized bicycle dealers; amending Minnesota Statutes 1980, Section 168.27, Subdivision 24.	871	872	1577	1547 1865	1904		196
923	A bill for an act relating to education; tax levies; authorizing Independent School District No. 256 to adjust its 1981 levy for school maintenance purposes.	1762	1762					

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
928	A bill for an act relating to the city of Isanti; authorizing the city to issue general obligation bonds for the acquisition and betterment of a municipal building.	1184	1185	1417	1360 1417 1541	1619		145
930	A bill for an act relating to the collection and dissemination of data; classifying data as private, confidential, nonpublic, and protected nonpublic; amending Minnesota Statutes 1980, Sections 15.162, Subdivision 4; 15.1621, Subdivision 1; 15.1642, Subdivision 5; 15.165, Subdivision 2; 15.1678; 15.1679; 15.1691, Subdivision 6; 15.1692, Subdivision 2; 169.09, Subdivision 13; 268.12, Subdivision 12; Minnesota Statutes 1981 Supplement, Sections 15.1682; 15.1699; 15.775, Subdivision 2; 15.781, Subdivisions 1, 2, and 4; and 15.784, Subdivision 2; proposing new law coded in Chapter 15.	4750	4751	5045	5044a 5055 5544a	5055 5545		545
932	A bill for an act relating to taxation; income; property tax refund; making technical corrections; deleting obsolete provisions; amending Minnesota Statutes 1980, Sections 290.01, Subdivisions 3, 19, 20, 21, 22, 23, 25, 26, and 27; 290.011; 290.032, Subdivision 2; 290.06, Subdivisions 1, 2c, 3e, 3f, and 11; 290.07, Subdivision 3; 290.071, Subdivisions 2 and 3; 290.075; 290.077, Subdivisions 1 and 2; 290.079, Subdivision 6; 290.08, Subdivision 8; 290.081; 290.085; 290.09, Subdivisions 1, 2, 4, 5, 6, 7, 10, 15, 18, 21, and 29; 290.095, Subdivision 2; 290.10; 290.101, Subdivision 9; 290.12, Subdivisions 1, 2, and 4; 290.13, Subdivision 5; 290.131, Subdivisions 1 and 3; 290.132, Subdivision 1; 290.133, Subdivision 2; 290.134, Subdivision 1; 290.135, Subdivision 1; 290.14; 290.16, Subdivisions 1, 3, 7, 8, 9, 12, and 13; 290.17, Subdivision 2; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 1, 3, 3a, 4, and 7; 290.22; 290.23, Subdivisions 3, 5, 9, and 15; 290.25, Subdivision 1; 290.26, Subdivisions 1, 2a, and 3; 290.281, Subdivision 2; 290.31, Subdivisions 2, 3, 4, 6, 9, 10, 11, 21, and by adding a subdivision; 290.32; 290.34, Subdivision 3; 290.35; 290.39, Subdivision 1; 290.42; 290.45, Subdivision 3; 290.46; 290.48, Subdivision 2; 290.49, Subdivisions 1 and 4; 290.50, Subdivisions 1, 3, and 5; 290.53, Subdivisions 1 and 4; 290.56, Subdivisions 2, 3, and 4; 290.92, Subdivisions 5, 6, 16, and 19; 290.93, Subdivisions 5 and 6; 290.932, Subdivisions 1 and 4; 290A.03, Subdivisions 3 and 13; 290A.04, Subdivisions 2 and 2c; 290A.06; and 290A.07, Subdivision 2; repealing Minnesota Statutes 1980, Sections 290.076; 290.08, Subdivisions 7 and 13; 290.131, Subdivi- (Continued next page)	1408	1408	1490	1481a 1638a	1769		178

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
932	—Continued sions 4, 5, 6, and 7; 290.133, Subdivision 3; 290.134, Subdivisions 2, 3, and 4; 290.135, Subdivisions 2, 3, and 4; 290.23, Subdivisions 1, 2, 6, 7, 8, 10, 11, 12, 13, and 14; 290.24; 290.25, Subdivisions 2, 3, 4, and 5; 290.26, Subdivisions 4 and 7; 290.27; 290.28; 290.60; 290.65, Subdivision 17; 290.931, Subdivision 4; 290.932, Subdivision 3; 290.933, Subdivision 3; and 290.934, Subdivision 6.							
936	A bill for an act relating to natural resources; raising limitations on values of state timber which may be sold at public auction or informal sale; providing for intermediate auction sales and changing certain other provisions relating to the sale and removal of state timber; sale of stumpage; permitting extension of certain timber permits; amending Minnesota Statutes 1980, Sections 90.031, Subdivision 4; 90.041, by adding a subdivision; 90.101, Subdivision 1; 90.151, Subdivisions 11 and 13; 90.161, Subdivision 1; 90.173; 90.181, Subdivision 2; 90.191, Subdivision 1; 282.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 90.	1762	1762	1854	1847a 1979	2026 2819	2072 2110 2812*	305
937	A bill for an act relating to the city of Duluth; authorizing the city to continue to issue the number of liquor licenses it was authorized to issue in the year 1980.	1184	1185	1330	1326 1500	1530		115
942	A bill for an act relating to welfare; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; changing the responsibility of relatives under certain circumstances; altering the method of charging for outpatient care; giving claims against estates of deceased patients or responsible relatives preferred status; amending Minnesota Statutes 1980, Sections 246.50, Subdivision 5; 246.51; 246.53; and 487.39, Subdivision 1.	2116	2118	4343	4283a 4867a	4869	5097	
966	A resolution memorializing the President and Congress to maintain the present schedule for natural gas price decontrol.	1762	1762					
968	A bill for an act relating to penalties for traffic offenses; authorizing penalty assessments for peace officers training; appropriating money; amending Minnesota Statutes 1980, Sections 171.16, Subdivision 3; 588.01, Subdivision 3; 626.845, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 626.	2171	2171	2221	2218a 2855a	2856		341

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
969	A bill for an act relating to metropolitan government; authorizing the metropolitan council to prepare guidelines relating to the amendment of comprehensive plans; amending Minnesota Statutes 1980, Section 473.864, Subdivision 2.	1022	1023	1115	1112a 1500	1527 2073	1634 1854 1864 2073*	242
972	A bill for an act relating to financial institutions; increasing the percentage of capital and surplus a bank or trust company may invest in the stock of certain banks or bank holding companies; amending Minnesota Statutes 1980, Section 48.61, Subdivision 3.	871	872	1145	1072 1143 1500	1529		116
976	A bill for an act relating to retirement; Minneapolis teachers retirement fund association; authorizing the establishment of a lump sum post retirement adjustment program; authorizing service credit for parental leaves.	1184	1185	1397	1397a 1541	1616		159
979	A bill for an act relating to health; encouraging philanthropic support of hospitals; providing that funds derived from specified types of gifts or grants shall not be deducted from the operating costs of a hospital; granting a hospital a specific waiver from certificate of need requirements; proposing new law coded in Minnesota Statutes, Chapter 144.	1184	1186	1417	1413a 1822a	1898		200
986	A bill for an act relating to financial institutions; savings associations; increasing the loan term of direct reduction loans; providing for the organization, operation, conversion, merger, reorganization, consolidation, and dissolution of mutual and capital stock associations; granting the commissioner certain supervisory powers; providing certain examination and reporting requirements; authorizing the issuance and sale of capital certificates; authorizing the payment of dividends on capital stock; authorizing the issuance of certain accounts to married persons or minors as sole owners thereof; defining terms; prescribing penalties; amending Minnesota Statutes 1980, Sections 51A.02, Subdivisions 2 and 4, and by adding subdivisions; 51A.03; 51A.04; 51A.07; 51A.08; 51A.09; 51A.10; 51A.11; 51A.12; 51A.13; 51A.15, Subdivision 7; 51A.19, Subdivision 1, and by adding subdivisions; 51A.20; 51A.21, Subdivision 5, and by adding subdivisions; 51A.22; 51A.50; 51A.52; 51A.53; proposing new law coded in Minnesota Statutes, Chapter 51A; repealing Minnesota Statutes 1980, Sections 51A.06, Subdivisions 1 and 2; and 51A.49.	2000	2001	2050	2047a 2179a	2225		276

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
990	A resolution memorializing the President and Congress to adopt legislation requiring a health hazard notice be required on all bottles of alcoholic beverage.	2872	2872					
996	A bill for an act relating to retirement; making various administrative changes in the teachers retirement law; authorizing a medical advisor; payment of shortages in member deductions; amending Minnesota Statutes 1980, Sections 354.06, Subdivisions 2 and 2a; 354.091; 354.092; 354.41, by adding a subdivision; 354.44, Subdivisions 4 and 8; 354.48, Subdivisions 2, 4, and by adding a subdivision; 354.51, Subdivision 5; 354.52, Subdivision 4; and 354.62, Subdivisions 4 and 5.	1363	1365	1417	1417 1541	1615		160
997	A bill for an act relating to drivers licenses; providing for the filing of photographic negatives; restricting the use of the negatives; amending Minnesota Statutes 1980, Section 171.07, by adding a subdivision.	1184	1186					
1005	A bill for an act relating to housing; authorizing municipalities under 2,500 population to elect that the state building code not apply within their jurisdictions; permitting certain investments by the Minneapolis retirement board; authorizing temporary rulemaking power for the housing finance agency to define certain terms; providing for the continuation of staff complement; providing for changes in the assumability of agency loans; making non-citizen veterans eligible for certain loans; permitting certain loans; permitting the transfer of certain funds; providing for a revolving account; restricting the use of municipal housing revenue bonds in redevelopment areas; eliminating restrictions on the issuance of certain bonds exempted by federal law; appropriating money; amending Minnesota Statutes 1980, Sections 422A.05, by adding a subdivision; 462A.03, Subdivision 10; 462A.04, Subdivision 8; 462A.05, Subdivisions 17 and 19, and by adding subdivisions; 462A.07, by adding a subdivision; 462A.20, Subdivision 3; 462A.21, Subdivision 8, and by adding a subdivision; 462A.22, Subdivision 9; 462C.03, by adding a subdivision; 462C.05, Subdivision 3; 462C.07, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 16 and 462C; repealing Minnesota Statutes 1980, Section 462A.21, Subdivision 11.	2109	2109	2130	2109 2130a	2133		306
1015	A bill for an act relating to education; modifying the provisions governing teachers placed on unrequested leave of absence in experimental paired districts; amending Minnesota Statutes 1980, Section 122.85, Subdivision 4.	1184	1186	1330	1326 1535	1608		146

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1017	A bill for an act relating to railroads; proposing an amendment to the Minnesota Constitution, Article XI, Section 5; providing for the improvement and rehabilitation of certain railroad facilities; amending Minnesota Statutes 1980, Section 222.49.	4750	4751	5045	5035a 5088a	5089		600
1018	A bill for an act relating to agriculture; consolidating existing laws; providing for agricultural commodity research and promotion councils; establishing procedures; providing penalties; amending Minnesota Statutes 1980, Sections 17.53; 17.54; 17.56; 17.57; 17.58; 17.59, Subdivisions 1, and 2; 17.60; 17.62; 17.63; 17.64; and 17.67; Minnesota Statutes 1981 Supplement, Section 17.59, Subdivision 4; repealing Minnesota Statutes 1980, Sections 17.55; 17.601; 17.65; 17.68; 21A.01 to 21A.19, as amended; 29.14 to 29.16; 29.18; 29.19; 30.461 to 30.468, as amended; 30.472 to 30.479; 32B.01 to 32B.06; 32B.08 to 32B.11; 32B.13; Minnesota Statutes 1981 Supplement, Sections 29.17; 30.469; 30.47; 32B.07; and 32B.12.	4503	4503	4606	4589a	4873		582
1021	A bill for an act relating to elections; changing certain requirements for voting by absent and disabled voters; amending Laws 1981, Chapter 29, Article III, Section 2.	1833	1833					
1022	A bill for an act relating to claims against the state; appropriating money for the payment thereof.	2000	2001	2050	2044	2090		243
1025	A bill for an act relating to safety; imposing an additional fee for two-wheeled vehicle endorsements for motorcycle safety programs; providing for the disposition of the proceeds of the additional fee; exempting from the motor vehicle excise tax certain purchasers of motorized bicycles for resale; prescribing duties of the commissioners of public safety and education; establishing a fund; appropriating money; amending Minnesota Statutes 1980, Sections 171.06, by adding a subdivision; 297B.035, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 126.	4569	4570	4866	4862a	5539		583
1044	A bill for an act relating to attachment; prescribing the grounds when a writ of attachment may be issued for purposes of securing property or acquiring quasi in rem jurisdiction over defendants; amending Minnesota Statutes 1980, Section 570.02.	1808	1809	1854	1852a 2052	2091		277
1048	A bill for an act relating to insurance; removing insurance solicitors from insurance licensing provisions; prescribing certain fees; providing for licensing	2000	2001	2050	2047a 2102a	2129		307

(Continued next page)

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1048	—Continued of certain legal entities as agents; providing for the licensing of other insurance agents; providing for examinations; providing exceptions to the licensing requirements; authorizing temporary licenses; providing for appointment of agents by insurers; prohibiting certain persons from obtaining an agent's license; providing for the revocation or suspension of licenses upon specified conditions; providing for the surrender, loss, or destruction of licenses; prescribing certain powers of the commissioner; authorizing the sale of contracts on a variable basis without licensure in certain circumstances; authorizing the commissioner to promulgate rules; prescribing penalties; amending Minnesota Statutes 1980, Sections 60A.02, Subdivision 7; 60A.14, Subdivision 1; 60A.17, Subdivisions 1, 3, 5, 6, 10, 12, and 13, and by adding subdivisions; repealing Minnesota Statutes 1980, Sections 60A.02, Subdivision 8; and 60A.17, Subdivisions 2, 2a, 2b, 4, 5a, 6a, 7, and 9.							
1050	A bill for an act relating to insurance; authorizing the requiring of proof of motor vehicle or motorcycle insurance prior to the issuance of a parking permit by a governmental unit; proposing new law coded in Minnesota Statutes, Chapter 65B.	3517	3517					
1051	A bill for an act relating to health; changing the claim limitations on cost of removing nuisances; authorizing the commissioner of health to issue orders concerning well water quality; requiring a report to the legislature on groundwater thermal exchange; clarifying the commissioner's authority over water wells and exploratory boring to include repairs and abandonment; changing the penalties for violations; imposing a moratorium on certain uranium drilling; amending Minnesota Statutes 1980, Sections 145.22; 156A.02, Subdivisions 1, 2, and 3; 156A.03, Subdivisions 1 and 2; 156A.05; 156A.07, Subdivisions 1 and 4; 156A.071, Subdivision 7; and 156A.08; proposing new law coded in Minnesota Statutes, Chapter 156A.	2000	2002	2050	2049a 2100a 2176 2177a	2224		278
1052	A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Fergus Falls.	1363	1364	1417	1415a 1541	1643 2158	1761 1864 2142 2143* 2158	279
1059	A bill for an act relating to crimes; providing for the type of proof of the fact of killing in murder and manslaughter cases; amending Minnesota Statutes 1980, Section 634.051.	1363	1365	1417	1417 1519	1601		147

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1065	A bill for an act relating to public utilities; extending an option as to rate regulation by the public utilities commission to certain small telephone companies; amending Minnesota Statutes 1980, Sections 237.01; 237.075, Subdivision 9; and 237.081, Subdivision 1a.	1808	1809	1854	1852a 2099 2127a	2127		248
1068	A bill for an act relating to adoption; providing for record retention; providing for services by adoption agencies; recodifying law relating to access to adoption records into another chapter; amending Minnesota Statutes 1980, Section 144.1761, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 259; repealing Minnesota Statutes 1980, Section 144.1761, Subdivisions 2, 3, 4, and 5.	3793	3797	3969	3964a 4485	4526		584
1070	A bill for an act relating to health; exempting students in schools of dental assisting from the requirement of a dental license; amending Minnesota Statutes 1980, Section 150A.05, Subdivision 2.	1184	1186	1518	1510	1579		102
1075	A bill for an act relating to social and charitable organizations; increasing the threshold dollar amount required for the use of a certified financial statement;determining what is properly included in cost of goods or services; amending Minnesota Statutes 1980, Sections 309.53, Subdivision 3; and 309.555, Subdivision 2.	683	683	798	795 1541	1597		148
1078	A bill for an act relating to transportation; providing for the repair of impassable town roads; establishing a dollar limit per mile for work performed by a county on impassable town roads; amending Minnesota Statutes 1980, Section 163.16, Subdivision 3.	2000	2001					
1080	A bill for an act relating to children; authorizing counties to establish multidisciplinary child protection teams; proposing new law coded in Minnesota Statutes, Chapter 626.	1184	1186	1417	1398 1415a 1541	1617		150
1083	A bill for an act relating to charitable trusts; transferring responsibility of keeping certain records; amending Minnesota Statutes 1980, Sections 501.75; 501.76; 501.77; and 501.78, Subdivision 4.	683	684	798	795	861		39
1088	A bill for an act relating to the secretary of state; requiring that government survey documents be maintained on microfilm; providing for preserving certain documents; amending Minnesota Statutes 1980, Section 5.03.	1022	1024	1397	1396a 1541	1614 2074	1761 1778 2074*	244

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1092	A bill for an act relating to charitable organizations; providing for registration and reporting requirements applicable to certain charitable organizations; amending Minnesota Statutes 1980, Sections 309.52, by adding subdivisions; 309.53, by adding subdivisions; 309.532, by adding a subdivision; and 309.534, by adding a subdivision.	1808	1810	4132	4106 4493a	4531		585
1098	A bill for an act relating to the state auditor; providing funding to be used to prepare the report to the legislature on the general financial condition of the various volunteer firefighters' relief associations; appropriating money.	2116	2116					
1099	A bill for an act relating to agriculture; providing an additional tax on certain capital gains from the sale of agricultural land; limiting certain tax reductions; increasing the one-time exclusion for sale of a residence by persons over 55 in certain instances; amending Minnesota Statutes 1981 Supplement, Sections 124.213, Subdivision 1; 290.01, Subdivision 20, as amended; and 290.091, as amended; proposing new law coded in Minnesota Statutes, Chapter 290.	4569	4571					
1115	A bill for an act relating to transportation; modifying the purpose of certain programs relating to public transit assistance and transportation management; defining certain terms applicable to certain public transit assistance and transportation management programs; requiring the commissioner of transportation to define by rule total operating cost; providing for the administration of certain programs; providing for the distribution of assistance under the public transit participation program; changing eligibility requirements for replacement transit service; amending Minnesota Statutes 1980, Section 174.21; 174.22, by adding subdivisions; 174.23, by adding subdivisions; 174.24, Subdivisions 1, 2, and by adding a subdivision; Minnesota Statutes 1981 Supplement, Sections 174.24, Subdivision 3; and 174.265, Subdivision 4; repealing Minnesota Statutes 1980, Sections 174.25 and 174.26.	4569	4571	4704	4687a 4770	4771		586
1120	A bill for an act relating to public safety; authorizing the sale to and use by engineers of fireworks; amending Minnesota Statutes 1980, Section 624.21.	1184	1186	3474	3462a 4014	4135		440
1125	A bill for an act relating to economic development; providing for changes in the small business finance agency law to better provide assistance for small business; making technical changes; estab- (Continued next page)	1808	1809	2018	2006 2057a	2096		342

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1125	—Continued lishing a uniform business licensing policy; defining its scope; and detailing its application and effect; prescribing the powers and duties of the bureau of business licenses regarding the consolidation, simplification and expedition of business license procedures of state agencies; appropriating money; amending Minnesota Statutes 1980, Sections 3.965, by adding a subdivision; 362.50, Subdivisions 4, 5, 9 and 10; 362.52, Subdivisions 2 and 4; 362.53, Subdivisions 11, 12, 15 and 17; proposing new law coded in Minnesota Statutes, Chapter 362; repealing Minnesota Statutes 1980, Sections 362.45; and 362.50, Subdivisions 6 and 7.							
1132	A bill for an act relating to state government; supplementing appropriations for the expenses of state government with certain conditions; expanding the definition of claimant agencies for purposes of the revenue recapture act to include counties and state district courts; increasing the rate of the tax on cigarettes, little cigars, tobacco products and alcoholic beverages; imposing the sales tax on candy and soft drinks; amending Minnesota Statutes 1980, Section 124.32, Subdivision 1, as amended; 256B.02, Subdivision 8, as amended; 256B.03, as amended; 256B.06, Subdivision 1, as amended; 256B.08; 270A.02; 270A.03, Subdivisions 2 and 5; 297.32, Subdivisions 1 and 2; 297A.25, Subdivision 1; 340.47, Subdivisions 1, 1a and 2; amending laws enacted at the 1981 regular session styled as H. F. No. 70, Article I, Section 21, Subdivision 1; H. F. No. 70, Article I, Section 45; and H. F. No. 1446, Article II, Section 2, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 297.	1762	1763	2835	1789 2819a 2884a 2885a	2887		Veto
1139	A bill for an act relating to courts; providing for certain reorganization of the court system in the state;providing that the second and fourth judicial district courts shall also be probate courts; changing the jurisdiction of county courts, county municipal courts, and conciliation courts in Hennepin and Ramsey Counties; changing the jurisdiction of county conciliation courts; creating certain judicial positions; abolishing certain judicial positions by attrition; appropriating money; amending Minnesota Statutes 1980, Sections 2.722, Subdivision 1, and by adding a subdivision; 487.03, by adding a subdivision; 487.15; 487.16; 487.18; 487.30, Subdivision 1; 488A.01, Subdivisions 4, 6, and 8; 488A.12, Subdivision 3; 488A.14, Subdivision 6; (Continued next page)	2116	2117	2221	2118 2214a 2910 2911a	2918 3088 3887	3075 3087 3088a 3167 3730 3879 3880*	398

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1139	—Continued 488A.18, Subdivisions 4, 7, 9, and 13; 488A.29, Subdivision 3; 488A.31, Subdivision 6; 491.03, Subdivision 4; 491.04, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapters 484 and 487.							
1143	A bill for an act relating to taxation; income; property tax refund; adopting federal income tax limitations on the deduction of interest; authorizing the commissioner to provide a short form income tax return; clarifying the computation of the low income alternative tax; providing for the computation of net operating loss; allowing the commissioner to obtain information required on returns by court action; allowing the commissioner to designate the places returns may be filed; conforming information return requirements to the federal requirements; requiring certain statements to be furnished to subjects of information returns; providing that payment of taxes of a decedent shall be made by successors in the absence of a personal representative; adopting the federal requirements for withholding and reporting on tips; clarifying the liability of employers in regard to withholding tax returns; conforming information requirements of withholding statements to federal law; allowing notification of an employer by the department that a withholding certificate is invalid; providing for verification of withholding exemptions and appeal by the claimant; allowing certain spouses to file a joint property tax return claim; conforming estimated tax requirements with federal law; altering the computation of the corporate estimated tax; conforming tax exempt provisions with federal law; altering filing requirements for corporations; allowing the commissioner to adjust the computation of federal adjusted gross income in certain circumstances; specifying or increasing interest rates on certain delinquent taxes and penalties; abolishing an election relating to the lump sum distribution tax; providing penalties; providing the computation of basis; providing for the liability of taxes due on a combined return; amending Minnesota Statutes 1980, Sections 10A.31, Subdivision 1; 290.05; 290.06, Subdivision 3d; 290.067, Subdivision 2; 290.09, Subdivision 3; 290.095, Subdivisions 1, 9, and by adding a subdivision; 290.14; 290.37, Subdivision 1; 290.39, Subdivisions 1, 2, and by adding a subdivision; 290.41, Subdivision 2, and by adding subdivisions; 290.42; 290.43; 290.44; 290.46; 290.53, Subdivisions 3 and 3a; 290.61; 290.92, Subdivisions 1, 2a, 7, 15, and by adding subdivisions; (Continued next page)	1948	1948	2018	2008a 2277 2278a	2280 3090	2864 2882 3088 3089*	343

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1143	—Continued 290.93, Subdivisions 1, 3 and 10; 290.931, Subdivision 1; 290.934, Subdivisions 4 and 5; 290A.03, Subdivision 8; 290A.07, Subdivisions 2 and 3; 290A.08; 290A.11, Subdivisions 2 and 4; repealing Minnesota Statutes 1980, Sections 290.032, Subdivision 4; and 290A.07, Subdivision 4.							
1160	A bill for an act relating to commerce; exempting certain real estate brokers and salespersons from the licensing requirements for mobile home manufacturers and dealers; setting a penalty; amending Minnesota Statutes 1980, Sections 82.34, Subdivision 7; and 327.55, by adding a subdivision.	1833	1833	1895	1894a 1980a 1986 2099 2128 2176a	2226		280
1163	A bill for an act relating to the Greenway joint recreation board; regulating its tax levies.	2000	2000	2050	2044 2099	2129		281
1166	A bill for an act relating to metropolitan government; providing for membership on the metropolitan sports facilities commission; amending Minnesota Statutes 1980, Section 473.553.	3739	3739					
1176	A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 466.01, by adding a subdivision; and 466.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 116; proposing new law coded as Minnesota Statutes, Chapter 115B; repealing Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2.	4678	4679	4711	4679 4710 4711a 4731a	4736 5454 5454	4866 4867 5433* 5454	Veto
1178	A bill for an act relating to the board of medical examiners; allowing temporary suspension of physicians' licenses without a hearing under certain conditions; amending Minnesota Statutes 1980, Section 147.021, by adding a subdivision.	1184	1186	1417	1413	1499		83
1184	A bill for an act relating to taxation; requiring the state agricultural society to negotiate an agreement to provide compensation for certain city services; providing for homestead classification of certain leased premises; amending Minnesota Statutes 1980, Section 273.13, by adding a subdivision; and proposing new law coded in Minnesota Statutes, Chapter 38.	2171	2171					

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1185	A bill for an act relating to highways; modifying restrictions on the loading of vehicles driven on the highways; amending Minnesota Statutes 1980, Section 169.81, Subdivision 5.	1875	1875	3969	3950 4485			
1190	A bill for an act relating to counties; providing that the compensation of members of the St. Louis county board of commissioners be set pursuant to general law; providing for a seven-member board of commissioners in certain counties; amending Minnesota Statutes 1980, Section 375.055, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 375; repealing Laws 1965, Chapter 843.	1833	1833	1895	1895 1985a	2024 2538	2104 2161 2536 2537*	230
1200	A bill for an act relating to courts; extending application of the provision of law providing for payment of travel expenses for certain district court judges; amending Laws 1980, Chapter 614, Section 162.	1833	1833	1895	1895 2099	2128		282
1210	A bill for an act relating to taxation; providing that an electing small business corporation for federal income tax purposes shall be an electing small business corporation for Minnesota income tax purposes; amending Minnesota Statutes 1980, Sections 290.01, Subdivision 20; 290.974; proposing new law coded in Minnesota Statutes, Chapter 290; repealing Minnesota Statutes 1980, Sections 290.971; 290.972; and 290.975.	2282	2282	2545	2545	2877		344
1218	A bill for an act relating to education; extending due dates for plans and reports relating to the statewide education management information system; authorizing the state board to perform certain duties according to specified criteria in the absence of rules; amending Minnesota Statutes 1980, Sections 121.931, Subdivisions 3, 4 and 7; and 121.938, Subdivision 2.	1439	1441	1518	1518 1816	1857		193
1220	A bill for an act relating to unemployment compensation; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; amending Minnesota Statutes 1980, Section 268.09, Subdivision 1.	3944	3946	4430	4030 4388a 4472 4781a 4885a	4949 4950 5647	4950 5426 5432 5635*	Veto
1231	A bill for an act relating to state lands; directing conveyance of certain lands in Washington County.	1184	1186	4343	4322	4482		441
1234	A bill for an act relating to employees and officials of the state; clarifying certain hospital and medical benefits for retired or disabled state officials and employees; amending Minnesota Statutes 1980, Section 471.61, Subdivision 2a.	3944	3945	4002	4000a 4348	4479	5625	602

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1235	A bill for an act relating to state lands; authorizing the conveyance by the state of its interest in certain lands in Lyon County and Wright County.	4084	4086	4343	4334	4474		430
1237	A bill for an act relating to the city of Blaine; permitting all council members to serve on the housing and redevelopment authority.	1184	1184	1417	1417	1497		84
1247	A bill for an act relating to elections; fixing the majority necessary to approve an amendment to a home rule charter; amending Minnesota Statutes 1980, Section 410.12, Subdivision 4.	1875	1875					
1250	A bill for an act relating to children; amending the definitions of shelter care facility and secure detention facility; extending the time limit for detaining children who may be dependent or neglected children; amending Minnesota Statutes 1980, Sections 260.015, Subdivisions 16 and 17; 260.171, Subdivisions 2, 4, 5, 6, and by adding a subdivision; 260.172, Subdivision 1; repealing Minnesota Statutes 1980, Section 260.015, Subdivision 15.	3399	3400					
1253	A bill for an act relating to the department of economic security; authorizing financial assistance to community action agencies; defining terms; providing a formula for the distribution of funds; proposing new law coded as Minnesota Statutes, Chapter 268A.	2171	2171	2221	2194 2220a 3058a	3060		367
1262	A bill for an act relating to workers' compensation; permitting political subdivisions to provide additional benefits; amending Minnesota Statutes 1980, Section 176.021, Subdivision 5.	3793	3797		4708			
1269	A bill for an act relating to energy; providing for the confidentiality of certain energy data; changing the duties of Minnesota energy agency; subdivision regulations; providing for certain inspections; extending biomass plan deadline; amending Minnesota Statutes 1980, Sections 116H.08; 116H.12, Subdivision 3a, and by adding a subdivision; 116H.129, Subdivision 4; 116H.19, Subdivision 1; 462.358, Subdivision 2a; proposing new law coded in Minnesota Statutes, Chapter 15.	1184	1185	1330	1329a	1398		85
1278	A bill for an act relating to public employment labor relations; clarifying the definition of "employer"; amending Minnesota Statutes 1980, Section 179.63, Subdivision 4.	4280	4281	4430	4379a 4539a	4723		588
1283	A bill for an act relating to crimes; lengthening the statute of limitations for prosecutions for certain crimes; amending Minnesota Statutes 1980, Section 628.26.	3399	3400	4002	3993 4485	4527		432

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1301	A bill for an act relating to consumer protection; providing for a definition of building materials which may contain urea formaldehyde; providing for exceptions;amending Minnesota Statutes 1980, Section 325F.18, by adding a subdivision.	1833	1833	1895	1895 2052	2093		245
1304	A bill for an act relating to state government; providing for deficiencies in and supplementing appropriations for the expenses of state government; appropriating money.	1130	1131	1397	1366a 1579	1579		149
1321	A resolution memorializing the Peace Corps in recognition of the outstanding achievements of Peace Corps volunteers from Minnesota on the occasion of the Peace Corps' 20th anniversary.	872	873					
1336	A bill for an act relating to retirement; highway patrol benefits and refunds; providing annual benefit increases to pre-1973 retirees and surviving spouses; appropriating funds; amending Minnesota Statutes 1980, Section 352B.11, Subdivision 1; and Minnesota Statutes 1981 Supplement, Sections 352B.02, Subdivision 1; 352B.08, Subdivision 2; and 352B.11, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapter 352B.	3888	3888	3969	3969a 4014 4162a	4162		397
1344	A bill for an act relating to education; authorizing school boards to permit certain persons to enroll in classes and programs at a secondary school; providing for class fees in certain circumstances; prohibiting districts from counting certain persons enrolled in classes and programs for the purposes of state aid; authorizing districts to provide transportation; increasing the administration fee when senior citizens attend classes at higher education institutions; amending Minnesota Statutes 1980, Sections 123.35, by adding subdivisions; 123.39, by adding a subdivision; and 136A.81, Subdivision 1.	1505	1505	1577	1572a 1822a	1858		194
1357	A bill for an act relating to the Mountain Iron joint recreation board; regulating its tax levy.	2282	2282		3983a			
1365	A bill for an act relating to cities; authorizing city rehabilitation loan programs for small and medium sized commercial buildings; and providing for the issuance of revenue bonds to finance the programs; authorizing a housing and commercial rehabilitation interest reduction program; amending Minnesota Statutes 1980, Sections 462.421, Subdivision 14; 462.445, by adding subdivisions; and 462.545, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 459.	3980	3980	4343	4342a 4719a	4719		590

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1366	A bill for an act relating to liens for improvements made to real property; prescribing notice requirements to owners by subcontractors; defining owner; amending Minnesota Statutes 1980, Section 514.011, Subdivisions 2 and 5.	3793	3797	3934	3932a 4014	4142		433
1376	A bill for an act relating to appropriations; appropriating funds to the public utilities commission for a report on natural gas rate averaging; directing the averaging of rates in a certain geographic area; proposing new law coded in Minnesota Statutes, Chapter 216B.	2000	2001	2039 3273				
1382	A bill for an act relating to the city of Duluth; providing for the size of the housing and redevelopment authority.	4503	4504					
1421	A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes, including the department of education, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1980, Sections 15.38; 123.742, by adding a subdivision; 123.743; 136A.121, Subdivisions 4 and 5; and 144A.61, Subdivision 3; repealing Minnesota Statutes 1980, Section 123.939.	1439	1441	1580	1539 1580a	1594 2261	1830 1864 2239 2240*	359
1430	A bill for an act relating to the city of Hibbing; fixing the amount of the mayor's contingent fund; amending Laws 1939, Chapter 329, Section 1.	3399	3400	3969	3949a 4485	4521		506
1434	A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other agencies with certain conditions; providing for the regulation of professional wrestling; imposing a tax on the gross receipts from admission to professional wrestling exhibitions, and on the gross receipts from the lease or sale of radio, motion picture and television rights therein; providing penalties; amending Minnesota Statutes 1980, Sections 12.14; 15.0412, Subdivision 4; 16A.128; 37.17, by adding a subdivision; 43.491, Subdivision 2; 46.131, Subdivision 3; 161.125, Subdivision 1; 161.242, Subdivision 4; 162.09, Subdivision 4; 168.013, Subdivisions 1c and 1e and by adding a subdivision; 168.12, Subdivisions 1 and 2a; 168.27, Subdivisions 16 and 17; 168.33, Subdivision 7; 169.09, Subdivision 7; 169.451; 169.79; 169.974, Subdivision 2; 171.13, by adding a subdivision; 171.36; 173.25; 174.255, by adding a subdivision; 214.01, Subdivision 3; 214.06, Subdivision 1; 216B.16 by (Continued next page)	1439	1443	1779	1757 1779a	1780 2343	1830 1864 2287 2288*	357

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1434	—Continued adding a subdivision; 216B.62, Subdivision 3 and by adding a subdivision; 237.075 by adding a subdivision; 237.295, Subdivision 2 and by adding a subdivision; 239.10; 239.52; 270.051, Subdivision 2; 297B.035, Subdivision 2;326.241, Subdivision 3; 326.244, Subdivision 2; 340.11, Subdivision 14; 340.113, Subdivision 2; 340.119, Subdivision 3; 340.402; 340.493, Subdivision 2; 340.62; 341.01; 341.02; 341.04; 341.05; 341.07; 341.08; 341.09; 341.10; 341.12; 341.13; 341.15; 360.021, Subdivisions 1 and 2; 360.305, by adding subdivisions; 388.14; 388.19, Subdivision 1; 414.051; 462.16; Laws 1980, Chapter 534, Section 87; and Chapter 607, Article XIII, Section 2, Subdivisions 3 and 5; proposing new law coded in Minnesota Statutes, Chapter 138; proposing new law coded as Minnesota Statutes, Chapter 155A; repealing Minnesota Statutes 1980, Sections 155.01; 155.02; 155.03; 155.04; 155.05; 155.06; 155.08; 155.09; 155.11; 155.12; 155.13; 155.14; 155.15; 155.16; 155.17; 155.18; 155.19; 155.20; 155.205; 155.21; and 239.521.							
1442	A bill for an act relating to crimes; eliminating the defenses of mental illness and mental retardation; amending Minnesota Statutes 1980, Section 611.026.	3793	3798					
1443	A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative, judicial, and administrative expenses of state government with certain conditions; providing for the transfer of certain moneys in the state treasury; authorizing land acquisition in certain cases; fixing and limiting the amount of fees to be collected in certain cases; creating, abolishing, modifying, and transferring agencies and functions; creating a department of energy, planning and development; transferring all the functions of the state planning agency, energy agency, and department of economic development, and the staff of the crime control planning board, to the department of energy, planning and development; abolishing the state planning agency, energy agency, and department of economic development; creating an advisory committee on energy policy development; amending Minnesota Statutes 1980, Sections 3.3005, Subdivision 3; 3.304, by adding a subdivision; 3.922, Subdivision 1; 4.10; 4.11, Subdivisions 4, 5 and 8; 4.12; 4.125; 4.13; 4.17; 4.18, Subdivision 2; 4.191; 4.26, Subdivision 1; 4.27; 4.29; 4.35; 4.36, Sub- (Continued next page)	1505	1506	1649	1628 1648 1649a	1651 2532	1831 1864 2347*	356

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1443—Continued	divisions 2, 3, 4, and 5; 5.08, Subdivision 2; 9.061, Subdivision 5; 11A.20, Subdivision 3; 15.01; 15.057; 15.50, Subdivision 2; 15A.081, Subdivision 1; 16.014, Subdivision 1; 16.084; 16.086, Subdivisions 1 and 2; 16.125, Subdivision 2; 16.756, Subdivision 1; 16A.123; 17.59, Subdivision 5, as amended; 17A.04, Subdivision 5; 17B.15; 18.023, Subdivision 11; 18.024, Subdivision 1; 18.51, Subdivision 2; 18.52, Subdivision 5; 18.54, Subdivision 1; 19.19, Subdivisions 1 and 2; 19.20, Subdivision 4; 27.041, Subdivision 2; 28A.08; 32.075; 32.59; 40.071; 43.09, Subdivision 2a; 43.46, Subdivisions 2 and 3; 60A.15, Subdivision 1; 84.028, Subdivision 2; 84.54; 85.016; 85.017; 85.05, Subdivisions 1 and 2; 85.22, Subdivision 2a; 85A.04, Subdivision 1, and by adding a subdivision; 86.72, Subdivision 3; 86A.06; 86A.09, Subdivisions 1, 2, 3, and 4; 89.43; 92.35; 92.36; 92.37; 97.40, Subdivision 1; 97.482, Subdivision 1; 98.45, Subdivision 6; 98.46, Subdivisions 2 to 12, 14 to 19, and by adding a subdivision; 98.47, Subdivision 1; 98.50, Subdivision 5; 99.28, Subdivision 5; 100.273, Subdivision 7; 100.35, Subdivisions 1 and 5; 101.44; 104.03, Subdivision 1; 104.35, Subdivisions 2 and 3; 105.484; 105.485, Subdivision 3; 114A.03, Subdivision 1; 115A.07, Subdivision 1; 115A.12, Subdivision 2; 115A.15, Subdivision 5; 116C.03, Subdivisions 2, 3, and 4; 116C.69, Subdivisions 2, 2a and 3; 116F.06, Subdivision 2; 116H.05; 116H.06; 116H.07; 116H.08; 116H.085; 116H.087; 116H.088, Subdivision 1; 116H.089; 116H.09, Subdivisions 1, 4, and 5; 116H.10; 116H.11; 116H.12, Subdivisions 1, 1b, 2, 4, 5, 6, and 9; 116H.121, Subdivisions 1 and 2; 116H.122; 116H.123; 116H.124; 116H.126; 116H.127; 116H.128; 116H.129, Subdivisions 1, 4, 5, 6, and 8; 116H.13; 116H.14; 116H.15, Subdivision 2; 116H.17; 116H.18; 116H.19, Subdivision 1; 116H.23; 120.78, Subdivision 1; 124.225, Subdivision 4a; 126.111, Subdivision 2; 137.31, Subdivision 6; 138.93, Subdivision 4; 139.16; 139.17, and by adding a subdivision; 139.18, Subdivisions 1, 3 and 4; 139.19, Subdivisions 3, 4, 5 and 6; 145.834; 145.835, Subdivision 1; 145.836, Subdivision 1; 145.837, Subdivision 1; 145.845; 145.912, Subdivision 15; 160.262, Subdivisions 1 and 3; 160.265, Subdivision 1; 174.03, Subdivision 7; 176.131, Subdivision 10; 176.183, Subdivision 2; 179.71, Subdivision 2; 204A.06, Subdivision 1b; 216B.241, Subdivision 2; 222.62; 222.65; 223.03, as amended; 231.16; 232.02, Subdivisions 1, 2, and 3; (Continued next page)								

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1443—Continued	233.08; 245.783, Subdivision 2; 268.014; 270.66; 271.02; 273.74, Subdivisions 2 and 5; 275.53, Subdivisions 1, 3, and 4; 284.28, Subdivision 8; 290.06, Subdivision 14; 290.431; 298.48, Subdivision 4; 299A.03, Subdivision 5; 299A.04; 300.49, Subdivision 1; 301.071, Subdivision 2; 301.75; 301.77, Subdivision 1; 301A.01, Subdivision 1; 301A.05; 301A.07, Subdivision 1; 322A.16; 322A.71; 325F.19, Subdivisions 3 and 6; 325F.20, Subdivision 1; 325F.21, Subdivision 2; 325F.23, Subdivision 1; 325F.24, Subdivision 3a; 336.9-403; 336.9-404; 336.9-405; 336.9-406; 336.9-407; 345.42, Subdivision 1; 345.53; 352E.04; 354.43, Subdivision 3; 355.06; 362.12, Subdivision 1; 362.13; 362.132; 362.40, Subdivisions 8, 9, and 10; 362.41, Subdivision 5; 362.42; 362.51, Subdivisions 8 and 10; 362A.06; 402.045; 402.062, Subdivision 1; 402.095; 451.09, Subdivision 2; 453.52, Subdivision 3; 462.375; 462.384, Subdivision 7; 462.385, Subdivisions 1 and 3; 462.386, Subdivision 1; 462.387; 462.39, Subdivisions 2 and 3; 462.391, Subdivisions 2, 3, and 4; 462.395; 462.396, Subdivision 1; 462.398; 462.421, Subdivision 21; 462A.05, Subdivision 15b; 473.204, Subdivision 2; 473.411, Subdivision 1; 473.857, Subdivision 2; 473H.06, Subdivision 5; 474.01, Subdivisions 6, 7, and 8; 480.0595; 546.27; 611.23; 611.24; 611.26, Subdivisions 1 to 5; 638.08; 641.24; and 648.39; proposing new law coded as Minnesota Statutes, Chapter 116J; proposing new law coded in Minnesota Statutes, Chapters 85, 97, 116H, 270 and 611; amending Laws 1976, Chapter 337, Section 1, Subdivisions 2, as amended, 3, and 4, as amended; Laws 1978, Chapter 510, Sections 2 and 5; repealing Minnesota Statutes 1980, Sections 3.86; 4.11, Subdivisions 1, 2, 3, 6, and 7; 4.15; 4.16; 7.07; 16.014, Subdivision 3; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 116H.001; 116H.02, Subdivisions 2 and 4; 116H.03; 116H.09, Subdivisions 2 and 3; 116H.12, Subdivision 3b; 126.52, Subdivision 12; 168B.11; 254A.06; 299A.03; 362.07; 362.08; 362.09; 362.10; 362.11; 362.12, Subdivisions 2 and 3; 362.15; 362.17; 362.18; 362.19; 362.23; 362.45, Subdivision 2; 363.073, Subdivisions 1 and 2; 462.711; 473.556, Subdivision 15; 473.571, Subdivisions 2, 3, and 4; 480.053; 481.15, Subdivision 3; 483.01; 483.02; 648.45; 648.46; Laws 1961, Chapter 66, Section 1, as amended; Laws 1976, Chapter 337, Section 4, as amended; Laws 1977, Chapter 310, Section 17; Laws 1978, Chapter 510, Section 10; and Laws 1981, Chapter 151, Section 1.							

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1445	A bill for an act relating to the operation and financing of state and local government; providing for indexing of individual income tax brackets, credits and the standard deduction; imposing an income surtax; eliminating the deduction for tax paid on gasoline; limiting the medical expense deduction; providing for deduction of federal income tax on the accrual basis; extending the provision restricting deduction of costs incurred in connection with substandard housing; adjusting the state school agricultural credit; exempting certain airport property and leased park property from taxation; providing for the valuation of agricultural land; providing for the valuation of archery and firearms ranges and of property subject to a conservation restriction or easement; indexing the homestead brackets; providing homestead treatment for certain leased property; extending 3cc treatment to homesteads of persons receiving local government disability pensions; reducing the assessment ratios applied to apartments and commercial-industrial property; correcting the transmission line credit formula; requiring notice of possibility of forfeiture or default on tax-forfeited lands and providing a transitional provision; increasing the current targeting provision maximum; extending targeting for future years; requiring reports on agricultural land valuations; authorizing the city of Austin to hold land for future development; increasing the rate of interest payable on delinquent taxes; rescheduling certain payment dates; limiting property tax refund payments to certain claimants; requiring declaration and estimated payments of gross earnings taxes by telephone and telegraph companies; limiting certain appropriations; eliminating payment of estate tax proceeds to counties; changing the definition of a "sale"; excluding certain foods from the sales tax exemption; exempting gross receipts from the sale of certain feminine hygiene products from the sales tax; providing an accelerated payment of June sales and use tax liability for certain vendors; clarifying the date of sale of tickets and admissions for purposes of the sales and use tax; providing a municipal option to participate in the shade tree disease program; limiting certain property tax credits; providing a system for the limitation of levies by local governments; authorizing certain levies outside the limits for counties to fund legal assistance programs and seaway port authorities and to finance Goodhue county fairs; providing a formula for the distribution of local government aids; delaying implementation of the coefficient of disper- (Continued next page)	2037	2037	2039	2038 2039a	2039 3055	2105 2110 2982*	Veto

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1445—Continued	sion penalty; establishing conditions for the special assessment of costs of operation, maintenance, or promotion of public improvements; authorizing the refunding of certain special assessments collected by the city of South St. Paul and the levying of a tax to finance the city's sewer separation project; authorizing the city of Inver Grove Heights to issue certain permits; requiring filing of reports by assessors; specifying parties to be served with notice of appeal; restricting native prairie designation; establishing dates for filing statements regarding tax-exempt property; setting certain fees; altering the attached machinery aid computation; clarifying the assessment of certain property of cooperative associations; allowing use of estimates of certain levy information; establishing interest rates on delinquent taxes; clarifying terminology; removing requirements of publishers' bonds; modifying property tax refunds payable to part-year homeowners; increasing abatement authority of county boards; requiring local assessment of airport property; providing for a subtraction from gross income for individual housing accounts in lieu of the deduction; modifying procedural requirements for individual housing accounts; validating rules of the state board of assessors; providing for accrediting of certain assessors; defining "gravel"; delaying the date for filing of gravel tax returns; providing for the registration of wine brand labels; authorizing use of industrial revenue bonds to finance a project located in the city of New Brighton; preventing the extension of taxing regulations and taxation to wrestling; continuing certain functions of the tax study commissioner; appropriating funds; amending Minnesota Statutes 1980, Sections 18.023, by adding a subdivision; 48.159, Subdivision 2; 50.157, Subdivision 2; 51A.21, Subdivision 16a; 52.136; 124.213; 270.11, Subdivision 2; 270.47; 270.75; 271.10, Subdivision 2; 272.01, Subdivision 2; 272.02, Subdivision 1; 272.025, Subdivision 3; 272.46; 272.47; 273.11, Subdivision 1 and by adding a subdivision; 273.112, Subdivision 3; 273.13, Subdivisions 6, 7, 9, 19 and by adding subdivisions; 273.136, Subdivision 3; 273.138, Subdivision 2; 273.19, Subdivision 1 and by adding a subdivision; 273.40; 273.42, Subdivision 2; 275.075; 275.08; 275.50, Subdivisions 2 and 5; 275.51, Subdivisions 1, 4 and by adding a subdivision; 276.01; 277.15; 279.02; 279.03; 279.14; 279.37, Subdivision 6; 281.23, Subdivision 5; 290.01, Subdivision 20; 290.06, Subdivisions 2d, 3g and by (Continued next page)							

a Indicates Amendment *Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1445	—Continued adding subdivisions; 290.067, Subdivision 2; 290.08, by adding a subdivision; 290.09, Subdivisions 4, 10 and 15; 290.10; 290.17, Subdivision 2; 290.18, Subdivision 2 and by adding a subdivision; 290.37, Subdivision 3; 290A.03, Subdivisions 8 and 13; 290A.04, Subdivision 2c and by adding a subdivision; 290A.07, Subdivisions 2, 3 and by adding a subdivision; 297A.01, Subdivision 3; 297A.25, Subdivision 1; 298.75, Subdivisions 1, 2 and 3; 340.621; 360.035; 375.167, Subdivision 1; 375.192, Subdivision 2; 422A.101, Subdivision 3; 429.031; 429.051; 429.061, Subdivision 1 and by adding subdivisions; 458.14; 473.626; 477A.03; 477A.04, Subdivision 2; and 477A.13; Laws 1975, Chapter 226, Section 4, as amended; and Laws 1980, Chapter 607, Article V, Section 5; proposing new law coded in Minnesota Statutes, Chapters 38; 273; 295; 297A; and 477A; repealing Minnesota Statutes 1980, Sections 275.51, Subdivision 3d; 275.52; 275.53; 275.551; 275.552; 275.59; 279.11; 290.09, Subdivision 30; 291.33; and 477A.01.							
1446	A bill for an act relating to the organization and operation of state government; appropriating money for welfare, corrections, health, and other purposes with certain conditions; providing appropriations for the departments of public welfare, economic security, corrections, health, sentencing guidelines, corrections ombudsman, and health related boards; amending Minnesota Statutes 1980, Sections 16.851, by adding a subdivision; 144A.08, by adding a subdivision; 145.913, by adding a subdivision; 145.914, Subdivision 2; 241.021, by adding subdivisions; 241.13; 241.69, Subdivision 4; 245.0313; 245.765, Subdivision 1; 245.802, by adding a subdivision; 245.812, by adding a subdivision; 246.151; 246.54; 254A.03, by adding a subdivision; 256.73, Subdivision 2; 256.76, Subdivision 1; 256.87; 256.872; 256.873; 256.875; 256.877; 256B.02, Subdivision 8; 256B.03; 256B.06, Subdivision 1; 256B.091, by adding a subdivision; 256B.15; 256B.17; 256D.01, Subdivision 1; 256D.02, Subdivisions 4 and 8; 256D.03, Subdivision 2; 256D.04; 256D.05 Subdivision 1; 256D.06, Subdivision 2, and by adding subdivisions; 256D.14; 357.021, Subdivision 2, and by adding a subdivision; 393.07, Subdivision 10; 401.04; 401.12; 517.08, Subdivision 1b, and by adding a subdivision; 518.54, by adding subdivisions; 518.551; 518.611; 518.64, Subdivision 1 and by adding a subdivision; proposes (Continued next page)	1634	1635	1781	1635 1780 1781a	1789 2593	1832 1864 1979 2545 2546*	360

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1446—Continued	ing new law coded in Minnesota Statutes, Chapters 144; 145; 241; 245; 256D; 257 and 609; repealing Minnesota Statutes 1980, Sections 256.87, Subdivision 3; 256D.02, Subdivisions 9 and 10; and 256D.11.							
1448	A bill for an act relating to counties; excepting a county legal assistance levy from levy limits; amending Minnesota Statutes 1980, Section 375.167, Subdivision 1.	2171	2171					
1454	A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature; amending H.F. No. 332, Sections 11, Subdivision 4; and 15, Subdivision 1.	3136	3136					
1455	A bill for an act relating to real estate brokers and salespersons; providing for the automatic transfer of a salesperson's license under certain circumstances; amending Minnesota Statutes 1980, Section 82.20, Subdivision 9.	3888	3889	4132	4124a 4485 4664a	4664		478
1456	A bill for an act relating to probate; changing certain records-keeping requirements; amending Minnesota Statutes 1980, Sections 488A.27, Subdivision 11; and 525.03; Laws 1979, Chapter 303, Article III, Section 43.	3793	3794	3934	3932a 4018a 4354a	4478		592
1469	A bill for an act relating to commerce; revising and modernizing laws relating to hotels; providing for the rights and duties of innkeepers and their guests; prohibiting certain practices; imposing penalties; amending Minnesota Statutes 1980, Section 363.03, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 327; repealing Minnesota Statutes 1980, Sections 327.01 to 327.095.	3944	3945	4606	4177 4598a 4728a	4729		517
1474	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 121.	2042	2043	2153	2043 2152 2153a	2153 2895	2208 2267 2848 2887 2888*	362
1475	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; appropriating money; amending Minnesota Statutes 1980, Section 116.18, Subdivisions 1 and 4; and 174.50, Subdivision 1.	2042	2043	2152	2043 2151 2152a	2152 3085	2209 2267 3075*	361

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1477	A bill for an act relating to snowmobiles; increasing the registration fee and appropriating the proceeds thereof for stated purposes; registration of collectors' snowmobiles; requiring a study; creating a snowmobile trails and enforcement account in the state treasury; appropriating money; amending Minnesota Statutes 1980, Sections 84.82, Subdivision 3, and by adding a subdivision; and 84.83.	4569	4570	4704	4690a 4874a	4875		580
1478	A bill for an act relating to congressional districts; apportioning congressional districts; amending Minnesota Statutes 1980, Sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811.	3168	3168	3220	3217a 3235a	3239	4606	
1484	A bill for an act relating to highway traffic regulations; providing for arrest without a warrant; defining admissible evidence; providing for alcohol problem assessments; providing alternative testing procedures; providing for administrative driving privilege revocations for failure to submit to chemical testing or exceeding prescribed alcohol concentration; authorizing revocations prior to judicial review; revising the procedure for hearings and appeals on administrative revocations; authorizing introduction into evidence certain peace officer records and reports; prescribing penalties; providing for detoxification of drivers; amending Minnesota Statutes 1980, Sections 3.736, Subdivision 3; 169.121, Subdivisions 1, 2, 3, 4, and 6, and by adding subdivisions; 169.123; 171.19; 171.30, Subdivision 1; 466.03, by adding a subdivision; and 634.15; proposing new law coded in Minnesota Statutes, Chapter 169.	3517	3517	4132	4091a 4618a	4632 5160	4716 4717 5147 5148*	423
1492	A bill for an act relating to natural resources; authorizing an addition to Split Rock Creek Recreation Area and authorizing land acquisition in relation thereto.	3944	3945	4343	4341a	4768		502
1499	A bill for an act relating to the commitment of persons who are mentally ill, mentally ill and dangerous, mentally retarded, or chemically dependent; providing for informal institutionalization by consent, involuntary emergency institutionalization and for involuntary commitment by civil judicial procedures; providing for rights of persons hospitalized under voluntary, emergency or involuntary judicial procedures; requiring pre-petition screening; providing for commitment hearings and procedures in conformance with due process; requiring a final hearing before final determination of commitment; providing for commitment for de-	4084	4087	4343	4338a	4473 5179	4656 4707 5174*	581

(Continued next page)

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1499—Continued	terminate periods; providing for provisional discharge and partial institutionalization; requiring special review boards for mentally ill and dangerous and psychopathic personalities; establishing review boards for civilly committed persons; providing penalties; proposing new law coded as Minnesota Statutes, Chapter 253B; repealing Minnesota Statutes 1980, Sections 253A.01 to 253A.23.							
1523	A bill for an act relating to driver licensing; allowing certain reports to be made to the commissioner of public safety; proposing new law coded in Minnesota Statutes, Chapter 171.	3517	3518	4002	3993	4773		479
1532	A bill for an act relating to tort actions; prohibiting the causes of action for wrongful life and wrongful birth; prohibiting a defense, an award of damages, or a penalty based on the failure or refusal to prevent a live birth; proposing new law coded in Minnesota Statutes, Chapter 145.	3793	3797	4739	4541a 4738 4877a	5543		521
1542	A bill for an act relating to metropolitan government; regulating the organization, duties and powers of the metropolitan mosquito control district and commission; increasing size of commission membership; increasing certain commission expenditure amounts; authorizing taxes; amending Minnesota Statutes 1980, Sections 473.701, Subdivisions 1, 2 and 3; 473.702; 473.703, Subdivision 1; 473.704, Subdivision 17; 473.705; and 473.711, Subdivision 2; repealing Minnesota Statutes 1980, Sections 473.701, Subdivisions 5 and 6; 473.713; and 473.717.	4569	4571	4756	4752a 5094a	5095		579
1546	A bill for an act relating to juveniles; providing for the detention of juveniles for whom a motion to refer for prosecution is pending before the court; amending Minnesota Statutes 1980, Section 260.173, Subdivision 4.	3399	3400	3969	3962a	4766		596
1547	A bill for an act relating to intoxicating liquor; town board approval of certain county liquor licenses; amending Minnesota Statutes 1980, Section 340.119, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 340.11, Subdivision 10.	3793	3794	4606	4580a	4719		597
1550	A bill for an act relating to the city of Big Falls; authorizing the establishment of detached banking facilities.	3269	3269	4606	4581a	4710 5207	4776 4867 5206*	505
1552	A bill for an act relating to insurance; extending the temporary joint underwriting association act for an additional six year period; extending the termination date of certain insurance policies; amending Minnesota Statutes 1980, Sections 62F.01, Subdivision 2; and 62F.06, Subdivision 1.	3181	3182	3282	3281	3314		374

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1553	A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 171.	4503	4504	4606	4587a	4768		598
1555	A bill for an act relating to education; providing for aids to education, aids to libraries, tax levies, and the distribution of tax revenues; governing the recognition of school district property tax revenues; granting certain powers and duties to school boards, school districts, the state board of education, and others; altering the method of distribution of transportation aid; altering aids for summer school; reducing certain appropriations; appropriating money; amending Minnesota Statutes 1980, Sections 120.17, Subdivision 4a; 120.68; 121.11, Subdivision 12; 121.88, by adding a subdivision; 121.904, Subdivisions 2, 4, and 4a, as added; 121.908, Subdivision 3; 123.32, Subdivision 1, and by adding a subdivision; 123.35, by adding a subdivision; 123.351, by adding a subdivision; 123.37, Subdivision 1b; 123.78, Subdivision 1; 124.14, by adding a subdivision; 124.19, Subdivision 1, and by adding a subdivision; 124.225, as amended; 124.245, by adding a subdivision; 124.26, by adding a subdivision; 124.32, Subdivisions 2, 7, and 10, and by adding subdivisions; 124.5621, by adding a subdivision; 124.572, Subdivision 2, and by adding a subdivision; 124.573, by adding subdivisions; 124.574, Subdivision 3, and by adding a subdivision; 126.262, Subdivision 1; 126.264, Subdivision 3; 126.265; 126.267; 134.34, by adding a subdivision; 275.125, Subdivisions 4 and 5, as amended, and by adding subdivisions; 275.48; 475.61, Subdivisions 1, 3, and 4; Minnesota Statutes 1981 Supplement, Sections 120.17, Subdivisions 5a and 6; 121.904, Subdivision 7; 121.912, Subdivision 1; 122.542, Subdivisions 3 and 4; 123.702, Subdivision 1a; 123.705; 124.01, Subdivision 1; 124.17, Subdivision 2; 124.212, Subdivision 1; 124.2121, Subdivision 5, as amended; 124.2122, Subdivision 1, as amended, and Subdivision 2, as amended; 124.2124, Subdivision 1; 124.2125, Subdivision 1, as amended, and Subdivision 2; 124.2126, Subdivision 3; 124.2128, Subdivision 1; 124.2129, Subdivision 3; 124.223; 124.245, Subdivisions 1 and 1a; 124.246, Subdivision 2, and by adding a subdivision; 124.247, Subdivision 3; 124.251; 124.26, Subdivision 1; 124.271, Subdivision 2; 124.273, Subdivisions 1, 2, and by adding subdivisions; 124.32, Subdivisions 1, 1a, 1b, (Continued next page)	3888	3889	4175	4031 4038a 4171 4178a	4181 5029	4441 4483 4962*	548

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1555—Continued	and 5; 124.38, Subdivision 7; 124.5621, Subdivision 12; 124.5624, Subdivisions 3 and 4; 124.5627, Subdivisions 3, 4, and 5; 124.573, Subdivisions 2 and 3a; 124.574, Subdivision 2; 125.611, Subdivision 5; 136A.81, Subdivision 1; 169.974, Subdivision 2; 171.04; 275.125, Subdivisions 1, 2d, 7a, and 11a; 298.28, Subdivision 1; 354.66, Subdivision 6; Laws 1981, Chapter 358, Article II, Section 15, Subdivision 3, Article VI, Section 46, Subdivisions 8, 9, and 16, Article VII, Section 29, as amended, Third Special Session Chapter 2, Article II, Sections 1, 2, 15, and 20, Article IV, Section 3, Subdivisions 2, 3, 4, and by adding a subdivision, Article IV, Section 5, Subdivision 3, and by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapters 120 and 124; repealing Minnesota Statutes 1980, Sections 121.904, Subdivision 4b, as added; 121.96; 123.37, Subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14; and 128.05; 275.125, Subdivision 1a, as added; Laws 1967, Chapters 251 and 253; and Laws 1976, Chapter 20, Section 8.							
1572	A bill for an act relating to health; establishing the right to complete information on all alternative treatments for patients with breast cancer; amending Minnesota Statutes 1980, Section 144.651.	4084	4086	4430	4429a 4709a	4709		504
1573	A bill for an act relating to crimes; prohibiting the manufacture, sale, transfer and delivery of simulated controlled substances; prohibiting their manufacture, sale, transfer and delivery; providing penalties; amending Minnesota Statutes 1980, Sections 152.09, Subdivision 1; 152.15, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 152.	3399	3400	4132	4087a 4485	4530 5206	4676 4708 5204*	599
1574	A bill for an act relating to Independent School District No. 084, Sleepy Eye; requiring revision of its certified statutory operating debt.	3269	3269	3503	3498	3729		390
1576	A bill for an act relating to commerce; regulated loans; applying the statutory provisions relating to conventional loan defaults to regulated loans; clarifying the method for the computation of interest; allowing the combination of loans of different maturities and interest rates; prohibiting attorney's fees except in connection with mortgage foreclosures; placing certain restrictions on the procurement of insurance in connection with a loan; providing miscellaneous (Continued next page)	3888	3889	4606	4471 4600a 4772a	4772		547

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1576—Continued	technical and clarifying amendments; amending Minnesota Statutes 1980, Section 53.04, Subdivision 5; and Minnesota Statutes 1981 Supplement, Sections 53.01; 53.04, Subdivision 3a; 56.12; 56.131, Subdivisions 1 and 5; 56.155; 334.02; and 334.03; proposing new law coded in Minnesota Statutes, Chapter 56.							
1579	A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Brainerd.	3399	3400	3969	3947 4533	4665		480
1580	A bill for an act relating to state lands; providing for the conveyance of certain tax forfeited lands.	3340	3341	4343	4321a	4482		434
1589	A bill for an act relating to motor vehicles; authorizing the operation of motorized golf carts by certain persons on designated roadways of city streets; regulating the operation thereof; amending Minnesota Statutes 1980, Sections 168.012, by adding a subdivision; 169.522; and proposing new law coded in Minnesota Statutes, Chapter 169.	3793	3797	3969	3950 4488a	4522		549
1597	A bill for an act relating to public welfare; changing certain provisions governing aid to families with dependent children as authorized or required by federal law; changing or adding provisions governing definitions, eligibility standards, payment levels and amounts, income disregards, budgeting methods, child support or maintenance orders; eliminating a stepparents' general support duty and specifying the amount of stepparent income to be considered available in determining need; eliminating coverage of the unborn; extending medical assistance coverage to certain pregnant women; amending Minnesota Statutes 1980, Sections 256.12, Subdivision 14, and by adding subdivisions; 256.73, Subdivisions 3a, 5, and 6; 256.736, Subdivisions 3 and 4; 256.74, Subdivision 1, and by adding a subdivision; 256.99; and 256B.07; Minnesota Statutes 1981 Supplement, Sections 256.73, Subdivision 2; 256.872, Subdivision 1, and by adding a subdivision; 256B.06, Subdivision 1; and 518.551, Subdivision 7; proposing new law coded in Minnesota Statutes, Chapter 256; repealing Minnesota Statutes 1980, Section 256.935, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 257.021.	3145	3145					
1602	A bill for an act relating to counties; providing for meetings of the county board of commissioners; amending Minnesota Statutes 1980, Sections 375.07; and 375.13.	3399	3400	3969	3948a	4346		435

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1603	A bill for an act relating to education; requiring the board of teaching and the state board of education to accept completion of certain training programs in lieu of the human relations components required for licensure; amending Minnesota Statutes 1980, Section 125.05, by adding a subdivision.	3454	3455	4132	4106	4481		448
1610	A bill for an act relating to juveniles; expanding definition of "dependent child;" expanding the rights of victims of juvenile delinquency; restricting out-of-state placements of children; making juvenile traffic offenders subject to the same legal consequences and rights as adults; providing evidentiary standards for contributing to delinquency or neglect; increasing parental liability of minors willful or malicious conduct; amending Minnesota Statutes 1980, Sections 260.015, Subdivisions 5 and 6; 260.155, Subdivision 1; 260.315; and 540.18; proposing new law coded in Minnesota Statutes, Chapter 260; repealing Minnesota Statutes 1980, Section 260.193.	3399	3401					
1611	A bill for an act relating to garnishment; authorizing an employer to recover expenses incurred for administering garnishment of an employee's wages; amending Minnesota Statutes 1980, Section 571.57.	3793	3797	4471	3075 4460a	4729 5472	4879 4951 5471*	550
1612	A resolution memorializing the life and work of Sigurd F. Olson.	3151	3151	3282	3273a 3364	3433		Res.5
1614	A bill for an act relating to Independent School District No. 708; requiring certification of statutory operating debt.	3269	3269	3503	3498	3728		383
1616	A bill for an act relating to counties; permitting the counties to spend a certain sum for promotion of development; amending Minnesota Statutes 1980, Section 395.08.	3399	3400	3474	3473a	3506		381
1622	A bill for an act relating to state lands; providing for the transfer of ownership of certain state land to the Mankato State University Foundation.	3888	3889	3969	3968a 4014	4137		446
1625	A bill for an act relating to retirement; public employees retirement association; changing the reduction factors for early retirement; amending Minnesota Statutes 1980, Section 353.30, Subdivisions 1 and 1a; Minnesota Statutes 1981 Supplement, Section 353.30, Subdivision 1c; repealing Minnesota Statutes 1980, Section 353.30, Subdivision 1b.	4084	4086	4343	4334 4434	4663		519
1635	A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract of state lands to Bethlehem Lutheran Church of Waskish, Minne- (Continued next page)	3341	3341	3969	3958a 4488a	4525		551

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1635	—Continued sota; directing conveyances of the state's right, title and interest in certain lands to Lake of the Woods County and Beltrami County; directing the conveyance of the state's interest in certain real property in McLeod County to the city of Hutchinson; authorizing the conveyance of certain lands at the Sauk Centre correctional facility.							
1637	A bill for an act relating to the standard of time; providing that the Minnesota standard of time conform to the federal standard of time; amending Minnesota Statutes 1980, Section 645.071.	3399	3401	3724	3546	3776		384
1646	A bill for an act relating to retirement; Buhl school district; altering the effective date of retirement for the payment of the post-retirement increase; requiring payment of necessary reserves.	3793	3793	3934	3931 4014	4161		410
1652	A bill for an act relating to game and fish; authorizing special permits to take deer with a crossbow under certain circumstances; amending Minnesota Statutes 1980, Sections 98.48, by adding a subdivision; and 100.29, Subdivision 7.	3980	3980	4132	4130a 4485	4525		552
1663	A bill for an act relating to law libraries; recodifying the laws governing county law libraries; amending Minnesota Statutes 1980, Sections 134.34, by adding a subdivision; 140.34; 140.35; 140.36; 140.37; 140.38; 140.39; 140.40; 140.44; 140.45; 140.46; and 480.09, Subdivision 5; proposing new law coded in Minnesota Statutes 1980, Chapter 140; repealing Minnesota Statutes 1980, Sections 140.01 to 140.20; 140.212 to 140.33; 140.41 to 140.435; Minnesota Statutes 1981 Supplement, Section 140.21.	3944	3944	4343	4339a 4492a	4530 5168	4715 4719 5162*	576
1668	A bill for an act relating to manufactured homes; requiring manufacturers and dealers of manufactured homes to be licensed and regulated by the commissioner of administration; providing for the rights and duties of owners and residents of manufactured home parks; making certain changes in the procedure for titling manufactured homes; requiring park owners to adopt storm safety plans for the protection of residents; empowering municipalities to enforce certain ordinances within manufactured home parks and recreational camping areas; clarifying the procedures to be used in the repossession of a manufactured home; clarifying certain language; prohibiting certain practices; imposing fees and penalties; providing remedies; defining terms; proposing new law coded in Minnesota Statutes, Chapter 168A; proposing new law coded as Minnesota Statutes, Chapters (Continued next page)	3517	3518	4343	4291a 4634a	4639		526

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1668—Continued	327B and 327C; amending Minnesota Statutes 1980, Sections 168A.02, Subdivision 3; 327.14; 327.16, Subdivision 2; 327.20, Subdivision 1; 327.24, by adding a subdivision; 327.26; 327.27, Subdivision 2, and by adding a subdivision; 327.62, Subdivision 2; 327.63; 327.65; 327.66; 363.02, by adding a subdivision; and 566.18, Subdivisions 2, 7, and 8; repealing Minnesota Statutes 1980, Sections 327.41; 327.42; 327.43; 327.45; 327.451; 327.452; 327.46; 327.47; 327.51; 327.52; 327.53; 327.54; 327.55; 327.551; 327.552; 327.553, Subdivisions 2, 3 and 4; 327.554; 327.56; and Minnesota Statutes 1981 Supplement, Sections 327.44; 327.441; 327.55, Subdivision 1a; and 327.553, Subdivision 1.							
1684	A bill for an act relating to gambling; permitting local governments to fix the compensation of bingo security workers by ordinance; amending Minnesota Statutes 1980, Section 349.17, Subdivision 1.	4750	4751					
1685	A bill for an act relating to the military; providing for the administration of oaths and acknowledgments by a member of the armed forces of the United States; amending Minnesota Statutes 1980, Sections 192.205, by adding a subdivision; and 358.32.	3793	3794	4761	4761	4761		481
1690	A bill for an act relating to public welfare; establishing foster care maintenance payments by the state; requiring the commissioner of public welfare to promulgate rules which establish a state goal for the reduction of the number of children in residential facilities for more than 24 months; requiring the commissioner of public welfare to comply with the requirements of Title IV-E of the federal Social Security Act in order to obtain adoption assistance funds for eligible children; expanding the eligibility for medical assistance to include children receiving foster care maintenance payments or adoption assistance under Title IV-E of the federal Social Security Act; authorizing the transfer of funds; amending Minnesota Statutes 1980, Sections 256.82; 257.071, by adding a subdivision; and 259.40, Subdivisions 2, 3, and 10; Minnesota Statutes 1981 Supplement, Section 256B.06, Subdivision 1, as amended.	4084	4085	4606	4513 4597a	4769		553
1693	A resolution memorializing the governments of the United States and the Socialist Republic of Vietnam to take all possible actions to determine the fate of persons missing in action in Southeast Asia.	3181	3182	3220	3182 3220	3220		Res. 4

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1697	A bill for an act relating to retirement; validating a certain post retirement adjustment granted by the Virginia firefighters relief association; authorizing increases in benefits payable by the Eveleth police and fire trust fund; Virginia police relief association; defining certain terms; providing for the governance of separate and distinct general and special funds; providing benefit improvements for certain participants and benefit recipients; validating adoption of third class city police law; validating past payments; clarifying the authority to approve alternative benefit increases; repealing Laws 1935, Chapters 92 and 259; Laws 1937, Chapter 197; and Laws 1949, Chapter 235.	3793	3793	4002	4001a 4436a	4520		574
1698	A bill for an act relating to public welfare; delaying the duty of the commissioner of administration to sell certain land and buildings; amending Laws 1981, Chapter 360, Article I, Section 2, Subdivision 5.	3944	3945	4606	4514 4588a	4722		554
1699	A bill for an act relating to education; requiring all public elementary and secondary schools to provide instruction in chemical dependency prevention; amending Minnesota Statutes 1980, Section 126.03; and proposing new law coded in Chapter 126.	3454	3454	4132	4106a 4540a	4668 5173	4746 4756 5172 5173*	605
1700	A bill for an act relating to the military; prohibiting entry to Camp Ripley without authorization of the adjutant general; imposing a penalty; amending Minnesota Statutes 1980, Sections 609.60 and 609.605.	3793	3794	3934	3931	3970		408
1701	A bill for an act relating to the city of Hibbing; authorizing increases in certain firefighters service pensions and survivor benefits; amending Laws 1977, Chapter 169, Section 1; and Laws 1971, Chapter 614, Section 1, Subdivision 2.	4084	4086	4343	4334 4430	4519		443
1702	A bill for an act relating to veterans; providing for the furnishing of chiropractic care to residents of the Minnesota veterans home; proposing new law coded in Minnesota Statutes, Chapter 198.	4569	4570	4704	4692a	4770		503
1704	A bill for an act relating to public safety; making it a felony to use or possess metal-penetrating bullets in the commission of a crime; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 624.	4503	4504	4866	4704 4863a 5091a	5092		525
1707	A bill for an act relating to transportation; allowing certain vehicles to cross certain railroad crossings without stopping; removing certain geographical	4084	4084	4343	4335a	4473		444

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1707	—Continued operating limitations on passenger motor buses; removing the requirement for designated routes for intercity buses; modifying the public transit capital grant assistance program; modifying certain public transit contract procedures; amending Minnesota Statutes 1980, Sections 169.28; 169.29; 169.80, Subdivisions 2 and 2a; 174.245; Laws 1981, Chapter 363, Section 55, Subdivision 1, as amended; repealing Minnesota Statutes 1980, Section 219.21.							
1710	A bill for an act relating to commerce; petroleum products; providing specifications for fuel oil sold as kerosene; amending Minnesota Statutes 1980, Section 296.05, Subdivision 2, and by adding a subdivision.	3454	3455	3969	3955a 4485	4524		606
1712	A bill for an act relating to public welfare; amending the community social services act; designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of certain federal funds to counties and defining duties of counties in the use of the funds; removing certain requirements related to biennial plans and the sliding fee for child care; providing for identification of certain rules; exempting the commissioner from certain rulemaking procedures; providing for notice and comment procedures with respect to proposals to amend or repeal certain rules; providing for parental responsibility for the cost of care of mentally retarded, epileptic, or emotionally handicapped children based on ability to pay; providing for allocation of funds to counties; amending Minnesota Statutes 1980, Sections 245.70; 245.71; 254A.16, by adding subdivisions; 256E.09, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 245.84, Subdivision 2; 252.27, Subdivision 2; 254A.03, Subdivision 1; 256E.03, Subdivision 2; 256E.05, Subdivision 3; and 256E.07, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 245; repealing Minnesota Statutes 1981 Supplement, Section 256E.07, Subdivision 2.	3793	3798	3934	3932a 4024a	4137 5147	4565 4707 5139*	607
1713	A bill for an act relating to St. Louis county; providing for the calculation of vacation and sick leave allowances of certain employees.	3793	3795	3934	3933a 4014	4136		438
1719	A bill for an act relating to courts; authorizing the chief judge of the judicial district to fill vacancies in the office of judicial officer in St. Louis, Steele, and Carlton counties; prescribing powers for certain judges; amending Minnesota Statutes 1980, Section 487.04; and Minnesota Statutes 1981 Supplement, Section 487.08, Subdivision 2.	3793	3797	4471	4458a 4873a	4873		608

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1720	A bill for an act relating to retirement; recognizing service covered by multiple retirement funds for entitlement to a disability benefit; proposing new law coded in Minnesota Statutes, Chapter 356.	3944	3944	4002	3997 4348	4479		449
1724	A bill for an act relating to Independent School District No. 507, Nicollet; authorizing a transfer of funds collected by referendum levy to reduce statutory operating debt.	3341	3341	3503	3498	3729		389
1725	A bill for an act relating to the military; increasing the minimum pay for enlisted personnel called into active service; amending Minnesota Statutes 1980, Section 192.51, Subdivision 2.	3793	3794	3934	3931	3970		409
1726	A bill for an act relating to education; removing the commissioner of education from the state university board and as secretary of the board; allowing teachers at a community college or state university to accrue seniority during a leave of absence; amending Minnesota Statutes 1980, Sections 136.12, Subdivision 1; 136.13; and 136.88, Subdivision 5.	3739	3739	3851	3850a 4014	4136	5626	603
1727	A bill for an act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6; and Article VIII, Section 2; providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 480.01; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; and Minnesota Statutes 1981 Supplement, Sections 204B.06, Subdivision 6; 204B.34, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapters 480A and 632; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.	4678	4678	4866	4864a 5089a	5090		501
1732	A bill for an act relating to boxing; establishing certain conditions for participation in professional matches; proposing new law coded in Minnesota Statutes, Chapter 341.	3454	3455	3503	3502a 3504a	3505		375
1734	A bill for an act relating to courts; authorizing the continuance of the office of court referee in the second and fourth judicial districts; amending Minnesota Statutes 1981 Supplement, Section 484.70, Subdivision 1.	3793	3797	4471	4459a	5059		609
1735	A bill for an act relating to retirement; Hennepin county supplemental retirement program; providing for a phase out of the program; authorizing current participants to withdraw from the program; providing for an increased withdrawal (Continued next page)	3944	3944	4002	4001a 4348	4449		450

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1735	—Continued benefit option in certain instances; amending Laws 1969, Chapter 950, Sections 1, 2, 3, as amended, 4, as amended, 5 and 6; repealing Laws 1969, Chapter 950, Section 8.							
1737	A bill for an act relating to employee benefits; permitting political subdivisions to provide additional benefits to those provided under workers' compensation law; local police and salaried firefighters relief associations; providing minimum disability benefit coverage for police officers and firefighters in certain local relief associations; providing for the recomputation of a disability benefit as a service pension upon the attainment of a certain age; providing service credit for periods of disability in certain instances; requiring the provision of less hazardous duty employment positions for marginally disabled police officers and firefighters; requiring offsets from disability benefits in certain instances; authorizing the establishment and operation of the West St. Paul firefighters relief association; validating prior actions by the West St. Paul firefighters relief association; amending Minnesota Statutes 1980, Section 176.021, Subdivision 5; proposing new law coded in Minnesota Statutes, Chapter 423A.	4503	4505	4606	4593a 4726a	4728		610
1743	A bill for an act relating to courts; authorizing courts to obtain the presence of persons confined in state institutions for court appearances; proposing new law coded in Minnesota Statutes, Chapter 589.	4280	4281	4430	4382a 4533	4666		611
1746	A bill for an act relating to port authorities; authorizing seaway port authorities to establish a fiscal year based on the season for international shipping through the St. Lawrence Seaway; amending Minnesota Statutes 1981 Supplement, Section 458.14.	3739	3739					
1747	A bill for an act relating to the city of Minneapolis; providing for the security for certain rehabilitation loans; amending Laws 1977, Chapter 138, Section 2.	3793	3795	3934	3931	3971		407
1751	A bill for an act relating to alcoholic beverages; increasing the maximum dollar value of equipment furnished to beer retailers by brewers and wholesalers; deleting obsolete language; amending Minnesota Statutes 1980, Sections 340.031, Subdivision 2; and 340.405.	3739	3739	3969	3954 4488a	4524		612
1757	A bill for an act relating to the University of Minnesota hospitals; limiting the amount of certain bonds previously authorized; amending Laws 1981, Chapter 275, Section 1, Subdivisions 1 and 9, and by adding a subdivision.	5033	5033					

a Indicates Amendment *Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1760	A bill for an act relating to crimes; expanding criminal responsibility of certain recipients of stolen property; modifying penalties for receiving stolen property; expanding definition of "burglary"; providing for interception of certain wire or oral communications; amending Minnesota Statutes 1980, Sections 609.53, Subdivisions 1 and 3; and 609.58, Subdivision 2; 626A.05, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 609.53, Subdivisions 1a and 4; repealing Minnesota Statutes 1980, Section 609.53, Subdivision 2; and Minnesota Statutes 1981 Supplement, Section 609.53, Subdivision 2a.	4503	4504	4606	4594a	4763 5513	4958 5080 5512*	613
1786	A bill for an act relating to agriculture; changing certain procedures relating to fertilizers and soil and plant amendments; requiring adoption of rules concerning analysis of sewage sludge; imposing a penalty; amending Minnesota Statutes 1980, Sections 17.713, by adding a subdivision; 17.721, Subdivision 2; and 17.728, as amended; Minnesota Statutes 1981 Supplement, Sections 17.713, Subdivisions 8, 12, 17a, and 20; 17.714, Subdivision 2; 17.716, Subdivision 6; 17.719, Subdivision 1, and by adding a subdivision; 17.721, Subdivision 1; 17.725, Subdivision 1; 17.726; and 116.07, Subdivision 4; proposing new law coded in Minnesota Statutes, Chapter 17.	3517	3518	3969	3956a 4348	4481		425
1789	A bill for an act relating to the environment; limiting and reducing emissions of sulphur dioxide in the state; requiring adoption of an acid deposition control standard and plan by the pollution control agency; requiring reports; imposing an assessment on utilities; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 116C.69, Subdivision 3; proposing new law coded in Minnesota Statutes, Chapter 116.	4569	4570	4704	4692	4762		482
1794	A bill for an act relating to health; providing for an advisory task force to make recommendations on the distribution of funds for maternal and child health care needs; proposing new law coded in Minnesota Statutes, Chapter 145.	4084	4084	4343	4334a 4476 4486a	4515		431
1795	A bill for an act relating to the city of Minneapolis; changing limitations on housing programs in two Minneapolis development districts; amending Laws 1971, Chapter 677.	4084	4085	4343	4336a 4337a 4344 4348a	4476		439
1799	A bill for an act relating to health; allowing certain nursing homes and hospitals to share an administrator; providing for evaluation of certain changes in	4084	4085	4430	4383a 4540a	4668 5172	4747 4756 5168 5169*	614

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a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1799	—Continued certificate of need review; requiring certain price information to be reported and disseminated; requiring monitoring; amending the thresholds of review; providing for additional waivers; requiring reports; amending Minnesota Statutes 1980, Sections 144A.04, Subdivision 5; 145.833, Subdivision 5; 145.835, Subdivisions 3 and 4; Minnesota Statutes 1981 Supplement, Sections 250.05, Subdivision 4; 447.45, Subdivision 1; and 474.03; proposing new law coded in Minnesota Statutes, Chapter 144; repealing Minnesota Statutes 1980, Sections 145.832 to 145.845, as amended; and Minnesota Statutes 1981 Supplement, Sections 62D.22, Subdivision 6; 145.834; and 145.845.							
1803	A bill for an act relating to juveniles; designating a juvenile justice agency; providing for termination of jurisdiction over juveniles; providing for the apprehension of juvenile absconders and escapees; amending Minnesota Statutes 1980, Sections 242.19; 260.181, Subdivision 4; Minnesota Statutes 1981 Supplement, Sections 4.12, by adding a subdivision; and 242.44.	3944	3946	4132	4131a 4533	4667		615
1804	A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; proposing new law coded in Minnesota Statutes, Chapter 344.	3944	3945	4002	3998a 4348a	4478 4961	4657 4707 4960*	616
1817	A bill for an act relating to transportation; redefining "resort" for purposes of advertising device authorization; adding a new route to the trunk highway system in substitution of an existing route; discontinuing and removing a route from the trunk highway system; providing for the disposal of surplus property; limting the liability of the department of transportation for the cost of fighting certain fires; making certain accident reports available to governmental agencies for specified purposes and authorizing a fee for copies of these accident reports; governing the movement of certain vehicles on certain highways; establishing a height limitation for certain vehicles and providing for an annual permit fee for certain buses; expanding the definition of advertising devices; exempting the state transportation plan from the administrative procedure act; expanding the definition of exempt carrier; requiring driver qualifications and safety requirements for certain motor carriers; regulating building movers and requiring fees; allowing expenditures from the state airports fund for educational pro- (Continued next page)	3980	3981	4132	4125a 4349a 4477a	4477 5532	4657 4707 5514*	617

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1817	—Continued grams to promote interest and safety in aeronautics; permitting additional uses of certain moneys appropriated for construction and reconstruction of bridges; limiting the authority of the commissioner of transportation to establish new divisions in the department of transportation; allowing the use of certain combinations of vehicles; allowing certain axle weight combinations; establishing allowable axle weight combinations; establishing allowable axle weights on restricted routes; modifying the distribution of receipts collected as fines; providing for seasonal load restrictions; requiring certain exterior markings on vehicles carrying liquified petroleum gas fuel in concealed tanks and prohibiting the dispensing of those fuels in unmarked vehicles; amending Minnesota Statutes 1980, Sections 160.283, Subdivision 3; 161.115; 161.41; 169.09, Subdivision 13; 169.80, Subdivision 1; 169.81, Subdivision 1; 173.02, Subdivision 2; 174.03, Subdivisions 1 and 2; 360.015, Subdivision 2; 360.017, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 161.465; 169.81, Subdivision 3; 169.825, Subdivisions 8, 10, and by adding a subdivision; 169.86, Subdivision 5; 169.87, Subdivision 2; 221.011, Subdivision 22; 221.81; 299D.03, Subdivision 5; Laws 1979, Chapter 280, Section 2, Subdivision 2; proposing new law coded in Minnesota Statutes, Chapters 169 and 221; repealing Minnesota Statutes 1981 Supplement, Sections 169.861 and 169.825, Subdivision 12.							
1819	A bill for an act relating to education; authorizing school districts to develop programs enabling secondary students to attend courses at post secondary institutions; permitting the granting and transfer of credits for students; allowing reimbursement for instruction; proposing new law coded in Minnesota Statutes, Chapter 123.	3944	3946	4430	4133 4382a	4514		618
1831	A bill for an act relating to human rights; clarifying that quitting work due to sexual harassment does not result in benefit disqualification; including sexual harassment as a form of unfair discriminatory practices for certain purposes; amending Minnesota Statutes 1980, Sections 268.09, Subdivision 1; and 363.01, Subdivision 10, and by adding a subdivision.	3888	3889	4132	4125a 4489a	4526		619
1834	A bill for an act relating to claims against the state; providing for payment of various claims; providing for cancelation of old claims; appropriating money.	4503	4505	4704	4704a 5507a	5507		620

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1840	A bill for an act relating to public welfare; allowing payment of claims for medical assistance to be made against homestead property which is part of an estate; amending Minnesota Statutes 1980, Sections 510.05; 524.3-805; and Minnesota Statutes 1981 Supplement, Section 525.145.	4569	4571	4704	4676 4684a 5054a	5054		621
1848	A bill for an act relating to Independent School District No. 699; requiring certification of statutory operating debt.	3739	3739					
1849	A bill for an act relating to crimes; clarifying methods of and responsibility for imposing and collecting penalty assessments; amending Minnesota Statutes 1981 Supplement, Section 609.101.	3739	3739	4606	4472 4596a 5576			
1850	A bill for an act relating to juveniles; providing that commission of certain offenses constitutes prima facie evidence in reference for prosecution cases; amending Minnesota Statutes 1981 Supplement, Section 260.125, Subdivision 3.	3944	3945					
1852	A bill for an act relating to waters; making the water well contractors and exploratory borers advisory council permanent; amending Minnesota Statutes 1980, Section 156A.06, Subdivision 1.	4084	4085	4430	4429	4871		483
1863	A bill for an act relating to credit unions; providing for approval of amendments to certificates of organization and bylaws; authorizing the board of directors to appoint a credit committee or a credit manager; prescribing the powers of a credit committee and credit manager; allowing certain nonmembers to establish individual retirement accounts; amending Minnesota Statutes 1980, Sections 52.02; 52.08; 52.09, Subdivisions 2 and 3; 52.10; and 52.135.	4084	4085	4343	4337a	4475		429
1867	A bill for an act relating to insurance; exempting captive insurers from certain investment limitations; eliminating certain mandatory filings with the commissioner of insurance; authorizing the commissioner to enjoin violations of chapter 60A; providing certain exceptions to variable contract license requirements; amending Minnesota Statutes 1981 Supplement, Sections 60A.11, Subdivision 17; 60A.17, Subdivisions 6c and 13; repealing Minnesota Statutes 1980, Section 72A.062.	4280	4281	4606	4354 4597a 4871a	4872		622
1872	A bill for an act relating to the financing of government in this state; providing for the collection of taxes; providing for distribution of campaign funds after reapportionment; providing a formula for determining limitations on interest rates on municipal bonds; changing a (Continued next page)	4274	4275	4356	4277 4354 4356a	4364 5426	4497 4499 5209*	523

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1872—Continued	public sale requirement; providing for withholding of income tax refunds from child support debtors; making technical corrections and administrative changes to the income tax and property tax refund; requiring registration of rental housing in the city of Minneapolis and denying certain income tax deductions for owners who fail to comply; extending the effective date of residential energy credits; requiring notification to school districts of certain property tax assessment challenge proceedings; authorizing school districts to participate at certain hearings; allowing disclosure of private data to permit vendor processing of income and sales tax returns; altering the date warrants are issued to the sheriff for collection of certain mobile home property taxes; requiring county auditors to combine certain legal descriptions for property tax purposes; providing for sales of unstamped cigarettes to members of Indian tribes; providing for the rounding off of market value amounts; permitting leases and installment purchases of equipment by local governments and providing for their tax and fiscal treatment; adopting certain federal provisions for purposes of the research and experimental expenditures credit; clarifying the neighborhood real estate trust provisions; changing certain procedures and interest rates applicable to delinquent property taxes and tax-forfeited land sales; restricting eligibility for the property tax refund; imposing certain requirements and restrictions on the use of tax increment financing; allowing issuance of bonds to promote tourism projects in the metropolitan area; allowing an exemption of property taxes on certain property located in municipal development districts; providing for the valuation of certain agricultural property; allowing the town of Rice Lake to levy in excess of its levy limitation for taxes payable in 1982; permitting the towns of Erin, Forest, Webster, and Wheatland in Rice County to impose a special levy for fire protection purposes; allowing a levy limit increase for Clearwater County; authorizing the issuance of bonds for certain facilities for the city of Bloomington and Lake County; authorizing the sale of bonds to finance the purchase of certain equipment in the city of Duluth; reducing the rate of interest on estate tax installment payments; changing the effective date of certain estate tax provisions to conform with federal law; providing that landowners in unorganized townships receive a property tax credit for certain transmission lines; clarifying the taxation of gravel and the distribution of (Continued next page)								

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1872—Continued	revenue; validating certain tax collections by Clay County; providing for the lease of hydropower sites by the state or local governmental units; imposing a hotel and motel tax in the city of St. Paul; authorizing the city of St. Paul to issue bonds for certain purposes; establishing a port authority for the city of South St. Paul; authorizing a waiver of certain security deposits in Olmsted County; exempting certain towns from general levy limits; delaying the coefficient of dispersion penalty; clarifying the taxation of meals and food products for sales tax purposes; providing that certain leasing of manufactured homes is not a sale for purposes of the sales tax; eliminating tax recapture or payment acceleration of deferred special assessments upon certain sales of qualifying agricultural property; providing for the rate and disposition of certain taconite credits; providing for school bonds and related taxation in certain school districts; providing for homestead for certain leasehold cooperatives; revising the metropolitan agricultural preserves act; providing for reassessment of homestead property damage by a disaster; providing an action to enjoin certain tax return preparers from engaging in certain conduct or from preparing returns; imposing penalties on a preparer for wilfully understating an income tax liability or wilfully overstating a property tax refund claim; clarifying the taxation of income of athletes and entertainers; altering certain unitary tax provisions; adopting certain federal income tax amendments; providing for the distribution of production tax proceeds; requiring a study of financial problems of border communities; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 105.482, Subdivision 1, and by adding subdivisions; 168.012, by adding a subdivision; 270.06; 270.07, Subdivision 1; 270.10, Subdivision 1; 270.70, Subdivisions 1, 2, 3, and 5, and by adding subdivisions; 270.75, by adding a subdivision; 272.02, Subdivision 1; 273.111, Subdivisions 9, 11, and by adding a subdivision; 273.121; 273.13, Subdivisions 7c and 17d; 273.133, by adding a subdivision; 273.42, as amended; 273.425; 273.73, Subdivisions 10 and 13; 273.74, Subdivisions 1, 3, and 4; 273.75, Subdivisions 2, 3, 4, 5, and 6, and by adding a subdivision; 273.76, Subdivisions 1 and 4; 273.77; 274.19, Subdivision 3; 278.01; 278.05, Subdivision 2 and 4; 278.08; 279.37, Subdivisions 1 and 2; 282.01, Subdivision 4, and by adding a subdivision; 282.014; 282.04, by adding a subdivi- (Continued next page)								

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1872	—Continued sion; 282.08; 282.09, Subdivision 1; 282.261; 290.01, by adding a subdivision; 290.012, Subdivision 2; 290.02; 290.03; 290.032, Subdivision 5; 290.06, Subdivisions 9 and 9a, and by adding a subdivision; 290.067, Subdivision 1; 290.079, Subdivision 1; 290.09, Subdivisions 16 and 17; 290.095, Subdivisions 3 and 4; 290.13, Subdivision 1; 290.133, Subdivision 1; 290.16, Subdivisions 15, as amended, and 16, as amended; 290.19, Subdivision 1; 290.281, Subdivision 1; 290.31, Subdivisions 5 and 19; 290.34, Subdivision 2, as amended; 290.36; 290.45, Subdivisions 1 and 2; 290.48,Subdivisions 3, 4, 6, and 8; 290.49, Subdivisions 3, 7, and by adding a subdivision; 290.50, by adding a subdivision; 290.53, Subdivisions 2 and 5, and by adding a subdivision; 290.54; 290.65, Subdivisions 9 and 11; 290.91; 290.92, Subdivisions 4a, 13, and 23; 290.93, Subdivision 9; 290.936; 291.015, as amended; 291.03, Subdivision 3, as amended; 291.051, as amended; 291.09, Subdivision 1a, as amended; 291.15; 296.01, Subdivision 8; 296.14, Subdivision 1; 296.17, Subdivision 11; 297A.33, Subdivision 2; 297A.39, Subdivisions 2 and 5; 297A.43; 297B.03; 465.71; 473H.02, Subdivision 2, and by adding a subdivision; 473H.04, Subdivisions 1 and 2; 473H.05, Subdivision 1, and by adding a subdivision; 473H.06, Subdivisions 1, 2, and 5; 473H.08, Subdivision 4; 473H.14; 473H.15, by adding a subdivision; 473H.16, Subdivision 3; 474.02, subdivision 1b; 474.06; 475.55; 475.60, Subdivision 2; 508.25; 559.21, by adding a subdivision; 580.15; Minnesota Statutes 1981 Supplement, Sections 10A.31, Subdivision 5; 270.063; 270.66; 270.75, as amended, by adding a subdivision; 272.46; 273.11, Subdivisions 1 and 7; 273.13, Subdivision 9; 273.74, Subdivision 2; 275.50, Subdivision 2; 279.03; 290.01, Subdivisions 20, as amended, and 27; 290.05, Subdivisions 1 and 4; 290.06, Subdivision 14; 290.075; 290.081; 290.09, Subdivisions 1, 2, 4, 7, as amended, 15, and 29; 290.091, as amended; 290.095, Subdivision 11; 290.10; 290.131, Subdivision 1; 290.132, Subdivision 1; 290.136, Subdivision 1; 290.14; 290.17, Subdivision 2, as amended; 290.18, Subdivisions 1 and 2; 290.21, Subdivisions 3, and 4, as amended; 290.23, Subdivision 3; 290.31, Subdivisions 3 and 4; 290.32; 290.37, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.431; 290.61; 290.92, Subdivisions 2a, 5, 5a, 6, and 15; 290.93, Subdivisions 1 and 10; 290.934, Subdi- (Continued next page)								

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1872	—Continued vision 4; 290.9725; 290.974; 290A.03, Subdivisions 3, 8, 12, and 13; 290A.07, Subdivision 2a; 290A.11, Subdivision 1; 296.12, Subdivision 4; 297A.01, Subdivision 3; 297A.25, Subdivision 1, as amended; 298.225; 298.24, Subdivision 3; 298.28, Subdivision 1; 298.75; 474.03; 477A.04, Subdivision 2; Laws 1981, Third Special Session Chapter 2, Articles III, Section 6, Subdivisions 1 and 3, Section 22, and VI, Section 8; proposing new law coded in Minnesota Statutes, Chapters 270; 273; 290; 290A; 295; 297; 473H; repealing Minnesota Statutes 1980, Sections 210A.22; 290.06, Subdivision 3c; 290.0781; 290.079, Subdivisions 2, 3, 4, and 5; 290.08, Subdivision 21; 290.09, Subdivision 24; 290.13, Subdivisions 2, 4, and 10; 290.136, Subdivision 8; 290.26, Subdivision 5; 290.281, Subdivisions 3, 4, and 6; 290.31, Subdivisions 7, 8, 12, 13, 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, and 26; 290.48, Subdivisions 1 and 9; 290.51; 290.65, Subdivisions 2, 3, 4, 5, 6, and 7; 290.973; 297A.33, Subdivision 6; 297A.36; 297A.39, Subdivision 6; 297A.40, Subdivision 2; Minnesota Statutes 1981 Supplement, Sections 290.079, Subdivision 6; 290.09, Subdivision 17a; 290.131, Subdivisions 2 and 3; 290.132, Subdivision 2; 290.133, Subdivision 2; 290.21, Subdivision 7; 290.26, Subdivisions 1 and 3; 290.281, Subdivision 2; 290.31, Subdivisions 6, 8a, 9, 10, 11, and 21; 290.48, Subdivision 2; and 290.971, Subdivision 7; 298.76.								
1878	A bill for an act relating to the legislature; creating a legislative commission on science and technology; proposing new law coded in Minnesota Statutes, Chapter 3; and repealing Minnesota Statutes 1980, Section 3.351.	5033	5033					
1885	A bill for an act relating to public welfare; providing for approval of mental health clinics and centers pending promulgation of permanent rules; allowing payment for day treatment services provided by certain mental health centers through general assistance; amending Minnesota Statutes 1981 Supplement, Section 256D.03, Subdivision 4.	3793	3795	3934	3931 4487a	4516 5509	4778 4867 5509*	623
1894	A bill for an act relating to municipal housing; authorizing the planning, implementation, and financing of rehabilitation and energy improvement loans; providing for the allocation of mortgage bonds; amending Minnesota Statutes 1980, Sections 462C.01; 462C.02, Subdivisions 3, 4 and 5, and by adding subdivisions; 462C.03, as amended; 462C.04, Subdivision 2; 462C.05, (Continued next page)	4503	4506	4606	4600a 4722a	4723		624

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1894	—Continued Subdivisions 2 and 5; 462C.07, Subdivision 1; Minnesota Statutes 1981 Supplement, Sections 462C.05, Subdivisions 1 and 3; and 462C.09; repealing Minnesota Statutes 1981 Supplement, Section 462C.07, Subdivision 2.							
1897	A bill for an act relating to fairs, carnivals and circuses; clarifying the food handling license requirements applicable to fairs, carnivals and circuses; changing the exclusion from minimum wage coverage for certain fair, carnival or circus workers; updating and clarifying certain powers and duties of the state agricultural society; prescribing additional qualifications for metropolitan sports facilities commission members; amending Minnesota Statutes 1980, Sections 37.01; 37.04, Subdivision 3; 37.05; 37.06; 37.17, Subdivisions 1, 2, and by adding a subdivision; 37.18; 37.19; 37.20; 37.21; 37.22; 177.23, Subdivision 7; and 473.553, by adding a subdivision; proposing new law coded in Minnesota Statutes, Chapter 28A; repealing Minnesota Statutes 1980, Section 37.23; Minnesota Statutes 1981 Supplement, Sections 37.17, Subdivision 3; and 37.27.	4503	4506	4606	4601a	4663 5081	4747 4756 5080*	625
1902	A bill for an act relating to local government; providing for a Ramsey county small business set-aside program; authorizing Ramsey county commissioners to set fees for removal to municipal court; allowing Ramsey county to issue bonds or levy taxes for a medical facility water system; permitting a Maplewood bond issue; amending Minnesota Statutes 1981 Supplement, Section 488A.34, Subdivision 2.	3793	3794	3934	3931 4431a	4518 5492	4715 4718 5489*	626
1906	A bill for an act relating to local government; allowing the city of Orr and the town of Leiding to assess the cost of maintenance of television relay service.	4084	4086	4343	4334	4475		428
1907	A bill for an act relating to public utilities; specifying the appropriate treatment of certain advertising expenses; amending Minnesota Statutes 1980, Section 216B.16, Subdivision 8.	3944	3945					
1915	A bill for an act relating to local government; establishing a board to implement and administer a plan for a segment of the Minnesota river in Blue Earth, Brown, Le Sueur, Nicollet, Redwood and Renville counties.	3944	3945	4430	3970 4380a	4611		627
1919	A bill for an act relating to agriculture; formulating a state agricultural land preservation and conservation policy; imposing duties on state agencies regarding agency actions adversely af-	4503	4505	4606	4592a 4724a 4764a	4766		512

(Continued next page)

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1919	—Continued fecting agricultural land; continuing the existence of the joint legislative committee on agricultural land preservation; allocating certain state cost-sharing funds for high priority soil erosion, sedimentation and water control problems identified by local soil and water conservation districts; raising the petitioners' bond in certain drainage project cases and the appellant's bond in the case of certain appeals; clarifying the responsibility imposed on certain water project contractors; imposing duties on state and local soil and water conservation boards; providing technical and administrative assistance grants to local districts; requiring coordination of state soil and water conservation programs with other public agencies; establishing a conservation tillage demonstration program; amending Minnesota Statutes 1980, Sections 15.0412, by adding a subdivision; 40.03, Subdivisions 2, as amended, and 4; 40.036; 40.07, Subdivision 9; 105.463; 106.041; 106.631, Subdivision 2; and Laws 1979, Chapter 315, Section 2, as amended; proposing new law coded in Minnesota Statutes, Chapters 17 and 40; repealing Minnesota Statutes 1980, Section 473H.13; and Laws 1979, Chapter 315, Section 1.							
1920	A bill for an act relating to economic development; excepting motor carriers from the definition of "business license;" amending Minnesota Statutes 1981 Supplement, Section 362.452, Subdivision 2a.	3793	3794	3934	3931 4004	4140		413
1939	A bill for an act relating to transportation; directing the commissioner of transportation to construct a parkway along a certain route in the city of St. Paul; amending Minnesota Statutes 1980, Sections 161.12; 161.1245, Subdivision 1; repealing Minnesota Statutes 1980, Section 161.1245, Subdivision 2.	4084	4086	4704	4430 4690a 5078a	5078		628
1941	A bill for an act relating to agriculture; setting a standard of proof and procedures for decision and appeal for claims of damage to livestock by endangered species; amending Minnesota Statutes 1980, Section 3.737, by adding a subdivision.	4084	4084	4430	4428a	4769		629
1948	A bill for an act relating to retirement; Richfield firefighters relief association; eliminating various obsolete special law provisions; validating certain prior payments or actions; amending Extra Session Laws 1961, Chapter 28, Section 14; repealing Extra Session Laws 1961, Chapter 28, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13; and Laws 1963, Chapter 464.	3793	3794	3934	3931 4014	4161		406

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
1955	A bill for an act relating to the city of Waconia; authorizing the sale of certain revenue bonds at a price less than par value and in an amount and with a maturity date to be determined by the governing body.	3793	3795	3934	3933a 4014	4138		451
1975	A bill for an act relating to local government; permitting towns to issue off-sale liquor licenses; amending Minnesota Statutes 1980, Section 340.11, by adding a subdivision.	4084	4084	4606	4589a	4874 5533	5096 5134 5532*	630
1993	A bill for an act relating to intoxicating liquor; veterans' organization licenses in first class cities; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11.	4084	4084	4343	4337a 4534a	4665		631
1994	A bill for an act relating to financial institutions; authorizing bank or trust company investment in community welfare projects; permitting certain shared appreciation mortgages; providing that the mortgage becomes due and payable upon its sale or transfer; amending Minnesota Statutes 1980, Section 48.61, by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 47.20, Subdivision 4b.	4280	4281	4606	4430 4514 4595a	4775		632
2000	A bill for an act relating to state government; strengthening qualifications for persons controlling, administering, or managing nursing homes; requiring review of reimbursement for substandard care; requiring license revocation in certain situations; clarifying certain provisions of the general assistance program; revising a penalty; enhancing the state's ability to fund health and welfare programs by strengthening tax collection efforts; supplementing appropriations for the department of revenue; reappropriating money; amending Minnesota Statutes 1980, Sections 144A.01, Subdivision 7; 144A.04, Subdivisions 4 and 6; 144A.08, Subdivision 3; 144A.10, Subdivision 4; 144A.11, Subdivision 2, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 256D.05, Subdivision 1, and by adding a subdivision.	4750	4751	5045	5043a 5084a	5088 5091 5556	5090a 5469 5471 5552*	633
2005	A bill for an act relating to employment; providing for equitable compensation relationships among certain government employees; amending Minnesota Statutes 1981 Supplement, Sections 43A.01, by adding a subdivision; 43A.02, by adding subdivisions; 43A.05, by adding a subdivision; and 43A.18, Subdivision 8.	4569	4571	4704	4703a 5508a	5508		634

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
2011	A bill for an act relating to commerce; motor vehicle sale and distribution; providing for the termination or cancellation of franchise agreements and certain payments to be made by manufacturers in the event thereof; specifying certain circumstances establishing good cause for entering into or relocating an additional franchise for the same line make; amending Minnesota Statutes 1981 Supplement, Sections 80E.03, Subdivision 8; 80E.07, Subdivision 1; 80E.09, Subdivisions 1, 2 and 3; 80E.11, Subdivisions 2 and 6; and 80E.14, Subdivision 2; and proposing new law coded in Minnesota Statutes, Chapter 80E.	4084	4087	4343	4338a 4492a	4526		452
2021	A bill for an act relating to local government; creating the Morrison County rural development finance authority; authorizing the establishment of a development and redevelopment program and the authorization of powers for it.	4503	4505	4513	4506 4513	4513		437
2033	A bill for an act relating to agriculture; providing for the licensing and regulation of certain grain buyers; providing a penalty; appropriating money; proposing new law coded in Minnesota Statutes, Chapter 223; repealing Minnesota Statutes 1980, Chapter 223, as amended; and Sections 232.01; 232.02, as amended; 232.04; and 232.06, Subdivision 5.	5033	5034	5048	5034 5048 5048a	5048		635
2050	A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties; proposing new law coded in Minnesota Statutes, Chapter 609.	3944	3946	4002	4000a 4177a	4476		442
2057	A bill for an act relating to state government; allowing for disclosures of information between the commissioner of revenue and the department of economic security; amending Minnesota Statutes 1980, Section 268.12, Subdivision 12; and Minnesota Statutes 1981 Supplement, Section 290.61.	4280	4281					
2058	A bill for an act relating to public welfare; providing for classification, access, and destruction of certain child abuse report records; clarifying the classification of reports regarding vulnerable adults; prescribing penalties; amending Minnesota Statutes 1980, Sections 626.556, Subdivisions 3, 7, and by adding a subdivision; 626.557, Subdivision 19, and by adding a subdivision; and Minnesota Statutes 1981 Supplement, Section 626.556, Subdivision 11.	4084	4086	4606	4595a	4875 5511	4959 5080 5510*	636
2065	A bill for an act relating to public welfare; providing for regulation of aversive or deprivation procedures for behavior modification of mentally retarded individuals; proposing new law coded in Minnesota Statutes, Chapter 245.	4750	4751	5045	5035a 5096a	5096		637

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
2066	A bill for an act relating to local government; providing for city facilities related to armories; authorizing issuance of bonds; proposing new law coded in Minnesota Statutes, Chapter 193.	3793	3795	4430	4031 4368	4728		484
2068	A bill for an act relating to intoxicating liquor; authorizing the city of International Falls to issue one short term on-sale liquor license.	3793	3795	3934	3931 4004	4147		412
2073	A bill for an act relating to resource recovery; permitting the use of waste oil burners in certain gasoline stations and garages; proposing new law coded in Minnesota Statutes, Chapter 299F.	4084	4086	4343	4336a 4474a	4474		447
2077	A bill for an act relating to insurance; increasing the percentage of the state comprehensive health plan premium that may be used to pay certain fees and expenses; amending Minnesota Statutes 1980, Section 62E.11, Subdivision 3.	3793	3795	4002	3969 3997 4485	4523		426
2078	A bill for an act relating to state government; authorizing the commissioner of the department of economic security to delegate certain powers; amending Minnesota Statutes 1980, Section 268.011, Subdivision 2.	3793	3795	3934	3933a 4004	4146		445
2079	A bill for an act relating to state lands; authorizing the sale of a certain lakeshore lot in Douglas County.	4503	4506					
2080	A bill for an act relating to economic development; providing for a Minnesota conference on job formation; appropriating money.	4750	4751	5045	5034a 5506a	5507		
2098	A bill for an act relating to retirement; teachers retirement association; extending the time limit for the purchase of service credit for military service leaves of absence for certain veterans.	3944	3946	4002	3999a 4437a	4521		427
2116	A bill for an act relating to Blue Earth County; permitting county board members to serve on the county housing and redevelopment authority.	3793	3795	4132	4087	4346		411
2123	A bill for an act relating to public welfare; modifying certain provisions relating to medical assistance; providing for competitive bidding procedures; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966.	4569	4572					

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
2134	A bill for an act relating to intoxicating liquor; providing that on-sale licenses issued to certain nonprofit corporations shall authorize sales on all days of the week; amending Minnesota Statutes 1980, Section 340.11, Subdivision 11b.	3793	3796	4002	3969 3998a 4488a	4522		638
2136	A bill for an act relating to public improvements; authorizing the acquisition and betterment of public land and buildings and other public improvements of a capital nature with certain conditions; authorizing issuance of state bonds; authorizing inter-fund borrowing in anticipation of bond proceeds; providing for bond sale expenses; authorizing covenants to secure certificates of indebtedness; fixing the boundaries of state parks and trails; postponing the deadline for fencing certain open pit mines; appropriating money; amending Minnesota Statutes 1980, Sections 16.826; 16A.63, Subdivision 2, as amended; 16A.64, Subdivision 4; 85.015, Subdivisions 8 and 13; 86.72, Subdivision 1; 121.21, Subdivision 4a; 180.03, Subdivision 2; Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 8.	3739	3740	4532	3740 4532a	4533 5053	4677 4717 5049*	639
2156	A bill for an act relating to education; authorizing the state university board to lease land on Mankato state university campus; permitting Mankato state university to lease a building; transferring title for a building to the state; proposing new law coded in Minnesota Statutes, Chapter 136.	4503	4504	4606	4593	4664		485
2169	A bill for an act relating to public welfare; designating the commissioner of public welfare as the state authority for federal mental health, alcohol and drug abuse block grants; prescribing a formula for distribution of federal funds to counties and defining duties of counties in the use of the funds; amending Minnesota Statutes 1980, Sections 245.70; 245.71; and 254A.16, by adding subdivisions; Minnesota Statutes 1981 Supplement, Section 254A.03, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 245.	4503	4505					
2170	A bill for an act relating to state lands; authorizing sale and conveyance of a certain tract in order to correct a survey error.	4084	4084	4430	4429	4708		486
2175	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; authorizing the revisor of statutes to make necessary reference changes if the administrative procedure act is recompiled as a separate chapter; amend- (Continued next page)	3793	3796	3934	3933a 4004	4142		424

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
2175—Continued	ing Minnesota Statutes 1980, Sections 60C.02, Subdivision 1; 62B.04, Subdivision 1; 92.03, Subdivision 4; 106.011, Subdivision 20; 106.021, Subdivision 2; 106.081, Subdivision 1; 106.091, Subdivision 2; 120.17, Subdivisions 4a and 5; 123.21; 123.78, Subdivision 1; 123.932, Subdivision 1a; 125.12, Subdivision 3; 129.121, Subdivision 1; 136.015; 145.61, Subdivision 2; 145.833, Subdivisions 9, 10 and 11; 160.05, Subdivision 1; 175.35; 177.23, Subdivisions 4, 7 and 10; 177.27; 177.28; 177.29; 177.30; 177.31; 177.32; 177.33; 177.34; 177.35; 214.14, Subdivision 1; 273.11, Subdivision 5; 282.01, Subdivision 1; 290.41, Subdivision 3; 458.192, Subdivision 15; 462.415, Subdivisions 4 and 6; 462.421, Subdivisions 1, 2 and 20; 462.425, Subdivision 7; 462.426, Subdivision 1; 462.427, Subdivision 2; 462.428, Subdivision 3; 462.445, Subdivisions 1, 4 and 5; 462.451, Subdivision 2; 462.461, Subdivisions 1 and 2; 462.485; 462.511; 462.541, Subdivision 2; 462.545, Subdivisions 1, 2, 3 and 6; 462.555; 462.561; 462.571; 462.581; 462.591, Subdivision 1; 462.621, Subdivisions 1 and 3; 462.631, Subdivision 1; 462.635; 462.645, Subdivisions 1, 5 and 7; 462.665; 462.671; 462.701; 462.705; 462.712; 462.713; 473.195, Subdivision 1; 504.24, Subdivision 2; Chapter 111, by adding a section; Minnesota Statutes 1981 Supplement, Sections 11A.18, Subdivision 9; 43A.08, Subdivision 2; 43A.27, Subdivision 2; 47.20, Subdivisions 4a and 4b; 60A.11, Subdivisions 9 and 10; 69.011, Subdivision 2; 69.031, Subdivision 5; 97.488, by adding a subdivision; 116H.129, Subdivisions 1, 5 and 6; 156A.02, Subdivision 6; 168.013, Subdivision 1c; 169.825, Subdivision 10; 171.36; 176.306, Subdivision 2; 204B.31; 222.63, Subdivision 4; 273.11, Subdivision 1; 290.077, Subdivision 4; 290.09, Subdivision 15; 299F.011, Subdivision 1; 353.01, Subdivisions 2a and 6; 355.11, Subdivision 5; 414.0325, Subdivision 5; 462.601;462.605; 514.011, Subdivision 4a; 525.551, Subdivision 5; 525.6198; and Laws 1981, Chapter 224, Section 73; repealing Minnesota Statutes 1980, Section 60A.11, Subdivisions 5a and 5b; Minnesota Statutes 1981 Supplement, Section 290.971, Subdivision 7; Laws 1980, Chapter 587, Article I, Sections 31, 32, 33, 34, 35, 36, 37, 38 and 39; Laws 1981, Chapters 31, Section 7; 60, Section 14; 137, Section 3; 158; 178, Section 33; 205, Section 1; 224, Section 92; 255, Sections 1, 3 and 4; 356, Sections 99, 189, 190, 191, 210 and 212; and 357, Section 28.							

a Indicates Amendment

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BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
2188	A bill for an act relating to public welfare; providing for a mechanism in the program of aid to families with dependent children to minimize certain recipients' incentives to quit work; modifying certain provisions relating to medical assistance; allowing a cause of action against responsible relatives; providing for payments to health maintenance organizations; appropriating money; amending Minnesota Statutes 1980, Sections 256.74, Subdivisions 1, as amended, and 1a, as added; 256B.04, by adding a subdivision; 256B.05, Subdivision 2; 256B.06, Subdivision 3; 256B.14; 256B.19, Subdivision 1; 256B.27, Subdivision 3; and Minnesota Statutes 1981 Supplement, Section 256.966.	4750	4752	5045	5039a 5078a	5079		640
2190	A bill for an act relating to the financing of government in this state; reducing appropriations for the biennium ending June 30, 1983, with certain conditions; imposing various cost-saving measures; authorizing collection of debts related to trunk highways; clarifying certain provisions for determination of cost of care at state hospitals; directing the commissioner of public welfare to promulgate rules; altering the method of charging for outpatient care; reducing employer and employee contributions to the Minnesota state retirement system; authorizing a certified state development company; making certain changes in the small business finance agency to provide for small business loans; giving claims against estates of deceased patients preferred status; allowing certain claims against estates for medical assistance in some instances; altering the date on which certain property tax refunds are paid; making technical corrections; imposing a tax on on-sales of liquor; delaying the 60 percent exclusion on capital gains for individuals; reducing certain payments to governmental subdivisions; altering the payment date of certain aids to school districts; imposing the sales tax on sales of candy and soft drinks, cable television services, and certain property transported outside Minnesota; appropriating money; amending Minnesota Statutes 1980, Sections 161.20, by adding a subdivision; 246.50, Subdivisions 5 and 6; 246.51; 246.53; 352.04, Subdivisions 2, as amended; and 3, as amended; 352.92, Subdivisions 1, as amended; and 2, as amended; 362.51, Subdivision 1; 362.53, Subdivision 13; 487.39, Subdivision 1; 524.3-805; Minnesota Statutes 1981 Supplement, Sections 246.511; 275.50, Subdivision 2, as amended; 290A.07, Subdivisions 2a, and 3; 297A.01, Subdivision 3, as (Continued next page)	4569	4570	4639	4571 4639a	4656 5624	4777 4867 5601*	641

a Indicates Amendment

*Denotes Conference Committee Report

BILLS OF THE HOUSE—Continued

H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Chapter
2190	—Continued amended; 297A.25, Subdivision 1, as amended; 362.52, Subdivision 2; 510.05; 525.145; Laws 1981, Third Special Session Chapter 2, Article III, Section 22; House File No. 1872, Article I, Section 73; proposing new law coded in Minnesota Statutes, Chapters 273; 340; and 362; repealing Minnesota Statutes 1981 Supplement, Sections 290A.07, Subdivision 2; Laws 1981, First Special Session, Chapter 1, Article III, Section 3, Subdivision 6, as amended.							
2199	A bill for an act relating to elections; recodifying municipal elections law; amending Minnesota Statutes 1980, Sections 205.02; 205.07, Subdivision 1; 205.13, as amended; 205.16; 205.17, as amended; 205.20, as amended; and 205.84; Minnesota Statutes 1981 Supplement, Section 205.10; proposing new law coded in Minnesota Statutes, Chapter 205; repealing Minnesota Statutes 1980, Sections 205.021; 205.04; 205.11, Subdivisions 1, 2, 3, 4 and 5; 205.14, Subdivisions 1, 2 and 3; 205.18; and 205.19; and Minnesota Statutes 1981 Supplement, Sections 205.03; 205.10; 205.11, Subdivision 4a; 205.121; 205.14, Subdivision 4; and 205.15.	4503	4504	4606	4592 5576			
2271	A resolution memorializing the President of the United States and the Administrator of the Federal Aviation Administration against any attempt to prohibit local governments from restricting aircraft noise.	5033	5034	5540	5499 5539	5540		Res.8
2290	A bill for an act relating to the organization and operation of state government; supplementing appropriations for the expenses of the department of revenue; appropriating money.	5033	5034	5034				

a Indicates Amendment

*Denotes Conference Committee Report

COMPANION
BILLS

NUMBE

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SENATE RECORD
OF COMPANION BILLS

SENATE RECORD OF COMPANION BILLS AS INTRODUCED
(SENATE FILES NUMERICALLY)

S.F. Number	H.F. Number
1	1
2	510
3	11
4	
5	1213
6	30
7	102
8	104
9	693
10	496
11	607
12	85
13	26
14	1393
15	
16	322
17	323
18	86
19	
20	369
21	69
22	283
23	59
24	124
25	21
26	23
27	1241
28	750
29	31
30	114
31	135
32	160
33	161
34	1206
35	
36	
37	33
38	611
39	885
40	
41	
42	762
43	325
44	915
45	
46	
47	
48	
49	
50	
51	4
52	48
53	38
54	75
55	
56	83
57	12
58	202
59	81
60	2
61	46
62	82
63	17
64	727
65	1367
66	87
67	
68	1219
69	281
70	1043
71	
72	780
73	22
74	1302
75	80
76	184
77	1226
78	121
79	52
80	128
81	29
82	543
83	57
84	
85	74
86	123
87	39
88	84
89	1401
90	109
91	97
92	93
93	79
94	
95	708
96	164
97	66
98	116
99	587
100	95
101	
102	73
103	309
104	166
105	137
106	51
107	96
108	41
109	149
110	63
111	
112	
113	712
114	226
115	916
116	351
117	
118	61
119	405
120	165
121	338
122	
123	64
124	364
125	313
126	
127	119
128	191
129	154
130	
131	77
132	112
133	195
134	42
135	207
136	175
137	
138	162
139	183
140	642
141	
142	198
143	221
144	223
145	158
146	
147	58
148	228
149	702
150	70
151	178
152	247
153	180
154	131
155	155
156	62
157	103
158	
159	465
160	76
161	
162	141
163	513
164	262
165	91
166	290
167	169
168	291
169	366
170	176
171	133
172	227
173	35
174	78

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
175	190	233	205	291	1045
176	99	234	248	292	
177	756	235	168	293	
178	747	236	299	294	542
179	1320	237	40	295	432
180		238	229	296	653
181	182	239	185	297	544
182	244	240	9	298	479
183	187	241	317	299	24
184	239	242	426	300	
185	938	243	425	301	477
186	139	244	471	302	800
187	208	245	125	303	376
188	581	246	304	304	253
189	172	247		305	439
190	101	248		306	345
191	65	249	224	307	
192	71	250	720	308	588
193	523	251		309	580
194	210	252	156	310	1279
195	231	253	297	311	403
196	427	254	316	312	273
197	193	255	45	313	1280
198	930	256	43	314	433
199	27	257	272	315	20
200	1256	258	90	316	287
201	230	259	44	317	298
202	201	260	383	318	242
203	264	261	321	319	723
204	143	262	330	320	388
205	577	263	72	321	362
206	14	264	173	322	
207	251	265		323	339
208	537	266		324	117
209	237	267		325	489
210	108	268	971	326	435
211	265	269	263	327	507
212		270	100	328	556
213	929	271	551	329	498
214	245	272	393	330	698
215	252	273	49	331	372
216	269	274		332	157
217	380	275	665	333	206
218	254	276	1807	334	282
219	271	277	280	335	371
220	1062	278	457	336	387
221	270	279	494	337	459
222		280	327	338	389
223		281	324	339	429
224		282	312	340	136
225	1087	283	853	341	
226		284	613	342	
227	381	285	582	343	
228		286	454	344	335
229	487	287	284	345	384
230	1186	288	614	346	337
231	236	289	279	347	734
232		290		348	735

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S.F. Number	H.F. Number
349	105
350	525
351	721
352	332
353	655
354	538
355	295
356	417
357	620
358	1039
359	682
360	310
361	680
362	
363	216
364	167
365	687
366	488
367	5
368	792
369	595
370	521
371	
372	1204
373	423
374	490
375	736
376	414
377	400
378	450
379	
380	306
381	356
382	748
383	415
384	637
385	418
386	590
387	392
388	1242
389	534
390	524
391	18
392	54
393	527
394	353
395	440
396	558
397	675
398	*
399	460
400	469
401	1112
402	311
403	851
404	397
405	233
406	408
407	145
408	314
409	666
410	505
411	957
412	
413	192
414	467
415	126
416	466
417	896
418	468
419	438
420	781
421	13
422	
423	378
424	391
425	475
426	502
427	503
428	
429	
430	943
431	476
432	819
433	532
434	648
435	531
436	
437	159
438	34
439	470
440	491
441	288
442	382
443	695
444	641
445	308
446	1145
447	390
448	504
449	508
450	
451	
452	890
453	442
454	700
455	847
456	597
457	486
458	215
459	341
460	1406
461	1407
462	421
463	506
464	179
465	639
466	719
467	406
468	235
469	
470	931
471	340
472	333
473	
474	568
475	1261
476	844
477	673
478	142
479	118
480	492
481	782
482	
483	
484	
485	
486	
487	464
488	
489	1408
490	
491	
492	275
493	627
494	349
495	409
496	656
497	122
498	539
499	644
500	
501	596
502	610
503	456
504	305
505	564
506	424
507	574
508	711
509	624
510	1416
511	615
512	472
513	563
514	147
515	163
516	413
517	579
518	541
519	557
520	714
521	410
522	992

*See Supplemental List

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S.F. Number	H.F. Number
523	347
524	
525	830
526	592
527	443
528	575
529	634
530	571
531	
532	
533	589
534	
535	618
536	1249
537	963
538	569
539	771
540	547
541	
542	
543	878
544	
545	346
546	446
547	394
548	1149
549	1064
550	855
551	688
552	965
553	234
554	359
555	749
556	945
557	350
558	478
559	775
560	1034
561	395
562	453
563	
564	640
565	934
566	
567	430
568	658
569	480
570	255
571	643
572	772
573	56
574	626
575	561
576	696
577	895
578	420
579	1307
580	2270
581	876
582	445
583	32
584	
585	289
586	685
587	724
588	674
589	594
590	15
591	791
592	60
593	918
594	
595	1361
596	562
597	318
598	605
599	434
600	744
601	584
602	619
603	250
604	657
605	375
606	374
607	412
608	704
609	
610	914
611	501
612	858
613	1044
614	576
615	
616	683
617	669
618	677
619	2186
620	740
621	258
622	2087
623	1135
624	984
625	621
626	676
627	1269
628	894
629	591
630	
631	
632	
633	
634	
635	763
636	225
637	690
638	
639	667
640	232
641	922
642	757
643	
644	880
645	601
646	838
647	1032
648	773
649	871
650	598
651	329
652	593
653	
654	738
655	499
656	515
657	1091
658	
659	1379
660	664
661	742
662	
663	315
664	786
665	1007
666	28
667	436
668	354
669	1148
670	
671	1029
672	796
673	1003
674	821
675	812
676	357
677	518
678	483
679	
680	797
681	67
682	713
683	1094
684	760
685	810
686	751
687	932
688	1035
689	852
690	779
691	1130
692	411
693	703
694	
695	765
696	822

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S.F. Number	H.F. Number
697	888
698	718
699	1073
700	617
701	836
702	789
703	512
704	
705	500
706	816
707	731
708	1203
709	497
710	
711	
712	536
713	553
714	2274
715	2275
716	1101
717	
718	970
719	150
720	
721	
722	
723	203
724	1074
725	784
726	407
727	545
728	705
729	509
730	462
731	1009
732	278
733	692*
734	845
735	739
736	768
737	
738	790
739	806
740	129
741	818
742	
743	1254
744	1117
745	396
746	1163
747	629
748	276
749	214
750	277
751	900
752	398
753	348
754	973
755	526
756	766
757	1152
758	937
759	769
760	746
761	730
762	901
763	834
764	*
765	1309
766	1420
767	1266
768	866
769	
770	
771	862
772	715
773	
774	1102
775	802
776	1239
777	959
778	473
779	659
780	
781	1026
782	
783	549
784	716
785	631
786	824
787	825
788	211
789	554
790	600
791	604
792	622
793	449
794	902
795	
796	
797	
798	805
799	783
800	955
801	
802	1168
803	
804	870
805	725
806	828
807	968
808	848
809	
810	570
811	257
812	189
813	864
814	533
815	
816	842
817	860
818	869
819	877
820	678
821	151
822	
823	873
824	956
825	1137
826	
827	
828	
829	
830	1392
831	1538
832	1808
833	921
834	326
835	745
836	923
837	661
838	940
839	983
840	893
841	111
842	798
843	997
844	
845	949
846	972
847	1067
848	882
849	1024
850	868
851	177
852	832
853	925
854	1030
855	1022
856	679
857	969
858	694
859	743
860	887
861	1344
862	1017
863	585
864	939
865	998
866	565
867	
868	910
869	733
870	811

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871	458
872	361
873	451
874	729
875	623
876	892
877	188
878	761
879	1113
880	
881	917
882	88
883	
884	
885	1027
886	1108
887	1005
888	1066
889	954
890	1081
891	1079
892	
893	
894	1085
895	98
896	
897	946
898	909
899	647
900	1745
901	856
902	849
903	1153
904	799
905	
906	1315
907	36
908	546
909	1174
910	717
911	908
912	891
913	1177
914	948
915	1042
916	1359
917	911
918	913
919	912
920	953
921	837
922	1052
923	
924	883
925	1053
926	759
927	1318
928	1002
929	170
930	
931	358
932	803
933	
934	1172
935	985
936	1181
937	726
938	
939	1072
940	854
941	586
942	1088
943	
944	514
945	1272
946	875
947	701
948	1000
949	1133
950	928
951	1096
952	1012
953	986
954	671
955	987
956	924
957	
958	
959	336
960	967
961	
962	829
963	268
964	1427
965	1019
966	1202
967	
968	905
969	903
970	778
971	904
972	1140
973	1328
974	681
975	935
976	1077
977	1036
978	897
979	1188
980	835
981	976
982	1089
983	996
984	599
985	1059
986	1046
987	
988	833
989	1084
990	1083
991	1075
992	1245
993	*
994	
995	
996	
997	981
998	1090
999	1107
1000	401
1001	1244
1002	944
1003	1063
1004	1250
1005	1215
1006	1001
1007	1385
1008	1196
1009	1069
1010	884
1011	826
1012	979
1013	1214
1014	1031
1015	793
1016	1134
1017	616
1018	
1019	951
1020	
1021	874
1022	2263
1023	846
1024	
1025	770
1026	1147
1027	
1028	1442
1029	
1030	
1031	1176
1032	
1033	1288
1034	1227
1035	519
1036	
1037	
1038	
1039	
1040	1086
1041	1021
1042	1061
1043	1159
1044	1142

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S.F. Number	H.F. Number
1045	50
1046	
1047	1055
1048	1183
1049	1049
1050	1162
1051	
1052	1336
1053	1335
1054	1274
1055	217
1056	
1057	1131
1058	517
1059	
1060	
1061	1106
1062	1161
1063	
1064	625
1065	999
1066	1100
1067	1331
1068	1282
1069	1150
1070	764
1071	906
1072	1184
1073	
1074	1260
1075	732
1076	*
1077	961
1078	1440
1079	1223
1080	548
1081	1098
1082	
1083	1041
1084	1040
1085	1349
1086	1390
1087	1199
1088	919
1089	
1090	1144
1091	
1092	
1093	1146
1094	1139
1095	1253
1096	493
1097	
1098	
1099	1303
1100	
1101	1125
1102	794
1103	857
1104	1138
1105	
1106	1158
1107	1246
1108	991
1109	
1110	
1111	813
1112	
1113	1020
1114	1286
1115	
1116	
1117	1240
1118	241
1119	1114
1120	1038
1121	1228
1122	1182
1123	416
1124	1268
1125	516
1126	1322
1127	1389
1128	
1129	1232
1130	1235
1131	1355
1132	1225
1133	422
1134	1291
1135	
1136	1207
1137	1194
1138	
1139	1143
1140	
1141	
1142	1170
1143	950
1144	
1145	817
1146	1209
1147	1211
1148	
1149	776
1150	1417
1151	1341
1152	1210
1153	814
1154	1236
1155	
1156	1121
1157	
1158	
1159	1297
1160	1065
1161	
1162	1522
1163	404
1164	977
1165	1353
1166	1155
1167	1154
1168	
1169	1015
1170	1418
1171	1058
1172	863
1173	1180
1174	1124
1175	352
1176	1109
1177	1403
1178	1388
1179	1233
1180	
1181	
1182	
1183	1281
1184	1189
1185	
1186	1230
1187	196
1188	1277
1189	573
1190	1201
1191	1340
1192	926
1193	1156
1194	840
1195	379
1196	1185
1197	1263
1198	1284
1199	1846
1200	
1201	1224
1202	1195
1203	
1204	1237
1205	1354
1206	1120
1207	2147
1208	1103
1209	1205
1210	
1211	691
1212	1071
1213	
1214	1068
1215	1255
1216	1259
1217	1991
1218	1377

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S.F. Number	H.F. Number
1219	
1220	1283
1221	1905
1222	146
1223	889
1224	
1225	1262
1226	1200
1227	
1228	1365
1229	1222
1230	386
1231	1192
1232	
1233	974
1234	1278
1235	1243
1236	1345
1237	994
1238	1128
1239	1013
1240	993
1241	1299
1242	2261
1243	1095
1244	1293
1245	1413
1246	850
1247	1016
1248	978
1249	1275
1250	1332
1251	
1252	1048
1253	1301
1254	
1255	1410
1256	1419
1257	1248
1258	
1259	707
1260	1325
1261	
1262	722
1263	6
1264	
1265	1327
1266	267
1267	1319
1268	1459
1269	1018
1270	1321
1271	1289
1272	1265
1273	1323
1274	1234
1275	1078
1276	1257
1277	886
1278	1221
1279	1378
1280	1264
1281	1312
1282	1060
1283	1903
1284	1070
1285	1333
1286	1308
1287	1218
1288	1494
1289	1304
1290	
1291	1231
1292	774
1293	567
1294	990
1295	1369
1296	1316
1297	1317
1298	668
1299	1173
1300	1342
1301	1122
1302	1160
1303	
1304	
1305	1346
1306	
1307	1352
1308	1470
1309	1167
1310	1360
1311	662
1312	
1313	355
1314	1329
1315	1358
1316	1273
1317	1051
1318	1357
1319	
1320	785
1321	1294
1322	1190
1323	1375
1324	1373
1325	1383
1326	1247
1327	1178
1328	3
1329	1380
1330	689
1331	1014
1332	1384
1333	1387
1334	1166
1335	25
1336	1394
1337	1376
1338	1923
1339	1330
1340	1395
1341	
1342	1400
1343	1295
1344	528
1345	
1346	1132
1347	942
1348	1409
1349	1381
1350	1429
1351	1448
1352	1480
1353	1481
1354	
1355	1326
1356	1386
1357	1444
1358	463
1359	
1360	1425
1361	
1362	1432
1363	1339
1364	1921
1365	1465
1366	975
1367	
1368	1092
1369	1435
1370	1338
1371	1473
1372	1423
1373	1437
1374	952
1375	583
1376	1300
1377	1451
1378	
1379	1374
1380	1457
1381	
1382	1454
1383	1398
1384	444
1385	
1386	*
1387	*
1388	
1389	1450
1390	*
1391	*
1392	*

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SENATE RECORD OF COMPANION BILLS AS INTRODUCED
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S.F. Number	H.F. Number
1393	*
1394	
1395	1452
1396	1483
1397	1119
1398	1462
1399	1428
1400	1456
1401	1466
1402	1464
1403	
1404	1485
1405	1472
1406	1366
1407	
1408	1479
1409	
1410	843
1411	1455
1412	1487
1413	
1414	1496
1415	1514
1416	1460
1417	1491
1418	1492
1419	
1420	
1421	1493
1422	
1423	1467
1424	1488
1425	
1426	*
1427	*
1428	1528
1429	1504
1430	
1431	
1432	1447
1433	1501
1434	1105
1435	
1436	1534
1437	
1438	
1439	
1440	
1441	*
1442	1510
1443	1509
1444	1535
1445	
1446	
1447	1524
1448	
1449	1469
1450	1267*
1451	1505
1452	1540
1453	
1454	1461
1455	1498
1456	1523
1457	1484
1458	
1459	1499
1460	1025
1461	1532
1462	1508
1463	485
1464	1529
1465	1525
1466	
1467	1520
1468	1502
1469	
1470	
1471	
1472	1489
1473	
1474	
1475	1537
1476	
1477	1616
1478	1558
1479	1552
1480	1582
1481	1559
1482	2252
1483	1585
1484	1574
1485	1649
1486	1630
1487	1647
1488	
1489	
1490	
1491	1718
1492	
1493	
1494	1646
1495	1709
1496	
1497	2016*
1498	2061
1499	1929
1500	1629
1501	1588
1502	1555
1503	1600
1504	1572
1505	
1506	1597
1507	1576
1508	1669
1509	1512
1510	1940
1511	1614
1512	1615
1513	1568
1514	1596
1515	1599
1516	
1517	1633
1518	1776
1519	
1520	1584
1521	1687
1522	1620
1523	1590
1524	1591
1525	1621
1526	1810
1527	1699
1528	1742
1529	1635
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1533	1733
1534	1719
1535	1622
1536	1569
1537	1828
1538	1587
1539	1837
1540	1644
1541	1671
1542	
1543	
1544	
1545	
1546	
1547	1657
1548	1625
1549	1624
1550	1626
1551	1612
1552	
1553	1634
1554	2014
1555	2013
1556	1704
1557	
1558	1617
1559	209
1560	1769
1561	1691
1562	
1563	1651
1564	1650
1565	1560
1566	1816

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S.F. Number	H.F. Number
1567	1581
1568	1720
1569	
1570	1782
1571	1608
1572	1677
1573	
1574	1594
1575	1593
1576	
1577	1652
1578	1639
1579	1220
1580	1613
1581	1675
1582	1746
1583	
1584	1922
1585	
1586	
1587	1610
1588	1566
1589	1875
1590	
1591	1731
1592	1579
1593	1580
1594	1570
1595	1550
1596	1553
1597	
1598	1665
1599	1767
1600	1803
1601	1693
1602	1938
1603	
1604	1892
1605	2012
1606	2096
1607	2120
1608	1627
1609	2172
1610	1695
1611	1663
1612	1670
1613	1730
1614	2036
1615	1557
1616	1547
1617	1783
1618	1573
1619	1708
1620	1694
1621	1933
1622	1889
1623	1705
1624	1654
1625	1836
1626	1784
1627	1636
1628	1697
1629	1701
1630	1772
1631	2125
1632	1765
1633	1939
1634	
1635	1673
1636	1944
1637	1811
1638	
1639	1735
1640	1736
1641	1813
1642	1640
1643	1717
1644	1830
1645	1577
1646	1641
1647	1605
1648	2255
1649	1655
1650	1690
1651	1773
1652	
1653	
1654	
1655	
1656	
1657	1739
1658	1780
1659	1814
1660	
1661	1737
1662	1707
1663	1680
1664	1662
1665	1884
1666	1826
1667	1792
1668	1685
1669	1727
1670	1896
1671	1779
1672	1911
1673	1839
1674	1679
1675	1676
1676	1710
1677	1738
1678	1747
1679	
1680	
1681	
1682	1643
1683	1753
1684	1916
1685	1542
1686	1743
1687	1748
1688	1638
1689	1832
1690	1786
1691	2015
1692	1700
1693	1756
1694	1637
1695	1768
1696	
1697	1751
1698	1653
1699	1777
1700	1817
1701	1716
1702	1954
1703	1732
1704	1820
1705	1744
1706	1862
1707	1760
1708	1722
1709	2098
1710	1678
1711	1607
1712	1482*
1713	2159
1714	1789
1715	1791
1716	2180
1717	1672
1718	1795
1719	1586
1720	1985
1721	1656
1722	1781
1723	
1724	879
1725	
1726	2007
1727	1796
1728	1711
1729	1829
1730	
1731	1686
1732	
1733	1725
1734	1589
1735	1666
1736	1724
1737	
1738	1764
1739	
1740	

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S.F. Number	H.F. Number
1741	1726
1742	1778
1743	
1744	1824
1745	1755
1746	1800
1747	1838
1748	1955
1749	1774
1750	1788
1751	1785
1752	2199
1753	2184
1754	2029
1755	2050
1756	1848
1757	1689
1758	1758
1759	
1760	2027
1761	1863
1762	1855
1763	1915
1764	1925
1765	1844
1766	1821
1767	1823
1768	1583
1769	1885
1770	1729
1771	2188
1772	1937
1773	1932
1774	1790
1775	1794
1776	1869
1777	1868
1778	
1779	
1780	1815
1781	2048
1782	1664
1783	1660
1784	1873
1785	
1786	1802
1787	1854
1788	
1789	1834
1790	1857
1791	1856
1792	1859
1793	1858
1794	1799
1795	1876
1796	1763
1797	1930
1798	1931
1799	1861
1800	1947
1801	1906
1802	2097
1803	2046
1804	1914
1805	2100
1806	1659
1807	1850
1808	1712
1809	2008
1810	
1811	2018
1812	1974
1813	1698
1814	2041
1815	2080
1816	1604
1817	1658
1818	1864
1819	1804
1820	1952
1821	1951
1822	
1823	
1824	
1825	1741
1826	1941
1827	1598
1828	1703
1829	
1830	
1831	1661
1832	1628
1833	2119
1834	1831
1835	1898
1836	1797
1837	2062
1838	1946
1839	2101*
1840	2060
1841	1878
1842	2130
1843	1563
1844	1740
1845	1865
1846	1866
1847	1919
1848	1972
1849	1969
1850	1968
1851	1970
1852	1971
1853	1860
1854	
1855	1867
1856	1967
1857	
1858	*
1859	1982
1860	2210
1861	
1862	2038
1863	1900
1864	1909
1865	612
1866	1602
1867	1976
1868	1912
1869	2055
1870	1883
1871	1964
1872	
1873	1897
1874	53
1875	1843
1876	1684
1877	1842
1878	1812
1879	
1880	
1881	1734
1882	
1883	1723
1884	1775
1885	1907
1886	1798
1887	1882
1888	1887
1889	
1890	2224
1891	2040
1892	1766
1893	1959
1894	1879
1895	2108
1896	
1897	1702
1898	1984
1899	
1900	1852
1901	2005
1902	1965
1903	1920
1904	
1905	1979
1906	1871
1907	2059
1908	1935
1909	2001
1910	2063
1911	2053
1912	1973
1913	2083
1914	2112

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S.F. Number	H.F. Number
1915	2226
1916	2090
1917	1981
1918	1668
1919	2045
1920	1975
1921	1028
1922	
1923	1642
1924	1618
1925	1603
1926	1806
1927	1888
1928	2065
1929	2118
1930	1994
1931	
1932	
1933	1835
1934	
1935	
1936	1877
1937	2009
1938	1851
1939	
1940	
1941	1894
1942	1960
1943	2054
1944	1692
1945	1901
1946	1908
1947	2163
1948	2228
1949	2093
1950	2092
1951	2037
1952	1757
1953	2044
1954	
1955	1870
1956	2102
1957	1880
1958	2064
1959	2143
1960	2070
1961	2033
1962	2034
1963	2011
1964	2003
1965	1934
1966	2168
1967	2132
1968	1759
1969	1886
1970	2021
1971	2197
1972	
1973	2006
1974	2292
1975	2220
1976	2022
1977	1986
1978	1895
1979	1993
1980	2181
1981	
1982	
1983	2017
1984	
1985	2032
1986	1715
1987	
1988	
1989	2116
1990	2113
1991	1980
1992	1761
1993	2133
1994	
1995	
1996	2128
1997	2085
1998	1924
1999	1992
2000	1890
2001	2106
2002	1989
2003	1942
2004	2030
2005	1961
2006	2148
2007	2099
2008	1913
2009	1904
2010	2144
2011	1683
2012	1762
2013	1927
2014	1949
2015	
2016	2151
2017	2146
2018	
2019	1430
2020	2207
2021	
2022	1845
2023	2067
2024	
2025	2187
2026	2078
2027	2042
2028	1943
2029	
2030	
2031	2088
2032	
2033	2110
2034	2155
2035	2069
2036	2039
2037	2066
2038	2058
2039	2057
2040	2157
2041	2107
2042	1902
2043	1950
2044	2123
2045	2183
2046	
2047	
2048	2117
2049	2114
2050	
2051	2238
2052	2242
2053	2156
2054	2145
2055	2073
2056	
2057	2068
2058	2103
2059	
2060	2075
2061	2194
2062	2167
2063	2043
2064	2175
2065	2000
2066	2049
2067	1987
2068	2179
2069	
2070	1539
2071	2121
2072	
2073	2129
2074	
2075	1567
2076	1801
2077	2122
2078	
2079	2166
2080	
2081	2028
2082	2165*
2083	
2084	
2085	2158
2086	2115
2087	
2088	1611

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S.F. Number	H.F. Number
2089	1606
2090	2170
2091	2182
2092	
2093	2071
2094	1978
2095	2257
2096	
2097	2260
2098	1208
2099	2200
2100	
2101	2091
2102	1382
2103	2237
2104	
2105	2178
2106	2142
2107	2201
2108	2086
2109	2153
2110	
2111	2154
2112	
2113	2231
2114	1977
2115	2161
2116	
2117	2195
2118	1405
2119	2173
2120	1998
2121	2216
2122	2140
2123	2230
2124	2010
2125	2245
2126	2150
2127	1966
2128	2031
2129	2079
2130	
2131	2256
2132	2139
2133	1948
2134	2138
2135	2024
2136	2077
2137	2111
2138	2196
2139	2211
2140	2227
2141	1899
2142	2247
2143	2185
2144	1343
2145	1099
2146	2193
2147	2082
2148	2074
2149	
2150	2198
2151	2131
2152	
2153	
2154	1667
2155	2134
2156	2205
2157	
2158	
2159	2241
2160	
2161	
2162	1728
2163	2217
2164	2215
2165	2209
2166	2223
2167	2177
2168	2221
2169	2248
2170	
2171	
2172	1849
2173	1926
2174	2249
2175	2189
2176	2244
2177	2243
2178	
2179	2240
2180	
2181	2246
2182	
2183	2254
2184	
2185	
2186	
2187	2169
2188	2264
2189	2265
2190	
2191	2267
2192	1536
2193	
2194	2281
2195	2204
2196	2251
2197	1404
2198	
2199	1995
2200	
2201	
2202	
2203	
2204	
2205	
2206	
2207	
2208	2279
2209	2277
2210	2262
2211	2282
2212	2271
2213	2280
2214	
2215	
2216	*
2217	2294
2218	2288
2219	*
2220	
2221	2268
2222	2269
2223	2287
2224	
2225	
2226	608
2227	2291
2228	
2229	
2230	2289
2231	
2232	
2233	
2234	
2235	
2236	
2237	

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H.F. Number	S.F. Number
1	1
2	60
3	1328
4	51
5	367
6	1263
7	
8	
9	240
10	
11	3
12	57
13	421
14	206
15	590
16	
17	63
18	391
19	
20	315
21	25
22	73
23	26
24	299
25	1335
26	13
27	199
28	666
29	81
30	6
31	29
32	583
33	37
34	438
35	173
36	907
37	
38	53
39	87
40	237
41	108
42	134
43	256
44	259
45	255
46	61
47	
48	52
49	273
50	1045
51	106
52	79
53	1874
54	392
55	
56	573
57	83
58	147
59	23
60	592
61	118
62	156
63	110
64	123
65	191
66	97
67	681
68	
69	21
70	150
71	192
72	263
73	102
74	85
75	54
76	160
77	131
78	174
79	93
80	75
81	59
82	62
83	56
84	88
85	12
86	18
87	66
88	882
89	
90	258
91	165
92	
93	92
94	
95	100
96	107
97	91
98	895
99	176
100	270
101	190
102	7
103	157
104	8
105	349
106	
107	
108	210
109	90
110	
111	841
112	132
113	
114	30
115	
116	98
117	324
118	479
119	127
120	
121	78
122	497
123	86
124	24
125	245
126	415
127	
128	80
129	740
130	
131	154
132	
133	171
134	
135	31
136	340
137	105
138	*
139	186
140	
141	162
142	478
143	204
144	
145	407
146	1222
147	514
148	
149	109
150	719
151	821
152	
153	
154	129
155	155
156	252
157	332
158	145
159	437
160	32
161	33
162	138
163	515
164	96
165	120
166	104
167	364
168	235
169	167
170	929
171	
172	189
173	264
174	

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H.F. Number	S.F. Number
175	136
176	170
177	851
178	151
179	464
180	153
181	
182	181
183	139
184	76
185	239
186	
187	183
188	877
189	812
190	175
191	128
192	413
193	197
194	
195	133
196	1187
197	
198	142
199	
200	
201	202
202	58
203	723
204	
205	233
206	333
207	135
208	187
209	1559
210	194
211	788
212	
213	
214	749
215	458
216	363
217	1055
218	
219	
220	
221	143
222	
223	144
224	249
225	636
226	114
227	172
228	148
229	238
230	201
231	195
232	640
233	405
234	553
235	468
236	231
237	209
238	
239	184
240	
241	1118
242	318
243	
244	182
245	214
246	
247	152
248	234
249	
250	603
251	207
252	215
253	304
254	218
255	570
256	
257	811
258	621
259	
260	
261	
262	164
263	269
264	203
265	211
266	
267	1266
268	963
269	216
270	221
271	219
272	257
273	312
274	
275	492
276	748
277	750
278	732
279	289
280	277
281	69
282	334
283	22
284	287
285	
286	
287	316
288	441
289	585
290	166
291	168
292	
293	
294	
295	355
296	
297	253
298	317
299	236
300	
301	
302	
303	
304	246
305	504
306	380
307	
308	445
309	103
310	360
311	402
312	282
313	125
314	408
315	663
316	254
317	241
318	597
319	
320	
321	261
322	16
323	17
324	281
325	43
326	834
327	280
328	
329	651
330	262
331	
332	352
333	472
334	
335	344
336	959
337	346
338	121
339	323
340	471
341	459
342	
343	
344	
345	306
346	545
347	523
348	753

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H.F. Number	S.F. Number
349	494
350	557
351	116
352	1175
353	394
354	668
355	1313
356	381
357	676
358	931
359	554
360	
361	872
362	321
363	
364	124
365	
366	169
367	
368	
369	20
370	
371	335
372	331
373	
374	606
375	605
376	303
377	
378	423
379	1195
380	217
381	227
382	442
383	260
384	345
385	
386	1230
387	336
388	320
389	338
390	447
391	424
392	387
393	272
394	547
395	561
396	745
397	404
398	752
399	
400	377
401	1000
402	
403	311
404	1163
405	119
406	467
407	726
408	406
409	495
410	521
411	692
412	607
413	516
414	376
415	383
416	1123
417	356
418	385
419	
420	578
421	462
422	1133
423	373
424	506
425	243
426	242
427	196
428	
429	339
430	567
431	
432	295
433	314
434	599
435	326
436	667
437	
438	419
439	305
440	395
441	
442	453
443	527
444	1384
445	582
446	546
447	
448	
449	793
450	378
451	873
452	
453	562
454	286
455	
456	503
457	278
458	871
459	337
460	399
461	
462	730
463	1358
464	487
465	159
466	416
467	414
468	418
469	400
470	439
471	244
472	512
473	778
474	
475	425
476	431
477	301
478	558
479	298
480	569
481	
482	
483	678
484	*
485	1463
486	457
487	229
488	366
489	325
490	374
491	440
492	480
493	1096
494	279
495	
496	10
497	709
498	329
499	655
500	705
501	611
502	426
503	427
504	448
505	410
506	463
507	327
508	449
509	729
510	2
511	
512	703
513	163
514	944
515	656
516	1125
517	1058
518	677
519	1035
520	
521	370
522	

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H.F. Number	S.F. Number
523	193
524	390
525	350
526	755
527	393
528	1344
529	
530	
531	435
532	433
533	814
534	389
535	
536	712
537	208
538	354
539	498
540	
541	518
542	294
543	82
544	297
545	727
546	908
547	540
548	1080
549	783
550	
551	271
552	
553	713
554	789
555	
556	328
557	519
558	396
559	
560	
561	575
562	596
563	513
564	505
565	866
566	
567	1293
568	474
569	538
570	810
571	530
572	
573	1189
574	507
575	528
576	614
577	205
578	
579	517
580	309
581	188
582	285
583	1375
584	601
585	863
586	941
587	99
588	308
589	533
590	386
591	629
592	526
593	652
594	589
595	369
596	501
597	456
598	650
599	984
600	790
601	645
602	
603	
604	791
605	598
606	
607	11
608	2226
609	
610	502
611	38
612	1865
613	284
614	288
615	511
616	1017
617	700
618	535
619	602
620	357
621	625
622	792
623	875
624	509
625	1064
626	574
627	493
628	
629	747
630	
631	785
632	
633	
634	529
635	
636	*
637	384
638	
639	465
640	564
641	444
642	140
643	571
644	499
645	
646	
647	899
648	434
649	
650	
651	
652	
653	296
654	
655	353
656	496
657	604
658	568
659	779
660	
661	837
662	1311
663	
664	660
665	275
666	409
667	639
668	1298
669	617
670	
671	954
672	
673	477
674	588
675	397
676	626
677	618
678	820
679	856
680	361
681	974
682	359
683	616
684	
685	586
686	
687	365
688	551
689	1330
690	637
691	1211
692	733
693	9
694	858
695	443
696	576

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H.F. Number	S.F. Number
697	*
698	330
699	
700	454
701	947
702	149
703	693
704	608
705	728
706	
707	1259
708	95
709	
710	
711	508
712	113
713	682
714	520
715	772
716	784
717	910
718	698
719	466
720	250
721	351
722	1262
723	319
724	587
725	805
726	937
727	64
728	
729	874
730	761
731	707
732	1075
733	869
734	347
735	348
736	375
737	
738	654
739	735
740	620
741	
742	661
743	859
744	600
745	835
746	760
747	178
748	382
749	555
750	28
751	686
752	
753	
754	
755	
756	177
757	642
758	
759	926
760	684
761	878
762	42
763	635
764	1070
765	695
766	756
767	
768	736
769	759
770	1025
771	539
772	572
773	648
774	1292
775	559
776	1149
777	
778	970
779	690
780	72
781	420
782	481
783	799
784	725
785	1320
786	664
787	
788	
789	702
790	738
791	591
792	368
793	1015
794	1102
795	
796	672
797	680
798	842
799	904
800	302
801	
802	775
803	932
804	
805	798
806	739
807	
808	
809	
810	685
811	870
812	675
813	1111
814	1153
815	
816	706
817	1145
818	741
819	432
820	
821	674
822	696
823	
824	786
825	787
826	1011
827	
828	806
829	962
830	525
831	
832	852
833	988
834	763
835	980
836	701
837	921
838	646
839	
840	1194
841	
842	816
843	1410
844	476
845	734
846	1023
847	455
848	808
849	902
850	1246
851	403
852	689
853	283
854	940
855	550
856	901
857	1103
858	612
859	*
860	817
861	
862	771
863	1172
864	813
865	
866	768
867	
868	850
869	818
870	804

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H.F. Number	S.F. Number
871	649
872	
873	823
874	1021
875	946
876	581
877	819
878	543
879	1724
880	644
881	
882	848
883	924
884	1010
885	39
886	1277
887	860
888	697
889	1223
890	452
891	912
892	876
893	840
894	628
895	577
896	417
897	978
898	
899	
900	751
901	762
902	794
903	969
904	971
905	968
906	1071
907	
908	911
909	898
910	868
911	917
912	919
913	918
914	610
915	44
916	115
917	881
918	593
919	1088
920	
921	833
922	641
923	836
924	956
925	853
926	1192
927	
928	950
929	213
930	198
931	470
932	687
933	
934	565
935	975
936	*
937	758
938	185
939	864
940	838
941	
942	1347
943	430
944	1002
945	556
946	897
947	
948	914
949	845
950	1143
951	1019
952	1374
953	920
954	889
955	800
956	824
957	411
958	
959	777
960	
961	1077
962	
963	537
964	
965	552
966	
967	960
968	807
969	857
970	718
971	268
972	846
973	754
974	1233
975	1366
976	981
977	1164
978	1248
979	1012
980	
981	997
982	
983	839
984	624
985	935
986	953
987	955
988	
989	
990	1294
991	1108
992	522
993	1240
994	1237
995	
996	983
997	843
998	865
999	1065
1000	948
1001	1006
1002	928
1003	673
1004	
1005	887
1006	
1007	665
1008	
1009	731
1010	
1011	
1012	952
1013	1239
1014	1331
1015	1169
1016	1247
1017	862
1018	1269
1019	965
1020	1113
1021	1041
1022	855
1023	
1024	849
1025	1460
1026	781
1027	885
1028	1921
1029	671
1030	854
1031	1014
1032	647
1033	
1034	560
1035	688
1036	977
1037	
1038	1120
1039	358
1040	1084
1041	1083
1042	915
1043	70
1044	613

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H.F. Number	S.F. Number
1045	291
1046	986
1047	
1048	1252
1049	1049
1050	
1051	1317
1052	922
1053	925
1054	
1055	1047
1056	
1057	
1058	1171
1059	985
1060	1282
1061	1042
1062	220
1063	1003
1064	549
1065	1160
1066	888
1067	847
1068	1214
1069	1009
1070	1284
1071	1212
1072	939
1073	699
1074	724
1075	991
1076	
1077	976
1078	1275
1079	891
1080	*
1081	890
1082	
1083	990
1084	989
1085	894
1086	1040
1087	225
1088	942
1089	982
1090	998
1091	657
1092	1368
1093	
1094	683
1095	1243
1096	951
1097	
1098	1081
1099	2145
1100	1066
1101	716
1102	774
1103	1208
1104	
1105	1434
1106	1061
1107	999
1108	886
1109	1176
1110	1531
1111	
1112	401
1113	879
1114	1119
1115	*
1116	
1117	744
1118	
1119	1397
1120	1206
1121	1156
1122	1301
1123	
1124	1174
1125	1101
1126	
1127	
1128	1238
1129	
1130	691
1131	1057
1132	1346
1133	949
1134	1016
1135	623
1136	
1137	825
1138	1104
1139	1094
1140	972
1141	
1142	1044
1143	1139
1144	1090
1145	446
1146	1093
1147	1026
1148	669
1149	548
1150	1069
1151	
1152	757
1153	903
1154	1167
1155	1166
1156	1193
1157	
1158	1106
1159	1043
1160	1302
1161	1062
1162	1050
1163	746
1164	
1165	
1166	1334
1167	1309
1168	802
1169	
1170	1142
1171	
1172	934
1173	1299
1174	909
1175	
1176	1031
1177	913
1178	1327
1179	
1180	1173
1181	936
1182	1122
1183	1048
1184	1072
1185	1196
1186	230
1187	
1188	979
1189	1184
1190	1322
1191	
1192	1231
1193	
1194	1137
1195	1202
1196	1008
1197	
1198	
1199	1087
1200	1226
1201	1190
1202	966
1203	708
1204	372
1205	1209
1206	34
1207	1136
1208	2098
1209	1146
1210	1152
1211	1147
1212	
1213	5
1214	1013
1215	1005
1216	
1217	
1218	1287

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H.F. Number	S.F. Number
1219	68
1220	1579
1221	1278
1222	1229
1223	1079
1224	1201
1225	1132
1226	77
1227	1034
1228	1121
1229	
1230	1186
1231	1291
1232	1129
1233	1179
1234	1274
1235	1130
1236	1154
1237	1204
1238	
1239	776
1240	1117
1241	27
1242	388
1243	1235
1244	1001
1245	992
1246	1107
1247	1326
1248	1257
1249	536
1250	1004
1251	
1252	
1253	1095
1254	743
1255	1215
1256	200
1257	1276
1258	
1259	1216
1260	1074
1261	475
1262	1225
1263	1197
1264	1280
1265	1272
1266	767
1267	1450
1268	1124
1269	627
1270	
1271	
1272	945
1273	1316
1274	1054
1275	1249
1276	
1277	1188
1278	1234
1279	310
1280	313
1281	1183
1282	1068
1283	1220
1284	1198
1285	
1286	1114
1287	
1288	1033
1289	1271
1290	
1291	1134
1292	
1293	1244
1294	1321
1295	1343
1296	
1297	1159
1298	
1299	1241
1300	1376
1301	1253
1302	74
1303	1099
1304	1289
1305	
1306	
1307	579
1308	1286
1309	765
1310	
1311	
1312	1281
1313	
1314	
1315	906
1316	1296
1317	1297
1318	927
1319	1267
1320	179
1321	1270
1322	1126
1323	1273
1324	
1325	1260
1326	1355
1327	1265
1328	973
1329	1314
1330	1339
1331	1067
1332	1250
1333	1285
1334	
1335	1053
1336	1052
1337	
1338	1370
1339	1363
1340	1191
1341	1151
1342	1300
1343	2144
1344	861
1345	1236
1346	1305
1347	
1348	
1349	1085
1350	
1351	
1352	1307
1353	1165
1354	1205
1355	1131
1356	
1357	1318
1358	1315
1359	916
1360	1310
1361	595
1362	
1363	
1364	
1365	1228
1366	1406
1367	65
1368	
1369	1295
1370	
1371	
1372	
1373	1324
1374	1379
1375	1323
1376	1337
1377	1218
1378	1279
1379	659
1380	1329
1381	1349
1382	2102
1383	1325
1384	1332
1385	1007
1386	1356
1387	1333
1388	1178
1389	1127
1390	1086
1391	
1392	830

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H.F. Number	S.F. Number
1393	14
1394	1336
1395	1340
1396	
1397	
1398	1383
1399	
1400	1342
1401	89
1402	
1403	1177
1404	2197
1405	2118
1406	460
1407	461
1408	489
1409	1348
1410	1255
1411	
1412	
1413	1245
1414	
1415	
1416	510
1417	1150
1418	1170
1419	1256
1420	766
1421	*
1422	
1423	1372
1424	
1425	1360
1426	
1427	964
1428	1399
1429	1350
1430	2019
1431	
1432	1362
1433	
1434	*
1435	1369
1436	
1437	1373
1438	
1439	
1440	1078
1441	
1442	1028
1443	*
1444	1357
1445	*
1446	*
1447	1432
1448	1351
1449	
1450	1389
1451	1377
1452	1395
1453	
1454	1382
1455	1411
1456	1400
1457	1380
1458	
1459	1268
1460	1416
1461	1454
1462	1398
1463	
1464	1402
1465	1365
1466	1401
1467	1423
1468	
1469	1449
1470	1308
1471	
1472	1405
1473	1371
1474	*
1475	*
1476	
1477	*
1478	*
1479	1408
1480	1352
1481	1353
1482	1712
1483	1396
1484	1457
1485	1404
1486	
1487	1412
1488	1424
1489	1472
1490	
1491	1417
1492	1418
1493	1421
1494	1288
1495	
1496	1414
1497	
1498	1455
1499	1459
1500	
1501	1433
1502	1468
1503	
1504	1429
1505	1451
1506	
1507	
1508	1462
1509	1443
1510	1442
1511	
1512	1509
1513	
1514	1415
1515	
1516	
1517	
1518	
1519	
1520	1467
1521	
1522	1162
1523	1456
1524	1447
1525	1465
1526	
1527	
1528	1428
1529	1464
1530	
1531	
1532	1461
1533	
1534	1436
1535	1444
1536	2192
1537	1475
1538	831
1539	2070
1540	1452
1541	
1542	1685
1543	
1544	
1545	
1546	
1547	1616
1548	
1549	
1550	1595
1551	
1552	1479
1553	1596
1554	
1555	1502
1556	
1557	1615
1558	1478
1559	1481
1560	1565
1561	
1562	
1563	1843
1564	
1565	
1566	1588

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H.F. Number	S.F. Number
1567	2075
1568	1513
1569	1536
1570	1594
1571	
1572	1504
1573	1618
1574	1484
1575	
1576	1507
1577	1645
1578	
1579	1592
1580	1593
1581	1567
1582	1480
1583	1768
1584	1520
1585	1483
1586	1719
1587	1538
1588	1501
1589	1734
1590	1523
1591	1524
1592	
1593	1575
1594	1574
1595	
1596	1514
1597	1506
1598	1827
1599	1515
1600	1503
1601	
1602	1866
1603	1925
1604	1816
1605	1647
1606	2089
1607	1711
1608	1571
1609	
1610	1587
1611	2088
1612	1551
1613	1580
1614	1511
1615	1512
1616	1477*
1617	1558
1618	1924
1619	
1620	1522
1621	1525
1622	1535
1623	
1624	1549
1625	1548
1626	1550
1627	1608
1628	1832
1629	1500
1630	1486
1631	
1632	1532
1633	1517
1634	1553
1635	1529
1636	1627
1637	1694
1638	1688
1639	1578
1640	1642
1641	1646
1642	1923
1643	1682
1644	1540
1645	
1646	1494
1647	1487
1648	
1649	1485
1650	1564
1651	1563
1652	1577
1653	1698
1654	1624
1655	1649
1656	1721
1657	1547
1658	1817
1659	1806
1660	1783
1661	1831
1662	1664
1663	1611
1664	1782
1665	1598
1666	1735
1667	2154
1668	1918
1669	1508
1670	1612
1671	1541
1672	1717
1673	1635
1674	
1675	1581
1676	1675
1677	1572
1678	1710
1679	1674
1680	1663
1681	
1682	
1683	2011
1684	1876
1685	1668
1686	1731
1687	1521
1688	
1689	1757
1690	1650
1691	1561
1692	1944
1693	1601
1694	1620
1695	1610
1696	
1697	1628
1698	1813
1699	1527
1700	1692
1701	1629
1702	1897
1703	1828
1704	1556
1705	1623
1706	
1707	1662
1708	1619
1709	1495
1710	1676
1711	1728
1712	1808
1713	1530
1714	
1715	1986
1716	1701
1717	1643
1718	1491
1719	1534
1720	1568
1721	
1722	1708
1723	1883
1724	1736
1725	1733
1726	1741
1727	1669
1728	2162
1729	1770
1730	1613
1731	1591
1732	1703
1733	1533
1734	1881
1735	1639
1736	1640
1737	1661
1738	1677
1739	1657
1740	1844

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1743	1686
1744	1705
1745	900
1746	1582
1747	1678
1748	1687
1749	
1750	
1751	1697
1752	
1753	1683
1754	
1755	1745
1756	1693
1757	1952
1758	1758
1759	1968
1760	1707
1761	1992
1762	2012
1763	1796
1764	1738
1765	1632
1766	1892
1767	1599
1768	1695
1769	1560
1770	
1771	
1772	1630
1773	1651
1774	1749
1775	1884
1776	1518
1777	1699
1778	1742
1779	1671
1780	1658
1781	1722
1782	1570
1783	1617
1784	1626
1785	1751
1786	1690
1787	
1788	1750
1789	1714
1790	1774
1791	1715
1792	1667
1793	
1794	1775
1795	1718
1796	1727
1797	1836
1798	1886
1799	1794
1800	1746
1801	2076
1802	1786
1803	1600
1804	1819
1805	
1806	1926
1807	276
1808	832
1809	
1810	1526
1811	1637
1812	1878
1813	1641
1814	1659
1815	1780
1816	1566
1817	1700
1818	
1819	*
1820	1704
1821	1766
1822	
1823	1767
1824	1744
1825	
1826	1666
1827	
1828	1537
1829	1729
1830	1644
1831	1834
1832	1689
1833	
1834	1789
1835	1933
1836	1625
1837	1539
1838	1747
1839	1673
1840	*
1841	
1842	1877
1843	1875
1844	1765
1845	2022
1846	1199
1847	
1848	1756
1849	2172
1850	1807
1851	1938
1852	1900
1853	
1854	1787
1855	1762
1856	1791
1857	1790
1858	1793
1859	1792
1860	1853
1861	1799
1862	1706
1863	1761
1864	1818
1865	1845
1866	1846
1867	1855
1868	1777
1869	1776
1870	1955
1871	1906
1872	*
1873	1784
1874	
1875	1589
1876	1795
1877	1936
1878	1841
1879	1894
1880	1957
1881	
1882	1887
1883	1870
1884	1665
1885	1769
1886	1969
1887	1888
1888	1927
1889	1622
1890	2000
1891	
1892	1604
1893	
1894	1941
1895	1978
1896	1670
1897	1873
1898	1835
1899	2141
1900	1863
1901	1945
1902	2042
1903	1283
1904	2009
1905	1221
1906	1801
1907	1885
1908	1946
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1910	
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1918	
1919	1847
1920	1903
1921	1364
1922	1584
1923	1338
1924	1998
1925	1764
1926	2173
1927	2013
1928	
1929	1499
1930	1797
1931	1798
1932	1773
1933	1621
1934	1965
1935	1908
1936	
1937	1772
1938	1602
1939	1633
1940	1510
1941	1826
1942	2003
1943	2028
1944	1636
1945	
1946	1838
1947	1800
1948	2133
1949	2014
1950	2043
1951	1821
1952	1820
1953	
1954	1702
1955	1748
1956	
1957	
1958	
1959	1893
1960	1942
1961	2005
1962	
1963	
1964	1871
1965	1902
1966	2127
1967	1856
1968	1850
1969	1849
1970	1851
1971	1852
1972	1848
1973	1912
1974	1812
1975	1920
1976	1867
1977	2114
1978	2094
1979	1905
1980	1991
1981	1917
1982	1859
1983	
1984	1898
1985	1720
1986	1977
1987	2067
1988	
1989	2002
1990	
1991	1217
1992	1999
1993	1979
1994	1930
1995	2199
1996	
1997	
1998	2120
1999	
2000	2065
2001	1909
2002	
2003	1964
2004	
2005	1901
2006	1973
2007	1726
2008	1809
2009	1937
2010	2124
2011	1963
2012	1605
2013	1555
2014	1554
2015	1691
2016	1497
2017	1983
2018	1811
2019	
2020	
2021	1970
2022	1976
2023	
2024	2135
2025	
2026	
2027	1760
2028	2081
2029	1754
2030	2004
2031	2128
2032	1985
2033	1961
2034	1962
2035	
2036	1614
2037	1951
2038	1862
2039	2036
2040	1891
2041	1814
2042	2027
2043	2063
2044	1953
2045	1919
2046	1803
2047	
2048	1781
2049	2066
2050	1755
2051	
2052	
2053	1911
2054	1943
2055	1869
2056	
2057	2039
2058	2038
2059	1907
2060	1840
2061	1498
2062	1837
2063	1910
2064	1958
2065	1928
2066	2037
2067	2023
2068	2057
2069	2035
2070	1960
2071	2093
2072	
2073	2055
2074	2148
2075	2060
2076	
2077	2136
2078	2026
2079	2129
2080	1815
2081	
2082	2147
2083	1913
2084	
2085	1997
2086	2108
2087	622
2088	2031

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2090	1916
2091	2101
2092	1950
2093	1949
2094	
2095	
2096	1606
2097	1802
2098	1709
2099	2007
2100	1805
2101	1839
2102	1956
2103	2058
2104	
2105	
2106	2001
2107	2041
2108	1895
2109	
2110	2033
2111	2137
2112	1914
2113	1990
2114	2049
2115	2086
2116	1989
2117	2048
2118	1929
2119	1833
2120	1607
2121	2071
2122	2077
2123	2044
2124	
2125	1631
2126	
2127	
2128	1996
2129	2073
2130	1842
2131	2151
2132	1967
2133	1993
2134	2155
2135	
2136	*
2137	
2138	2134
2139	2132
2140	2122
2141	
2142	2106
2143	1959
2144	2010
2145	2054
2146	2017
2147	1207
2148	2006
2149	
2150	2126
2151	2016
2152	
2153	2109
2154	2111
2155	2034
2156	2053
2157	2040
2158	2085
2159	1713
2160	
2161	2115
2162	
2163	1947
2164	
2165	2082
2166	2079
2167	2062
2168	1966
2169	2187
2170	2090
2171	
2172	1609
2173	2119
2174	
2175	2064
2176	
2177	2167
2178	2105
2179	2068
2180	1716
2181	1980
2182	2091
2183	2045
2184	1753
2185	2143
2186	619
2187	2025
2188	1771
2189	2175
2190	*
2191	
2192	
2193	2146
2194	2061
2195	2117
2196	2138
2197	1971
2198	2150
2199	1752
2200	2099
2201	2107
2202	
2203	
2204	2195
2205	2156
2206	
2207	2020
2208	
2209	2165
2210	1860
2211	2139
2212	
2213	
2214	
2215	2164
2216	2121
2217	2163
2218	
2219	
2220	1975
2221	2168
2222	
2223	2166
2224	1890
2225	
2226	1915
2227	2140
2228	1948
2229	
2230	2123
2231	2113
2232	
2233	
2234	
2235	
2236	
2237	2103
2238	2051
2239	
2240	2179
2241	2159
2242	2052
2243	2177
2244	2176
2245	2125
2246	2181
2247	2142
2248	2169
2249	2174
2250	
2251	2196
2252	1482
2253	
2254	2183
2255	1648
2256	2131
2257	2095
2258	
2259	
2260	2097
2261	1242
2262	2210

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2263	1022
2264	2188
2265	2189
2266	
2267	2191
2268	2221
2269	2222
2270	580
2271	2212
2272	
2273	
2274	714
2275	715
2276	
2277	2209
2278	
2279	2208
2280	2213
2281	2194
2282	2211
2283	
2284	
2285	
2286	
2287	2223
2288	2218
2289	2230
2290	
2291	2227
2292	1974
2293	
2294	2217
2295	
2296	
2297	

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398	484	1390	1443	1497	1616
653	138	1391	1446	1712	1840
733	697	1392	1434	1839	1115
764	636	1393	1445	1858	1819
993	1080	1426	1475	2082	1872
1076	936	1427	1474	2216	2136
1386	1421	1450	1477	2219	2190
1387	1478				

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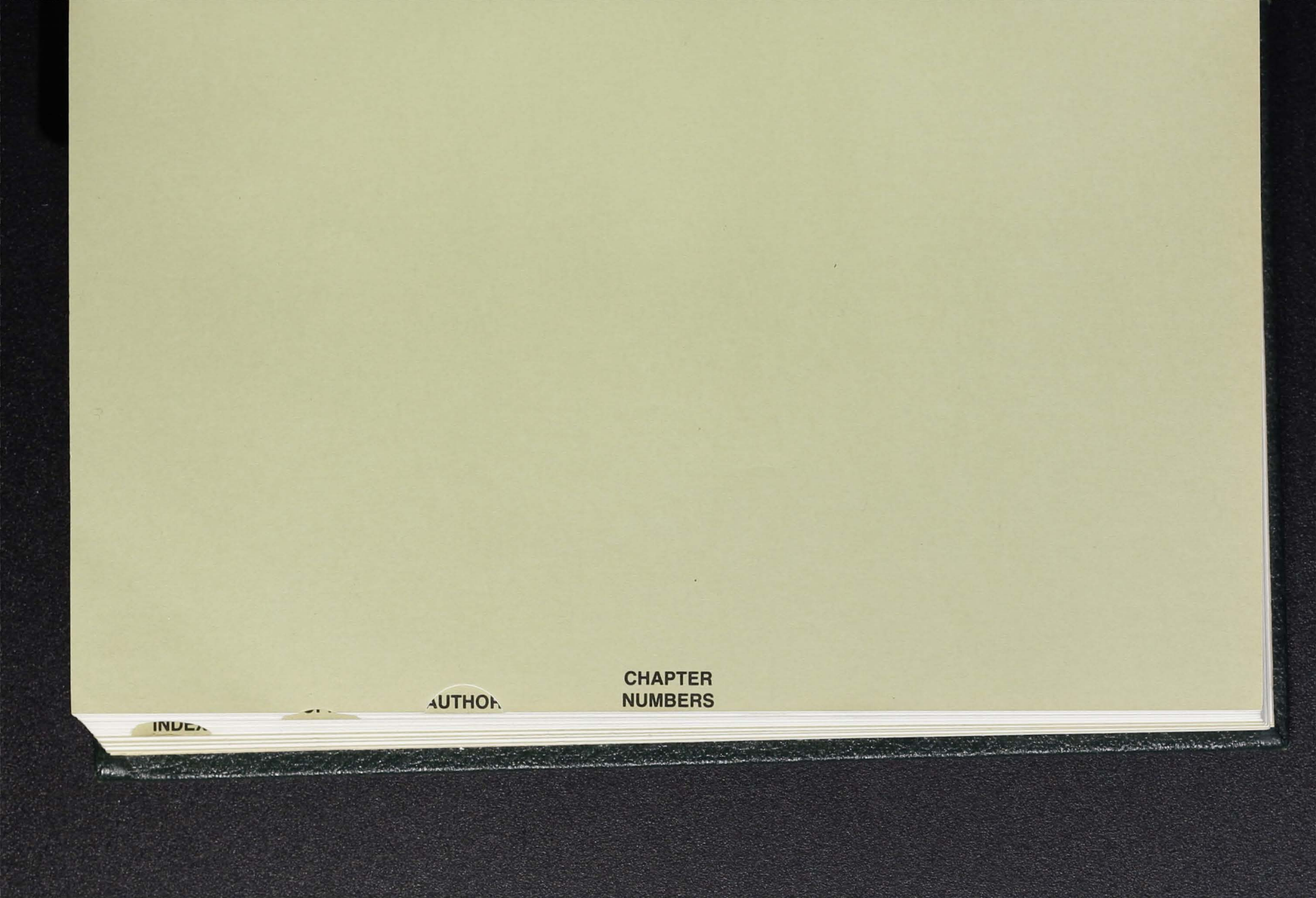
484	398	1443	1390	1616	1497
636	764	1445	1393	1819	1858
697	733	1446	1391	1840	1712
936	1076	1474	1427	1872	2082
1080	993	1475	1426	2136	2216
1115	1839	1477	1450	2190	2219
1421	1386				



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134	HF 462
135	HF 484
136	HF 564
137	HF 579
138	HF 588
139	HF 601
140	HF 634
141	HF 739
142	HF 775
143	HF 893
144	HF 918
145	HF 928
146	HF 1015
147	HF 1059
148	HF 1075
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154	Vacated *
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172	SF 1278
173	HF 28
174	HF 54
175	HF 443
176	HF 509
177	HF 886
178	HF 932
179	HF 889
180	SF 207
181	SF 560
182	SF 641
183	SF 771
184	SF 982
185	SF 1058
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358	HF 70
359	HF 1421
360	HF 1446
361	HF 1475
362	HF 1474
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366	SF 1164
367	HF 1253
368	SF 1084
369	HF 386
370	HF 732
371	SF 1150
372	SF 832
373	HF 583
374	HF 1552
375	HF 1732
376	SF 699
377	SF 1151
378	SF 1408
379	SF 429
380	SF 2174
381	HF 1616
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383	HF 1614
384	HF 1637
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391	SF 233
392	SF 1695
393	SF 272
394	SF 1514
395	SF 1107
396	SF 1088
397	HF 1336
398	HF 1139
399	SF 1455
400	SF 1510
401	SF 1567
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430	HF 1235
431	HF 1794
432	HF 1283
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434	HF 1580
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479	HF 1523	537	HF 522
480	HF 1579	538	HF 623
481	HF 1685	539	HF 685
482	HF 1789	540	SF 744
483	HF 1852	541	HF 776
484	HF 2066	542	HF 788
485	HF 2156	543	SF 818
486	HF 2170	544	HF 879
487	SF 1078	545	HF 930
488	SF 1561	546	SF 1015
489	SF 1666	547	HF 1576
490	SF 1677	548	HF 1555
491	SF 1715	549	HF 1589
492	SF 1740	550	HF 1611
493	SF 1765	551	HF 1635
494	SF 1818	552	HF 1652
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SECOND SPECIAL SESSION 1981

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THIRD SPECIAL SESSION 1981

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45	24
54	174
57	153
63	122
70	358
71	29
77	19
79	333
84	30
87	10
90	109
98	255
117	40
121	123
126	256
131	247
142	188
150	110
157	257
161	236
168	124
171	96
173	31
182	258
183	20
188	259
189	125
192	212
201	32
211	189
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217	190
222	111
230	4
241	62
247	297
253	531
258	126
269	33
272	112
276	201
277	127
284	228
295	298
297	34
305	299
312	151
321	335
330	35
332	59
339	77
341	36
347	97
349	54
353	533
356	534
357	191
365	128
371	129
386	369
395	130
396	336
401	63
407	260
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Abramson, Judge Sidney P.	68	229	352
Adams, Leo G.	198	228	351
Adel, Raymond O.	67	201	240
Albertson, Vernon D.	3394	4122	5630
Allers, John	1872		
Anderson, Dr. Howard	119	292	353
Anderson, Arnold C.	307	497	623
Anderson, Catherine L.	3395		
Anderson, Delbert F.	3394	4122	5630
Anderson, Mark	57		
Anderson, Robert J.	591		
Anderson, Terry M.	3394	4122	5630
Applebaum, Hy	1872		
Aragon, Fermin	3393		
Arnason, Charles W.	3394		
Arneson, Thomas G.	56	262	352
Auld, Richard L.	56	349	392
Barker, Anna F.	3268	4754	5632
Barnhart, Rochelle	307		
Barton, Robert J.	3391		
Bergford, John F., Jr.	2166	3309	3362
Bernhardson, Walfred	3390	4693	5634
Bissett, Elwood	173	228	353
Boerboom, James A.	3394	4122	5630
Borg, John W.	67, 307	497	623
Breimhurst, Louis J.	176	389	470
Bromelkamp, Henry J.	3940	4755	5633
Brown, Glen L.	3392	4693	5633
Brown, Noelann	591		
Brunelle, Philip	57	291	354
Bryson, William H.	3390	4693	5634
Buchwald, Dr. C. Edward	174	497	622
Burns, Robert W.	3393		
Bye, Don L.	56	262	352
Campbell, Joan	1436	3309	3361
Campe, John F.	591, 3302		
Cardona, Raul, Jr.	3393		
Carlson, Jack W.	120		
Carpenter, Beverly J.	2165	4754	5633
Chelseth, Archie	3391	4755	5632
Clemence, Roger D.	57		
Comstock, Roland W.	3394	4122	5631
Contag, C. H.	3391	4693	5634
Copeland, Julia W.	443	1517	1578
Dietz, Charlton	55	180, 228	354
Dorn, Larry	591		
Doyle, Stephen D.	3390, 3396	3724	3875
Dunn, Robert G.	306	388	470
Edel, John, Jr.	3392	4755	5632
Ehrhardt, Anne	1872	3473	3503
Eide, Allan B.	175	389	470
Eklund, Kent E.	68, 3340	122	240
Ekman, Duane R.	3301	4692	5634
Enz, Pat	3394	4122	5631
Ettesvold, Brian B.	3394	4122	5631
Feda, John J.	3516	4755	
Finch, Michael D.	3941		
Flanigan, Barbara H.	3390	4123	5629
Fritsche, Christine P.	121, 3300	4754	5633

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Name	Received	Other	Confirmed
Gafford, William J.	3167		
Gard, Leigh J.	3392	4124	5630
Gasper, Alton J.	1436	3309	3361
Gillen, Arthur F.	4506	4755	5632
Givens, Archie, Jr.	591		
Goldenberg, Herbert R.	54	179	240
Gort, Randall J.	3391	3724	3875
Green, Charles A.	121		
Grim, Lee H.	58	291	353
Haglin, Wayne C.	67	292	353
Halverson, Gene W.	1873		
Hansen, C.R. Baldy	4507		
Hartley, David	175	389	470
Hasselmo, Patricia	1436	3309	3361
Hatch, Robert W.	4506	4755	5632
Hauser, Mary M.	1436	3309	3362
Hengesteg, Toni Lin	3390, 3396	3724	3875
Herrick, Virgil C.	120	292	353
Hiniker, James	77	1414	1534
Hobbs, Patt	121	2272	2841
Hoffman, Marcelle (Terry)	280	349	391
House, Dr. James	3390	4123	5629
Hruska-Claeys, Lucinda L.	2285		
Hunter, Laurence E.	175	389	470
Jelatis, Demetrius G.	3299	4123	5628
Jensen, Carl A.	308	1143	1331
Jepsen, Cynthia C.	443	1517	1578
Johnson, Dale A.	307	497	623
Johnson, Erling O.	3940	4755	5633
Johnson, Judge Robert F.	1873		
Johnson, Robert W.	173		
Johnson, Virgil J.	3394		
Kalina, Judge Gerald	1873		
Kaufmann, Geoffrey L.	3390	4123	5629
Kelley, Judge Glenn E.	1873		
Kelly, Helen I.	175	228	353
Kinneberg, Glenn A.	120	292	353
Kirchner, William G.	175	389	470
Knoll, Milton L., Jr.	175	389	470
Krueger, Lee J.	307	497	623
Kuderling, Louise	175	389	470
Kuiter, Keith	175	389	470
Kyle, Toyse A.	3392	4755	5632
Lackore, Lucille E.	121	2272	2841
Lafferty, Rita A.	442		
Landholm, Karl F.	56	663	805
Larsen, Lauren	174, 3301	465	622
Leach, Mary E.	57	291	354
Loffler, Gene C. II	121		
Lopez, Juan	3393		
Lund, Patricia	1872	3473	3503
Main, James H.	3940	4123	5629
Mars, Jean	1872	3473	3503
Maruska, Harveydale	54	179	240
Marvin, Margaret W.	56	4753	5633
Maschka, Dean T.	1435	3309	3361
Mason, Mark E.	77	211	241
Mersch, Dr. Robert L.	55	291	353
Miller, Bernard A.	307, 3396	497, 4755	623, 5633
Moreno, Juan	3393		

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Name	Received	Other	Confirmed
Morris, David Y.	3299		
Mulligan, Allan E.	174	465	622
Murphy, Michael J.	3340		
Myers, Ruth A.	3940	4755	5633
Nadasdy, Leonard	1872	3473	3503
Nagel, John D.	308		
Naylon, Michael	2285		
Neeser, Kenneth E.	3300	4692	5634
Nelson, Dr. Wallace W.	120	292	353
Newcome, Thomas W.	1435	3309	3361
Nieves-Burton, Ana Sonia	3393		
Norman, Roger O.	443	1517	1578
Notaries Public	197, 3453	197, 3454	239, 3790
Ogaard, Donald H.	174	465	622
Okney, Bruce W.	58	199	241
Olsen, Karen A.	173	663	805
Olson, Virginia	3299		
Pancorbo, Lilliam	3393		
Parchman, Todd L.	3394	4123	5631
Parsons, Phillip M.	3395	4123	5631
Payne, Alvin	174	663	804
Pegues, Elizabeth A.	307, 3396	497, 4755	623, 5633
Perpich, Tony	3300		
Peterson, Daniel K.	57	291	354
Peterson, Harry D.	76		
Pettersen, George	77	229, 391	532
Pinkham, Charles T.	175	349	391
Pinkney, Martin J.	68, 3300		
Ponto, Elna H.	58	4753	5632
Pratt, Douglas C.	3395	4123	5631
Premack, Solveig	57		
Printy, David L.	591, 3302		
Reichert, Thomas G.	3301		
Reinhardt, Hazel H.	55	179	240
Renner, Thomas T.	175	389	470
Ridley, William J.	56	4753	5633
Ring, Raymond P.	3395	4123	5631
Rogge, Leonard J.	55, 3268	4754	5632
Roy, Judith	121	2272	2841
Rudell, Allan L.	3396		
Rummel, Moira Boyne	3268	4754	5632
Ruud, Russell L.	3390	4693	5634
Rypka, Jerry	173	292	353
Sando, William G.	1436	3309	3362
Sands, A. William, Jr.	57		
Saxton, Neil	121	292	352
Scherer, Roger H.	1436	3309	3362
Schotzko, Judith G.	58	199	241
Schroedermeier, Eugene A.	3395	4123	5631
Searle, Rodney N.	307	497	623
Seed, Peter H.	3268, 3301	4754	5632
Serra, Enrique	3395		
Sette, Kenneth	3393	3968	5628
Sillers, Douglas H.	3391	4755	5632
Smerling, Louis R.	2165	4754	5633
Smith, W. Wayne	3394		
Snyder, J. Robert	3395	4123	5631
Son, Sung Won	67, 3392	4755	5632
Stellner, Herbert M., Jr.	55, 3268	4754	5632
Stevens, Ronald	1872		

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Name	Received	Other	Confirmed
Stone, John R.	307		
Strom, Kenneth	3299		
Swanger, Mary B.	3394		
Swanson, Russell Bruce	3268	4124	5630
Taylor, Gretchen	3391	4755	5632
Toren, Paul E.	174	465	622
Villareal, Lee	3393		
Vogel, Marjorie Gray	57		
Vumbaco, Joseph A.	3395	4123	5631
Walker, Dr. Paul O.	443	1517	1578
Weaver, James L.	3390	3724	3875
Wedel, J. Mark	3299	4123	5628
West, Lois	443	1517	1578
White, Jonathan P.	172	1853	1910
Williams, Mary	3395	4123	5631
Witty, Marilyn	2165	4754	5633
Wunsch, John D.	174	228	354

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Interns (Moe, R.D.)	S. Res. #13	48		48
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Handicapped Awareness Week in the St. Cloud area (Pehler)	S. Res. #48	665		

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Senate and House

Subject and Author	Number	Introduction	Other Proceedings	Adoption
Joint rules of the Senate and House (Eken)	H. Con. Res. #2	558	558 686 731 1125	1126
Joint Select Legislative Committee on Forestry Citizen Advisory committee; thank you (Willet)	S. Res. #73	3361	3361 3387	3387
King, Martin Luther — Eulogy on 52nd anniversary of his birth (Moe, D.M.; Berglin)	S. Res. #14	48		48
Martin Luther King Day (Knoll; Berglin; Humphrey)	S. Res. #67	3141		3141
Memorial (Berglin; Knoll)	S. Con. Res. #7	3146		
(Staten; et al.)	H. Con. Res. #6	3144	3823	3853
Majority, minority leaders (Moe, R.D.)	S. Res. #1	9		9
Minnesota Agriculture Day (Bertram)	S. Con. Res. #5	351		
(Hanson; Moe, R.D.)	S. Res. #28	423		423
Minnesota Days of Holocaust Remembrance (Stern)	S. Con. Res. #6	1490	1505	1490
Minnesota Environmental Awareness Day (Merriam)	S. Res. #55	1418		
Mitchell, William; commemoration of the centennial of his appointment to the Minnesota Supreme Court (Davies for Keefe)	S. Con. Res. #4	350	407	350
Motorcycle accident injury and fatality social costs; interim study by the Health, Welfare and Corrections Committee (Menning)	S. Res. #59	2019		
Natural Resources Department public waters and wetlands survey moratorium (Menning)	S. Res. #23	351		
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Senate and House

Subject and Author	Number	Introduction	Other Proceedings	Adoption
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Older Workers Week (Moe, R.D.; Bertram)	S. Res. #76	3851	3997	4003
Pederson South Pole Expedition, 1981 (Pehler)	S. Res. #57	1824		
Pollution Control Agency; urge to maintain strong air quality standards (Humphrey; Willet; Frank; Luther; Merriam)	S. Con. Res. #12	3851	4032	4704
Postage allotments (Moe, R.D.)	S. Res. #6	25		25
(Moe, R.D.)	S. Res. #63	3131		3131
Regents election; joint convention, May 4, 1981 (Eken)	H. Con. Res. #3	1632	1632 1766	1766
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St. John's Preparatory School Day (Bertram)	S. Res. #74	3725		
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Senate organized; committee to notify Governor (Moe, R.D.)	S. Res. #8	26		26
Senate organized; Secretary of Senate to notify House (Moe, R.D.)	S. Res. #7	26		26
Senators; thanks to those who have served and are terminating their service (Moe, R.D.)	S. Res. #88	5588		5588
Stillwater fire; condolences and appreciation to firefighters and their families and friends (Hughes)	S. Res. #75	3776		

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Subject and Author	Number	Introduction	Other Proceedings	Adoption
Temporary joint rules of the Senate and House (Moe, R.D.)	S. Con. Res. #1	15	31 503	15
Temporary rules of the Senate (Moe, R.D.)	S. Res. #2	9	(46) (93) (113)	9
Wilkins, Roy; life memorialized (Moe, D.M.; Humphrey; Berglin; Moe, R.D.; Solon)	S. Res. #83	4761	4761 5538	5538
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JOURNAL

OF THE

SENATE

STATE OF MINNESOTA

SEVENTY-SECOND LEGISLATURE

FIRST SPECIAL SESSION

1982

STATE OF MINNESOTA

Journal of the Senate

FIRST SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Tuesday, March 30, 1982

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

RECESS

Mr. Hughes moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

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.

Prayer was offered by the Chaplain, Rev. Peter Wykoff.

The Secretary called the roll by legislative districts in numerical order, and the following Senators answered to their names:

First District	Marv Hanson
Second District	Roger D. Moe
Third District	
Fourth District	Gerald L. Willet
Fifth District	Ronald R. Dicklich
Sixth District	Douglas J. Johnson
Seventh District	Sam G. Solon
Eighth District	James Ulland
Ninth District	Keith Langseth
Tenth District	Collin C. Peterson
Eleventh District	
Twelfth District	Myrton O. Wegener
Thirteenth District	Dave Rued
Fourteenth District	Florian Chmielewski
Fifteenth District	Charles A. Berg
Sixteenth District	Joe Bertram
Seventeenth District	James C. Pehler
Eighteenth District	Charles R. Davis
Nineteenth District	Randolph W. Peterson
Twentieth District	Randy P. Kamrath
Twenty-first District	A.O.H. Setzepfandt
Twenty-second District	John Bernhagen
Twenty-third District	Earl W. Renneke
Twenty-fourth District	Clarence M. Purfeerst
Twenty-fifth District	Steve Engler
Twenty-sixth District	Marion (Mike) Menning

Twenty-seventh District	Darrel L. Peterson
Twenty-eighth District	Dennis Frederickson
Twenty-ninth District	Glen Taylor
Thirtieth District	Timothy J. Penny
Thirty-first District	Tom A. Nelson
Thirty-second District	Mel Frederick
Thirty-third District	Nancy Brataas
Thirty-fourth District	Patricia Louise Kronebusch
Thirty-fifth District	Duane D. Benson
Thirty-sixth District	Robert J. Schmitz
Thirty-seventh District	Steve Lindgren
Thirty-eighth District	William V. Belanger, Jr.
Thirty-ninth District	Otto T. Bang, Jr.
Fortieth District	
Forty-first District	Irving M. Stern
Forty-second District	
Forty-third District	Jim Ramstad
Forty-fourth District	Hubert H. Humphrey, III
Forty-fifth District	William P. Luther
Forty-sixth District	Don Frank
Forty-seventh District	Gene Merriam
Forty-eighth District	Robert O. Ashbach
Forty-ninth District	Gregory L. Dahl
Fiftieth District	Jerome M. Hughes
Fifty-first District	Gerry Sikorski
Fifty-second District	Conrad M. Vega
Fifty-third District	Howard A. Knutson
Fifty-fourth District	Carl W. Kroening
Fifty-fifth District	Anne K. Stokowski
Fifty-sixth District	Robert J. Tennessen
Fifty-seventh District	Allan H. Spear
Fifty-eighth District	
Fifty-ninth District	Linda Berglin
Sixtieth District	Jack Davies
Sixty-first District	Franklin J. Knoll
Sixty-second District	Neil Dieterich
Sixty-third District	Ron Sieloff
Sixty-fourth District	Peter P. Stumpf
Sixty-fifth District	Donald M. Moe
Sixty-sixth District	Gene Waldorf
Sixty-seventh District	Marilyn M. Lantry

The President declared a quorum present.

STATE OF MINNESOTA

PROCLAMATION

WHEREAS: The Seventy-Second Legislature adjourned sine die on March 19, 1982; and

WHEREAS: House File No. 1220 was passed by both Houses on that day; and

WHEREAS: Several provisions of House File No. 1220 were essential to assure timely payment of unemployment benefits to 96,000 recipients; and

WHEREAS: These provisions were addressed in legislation introduced dur-

ing the 1981 regular Session and the December, 1981 Special Session; and

WHEREAS: The Legislature failed to enact the necessary changes until the final day of the 1982 Session at which time they combined the unemployment insurance changes with legislation enacting unacceptable revisions in Minnesota's workers' compensation system; and

WHEREAS: Because of the unacceptable changes in the workers' compensation system, House File No. 1220 was vetoed; and

WHEREAS: It is necessary to immediately address these unemployment insurance issues prior to the next regular Session of the Legislature, thereby creating an extraordinary occasion; and

WHEREAS; Article IV, Section 12 of the Constitution of the State of Minnesota provides that a Special Session of the Legislature may be called on extraordinary occasions;

NOW, THEREFORE, I, Albert H. Quie, Governor of the State of Minnesota, do hereby summon you members of the Legislature to convene in Special Session on Tuesday, March 30, 1982, at 10:00 a.m. in the forenoon at the Capitol in St. Paul.

I urge the Legislature to act as expeditiously as possible in enacting the necessary amendments to Minnesota's unemployment insurance law which will assure timely payments of the unemployment benefits to all eligible persons.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed this twenty-fifth day of March, in the year of Our Lord one thousand nine hundred and eighty-two and of the State the one hundred twenty-third.

Albert H. Quie,
Governor

Joan Anderson Growe
Secretary of State

MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No. 1: A Senate resolution relating to organization and operation of the Senate during the Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Senate is organized pursuant to Minnesota Statutes 1980, Sections 3.073 and 3.103.

The Rules of the Senate for the 72nd Legislature shall be the Rules for the Special Session, except that Rules 33, 40, and 57 shall not be operative other than as provided herein.

The Committee on Rules and Administration is established in the same manner and with the same powers as pertained in the 72nd Legislature.

With respect to Rule 31, Reconsideration, a notice of intention to move for

reconsideration shall not be in order, but a motion to reconsider may be made, and when made shall have priority over other business except a motion to adjourn or recess.

Mr. Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

Ashbach	Davis	Knutson	Pehler	Solon
Bang	Dicklich	Kroening	Penny	Spear
Belanger	Dieterich	Kronebusch	Peterson,C.C.	Stern
Benson	Engler	Langseth	Peterson,D.L.	Stokowski
Berg	Frank	Lantry	Peterson,R.W.	Stumpf
Berglin	Frederick	Lindgren	Purfeerst	Taylor
Bernhagen	Frederickson	Luther	Renneke	Tennessen
Bertram	Hanson	Menning	Rued	Ulland
Brataas	Hughes	Merriam	Schmitz	Vega
Chmielewski	Humphrey	Moe, D. M.	Setzepfandt	Waldorf
Dahl	Johnson	Moe, R. D.	Sieloff	Wegener
Davies	Kamrath	Nelson	Sikorski	Willet

The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. introduced—

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor that the Senate is organized.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the House of Representatives and the Governor that the Senate is now duly organized pursuant to the Minnesota Constitution and Minnesota Statutes.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Pehler introduced—

Senate Resolution No. 3: A Senate resolution congratulating the Eagles team from St. Cloud Apollo High School on winning the 1982 Class AA State High School Girls Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Pehler introduced—

Senate Resolution No. 4: A Senate resolution congratulating the Tigers team from St. Cloud Technical High School on winning fourth place in the 1982 Class AA State High School Boys Basketball Tournament.

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 proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Messrs. Peterson, C.C.; Pehler and Chmielewski introduced—

S.F. No. 1: A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions; altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Sections 268.07, Subdivision 4; 268.16, Subdivision 3, as amended.

Mr. Peterson, C.C. moved that S.F. No. 1 be laid on the table. The motion prevailed.

Messrs. Merriam, Sikorski, Luther, Pehler and Ulland introduced—

S.F. No. 2: A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 466.01, by adding a subdivision; and 466.04, Subdivision 1; Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 116; proposing new law coded as Minnesota Statutes, Chapter 115B; repealing Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2.

Mr. Merriam moved that S.F. No. 2 be laid on the table. The motion prevailed.

Mr. Solon introduced—

S.F. No. 3: A bill for an act relating to corrections; authorizing the commissioner of corrections to contract with the United States attorney general and local county officials for temporary detention of persons in custody pursuant to lawful process issued by federal courts and the state district court; providing for disposition of proceeds; amending Minnesota Statutes 1980, Section 243.51, by adding a subdivision.

Mr. Solon moved that S.F. No. 3 be laid on the table. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House of Representatives of the State of Minnesota is now duly organized for the 1982 First Special Session pursuant to law.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1982

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

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. Solon moved that S.F. No. 3 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Solon moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 3 and that the rules of the Senate be so far suspended as to give S.F. No. 3 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 3: A bill for an act relating to corrections; authorizing the commissioner of corrections to contract with the United States attorney general and local county officials for temporary detention of persons in custody pursuant to lawful process issued by federal courts and the state district court; providing for disposition of proceeds; amending Minnesota Statutes 1980, Section 243.51, by adding a subdivision.

S.F. No. 3 was read the second time.

Mr. Solon moved to amend S.F. No. 3 as follows:

Page 1, after line 23, insert:

"Sec. 2. [EFFECTIVE DATE.]

This act is effective the day following final enactment."

The motion prevailed. So the amendment was adopted.

Mr. Solon then moved to amend S.F. No. 3 as follows:

Page 1, line 21, delete "*Funds*" and insert "*Money*"

Page 1, after line 23, insert:

"*This subdivision is effective to June 30, 1983.*"

The motion prevailed. So the amendment was adopted.

S.F. No. 3 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:

Ashbach	Dicklich	Kronebusch	Peterson,D.L.	Stokowski
Bang	Dieterich	Langseth	Peterson,R.W.	Stumpf
Belanger	Engler	Lantry	Purfeerst	Taylor
Benson	Frank	Lindgren	Ramstad	Tennessen
Berg	Frederick	Luther	Renneke	Ulland
Berglin	Frederickson	Menning	Rued	Vega
Bernhagen	Hanson	Merriam	Schmitz	Waldorf
Bertram	Humphrey	Moe, D. M.	Setzepfandt	Wegener
Brataas	Johnson	Moe, R. D.	Sieloff	Willet
Chmielewski	Kamrath	Nelson	Sikorski	
Dahl	Knoll	Pehler	Solon	
Davies	Knutson	Penny	Spear	
Davis	Kroening	Peterson,C.C.	Stern	

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

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Mr. Hanson introduced—

S.F. No. 4: A bill for an act relating to the operation of state government; authorizing individuals to bring suits against the state regarding contracts for state debt; clarifying provisions relating to the sale of certificates of indebtedness; amending Minnesota Statutes 1980, Section 3.751, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivisions 5, as amended, and 9.

SUSPENSION OF RULES

Mr. Hanson moved that an urgency be declared within the meaning of

Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 4 and that the rules of the Senate be so far suspended as to give S.F. No. 4 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 4 was read the second time.

S.F. No. 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 41 and nays 20, as follows:

Those who voted in the affirmative were:

Ashbach	Frederickson	Lindgren	Ramstad	Ulland
Bang	Hanson	Luther	Renneke	Vega
Brataas	Hughes	Menning	Sikorski	Waldorf
Chmielewski	Humphrey	Merriam	Solon	Wegener
Dahl	Johnson	Moe, D. M.	Spear	Willet
Davies	Knoll	Moe, R. D.	Stern	
Dicklich	Knutson	Nelson	Stokowski	
Dieterich	Kroening	Peterson,R.W.	Stumpf	
Frank	Lantry	Purfeerst	Taylor	

Those who voted in the negative were:

Belanger	Bernhagen	Kamrath	Penny	Schmitz
Benson	Bertram	Kronebusch	Peterson,C.C.	Setzepfandt
Berg	Davis	Langseth	Peterson,D.L.	Sieloff
Berglin	Engler	Pehler	Rued	Tennessen

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House and First Reading of House Bills. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted:

H.F. No. 1: A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions; altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing

for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Sections 268.07, Subdivision 4; 268.16, Subdivision 3, as amended.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1982

FIRST READING OF HOUSE BILLS

H.F. No. 1 was read the first time.

SUSPENSION OF RULES

Mr. Peterson C.C. 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. 1 and that the rules of the Senate be so far suspended as to give H.F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1 was read the second time.

H.F. No. 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:

Ashbach	Dicklich	Kroening	Peterson,D.L.	Stokowski
Bang	Dieterich	Kronebusch	Peterson,R.W.	Stumpf
Belanger	Engler	Langseth	Purfeerst	Taylor
Benson	Frank	Lantry	Ramstad	Tennessen
Berg	Frederick	Lindgren	Renneke	Ulland
Berglin	Frederickson	Luther	Rued	Vega
Bernhagen	Hanson	Menning	Schmitz	Waldorf
Bertram	Hughes	Merriam	Setzepfandt	Wegener
Brataas	Humphrey	Moe, R. D.	Sieloff	Willet
Chmielewski	Johnson	Nelson	Sikorski	
Dahl	Kamrath	Pehler	Solon	
Davies	Knoll	Penny	Spear	
Davis	Knutson	Peterson,C.C.	Stern	

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Messrs. Keefe, Lessard, Olhoft, Petty and Pillsbury were excused from the Session of today.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 1:30 p.m. The motion prevailed.

The hour of 1:30 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Moe R.D. moved that the Senate do now recess until 1:45 p.m. The motion prevailed.

The hour of 1:45 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 2:30 p.m. The motion prevailed.

The hour of 2:30 p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R.D. moved that the Senate revert to the Order of Business of Messages From the House. The motion prevailed.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S.F. No. 3: A bill for an act relating to corrections; authorizing the commissioner of corrections to contract with the United States attorney general and local county officials for temporary detention of persons in custody pursuant to lawful process issued by federal courts and the state district court; providing for disposition of proceeds; amending Minnesota Statutes 1980, Section 243.51, by adding a subdivision.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1982

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned:

S.F. No. 4: A bill for an act relating to the operation of state government; authorizing individuals to bring suits against the state regarding contracts for state debt; clarifying provisions relating to the sale of certificates of indebtedness; amending Minnesota Statutes 1980, Section 3.751, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivisions 5, as amended, and 9.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 30, 1982

Mr. President:

I have the honor to announce that the House of Representatives is about to adjourn the 1982 First Special Session sine die.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 30, 1982

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Peterson, D.L. introduced—

Senate Resolution No. 5: A senate resolution congratulating the East Chain girls basketball team for winning the runner-up trophy at the 1982 Class A Girls State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Moe, R.D. introduced—

Senate Resolution No. 6: A Senate resolution relating to adjournment of the 1982 First Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the Governor and the House of Representives that the Senate is about to adjourn the 1982 First Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the 1982 First Special Session.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Remaining on the Order of Business of Motions and Resolutions, Mr. Moe, R. D. moved that the Senate proceed to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Rued, Bernhagen, Sieloff, Mrs. Brataas and Mr. Lindgren introduced—

S.F. No. 5: A bill for an act relating to taxation; conforming income tax treatment of certain retirement accounts, unemployment compensation, child care expenses and gasoline tax to that provided by federal tax law; changing apportionment of the deduction of federal income tax; amending Minnesota Statutes 1980, Section 290.067, Subdivision 1, as amended; and Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; 290.09, Subdivision 4; and 290.18, Subdivision 2, as amended.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

COMMUNICATIONS RECEIVED SUBSEQUENT TO ADJOURNMENT

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 31, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 3 and 4, First Special Session - 1982.

Sincerely,
Albert H. Quie, Governor

March 31, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 First Special Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	First Special Session-1982 Laws Chapter No.	Date Approved 1982	Date Filed 1982
	1	1	March 31	March 31
3		2	March 31	March 31
4		3	March 31	March 31

Sincerely,
Joan Anderson Growe
Secretary of State

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BILLS OF THE SENATE

FIRST SPECIAL SESSION 1982

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	First Special Session, 1982 Laws, Chapter
1	A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions; altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 and 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Sections 268.07, Subdivision 4; 268.16, Subdivision 3, as amended.	7		7 (H1)					
2	A bill for an act relating to the environment; establishing an environmental response, compensation and compliance fund to pay for removal and remedial action associated with certain hazardous substances released into the environment and for other purposes; providing for liability for cleanup costs, personal injury and economic loss resulting from releases of hazardous substances; imposing taxes, fees, and penalties; appropriating money; amending Minnesota Statutes 1980, Sections 466.01, by adding a subdivi-	7		7					

(Continued next page)

a Indicates Amendment

( ) Indicates House File Substitution

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BILLS OF THE SENATE—Continued
FIRST SPECIAL SESSION 1982

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	First Special Session, 1982 Laws, Chapter
2—Continued	nesota Statutes 1981 Supplement, Section 115A.24, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 116; proposing new law coded as Minnesota Statutes, Chapter 115B; repealing Minnesota Statutes 1981 Supplement, Section 115A.24, Subdivision 2.								
3	A bill for an act relating to corrections; authorizing the commissioner of corrections to contract with the United States attorney general and local county officials for temporary detention of persons in custody pursuant to lawful process issued by federal courts and the state district court; providing for disposition of proceeds; amending Minnesota Statutes 1980, Section 243.51, by adding a subdivision.	8	8	8, 8a	9		12	15	2
4	A bill for an act relating to the operation of state government; authorizing individuals to bring suits against the state regarding contracts for state debt; clarifying provisions relating to the sale of certificates of indebtedness; amending Minnesota Statutes 1980, Section 3.751, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivisions 5, as amended, and 9.	9	10	10	10		12	15	3
5	A bill for an act relating to taxation; conforming income tax treatment of certain retirement accounts, unemployment compensation, child care expenses and gasoline tax to that provided by federal tax law; changing apportionment of the deduction of federal income tax; amending Minnesota Statutes 1980, Section 290.067, Subdivision 1, as amended; and Minnesota Statutes 1981 Supplement, Sections 290.01, Subdivision 20, as amended; 290.09, Subdivision 4; and 290.18, Subdivision 2, as amended.	13							

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H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	First Special Session, 1982 Laws, Chapter
1	A bill for an act relating to unemployment compensation; establishing a credit week as a percentage of average weekly wages; defining the employing unit for certain homeworkers and personal care attendants; defining wages; altering provisions as to advance of federal funds; altering "triggers" related to extended benefits; altering eligibility requirements for extended benefits; altering eligibility and disqualifying provisions for individuals whose training is approved under the Federal Trade Act of 1974; providing for the interception of unemployment benefits to satisfy child support obligations; providing for rate notices; regulating eligibility for compensation; providing for determination of claims; providing for collection of contributions, reimbursements, and overpayments; modifying employer contribution provisions; altering tax rates; regulating the data practices of the department of economic security; modifying the deduction of military retirement payments and secondary social security benefits; providing increased penalties for individuals who quit employment or who are discharged for misconduct; providing for the charging of extended benefits, in part, to base period employers; providing penalties; appropriating money; amending Minnesota Statutes 1980, Sections 268.04, Subdivisions 9, 25, and 29; 268.05, Subdivision 6; 268.06, Subdivisions 2, 3a, 6, 8, 19, 22, 25, and 28; 268.07, Subdivisions 2, 3, and by adding a subdivision; 268.071, Subdivisions 1, 3, 5, 6, and by adding subdivisions; 268.08, Subdivisions 1, 3, and 6; 268.09, Subdivisions 1, 2, and by adding a subdivision; 268.10, Subdivisions 1 and 2; 268.12, Subdivisions 12 an 13; 268.15, Subdivision 3; 268.16, Subdivisions 1 and 2; 268.18, Subdivisions 1, 2, 4, and by adding subdivisions; proposing new law coded in Minnesota Statutes, Chapter 268; repealing Minnesota Statutes 1980, Sections 268.07, Subdivision 4; 268.16, Subdivision 3, as amended.	10	11	11	11	11		1

a Indicates Amendment

SENATE RECORD OF COMPANION BILLS AS INTRODUCED FIRST SPECIAL SESSION 1982

S. F. Number	H. F. Number	S. F. Number	H. F. Number	S. F. Number	H. F. Number
1	1	3		5	
2	2	4			

H. F. Number	S. F. Number	H. F. Number	S. F. Number	H. F. Number	S. F. Number
1	1	2	2		

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Chapter Number	File Number
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***after Senate file number indicates principal author.**

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JOURNAL

OF THE

SENATE

STATE OF MINNESOTA

SEVENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

1982

STATE OF MINNESOTA

Journal of the Senate

SECOND SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Friday, July 9, 1982

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

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.

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

The Secretary called the roll by legislative districts in numerical order, and the following Senators answered to their names:

First District	Marv Hanson
Second District	Roger D. Moe
Third District	Bob Lessard
Fourth District	Gerald L. Willet
Fifth District	Ronald R. Dicklich
Sixth District	Douglas J. Johnson
Seventh District	Sam G. Solon
Eighth District	James Ulland
Ninth District	Keith Langseth
Tenth District	Collin C. Peterson
Eleventh District	Wayne Olhoft
Twelfth District	Myrton O. Wegener
Thirteenth District	Dave Rued
Fourteenth District	Florian Chmielewski
Fifteenth District	Charles A. Berg
Sixteenth District	Joe Bertram
Seventeenth District	James C. Pehler
Eighteenth District	Charles R. Davis
Nineteenth District	Randolph W. Peterson
Twentieth District	Randy P. Kamrath
Twenty-first District	A.O.H. Setzepfandt
Twenty-second District	John Bernhagen
Twenty-third District	Earl W. Renneke
Twenty-fourth District	Clarence M. Purfeerst
Twenty-fifth District	Steve Engler
Twenth-sixth District	Marion (Mike) Menning
Twenty-seventh District	Darrel L. Peterson
Twenty-eighth District	Dennis Frederickson
Twenty-ninth District	Glen Taylor
Thirtieth District	Timothy J. Penny
Thirty-first District	Tom A. Nelson
Thirty-second District	

Thirty-third District	Nancy Brataas
Thirty-fourth District	Patricia Louise Kronebusch
Thirty-fifth District	Duane D. Benson
Thirty-sixth District	Robert J. Schmitz
Thirty-seventh District	Steve Lindgren
Thirty-eighth District	William V. Belanger, Jr.
Thirty-ninth District	Otto T. Bang, Jr.
Fortieth District	John B. Keefe
Forty-first District	Irving M. Stern
Forty-second District	George S. Pillsbury
Forty-third District	Jim Ramstad
Forty-fourth District	Hubert H. Humphrey,III
Forty-fifth District	William P. Luther
Forty-sixth District	Don Frank
Forty-seventh District	Gene Merriam
Forty-eighth District	Robert O. Ashbach
Forty-ninth District	Gregory L. Dahl
Fiftieth District	Jerome M. Hughes
Fifty-first District	Gerry Sikorski
Fifty-second District	Conrad M. Vega
Fifty-third District	
Fifty-fourth District	Carl W. Kroening
Fifty-fifth District	Anne K. Stokowski
Fifty-sixth District	Robert J. Tennessen
Fifty-seventh District	Allan H. Spear
Fifty-eighth District	Eric D. Petty
Fifty-ninth District	Linda Berglin
Sixtieth District	Jack Davies
Sixty-first District	Franklin J. Knoll
Sixty-second District	Neil Dieterich
Sixty-third District	Ron Sieloff
Sixty-fourth District	Peter P. Stumpf
Sixty-fifth District	Donald M. Moe
Sixty-sixth District	Gene Waldorf
Sixty-seventh District	Marilyn M. Lantry

The President declared a quorum present.

MEMBERS EXCUSED

Mr. Frederick was excused from the Session of today. Mr. Knutson was excused from the Session of today until 12:30 p.m.

STATE OF MINNESOTA

PROCLAMATION

WHEREAS: The taconite industry in Northeastern Minnesota has been severely affected by the national recession, resulting in extraordinarily high levels of unemployment in the mining industry and among workers whose livelihood is dependent on the health of the mining industry; and

WHEREAS: The Northeast Minnesota Economic Protection Fund, composed of taconite tax revenues collected in lieu of local property taxes, together with accumulated interest, dividends and earnings thereon, can be made available by legislative action to provide immediate emergency relief through the creation of temporary jobs for the unemployed in the taconite tax relief area

whose unemployment compensation benefits have expired; and

WHEREAS: It is necessary to immediately address this severe unemployment situation on the State's Iron Range prior to the next regular Session of the Legislature, thereby creating an extraordinary occasion; and

WHEREAS: Article IV, Section 12 of the Constitution of the State of Minnesota provides that a Special Session of the Legislature may be called on extraordinary occasions;

NOW, THEREFORE, I, Albert H. Quie, Governor of the State of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Friday, July 9, 1982, at 10:00 a.m. in the morning at the Capitol in Saint Paul.

I urge the Legislature to act favorably upon the legislation approved for consideration at this Special Session by the leaders of the four legislative caucuses. This legislation will provide short-term emergency jobs for the thousands of unemployed on the Iron Range, and provides for the creation of a board of trustees to administer the Northeast Minnesota Economic Protection Fund trust to immediately begin developing programs and projects for the diversification of the Iron Range economy, thereby reducing its substantial dependency on the economic health of the taconite mining industry. I encourage the Legislature to adhere to the agreement of the leaders of the four legislative caucuses by limiting the agenda of the Special Session to this Iron Range legislation and the local bill proposed by the City of Albert Lea.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed this second day of July in the year of Our Lord one thousand nine hundred and eighty-two and of the State the one hundred twenty-fourth.

Albert H. Quie,
Governor

Joan Anderson Growe,
Secretary of State

MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No. 1: A Senate resolution relating to organization and operation of the Senate during the 1982 Second Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Senate is organized pursuant to Minnesota Statutes 1980, Sections 3.073 and 3.103.

The Rules of the Senate for the 72nd Legislature shall be the Rules for the 1982 Second Special Session, except that Rules 33, 40, and 57 shall not be operative other than as provided herein.

The Committee on Rules and Administration is established in the same manner and with the same powers as pertained in the 72nd Legislature.

With respect to Rule 31, Reconsideration, a notice of intention to move for

reconsideration shall not be in order, but a motion to reconsider may be made, and when made shall have priority over other business except a motion to adjourn or recess.

Mr. Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

Ashbach	Dicklich	Langseth	Peterson,D.L.	Spear
Bang	Dieterich	Lantry	Peterson,R.W.	Stern
Belanger	Engler	Lessard	Petty	Stokowski
Benson	Frank	Lindgren	Pillsbury	Stumpf
Berg	Frederickson	Luther	Purfeerst	Taylor
Berglin	Hanson	Menning	Ramstad	Tennessen
Bernhagen	Humphrey	Merriam	Renneke	Ulland
Bertram	Johnson	Moe, R.D.	Rued	Vega
Brataas	Kamrath	Nelson	Schmitz	Waldorf
Chmielewski	Keefe	Olhoft	Setzepfandt	Wegener
Dahl	Knoll	Pehler	Sieloff	Willet
Davies	Kroening	Penny	Sikorski	
Davis	Kronebusch	Peterson,C.C.	Solon	

The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. introduced—

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor that the Senate is organized.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the House of Representatives and the Governor that the Senate is now duly organized pursuant to the Minnesota Constitution and Minnesota Statutes.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Ramstad introduced—

Senate Resolution No. 3: A Senate resolution congratulating the participants and sponsors of the 26th Annual National Wheelchair Games.

WHEREAS, the 26th Annual National Wheelchair Games will be held on June 23-27 in Minnesota; and,

WHEREAS, the games are sponsored by Courage Center and Southwest State University; and,

WHEREAS, the participants in the games will compete for national championships in track and field, archery, table tennis, weightlifting, and swimming; and,

WHEREAS, the participants will also vie for positions on the USA Wheelchair Athletic team; and,

WHEREAS, the competition is not only exciting for the participants and spectators but provides valuable experience and example to the public that any

person can be both an athlete and in a wheelchair; and,

WHEREAS, the games provide a key element in the bettering of the quality of life in Minnesota; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota that it congratulates the participants and sponsors of the 26th Annual National Wheelchair Games. It encourages all Minnesotans to see the games and cheer for the participants.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the President, and present it to the 26th Annual National Wheelchair Games.

Mr. Ramstad moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House of Representatives of the State of Minnesota is now duly organized for the 1982 Second Special Session pursuant to law.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 9, 1982

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 11:30 a.m. The motion prevailed.

The hour of 11:30 a.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.

Without objection, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Johnson, Dicklich, Lessard, Chmielewski and Ulland introduced—

S.F. No. 1: A bill for an act relating to the northeast Minnesota economic protection fund; designating the fund as a trust fund; authorizing the expendi-

ture of money from the fund to finance a distressed area emergency job program and alternative energy source projects; establishing a trust board; appropriating money; amending Minnesota Statutes 1980, sections 298.291; 298.292; 298.293; and 298.294, as amended; Minnesota Statutes 1981 Supplement, sections 298.225, as amended; and 298.28, subdivisions 1, as amended, and 2; and Laws 1982, chapter 523, article XXX, section 4, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 298.

Mr. Moe, R.D. moved that S.F. No. 1 be laid on the table. The motion prevailed.

Messrs. Nelson and Penny introduced—

S.F. No. 2: A bill for an act relating to the city of Albert Lea; authorizing the city to expend certain federal revenue sharing funds for certain purposes.

Mr. Moe, R.D. moved that S.F. No. 2 be laid on the table. The motion prevailed.

Mr. Renneke introduced—

S.F. No. 3: A bill for an act relating to metropolitan government; apportioning metropolitan council districts; requiring that metropolitan council boundaries be redrawn from each federal census; amending Minnesota Statutes 1980, sections 473.123, subdivisions 2 and 3; and 473.141, subdivisions 2 and 5.

Referred to the Committee on Rules and Administration.

Messrs. Peterson, D.L.; Berg; Benson; Rued and Kamrath introduced—

S.F. No. 4: A bill for an act relating to agriculture; creating an agricultural revitalization trust fund and board of trustees; authorizing the expenditure of funds for agricultural revitalization; altering the distribution of property taxes levied by taxing districts; appropriating money; proposing new law coded as Minnesota Statutes, chapter 17C.

Referred to the Committee on Rules and Administration.

Messrs. Peterson, R.W. and Merriam introduced—

S.F. No. 5: A bill for an act relating to taxation; altering the method by which the certifications of homestead credits are reduced; amending Laws 1982, chapter 641, article II, sections 9 and 11.

Referred to the Committee on Rules and Administration.

Mr. Dieterich introduced—

S.F. No. 6: A bill for an act relating to public welfare; providing for establishment of voluntary community work experience projects by counties; reappropriating money; proposing new law coded in Minnesota Statutes, chapter 256.

Referred to the Committee on Rules and Administration.

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

MOTIONS AND RESOLUTIONS

Mr. Nelson moved that S.F. No. 2 be taken from the table. The motion prevailed.

SUSPENSION OF RULES

Mr. Nelson moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 2 and that the rules of the Senate be so far suspended as to give S.F. No. 2 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 2 was read the second time.

S.F. No. 2: A bill for an act relating to the city of Albert Lea; authorizing the city to expend certain federal revenue sharing funds for certain purposes.

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 3, as follows:

Those who voted in the affirmative were:

Ashbach	Dicklich	Kronebusch	Penny	Sikorski
Bang	Dieterich	Langseth	Peterson, C.C.	Solon
Belanger	Engler	Lantry	Peterson, D.L.	Spear
Benson	Frank	Lessard	Peterson, R.W.	Stern
Berg	Frederickson	Lindgren	Petty	Stokowski
Berglin	Hanson	Luther	Pillsbury	Stumpf
Bernhagen	Humphrey	Menning	Purfeerst	Taylor
Bertram	Johnson	Moe, D.M.	Ramstad	Ulland
Brataas	Kamrath	Moe, R.D.	Renneke	Vega
Chmielewski	Keefe	Nelson	Rued	Waldorf
Dahl	Knoll	Olhoft	Schmitz	Wegener
Davis	Kroening	Pehler	Setzepfandt	Willet

Messrs. Davies, Merriam and Tennessen voted in the negative.

So the bill passed and its title was agreed to.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

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.

Without objection, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 9, 1982

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1: A bill for an act relating to the northeast Minnesota economic protection fund; designating the fund as a trust fund; authorizing the expenditure of money from the fund to finance a distressed area emergency job program and alternative energy source projects; establishing a trust board; appropriating money; amending Minnesota Statutes 1980, sections 298.291; 298.292; 298.293; and 298.294, as amended; Minnesota Statutes 1981 Supplement, sections 298.225, as amended; and 298.28, subdivisions 1, as amended, and 2; and Laws 1982, chapter 523, article XXX, section 4, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 298.

SUSPENSION OF RULES

Mr. Johnson 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. 1 and that the rules of the Senate be so far suspended as to give H.F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 1 was read the second time.

Mr. Peterson, D. L. moved to amend H.F. No. 1, as follows:

Page 19, after line 5, insert:

"Sec. 16. [17C.01] [CITATION.]

Sections 16 to 24 shall be known as the "Agricultural Revitalization Trust Fund Act."

Sec. 17. [17C.02] [CREATION OF TRUST FUND.]

The agricultural revitalization trust fund is created to aid and promote the conservation of agricultural land, the development of foreign markets for the state's agricultural products, and the development and construction of businesses utilizing or processing the state's agricultural products. Priority shall be given to using the agricultural revitalization trust fund for the following purposes:

(a) projects and programs that are designed to create and maintain productive, permanent, skilled employment;

(b) projects and programs for which technological and economic feasibility has been demonstrated; and

(c) loans, loan guarantees, interest buy-downs, and other forms of participation with private sources of financing in preference to grants.

Sec. 18. [17C.03] [INVESTMENT OF FUND.]

The trust fund established by section 17 shall be invested pursuant to law by the state board of investment and the net interest, dividends, and other earnings arising from the investments shall be transferred on the first day of each month to the trust and shall be included and become part of the trust fund.

Sec. 19. [17C.04] [BOARD OF TRUSTEES OF THE AGRICULTURAL REVITALIZATION TRUST.]

Subdivision 1. [CREATION.] *The board of trustees of the agricultural revitalization trust is created.*

Subd. 2. [MEMBERS.] *The board shall consist of 15 members appointed in the following manner:*

(a) three members of the house of representatives appointed by the speaker of the house, at least two of whom shall be elected from predominantly agricultural representative districts;

(b) three members of the senate appointed by the subcommittee on committees of the committee on rules and administration of the senate, at least two of whom shall be elected from predominantly agricultural senate districts;

(c) the commissioner of agriculture or his designee;

(d) eight public members appointed by the governor with the advice and consent of the senate. Five public members shall have expertise in agriculture or agri-business. Three public members shall have expertise in at least one of the following areas: small business, finance, economic development, or other areas of expertise related to the work of the board. In making appointments of public members the governor shall consider candidates for appointment recommended by the national farmers organization, the Minnesota farm bureau, and the Minnesota farmers union.

The terms of the members shall be six years with the terms ending on the first Monday in January. The appointing authorities shall appoint as nearly as possible one-third of the members to terms expiring on the first Monday in January of each odd numbered year. The terms of no more than four public members shall expire in any odd numbered year. The greater number of members, as necessary, shall be appointed to terms expiring in the year of commencement of the governor's term and the odd numbered year immediately thereafter. Members may serve until their successors are appointed and qualified. If the appointing authority fails to appoint a successor by July 1 of the year in which a term expires, the term of the member for whom a successor has not been appointed shall extend, subject to the advice and consent of the senate if the member was appointed by the governor, until the first Monday in January six years after the scheduled end of the original term.

Subd. 3. [REMOVALS; VACANCIES.] *The removal of members and filling of vacancies on the board shall be as provided in section 15.0575.*

Subd. 4. [CHAIRMAN.] *The governor shall appoint from the members of the board of trustees a chairman on the first Monday in January of each odd numbered year. If a vacancy occurs in the position of chairman, the governor shall designate a new chairman to complete the unexpired term.*

Subd. 5. [ADMINISTRATOR.] *After July 1, 1983, the trust shall be ad-*

ministered by an administrator appointed by and serving at the pleasure of the governor. The administrator shall employ staff or consultants as directed by the board, and shall have the powers and perform all duties assigned to him by the board. The salary of the administrator shall be established by the board subject to the approval of the commissioner of employee relations provided that it shall not exceed the salary of the commissioner of agriculture. Prior to July 1, 1983, the governor shall designate the administrator and shall provide administrative support to the board. All salaries and expenses incurred by the office of the governor pursuant to this act shall be reimbursed from the agricultural revitalization trust fund.

Subd. 6. [EXPENSES.] *Members of the board shall be compensated at the rate of $35 per day spent on board activities, when authorized by the board, plus expenses in the same manner and amount as state employees.*

Sec. 20. [17C.05] [POWERS AND DUTIES OF THE BOARD.]

The board shall by August 1 of each year prepare a list of projects to be funded from the agricultural revitalization trust fund with necessary supporting information including description of the projects, plans, and cost estimates. These projects shall be consistent with the purposes and priorities established in section 17 and shall not be approved by the board unless it finds that:

(a) the project will materially assist, directly or indirectly, the creation of additional long-term employment opportunities;

(b) the prospective benefits of the expenditure exceed the anticipated costs; and

(c) in the case of assistance to private enterprise, the project will serve a sound business purpose.

To be proposed by the board, any project must be approved by at least ten board members. The list of projects shall be submitted to the legislative advisory commission for its review. The list with the recommendation of the legislative advisory commission shall be submitted to the governor, who shall, by November 15 of each year, approve or disapprove, or return for further consideration, each project. The funds for a project may be expended only upon approval of the project by the governor.

The board may submit supplemental projects for approval at any time.

Annual administrative costs, not including detailed engineering expenses for the projects, shall not exceed five percent of the amount expended from the trust in the fiscal year.

Principal and interest received in repayment of loans made pursuant to this section shall be deposited in the state treasury and credited to the trust fund.

Sec. 21. [17C.06] [TECHNICAL ADVISORY COMMITTEE.]

Subject to the provisions of section 15.059, subdivisions 1 to 4, the governor, with the advice of the trust board, shall appoint a technical advisory committee consisting of no more than nine persons who collectively are knowledgeable in the areas of agriculture, finance, banking, taxation, business management, economics, law, and economic development. Each proposal for funding submitted to the board shall be evaluated by the technical

advisory committee with respect to conformance with the policies, criteria, and priorities contained in sections 17 and 20. The board shall not act on a proposal until it has received the evaluation and recommendations of the technical advisory committee.

Sec. 22. [17C.07] [LONG RANGE PLAN.]

By January 1, 1984, the trust board shall prepare and present to the governor and the legislature a long range plan for the use of the agricultural revitalization trust fund. The board shall, before November 15 of each odd numbered year, prepare a report to the governor and legislature updating and revising this long range plan and reporting on the board's progress on those matters assigned to it by law. After January 1, 1984, no project shall be approved by the board which is not consistent with the goals and objectives established in the long range plan.

Sec. 23. [17C.08] [FUNDING OF AGRICULTURAL REVITALIZATION TRUST.]

Notwithstanding any other law to the contrary, two percent of the property taxes levied and collected on class 3 agricultural property and class 3b and 3cc agricultural property by all taxing districts shall be remitted by the county treasurer to the commissioner of revenue on the dates and in the manner established pursuant to chapter 276. The commissioner of revenue shall deposit the amounts in the general fund to the credit of the agricultural revitalization trust fund.

The amounts of the levy of each taxing district remitted to the commissioner of revenue pursuant to this section shall be deemed a levy by that taxing district and shall be subject to all statutory provisions limiting the rate of tax or amount of revenue which may be levied by the taxing district.

For purposes of computation of the amounts of homestead credits, property tax refunds, state school agricultural credits, and all aids and reimbursements paid by the state to local units of government, except foundation aids paid to school districts, the full amount of the levy of each taxing jurisdiction shall be deemed to have been remitted to the taxing jurisdiction. Each school district shall be reimbursed by the state for the amount of its tax levy which is remitted to the commissioner of revenue pursuant to this section. Reimbursements shall be paid at the times provided for payment of foundation aid in section 124.11. The amount necessary to make the reimbursement is annually appropriated from the general fund to the commissioner of education.

Sec. 24. [17C.09] [APPROPRIATION.]

There is annually appropriated to the board of trustees of the agricultural revitalization trust from the agricultural revitalization trust fund the amounts necessary to make the expenditures approved pursuant to sections 16 to 22.''

Page 19, line 7, delete ''*This act is*'' and insert ''*Sections 1 to 22 and 24 are*''

Page 19, after line 7, insert ''*Section 23 is effective for taxes levied in 1982 and thereafter, payable in 1983 and thereafter.*''

Renumber the remaining section

Amend the title as follows:

Page 1, line 2, delete everything after "to"

Page 1, line 3, delete "protection fund" and insert "economic revitalization"

Page 1, line 3, after "the" insert "northeast Minnesota economic protection"

Page 1, line 7, after the first semicolon insert "creating an agricultural revitalization trust fund and board of trustees; authorizing the expenditure of funds for agricultural revitalization; altering the distribution of property taxes levied by taxing districts;"

Page 1, line 14, before the period insert "; proposing new law coded as Minnesota Statutes, chapter 17C"

Mr. Moe, R.D. questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Mr. Berg moved to amend H.F. No. 1 as follows:

Page 1, after line 16, insert:

"ARTICLE I"

Page 19, after line 7, insert:

"ARTICLE II

Section 1. [582A.01] [LEGISLATIVE FINDINGS.]

The legislature finds that continuing and unprecedented inflationary trends have eroded the economy; that the cost of production in farming often exceeds the price received for farm commodities; that the continuing increase in the cost of consumer goods has curtailed the ability to purchase these goods; that the reduction in purchasing power of consumers has resulted in unemployment; and that by reason of these conditions and the high rates of interest on mortgage loans and contracts for deed, many citizens of this state will be unable for extended periods of time to meet in full all payments of taxes, interest, and principal on mortgages, and contract for deed payments on their properties and are, therefore, threatened with loss of their real property through mortgage foreclosure, contract for deed termination, and judicial sales. The legislature further finds that these conditions may result in an emergency of a nature that justifies and validates legislation for the postponement and extension of time of redemption from mortgage foreclosures, execution sales, contract cancellations, and other relief of a similar character to be effective only in the event that the governor finds that the conditions, in fact, have resulted in an emergency and issues a proclamation to that effect.

Sec. 2. [582A.02] [EMERGENCY PROCLAMATION.]

If the governor, after consultation with appropriate departments and agencies, finds that the number of mortgage foreclosures, judicial sales, and terminations of contracts for deed on real property used for farming are significantly increasing, he may by proclamation declare that a public economic emergency exists in a certain county or counties of the state. Upon proclamation, sections 3 to 12 are in effect.

The emergency proclaimed shall remain in effect only from the date of the

proclamation to April 1, 1983. The legislature, by law, may declare the proclamation a nullity and that the proclamation and sections 3 to 12 are of no effect. The governor shall not declare an emergency under the provisions of this section after nullification of a prior proclamation by the legislature.

Sec. 3. [582A.03] [APPLICATION.]

Subdivision 1. [GENERAL EXCLUSION.] *The provisions of sections 1 to 12 do not apply to mortgages or contracts for deed made after January 1, 1982, nor to mortgages or contracts for deed made prior to the date of the governor's proclamation, which are renewed or extended after the effective date of sections 1 and 2, nor to mortgages, judgments, or contracts for deed, regardless of when made, if a second or subsequent mortgage has been made against the property after the effective date of sections 1 and 2, and the second or subsequent mortgagee commences foreclosure proceedings. No court shall allow a resale, stay, postponement, or extension of time that would cause any right to be lost or adversely affected by any statute of limitation.*

Subd. 2. [EXCLUSION; GOVERNMENT BONDS.] *The provisons of this act do not apply to any mortgage held by or pledged to secure payment of notes or bonds issued by the Minnesota housing finance agency or by a city pursuant to a municipal housing program under chapter 462C.*

Subd. 3. [PROPERTY COVERED; REQUIREMENTS.] *The provisions of sections 1 to 12 apply only to judgments against, mortgages secured by, and contracts for deed conveying, real property used materially and not just incidentally for the purposes of farming. Sections 1 to 12 do not apply to any mortgage on or security interest in tangible or intangible personal property. Sections 1 to 12 do not apply to any contract for deed on which less than 30 percent of the total purchase price has been paid nor to any contract for deed conveying, mortgage on, or judgment against real estate which has not been used, in whole or in part, as the principal residence of the owner, judgment debtor, or contract vendee or his family on a substantially continuous basis since the execution of the contract for deed or the making or assumption of the mortgage. The court shall be liberal in determining whether property conveyed by contract for deed has been used as a principal residence on a substantially continuous basis.*

Subd. 4. [PROPERTY COVERED; DESIGNATED COUNTIES.] *The provisions of sections 1 to 12 apply only to judgments against mortgages secured by and contracts for deed conveying real property located, in whole or in part, in a county designated in the governor's proclamation.*

Sec. 4. [582A.04] [MORTGAGOR MAY PETITION DISTRICT COURT FOR RELIEF.]

In any proceedings commenced prior to a proclamation made pursuant to section 2 for the foreclosure of a mortgage on real estate by advertisement, in which a sale of the property has not been had, or in any proceedings commenced after a proclamation, the mortgagor, or the owner in possession of the mortgaged premises, or anyone claiming under the mortgage, or anyone liable for the mortgage debt, at any time after the issuance of the notice of the foreclosure proceedings, may petition the district court of the county wherein the foreclosure proceedings are pending, serving a summons and verified complaint requesting that the sale in foreclosure by advertisement be post-

poned and that the foreclosure, if any, proceed by action. If it appears to the court that the granting of the relief requested would be equitable and just, the court may postpone the foreclosure proceedings by advertisement by ex parte order which may be served with or after service of the summons and complaint upon the party foreclosing or his attorney. In determining whether to grant the relief requested, the court shall consider whether it would be better for the petitioner to proceed under the federal bankruptcy code. At the time of hearing on the ex parte order, the court may then further postpone the sale, and the parties seeking to foreclose the mortgage shall proceed, if at all, to foreclose the mortgage by action. As a condition precedent to the postponement of the foreclosure sale by advertisement, the party serving the verified complaint shall file it and pay to the clerk for the person foreclosing the mortgage the actual costs incurred, not including attorney's fees, in the foreclosure proceeding prior to postponement. The filing of the verified complaint shall be deemed a waiver of publication of notice of postponement of the foreclosure sale. The sale, at a time which may be fixed by the court, shall be deemed to be a sale postponed in lieu of the time of sale specified in the published notice of mortgage foreclosure sale.

Sec. 5. [582A.05] [COURT MAY ORDER RESALE.]

When any mortgage has been foreclosed by action, the court shall, upon receipt of the report of sale, cause notice of a hearing thereon to be served on the parties to the action who have appeared, and fix the time and place of hearing on the report. Before granting an order confirming the sale, the court shall order a resale if it appears that the sale price is unreasonably and unfairly inadequate. If the sale is confirmed, the sheriff, or his deputy, shall forthwith execute and deliver the proper certificate of sale, which shall be recorded within 20 days after the confirmation. Upon hearing on the motion for an order confirming the sale in the foreclosure of mortgages by action, if the evidence is insufficient to establish a fair and reasonable market or rental value of the property, the court may receive evidence, including evidence tending to establish the actual value of the property, for the purpose or purposes for which the property is or can be used. The court shall also receive evidence tending to show to what extent, if any, the property has decreased in market value by reason of the economic conditions existing at the time of or prior to the sale.

Sec. 6. [582A.06] [COMPROMISES.]

If the parties to a foreclosure action agree in writing to a compromise settlement thereof, or of composition of the mortgage indebtedness, or both, the court shall have jurisdiction and may by its order confirm and approve the settlement or composition, or both, as the case might be.

Sec. 7. [582A.07] [JURISDICTION OF COURT.]

The court shall have jurisdiction to postpone the termination of a contract for the conveyance of real estate; to postpone the enforcement of judgment by levy, execution, and sale or to order resale; and to postpone foreclosure of a mortgage secured by real estate. Upon the governor's proclamation, the inability of the mortgagor, judgment debtor, or contract vendee to make the payments under a contract for the conveyance of real estate, mortgage agreement, or judgment shall be a valid defense to levy, execution, sale, seizure, repossession, termination, and foreclosure pursuant to the remedies set forth in sections 1 to 12 during the effective period of the governor's proclamation.

Sec. 8. [582A.08] [PERIOD OF REDEMPTION AND REINSTATEMENT MAY BE EXTENDED.]

If, during the effective period of the governor's proclamation: (1) a mortgage on real property is foreclosed and the period of redemption has not expired; (2) an action to foreclose a mortgage on real property is commenced or is pending; (3) proceedings to foreclose a mortgage by advertisement are commenced or are pending; (4) a notice of termination of contract for deed is served; (5) the period of time during which a contract for deed can be reinstated expires; or (6) proceedings to enforce a judgment against real estate are commenced or are pending; the period of redemption or the period during which the contract for deed may be reinstated may be extended for any additional time the court determines to be just and equitable but in no event beyond the effective period of the governor's proclamation. In such case the contract vendee, in the case of a contract for deed termination; the mortgagor or owner in possession of the property, in the case of mortgage foreclosure proceedings; or the judgment debtor, in the case of levy, execution, or sale under judgment, shall prior to the expiration of the period of redemption in the case of a mortgage, the expiration of the period during which the contract for deed can be reinstated, or to sale under judgment, petition the district court on not less than ten days written notice to the contract vendor, mortgagee, or judgment creditor, or his attorney, for an order postponing repossession, levy, execution, seizure, sale, termination, or forfeiture. The petition shall also request the court to determine the reasonable value of the income on the property, or, if the property has no income, then the reasonable rental value of the property subject to the contract for deed, mortgage, or judgment, and to direct the contract vendee, mortgagor, or judgment debtor to pay all or a reasonable part of the income or rental value for the payment of taxes, insurance, interest, principal, or judgment indebtedness at the times and in the manner determined by the court. In determining whether to grant the relief requested, the court shall consider whether it would be better for the petitioner to proceed under the federal bankruptcy code. The court shall hear the petition and after the hearing shall make and file its order directing the payment by the contract vendee, mortgagor, or judgment debtor of an amount at the times and in the manner that the court determines just and equitable. Upon service of the petition, the running of the period of redemption or reinstatement of contract for deed shall be tolled, repossession shall be postponed, and further proceedings under levy, execution, and sale shall be stayed until the court makes its order upon the petition. If the contract vendee, mortgagor, or judgment debtor defaults in the payments ordered, or commits waste, his right to redeem from the sale, cure the default on the contract for deed, or postpone seizure and sale shall terminate 30 days after the default. Thereafter holders of subsequent liens may redeem in the order and manner provided by law beginning 30 days after the filing of notice of the default with the clerk of district court, the right to possession shall cease, and the contract vendor or party acquiring title to the real estate shall be entitled to immediate possession of the premises. If default is claimed because of waste, the 30 day period shall not begin to run until the filing of an order of the court finding the waste. No action shall be maintained for a deficiency judgment until the period of redemption as allowed by section 580.23, or as extended under the provisions of sections 1 to 12, has expired.

Sec. 9. [582A.09] [COURT MAY REVISE AND ALTER TERMS.]

Upon the application of either party prior to the expiration of the extended

period of redemption, reinstatement of contract for deed, or payment on judgment as provided in sections 1 to 12 and upon the presentation of evidence that the terms fixed by the court are no longer just and reasonable, the court may revise and alter the terms, in the manner the changed circumstances and conditions require.

Sec. 10. [582A.10] [TRIAL TO BE HELD WITHIN 30 DAYS.]

The trial of any action, hearing, or proceeding provided for in sections 1 to 12, shall be held within 30 days after the filing of the petition. The order therein shall be made and filed within five days after the trial. Review by the supreme court may be had by certiorari, if application for the writ is made within 15 days after notice of the order. The writ shall be returnable within 30 days after the filing of the order.

Sec. 11. [582A.11] [LIMITATIONS.]

No postponement or extension shall be ordered under conditions which would substantially diminish or impair the value of the contract or obligation of the person against whom the relief is sought, without reasonable allowance to justify the exercise of the police power authorized in sections 1 to 12 or which would cause irreparable harm or undue hardship to any mortgagee, contract vendor, judgment creditor, or their successors or assigns.

Sec. 12. [582A.12] [INCONSISTENT LAWS SUSPENDED.]

Every law, to the extent it is inconsistent with sections 1 to 12, is suspended during the effective period of the governor's proclamation.

Sec. 13. [REPEALER.]

This article is repealed effective April 1, 1983.

Sec. 14. [EFFECTIVE DATE.]

Sections 1 and 2 are effective the day following final enactment. Sections 3 to 12 are effective on the date of the governor's proclamation declaring a public economic emergency as provided in section 2. Section 13 is effective April 1, 1983.''

Amend the title as follows:

Page 1, line 3, after the first ''fund'' insert ''and real property''

Page 1, line 7, after ''board;'' insert ''providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the governor; authorizing the governor to declare by proclamation a public economic emergency under certain conditions, limiting its duration, and providing nullifying powers in the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments;''

Page 1, line 13, delete ''chapter'' and insert ''chapters''

Page 1, line 14, after ''298'' insert ''and 582A''

Mr. Hanson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Mr. Berg appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 47 and nays 16, as follows:

Those who voted in the affirmative were:

Bang	Hanson	Luther	Peterson, R.W.	Stokowski
Belanger	Hughes	Menning	Petty	Stumpf
Berglin	Humphrey	Merriam	Pillsbury	Tennessen
Bertram	Johnson	Moe, D.M.	Ramstad	Vega
Dahl	Kamrath	Moe, R.D.	Schmitz	Waldorf
Davies	Knoll	Nelson	Setzepfandt	Wegener
Davis	Kroening	Olhoft	Sikorski	Willet
Dicklich	Langseth	Pehler	Solon	
Dieterich	Lantry	Penny	Spear	
Frank	Lessard	Peterson, C.C.	Stern	

Those who voted in the negative were:

Benson	Chmielewski	Knutson	Peterson, D.L.	Sieloff
Berg	Engler	Kronebusch	Renneke	Taylor
Bernhagen	Frederickson	Lindgren	Rued	Ulland
Brataas				

The decision of the President was sustained.

H.F. No. 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 52 and nays 12, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lantry	Peterson, R.W.	Stokowski
Bang	Frank	Lessard	Petty	Stumpf
Belanger	Frederickson	Lindgren	Purfeerst	Taylor
Berg	Hanson	Luther	Rued	Ulland
Berglin	Hughes	Merriam	Schmitz	Vega
Bernhagen	Humphrey	Moe, D.M.	Setzepfandt	Waldorf
Brataas	Johnson	Moe, R.D.	Sieloff	Wegener
Chmielewski	Keefe	Nelson	Sikorski	Willet
Dahl	Knoll	Olhoft	Solon	
Davies	Kroening	Pehler	Spear	
Dicklich	Langseth	Peterson, C.C.	Stern	

Those who voted in the negative were:

Benson	Dieterich	Kronebusch	Peterson, D.L.	Ramstad
Bertram	Kamrath	Penny	Pillsbury	Renneke
Davis	Knutson			

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following

Senate File, herewith returned:

S.F. No. 2: A bill for an act relating to the city of Albert Lea; authorizing the city to expend certain federal revenue sharing funds for certain purposes.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned July 9, 1982

Mr. President:

I have the honor to announce that the House of Representatives is about to adjourn the 1982 Second Special Session sine die.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted July 9, 1982

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

MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No. 4: A Senate resolution relating to adjournment of the 1982 Second Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the Governor and the House of Representives that the Senate is about to adjourn the 1982 Second Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the 1982 Second Special Session.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Ashbach moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

COMMUNICATIONS RECEIVED SUBSEQUENT TO ADJOURNMENT

EXECUTIVE AND OFFICIAL COMMUNICATIONS

July 12, 1982

The Honorable Jack Davies
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. No. 2, Second Special Session - 1982.

Sincerely,
Albert H. Quie, Governor

July 15, 1982

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

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1982 Second Special Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Second Special Session 1982 Laws Chapter No.	Date Approved 1982	Date Filed 1982
2		1	July 9	July 12
	1	2	July 12	July 13

Sincerely,
Joan Anderson Growe
Secretary of State

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S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Second Special Session, 1982 Laws, Chapter
1	A bill for an act relating to the northeast Minnesota economic protection fund; designating the fund as a trust fund; authorizing the expenditure of money from the fund to finance a distressed area emergency job program and alternative energy source projects; establishing a trust board; appropriating money; amending Minnesota Statutes 1980, sections 298.291; 298.292; 298.293; and 298.294, as amended; Minnesota Statutes 1981 Supplement, sections 298.225, as amended; and 298.28, subdivisions 1, as amended, and 2; and Laws 1982, chapter 523, article XXX, section 4, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 298.	7		8 (H1)					
2	A bill for an act relating to the city of Albert Lea; authorizing the city to expend certain federal revenue sharing funds for certain purposes.	8	9	8, 9	9		20	21	1
3	A bill for an act relating to metropolitan government; apportioning metropolitan council districts; requiring that metropolitan council boundaries be redrawn from each federal census; amending Minnesota Statutes 1980, sections 473.123, subdivisions 2 and 3; and 473.141, subdivisions 2 and 5.	8							
4	A bill for an act relating to agriculture; creating an agricultural revitalization trust fund and board of trustees; authorizing the expenditure of funds for agricultural revitalization; altering the distribution of property taxes levied by taxing districts; appropriating money; proposing new law coded as Minnesota Statutes, chapter 17C.	8							
5	A bill for an act relating to taxation; altering the method by which the certifications of homestead credits are reduced; amending Laws 1982, chapter 641, article II, sections 9 and 11.	8							
6	A bill for an act relating to public welfare; providing for establishment of voluntary community work experience projects by counties; reappropriating money; proposing new law coded in Minnesota Statutes, chapter 256.	8							

( ) Indicates House File Substitution

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SENATE RECORD OF HOUSE BILLS
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H. F. No.	TITLE	Received from House	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Second Special Session, 1982 Laws, Chapter
1	A bill for an act relating to the northeast Minnesota economic protection fund; designating the fund as a trust fund; authorizing the expenditure of money from the fund to finance a distressed area emergency job program and alternative energy source projects; establishing a trust board; appropriating money; amending Minnesota Statutes 1980, sections 298.291; 298.292; 298.293; and 298.294, as amended; Minnesota Statutes 1981 Supplement, sections 298.225, as amended; and 298.28, subdivisions 1, as amended, and 2; and Laws 1982, chapter 523, article XXX, section 4, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 298.	10	10	10	10, 10	19		2

SENATE RECORD OF COMPANION BILLS AS INTRODUCED SECOND SPECIAL SESSION 1982

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2		4		6	

H. F. Number	S. F. Number	H. F. Number	S. F. Number	H. F. Number	S. F. Number
1	1	2	3		

CHAPTERS SECOND SPECIAL SESSION 1982

Chapter Number	File Number
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2	HF 1

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***after Senate file number indicates principal author.**

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Commendations— National Wheelchair Games, 26th Annual; congratulating participants and sponsors (Ramstad)	S. Res. #3	6	6
Secretary of Senate to notify House of Representatives and Governor that Senate is organized (Moe, R.D.)	S. Res. #2	6	6
Senate organized; rules and committees for the Special Session (Moe, R.D.)	S. Res. #1	5	5

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JOURNAL

OF THE

SENATE

STATE OF MINNESOTA

SEVENTY-SECOND LEGISLATURE

THIRD SPECIAL SESSION

1982

STATE OF MINNESOTA

Journal of the Senate

THIRD SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Tuesday, December 7, 1982

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

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.

Prayer was offered by the Chaplain, Rev. Winfield V. Johnson.

The Secretary called the roll by legislative districts in numerical order, and the following Senators answered to their names:

First District	
Second District	Roger D. Moe
Third District	Bob Lessard
Fourth District	Gerald L. Willet
Fifth District	Ronald R. Dicklich
Sixth District	Douglas J. Johnson
Seventh District	Sam G. Solon
Eighth District	James Ulland
Ninth District	Keith Langseth
Tenth District	Collin C. Peterson
Eleventh District	Wayne Olhoft
Twelfth District	Myrton O. Wegener
Thirteenth District	Dave Rued
Fourteenth District	Florian Chmielewski
Fifteenth District	Charles A. Berg
Sixteenth District	Joe Bertram
Seventeenth District	James C. Pehler
Eighteenth District	Charles R. Davis
Nineteenth District	
Twentieth District	Randy P. Kamrath
Twenty-first District	A.O.H. Setzepfandt
Twenty-second District	John Bernhagen
Twenty-third District	Earl W. Renneke
Twenty-fourth District	Clarence M. Purfeerst
Twenty-fifth District	Steve Engler
Twenth-sixth District	Marion (Mike) Menning
Twenty-seventh District	Darrel L. Peterson
Twenty-eighth District	Dennis Frederickson

Twenty-ninth District ..... Glen Taylor
Thirtieth District .....
Thirty-first District ..... Tom A. Nelson
Thirty-second District ..... Mel Frederick
Thirty-third District ..... Nancy Brataas
Thirty-fourth District ..... Patricia Louise Kronebusch
Thirty-fifth District ..... Duane D. Benson
Thirty-sixth District ..... Robert J. Schmitz
Thirty-seventh District ..... Steve Lindgren
Thirty-eighth District ..... William V. Belanger, Jr.
Thirty-ninth District ..... Otto T. Bang, Jr.
Fortieth District ..... John B. Keefe
Forty-first District ..... Irving M. Stern
Forty-second District .....
Forty-third District ..... Jim Ramstad
Forty-fourth District ..... Hubert H. Humphrey, III
Forty-fifth District ..... William P. Luther
Forty-sixth District ..... Don Frank
Forty-seventh District ..... Gene Merriam
Forty-eighth District ..... Robert O. Ashbach
Forty-ninth District ..... Gregory L. Dahl
Fiftieth District ..... Jerome M. Hughes
Fifty-first District .....
Fifty-second District ..... Conrad M. Vega
Fifty-third District .....
Fifty-fourth District ..... Carl W. Kroening
Fifty-fifth District ..... Anne K. Stokowski
Fifty-sixth District ..... Robert J. Tennessen
Fifty-seventh District ..... Allan H. Spear
Fifty-eighth District ..... Eric D. Petty
Fifty-ninth District ..... Linda Berglin
Sixtieth District ..... Jack Davies
Sixty-first District ..... Franklin J. Knoll
Sixty-second District ..... Neil Dieterich
Sixty-third District ..... Ron Sieloff
Sixty-fourth District ..... Peter P. Stumpf
Sixty-fifth District ..... Donald M. Moe
Sixty-sixth District ..... Gene Waldorf
Sixty-seventh District ..... Marilyn M. Lantry

The President declared a quorum present.

MEMBERS EXCUSED

Messrs. Hanson; Knutson; Penny; Peterson, R.W.; Pillsbury and Sikorski were excused from the Session of today.

STATE OF MINNESOTA

PROCLAMATION

WHEREAS, the national economy is experiencing a serious recession, marked by high unemployment and reduced levels of activity in all sectors of the economy; and

WHEREAS, the continuation of the national recession has resulted in reduced spending by Minnesota consumers and depressed levels of man-

ufacturing and sales by Minnesota corporations, thus causing revenues generated by the personal income, sales and corporate income taxes to be significantly lower than previously estimated; and

WHEREAS, it is estimated that the national recession will continue and will cause a projected deficit of $312.5 million in the State budget for the biennium ending on June 30, 1983; and

WHEREAS, it is necessary that immediate steps be taken to balance the State budget for the current biennium in accordance with State law, thereby creating an extraordinary occasion; and

WHEREAS, Article IV, Section 12 of the Constitution of the State of Minnesota provides that a special session of the Legislature may be called in extraordinary occasions;

NOW, THEREFORE, I, Albert H. Quie, Governor of the State of Minnesota, do hereby summon you, members of the Legislature, to convene in special session on Tuesday, December 7, 1982, at 10:00 A.M. in the forenoon at the Capitol in Saint Paul.

I urge the Legislature to act expeditiously to adopt a responsible budget-balancing program.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed this sixth day of December in the year of Our Lord One Thousand Nine Hundred Eighty-Two and of the State the One Hundred Twenty-fourth.

Albert H. Quie,
Governor

Joan Anderson Growe,
Secretary of State

MOTIONS AND RESOLUTIONS

Mr. Moe, R.D. introduced—

Senate Resolution No. 1: A Senate resolution relating to organization and operation of the Senate during the 1982 Third Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Senate is organized pursuant to Minnesota Statutes 1980, Sections 3.073 and 3.103.

The Rules of the Senate for the 72nd Legislature shall be the Rules for the 1982 Third Special Session, except that Rules 33, 40, and 57 shall not be operative other than as provided herein.

The Committee on Rules and Administration is established in the same manner and with the same powers as pertained in the 72nd Legislature.

With respect to Rule 31, Reconsideration, a notice of intention to move for reconsideration shall not be in order, but a motion to reconsider may be made, and when made shall have priority over other business except a motion to adjourn or recess.

Mr. Moe, R.D. moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 44 and nays 14, as follows:

Those who voted in the affirmative were:

Ashbach	Frank	Lantry	Olhoft	Stern
Bang	Frederick	Lessard	Pehler	Stokowski
Bertram	Hughes	Lindgren	Peterson, C.C.	Stumpf
Brataas	Humphrey	Luther	Petty	Tennessen
Chmielewski	Johnson	Menning	Purfeerst	Vega
Dahl	Keefe	Merriam	Schmitz	Waldorf
Davis	Knoll	Moe, D.M.	Setzepfandt	Wegener
Dicklich	Kroening	Moe, R.D.	Solon	Willet
Dieterich	Langseth	Nelson	Spear	

Those who voted in the negative were:

Benson	Engler	Kronebusch	Renneke	Taylor
Berg	Frederickson	Peterson, D.L.	Rued	Ulland
Bernhagen	Kamrath	Ramstad	Sieloff	

The motion prevailed. So the resolution was adopted.

Mr. Moe, R.D. introduced—

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor that the Senate is organized.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the House of Representatives and the Governor that the Senate is now duly organized pursuant to the Minnesota Constitution and Minnesota Statutes.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Luther introduced—

Senate Resolution No. 3: A Senate resolution congratulating the Brooklyn Center High School Football Team on winning the 1982 Class A High School Football championship.

Referred to the Committee on Rules and Administration.

Mr. Ramstad introduced—

Senate Resolution No. 4: A Senate resolution congratulating the Falcons girls volleyball team from Armstrong High School for winning the 1982 Class AA State High School Girls volleyball championship.

Referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Messrs. Moe, R.D.; Johnson and Willet introduced—

S.F. No. 1: A bill for an act relating to the financing of government in this state; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; eliminating sunset of various medical assistance and income maintenance cost control provisions; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing

payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; advancing dates for payment of property taxes; amending Minnesota Statutes 1982, sections 15A.081, by adding a subdivision; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256.966, subdivision 1; 256B.03, subdivision 2; 256D.03, subdivision 4; 256E.06, subdivision 3; 270.18, subdivision 2; 274.19, subdivisions 3, 4, and 5; 276.09; 276.10; 276.11; 277.01, subdivision 1; 277.011, subdivisions 1 and 3; 277.02; 277.03; 277.05; 277.06; 277.13; 278.01, subdivisions 1 and 2; 278.03; 278.05, subdivision 5; 279.01, subdivision 1; 290.01, subdivision 20a; 290.06, subdivision 2e; 290A.06; 290A.07, subdivision 3; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 473F.08, subdivision 7a; Laws 1981, Third Special Session, chapter 2, article IV, section 3, subdivision 2, as amended by Laws 1982, chapter 548, article VII, section 7; and Laws 1982, Third Special Session, chapter 2, article IV, section 5, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1982, section 256D.22; and Laws 1981, chapter 360, article 2, section 54, as amended by Laws 1981, First Special Session chapter 4, article 4, section 22.

Mr. Moe, R.D. moved that S.F. No. 1 be laid on the table. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House of Representatives of the State of Minnesota is now duly organized for the 1982 Third Special Session pursuant to law.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 7, 1982

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 3:00 p.m. The motion prevailed.

The hour of 3:00 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Luther moved that the Senate do now recess until 4:00 p.m. The motion prevailed.

The hour of 4:00 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 4:30 p.m. The motion prevailed.

The hour of 4:30 p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Thursday, December 9, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRD SPECIAL SESSION

SECOND DAY

St. Paul, Minnesota, Thursday, December 9, 1982

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

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.

Prayer was offered by the Chaplain, Rev. Joseph Simonson.

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

Ashbach	Dieterich	Lantry	Penny	Stokowski
Belanger	Engler	Lessard	Peterson, C.C.	Stumpf
Benson	Frank	Lindgren	Peterson, D.L.	Taylor
Berglin	Frederick	Luther	Pillsbury	Tennessen
Bernhagen	Frederickson	Menning	Purfeerst	Ulland
Bertram	Hughes	Merriam	Ramstad	Vega
Chmielewski	Johnson	Moe, D.M.	Rued	Wegener
Dahl	Kamrath	Moe, R.D.	Schmitz	Willet
Davies	Kroening	Nelson	Setzepfandt	
Davis	Kronebusch	Olhoft	Solon	
Dicklich	Langseth	Pehler	Spear	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Bang; Berg; Mrs. Brataas; Messrs. Hanson; Humphrey; Keefe; Knoll; Knutson; Peterson, R.W.; Petty; Renneke; Sieloff; Sikorski; Stern and Waldorf were excused from the Session of today.

MOTIONS AND RESOLUTIONS

Mr. Moe, R.D., for Mr. Sikorski, introduced—

Senate Resolution No. 5: A Senate resolution congratulating the Stillwater High School Football Team on winning the 1982 Class AA High School Football championship.

Referred to the Committee on Rules and Administration.

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Friday, December 10, 1982. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

THIRD SPECIAL SESSION

THIRD DAY

St. Paul, Minnesota, Friday, December 10, 1982

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

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.

Prayer was offered by the Chaplain, Rev. Arnold H. Heumann.

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

Ashbach	Dicklich	Kroening	Penny	Spear
Bang	Dieterich	Kronebusch	Peterson, C.C.	Stern
Belanger	Engler	Langseth	Peterson, D.L.	Stokowski
Benson	Frank	Lantry	Petty	Stumpf
Berg	Frederick	Lessard	Pillsbury	Taylor
Berglin	Frederickson	Lindgren	Purfeerst	Tennessen
Bernhagen	Hanson	Luther	Ramstad	Ulland
Bertram	Hughes	Merriam	Renneke	Vega
Brataas	Humphrey	Moe, D.M.	Rued	Waldorf
Chmielewski	Johnson	Moe, R.D.	Schmitz	Wegener
Dahl	Kamrath	Nelson	Setzepfandt	Willet
Davies	Keefe	Olhoft	Sieloff	
Davis	Knoll	Pehler	Solon	

The President declared a quorum present.

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

MEMBERS EXCUSED

Messrs. Knutson; Menning; Peterson, R.W. and Sikorski were excused from the Session of today.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Messrs. Moe, R.D.; Willet and Johnson introduced—

S.F. No. 2: A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and in-

creasing employee contributions to various retirement funds; adding two members to the investment advisory council; eliminating sunset of various medical assistance and income maintenance cost control provisions; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256.966, subdivision 1; 256B.03, subdivision 2; 256D.03, subdivision 4; 256D.05, subdivision 1a; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1982, section 256D.22; and Laws 1981, chapter 360, article 2, section 54, as amended and Laws 1981, Third Special Session chapter 2, article III, section 5.

Mr. Moe, R.D. moved that S.F. No. 2 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS

Mr. Hughes introduced—

Senate Resolution No. 6: A Senate resolution honoring State Senator Jack Davies for 24 years of dedicated service to the people of the State of Minnesota.

Mr. Moe, R.D. moved that Senate Resolution No. 6 be laid on the table. The motion prevailed.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 12:00 noon. The motion prevailed.

The hour of 12:00 noon having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 1:30 p.m. The motion prevailed.

The hour of 1:30 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 3:30 p.m. The

motion prevailed.

The hour of 3:30 p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess until 4:30 p.m. The motion prevailed.

The hour of 4:30 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. Hughes moved that Senate Resolution No. 6 be taken from the table. The motion prevailed.

Senate Resolution No. 6: A Senate resolution honoring State Senator Jack Davies for 24 years of dedicated service to the people of the State of Minnesota.

WHEREAS, State Senator Jack Davies has served the people of Minnesota with unquestioned integrity in the State Senate for 24 years; and

WHEREAS, his tenure has made him the most senior member of the Legislature's upper body; and

WHEREAS, his direction as President of the Senate and his mastery of Senate rules and legislative procedure has ensured the smooth and efficient operation of the Senate; and

WHEREAS, his bold initiative has commanded the respect and admiration of his colleagues;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of Minnesota that Senator Davies is congratulated and applauded for his leadership and dedication to the State of Minnesota.

BE IT FURTHER RESOLVED that the Secretary of the Senate is directed to prepare an enrolled copy of this resolution, to be authenticated by his signature and that of the President of the Senate, and that it be presented to Senator Jack Davies.

Mr. Hughes moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

Ashbach	Dieterich	Kronebusch	Peterson, C.C.	Stern
Bang	Engler	Langseth	Peterson, D.L.	Stokowski
Belanger	Frank	Lantry	Petty	Stumpf
Benson	Frederick	Lessard	Pillsbury	Taylor
Berg	Frederickson	Lindgren	Purfeerst	Tennessen
Berglin	Hanson	Luther	Ramstad	Ulland
Bernhagen	Hughes	Merriam	Renneke	Vega
Bertram	Humphrey	Moe, D.M.	Rued	Waldorf
Brataas	Johnson	Moe, R.D.	Schmitz	Wegener
Chmielewski	Kamrath	Nelson	Setzepfandt	Willet
Dahl	Keefe	Olhoft	Sieloff	
Davis	Knoll	Pehler	Solon	
Dicklich	Kroening	Penny	Spear	

The motion prevailed. So the resolution was adopted.

RECESS

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

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.

Without objection, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 4.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 10, 1982

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 4: A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; adding two members to the investment advisory council; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256B.03, sub-

division 2; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivsion 1; 290.135, subdivision 1; 290.136, subdivision 1; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 297B.02; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Laws 1981, Third Special Session chapter 2, article III, section 5.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 4 and that the rules of the Senate be so far suspended as to give H.F. No. 4 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 4 was read the second time.

H.F. No. 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 36 and nays 26, as follows:

Those who voted in the affirmative were:

Berglin	Hughes	Moe, D.M.	Purfeerst	Vega
Bertram	Humphrey	Moe, R.D.	Schmitz	Waldorf
Chmielewski	Johnson	Nelson	Setzepfandt	Wegener
Dahl	Knoll	Olhoft	Solon	Willet
Davies	Langseth	Pehler	Spear	
Dicklich	Lantry	Penny	Stern	
Dieterich	Lessard	Peterson, C.C.	Stumpf	
Hanson	Luther	Petty	Tennessen	

Those who voted in the negative were:

Ashbach	Davis	Keefe	Pillsbury	Taylor
Belanger	Engler	Kroening	Ramstad	Ulland
Benson	Frank	Kronebusch	Renneke	
Berg	Frederick	Lindgren	Rued	
Bernhagen	Frederickson	Merriam	Sieloff	
Brataas	Kamrath	Peterson, D.L.	Stokowski	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 10, 1982

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 2: A bill for an act relating to the legislature; enacting the present legislative apportionment into statutory form with minor alterations; amending Minnesota Statutes 1982, sections 2.021; 2.031; proposing new law coded in Minnesota Statutes, chapter 2; and repealing Minnesota Statutes 1982, sections 2.041 to 2.712.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Mr. Moe, R.D. moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2 and that the rules of the Senate be so far suspended as to give H.F. No. 2 its second and third reading and place it on its final passage. The motion did not prevail.

Mr. Moe, R.D. moved that H.F. No. 2 be referred to the Comimittee on Rules and Administration. The motion prevailed.

Mr. Moe, R.D. introduced—

Senate Resolution No. 7: A Senate resolution relating to adjournment of the 1982 Third Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the 1982 Third Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the 1982 Third Special Session.

Mr. Moe, R.D. moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, the Senate reverted to the Order of Business of Messages from the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House of Representatives is about to adjourn the 1982 Third Special Session sine die.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted December 10, 1982

MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Tennessen moved that the Senate do now adjourn sine die. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

COMMUNICATIONS RECEIVED SUBSEQUENT TO ADJOURNMENT

EXECUTIVE AND OFFICIAL COMMUNICATIONS

December 13, 1982

The Honorable Harry A. Siben
Speaker of the House of Representatives

The Honorable Jack Davies
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1982 Third Special Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Third Special Session 1982 Laws Chapter No.	Date Approved 1982	Date Filed 1982
	4	1	December 13	December 13

Sincerely,

Joan Anderson Growe
Secretary of State

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BILLS OF THE SENATE

THIRD SPECIAL SESSION 1982

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Third Special Session, 1982 Laws, Chapter
1	A bill for an act relating to the financing of government in this state; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; eliminating sunset of various medical assistance and income maintenance cost control provisions; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; advancing dates for payment of property taxes; amending Minnesota Statutes 1982, sections 15A.081, by adding a subdivision; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256.966, subdivision 1; 256B.03, subdivision 2; 256D.03, subdivision 4; 256E.06, subdivision 3; 270.18, subdivision 2; 274.19, subdivisions 3, 4, and 5; 276.09; 276.10; 276.11; 277.01, subdivision 1; 277.011, subdivisions 1 and 3; 277.02; 277.03; 277.05; 277.06; 277.13; 278.01, subdivisions 1 and 2; 278.03; 278.05, subdivision 5; 279.01, subdivision 1; 290.01, subdivision 20a; 290.06, subdivision 2e; 290A.06; 290A.07, subdivision 3; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 473F.08, subdivision 7a; Laws 1981, Third Special Session, chapter 2, article IV, section 3, subdivision 2, as amended by Laws 1982, chapter 548, article VII, section 7; and Laws 1982, Third Special Session, chapter 2, article IV, section 5, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1982, section 256D.22; and Laws 1981, chapter 360, article 2, section 54, as amended by Laws 1981, First Special Session chapter 4, article 4, section 22.	6		7					
2	A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; adding two members to the investment advisory council; eliminating sunset of various medical assistance and income maintenance cost control provisions; altering the community social services grant payment schedule; requiring employers to pick (Continued next page)	10		11 (H4)					

( ) Indicates House File Substitution

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Third Special Session, 1982 Laws, Chapter
2—Continued	up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256.966, subdivision 1; 256B.03, subdivision 2; 256D.03, subdivision 4; 256D.05, subdivision 1a; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1982, section 256D.22; and Laws 1981, chapter 360, article 2, section 54, as amended and Laws 1981, Third Special Session chapter 2, article III, section 5.								

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4	A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; adding two members to the investment advisory council; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256B.03, subdivision 2; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 297B.02; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Laws 1981, Third Special Session chapter 2, article III, section 5.	13	13	14	14	14		1

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