

EIGHTY-NINTH DAY

St. Paul, Minnesota, Friday, March 28, 1980

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hanson imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Knutson	Peterson	Stokowski
Bang	Gearty	Laufenburger	Pillsbury	Strand
Barrette	Gunderson	Lessard	Purfeerst	Stumpf
Benedict	Hanson	Luther	Renneke	Tennessee
Bernhagen	Hughes	Nelson	Rued	Ueland, A.
Brataas	Johnson	Olhoft	Schmitz	Ulland, J.
Chmielewski	Kirchner	Olson	Setzepfandt	Vega
Dieterich	Kleinbaum	Omann	Sillers	Wegener
Dunn	Knaak	Penny	Spear	Willet
Engler	Knoll	Perpich	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Gregor McDonald.

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

Anderson	Gearty	Knutson	Penny	Solon
Ashbach	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Barrette	Hughes	Luther	Pillsbury	Stern
Benedict	Humphrey	Menning	Purfeerst	Stokowski
Bernhagen	Jensen	Merriam	Renneke	Strand
Brataas	Johnson	Moe	Rued	Stumpf
Chmielewski	Keefe, J.	Nelson	Schaaf	Tennessee
Davies	Keefe, S.	Nichols	Schmitz	Ueland, A.
Dieterich	Kirchner	Ogdahl	Setzepfandt	Ulland, J.
Dunn	Kleinbaum	Olhoft	Sieloff	Vega
Engler	Knaak	Olson	Sikorski	Wegener
Frederick	Knoll	Omann	Sillers	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

Mr. Hanson was excused from the Session of today at 11:00

o'clock a.m. Mr. Stern was excused from the Session of today until 11:45 o'clock a.m. Mr. Merriam was excused from the Session of today until 11:30 o'clock a.m. Mr. Solon was excused from the Session of today from 9:30 to 11:00 o'clock a.m. Mr. Laufenburger was excused from the Session of today from 11:15 o'clock a.m. to 2:00 o'clock p.m. Mr. Strand was excused from the Session of today from 10:45 to 12:00 o'clock noon.

Pursuant to Rule 21, Mr. Sillers moved that the following members be excused for a Conference Committee on H. F. No. 1121:

Messrs. McCutcheon, Johnson, Hanson, Peterson and Sillers. The motion prevailed.

Pursuant to Rule 21, Mr. Sikorski moved that the following members be excused for a Conference Committee on H. F. No. 1896:

Messrs. Sikorski; McCutcheon; Davies; Keefe, J. and Luther. The motion prevailed.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 27, 1980

The Honorable Edward J. Gearty
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. 1187, 1188, 1745 and 1311.

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 Files, herewith returned: S. F. Nos. 1240 and 1679.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 1980

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. 2265: A bill for an act relating to municipalities; authorizing joint municipal franchising for cable communications;

permitting the establishment of a port authority by the city of Bloomington; amending Minnesota Statutes 1978, Section 238.08, by adding a subdivision.

Senate File No. 2265 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mr. Benedict moved that the Senate concur in the amendments by the House to S. F. No. 2265 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2265: A bill for an act relating to the city of Bloomington; permitting the establishment of a port authority.

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 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Perpich	Stumpf
Ashbach	Gearty	Lessard	Pillsbury	Tennessee
Bang	Gunderson	Luther	Renneke	Ueland, A.
Barrette	Hanson	Menning	Rued	Ulland, J.
Benedict	Hughes	Moe	Schaaf	Vega
Bernhagen	Johnson	Nelson	Schmitz	Wegener
Brataas	Kirchner	Nichols	Setzepfandt	Willet
Chmielewski	Kleinbaum	Olhoff	Spear	
Dieterich	Knaak	Olson	Staples	
Dunn	Knoll	Omann	Stokowski	
Engler	Knutson	Penny	Strand	

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. 2090: A bill for an act relating to transportation; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits; requiring record keeping for shipments unloaded; imposing civil penalties; amending Minnesota Statutes 1978, Chapter 169, by adding sections.

Senate File No. 2090 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mr. Willet moved that the Senate concur in the amendments by the House to S. F. No. 2090 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2090: A bill for an act relating to transportation; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits; requiring record keeping for shipments unloaded; imposing civil penalties; amending Minnesota Statutes 1978, Chapter 169, by adding sections.

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 48 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Perpich	Strand
Bang	Gunderson	Luther	Pillsbury	Stumpf
Barrette	Hanson	Menning	Rued	Tennessen
Benedict	Hughes	Moe	Schaaf	Ueland, A.
Bernhagen	Kirchner	Nelson	Schmitz	Ulland, J.
Brataas	Kleinbaum	Nichols	Setzepfandt	Vega
Chmielewski	Knaak	Olhoff	Sieloff	Wegener
Dieterich	Knoll	Olson	Spear	Willet
Dunn	Knutson	Omann	Staples	
Engler	Laufenburger	Penny	Stokowski	

Mr. Renneke 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. 1937: A bill for an act relating to drivers licenses; authorizing instruction permit holders to operate a motor vehicle while receiving behind the wheel training when accompanied by licensed adults; amending Minnesota Statutes 1978, Section 171.05, Subdivision 2.

Senate File No. 1937 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mr. Knoll moved that the Senate concur in the amendments by the House to S. F. No. 1937 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1937: A bill for an act relating to drivers licenses; authorizing instruction permit holders to operate a motor vehicle while receiving behind the wheel training when accompanied by licensed adults; providing for distinctive Minnesota identification cards and driver's licenses for senior citizens and providing for their use for certain identification purposes; amending Minnesota Statutes 1978, Sections 171.05, Subdivision 2; and 171.07, Subdivision 1, and 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Pillsbury	Stumpf
Ashbach	Gearty	Luther	Renneke	Tennessee
Bang	Gunderson	Menning	Rued	Ueland, A.
Barrette	Hanson	Moe	Schaaf	Ulland, J.
Benedict	Hughes	Nelson	Schmitz	Vega
Bernhagen	Kirchner	Nichols	Setzpfandt	Wegener
Brataas	Kleinbaum	Olhoff	Sieloff	Willet
Chmielewski	Knaak	Olson	Spear	
Davies	Knoll	Ormann	Staples	
Dieterich	Knutson	Penny	Stokowski	
Dunn	Laufenburger	Perpich	Strand	

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. 1813: A bill for an act relating to mobile homes; permitting the sale of mobile homes from a residence; amending Minnesota Statutes 1978, Section 327.55, Subdivision 1.

Senate File No. 1813 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mr. Setzpfandt moved that the Senate concur in the amendments by the House to S. F. No. 1813 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1813 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 50 and nays 1, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Laufenburger	Penny	Staples
Bang	Gearty	Lessard	Perpich	Stokowski
Barrette	Gunderson	Luther	Pillsbury	Strand
Benedict	Hanson	Menning	Renneke	Stumpf
Bernhagen	Hughes	Moe	Rued	Tennessee
Brataas	Kirchner	Nelson	Schaaf	Ueland, A.
Chmielewski	Kleinbaum	Nichols	Setzepfandt	Ulland, J.
Davies	Knaak	Olhoff	Sieloff	Vega
Dieterich	Knoll	Olson	Sikorski	Wegener
Dunn	Knutson	Omann	Spear	Willet

Mr. Schmitz 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. 1842: A bill for an act relating to agriculture; requiring denaturing and labeling of certain foods; adopting certain federal food regulations; striking certain obsolete language; changing certain procedures; amending Minnesota Statutes 1978, Sections 31.02; and 218.041, Subdivisions 3 and 4; and Minnesota Statutes, 1979 Supplement, Sections 31.101, Subdivision 8; and 231.01, Subdivision 5.

Senate File No. 1842 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mr. Strand moved that the Senate concur in the amendments by the House to S. F. No. 1842 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1842: A bill for an act relating to agriculture; clarifying definition of warehouseman; requiring denaturing and labeling of certain foods; adopting certain federal food regulations; changing certain procedures; amending Minnesota Statutes 1978, Section 31.02; and Minnesota Statutes, 1979 Supplement, Sections 31.101, Subdivision 8; and 231.01, Subdivision 5.

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 0, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Menning	Renneke	Stumpf
Barrette	Hanson	Moe	Rued	Tennessee
Benedict	Hughes	Nelson	Schaaf	Ueland, A.
Bernhagen	Keefe, J.	Nichols	Schmitz	Ulland, J.
Brataas	Kleinbaum	Olhoft	Setzepfandt	Vega
Chmielewski	Knaak	Olson	Sieloff	Wegener
Davies	Knoll	Omann	Sikorski	Willet
Dieterich	Knutson	Penny	Spear	
Dunn	Laufenburger	Perpich	Staples	
Engler	Lessard	Pillsbury	Stokowski	
Gearty	Luther	Purfeerst	Strand	

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. 1619: A bill for an act relating to the metropolitan transit area; providing for contracts with socially or economically disadvantaged persons including handicapped persons; amending Minnesota Statutes 1978, Chapter 473, by adding a section.

Senate File No. 1619 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mrs. Staples moved that the Senate concur in the amendments by the House to S. F. No. 1619 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1619: A bill for an act relating to the transit; providing for paratransit grants; providing for contracts between the metropolitan transit commission and socially or economically disadvantaged persons including handicapped persons; regulating transit commission debt; amending Minnesota Statutes, 1979 Supplement, Sections 174.25, Subdivision 1; 471.345, by adding a subdivision; 473.436, Subdivision 5; Minnesota Statutes 1978, Chapter 473, by adding a section.

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 2, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Pillsbury	Stokowski
Ashbach	Gunderson	Luther	Purfeerst	Strand
Bang	Hanson	Menning	Renneke	Stumpf
Barrette	Hughes	Moe	Rued	Tennessen
Benedict	Humphrey	Nelson	Schaaf	Ulland, A.
Bernhagen	Keefe, J.	Nichols	Schmitz	Ulland, J.
Brataas	Kirchner	Olhoft	Setzepfandt	Vega
Chmielewski	Kleinbaum	Olson	Sieloff	Wegener
Davies	Knoll	Omann	Sikorski	
Dieterich	Knutson	Penny	Spear	
Engler	Laufenburger	Perpich	Staples	

Mrs. Knaak and Mr. 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. 2122: A bill for an act relating to elections; authorizing time off from work for election judges; amending Minnesota Statutes 1978, Section 204A.17, by adding a subdivision.

Senate File No. 2122 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 1980

Mrs. Stokowski moved that S. F. No. 2122 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. 1665: A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6.

Senate File No. 1665 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mr. Knoll moved that the Senate concur in the amendments by the House to S. F. No. 1665 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1665 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 3, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Pillsbury	Staples
Bang	Hanson	Menning	Purfeerst	Stokowski
Barrette	Hughes	Moe	Renneke	Strand
Benedict	Humphrey	Nelson	Rued	Stumpf
Bernhagen	Kirchner	Nichols	Schaaf	Ueland, A.
Brataas	Knaak	Olhoft	Schmitz	Ulland, J.
Chmielewski	Knoll	Olson	Setzepfandt	Vega
Dunn	Knutson	Omamm	Sieloff	Wegener
Engler	Laufenburger	Penny	Sikorski	Willet
Gearty	Lessard	Perpich	Spear	

Messrs. Davies, Dieterich and Tennessen 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. 2110: A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; amending Minnesota Statutes 1978, Section 473.667, Subdivision 2.

Senate File No. 2110 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 27, 1980

CONCURRENCE AND REPASSAGE

Mr. Purfeerst moved that the Senate concur in the amendments by the House to S. F. No. 2110 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2110: A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; setting deadlines

for design selection and installation of aircraft noise suppressing equipment; amending Minnesota Statutes 1978, Sections 473.608, Subdivision 20; and 473.667, 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 53 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson.	Gunderson	Laufenburger	Perpich	Staples
Ashbach	Hanson	Lessard	Pillsbury	Stokowski
Barrette	Hughes	Luther	Purfeerst	Strand
Benedict	Humphrey	Menning	Renneke	Stumpf
Bernhagen	Keefe, J.	Moe	Rued	Ueland, A.
Brataas	Keefe, S.	Nelson	Schaaf	Ulland, J.
Chmielewski	Kirchner	Nichols	Schmitz	Vega
Dieterich	Kleinbaum	Olhoft	Setzepfandt	Wegener
Dunn	Knaak	Olson	Sieloff	Willet
Engler	Knoll	Omann	Sikorski	
Gearty	Knutson	Penny	Spear	

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. 1875: A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.

Senate File No. 1875 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 27, 1980

Mr. Keefe, J. moved that the Senate do not concur in the amendments by the House to S. F. No. 1875 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 File, herewith transmitted: H. F. No. 2237.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 27, 1980

FIRST READING OF HOUSE BILLS

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

H. F. No. 2237: A bill for an act relating to public employees; clarifying the definition of public employees; providing for the negotiation and arbitration of collective bargaining agreements between the exclusive representatives and employers of teachers; establishing the conditions under which teachers have a right to strike; extending the applicability of certain sections of PELRA; amending Minnesota Statutes 1978, Sections 179.61; 179.62; 179.63, Subdivisions 1, 4 and 7; 179.64, Subdivision 1; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; and 179.74, Subdivision 2; and Chapter 179, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 179.64, Subdivision 7; 179.65, Subdivision 6; and 179.74, Subdivision 4.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. Hanson moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1806: A bill for an act relating to economic development; creating a small business finance agency with authority to issue and sell tax exempt obligations to provide loans for small business and pollution control projects; requiring reports.

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

Pages 2 and 3, delete subdivision 9

Page 3, line 7, delete "10" and insert "9"

Page 6, line 21, delete "business loans and"

Pages 6 and 7, delete subdivision 2

Renumber the subdivisions in sequence

Page 8, line 7, after "loans" insert "not exceeding \$500,000 in principal amount"

Page 8, line 27, delete "or business"

Page 11, line 3, delete "\$100,000,000" and insert "\$20,000,000"

Page 12, line 17, delete "small business" and insert "pollution control"

Page 13, delete section 6

Page 13, line 23, delete "7" and insert "6"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 2202: A bill for an act relating to legal services; providing that the attorney general shall render bond counsel services to state agencies and political subdivisions; appropriating money.

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

Page 1, lines 9 and 10, delete "shall be the exclusive" and insert "may make his services available as"

Page 1, line 11, after the period, insert "Upon request,"

Page 1, line 11, delete "shall" and insert "may"

Page 1, line 15, delete "shall" and "all"

Page 2, line 19, delete everything after the period

Page 2, delete lines 20 and 21

Page 2, line 24, after the dollar sign, insert "150,000"

Page 2, line 24, after the period, insert "The approved complement of the office of attorney general is increased by four positions."

Amend the title as follows:

Page 1, line 3, delete "shall" and insert "may"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 2041: A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, Subdivisions 1 and 2.

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 291: A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; appropriating money; amending Minnesota Statutes 1978, Sections 60A.23, by adding a subdivision; 471.616, Subdivi-

sion 1; and Chapter 471, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Section 471.61, Subdivision 1b.

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

Page 8, delete section 4

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "appropriating money;"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1706: A bill for an act establishing the commission on the Minnesota small business conference; providing for its organization, meetings and procedures; appropriating money.

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

Page 1, line 8, delete "commission" and insert "advisory task force"

Page 1, lines 9, 15, 17, 20 and 21, delete "commission" and insert "task force"

Page 1, line 10, delete "commissioners" and insert "members"

Page 2, lines 8, 12, 16, 17, 20, 24 and 27, delete "commission" and insert "task force"

Page 2, line 2, before the period, insert "and expires on March 31, 1981"

Amend the title as follows:

Page 1, line 2, delete "commission" and insert "advisory task force"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1762: A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, Article XI, by adding a section; providing a constitutional limit on state appropriations; providing a statute implementing the amendment.

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

Page 2, delete lines 9 to 12

Page 2, line 24, delete the colon

Page 2, delete lines 25 to 33 and insert "*the legislature adopts a resolution that declares an emergency.*"

Page 3, delete lines 1 and 2

Page 3, delete lines 6 to 9

Page 3, line 13, delete "limit" and insert "allow"

Page 3, line 14, after "to" insert "be"

Page 3, delete section 3

Page 3, lines 21 and 22, delete "*sections 4 to 6 and in*"

Page 3, delete lines 25 and 26 and insert "*in a two year period, except regular refunds, tax relief refunds, local government aids, school aids, income maintenance aids, retirement contributions for employees of political subdivisions, and debt service transfers and payments.*"

Pages 3 and 4, delete subdivision 4

Page 4, delete sections 5 and 6

Page 4, delete section 7 and insert:

"Sec. 4. [EFFECTIVE DATE.] *If the constitutional amendment proposed to the people by section 1 is adopted, it applies to appropriations made available for state expenditure on and after July 1, 1981, and section 3 is effective July 1, 1981.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "providing a"

Page 1, delete line 5 and insert "allowing state spending to be a fixed proportion of state personal income;"

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

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

H. F. No. 1823: A bill for an act relating to transportation; permitting informational notations on recorded maps and plats; simplifying correction of errors on them; amending Minnesota Statutes 1978, Section 160.085, Subdivision 1, and by adding a subdivision.

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2436 for comparison with companion Senate File, reports the following House File was found identical and recom-

mends 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.
2436	2369				

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.

SECOND READING OF SENATE BILLS

S. F. Nos. 1806, 2202, 2041, 291, 1706 and 1762 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 2436 was read the second time.

H. F. No. 1823 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mr. Moe moved that H. F. No. 1842 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Moe moved that H. F. No. 2046 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mr. Hanson moved that S. F. No. 1762 be withdrawn from the Subcommittee on Bill Scheduling and re-referred to the Committee on Rules and Administration. The motion prevailed.

Mrs. Staples moved that S. F. No. 1141 be taken from the table. The motion prevailed.

S. F. No. 1141: A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing

duties for the department of health; providing for a study by the state planning agency; appropriating money.

Mrs. Staples moved that the Senate do not concur in the amendments by the House to S. F. No. 1141 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.

Mrs. Staples moved that S. F. No. 480 be taken from the table. The motion prevailed.

S. F. No. 480: A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giving grant and program monitoring responsibilities to the commissioner of health; appropriating money.

Mr. Staples moved that the Senate do not concur in the amendments by the House to S. F. No. 480 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. Hanson 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.

CALENDAR

H. F. No. 2082: A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1978, Sections 205.10; and 412.02, 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 52 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Peterson	Staples
Bang	Hanson	Lessard	Pillsbury	Stokowski
Barrette	Hughes	Luther	Purfeerst	Stumpf
Benedict	Humphrey	Menning	Renneke	Tennesen
Bernhagen	Keefe, J.	Moe	Rued	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Schaaf	Ulland, J.
Davies	Kirchner	Nichols	Schmitz	Vega
Dieterich	Kleinbaum	Olhoft	Setzepfandt	Willet
Engler	Knaak	Olson	Sieloff	
Frederick	Knoll	Omann	Sikorski	
Gearty	Knutson	Perpich	Spear	

So the bill passed and its title was agreed to.

H. F. No. 1884: A bill for an act relating to education; modifying certain rule making procedures and the tuition exemption authority of the state university board; allowing a change in the placement service registration fee at state universities; eliminating a reporting duty of the state university board and a reporting duty of state university presidents; eliminating a provision governing state university rules which conflict with the provisions of certain collective bargaining contracts; amending Minnesota Statutes 1978, Sections 136.11, Subdivisions 1 and 8; and 136.14; repealing Minnesota Statutes 1978, Sections 136.148 and 136.15.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearly	Knoll	Olson	Sieloff
Bang	Gunderson	Laufenburger	Omamn	Sikorski
Barrette	Hanson	Lessard	Perpich	Spear
Benedict	Hughes	Luther	Peterson	Staples
Bernhagen	Jensen	McCutcheon	Pillsbury	Stokowski
Chmielewski	Johnson	Menning	Purfeerst	Stumpf
Davies	Keefe, J.	Moe	Renneke	Tennessee
Dieterich	Keefe, S.	Nelson	Rued	Ueland, A.
Dunn	Kirchner	Nichols	Schaaf	Ulland, J.
Engler	Kleinbaum	Ogdahl	Schmitz	Vega
Frederick	Knaak	Olhoff	Setzpfandt	Willet

So the bill passed and its title was agreed to.

S. F. No. 2166: A bill for an act relating to the cities of Minneapolis, Bloomington and Winona; authorizing the creation of an economic development and redevelopment agency or department; granting powers of the port authority to the city of Bloomington; providing powers and conditions of debt for the port authority of Winona; providing for hearings for the issuance of industrial revenue bonds; amending Minnesota Statutes 1978, Section 458.192, Subdivision 1, and by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Sections 462C.07, Subdivision 3; and 474.01, Subdivision 7b.

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:

Anderson	Dieterich	Jensen	Laufenburger	Olhoff
Ashbach	Dunn	Johnson	Lessard	Olson
Bang	Engler	Keefe, J.	Luther	Omamn
Barrette	Frederick	Keefe, S.	Menning	Penny
Benedict	Gearly	Kirchner	Moe	Perpich
Bernhagen	Gunderson	Kleinbaum	Nelson	Peterson
Chmielewski	Hanson	Knaak	Nichols	Pillsbury
Davies	Hughes	Knoll	Ogdahl	Purfeerst

Renneke	Schmitz	Sikorski	Stumpf	Ulland, J.
Rued	Setzepfandt	Staples	Tennessee	Vega
Schaaf	Sieloff	Stokowski	Ueland, A.	Willet

Mr. Spear voted in the negative.

So the bill passed and its title was agreed to.

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

REPORTS OF COMMITTEES

APPOINTMENTS

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

S. F. No. 480: Mrs. Staples, Messrs. Kirchner and Nelson.

S. F. No. 1141: Mrs. Staples, Messrs. Kirchner and Nelson.

S. F. No. 1875: Messrs. Keefe, J.; Gunderson and Olson.

H. F. No. 2476: Messrs. Moe, Coleman, Ashbach, Spear and Willet.

Mr. Hanson moved that the foregoing appointments be approved. The motion prevailed.

Pursuant to Rule 10, Mr. Hanson, for Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

H. F. No. 1779: A bill for an act relating to judicial procedures; changing the procedures and circumstances under which guardians and conservators may be appointed; clarifying the powers and duties of guardians and conservators; providing for the appointment, powers, and duties of guardians and conservators of minors; amending Minnesota Statutes 1978, Sections 525.54; 525.541; 525.542; 525.543; 525.544; 525.55; 525.56; 525.57; 525.58; 525.581; 525.583; 525.59; 525.591; 525.60, Subdivision 1; 525.62; 525.63; 525.67; 525.69; 525.83; and Chapter 525, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 525.551; and 525.61; repealing Minnesota Statutes 1978, Sections 525.60; Subdivision 2; 525.611; 525.612; 525.613; 525.614; and 525.621.

Mr. Stumpf moved to amend the amendment placed on H. F. No. 1779 by the Committee on Judiciary, adopted by the Senate March 21, 1980, as follows:

In the amendment to section 10, subdivision 3, clause (4)(a)

Line 7, after the period, insert "*The guardian shall not consent to any medical care for the ward which violates the known conscientious, religious, or moral belief of the ward.*"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend the amendment placed on H. F. No. 1779 by the Committee on Judiciary, adopted by the Senate March 21, 1980, as follows:

After Section 20, insert:

"Sec. 21. Minnesota Statutes 1978, Section 525.651, is amended to read:

525.651 [PRIVATE SALE.] If a private sale be ordered, the real estate shall be reappraised by two or more disinterested persons under order of the court *unless a prior appraisal of the real estate has been made by two or more disinterested persons not more than three months before the sale*, which reappraisal shall be filed before the confirmation of the sale. No real estate shall be sold at private sale for less than its value as fixed by such appraisal."

Renumber the sections in sequence

Correct the internal cross references

Amend the title as follows:

Page 1, line 11, after "525.63;" insert "525.651;"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend the amendment placed on H. F. No. 1779 by the Committee on Judiciary, adopted by the Senate March 21, 1980, as follows:

Before section 1 insert:

"Section 1. Minnesota Statutes 1978, Section 525.04, is amended to read:

525.04 [JUDGE; ELECTION, QUALIFICATIONS, BOND.] *Subdivision 1.* There shall be elected *two probate judges in Hennepin county and one probate judge in Ramsey county* ~~probate judges who.~~ *They shall be learned in the law. Vacancies in their offices shall be filled in the manner prescribed by law.* Before a judge enters upon the duties of his office he shall execute a bond to the state in the amount of \$1,000, approved by the county board and conditioned upon the faithful discharge of his duties. The bond with his oath shall be recorded in the office of the county recorder. The premiums on the bond and the expenses of the recording and filing shall be paid by the county. An action may be maintained on the bond by any person aggrieved by the violation of the conditions thereof.

Subd. 2. *The primary duties of one of the Hennepin county probate judges shall relate to the Minnesota hospitalization and*

commitment act and the Minnesota mental retardation protection act.

The judge who has greater length of service in the probate court shall be the judicial head of the office of that court and the additional judge shall so act in the absence of the senior judge. The chief judge of the district court of the fourth judicial district shall designate, in writing, which judge is the judicial head of the office as so determined."

Section 40, before "This act" insert "Section 1 is effective the day following final enactment. The remainder of"

Renumber the sections in sequence

Amend the title of H. F. No. 1779 as follows:

Page 1, line 2, after the semicolon, insert "changing the number of probate judges elected in Hennepin and Ramsey Counties and clarifying their responsibility;"

Page 1, line 8, after "Sections" insert "525.04;"

Mr. Merriam questioned whether the amendment was germane.

The President ruled the amendment was not germane.

Mr. Jensen moved to amend the amendment placed on H. F. No. 1779 by the Committee on Judiciary, adopted by the Senate March 21, 1980, as follows:

In section 22, after "525.83," insert "except that no publication is required"

The motion prevailed. So the amendment was adopted.

H. F. No. 1779 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Pillsbury	Staples
Ashbach	Gearty	Luther	Purfeerst	Stern
Bang	Hughes	Menning	Renneke	Stokowski
Barrette	Humphrey	Merriam	Rued	Stumpf
Benedict	Jensen	Nelson	Schaaf	Tennessen
Bernhagen	Keefe, J.	Nichols	Schmitz	Ueland, A.
Brataas	Keefe, S.	Ogdahl	Setzpfandt	Ulland, J.
Chmielewski	Kirchner	Olhoft	Sieloff	Vega
Davies	Kleinbaum	Olson	Sikorski	Wegener
Dieterich	Knaak	Omann	Sillers	Willet
Dunn	Knoll	Penny	Solon	
Engler	Knutson	Perpich	Spear	

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

RECESS

Mr. Keefe, S. moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Keefe, S. imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Kleinbaum	Omann	Sikorski
Bang	Gearty	Luther	Penny	Stern
Barrette	Gunderson	Menning	Perpich	Stokowski
Benedict	Hughes	Merriam	Peterson	Stumpf
Bernhagen	Humphrey	Moe	Pillsbury	Vega
Chmielewski	Johnson	Nelson	Purfeerst	Wegener
Davies	Keefe, S.	Olhoff	Rued	
Dieterich	Kirchner	Olson	Setzepfandt	

The Sergeant at Arms was instructed to bring in the absent members.

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

REPORTS OF COMMITTEES

Mr. Gearty, for Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. No. 1631 and H. F. No. 1012, makes the following report:

That the above Senate File and House File be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested.

Mr. Keefe, S. moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

SPECIAL ORDER

H. F. No. 1841: A bill for an act relating to state government; providing for certain historical memorials; providing an appropriation.

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:

Anderson	Gunderson	Lessard	Pillsbury	Stokowski
Ashbach	Hughes	Luther	Purfeerst	Strand
Bang	Humphrey	Menning	Rued	Stumpf
Barrette	Jensen	Merriam	Schaaf	Tennessee
Benedict	Johnson	Nelson	Setzepfandt	Ulland, J.
Bernhagen	Keefe, S.	Olhoft	Sikorski	Vega
Chmielewski	Kirchner	Olson	Solon	Willet
Dieterich	Kleinbaum	Omann	Spear	
Engler	Knutson	Penny	Staples	
Gearly	Laufenburger	Perpich	Stern	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1724: A bill for an act relating to taxation; exempting admissions to events or premises of nonprofit arts organizations from the sales tax and local admissions or amusement taxes; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1.

Mr. Keefe, S. moved to amend S. F. No. 1724 as follows:

Page 9, line 9, after "government" insert "*“, or imposed on sales taking place within the territory of a specifically named local unit of government,”*

The motion prevailed. So the amendment was adopted.

S. F. No. 1724 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Merriam	Renneke	Strand
Ashbach	Hughes	Moe	Rued	Stumpf
Bang	Humphrey	Nelson	Schmitz	Tennessee
Barrette	Jensen	Ogdahl	Setzepfandt	Ulland, J.
Benedict	Keefe, S.	Olhoft	Sikorski	Vega
Bernhagen	Kirchner	Omann	Sillers	Wegener
Brataas	Kleinbaum	Penny	Solon	Willet
Chmielewski	Knoll	Perpich	Spear	
Dieterich	Knutson	Peterson	Staples	
Engler	Lessard	Pillsbury	Stern	
Gearly	Luther	Purfeerst	Stokowski	

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

SPECIAL ORDER

H. F. No. 1818: A bill for an act relating to game and fish; authorizing moose seasons in the discretion of the commissioner; amending Minnesota Statutes 1978, Section 100.27, Subdivision 2.

Mr. Peterson moved that the amendment made to H. F. No. 1818 by the Committee on Rules and Administration in the report adopted March 26, 1980, pursuant to Rule 49, be stricken and that

the Bernhagen and Lessard amendments adopted March 27, 1980, also be stricken. The motion prevailed. So the amendments were stricken.

Mr. Peterson then moved to amend H. F. No. 1818 as follows:

Page 1, after line 10, insert:

“Section 1. Minnesota Statutes 1978, Section 97.40, Subdivision 7, is amended to read:

Subd. 7. “Fur bearing animals” includes all protected mammals, except bear, deer, moose, elk and caribou.

Sec. 2. Minnesota Statutes 1978, Section 97.49, is amended by adding a subdivision 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 from each deer license issued by the commissioner shall be used for the purpose of deer habitat improvement.

Sec. 3. [98.455] [BEAR HUNTING GUIDE LICENSE.] *No person shall for compensation engage in the business or occupation of placing bait for bear or guiding hunters in seeking to take bear without an annual license from the commissioner. The commissioner shall promulgate rules governing qualifications for, issuance and administration of licenses required by this section. No license shall be issued under this section after the day prior to the opening of the season for taking bear by firearms, 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 the season.*

Sec. 4. Minnesota Statutes 1978, 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, \$5;

(2) 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, \$50, provided that any employee, partner or officer buying or selling at the established place of business only for such licensee may secure a supplemental license for \$20;

(3) To trap beaver during an open season or by permit when doing damage, \$2.50;

(4) To guide bear hunters, \$50.

Sec. 5. Minnesota Statutes 1978, Section 98.46, Subdivision 16, is amended to read:

Subd. 16. Fee for the following license, to be issued to non-residents, shall be:

To buy or sell raw furs, \$400, except that a license shall not be required to buy from those licensed under subdivision 4, clause (2).

To guide bear hunters, \$400.

Sec. 6. Minnesota Statutes 1978, Section 98.46, Subdivision 22, is amended to read:

Subd. 22. No deer or, moose, or bear taken in this state shall be transported or possessed unless a tag of a type prescribed by the commissioner bearing the license number of the owner, the year of its issue, and such other information as the commissioner may require has been affixed to its carcass in a manner prescribed by the commissioner. The tag must be so affixed at the time the deer or, moose, or bear is brought into any hunting camp, dwelling, farm yard, or other place of abode of any kind occupied overnight, or before being placed wholly or partially on a motor vehicle of any kind, or upon a conveyance towed by a motor vehicle of any kind. Provided, that deer taken by bow and arrow and moose shall be tagged by a conservation officer or other authorized agent as may be prescribed by the commissioner, in addition to the tag herein provided for.

Sec. 7. Minnesota Statutes 1978, Section 98.47, Subdivision 7, is amended to read:

Subd. 7. ~~No license to trap beaver shall be issued to any person to whom a fur buyer's license shall have been issued and in force,~~ and No license 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 household, or employee, engaged in the business of conducting a summer resort.

Sec. 8. Minnesota Statutes 1978, Section 98.47, Subdivision 15, is amended to read:

Subd. 15. ~~A permanent license to take fish shall be issued at the prevailing fee for an individual resident license without charge to any citizen of Minnesota, 16 years of age or older, who is mentally retarded and whose parent or guardian furnishes satisfactory evidence of the disability to the county auditor or a sub-agent of the county auditor, acting under the provisions of section 98.50.~~

Sec. 9. Minnesota Statutes 1978, Section 98.47, Subdivision 16, is amended to read:

Subd. 16. ~~A permanent license to take fish shall be issued at the prevailing fee for an individual resident license without charge to any Minnesota veteran as defined in section 197.447, who has a 100 percent service connected disability as defined by the United States veterans administration, and furnishes satisfactory evi-~~

dence of his disability to the county auditor or a subagent of the county auditor, acting under the provisions of section 98.50.”

Page 2, after line 8, insert:

“Sec. 11. Minnesota Statutes, 1979 Supplement, Section 100.27, Subdivision 4, is amended to read:

Subd. 4. Muskrats may be taken for a period not exceeding 60 90 days in the aggregate for the area, otter for a period not exceeding 15 days, only by trapping, and mink for a period not exceeding 90 days, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe. Beaver may be taken, by trapping only, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe.”

Page 2, after line 33, insert:

“Sec. 13. Minnesota Statutes 1978, Section 100.29, Subdivision 1, is amended to read:

100.29 [RESTRICTIONS AND PROHIBITIONS.] Subdivision 1. It shall be unlawful to take protected wild animals, except raccoon *and fox*, with the use of a gun, or bow and arrows between sunset and one-half hour before sunrise *the evening and morning times established by the commissioner by order*. It shall be unlawful to take pheasants between sunset *the evening time established by the commissioner by order* and 9 a.m.

Sec. 14. Minnesota Statutes 1978, Section 100.27, Subdivision 5, is amended to read:

Subd. 5. Except as otherwise expressly provided, quail, part-ridges or ruffed grouse, Canada spruce grouse, pheasants, prairie chicken or pinnated grouse, white breasted or sharp tailed grouse, Hungarian partridge, chukar partridge, or turkeys (*meleagris gallopavo*) may be taken and possessed, subject to all other provisions of chapters 97 to 102, only in the areas of the state and during the times between September 16 and December 31, which the commissioner shall prescribe. The commissioner may by order prescribe an additional period for the taking of turkeys in the spring.

Sec. 15. Minnesota Statutes 1978, Section 101.41, Subdivision 2, is amended to read:

Subd. 2. Except as otherwise provided, the following fish may be taken only by angling with a single line except that not more than two lines and two baits may be used to take fish through the ice, transported and possessed, subject to all other provisions of chapters 97 to 102, between the dates set opposite each species:

Species

Large and small mouthed black bass

Dates—May 15th and Feb. 15th *the third Monday in February*

Trout

Dates—As the commissioner may by order prescribe between Jan. 1st and Oct. 31st

Lake trout (land-locked salmon)

Dates—Jan. 1st and Oct. 31st

Wall-eyed pike

Dates—May 15th and Feb. 15th *the third Monday in February*

Sauger (sand pike)

Dates—May 15th and Feb. 15th *the third Monday in February*

Great Northern pike and pickerel

Dates—May 15th and Feb. 15th *the third Monday in February*

Muskellunge

Dates—May 15th and Feb. 15th *the third Monday in February*

Rock bass and white bass

Dates—No closed season

Crappies

Dates—No closed season

Sunfish and blue gill

Dates—No closed season

Catfish

Dates—No closed season

Bullheads

Dates—No closed season

Carp, dogfish, redhorse, sheepshead, suckers, eelpout, garfish, perch, whitefish, tullibeas, buffalofish

Dates—No closed season.

Sec. 16. Minnesota Statutes 1978, Section 100.29, Subdivision 31, is amended to read:

Subd. 31. *Any person placing bait for bear shall display a tag as prescribed by the commissioner at each site where bait is placed and register the location of the bait in a manner prescribed by the commissioner. It shall be unlawful to take bear by using solid waste containing bottles, cans, plastic, paper, metal or any other materials that are not readily biodegradable, as a bait or a lure for the purpose of attracting the bear.*

Sec. 17. Minnesota Statutes 1978, Section 100.30, is amended to read:

100.30 [POSSESSION, SALE, TRANSPORTATION.] *The skins of all fur bearing animals, the hides of bear, deer or moose, the claws of bear, and the flesh of beaver, muskrat, raccoon, rabbits and hares, legally taken and bearing such seals or tags as may be required by chapters 97 to 102, may be bought, sold, and transported at any time, provided the flesh of animals*

enumerated herein, except muskrats, shall not be transported outside of the state of Minnesota.

Sec. 18. Minnesota Statutes, 1979 Supplement, Section 101.42, Subdivision 18, is amended to read:

Subd. 18. Except as otherwise specifically permitted, it shall be unlawful for any person to have in his possession in an automobile or any vehicle or on their his person, or at or near any waters, a spear, trap, net, dip net, seine, or any other device capable of taking fish, except dip nets which may be possessed between the hours of sunrise and sunset during the period of February 16 to April 30, inclusive, and except when acting under permit or contract to trap or seine from the division of fisheries, during the period of February 16 to April 30, inclusive and except that spears, dip nets, bows and arrows, and devices permitted in section 101.51 used for the taking of rough fish may be possessed between the hours of sunrise and sunset after April 30. This subdivision does not apply to nets used in the taking of trout and smelt in season or to seines or traps used for the taking of minnows for bait.

Sec. 19. [EFFECTIVE DATE.] Sections 8, 9, and 11 are effective for the license seasons beginning March 1, 1981. Section 18 is effective March 1, 1981."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to game and fish; excluding bears from the definition of fur bearing animals; providing that a portion of deer license fees shall be used for the purpose of deer habitat improvement; requiring licenses of persons providing guide services for bear hunters; specifying fees; requiring tagging of bears taken in the state; removing certain restrictions on the trapping of beaver; providing for free fishing licenses for certain mentally retarded and disabled residents; authorizing moose seasons at the discretion of the commissioner; granting landowners preference for moose licenses; extending the muskrat trapping season; changing the times of day during which certain wild animals may be taken; authorizing a season for taking sandhill cranes; regulating bear baiting; allowing sale of bear hides and claws; altering the end date of certain fishing seasons; allowing possession of dip nets under certain circumstances; amending Minnesota Statutes 1978, Sections 97.40, Subdivision 7; 97.49, by adding a subdivision; 98.46, Subdivisions 4, 16 and 22; 98.47, Subdivisions 7, 15 and 16; 100.27, Subdivisions 2 and 5; 100.29, Subdivisions 1 and 31; 100.30; 101.41, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 100.27, Subdivision 4; 100.271, Subdivision 1; and 101.42, Subdivision 18."

The motion prevailed. So the amendment was adopted.

H. F. No. 1818 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Perpich	Stern
Ashbach	Gunderson	Luther	Peterson	Stokowski
Bang	Hughes	Menning	Pillsbury	Strand
Barrette	Humphrey	Merriam	Purfeerst	Stumpf
Benedict	Jensen	Moe	Rued	Tennessen
Bernhagen	Keefe, J.	Nelson	Schmitz	Ulland, J.
Brataas	Keefe, S.	Ogdahl	Setzepfandt	Vega
Chmielewski	Kirchner	Olhoff	Sieloff	Wegener
Dieterich	Kleinbaum	Olson	Sikorski	Willet
Dunn	Knoll	Omann	Sillers	
Engler	Laufenburger	Penny	Staples	

Mr. Spear voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Humphrey moved that H. F. No. 1710 be withdrawn from the Committee on Rules and Administration. The motion prevailed.

H. F. No. 1710: A bill for an act relating to energy; stating legislative energy policy; providing grants and assistance for community energy planning; assessment of fees for residential energy audits; providing grants for residential heating costs and weatherization; providing guidelines for a state plan for spending federal money; reimbursing counties for heating emergency assistance expenses; defining large energy facilities; authorizing subdivisions to levy for certain energy related activities; providing grants for energy research and development projects; providing education on building energy efficiency; energy audits; ethanol plant demonstration project; creating the alcohol fuels information center; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending Minnesota Statutes 1978, Sections 116H.01; 116H.087; 116H.12, Subdivision 11; 216B.16, by adding a subdivision; 275.50, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.02, Subdivision 5; 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.

SUSPENSION OF RULES

Mr. Humphrey 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. 1710 and that the rules of the Senate be so far suspended as to give H. F. No. 1710 its second

and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1710 was read the second time.

Mr. Humphrey moved to amend H. F. No. 1710 as follows:

Delete everything after the enacting clause of H. F. No. 1710 and insert the language after the enacting clause of S. F. No. 1631, as amended by the Committee on Finance, adopted by the Senate March 27, 1980, and unofficially engrossed; further, delete the title of H. F. No. 1710 and insert the title of S. F. No. 1631, as amended by the Committee on Finance, adopted by the Senate March 27, 1980, and unofficially engrossed. The motion prevailed. So the amendment was adopted.

Mr. Humphrey then moved to amend H. F. No. 1710, as amended by the Senate, adopted March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1631, the unofficial engrossment.)

Page 13, after line 30, insert:

"Sec. 16. [EMERGENCY RESIDENTIAL HEATING GRANTS.] *Subdivision 1. The commissioner of economic security shall make grants to community action agencies, county boards, or other public or private nonprofit agencies for the purpose of providing emergency residential heating grants to low income households. These grants shall be made to the same agencies and in the same manner as provided for federal grants under the energy crisis assistance program of 42 United States Code, Section 2809, Paragraph (a), Clause (5), except as otherwise provided in sections 16 to 19.*

Subd. 2. The commissioner of economic security shall promulgate rules that provide: (a) procedures for the administration of grants; (b) data to be reported by grant recipients and heating fuel suppliers; and (c) other matters the commissioner finds necessary for the proper administration of the state and federal grant programs. The rules may take effect as temporary rules upon approval by the attorney general and without the normal publication in the state register and 20 day wait for comments from the public, and may be amended in the same manner at a later date if comments from the public demonstrate that amendments are justified.

Subd. 3. Data on individuals collected, maintained, used, or disseminated pursuant to sections 16 to 19 are private data on individuals and shall not be disclosed except as provided for data in the welfare system under Minnesota Statutes, 1979 Supplement, Section 15.1691.

Sec. 17. [ALLOCATIONS.] *Money appropriated for emergency residential heating grants shall be allocated among local administrative agencies on the basis of the number of households in the area served by the agency whose income falls within the limits specified for grant eligibility in relation to the total of those households in the state.*

Sec. 18. [ELIGIBILITY; AMOUNT OF GRANT.] *Subdivision 1. [INCOME LIMITS.] Emergency residential heating grants under this section shall be paid only to households not eligible for the federal energy crisis assistance program and whose total household income does not exceed the following limits:*

<i>Size of Household</i>	<i>Not More Than</i>
1	\$ 5,100
2	6,750
3	8,400
4	10,050
5	11,700
6	13,350
	<i>(For each additional household member add \$1,650.)</i>

In determining total household income, a household with earned income may deduct from earned income state and federal income taxes and social security contributions. In addition, a household may deduct medical expenses that are not reimbursed by insurance or other sources and that exceed three percent of the household income.

Subd. 2. [AMOUNT OF GRANT.] *The amount of a grant under this section, in combination with the special grant paid by the federal government directly to recipients of supplemental security income and money available to the state under the HEW block grant program shall be the lesser of:*

(a) *Fifty percent of the cost of residential heating energy paid or reasonably anticipated to be paid by the household during the winter heating season beginning in September and ending in May; or*

(b) *The appropriate table of maximum grant amounts as follows:*

(1) *If the maximum grant for fuel oil under the current state plan for the federal energy assistance program at the highest eligible income level is between \$400 and \$600, the following amounts graduated by size of household, income of household, and source of energy:*

<i>Household Size</i>	<i>Household Income</i>		<i>Fuel Oil, Canadian Natural Gas and Propane</i>	<i>Wood and Other Energy Sources</i>
	<i>More Than but</i>	<i>Not More than</i>		
1		\$ 4,250	\$400	\$267
	\$ 4,250	\$ 4,675	\$283	\$189
	\$ 4,675	\$ 5,100	\$167	\$111
2		\$ 5,625	\$400	\$267

	\$ 5,625	\$ 6,188	\$283	\$189
	\$ 6,188	\$ 6,750	\$167	\$111
3		\$ 7,000	\$400	\$267
	\$ 7,000	\$ 7,700	\$283	\$189
	\$ 7,700	\$ 8,400	\$167	\$111
4		\$ 8,375	\$400	\$267
	\$ 8,375	\$ 9,212	\$283	\$189
	\$ 9,212	\$10,050	\$167	\$111
5		\$ 9,750	\$400	\$267
	\$ 9,750	\$10,725	\$283	\$189
	\$10,725	\$11,700	\$167	\$111
6		\$11,125	\$400	\$267
	\$11,125	\$12,238	\$283	\$189
	\$12,238	\$13,350	\$167	\$111
or				

(2) If the maximum grant for fuel oil under the current state plan for the federal energy assistance program at the highest eligible income level is \$600 or more, the following amounts graduated by size of household, income of household, and source of energy:

Household Size	Household Income		Fuel Oil, Canadian Natural Gas and Propane	Wood and Other Energy Sources
	More Than but	Not More Than		
1		\$ 4,250	\$600	\$400
	\$ 4,250	\$ 4,675	\$425	\$283
	\$ 4,675	\$ 5,100	\$250	\$167
2		\$ 5,625	\$600	\$400
	\$ 5,625	\$ 6,188	\$425	\$283
	\$ 6,188	\$ 6,750	\$250	\$167
3		\$ 7,000	\$600	\$400
	\$ 7,000	\$ 7,700	\$425	\$283
	\$ 7,700	\$ 8,400	\$250	\$167
4		\$ 8,375	\$600	\$400
	\$ 8,375	\$ 9,212	\$425	\$283
	\$ 9,212	\$10,050	\$250	\$167
5		\$ 9,750	\$600	\$400
	\$ 9,750	\$10,725	\$425	\$283
	\$10,725	\$11,700	\$250	\$167
6		\$11,125	\$600	\$400
	\$11,125	\$12,238	\$425	\$283
	\$12,238	\$13,350	\$250	\$167

For households of more than six members, the amount of the grant is scaled downward as income goes upward in the same manner as provided in tables 1 and 2 above.

Grants for recipients who use two or more types of fuel shall be based on the household's primary energy source.

Users of wood as the primary heating source, whether the wood is purchased or not, are eligible for assistance under this section.

Grants shall not be considered as income or resources under any other public or publicly assisted income tested program.

Sec. 19. [LEGISLATIVE AUDITOR REPORT.] *The legislative auditor shall submit to the legislature by January 1 of each year an audit report of the department of economic security concerning their administration of the emergency residential heating grant program. This report shall also contain a summary of the audit results of the local agencies involved in the administration of the program.*

These financial and compliance audits of the local agencies shall be initiated, monitored, and approved by the commissioner of economic security. The legislative auditor must approve the selection of the auditors and scope of the audit."

Renumber the sections in sequence

Page 17, line 3, delete "\$9,050,000" and insert "\$14,050,000"

Page 17, line 30, delete "18" and insert "23"

Page 17, line 32, delete "(f)" and insert "(b)"

Page 19, delete line 1 and insert:

Subd. 6. ECONOMIC SECURITY \$ 9,000,000 \$ 3,000,000

This appropriation is available for the following purposes:

(a) *For the purposes specified in section 16* \$ 2,000,000

(b) *For emergency residential heating assistance* \$ 3,000,000

(1) If for any reason federal money is not available, this appropriation may be used for grants to be made pursuant to the current state plan. (2) If federal money is available to pay energy grants to persons eligible under section 16, the money appropriated in clause (b) is available for any state matching requirement required by a federal energy assistance program. (3) If a household's income does not exceed 168 percent of office of management and budget nonfarm poverty guidelines and the household is not eligible for assistance under the federal program for fiscal year 1981, the money appropriated in clause (b) is

Sec. 5. The commissioner of natural resources shall develop and implement a fuelwood management program to increase the availability of fuelwood on public and private lands by the application of sound forest management techniques including timber stand improvements and utilization of wood residues resulting from timber harvesting and site conversion. Notwithstanding any law to the contrary, the department may make contracts for professional, technical or consulting services to implement this program."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, after "subdivisions;" insert "90.195;"

The motion prevailed. So the amendment was adopted.

Mr. Dunn then moved to amend H. F. No. 1710, as amended by the Senate, adopted March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1631, the unofficial engrossment.)

Page 17, after line 1, insert:

"Sec. 20. [PUBLIC UTILITY DELINQUENCY CHARGES.]
No public utility as defined by Minnesota Statutes, Section 216B.02 or telephone company as defined by Minnesota Statutes, Section 237.01, but including a cooperative association or a municipality, shall charge or impose any service charge or delinquency fee, however termed, on any customer or subscriber account which is delinquent, in excess of one percent per month computed on an amount no greater than the average daily balance of the account during each billing cycle. If a billing cycle is other than monthly, the maximum charge or fee on the account for that billing cycle shall be that percentage which bears the same relation to one percent as the number of days in the billing cycle bears to 30 days.

If a utility adopts a policy of imposing a charge or fee upon delinquent accounts, each billing shall clearly state the terms and conditions thereof. Bills shall not become delinquent until the day following the end of the next succeeding billing cycle or, if a utility bills at greater than monthly intervals, 31 days following the end of that billing cycle."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after "hearings" insert "; regulating delinquency charges on customer or subscriber accounts;"

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend H. F. No. 1710, as amended by the Senate, adopted March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1631, the unofficial engrossment.)

available for grants in the same manner and form as is specified in the state plan for the federal energy assistance program for fiscal year 1981.

(c) If grants are paid from the appropriation of state money in clause (b) to persons eligible to receive grants for the same purpose from federal money, the appropriations shall be reimbursed for those grants from federal money when the federal money becomes available if reimbursement is permitted under federal law.

(d) Local administrative agencies may retain up to five percent of the appropriations in clauses (a) and (b) for administrative costs. The state administrative agency may retain up to two percent of the appropriation for administrative costs."

Page 19, line 2, before "Weatherization" insert "(f)"

Page 19, line 17, delete "19" and insert "24"

Page 19, line 23, after the period insert "The provisions of sections 16 to 19 shall expire January 2, 1982."

Amend the title as follows:

Page 1, line 5, before "expanding" insert "creating a state emergency residential heating grant program;"

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend H. F. No. 1710, as amended by the Senate, adopted March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1631, the unofficial engrossment.)

Page 3, after line 22, insert:

"Sec. 4. Minnesota Statutes 1978, Section 90.195, is amended to read:

90.195 [SPECIAL USE PERMIT.] The commissioner, for a \$5 fee, may issue a permit to salvage or cut not to exceed 25 cords of fuelwood per year for personal use from either or both of the following sources: (1) Dead, down, and diseased trees; (2) other trees that are of negative value under good forest management practices. Such permits may be issued for a period not to exceed one year. A fee shall be charged for the permit of not less than \$5 nor more than the approximate current market value of fuelwood stumpage of similar species, grade and volume that is being charged in the area.

Page 17, after line 1, insert:

"Sec. 20. [DEFINITIONS.] Subdivision 1. *As used in sections 20 to 24, the terms defined in this section have the meaning given them herein.*

Subd. 2. *"Major brand" means the primary trade name or trademark most commonly associated with and identified with a manufacturer and refiner's retail service station.*

Subd. 3. *"Petroleum products" includes motor vehicle fuel, distillate oils, residual oils, and all grades of jet (turbo) fuel.*

Subd. 4. *"Producer or refiner" means any person, firm or corporation engaged in producing, blending or compounding motor vehicle fuels.*

Subd. 5. *"Retail service station" means any place of business where motor vehicle fuel is sold and delivered and extends only to those retail transactions involving motor vehicle fuel.*

Subd. 6. *"Retail service station dealer" means any person, firm or corporation maintaining a place of business where motor vehicle fuel is sold and delivered into the tanks of motor vehicles.*

Subd. 7. *"Secondary brand" means a trade name or trademark, other than a major brand, used to identify a manufacturer and refiner's retail service station.*

Sec. 21. [OPERATION OF SERVICE STATIONS BY PRODUCERS OR REFINERS OF PETROLEUM PROHIBITED.] Subdivision 1. *After July 1, 1980 no producer or refiner of petroleum products shall open, purchase or otherwise acquire an ownership interest in a new or existing major brand, secondary brand or unbranded retail service station in the state of Minnesota and operate it with company personnel, the personnel of a subsidiary company, commissioned agents, or under a contract with any person, firm or corporation providing management of a service station on a fee arrangement with the producer or refiner. The station must be operated by a retail service station dealer.*

Subd. 2. *Nothing in this section shall be deemed to prohibit a producer or refiner, its subsidiary, agent, or employee, from selling or conveying consumer goods other than motor vehicle fuel.*

Sec. 22. [EXEMPTION OF AGRICULTURAL COOPERATIVE ASSOCIATIONS.] Subdivision 1. *For the purpose of sections 20 to 23, a retail service station does not include facilities which are both owned and operated by a cooperative association organized under the provisions of chapter 308 of Minnesota Statutes.*

Subd. 2. [NONSEVERABILITY.] *Notwithstanding Minnesota Statutes, Section 645.20, if this section is found to be unconstitutional and void, it shall not be severable from the remaining provisions of sections 20 to 23.*

Sec. 23. [ENFORCEMENT.] *The attorney general or any aggrieved party may institute a civil action in the district court for*

an injunction prohibiting any violation of section 21. It shall be no defense to such an action that the state or aggrieved party may have adequate remedies at law."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 10, after "hearings;" insert "prohibiting operation of service stations by producers or refiners of petroleum products;"

Mr. Kleinbaum questioned whether the amendment was germane.

The President ruled the amendment was not germane.

Mr. Bernhagen moved to amend H. F. No. 1710, as amended by the Senate, adopted March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1631, the unofficial engrossment.)

Page 17, line 3, delete "\$9,050,000" and insert "\$9,200,000"

Page 19, after line 17, insert:

"Subd. 8. The sum of \$150,000 is appropriated from the general fund to the Minnesota housing finance agency for the purpose of subsidizing the loan origination fee on a rehabilitation loan of \$2,000 or less if the loan is made in accordance with Minnesota Statutes, Section 462A.05, Subdivision 14, to enable the recipient to accomplish energy conservation related improvements. The appropriation in this section may be used only to subsidize that part of a loan origination fee which is equal to the difference between the origination fee for the loan and two percent of the face value of the loan. The appropriation shall be available until expended.

Before January 15, 1981, the Minnesota housing finance agency shall report to the legislature on the effectiveness of the loan origination fee subsidization program financed pursuant to section 1."

The motion prevailed. So the amendment was adopted.

Mr. Bernhagen then moved to amend H. F. No. 1710, as amended by the Senate, adopted March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1631, the unofficial engrossment.)

Pages 1 and 2, delete section 1

Page 17, line 3, delete "\$9,050,000" and insert "\$8,950,000"

Page 17, delete lines 12 to 16

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 2 and 3, delete "establishing a legislative commission on energy;"

CALL OF THE SENATE

Mr. Humphrey imposed a call of the Senate for the balance of the proceedings on H. F. No. 1710. The following Senators answered to their names:

Anderson	Gearty	Laufenburger	Perpich	Stumpf
Ashbach	Hughes	Lessard	Pillsbury	Tennessee
Barrette	Humphrey	Luther	Purfeerst	Ueland, A.
Benedict	Jensen	Menning	Setzepfandt	Ulland, J.
Bernhagen	Keefe, S.	Merriam	Sieloff	Vega
Chmielewski	Kirchner	Nichols	Staples	
Dunn	Knaak	Olson	Stern	
Engler	Knoll	Omann	Stokowski	
Frederick	Knutson	Penny	Strand	

The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the amendment of Mr. Bernhagen.

The roll was called, and there were yeas 21 and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Kirchner	Pillsbury	Ulland, J.
Bang	Frederick	Knaak	Rued	
Barrette	Gearty	Knutson	Sieloff	
Bernhagen	Jensen	Nichols	Strand	
Brataas	Keefe, J.	Omann	Ueland, A.	

Those who voted in the negative were:

Anderson	Hughes	Luther	Perpich	Stokowski
Benedict	Humphrey	Merriam	Purfeerst	Stumpf
Chmielewski	Keefe, S.	Moe	Schaaf	Tennessee
Davies	Kleinbaum	Nelson	Sikorski	Vega
Dieterich	Knoll	Olhoff	Solon	Wegener
Dunn	Laufenburger	Olson	Staples	Willet
Gunderson	Lessard	Penny	Stern	

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

H. F. No. 1710 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Benedict	Davies	Gearty	Jensen
Ashbach	Bernhagen	Dieterich	Gunderson	Keefe, J.
Bang	Brataas	Dunn	Hughes	Keefe, S.
Barrette	Chmielewski	Engler	Humphrey	Kirchner

Kleinbaum	Merriam	Pillsbury	Solon	Ueland, A.
Knaak	Moe	Purfeerst	Staples	Ulland, J.
Knoll	Olhoft	Rued	Stern	Vega
Knutson	Olson	Schaaf	Stokowski	Wegener
Laufenburger	Omann	Setzpfandt	Strand	Willet
Lessard	Penny	Sieloff	Stumpf	
Luther	Perpich	Sikorski	Tennessee	

Mr. Nichols voted in the negative.

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

SPECIAL ORDER

S. F. No. 1906: A bill for an act relating to the Nine Mile Creek Watershed District, the Riley-Purgatory Creek Watershed District and the Red Lake Watershed District; authorizing an ad valorem tax for certain purposes.

Mr. Ashbach moved to amend S. F. No. 1906, as follows:

Page 1, after line 7, insert:

“Section 1. [112.431] [DRAINAGE IMPROVEMENTS.] Subdivision 1. [FINDINGS.] The legislature finds that because of urban growth and development in the metropolitan area problems arise for the improvement and repair of drainage systems which were originally established for the benefit of land used for agricultural purposes and that the procedure for the improvement and repair of drainage systems now in the metropolitan area should be simplified to more adequately and economically improve and repair drainage systems.

Subd. 2. [DEFINITIONS.] (a) For the purpose of this section the terms defined in this subdivision have the meanings ascribed to them.

(b) “Drainage system” means a ditch as defined by Minnesota Statutes, Section 106.011, Subdivision 17.

(c) “Watershed district” means any watershed district established pursuant to the provisions of Minnesota Statutes, Chapter 112, wholly or partially in a metropolitan county.

(d) “Metropolitan county” means any one of the following counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott or Washington.

(e) “Metropolitan area” means the combined area of the metropolitan counties.

Subd. 3. [DRAINAGE IMPROVEMENTS.] With the concurrence of the governing bodies of the home rule charter or statutory cities and the town board of the towns where the drainage system is located, the board of managers of a watershed district in which there exists a drainage system shall have the power to improve and repair any drainage system transferred to the watershed district pursuant to Minnesota Statutes, Section 112.65, by

conforming to Minnesota Statutes, Sections 429.031; 429.041, Subdivisions 1 and 2; 429.051; 429.061 and 429.071.

Subd. 4. [ALTERNATIVE POWER.] With the concurrence of the governing bodies of the home rule charter or statutory cities and the town boards of the towns where the drainage system is located, the managers in their discretion may improve and repair a drainage system under the power granted to them elsewhere in Minnesota Statutes, Chapter 112.

Subd. 5. [APPEAL.] Any person aggrieved by an order for improvement or repair by the managers or by an assessment may appeal as provided in Minnesota Statutes, Sections 112.801 and 112.82."

Page 2, line 9, delete "1" and insert "2"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after "relating to" insert "watershed districts; regulating drainage systems in the metropolitan area; regulating administration of"

The motion prevailed. So the amendment was adopted.

Mr. Bang moved to amend S. F. No. 1906 as follows:

Page 1, line 16, delete "it" and insert "each"

The motion prevailed. So the amendment was adopted.

S. F. No. 1906: A bill for an act relating to watershed districts; regulating drainage systems in the metropolitan area; regulating administration of the Nine Mile Creek Watershed District, the Riley-Purgatory Creek Watershed District and the Red Lake Watershed District; authorizing an ad valorem tax for certain purposes.

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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Penny	Stokowski
Ashbach	Frederick	Lessard	Perpich	Stumpf
Bang	Gearty	Luther	Pillsbury	Tennessee
Barrette	Gunderson	Menning	Schaaf	Ueland, A.
Benedict	Hughes	Merriam	Setzepfandt	Ulland, J.
Bernhagen	Keefe, S.	Nichols	Sieloff	Vega
Chmielewski	Kirchner	Olhoff	Spear	Willet
Davies	Kleinbaum	Olson	Staples	
Dieterich	Knaak	Omann	Stern	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Merriam moved that H. F. No. 2023 be withdrawn from the Committee on Rules and Administration. The motion prevailed.

Pursuant to Rule 22, Mr. Stern moved to be excused from voting on H. F. No. 2023. The motion prevailed.

H. F. No. 2023: A bill for an act relating to waste management; establishing a waste management board and a legislative commission; establishing a state government resource recovery program; establishing solid waste planning assistance and demonstration programs; providing for the issuance of state waste management bonds; providing for the establishment of solid waste management districts; requiring hazardous waste management planning and development; establishing procedures for the review and approval of permits for waste facilities; authorizing debt; appropriating money; amending Minnesota Statutes 1978, Sections 116.06, Subdivisions 9, 10, 13, and by adding subdivisions; 116.07, Subdivisions 2, 4, 4a, and by adding subdivisions; 116.081, Subdivision 1; 116.101; 116.41; 400.03, Subdivision 1; 400.04; 400.06; 400.07; 400.13; 400.16; 400.161; 473.121, by adding a subdivision; 473.149; 473.502; 473.516; 473.801, Subdivision 1; 473.802; 473.803; 473.811; 473.813; 473.823, Subdivision 3, and by adding a subdivision; Chapter 400, by adding a section; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2 to 7; 473.121, Subdivisions 27 to 31c; 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 728, Section 7.

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. 2023 and that the rules of the Senate be so far suspended as to give H. F. No. 2023 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 2023 was read the second time.

Mr. Merriam moved to amend H. F. No. 2023 as follows:

Delete everything after the enacting clause of H. F. No. 2023 and insert the language after the enacting clause of S. F. No. 1980, the third engrossment; further, delete the title of H. F. No. 2023 and insert the title of S. F. No. 1980, the third engrossment. The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend H. F. No. 2023, as amended by the Senate, adopted March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1980.)

Page 99, line 27, before the period insert "*but the aggregate principal amount of bonds issued for this purpose shall not exceed \$10,000,000*"

The motion prevailed. So the amendment was adopted.

H. F. No. 2023 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Perpich	Stumpf
Ashbach	Gearty	Knutson	Pillsbury	Tennessee
Bang	Gunderson	Laufenburger	Rued	Ueland, A.
Barrette	Humphrey	Luther	Setzepfandt	Ulland, J.
Brataas	Jensen	Menning	Sieloff	Vega
Chmielewski	Keefe, J.	Merriam	Sikorski	Wegener
Davies	Keefe, S.	Moe	Sillers	Willet
Dieterich	Kirchner	Nelson	Spear	
Dunn	Kleinbaum	Olhoft	Staples	
Engler	Knaak	Olson	Stokowski	

Mr. Penny voted in the negative.

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

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on H. F. No. 1121:

Messrs. Sillers, Peterson, Hanson, Johnson and McCutcheon. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

SUSPENSION OF RULES

Mr. Keefe, S. moved that the Senate take up the 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. 1435: A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1978, Section 147.09.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Penny	Stumpf
Ashbach	Gearty	Knutson	Perpich	Tennessee
Bang	Gunderson	Laufenburger	Pillsbury	Ueland, A.
Barrette	Humphrey	Lessard	Rued	Ulland, J.
Brataas	Jensen	Luther	Sikorski	Vega
Chmielewski	Keefe, J.	Menning	Sillers	Wegener
Davies	Keefe, S.	Moe	Solon	Willet
Dieterich	Kirchner	Nelson	Spear	
Dunn	Kleinbaum	Olhoft	Staples	
Engler	Knaak	Olson	Stokowski	

So the bill passed and its title was agreed to.

H. F. No. 1731: A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.

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:

Anderson .	Frederick	Knoll	Olson	Staples
Ashbach	Gearty	Knutson	Penny	Stokowaki
Bang	Gunderson	Laufenburger	Perpich	Stumpf
Barrette	Humphrey	Lessard	Pillsbury	Tennessee
Brataas	Jensen	Luther	Rued	Ueland, A.
Chmielewski	Keefe, J.	Menning	Sieloff	Ulland, J.
Davies	Keefe, S.	Merriam	Sikorski	Vega
Dieterich	Kirchner	Moe	Sillers	Wegener
Dunn	Kleinbaum	Nelson	Solon	Willet
Engler	Knaak	Olhoft	Spear	

So the bill passed and its title was agreed to.

H. F. No. 1765: A bill for an act relating to financial institutions; excluding certain loans made by credit unions in calculating outstanding loans and risk assets for reserve fund purposes; amending Minnesota Statutes 1978, Section 52.17.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Olhoft	Spear
Ashbach	Gearty	Knoll	Olson	Staples
Bang	Gunderson	Knutson	Penny	Stokowski
Barrette	Humphrey	Laufenburger	Perpich	Stumpf
Brataas	Jensen	Lessard	Pillsbury	Tennessee
Chmielewski	Johnson	Luther	Rued	Ueland, A.
Davies	Keefe, J.	Menning	Sieloff	Ulland, J.
Dieterich	Keefe, S.	Merriam	Sikorski	Vega
Dunn	Kirchner	Moe	Sillers	Wegener
Engler	Kleinbaum	Nelson	Solon	

Mr. Willet voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1790: A bill for an act relating to advertising devices; permitting advertising devices in certain places under certain circumstances; repealing Minnesota Statutes 1978, Section 173.08, 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 37 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Penny	Stokowski
Ashbach	Gunderson	Lessard	Perpich	Ueland, A.
Bang	Johnson	Menning	Pillsbury	Vega
Chmielewski	Keefe, J.	Moe	Rued	Wegener
Davies	Keefe, S.	Nelson	Setzepfandt	Willet
Dieterich	Kirchner	Nichols	Sieloff	
Engler	Kleinbaum	Olhoff	Sillers	
Frederick	Knaak	Olson	Solon	

Those who voted in the negative were:

Barrette	Humphrey	Luther	Spear	Tennessen
Brataas	Knoll	Merriam	Staples	Ulland, J.
Dunn	Knutson	Sikorski	Stumpf	

So the bill passed and its title was agreed to.

S. F. No. 2283: A bill for an act relating to local improvements; providing for certain hearings and appeals on special assessments; amending Minnesota Statutes 1978, Sections 429.061, Subdivisions 1 and 2; and 429.081.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stumpf
Ashbach	Gunderson	Lessard	Rued	Tennessen
Bang	Humphrey	Luther	Setzepfandt	Ueland, A.
Barrette	Jensen	Menning	Sieloff	Ulland, J.
Brataas	Johnson	Moe	Sikorski	Vega
Chmielewski	Keefe, J.	Nelson	Sillers	Wegener
Davies	Keefe, S.	Nichols	Solon	Willet
Dieterich	Kirchner	Olhoff	Spear	
Dunn	Kleinbaum	Olson	Staples	
Engler	Knaak	Penny	Stern	
Frederick	Knutson	Perpich	Stokowski	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1272: A bill for an act relating to aeronautics; excluding parachutes and parachuting from the jurisdiction of the department of transportation; amending Minnesota Statutes 1978, Section 360.013, Subdivisions 2, 3 and 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 51 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Pillsbury	Stumpf
Ashbach	Gunderson	Luther	Rued	Tennessee
Bang	Humphrey	McCutcheon	Setzepfandt	Ueland, A.
Barrette	Jensen	Menning	Sieloff	Ulland, J.
Brataas	Johnson	Moe	Sikorski	Vega
Chmielewski	Keefe, J.	Nelson	Sillers	Wegener
Davies	Keefe, S.	Nichols	Solon	Willet
Dieterich	Kleinbaum	Olhoft	Spear	
Dunn	Knaak	Olson	Staples	
Engler	Knutson	Penny	Stern	
Frederick	Laufenburger	Perpich	Stokowski	

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1684: A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Virginia.

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:

Anderson	Gearty	Knutson	Penny	Stern
Ashbach	Gunderson	Laufenburger	Perpich	Stokowski
Bang	Humphrey	Lessard	Pillsbury	Stumpf
Barrette	Jensen	Luther	Rued	Tennessee
Brataas	Johnson	McCutcheon	Setzepfandt	Ueland, A.
Chmielewski	Keefe, J.	Menning	Sieloff	Ulland, J.
Davies	Keefe, S.	Merriam	Sikorski	Vega
Dieterich	Kirchner	Moe	Sillers	Wegener
Dunn	Kleinbaum	Nichols	Solon	Willet
Engler	Knaak	Olhoft	Spear	
Frederick	Knoll	Olson	Staples	

Mr. Nelson voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1286: A bill for an act relating to commerce; providing for the qualification of free distribution newspapers as legal newspapers; amending Minnesota Statutes 1978, Section 331.02, Subdivisions 1 and 6; repealing Minnesota Statutes 1978, Sections 16.61 and 331.09.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 34 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Laufenburger	Olhoft	Stokowski
Barrette	Johnson	Lessard	Perpich	Stumpf
Davies	Keefe S.	Luther	Setzepfandt	Tennessee
Dieterich	Kleinbaum	McCutcheon	Sieloff	Ulland J.
Gearty	Knaak	Merriam	Sikorski	Vega
Gunderson	Knoll	Nelson	Spear	Willet
Hughes	Knutson	Nichols	Staples	

Those who voted in the negative were:

Ashbach	Dunn	Kirchner	Penny	Stern
Bang	Engler	Menning	Purfeerst	Strand
Bernhagen	Frederick	Moe	Rued	Ueland, A.
Brataas	Jensen	Olson	Sillers	Wegener
Chmielewski	Keefe, J.	Omann	Solon	

So the bill passed and its title was agreed to.

H. F. No. 1742: A bill for an act relating to highway traffic regulations; authorizing pickup trucks used for certain purposes to draw two trailers under certain circumstances and within limited areas; amending Minnesota Statutes 1978, Section 169.81, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 52 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Luther	Pillsbury	Strand
Bang	Hughes	Menning	Purfeerst	Stumpf
Barrette	Humphrey	Merriam	Rued	Tennessen
Bernhagen	Jensen	Moe	Setzepfandt	Ueland, A.
Brataas	Keefe, J.	Nelson	Sieloff	Ulland, J.
Chmielewski	Keefe, S.	Nichols	Sikorski	Vega
Dieterich	Kirchner	Olhoft	Sillers	Wegener
Dunn	Kleinbaum	Olson	Solon	Willet
Engler	Knutson	Omann	Staples	
Frederick	Laufenburger	Penny	Stern	
Gearty	Lessard	Perpich	Stokowski	

Messrs. Davies, Knoll and Spear voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2122: A bill for an act relating to insurance; increasing the maximum limits on the insuring or reinsuring of a single risk of certain companies; defining a term; amending Minnesota Statutes 1978, Section 60A.09, Subdivision 1, 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 51 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dieterich	Jensen	Menning	Perpich
Ashbach	Dunn	Keefe, S.	Merriam	Pillsbury
Bang	Engler	Kirchner	Nelson	Purfeerst
Barrette	Frederick	Knaak	Nichols	Rued
Bernhagen	Gearty	Knoll	Olhoft	Setzepfandt
Brataas	Gunderson	Knutson	Olson	Sieloff
Chmielewski	Hughes	Laufenburger	Omann	Sikorski
Davies	Humphrey	Luther	Penny	Solon

Spear
Staples
Stern

Stokowski
Strand

Stumpf
Tennessee

Ueland, A.
Ulland, J.

Vega
Willet

So the bill passed and its title was agreed to.

H. F. No. 2067: A bill for an act relating to financial institutions; modifying director's residence requirements for industrial loan and thrift companies; providing for a report to the commissioner in the event of a change of control; requiring insurance or guarantee of certificates of indebtedness sold or issued for investment; exempting certificates of indebtedness from the regulation of securities; amending Minnesota Statutes 1978, Sections 53.06; 53.09, Subdivision 2; Chapter 53, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 80A.15, 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Stern
Ashbach	Gerty	Laufenburger	Perpich	Stokowski
Bang	Gunderson	Lessard	Pillsbury	Strand
Barrette	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	Menning	Rued	Tennessee
Brataas	Jensen	Merriam	Setzepfandt	Ueland, A.
Chmielewski	Keefe, J.	Nelson	Sieloff	Ulland, J.
Davies	Keefe, S.	Nichols	Sikorski	Vega
Dieterich	Kirchner	Olhoff	Solon	Willet
Dunn	Knaak	Olson	Spear	
Engler	Knoll	Omann	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1752: A bill for an act relating to commerce; requiring invoices on certain repairs; amending Minnesota Statutes 1978, Sections 325.972; and 325.976.

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:

Anderson	Hughes	Lessard	Pillsbury	Strand
Bang	Humphrey	Luther	Purfeerst	Stumpf
Barrette	Jensen	Menning	Rued	Tennessee
Bernhagen	Keefe, J.	Merriam	Setzepfandt	Ueland, A.
Chmielewski	Keefe, S.	Nelson	Sieloff	Ulland, J.
Davies	Kirchner	Nichols	Sikorski	Vega
Dieterich	Kleinbaum	Olhoff	Solon	Willet
Engler	Knaak	Olson	Spear	
Frederick	Knoll	Omann	Staples	
Gerty	Knutson	Penny	Stern	
Gunderson	Laufenburger	Perpich	Stokowski	

So the bill passed and its title was agreed to.

H. F. No. 1835: A bill for an act relating to motor vehicles; setting due dates for installment payments of motor vehicle registration taxes; extending the coroner's reporting time of deaths resulting from motor vehicle accidents; authorizing the use of accident reports by certain agencies for accident prevention purposes; amending Minnesota Statutes 1978, Sections 168.31, Subdivision 4; and 169.09, Subdivisions 11 and 13.

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:

Anderson	Frederick	Knoll	Omann	Staples
Ashbach	Gearty	Knutson	Penny	Stern
Bang	Gunderson	Laufenburger	Perpich	Stokowski
Barrette	Hughes	Lessard	Pillsbury	Strand
Bernhagen	Humphrey	Luther	Purfeerst	Stumpf
Brataas	Jensen	Menning	Rued	Tennessee
Chmielewski	Keefe, J.	Merriam	Setzepfandt	Ueland, A.
Davies	Keefe, S.	Nelson	Sieloff	Ulland, J.
Dieterich	Kirchner	Nichols	Sikorski	Vega
Dunn	Kleinbaum	Olhoft	Solon	Wegener
Engler	Knaak	Olson	Spear	Willet

So the bill passed and its title was agreed to.

H. F. No. 1794: A bill for an act relating to county court district 8C; providing for residency of county court judges in the counties of Big Stone, Grant, Pope, Stevens, Traverse and Wilkin; providing for election of judges in those 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Stern
Ashbach	Gearty	Laufenburger	Perpich	Stokowski
Bang	Gunderson	Lessard	Pillsbury	Strand
Barrette	Hughes	Luther	Purfeerst	Stumpf
Bernhagen	Humphrey	Menning	Rued	Tennessee
Brataas	Jensen	Merriam	Setzepfandt	Ueland, A.
Chmielewski	Keefe, J.	Nelson	Sieloff	Ulland, J.
Davies	Keefe, S.	Nichols	Sikorski	Vega
Dieterich	Kleinbaum	Olhoft	Solon	Wegener
Dunn	Knaak	Olson	Spear	Willet
Engler	Knoll	Omann	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1340: A bill for an act relating to motor vehicles; providing for the re-registration of certain motor vehicles; exempting certain vehicles from certain weight limitations; providing for the enforcement of weight limitations and providing penalties;

amending Minnesota Statutes 1978, Section 169.03, Subdivision 6; 169.832, Subdivision 2, and by adding a subdivision; 169.85; and Minnesota Statutes, 1979 Supplement, Section 168.013, 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 0, as follows:

Those who voted in the affirmative were:

Anderson.	Frederick	Knoll	Omann	Staples
Ashbach	Gearty	Knutson	Penny	Stern
Bang	Gunderson	Laufenburger	Perpich	Stokowski
Barrette	Hughes	Lessard	Pillsbury	Strand
Bernhagen	Humphrey	Luther	Purfeerst	Stumpf
Brataas	Jensen	Menning	Rued	Tennessee
Chmielewski	Keefe, J.	Merriam	Setzepfandt	Ueland, A.
Davies	Keefe, S.	Nelson	Sieloff	Ulland, J.
Dieterich	Kirchner	Nichols	Sikorski	Vega
Dunn	Kleinbaum	Olhoff	Solon	Wegener
Engler	Knaak	Olson	Spear	Willet

So the bill passed and its title was agreed to.

H. F. No. 1145: A bill for an act relating to banks and banking; providing for implementation of certain statutes relating to electronic fund transfers; authorizing the commissioner of banks to adopt temporary rules; amending Minnesota Statutes 1978, Section 47.71.

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:

Anderson	Frederick	Knoll	Omann	Staples
Ashbach	Gearty	Knutson	Penny	Stern
Bang	Gunderson	Laufenburger	Perpich	Stokowski
Barrette	Hughes	Lessard	Pillsbury	Strand
Bernhagen	Humphrey	Luther	Purfeerst	Stumpf
Brataas	Jensen	Menning	Rued	Tennessee
Chmielewski	Keefe, J.	Merriam	Setzepfandt	Ueland, A.
Davies	Keefe, S.	Nelson	Sieloff	Ulland, J.
Dieterich	Kirchner	Nichols	Sikorski	Vega
Dunn	Kleinbaum	Olhoff	Solon	Wegener
Engler	Knaak	Olson	Spear	Willet

So the bill passed and its title was agreed to.

S. F. No. 514: 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 1978, Section 121.11, 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Perpich	Stokowski
Ashbach	Gunderson	Lessard	Pillsbury	Strand
Bang	Hughes	Luther	Purfeerst	Stumpf
Barrette	Humphrey	Menning	Rued	Tennessee
Bernhagen	Jensen	Merriam	Setzepfandt	Ueland, A.
Brataas	Keefe, J.	Nelson	Sieloff	Ulland, J.
Chmielewski	Keefe, S.	Nichols	Sikorski	Vega
Davies	Kleinbaum	Olhoft	Solon	Wegener
Dieterich	Knaak	Olson	Spear	Willet
Dunn	Knoll	Omann	Staples	
Engler	Knutson	Penny	Stern	

So the bill passed and its title was agreed to.

S. F. No. 2100: A bill for an act relating to trade regulations; providing limits on formaldehyde concentrations emitted from building materials and insulation; prohibiting certain transactions; enacting the uniform trade secrets act; providing remedies; prescribing penalties.

With the unanimous consent of the Senate, Mr. Knoll moved to amend S. F. No. 2100 as follows:

Page 6, line 24, delete "3 and 4" and insert "4 and 5"

Page 6, line 25, delete "and 2" and insert "to 3 and 6"

The motion prevailed. So the amendment was adopted.

S. F. No. 2100 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 4, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Purfeerst	Stumpf
Bang	Gunderson	Lessard	Setzepfandt	Tennessee
Barrette	Hughes	Luther	Sieloff	Ulland, J.
Bernhagen	Jensen	Menning	Sikorski	Vega
Brataas	Keefe, J.	Merriam	Solon	Wegener
Chmielewski	Keefe, S.	Nelson	Spear	Willet
Davies	Kleinbaum	Olhoft	Staples	
Dieterich	Knaak	Olson	Stern	
Engler	Knoll	Penny	Stokowski	
Frederick	Knutson	Perpich	Strand	

Messrs. Omann, Pillsbury, Rued and Ueland, A. voted in the negative.

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

S. F. No. 1582: A bill for an act relating to agriculture; estab-

lishing a system for collection of disease incidence, morbidity and mortality; appropriating money.

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:

Anderson	Gearty	Knutson	Pillsbury	Strand
Ashbach	Gunderson	Laufenburger	Purfeerst	Stumpf
Bang	Hughes	Lessard	Rued	Tennessee
Barrette	Humphrey	Luther	Setzpfandt	Ueland, A.
Bernhagen	Jensen	Menning	Sieloff	Ulland, J.
Chmielewski	Keefe, J.	Merriam	Sikorski	Vega
Davies	Keefe, S.	Nelson	Solon	Wegener
Dieterich	Kirchner	Olhoft	Spear	Willet
Dunn	Kleinbaum	Olson	Staples	
Engler	Knaak	Omann	Stern	
Frederick	Knoll	Penny	Stokowski	

So the bill passed and its title was agreed to.

S. F. No. 2337: A bill for an act relating to appropriations; providing a reimbursement to the city of Fergus Falls for local improvements that benefit state property.

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:

Anderson	Frederick	Knoll	Penny	Stern
Ashbach	Gearty	Knutson	Perpich	Stokowski
Bang	Gunderson	Laufenburger	Pillsbury	Strand
Barrette	Hughes	Lessard	Purfeerst	Stumpf
Bernhagen	Humphrey	Luther	Rued	Tennessee
Brataas	Jensen	Menning	Setzpfandt	Ueland, A.
Chmielewski	Keefe, J.	Merriam	Sieloff	Ulland, J.
Davies	Keefe, S.	Nelson	Sikorski	Vega
Dieterich	Kirchner	Olhoft	Solon	Wegener
Dunn	Kleinbaum	Olson	Spear	Willet
Engler	Knaak	Omann	Staples	

So the bill passed and its title was agreed to.

S. F. No. 2182: A bill for an act relating to health; directing the commissioner of health to undertake studies for determining health and environmental effects of high voltage transmission lines; appropriating money.

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 18, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Luther	Purfeerst	Strand
Bang	Humphrey	Menning	Sieloff	Stumpf
Bernhagen	Keefe, J.	Nelson	Sikorski	Vega
Chmielewski	Keefe, S.	Olhoff	Solon	Wegener
Davies	Kirchner	Olson	Spear	
Dieterich	Kleinbaum	Omann	Staples	
Gearty	Knaak	Penny	Stern	
Gunderson	Knutson	Perpich	Stokowski	

Those who voted in the negative were:

Ashbach	Engler	Laufenburger	Rued	Ulland, J.
Barrette	Frederick	Lessard	Setzepfandt	Willet
Brataas	Jensen	Merriam	Tennessee	
Dunn	Knoll	Pillsbury	Ueland, A.	

So the bill passed and its title was agreed to.

Without objection, the Senate reverted to the Order of Business of Executive and Official Communications, Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

March 7, 1980

The Honorable Edward J. Gearty
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:

Henry J. Savelkoul, RR 1, Albert Lea, Freeborn County, has been appointed by me, effective March 7, 1980, for a term expiring on the first Monday in January, 1984.

(Referred to the Committee on Elections)

March 24, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Council on Quality Education are hereby respectfully submitted to the Senate for confirmation as required by law:

Patt Hobbs, Route 3, Box 80, Hutchinson, McLeod County, has been appointed by me, effective March 31, 1980, for a term expiring on the first Monday in January, 1984.

Lucille E. Lackore, Glenhaven, R.R. 2, Winona, Winona County, has been appointed by me, effective March 31, 1980, for a term expiring on the first Monday in January, 1984.

Judith Roy, P.O. Box 53, Red Lake, Beltrami County, has been appointed by me, effective March 31, 1980, for a term expiring on the first Monday in January, 1984.

(Referred to the Committee on Education)

March 24, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointments to the Council on Affairs of Spanish-Speaking People are hereby respectfully submitted to the Senate for confirmation as required by law:

Irene Gomez de Bethke, 4549 Decatur Avenue North, New Hope, Hennepin County, has been appointed by me, effective March 24, 1980, for a term expiring on June 30, 1981.

Raul Cardona, Jr., 205 North Ermina, Albert Lea, Freeborn County, has been appointed by me, effective March 24, 1980, for a term expiring on June 30, 1981.

Arturo Rivera, 5232 James Avenue South, Minneapolis, Hennepin County, has been appointed by me, effective March 24, 1980, for a term expiring on June 30, 1981.

(Referred to the Committee on General Legislation and Administrative Rules)

Sincerely yours,
Albert H. Quie, Governor

REPORTS OF COMMITTEES

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 2023: A bill for an act relating to emergency services; providing for a nuclear power plant emergency response plan; providing for assessment of costs to nuclear power plants; requiring the departments of public safety and health to monitor, provide training, and prepare plans for nuclear power plant incidents; changing zoning laws; requiring a study; appropriating money; amending Minnesota Statutes 1978, Chapter 12, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 12.03, Subdivision 4; and 12.21, Subdivision 1 and 4.

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

Page 3, line 2, delete "7" and insert "6"

Page 4, line 9, delete "\$400,000" and insert "\$250,000"

Page 4, line 16, after "annually" insert "on January 1 of each year"

Page 5, line 9, after "1981," insert "and shall be reported to the legislature on or before January 15, 1981,"

Page 5, line 17, delete "In no event"

Page 5, delete lines 18 to 21

Page 5, line 24, delete "director of emergency services" and insert "commissioner of public safety"

Page 5, line 25, delete "expended" and insert "June 30, 1981,"

Page 6, line 3, delete "7" and insert "6"

Page 6, line 4, after "study" insert "of consequences shall be conducted by the director of emergency services and"

Page 6, line 5, after "extension" insert "thereof"

Page 6, line 10, after the comma, insert "and"

Page 6, line 10, after "state's" insert "appropriate"

Page 6, line 11, delete the comma

Page 6, line 11, after the period, insert "The director shall report his findings and recommendations to the legislature by January 15, 1981."

Page 6, after line 20, insert:

"Sec. 8. This act is effective the day following final enactment."

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

Mr. Moe from the Committee on Finance, to which was referred

H. F. No. 1507: A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1978, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; and 638.08; repealing Minnesota Statutes 1978, Section 7.07.

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

Page 2, delete section 2

Pages 2 and 3, delete section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "converting certain"

Page 1, delete line 3

Page 1, line 4, delete "other" and insert "certain"

Page 1, line 5, delete "appropriating money;"

Page 1, lines 6 and 7, delete "97.482, Subdivision 2;"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1669: A bill for an act relating to public finance; authorizing the issuance of Minnesota state railroad assistance bonds; appropriating money; amending Minnesota Statutes 1978, Chapter 222, by adding a section.

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

Delete everything after the enacting clause and insert:

"Section 1. [RAILROAD ASSISTANCE; APPROPRIATION.] The sum of \$13,500,000 is appropriated from the state building fund to the rail service improvement account in the special revenue fund, to be expended by the commissioner of transportation for the purposes specified in Minnesota Statutes, Sections 222.49 to 222.62.

Sec. 2. [BOND SALE; DEBT SERVICE.] Subdivision 1. To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$13,500,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7.

Sec. 3. [EMPLOYMENT PREFERENCE.] Individuals who have been previously employed by railroads any part of whose property or assets are acquired pursuant to this act shall have priority, based upon their length of service with that railroad, in employment with a purchasing carrier or other operator of a railroad incorporating that property or those assets."

Delete the title and insert:

"A bill for an act relating to transportation; appropriating money for rail service improvement; authorizing issuance of state bonds."

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

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1963 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.
1963	1778				

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. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2040 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
2040	2039				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2040 be amended as follows:

Strike all the language after the enacting clause of H. F. No. 2040 and insert the language after the enacting clause of S. F. No. 2039, as amended by the Committee on Judiciary, adopted by the Senate March 21, 1980; further, strike the title of H. F. No. 2040 and insert the title of S. F. No. 2039, as amended.

And when so amended H. F. No. 2040 will be identical to S. F. No. 2039, and further recommends that H. F. No. 2040 be given its second reading and substituted for S. F. No. 2039, 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. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1612 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.
1612	1597				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1612 be amended as follows:

Page 6, line 33, after "preserve" insert a comma

Page 7, line 3, after "assessor" insert a comma

Page 7, line 5, after "preserve" insert a comma

Page 9, line 11, delete "appropriate"

Page 9, line 12, delete "classification and" and insert "capability", after "value" insert a comma and after "notwithstanding" insert "Minnesota Statutes,"

Page 9, line 13, after "8" insert a comma and delete rest of the language after the period

Page 9, delete lines 14 and 15 and insert:

"Agricultural capability value shall be determined in a manner prescribed by the commissioner of revenue for this purpose. Factors that shall be considered when applicable are rent capitalization, crop equivalency rating, climate, soils, distance from market, normal farm practices, crops, commodity prices, transportation costs, and interest rates. Added value from nonagricultural factors shall not be considered."

Page 9, lines 23 and 24, delete "original ad valorem property taxes" and insert "tax"

Page 9, line 32, delete "township" and after "rate" insert "levied on property located within townships"

Page 10, after line 5, insert:

"Residential buildings shall continue to be valued and classified according to the provisions of Minnesota Statutes, Sections 273.11 and 273.13, as they would be in the absence of this section, and the tax on those buildings shall not be subject to the limitation contained in this clause."

Page 10, line 7, delete "1983" and insert "1982"

Page 10, delete lines 16 and 17

Page 12, line 30, after "preserves" insert "and on certified long term agricultural land"

Page 13, line 13, delete the comma

Page 13, line 28, delete the comma after "preserves"

Delete page 16, line 27 to page 19, line 2, and insert:

"Sec. 19. Minnesota Statutes 1978, Section 273.111, Subdivision 6, is amended to read:

Subd. 6. Real property shall be considered to be in agricultural use provided that annually: (1) at least 33 $\frac{1}{3}$ percent one third of the total family income of the owner is derived therefrom, or the total production income including rental from the property is \$300 \$3,000 plus \$10 per tillable acre in excess of 40 acres in the metropolitan area, as defined in section 473.121, subdivision

2, or \$300 plus \$10 per tillable acre in the rest of the state; and (2) it is devoted to the production for sale of livestock, dairy animals, dairy products, poultry and poultry products, fur bearing animals, horticultural and or nursery stock which is under sections 18.44 to 18.61, fruit of all kinds, vegetables, forage, grains, or bees and apiary products by the owner. Slough, wasteland, and woodland contiguous to or surrounded by land described in subdivision 3 shall be considered to be in agricultural use if under the same ownership and management. For the purposes of this subdivision, "total family income" shall mean the household income as defined in section 290A.03 of the persons for whom the property serves as a homestead.

Sec. 20. [EFFECTIVE DATE.] Sections 1 to 18 are effective on June 1, 1980. Section 19 is effective for taxes levied in 1982, payable in 1983, and thereafter."

Amend the title as follows:

Page 1, line 4, delete "excepting the"

Page 1, delete lines 5 to 7

Page 1, line 8, delete "development;"

Page 1, lines 9 and 10, delete "Sections 462.351; and 462.358, Subdivision 4," and insert "Section 273.111, Subdivision 6."

And when so amended H. F. No. 1612 will be identical to S. F. No. 1597, and further recommends that H. F. No. 1612 be given its second reading and substituted for S. F. No. 1597, 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 March 20, 1980:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Robert W. Bonine

Richard J. Dunn

Carol J. Kamper

Hugh G. Madson

Harding C. Noblitt

Norman F. Tempel

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

Mr. Hughes 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 9, 1979:

EDUCATION COMMISSION OF THE STATES

Will Antell

Marjory Luett Hamersly

Van D. Mueller

Joseph T. O'Neill

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

Mr. Hughes moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which were referred the following appointments as reported in the Journal for May 14, 1979:

STATE COUNCIL ON AFFAIRS OF SPANISH-SPEAKING PEOPLE

JoAnn Cardenas de Enos

Fidelina Lopez de Fischer

Alex Frank Gallegos

Efren Tovar

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

Mr. Keefe, S. moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Olson from the Committee on General Legislation and Administrative Rules, to which was referred the following appointment as reported in the Journal for January 28, 1980:

**DEPARTMENT OF PUBLIC SAFETY
COMMISSIONER**

John P. Sopsic

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

Mr. Keefe, S. moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 2023 and 1669 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1963, 2040 and 1612 were read the second time.

H. F. No. 1507 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

**MOTIONS AND RESOLUTIONS—CONTINUED
SUSPENSION OF RULES**

Mr. Menning 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. 1963 and that the rules of the Senate be so far suspended as to give H. F. No. 1963, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 1963: A bill for an act relating to claims against the state; appropriating money for the payment thereof.

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:

Anderson	Gearly	Knutson	Perpich	Strand
Ashbach	Gunderson	Laufenburger	Pillsbury	Stumpf
Bang	Hughes	Lessard	Purfeerst	Tennessee
Barrette	Humphrey	Luther	Rued	Ueland, A.
Bernhagen	Jensen	Menning	Setzepfandt	Ulland, J.
Brataas	Keefe, J.	Merriam	Sieloff	Vega
Chmielewski	Keefe, S.	Nelson	Sikorski	Willet
Davies	Kirchner	Olhoft	Solon	
Dieterich	Kleinbaum	Olson	Spear	
Dunn	Knaak	Omann	Staples	
Engler	Knoll	Penny	Stokowski	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Bernhagen moved that S. F. No. 2014, No. 54 on General Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling. The motion prevailed.

Mr. Humphrey moved that S. F. No. 1631, on General Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling. The motion prevailed.

MEMBERS EXCUSED

Mr. Coleman was excused from the Session of today. Mr. Benedict was excused from the Session of today at 4:00 o'clock p.m. Mr. Hughes was excused from the Session of today from 3:45 to 4:15 o'clock p.m. Mr. Moe was excused from the Session of today at 4:40 o'clock p.m. Mr. Nichols was excused from the Session of today at 4:50 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Keefe, S. moved that the Senate do now adjourn until 9:30 o'clock a.m., Monday, March 31, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETIETH DAY

St. Paul, Minnesota, Monday, March 31, 1980

The Senate met at 9:30 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Hanson imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Gunderson	Luther	Pillsbury	Staples
Bang	Hanson	McCutcheon	Purfeerst	Stern
Barrette	Humphrey	Menning	Rued	Stokowski
Benedict	Jensen	Moe	Schaaf	Strand
Bernhagen	Johnson	Nelson	Schmitz	Stumpf
Brataas	Keefe, S.	Olhoff	Setzepfandt	Tennessen
Chmielewski	Kirchner	Olson	Sieloff	Ueland, A.
Davies	Knaak	Omann	Sikorski	Ulland, J.
Engler	Knoll	Penny	Sillers	Vega
Frederick	Laufenburger	Perpich	Solon	Wegener
Gearty	Lessard	Peterson	Spear	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Robert Moritz.

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

Anderson	Gearty	Laufenburger	Perpich	Staples
Ashbach	Gunderson	Lessard	Peterson	Stern
Bang	Hanson	Luther	Pillsbury	Stokowski
Barrette	Hughes	McCutcheon	Purfeerst	Strand
Benedict	Humphrey	Menning	Renneke	Stumpf
Bernhagen	Jensen	Merriam	Rued	Tennessen
Brataas	Johnson	Moe	Schaaf	Ueland, A.
Chmielewski	Keefe, J.	Nelson	Schmitz	Ulland, J.
Coleman	Keefe, S.	Nichols	Setzepfandt	Vega
Davies	Kirchner	Ogdahl	Sieloff	Wegener
Dieterich	Kleinbaum	Olhoff	Sikorski	Willet
Dunn	Knaak	Olson	Sillers	
Engler	Knoll	Omann	Solon	
Frederick	Knutson	Penny	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. Wegener, Mrs. Staples and Mr. Keefe, J. were excused from the Session of today from 11:30 o'clock a.m. to 12:15 o'clock p.m. Mr. Kleinbaum was excused from the Session of today from 9:30 to 10:30 o'clock a.m. Mr. Spear was excused from the Session of today from 10:30 o'clock a.m. until 2:15 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Johnson introduced—

S. F. No. 2418: A bill for an act relating to unemployment compensation; creating an acute local unemployment benefits program; establishing eligibility for such benefits; imposing duties upon the commissioner of economic security; appropriating money; amending Minnesota Statutes 1978, Chapter 268, by adding a section.

Referred to the Committee on Employment.

Messrs. Davies, Dieterich, Sieloff, Bernhagen and Tennesen introduced—

S. F. No. 2419: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; amending Laws 1980, Chapters 341, Section 8; 345, Section 17; and 358, Section 2.

Referred to the Committee on Rules and Administration.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 28, 1980

The Honorable Edward J. Gearty
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. 2040, 1716, 1646, 1722, 1645, 1273, 1471, 1403, 1892, 978 and 1796.

Sincerely yours,
Albert H. Quie, Governor

March 27, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts

of the 1980 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 1980	Date Filed 1980
1187		376	March 27	March 27
1188		377	March 27	March 27
1311		378	March 27	March 27
1745		379	March 27	March 27
	1789	380	March 27	March 27
	1798	381	March 27	March 27
	1892	382	March 27	March 27

Sincerely,
Joan Anderson Growe
Secretary of State

March 28, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
978		383	March 28	March 28
1273		384	March 28	March 28
1403		385	March 28	March 28
1471		386	March 28	March 28
1645		387	March 28	March 28
1646		388	March 28	March 28
1716		389	March 28	March 28
1722		390	March 28	March 28
1796		391	March 28	March 28
1892		392	March 28	March 28
2040		393	March 28	March 28

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. 523, 2067 and 2071.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

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. 768 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 768: A bill for an act relating to natural resources; requiring county board or land exchange board approval on the acquisition of wildlife lands by the commissioner of natural resources; amending Minnesota Statutes 1978, Section 97.481.

Senate File No. 768 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

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. 789: A bill for an act relating to commerce; registering and regulating continuing care facilities; providing a lien; providing for disclosure; providing a penalty; amending Minnesota Statutes 1978, Section 82.18.

Senate File No. 789 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Bang moved that the Senate concur in the amendments by the House to S. F. No. 789 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 789: A bill for an act relating to commerce; registering and regulating continuing care facilities; renaming the securities division of the department of commerce; providing a lien; providing for disclosure; providing a penalty; amending Minnesota Statutes 1978, Sections 45.01; and 82.18.

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	Hanson	Luther	Pillsbury	Stern
Bang	Hughes	Menning	Purfeerst	Stokowski
Barrette	Humphrey	Merriam	Renneke	Strand
Benedict	Jensen	Moe	Rued	Stumpf
Bernhagen	Johnson	Nelson	Schaaf	Tennessee
Brataas	Keefe, J.	Nichols	Schmitz	Ueland, A.
Chmielewski	Keefe, S.	Ogdahl	Setzepfandt	Ulland, J.
Davies	Kirchner	Olhoff	Sieloff	Vega
Dieterich	Knaak	Olson	Sikorski	Wegener
Dunn	Knoll	Omann	Sillers	Willet
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	
Gearty	Lessard	Peterson	Staples	

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. 919: A bill for an act relating to the town of Winona; providing for the employment of building officials by the town of Winona.

Senate File No. 919 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 919 and that the bill be placed on its repassage as amended.

CALL OF THE SENATE

Mr. Laufenburger imposed a call of the Senate for the balance of the proceedings on S. F. No. 919. The following Senators answered to their names:

Anderson	Gearty	Knutson	Omann	Sillers
Ashbach	Gunderson	Laufenburger	Penny	Solon
Bang	Hanson	Lessard	Perpich	Staples
Barrette	Hughes	Luther	Peterson	Stern
Benedict	Humphrey	McCutcheon	Pillsbury	Stokowski
Bernhagen	Jensen	Menning	Purfeerst	Strand
Brataas	Johnson	Merriam	Renneke	Stumpf
Chmielewski	Keefe, J.	Moe	Rued	Tennessee
Coleman	Keefe, S.	Nelson	Schaaf	Ueland, A.
Davies	Kirchner	Nichols	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dunn	Knaak	Olhoff	Sieloff	Wegener
Engler	Knoll	Olson	Sikorski	Willet

The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the motion of Mr. Laufenburger.

The roll was called, and there were yeas 50 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Knutson	Olson	Sillers
Bang	Hanson	Laufenburger	Omann	Solon
Barrette	Hughes	Lessard	Penny	Staples
Bernhagen	Johnson	McCutcheon	Peterson	Stern
Brataas	Keefe, J.	Menning	Pillsbury	Stokowski
Chmielewski	Keefe, S.	Merriam	Purfeerst	Stumpf
Coleman	Kirchner	Moe	Rued	Ueland, A.
Dunn	Kleinbaum	Nelson	Schmitz	Ulland, J.
Engler	Knaak	Nichols	Setzepfandt	Wegener
Gearty	Knoll	Ogdahl	Sikorski	Willet

Those who voted in the negative were:

Benedict	Humphrey	Olhoft	Sieloff	Tennessee
Davies	Luther	Perpich	Strand	Vega
Dieterich				

The motion prevailed.

S. F. No. 919: A bill for an act relating to the town of Winona; providing for the employment of a building official by the town of Winona; setting forth time limits for the accrual of certain actions involving construction and improvements to real property; amending Minnesota Statutes 1978, Section 541.051, Subdivisions 1, 2, and 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 54 and nays 9, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Knutson	Penny	Solon
Ashbach	Hanson	Laufenburger	Peterson	Staples
Bang	Hughes	Menning	Pillsbury	Stern
Barrette	Jensen	Merriam	Purfeerst	Stokowski
Benedict	Johnson	Moe	Renneke	Strand
Bernhagen	Keefe, J.	Nelson	Rued	Stumpf
Brataas	Keefe, S.	Nichols	Schaaf	Ueland, A.
Chmielewski	Kirchner	Ogdahl	Schmitz	Ulland, J.
Dunn	Kleinbaum	Olhoft	Setzepfandt	Wegener
Engler	Knaak	Olson	Sikorski	Willet
Gearty	Knoll	Omann	Sillers	

Those who voted in the negative were:

Davies	Humphrey	Luther	Sieloff	Vega
Dieterich	Lessard	Perpich	Tennessee	

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. 2095: A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article I, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

Senate File No. 2095 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

Mrs. Staples moved that the Senate do not concur in the amendments by the House to S. F. No. 2095 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. 1759: A bill for an act relating to counties; providing for sheriffs and deputies compensation and expenses; permitting compensation for use of automobiles; amending Minnesota Statutes 1978, Section 387.20, Subdivisions 1 and 6.

Senate File No. 1759 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Schmitz moved that the Senate concur in the amendments by the House to S. F. No. 1759 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1759: A bill for an act relating to counties; providing for the responsibilities and appointments of deputy county treasurers; providing for sheriffs and deputies compensation and expenses; permitting compensation for use of automobiles; authorizing the county board of Dakota County to set amount for expense account; permitting units to contract with each other for police service; amending Minnesota Statutes 1978, Sections 385.02, Subdivision 1; 387.20, Subdivisions 1 and 6; 436.05; and Chapter 387, by adding a section; and Laws 1961, Chapter 249, Section 2, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Perpich	Staples
Ashbach	Gunderson	Lessard	Peterson	Stern
Bang	Hughes	Luther	Pillsbury	Stokowski
Barrette	Humphrey	Menning	Purfeerst	Strand
Benedict	Jensen	Merriam	Renneke	Stumpf
Bernhagen	Johnson	Moe	Rued	Tennessen
Brataas	Keefe, J.	Nelson	Schaaf	Ueland, A.
Chmielewski	Keefe, S.	Nichols	Schmitz	Ulland, J.
Davies	Kirchner	Ogdahl	Setzepfandt	Vega
Dieterich	Kleinbaum	Olhoft	Sieloff	Wegener
Dunn	Knaak	Olson	Sikorski	Willet
Engler	Knoll	Omann	Sillers	
Frederick	Knutson	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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2045: A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Owatonna.

Senate File No. 2045 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Frederick moved that the Senate concur in the amendments by the House to S. F. No. 2045 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2045 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Perpich	Staples
Ashbach	Gunderson	Lessard	Peterson	Stern
Bang	Hughes	Luther	Pillsbury	Stokowski
Barrette	Humphrey	Menning	Purfeerst	Strand
Benedict	Jensen	Merriam	Renneke	Stumpf
Bernhagen	Johnson	Moe	Rued	Tennessee
Brataas	Keefe, J.	Nelson	Schaaf	Ueland, A.
Chmielewski	Keefe, S.	Nichols	Schmitz	Ulland, J.
Davies	Kirchner	Ogdahl	Setzeptandt	Vega
Dieterich	Kleinbaum	Olhoff	Sieloff	Wegener
Dunn	Knaak	Olson	Sikorski	Willet
Engler	Knoll	Omann	Sillers	
Frederick	Knutson	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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 704: A bill for an act relating to savings banks; authorizing service corporations and also authorizing certain detached facilities; amending Minnesota Statutes 1978, Chapter 50, by adding sections.

Senate File No. 704 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 704 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 704: A bill for an act relating to savings banks; authorizing certain detached facilities; amending Minnesota Statutes 1978, Chapter 50, by adding a section.

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 36 and nays 28, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Laufenburger	Schaaf	Strand
Barrette	Gunderson	Luther	Sieloff	Stumpf
Benedict	Hanson	Moe	Sikorski	Tennessen
Brataas	Johnson	Nelson	Sillers	Vega
Coleman	Keefe, S.	Nichols	Solon	
Davies	Kleinbaum	Ogdahl	Staples	
Dieterich	Knoll	Perpich	Stern	
Dunn	Knutson	Pillsbury	Stokowski	

Those who voted in the negative were:

Anderson	Hughes	Lessard	Penny	Ueland, A.
Ashbach	Humphrey	Menning	Purfeerst	Ulland, J.
Bernhagen	Jensen	Merriam	Renneke	Wegener
Chmielewski	Keefe, J.	Olhoft	Rued	Willet
Engler	Kirchner	Olson	Schmitz	
Frederick	Knaak	Omann	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. 49: A bill for an act relating to taxation; authorizing the establishment of individual housing accounts; providing that contributions to an account which are used exclusively in connection with the purchase of a first principal residence are deductible; providing tax penalties; amending Minnesota Statutes 1978, Sections 48.159; 50.157; 51A.21, by adding a subdivision; 290.09, by adding a subdivision; 290.17, Subdivision 2; and Chapter 52, by adding a section.

Senate File No. 49 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Benedict moved that the Senate concur in the amendments by the House to S. F. No. 49 and that the bill be placed on its re-passage as amended. The motion prevailed.

S. F. No. 49: A bill for an act relating to taxation; authorizing the establishment of individual housing accounts; providing that contributions to an account which are used exclusively in connection with the purchase of a first principal residence are deductible; providing tax penalties; amending Minnesota Statutes 1978, Sections 48.159; 50.157; 51A.21, by adding a subdivision; 290.09, by adding a subdivision; 290.17, Subdivision 2; and Chapter 52, by adding a section and Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.

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 53 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Omann	Sikorski
Ashbach	Gearty	Lessard	Penny	Solon
Bang	Gunderson	Luther	Perpich	Staples
Barrette	Hanson	McCutcheon	Pillsbury	Stokowski
Benedict	Humphrey	Menning	Purfeerst	Strand
Bernhagen	Jensen	Moe	Renneke	Ueland, A.
Brataas	Johnson	Nelson	Rued	Ulland, J.
Chmielewski	Keefe, J.	Nichols	Schaaf	Vega
Coleman	Kleinbaum	Ogdahl	Schmitz	Willet
Dieterich	Knaak	Olhoff	Setzepfandt	
Dunn	Knutson	Olson	Sieloff	

Those who voted in the negative were:

Davies	Keefe, S.	Sillers	Stumpf	Wegener
Engler	Merriam			

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. 2062: A bill for an act relating to financial institutions; providing for interest rates on certain installment loans and open end loan account arrangements; granting certain lending powers to savings associations and savings and loan associations; amending Minnesota Statutes 1978, Sections 48.153; 51A.21, by adding a subdivision; and 52.14.

Senate File No. 2062 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

Mr. Laufenburger moved that S. F. No. 2062 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. 1865: A bill for an act relating to motor vehicles; clarifying penalty provisions for certain traffic violations; clarify-

ing provisions which prohibit the operation of a motor vehicle while a driver's license is revoked or suspended; amending Minnesota Statutes 1978, Sections 169.141, Subdivision 2; 169.89, Subdivision 1; 171.20, Subdivision 2; and 171.24.

Senate File No. 1865 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Sieloff moved that the Senate concur in the amendments by the House to S. F. No. 1865 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1865 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 64 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Penny	Solon
Ashbach	Gearty	Laufenburger	Perpich	Staples
Bang	Gunderson	Lessard	Peterson	Stern
Barrette	Hanson	Luther	Pillsbury	Stokowski
Benedict	Hughes	Menning	Purfeerst	Strand
Bernhagen	Humphrey	Merriam	Renneke	Stumpf
Brataas	Jensen	Moe	Rued	Tennessee
Chmielewski	Johnson	Nelson	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nichols	Schmitz	Ulland, J.
Davies	Kirchner	Ogdahl	Setzepfandt	Vega
Dieterich	Kleinbaum	Olhoff	Sieloff	Wegener
Dunn	Knaak	Olson	Sikorski	Willet
Engler	Knoff	Omann	Sillers	

Mr. Keefe, J. voted in the negative.

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

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that S. F. No. 2062 be taken from the table. The motion prevailed.

S. F. No. 2062: A bill for an act relating to financial institutions; providing for interest rates on certain installment loans and open end loan account arrangements; granting certain lending powers to savings associations and savings and loan associations; amending Minnesota Statutes 1978, Sections 48.153; 51A.21, by adding a subdivision; and 52.14.

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 2062 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2062 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 10, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Staples
Ashbach	Gunderson	Luther	Pillsbury	Stern
Bang	Hanson	Menning	Purfeerst	Stokowski
Barrette	Hughes	Moe	Renneke	Strand
Bernhagen	Jensen	Nelson	Rued	Stumpf
Brataas	Keefe, J.	Nichols	Schaaf	Tennessee
Coleman	Keefe, S.	Ogdahl	Schmitz	Ueland, A.
Davies	Kleinbaum	Olhoft	Setzepfandt	Ulland, J.
Dunn	Knaak	Olson	Sieloff	Vega
Engler	Knoll	Omamm	Sillers	Wegener
Frederick	Knutson	Penny	Solon	

Those who voted in the negative were:

Benedict	Dieterich	Johnson	Merriam	Sikorski
Chmielewski	Humphrey	Lessard	Perpich	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 that the House refuses to concur in the Senate amendments to House File No. 1710:

H. F. No. 1710: A bill for an act relating to energy; stating legislative energy policy; providing grants and assistance for community energy planning; assessment of fees for residential energy audits; providing grants for residential heating costs and weatherization; providing guidelines for a state plan for spending federal money; reimbursing counties for heating emergency assistance expenses; defining large energy facilities; authorizing subdivisions to levy for certain energy related activities; providing grants for energy research and development projects; providing education on building energy efficiency; energy audits; ethanol plant demonstration project; creating the alcohol fuels information center; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending Minnesota Statutes 1978, Sections 116H.01; 116H.087; 116H.12, Subdivision 11; 216B.16, by adding a subdivision; 275.50, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.02, Subdivision 5; 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.

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

Nelson, Stoa and Dean have been appointed as such committee on the part of the House.

House File No. 1710 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 28, 1980

Mr. Humphrey moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1710, 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. 2023:

H. F. No. 2023: A bill for an act relating to waste management; establishing a waste management board and a legislative commission; establishing a state government resource recovery program; establishing solid waste planning assistance and demonstration programs; providing for the issuance of state waste management bonds; providing for the establishment of solid waste management districts; requiring hazardous waste management planning and development; establishing procedures for the review and approval of permits for waste facilities; authorizing debt; appropriating money; amending Minnesota Statutes 1978, Sections 116.06, Subdivisions 9, 10, 13, and by adding subdivisions; 116.07, Subdivisions 2, 4, 4a, and by adding subdivisions; 116.081, Subdivision 1; 116.101; 116.41; 400.03, Subdivision 1; 400.04; 400.06; 400.07; 400.13; 400.16; 400.161; 473.121, by adding a subdivision; 473.149; 473.502; 473.516; 473.801, Subdivision 1; 473.802; 473.803; 473.811; 473.813; 473.823, Subdivision 3, and by adding a subdivision; Chapter 400, by adding a section; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2 to 7; 473.121, Subdivisions 27 to 31c; 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 72B, Section 7.

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

Casserly, Schreiber and Pehler have been appointed as such committee on the part of the House.

House File No. 2023 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 28, 1980

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2023, 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. 1727:

H. F. No. 1727: A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivision 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; 259.27, Subdivision 4; and Chapter 259, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

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

Farcy; Sieben, M. and Dempsey have been appointed as such committee on the part of the House.

House File No. 1727 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 28, 1980

Mr. Davies moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1727, 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, herewith returned: S. F. No. 2184.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

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. 2134: A bill for an act relating to natural resources; providing for analysis of hydroelectric generating capacity of publicly owned dams; clarifying provisions relating to the administration of and authorization for dam repair and reconstruction grants; authorizing the employment of a person to administer grants; appropriating money; amending Minnesota Statutes 1978,

Section 105.482, Subdivisions 1 and 4; Minnesota Statutes, 1979 Supplement, Section 105.482, Subdivisions 3 and 5a; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5.

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

Lehto, Munger and Stowell.

Senate File No. 2134 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

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. 1875: A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.

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

Kroening, Zubay and Jacobs.

Senate File No. 1875 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

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. 1843: A bill for an act relating to transportation; establishing a state rail bank for abandoned rail lines; amending Minnesota Statutes 1978, Chapter 222, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 174.03, Subdivision 4; 222.50, Subdivision 7; and 222.65.

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

Lehto; Anderson, B. and Anderson, D.

Senate File No. 1843 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

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. 1141: A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing duties for the department of health; providing for a study by the state planning agency; appropriating money.

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

Heinitz, McCarron and Forsythe.

Senate File No. 1141 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

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. 702: A bill for an act relating to health; requiring counties to establish local nursing home pre-admission screening teams; prescribing duties of the teams and the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Chapter 256B, by adding a section.

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

Berglin, Welch and Heinitz.

Senate File No. 702 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 28, 1980

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. 480: A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giving grant and program monitoring responsibilities to the commissioner of health; appropriating money.

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

Onnen, Reif and Berkelman.

Senate File No. 480 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 1878.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 28, 1980

Mr. President:

I have the honor to announce that the House wishes to recall for the purpose of further consideration House File No. 1169.

H. F. No. 1169: A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 275.14; 275.45; 275.53; 414.01, Subdivision 14; 477A.01, Subdivision 4; and Chapter 477A, by adding a section; repealing Minnesota Statutes 1978, Sections 365.61; and 414.033, Subdivision 8.

Edward A. Burdick, Chief Clerk, House of Representatives
March 27, 1980

Mr. Anderson moved that the Senate accede to the request of the House for the recall of H. F. No. 1169 for further consideration. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 160, 729, 902, 1047, 1138, 1201, 1603, 1847, 1942, 1945, 2035, and 2149 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files 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.
902	1067			160	723
1047	376			729	750
1603	1581			1138	620
1847	1883			1201	2351
1942	1943			2035	1986
1945	2292				
2149	2003				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 160 be amended as follows:

Page 3, line 1, strike “, beginning in July 1979,”

Page 3, line 4, after “act” and before the period insert: “, and shall disregard income of disabled persons that is also disregarded in determining eligibility for supplemental aid under section 256D.37, subdivision 1”

Page 3, lines 4 to 10, delete *“In assessing income, the income disregard available to disabled persons who are not residents of long term care facilities in determining eligibility for supplemental aid under Minnesota Statutes, Section 256D.37, Subdivision 1, shall be applied to disabled persons who are not residents of long term care facilities under this section.”*

Page 4, line 15, strike “or recipients of”

Page 4, line 32, after “are” insert “not”

Page 5, line 3, delete “of” and insert “for”

Page 5, line 14, after “disabled” insert a comma

Page 5, line 17, after “facilities” insert a comma

Page 6, line 4, delete “\$80,500” and insert “\$47,500”

Page 6, line 6, delete “this act” and insert “sections 1 to 3”

And when so amended H. F. No. 160 will be identical to S. F. No. 723, and further recommends that H. F. No. 160 be given its second reading and substituted for S. F. No. 723, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 729 be amended as follows:

Page 2, line 12, after “audits” insert *“at the same time as cost report audits required under section 256B.27, subdivision 2a, and at any other time but”*

Page 2, line 13, after “years” insert a comma

Page 2, lines 14 and 15, delete *“by the skilled nursing home or intermediate care facility”*

Page 2, lines 17 to 19, delete *“The field audits may be conducted at the same time as cost report audits required under section 256B.27, subdivision 2a.”*

Page 2, line 27, delete "*shall*" and insert "*may*"

Page 3, delete lines 15 to 17

Page 3, line 18, delete "3" and insert "2" and delete "\$540,000" and insert "\$905,000"

Page 3, lines 20 and 21, delete "*for purposes of section 1, subdivision 1. This appropriation is available until June 30, 1981.*" and insert "*to pay the increased personal needs allowance authorized by section 1.*"

And when so amended H. F. No. 729 will be identical to S. F. No. 750, and further recommends that H. F. No. 729 be given its second reading and substituted for S. F. No. 750, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 902 be amended as follows:

Page 2, lines 2 and 3, delete "*of the Minnesota department of natural resources*"

Page 2, lines 8 and 9, delete "*of the Minnesota department of natural resources*"

Page 2, lines 17 and 18, delete "*of the Minnesota department of natural resources*"

Page 2, lines 28 and 29, delete "*of the Minnesota department of natural resources*"

Page 3, lines 1 and 2, delete "*of the Minnesota department of natural resources*"

Page 3, after line 8, insert:

"Sec. 2. [APPROPRIATION.] *The sum of \$30,000 is appropriated from the general fund to the commissioner of natural resources for the purposes of purchasing motorboat noise monitoring equipment, training department personnel and county sheriff's departments in the use of the equipment, and general enforcement of the noise limits contained in section 361.17, subdivision 6, and shall be available until June 30, 1981.*"

Page 3, line 9, delete "2" and insert "3" and delete "*This act is*" and insert "*Sections 1 and 2 are*"

Amend the title as follows:

Page 1, line 3, after "*motorboats,*" insert "*appropriating money;*"

And when so amended H. F. No. 902 will be identical to S. F. No. 1067, and further recommends that H. F. No. 902 be given its second reading and substituted for S. F. No. 1067, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1047 be amended as follows:

Page 3, line 18, after "*that*" insert a colon

Page 3, lines 18 to 23, delete *"the amount of all bonds issued for this purpose and interest on them which are due and payable in any year shall not exceed an amount equal to four mills times the assessed value of taxable property within the county, as last determined before the bonds are issued."* and insert:

"(a) The amount of all bonds issued for this purpose and interest on them which are due and payable in any year shall not exceed an amount equal to four mills times the assessed value of taxable property within the county, as last determined before the bonds are issued; and

(b) No election shall be required, if the issuance of the bonds is authorized by resolution of the county board after a public hearing on the acquisition or betterment of the jail, held upon notice published in the official county newspaper on a date at least 30 days before the hearing, stating the time and place of the hearing, the place where the plans approved by the commissioner of corrections may be examined, and the estimated cost including all incidental costs."

And when so amended H. F. No. 1047 will be identical to S. F. No. 376, and further recommends that H. F. No. 1047 be given its second reading and substituted for S. F. No. 376, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1138 be amended as follows:

Page 2, delete lines 1 to 8

Page 2, line 9, delete "4" and insert "3"

Page 2, line 14, after *"legislature"* insert a comma

Amend the title as follows:

Page 1, lines 2 to 5, delete *"local governmental units to establish training programs for local government officials in conjunction with certain organizations"* and insert *"the establishment of local government official training programs"*

And when so amended H. F. No. 1138 will be identical to S. F. No. 620, and further recommends that H. F. No. 1138 be given its second reading and substituted for S. F. No. 620, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1201 be amended as follows:

Delete page 1, line 22 to page 2, line 8

Page 2, line 9, delete *"Sec. 2."* and insert *"Section 1."*

Page 3, line 2, delete *"Any watercraft"* and insert *"Rental boats"* and delete *"which is"*

Page 3, line 3, delete *"rented or leased or offered for rent or lease"*

Page 3, line 4, delete “, sailboats”

Page 3, line 5, delete “\$7.50” and insert “\$7”

Page 3, line 7, delete “\$10” and insert “\$12”

Page 3, line 15, delete “more than 19 feet” and insert “19 feet or more”

Delete page 3, line 20 to Page 13, line 29

Amend the title as follows:

Page 1, lines 2 to 9, delete “providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; appropriating money;” and insert “changing watercraft license fees;”

Page 1, lines 10 and 11, delete “Sections 361.02, by adding subdivisions;” and insert “Section”

Page 1, line 11, Delete “Subdivisions” and insert “Subdivision” and delete “and”

Page 1, delete lines 12 to 19

And when so amended H. F. No. 1201 will be identical to S. F. No. 2351, and further recommends that H. F. No. 1201 be given its second reading and substituted for S. F. No. 2351, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1603 be amended as follows:

Page 2, line 8, strike the comma

Page 6, line 11, strike “256D.19” and insert “256D.21”

Page 17, line 2, reinstate the stricken “if”

Page 17, line 3, delete “when”

Page 17, line 8, reinstate the stricken language

Page 17, line 9, reinstate “then that other county”

Page 17, lines 12 and 13, delete “then the county in which the individual resided immediately prior thereto”

Page 18, delete lines 7 to 9

Page 18, line 10, delete “32” and insert “31” and delete “\$226,000” and insert “\$226,450”

Page 18, lines 12 and 13, delete “for purposes of sections 12 and 15 of this act. This appropriation is available until June 30, 1981 and shall be expended only if federal general revenue sharing is received in the approximate amount of \$34,000,000 in the federal fiscal year 1981” and insert “to pay increased costs authorized by this act, to be available for the fiscal year ending June 30, 1981”

Page 18, after line 16, insert

"Sec. 32. [EFFECTIVE DATE.] Sections 12 and 15 are effective January 1, 1981. The remaining sections 1 to 30 are effective July 1, 1980."

And when so amended H. F. No. 1603 will be identical to S. F. No. 1581, and further recommends that H. F. No. 1603 be given its second reading and substituted for S. F. No. 1581, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1847 be amended as follows:

Page 2, after line 12, insert:

"Sec. 2. Minnesota Statutes 1978, Section 256B.47, is amended by adding a subdivision to read:

Subd. 5. The commissioner shall promulgate rules no later than August 1, 1980, to amend the current rules governing nursing home reimbursement, in accordance with sections 15.0411 to 15.052, to:

(a) Revise the formula for allowable raw food cost increases based on the Food at Home Index of the federal Bureau of Labor and update the total per diem food allowance in order to reconcile it with the 1980 Food at Home Index; and

(b) Allow providers to allocate their resources in order to provide as many nursing hours as necessary within the total cost limitations of the per diem already granted.

Sec. 3. [STATEMENT OF PURPOSE.] The legislature finds that general health is related to dental health and, due to the increased longevity of the population, the expansion of the nursing home industry, and the existing unmet and continuing needs for dental health in nursing homes, it is appropriate and necessary to establish programs for residents of nursing homes which promote dental health and prevent dental disease.

Sec. 4. [PROGRAM ASPECTS.] Subdivision 1. The commissioner of health shall provide for the establishment of nursing home dental health programs as provided in this section.

Subd. 2. The commissioner shall:

(a) Develop, maintain, and distribute to nursing homes a dental health manual which identifies their administrative and patient care responsibilities and which recommends a local dental health policy;

(b) Establish, in conjunction with the dental profession, nursing home dental health standards, priorities of dental operations and guidelines for advisory dentists;

(c) Review existing nursing home dental health regulations to insure their consistency with current oral health standards;

(d) Seek the cooperation and coordination of a joint statewide effort between the dental profession, the nursing home industry and senior citizen organizations to promote the purpose of this section; and

(e) Provide technical dental health assistance, dental consultation, and current dental health information to nursing homes.

Subd. 3. In each of the eight health department districts, the commissioner shall establish during the biennial cycle a specific site program for nursing homes each to include:

(a) The analysis and identification of resident dental care needs and obstacles to access and the achievement of optimal oral health care and maintenance; and

(b) A training program of preventive oral health practices for nursing home staff.

Sec. 5. [PROGRAM SUPERVISION.] The commissioner shall provide for all administrative and technical responsibilities for section 4. The development and administration of the program shall be under a licensed dentist.

Sec. 6. [REPORT.] The commissioner shall compile, analyze, and evaluate programmatic data and accomplishments related to sections 4 and 5."

Page 2, line 13, delete "2" and insert "7" and before "The" insert "Subdivision 1."

Page 2, line 17, delete "These funds shall be" and insert "This appropriation is"

Page 2, after line 18, insert:

"Subd. 2. The sum of \$40,000 is appropriated from the general fund to the commissioner of public welfare for the purpose of providing an ongoing computer based information retrieval system that includes the annual cost report information and the balance sheet and statement of changes in financial position from the audited financial statement required by section 256B.48, subdivision 2, clause (a). This appropriation is available until June 30, 1981.

Subd. 3. The sum of \$60,000 is appropriated from the general fund to the commissioner of health for nursing home dental health programs, to be available until June 30, 1981."

Page 2, line 19, delete "3" and insert "8"

Underscore all new text

Amend the title as follows:

Page 1, line 4, after "formula;" insert "providing for an information retrieval system; providing for nursing home dental health programs;"

Page 1, line 4, after "money" insert "; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision"

And when so amended H. F. No. 1847 will be identical to S. F. No. 1883, and further recommends that H. F. No. 1847 be given its second reading and substituted for S. F. No. 1883, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1942 be amended as follows:

Page 1, delete lines 13 to 19

Page 1, line 20, delete "Sec. 2." and insert "Section 1."

Page 2, line 15, delete "clearly"

Page 2, line 16, delete "entity" and insert "facility"

Page 2, line 21, delete "245.813;" and insert "245.812; or"

Page 2, lines 22 to 24, delete "; or any entity required to be certified for participation in Titles XVIII or XIX of the Social Security Act, 42 U.S.C. 1395 et seq"

Page 2, line 26, after "older" insert "who"

Page 2, line 27, delete "Who"

Page 2, line 28, delete "Who"

Page 2, line 31, delete "Who,"

Page 3, line 3, before "has" insert "(1)"

Page 3, line 4, after "or" insert "(2)"

Page 3, line 10, delete "infliction of physical injury, the" and after "intentional" insert "and nontherapeutic"

Page 3, line 11, delete the comma and insert "or injury"

Page 3, delete lines 13 and 14

Page 3, line 17, after "care" insert a comma

Page 3, delete lines 27 and 28, and insert:

"(3) The commissioner of corrections, for facilities required by section 241.021 to be licensed;

(4) Any licensing board which regulates persons engaged in health related and non-health related service occupations, such as the board of medical examiners, the board of examiners for nursing home administrators, the board of nursing, the board of dentistry, the board of examiners of psychologists, the board of teaching, and similar boards; and"

Page 3, line 29, delete "(4)" and insert "(5)"

Page 3, after line 30, insert:

"(h) "Local welfare board" means the county welfare board or a board designated by the county board pursuant to section 256E.08, subdivision 4."

Page 3, line 32, after "the" insert "practice of the healing arts, nursing, nursing home administration, social services, hospital administration, psychological or psychiatric treatment,"

Page 3, line 33, after "education," insert "or"

Page 3, line 33 to Page 4, line 2, delete "or any of the regulated occupations referenced in subdivision 2, clause (g) (3) and (4),"

Page 4, line 10, after "sheriff," insert "or"

Page 10, lines 11 and 12, delete "agency, or appropriate licensing or certifying agency" and insert "department, county sheriff, or local welfare board"

Page 4, line 14, delete "agency" and insert "board" and before "upon" delete "agency," and insert "board,"

Page 4, lines 16 and 17, delete "and the appropriate licensing agency or agencies" and after the period insert: "Nothing in this subdivision shall be construed to require the reporting or transmittal of information regarding an incident of abuse or neglect or suspected abuse or neglect if the incident has been reported or transmitted to the appropriate person or entity."

Page 4, lines 19 and 20, delete "as described above" and insert: "to the local welfare board, police department, or county sheriff, or if the report involved a facility licensed by a public agency, to the appropriate licensing agency if he has knowledge of or reasonable cause to believe a vulnerable adult is being abused or neglected. The police department or the county sheriff or the licensing agency, upon receiving a report, shall immediately notify the local welfare board. The local welfare board or licensing agency, upon receiving a report, shall immediately notify the police department or the county sheriff."

Page 4, line 22, delete "department" and insert "board"

Page 4, delete lines 24 and 25

Page 4, after line 25, insert:

Subd. 4. [IMMUNITY FROM LIABILITY.] A person, including a person voluntarily making reports and a person required to make reports under subdivision 3, participating in good faith in making a report pursuant to this section shall have immunity from any civil liability that otherwise might result from making the report.

Subd. 5. [FALSIFIED REPORTS.] A person who intentionally makes a false report under the provisions of this section shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury.

Subd. 6. [FAILURE TO REPORT.] (a) A person required to report by this section who intentionally fails to report is guilty of a misdemeanor.

(b) A person required by this section to report who negligently or intentionally fails to report is liable for damages caused by the failure."

Page 4, line 26, delete "4." and insert "7."

Page 4, line 31, after "sheriff," insert "or"

Page 4, lines 31 and 32, delete "agency, or appropriate licensing agency" and insert "board"

Page 5, line 7, delete "agency" and insert "board"

Page 5, line 10, delete "department" and insert "board"

Page 5, lines 11 and 12, delete "and the appropriate licensing agency or agencies"

Page 5, line 13, delete "agency" and insert "board"

Page 5, line 15, delete "agencies" and insert "boards"

Page 5, line 18, delete the second comma and insert "immediately"

Page 5, delete lines 19 to 23

Page 5, line 30, delete "agency" and insert "board"

Page 5, line 32, delete "agency" and insert "board"

Page 6, line 5, delete "agencies" and insert "boards"

Page 6, delete lines 9 to 25

Page 6, lines 29 and 30, delete "lack of competency under Minnesota Statutes, Section 595.02" and insert "either a physician-patient or husband-wife privilege"

Page 7, line 4, delete "agency" and insert "board"

Page 7, lines 5 and 6, delete "or appropriate licensing agency or agencies"

Page 7, line 9, delete "agency" and insert "board"

Page 7, line 10, delete "AGENCY" and insert "BOARD"

Page 7, line 11, delete "agency" and insert "board"

Page 7, line 16, delete "agencies" and insert "boards"

Page 7, lines 19, 25, 27, and 33, delete "agency" and insert "board"

Page 8, lines 2 and 7, delete "agency" and insert "board"

Page 8, lines 20 and 21, delete "Subject to the provisions of Minnesota Statutes, Sections 15.162 to 15.1671,"

Page 9, line 10, delete "agencies" and insert "boards"

Page 9, lines 23 and 24, delete "in accordance with provisions of subdivision 4, clause (a)" and insert "immediately"

Page 10, line 2, delete "agency" and insert "board"

Page 10, delete lines 6 to 21

Page 10, line 22, delete "14." and insert "13."

Page 10, line 32, delete "vulnerable adult residing there" and insert "person residing at or receiving services from it"

Page 10, line 33 to Page 11, line 2, delete "*Facilities designated in subdivision 2, clause (b) (2) shall develop plans for any vulnerable adults receiving services from them.*"

Page 11, line 7, delete "15." and insert "14."

Page 11, line 14, delete "16." and insert "15."

Page 11, line 16, delete "*passage of temporary rules*" and insert "*this section*"

Page 11, delete lines 22 to 26, and insert:

"(b) Each licensing agency shall promulgate rules within 180 days of the effective date of this section to implement the requirements of subdivisions 11, 12, 13, 14, and 15 clause (a)."

Page 11, line 29, delete "*subdivision 10*" and insert "*subdivisions 10 and 17*"

Page 11, line 30, delete "17." and insert "16."

Page 12, line 5, delete "*up to*" and insert "*in the amount of*"

Page 12, line 6, delete "*There shall be a rebuttable presumption that*"

Page 12, line 8, before "*retaliatory*" insert "*presumed to be*" and after "*retaliatory*" insert "*, but the presumption may be rebutted*"

Page 12, line 21, delete "18." and insert "17."

Page 12, after line 25, insert:

"Subd. 18. [PENALTY.] Any caretaker, as defined in section 1, 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 violation of section 609.23."

Page 12, line 26, delete "3" and insert "2"

Page 12, line 27, delete "*, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9,*"

Page 12, line 29, delete "4" and insert "3" and delete "\$113,000" and insert "\$140,000"

Page 12, line 31, delete "2" and insert "1" and delete "16 and 18" and insert "15 and 17"

Page 12, line 32, after the period insert "*The approved complement of the department of public welfare is increased by two positions.*"

Page 12, line 33, delete "5" and insert "4" and delete "4" and insert "3"

Page 13, line 1, delete "*January 1, 1981*" and insert "*the day following final enactment*"

And when so amended H. F. No. 1942 will be identical to S. F. No. 1943, and further recommends that H. F. No. 1942 be given its second reading and substituted for S. F. No. 1943, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1945 be amended as follows:

Page 3, line 6, delete "the state of Minnesota,"

Page 5, lines 21 to 26, delete: "The board shall provide for the keeping of a full and accurate record of all proceedings and of resolutions, regulations, and orders issued or adopted; the state auditor shall, as time and resources permit, annually audit the books of said regional railroad authority."

Page 7, lines 4 to 8, delete: "Interstate Commerce Commission, or another authority with power to make the finding, has found that the public convenience and necessity permit discontinuance of rail service on the property" and insert "property is the subject of an abandonment petition filed with the interstate commerce commission"

Page 7, lines 27 and 28, delete "Minnesota Statutes,"

Page 9, line 16, after "that" insert a colon

Page 9, lines 17 to 20, delete: "Minnesota Statutes, Sections 272.01, Subdivision 2, and 273.19 shall apply to any use or lease of the property, other than operation of a railroad line by a railroad company." and insert:

"(a) Minnesota Statutes, Sections 272.01 and 273.19 shall apply to any use or lease of the property, other than operation of a railroad line by a railroad company; and

(b) Minnesota Statutes, Chapter 295 shall apply to gross earnings derived by a railroad company from the operation of a railroad line owned or leased by the authority until the time of its repeal pursuant to Laws 1979, Chapter 303, Article VII, Section 16."

Delete page 14, line 9 to page 15, line 8

Page 15, line 9, delete "9" and insert "8"

Page 15, delete lines 18 and 19

Amend the title as follows:

Page 1, line 4, delete "; providing for audits"

And when so amended H. F. No. 1945 will be identical to S. F. No. 2292, and further recommends that H. F. No. 1945 be given its second reading and substituted for S. F. No. 2292, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2035 be amended as follows:

Page 2, lines 31 and 32, delete "this act" and insert "sections 1 and 2"

Page 2, after line 33, insert:

"Sec. 4. *WHEREAS, Sixty-three years ago, the Nation declared war on Germany and Austria in defense of freedom of the seas and over four and one-half million young Americans left their jobs and classrooms to help win the war that was "To make the World safe for Democracy"; and,*

WHEREAS, a large percentage of these veterans are house-bound and in need of care; NOW, THEREFORE,

BE IT RESOLVED by the Legislature of the State of Minnesota, that Congress pay the debt that America owes these needy, aged, veterans by enacting H. R. 1918 into law.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is instructed to transmit enrolled copies of this resolution to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives of the United States, and to the Minnesota Senators and Representatives in Congress.

Sec. 5. The sum of \$5,000 is appropriated from the general fund to the department of veterans' affairs for the purpose of establishing a suitable memorial to Minnesota's war dead in Memorial Hall at Arlington National Cemetery. The funds are available until expended."

Page 3, line 1, delete "4" and insert "6"

Amend the title as follows:

Page 1, line 5, after "monument;" insert "authorizing a memorial to Minnesota's war dead in Arlington National Cemetery; memorializing Congress to pass H. R. 1918, a service pension for veterans of World War One and their surviving spouses;"

And when so amended H. F. No. 2035 will be identical to S. F. No. 1986, and further recommends that H. F. No. 2035 be given its second reading and substituted for S. F. No. 1986, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2149 be amended as follows:

Page 2, line 9, strike "such" and "and"

Page 2, line 10, strike "regulations as"

Page 2, line 21, after "Subd. 2." insert "[APPROVAL OF CENTERS AND CLINICS.]"

Page 2, lines 21 and 22, after "commissioner" delete "of public welfare has the authority to" and insert "shall"

Page 2, line 24, after "clinics" insert "as providers for group insurance policies and group subscriber contracts" and delete "Minnesota Statutes 1978."

Page 2, lines 25 and 26, delete "For the purposes of this subdivision"

Page 2, line 28, after "15.052" insert "to implement the provisions of this subdivision"

Page 2, line 30, delete "the rules and"

Page 2, line 31 to Page 3, line 1, delete: "The commissioner may contract with any state agency, individual, corporation or association to which he shall delegate all but final approval and disapproval authority to determine compliance or noncompliance" and insert "An approval is valid for two years and may be renewed. Each mental health clinic approved pursuant to this subdivision shall devote at least two-thirds of its resources to outpatient mental health diagnosis, treatment and consultation."

Page 3, line 4, delete "as"

Page 3, delete lines 4 to 10, and insert: "including as a minimum:

(1) a licensed physician who has completed an approved residency program in psychiatry and a clinical, counseling or health care psychologist with doctorate who is licensed under Minnesota Statutes, Sections 148.88 to 148.98; and two or more of the following:

(A) a clinical social worker with a masters degree in social work from an accredited college or university;

(B) a clinical psychiatric nurse with a masters degree from an accredited college or university who is registered under Minnesota Statutes, Sections 148.171 to 148.285. The masters degree shall be in psychiatric nursing or a related psychiatric nursing program such as public health with a mental health major, or maternal and child health with a mental health major; or

(C) a clinical, counseling, or health care psychologist with a masters degree from an accredited college or university who is licensed under Minnesota Statutes, Sections 148.88 to 148.98.

(2) A mental health center or mental health clinic may provide the staffing required by clause (a) (1) by means of written contracts with professional persons or with other health care providers."

Page 3, lines 15 and 16, delete "in accordance with the rules" and insert "by the physician or psychologist described in clause (a) (1)"

Page 3, line 18, after "provide" insert "for"

Page 3, line 27, after the period insert: "At least three team members of differing professional qualifications, as defined in clause (a), shall be present at each meeting including one psychiatrist and two of the following: a psychologist with a doctorate, a masters level social worker, a masters level clinical psychiatric nurse or a masters level psychologist."

Page 4, line 9, delete "the rules or" and after the period insert: "The commissioner shall establish procedures for determining

compliance or noncompliance with this subdivision, and shall delegate all but final approval and disapproval authority to another state agency, an individual, corporation or association. The commissioner shall authorize a transfer of money collected as fee payments from applicants to the delegate."

Page 4, delete lines 22 to 29, and insert:

"Sec. 2. [EFFECTIVE DATE.] *Section 1 is effective the day following its final enactment.*"

Amend the title as follows:

Page 1, lines 6 and 7, delete "providing for additional rule-making; appropriating money;" and insert "mandating additional rulemaking;"

And when so amended H. F. No. 2149 will be identical to S. F. No. 2003, and further recommends that H. F. No. 2149 be given its second reading and substituted for S. F. No. 2003, 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. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 403, 291, 1706, 2041, 2202, 1806, and H. F. No. 1823, makes the following report:

That the above Senate Files and House File be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 160, 729, 902, 1047, 1138, 1201, 1603, 1847, 1942, 1945, 2035 and 2149 were read the second time.

MOTIONS AND RESOLUTIONS

Messrs. Frederick, Benedict and Bang introduced—

Senate Resolution No. 64: A Senate resolution relating to extending congratulations to members of the Bloomington Aquatic Club for their first place finish in the American Athletic Union's State Championship Swim Meet.

Referred to the Committee on Rules and Administration.

Mr. Perpich moved that the vote whereby H. F. No. 1684 was passed by the Senate on March 28, 1980, be now reconsidered. The motion prevailed.

Mr. Perpich moved that H. F. No. 1684 be placed at the top of the Special Orders Calendar. The motion prevailed.

Without objection, the Senate reverted to the Order of Business of First Reading of House Bills.

FIRST READING OF HOUSE BILLS

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

H. F. No. 1878: A bill for an act relating to no-fault automobile insurance; coordinating benefits with medicare and workers' compensation; extending eligibility for the assigned claims plan; eliminating certain mandatory offers; amending Minnesota Statutes 1978, Sections 65B.46, Subdivision 2; 65B.61, Subdivisions 1 and 2, and by adding subdivisions; 65B.64, Subdivision 1; repealing Minnesota Statutes 1978, Section 65B.49, Subdivisions 5 and 6.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 1699.

**MOTIONS AND RESOLUTIONS—CONTINUED
CONFIRMATION**

Mr. Olson moved that the report from the Committee on General Legislation and Administrative Rules, reported March 28, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Olson moved that the foregoing report be now adopted. The motion prevailed.

Mr. Olson moved that in accordance with the report from the Committee on General Legislation and Administrative Rules, reported March 28, 1980, the Senate, having given its advice, do now consent to and confirm the appointment of:

**DEPARTMENT OF PUBLIC SAFETY
COMMISSIONER**

John P. Sopsic, 13915 Galway Court, Apple Valley, Dakota County, effective May 14, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Olson moved that the report from the Committee on General Legislation and Administrative Rules, reported March 28, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Olson moved that the foregoing report be now adopted. The motion prevailed.

Mr. Olson moved that in accordance with the report from the Committee on General Legislation and Administrative Rules, reported March 28, 1980, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE COUNCIL ON AFFAIRS OF SPANISH-SPEAKING PEOPLE

JoAnn Cardenas de Enos, 149 Exeter Place, St. Paul, Ramsey County, effective May 3, 1979, for a term expiring June 30, 1981.

Fidelina Lopez de Fischer, 745 14th Avenue South, St. Cloud, Stearns County, effective May 3, 1979, for a term expiring June 30, 1981.

Alex Frank Gallegos, 1252 Ashland Street, St. Paul, Ramsey County, effective May 3, 1979, for a term expiring June 30, 1981.

Efren Tovar, 414½ NW Third Street, East Grand Forks, Polk County, effective May 3, 1979, for a term expiring June 30, 1981.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Education, reported March 28, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the report from the Committee on Education, reported March 28, 1980, the Senate, having given its advice, do now consent to and confirm the appointments of:

EDUCATION COMMISSION OF THE STATES

Will Antell, 1605 West Pine Street, Stillwater, Washington County, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Marjory Luett Hamersly, Rural Route, Glenville, Freeborn County, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Van D. Mueller, 3609 Maplewood Drive, Minneapolis, Hennepin County, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

Joseph T. O'Neill, 800 Northwestern National Bank Building, 55 East Fifth Street, St. Paul, Ramsey County, effective April 4, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Hughes moved that the report from the Committee on Education, reported March 28, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Hughes moved that the foregoing report be now adopted. The motion prevailed.

Mr. Hughes moved that in accordance with the report from

the Committee on Education, reported March 28, 1980, the Senate, having given its advice, do now consent to and confirm the appointments of:

MINNESOTA HIGHER EDUCATION COORDINATING BOARD

Robert W. Bonine, 2376 Pagel Road, Mendota Heights, Dakota County, effective February 28, 1980, for a term expiring the first Monday in January, 1984.

Richard J. Dunn, 17815 4th Avenue North, Wayzata, Hennepin County, effective February 28, 1980, for a term expiring the first Monday in January, 1983.

Carol J. Kamper, 2204 Valkyrie Drive NW, Rochester, Olmsted County, effective February 28, 1980, for a term expiring the first Monday in January, 1984.

Hugh G. Madson, 11060 32nd Street North, Lake Elmo, Washington County, effective February 28, 1980, for a term expiring the first Monday in January, 1984.

Harding C. Noblitt, 2014 South Fourth Street, Moorhead, Clay County, effective February 28, 1980, for a term expiring the first Monday in January, 1981.

Norman F. Tempel, 420 West 9th, Willmar, Kandiyohi County, effective February 28, 1980, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Hughes introduced—

Senate Resolution No. 65: A Senate resolution relating to extending congratulations to the Pioneers of Hill-Murray High School on winning second place in both the Class AA state high school girls' basketball tournament and the state high school hockey tournament.

Referred to the Committee on Rules and Administration.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Calendar. The motion prevailed.

CALENDAR

H. F. No. 874: A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1 and 4; 15.0422; 15.0424, Subdivision 6; and 15.052, Subdivisions 1, 2, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

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 9, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knaak	Olhoff	Sikorski
Bang	Gunderson	Knoll	Olson	Sillers
Benedict	Hanson	Knutson	Omann	Solon
Bernhagen	Hughes	Laufenburger	Penny	Stern
Brataas	Humphrey	Luther	Perpich	Stokowski
Coleman	Jensen	McCutcheon	Peterson	Strand
Davies	Johnson	Menning	Renneke	Stumpf
Dunn	Keefe, S.	Moe	Schaaf	Ueland, A.
Engler	Kirchner	Nelson	Schmitz	Ulland, J.
Frederick	Kleinbaum	Nichols	Setzepfandt	Vega

Those who voted in the negative were:

Barrette	Lessard	Ogdahl	Rued	Willet
Chmielewski	Merriam	Pillsbury	Sieloff	

So the bill passed and its title was agreed to.

H. F. No. 644: A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; authorizing the board of medical examiners to promulgate rules governing advertising by physicians; establishing penalties; amending Minnesota Statutes 1978, Chapter 147, by adding a section; Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, 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 60 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Olson	Sieloff
Bang	Gunderson	Laufenburger	Omann	Sikorski
Barrette	Hanson	Lessard	Penny	Sillers
Benedict	Hughes	Luther	Perpich	Solon
Bernhagen	Humphrey	McCutcheon	Peterson	Stern
Brataas	Jensen	Menning	Pillsbury	Stokowski
Chmielewski	Johnson	Merriam	Purfeerst	Strand
Davies	Keefe, S.	Moe	Renneke	Stumpf
Dieterich	Kirchner	Nelson	Rued	Tennessee
Dunn	Kleinbaum	Nichols	Schaaf	Ueland, A.
Engler	Knaak	Ogdahl	Schmitz	Ulland, J.
Frederick	Knoll	Olhoff	Setzepfandt	Vega

Messrs. Ashbach, Coleman and Willet voted in the negative.

So the bill passed and title was agreed to.

H. F. No. 1956: A bill for an act relating to real estate; providing for a state land registration assurance fund; combining the tax forfeited land assurance account with the land registration assurance fund; eliminating separate county assurance funds; appropriating money; amending Minnesota Statutes 1978, Sections 284.28, Subdivisions 8, 9 and 10; 508.75; 508.77; 508.79; 508.82; and 541.024, Subdivision 1; repealing Minnesota Statutes 1978, Section 508.83.

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 22, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Kirchner	Omann	Stumpf
Ashbach	Engler	Kleinbaum	Pillsbury	Tennessee
Bang	Frederick	Knaak	Purfeerst	Ueland, A.
Benedict	Gearty	Knoll	Renneke	Ulland, J.
Bernhagen	Hanson	Knutson	Rued	Vega
Brataas	Hughes	Lessard	Schaaf	
Coleman	Humphrey	Luther	Sikorski	
Davies	Jensen	McCutcheon	Sillers	
Dieterich	Keefe, S.	Merriam	Stokowski	

Those who voted in the negative were:

Barrette	Menning	Olhoff	Schmitz	Strand
Chmielewski	Moe	Olson	Setzepfandt	Willet
Gunderson	Nelson	Penny	Sieloff	
Johnson	Nichols	Perpich	Solon	
Laufenburger	Ogdahl	Peterson	Stern	

So the bill passed and its title was agreed to.

S. F. No. 2128: A bill for an act relating to taxation; clarifying the apportionment of income from taconite producers to Minnesota; amending Minnesota Statutes 1978, Chapter 298, by adding a section.

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 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Omann	Solon
Ashbach	Gearty	Laufenburger	Penny	Stern
Bang	Gunderson	Lessard	Perpich	Stokowski
Barrette	Hanson	Luther	Peterson	Strand
Benedict	Hughes	McCutcheon	Pillsbury	Stumpf
Bernhagen	Humphrey	Menning	Purfeerst	Tennessee
Brataas	Jensen	Merriam	Renneke	Ueland, A.
Chmielewski	Johnson	Moe	Rued	Ulland, J.
Coleman	Keefe, S.	Nelson	Schaaf	Vega
Davies	Kirchner	Nichols	Schmitz	Willet
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	
Dunn	Knaak	Olhoff	Sikorski	
Engler	Knoll	Olson	Sillers	

Mr. Sieloff voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1451: A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition and sales in relation thereto; discontinuing Traverse des Sioux state park; repealing Minnesota Statutes 1978, Section 85.012, Subdivision 56.

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:

Anderson	Frederick	Laufenburger	Penny	Solon
Ashbach	Gearty	Lessard	Perpich	Stern
Bang	Gunderson	Luther	Peterson	Stokowski
Barrette	Hanson	McCutcheon	Pillsbury	Strand
Benedict	Hughes	Menning	Purfeerst	Stumpf
Bernhagen	Humphrey	Merriam	Renneke	Tennessee
Brataas	Jensen	Moe	Rued	Ueland, A.
Chmielewski	Johnson	Nelson	Schaaf	Ulland, J.
Coleman	Keefe, S.	Nichols	Schmitz	Vega
Davies	Kirchner	Ogdahl	Setzepfandt	Willet
Dieterich	Kleinbaum	Olhoff	Sieloff	
Dunn	Knaak	Olson	Sikorski	
Engler	Knutson	Omann	Sillers	

So the bill passed and its title was agreed to.

H. F. No. 1816: A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lock-ups and workhouses; repealing provisions concerning correctional or work farms; amending Minnesota Statutes 1978, Sections 241.022, Subdivision 1; 243.91; 401.02, Subdivision 3; 588.10; 609.105, Subdivision 3; 609.135, Subdivision 4; 631.461; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 643.01; 643.02; and 643.29; repealing Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

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:

Anderson	Bernhagen	Dieterich	Gunderson	Johnson
Ashbach	Brataas	Dunn	Hanson	Keefe, S.
Bang	Chmielewski	Engler	Hughes	Kirchner
Barrette	Coleman	Frederick	Humphrey	Kleinbaum
Benedict	Davies	Gearty	Jensen	Knaak

Knoll	Moe	Perpich	Setzepfandt	Stumpf
Knutson	Nelson	Peterson	Sieloff	Tennessee
Laufenburger	Nichols	Pillsbury	Sikorski	Ueland, A.
Lessard	Ogdahl	Purfeerst	Sillers	Ulland, J.
Luther	Olhoff	Renneke	Solon	Vega
McCutcheon	Olson	Rued	Stern	Willet
Menning	Omann	Schaaf	Stokowski	
Merriam	Penny	Schmitz	Strand	

So the bill passed and its title was agreed to.

H. F. No. 1190: A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account; prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 160.27, Subdivision 5; 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 161.51; 169.305, Subdivision 1; 169.42, Subdivision 1; and 505.03, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 116I.01, 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:

Anderson	Frederick	Knutson	Omann	Sillers
Ashbach	Gearty	Laufenburger	Penny	Solon
Bang	Gunderson	Lessard	Perpich	Stern
Barrette	Hanson	Luther	Peterson	Stokowski
Benedict	Hughes	McCutcheon	Pillsbury	Strand
Bernhagen	Humphrey	Menning	Purfeerst	Stumpf
Brataas	Jensen	Merriam	Renneke	Tennessee
Chmielewski	Johnson	Moe	Rued	Ueland, A.
Coleman	Keefe, S.	Nelson	Schaaf	Ulland, J.
Davies	Kirchner	Nichols	Schmitz	Vega
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Willet
Dunn	Knaak	Olhoff	Sieloff	
Engler	Knoll	Olson	Sikorski	

So the bill passed and its title was agreed to.

H. F. No. 1302: A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, 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 58 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Garty	Knutson	Olson	Sikorski
Ashbach	Gunderson	Laufenburger	Omann	Sillers
Bang	Hanson	Lessard	Penny	Solon
Barrette	Hughes	Luther	Perpich	Stern
Benedict	Humphrey	McCutcheon	Pillsbury	Stokowski
Bernhagen	Jensen	Menning	Purfeerst	Stumpf
Brataas	Johnson	Merriam	Renneke	Tennessen
Coleman	Keefe, S.	Moe	Rued	Ueland, A.
Davies	Kirchner	Nelson	Schaaf	Ulland, J.
Dunn	Kleinbaum	Nichols	Schmitz	Vega
Engler	Knaak	Ogdahl	Setzepfandt	
Frederick	Knoll	Olhoft	Sieloff	

Messrs. Chmielewski, Peterson, Strand and Willet voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2170: A bill for an act relating to taxation; providing adjustments to property tax refund due to granting of abatements on claimant's homestead; amending Minnesota Statutes 1978, Sections 290A.11, by adding a subdivision; and 375.192, 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:

Anderson	Frederick	Knutson	Omann	Sillers
Ashbach	Garty	Laufenburger	Penny	Solon
Bang	Gunderson	Lessard	Perpich	Stern
Barrette	Hanson	Luther	Peterson	Stokowski
Benedict	Hughes	McCutcheon	Pillsbury	Strand
Bernhagen	Humphrey	Menning	Purfeerst	Stumpf
Brataas	Jensen	Merriam	Renneke	Tennessen
Chmielewski	Johnson	Moe	Rued	Ueland, A.
Coleman	Keefe, S.	Nelson	Schaaf	Ulland, J.
Davies	Kirchner	Nichols	Schmitz	Vega
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Willet
Dunn	Knaak	Olhoft	Sieloff	
Engler	Knoll	Olson	Sikorski	

So the bill passed and its title was agreed to.

S. F. No. 1638: A bill for an act relating to economic develop-

ment; regulating the development revolving fund; amending Minnesota Statutes 1978, Section 472.13, 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:

Anderson	Frederick	Knutson	Omann	Sillers
Ashbach	Gearty	Laufenburger	Penny	Solon
Bang	Gunderson	Lessard	Perpich	Stern
Barrette	Hanson	Luther	Peterson	Stokowski
Benedict	Hughes	McCutcheon	Pillsbury	Strand
Bernhagen	Humphrey	Menning	Purfeerst	Stumpf
Brataas	Jensen	Merriam	Renneke	Tennessee
Chmielewski	Johnson	Moe	Rued	Ueland, A.
Coleman	Keefe, S.	Nelson	Schaaf	Ulland, J.
Davies	Kirchner	Nichols	Schmitz	Vega
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Willet
Dunn	Knaak	Olhoff	Sieloff	
Engler	Knoll	Olson	Sikorski	

So the bill passed and its title was agreed to.

S. F. No. 2217: A bill for an act relating to taxation; restricting the use of certain proceeds of the taconite production tax; providing for state replacement of certain eliminated payments; appropriating funds; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 8a; 273.135, Subdivision 2; 298.223 and 298.28, Subdivision 1; Chapters 273, by adding a section; and 477A, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 275.125, 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 34 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Merriam	Perpich	Stern
Coleman	Johnson	Moe	Peterson	Stokowski
Davies	Keefe, S.	Nelson	Purfeerst	Strand
Dieterich	Knoll	Nichols	Schaaf	Stumpf
Gearty	Laufenburger	Olhoff	Setzepfandt	Tennessee
Hanson	Luther	Olson	Sikorski	Vega
Hughes	McCutcheon	Penny	Staples	

Those who voted in the negative were:

Ashbach	Dunn	Kleinbaum	Pillsbury	Ueland, A.
Bang	Engler	Knaak	Renneke	Ulland, J.
Barrette	Frederick	Knutson	Rued	Wegener
Benedict	Gunderson	Lessard	Schmitz	Willet
Bernhagen	Jensen	Menning	Sieloff	
Brataas	Keefe, J.	Ogdahl	Sillers	
Chmielewski	Kirchner	Omann	Solon	

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Mr. Vega 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. 729 and that the rules of the Senate be so far suspended as to give H. F. No. 729, now on the Calendar, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 729: A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.

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:

Anderson	Frederick	Knoll	Omann	Solon
Ashbach	Gearty	Knutson	Penny	Staples
Bang	Gunderson	Lessard	Perpich	Stern
Barrette	Hanson	Luther	Pillsbury	Stokowski
Benedict	Hughes	McCutcheon	Purfeerst	Stumpf
Bernhagen	Humphrey	Menning	Renneke	Ueland, A.
Brataas	Jensen	Merriam	Rued	Ulland, J.
Chmielewski	Johnson	Moe	Schaaf	Vega
Coleman	Keefe, J.	Nelson	Schmitz	Wegener
Davies	Keefe, S.	Nichols	Setzpfandt	Willet
Dieterich	Kirchner	Ogdahl	Sieloff	
Dunn	Kleinbaum	Oihoft	Sikorski	
Engler	Knaak	Olson	Sillers	

So the bill passed and its title was agreed to.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 2470 a Special Order to be heard immediately.

Mr. Moe moved that H. F. No. 2470 be taken from the table. The motion prevailed.

H. F. No. 2470: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.

Mr. Moe moved to amend H. F. No. 2470, as amended by the Senate, adopted March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2394.)

Page 2, after line 17, insert:

“(e) Emergency contingent account 360,000

This appropriation is available for expenditure with the approval of the governor after consultation with the legislative advisory commission pursuant to section 3.30.”

The motion prevailed. So the amendment was adopted.

Mr. Ulland, J. moved to amend H. F. No. 2470, as amended by the Senate, adopted March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2394.)

Page 3, after line 15, insert:

“The Minnesota Historical Society shall give written approval before any demolition work is undertaken.”

The motion prevailed. So the amendment was adopted.

H. F. No. 2470 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:

Anderson	Frederick	Knutson	Perpich	Stern
Ashbach	Gearty	Laufenburger	Peterson	Stokowski
Bang	Gunderson	Lessard	Pillsbury	Strand
Barrette	Hanson	Luther	Purfeerst	Stumpf
Benedict	Humphrey	McCutcheon	Renneke	Tennessee
Bernhagen	Jensen	Menning	Schaaf	Ueland, A.
Brataas	Johnson	Merriam	Schmitz	Ulland, J.
Chmielewski	Keefe, J.	Moe	Setzepfandt	Vega
Coleman	Keefe, S.	Nelson	Sieloff	Wegener
Davies	Kirchner	Nichols	Sikorski	Willet
Dieterich	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Omann	Solon	
Engler	Knoll	Penny	Staples	

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

RECESS

Mr. Coleman moved that the Senate do now recess until 2:30 o'clock p.m. The motion prevailed.

The hour of 2:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Aahbach	Frederick	Lessard	Perpich	Spear
Barrette	Gearty	Luther	Rued	Stern
Bernhagen	Gunderson	Menning	Schaaf	Stokowski
Brataas	Hughes	Moe	Schmitz	Stumpf
Chmielewski	Johnson	Nelson	Setzepfandt	Ueland, A.
Coleman	Keefe, S.	Nichols	Sieloff	Vega
Davies	Kirchner	Omann	Sillers	
Dieterich	Knaak	Penny	Solon	

The Sergeant at Arms was instructed to bring in the absent members.

RECESS

Mr. Coleman 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 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. 2117: A bill for an act relating to commerce; providing for investments in certain loans by savings banks and savings associations; defining terms; exempting savings associations from licensing and bonding requirements of safe deposit companies; deleting the dollar limitation on examination fees; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 5; 51A.02, Subdivisions 8 and 17, and by adding a subdivision; 51A.37, Subdivision 3; 55.06, Subdivision 1; and 55.095.

Senate File No. 2117 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 28, 1980

CONCURRENCE AND REPASSAGE

Mr. Spear moved that the Senate concur in the amendments by the House to S. F. No. 2117 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2117 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 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Lessard	Perpich	Staples
Bang	Jensen	Luther	Peterson	Stokowski
Barrette	Johnson	Menning	Pillsbury	Stumpf
Bernhagen	Keefe, S.	Moe	Rued	Tennessee
Chmielewski	Kirchner	Nelson	Schmitz	Ueland, A.
Coleman	Kleinbaum	Nichols	Setzepfandt	Vega
Davies	Knaak	Olhoff	Sieloff	Wegener
Gearty	Knoll	Omann	Sikorski	
Gunderson	Knutson	Penny	Spear	

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

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which was referred S. F. No. 1669 makes the following report:

That the above Senate File be placed on the General Orders Calendar.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

APPOINTMENTS

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

H. F. No. 1710: Messrs. Humphrey, Anderson and Ogdahl.

H. F. No. 2023: Messrs. Merriam, Dunn and Willet.

H. F. No. 1727: Messrs. Davies, Sieloff and Knutson.

S. F. No. 2095: Mrs. Staples; Messrs. Keefe, J. and Wegener.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 1710.

Messrs. Humphrey, Anderson and Ogdahl. The motion prevailed.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2476:

Messrs. Moe, Coleman, Ashbach, Spear and Willet. The motion prevailed.

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated the General Orders Calendar a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

H. F. No. 1662: A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.

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:

Bang	Jensen	Nelson	Rued	Strand
Barrette	Keefe, J.	Nichols	Schaaf	Stumpf
Bernhagen	Keefe, S.	Olhoft	Schmitz	Tennessee
Brataas	Kirchner	Olson	Setzepfandt	Ueland, A.
Chmielewski	Kleinbaum	Omann	Sieloff	Ulland, J.
Davies	Knaak	Penny	Sikorski	Vega
Dieterich	Knoll	Perpich	Sillers	Wegener
Engler	Knutson	Peterson	Solon	
Gearly	Laufenburger	Pillsbury	Staples	
Gunderson	Lessard	Purfeerst	Stern	
Hughes	Luther	Renneke	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1684: A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Virginia.

Mr. Perpich moved to amend the amendment placed on H. F. No. 1684 by the Committee on Agriculture and Natural Resources, adopted by the Senate March 19, 1980, as follows:

Delete the amendment to page 2, line 6.

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

H. F. No. 1684 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 43 and nays 10, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Menning	Schaaf	Stokowski
Barrette	Hanson	Nelson	Schmitz	Strand
Benedict	Hughes	Nichols	Setzepfandt	Stumpf
Bernhagen	Keefe, S.	Olhoft	Sieloff	Ueland, A.
Brataas	Kleinbaum	Olson	Sikorski	Ulland, J.
Chmielewski	Knaak	Penny	Sillers	Vega
Dieterich	Knoll	Perpich	Solon	Wegener
Engler	Lessard	Peterson	Staples	
Gearly	Luther	Purfeerst	Stern	

Those who voted in the negative were:

Davies	Knutson	Merriam	Pillsbury	Rued
Dunn	Laufenburger	Omann	Renneke	Tennessee

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

Mr. Nichols moved that S. F. No. 1076, No. 1 on Special Orders, be stricken and returned to its author. The motion prevailed.

Pursuant to Rule 21, Mrs. Staples moved that the following members be excused for a Conference Committee on S. F. No. 480 at 3:05 p.m.:

Messrs. Nelson, Kirchner and Mrs. Staples. The motion prevailed.

SPECIAL ORDER

H. F. No. 1931: 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.

Mr. Stumpf moved to amend H. F. No. 1931 as follows:

Page 52, line 2, before the period insert "*and the judicial district administrator's office*"

Page 57, lines 30 to 33, strike everything after "[RETIREMENT.]" and insert "*Every employee of the county of Ramsey, except an elected official, who is 70 years of age, shall retire from his employment by Ramsey County on the first day of the month after the month in which he becomes 70.*"

Page 58, strike lines 1 to 3

Page 88, after line 17, insert:

"Sec. 2. [SAINT PAUL, CITY OF; EMPLOYMENT OF UNIVERSITY OR COLLEGE STUDENTS.] *Notwithstanding any contrary provision of the Saint Paul city charter, a statute, including the veterans preference act, or a civil service rule or regulation, the governing body or any board or commission of the city of Saint Paul having authority to hire employees may employ university, college, or professional school students pursuant to an intern or other training program related to their academic endeavors when the program is sponsored or substantially financed by the state or the United States or by a philanthropic foundation or organization. Persons hired under a program shall be in the unclassified service of the city and serve at the pleasure of the body employing them. No full time appointment under this section shall exceed one year. Persons employed under this section shall be excluded from the provisions of Minnesota Statutes, Sections 268.03 to 268.24.*

Sec. 3. Laws 1955, Chapter 151, Section 1, Subdivision 5, as amended by Laws 1963, Chapter 271, Section 2, is amended to read:

Subd. 5. "*Widow*" "*Surviving spouse*" means a woman person who was the wife spouse of a member or a pensioner while he or she was an active member, and who, in case the deceased member was a service pensioner, deferred pensioner, or on duty or non duty disability pensioner, was married to the member at least one year before his or her retirement from the police department; but does not include a surviving wife spouse of a member or a pensioner who deserts him or her or a common law wife spouse of a member or a pensioner.

Sec. 4. Laws 1955, Chapter 151, Section 3, Subdivision 2, is amended to read:

Subd. 2. This association shall create, maintain, and administer a policemen's pension fund for the benefit of its members, their widows surviving spouses, and their children.

Sec. 5. Laws 1955, Chapter 151, Section 13, as amended by Laws 1963, Chapter 271, Section 7, and Laws 1971, Chapter 549, Section 2, is amended to read:

Sec. 13. The association shall pay a pension to the widow surviving spouse or any child under 18 years of age of any pensioned and retired member, or to the widow surviving spouse or any child under 18 years of age of any member who dies while in the service of the city police department, or to the widow surviving spouse or any child under 18 years of age of any member who, after being a member of the city police department for not less than 20 years, severs his or her connection with the department, and dies before attaining the age of 50 years. The association shall pay to any such widow surviving spouse a pension of 20 units per month. The association shall pay to any such child under 18 years of age a pension of five units per month until the child attains the age of 18 years, provided, however, that if such child is married at the time of the death of the member or marries or becomes legally adopted after the death of the member, such the child shall not be entitled to such benefits. If the widow surviving spouse and children reside together, the pension payable to the children shall be paid to the widow surviving spouse and shall be used for the support of such the children. If a widow surviving spouse remarries, her the pension immediately ceases and the association shall not make any further pension payments to her. For the purposes of this section, all provisions governing a child under 18 shall be extended to include a full time student under the age of 23.

Sec. 6. Laws 1955, Chapter 151, Section 16, is amended to read:

Sec. 16. [SURVIVING SPOUSE AND CHILD OF MEMBER CONVICTED OF FELONY.] If a member convicted of a felony is receiving a pension at the time of his conviction and his wife or her surviving spouse and any of his children under 18 years of age had no part in the commission of such the felony, in the event of the death of such the member, such widow the surviving spouse and children may receive such any pensions as they would otherwise be entitled to receive from the association.

Sec. 7. Laws 1953, Chapter 91, Section 1, Subdivision 7, as

amended by Laws 1975, Chapter 408, Section 1, is amended to read:

Subd. 7. [DULUTH, CITY OF; POLICE PENSIONS.] "Spouse" means a person who was the legal husband or wife of a member at the time of the member's death, and includes a person who was the legal husband or wife of any pensioner or deferred service pensioner at the time of the member's death who was married to the member at least a total of three years one year prior to the member's retirement from the department.

Sec. 8. *Notwithstanding the provisions of any law, home rule charter, ordinance or resolution to the contrary, no statutory or home rule charter city located in the area, as defined in Minnesota Statutes, Section 473F.02, Subdivision 2, shall require that a person be a resident of the city as a condition of employment by the city except for positions which by their duties require the employee to live on the premises of the person's place of employment. For the purposes of this section, elected municipal officials shall not be considered to be employed by the city.*

Sec. 9. *Notwithstanding any contrary law or charter provision, commencing with the budget year starting January 1, 1981, and continuing thereafter, the expense of keeping the court house and city hall for the county of Ramsey and city of Saint Paul in normal repair and the necessary expense of heating and maintaining it shall be paid by the county of Ramsey and the city of Saint Paul based upon their respective exclusive usage or occupancy of the building. No later than September 1 of each year the joint court house and city hall committee shall determine the proportionate square foot exclusive usage or occupancy of the building by the county and city respectively and shall submit the determination to the county board and city council together with the recommended annual budget for the next year's expenses.*

Sec. 10. Laws 1978, Chapter 693, Section 2, is amended to read:

Sec. 2. [EFFECTIVE DATE.] ~~This act Laws 1978, Chapter 693 is permanently effective upon its approval by the board of commissioners of Washington county and compliance with Minnesota Statutes, Section 645.021 and expires two years after that date.~~

Sec. 11. [REPEALER.] *Laws 1887, Chapter 173, Section 1, is repealed.*

Page 88, line 18, delete "2." and insert "12. Section 1 of"

Page 88, line 20, after the period insert "Sections 2 to 6 of this act are effective upon approval of the governing body of the city of Saint Paul and upon compliance with Minnesota Statutes, Section 645.021. Section 7 of this act is effective upon approval of the governing body of the city of Duluth and upon compliance with Minnesota Statutes, Section 645.021. Sections 8 and 9 of this act are effective the day following final enactment. Section 10 of this act is effective upon approval by the governing body of Washington County and compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "County" and insert "Hennepin, Anoka, Wright, Scott, Dakota, and Washington counties and the cities of St. Paul and Duluth;"

Page 1, line 3, after "the" insert "Ramsey"

Page 1, line 3, after the semicolon insert:

"adding positions to the unclassified service of Ramsey county; providing for retirement of Ramsey county employees; permitting employment of certain persons in St. Paul pursuant to a training program; correcting gender references in the St. Paul police retirement law; defining spouse for the purposes of Duluth police survivor benefits; prohibiting residency requirements in certain cities; providing for sharing of expenses in maintaining the Ramsey county court house and St. Paul city hall; providing for the appointment of probation officers in Washington county;"

Page 1, line 3, after "amending" insert Laws 1978, Chapter 693, Section 2;"

Page 1, line 4, before the period insert "; Laws 1955, Chapter 151, Sections 1, Subdivision 5, as amended; 3, Subdivision 2; 13, as amended; and 16; and Laws 1953, Chapter 91, Section 1, Subdivision 7, as amended; repealing Laws 1887, Chapter 173, Section 1"

The motion prevailed. So the amendment was adopted.

H. F. No. 1931 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:

Bang	Hughes	Nichols	Rued	Strand
Barrette	Keefe, S.	Olhoft	Schaaf	Stumpf
Benedict	Kirchner	Olson	Schmitz	Tennessee
Bernhagen	Kleinbaum	Omann	Setzepfandt	Ueland, A.
Brataas	Knaak	Penny	Sieloff	Ulland, J.
Chmielewski	Knoll	Perpich	Sikorski	Vega
Davies	Laufenburger	Peterson	Sillers	
Engler	Luther	Pillsbury	Solon	
Gearty	Menning	Purfeerst	Stern	
Gunderson	Merriam	Renneke	Stokowski	

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

Mr. Stumpf moved that S. F. No. 2190, No. 3 on Special Orders, be stricken and returned to its author. The motion prevailed.

SPECIAL ORDER

H. F. No. 2429: A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

Mr. Solon moved to amend H. F. No. 2429, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1562.)

Amend the title as follows:

Page 1, line 3, delete "and" and insert a comma

Page 1, line 4, after "banks" insert ", savings and loan associations and credit unions, and federal savings banks, savings and loan associations and credit unions"

The motion prevailed. So the amendment was adopted.

H. F. No. 2429 was then progressed.

SPECIAL ORDER

H. F. No. 1895: A bill for an act relating to human rights; further defining certain unfair discriminatory practices related to reprisals; defining the scope of a class for class action suits; increasing a penalty by increasing allowable punitive damages; amending Minnesota Statutes 1978, Sections 363.03, Subdivision 7; 363.071, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 363.06, Subdivision 4.

Mr. Dieterich moved to amend H. F. No. 1895 as follows:

Page 6, line 9, after "enactment" insert "*; provided, however, section 2 shall not apply to cases before the department of human rights in which complaints have been issued by the commissioner prior to the date of final enactment*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 29, as follows:

Those who voted in the affirmative were:

Benedict	Keefe, S.	Penny	Solon	Vega
Davies	Knoll	Perpich	Stern	Wegener
Dieterich	Luther	Peterson	Stokowski	
Gearty	Merriam	Schaaf	Stumpf	
Hughes	Nichols	Sikorski	Tennessee	

Those who voted in the negative were:

Bang	Engler	Knutson	Omann	Setzpfandt
Barrette	Frederick	Laufenburger	Pillsbury	Sieloff
Bernhagen	Gunderson	Lessard	Purfeerst	Sillers
Brataas	Jensen	Menning	Renneke	Ueland, A.
Chmielewski	Keefe, J.	Olhoft	Rued	Ulland, J.
Dunn	Knaak	Olson	Schmitz	

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

Mr. Sieloff moved to amend H. F. No. 1895 as follows:

Page 6, line 9, after the period, insert "*Section 2 shall not apply to cases pending before the department of human rights.*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 16, as follows:

Those who voted in the affirmative were:

Barrette	Hughes	Olhoff	Renneke	Solon
Bernhagen	Jensen	Olson	Rued	Strand
Brataas	Kirchner	Omann	Schmitz	Ueland, A.
Chmielewski	Knaak	Penny	Setzepfandt	Ulland, J.
Engler	Laufenburger	Peterson	Sieloff	Wegener
Frederick	Menning	Pillsbury	Sikorski	
Gunderson	Nichols	Purfeerst	Sillers	

Those who voted in the negative were:

Benedict	Gearty	Luther	Schaaf	Stumpf
Davies	Keefe, S.	Merriam	Stern	Tennessee
Dieterich	Knoll	Perpich	Stokowski	Vega
Dunn				

The motion prevailed. So the amendment was adopted.

Mr. Sieloff then moved to amend H. F. No. 1895 as follows:

Page 1, after line 11, insert:

“Section 1. Minnesota Statutes 1978, Section 363.03, Subdivision 1, is amended to read:

363.03 [UNFAIR DISCRIMINATORY PRACTICES.] Subdivision 1. [EMPLOYMENT.] Except when based on a bona fide occupational qualification, it is an unfair employment practice:

(1) For a labor organization, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age,

(a) to deny full and equal membership rights to a person seeking membership or to a member;

(b) to expel a member from membership;

(c) to discriminate against a person seeking membership or a member with respect to his hire, apprenticeship, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment; or

(d) to fail to classify properly, or refer for employment or otherwise to discriminate against a person or member.

(2) For an employer, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, *membership or activity in a local commission*, disability, or age,

(a) to refuse to hire or to maintain a system of employment which unreasonably excludes a person seeking employment; or

(b) to discharge an employee; or

(c) to discriminate against a person with respect to his hire,

tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment.

(3) For an employment agency, because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, or age,

(a) to refuse or fail to accept, register, classify properly, or refer for employment or otherwise to discriminate against a person; or

(b) to comply with a request from an employer for referral of applicants for employment if the request indicates directly or indirectly that the employer fails to comply with the provisions of this chapter.

(4) For an employer, employment agency, or labor organization, before a person is employed by an employer or admitted to membership in a labor organization, to

(a) require the person to furnish information that pertains to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance or disability, unless, for the purpose of national security, information pertaining to national origin is required by the United States, this state or a political subdivision or agency of the United States or this state, or for the purpose of compliance with the public contracts act or any rule, regulation or laws of the United States or of this state requiring information pertaining to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance or disability is required by the United States or a political subdivision or agency of the United States; or

(b) cause to be printed or published a notice or advertisement that relates to employment or membership and discloses a preference, limitation, specification, or discrimination based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability or age.

(5) For an employer, an employment agency or a labor organization, with respect to all employment related purposes, including receipt of benefits under fringe benefit programs, not to treat women affected by pregnancy, childbirth, or disabilities related to pregnancy or childbirth, the same as other persons who are not so affected but who are similar in their ability or inability to work."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "defining an unfair employment practice;"

Page 1, line 7, delete "Subdivision" and insert "Subdivisions 1 and"

The motion prevailed. So the amendment was adopted.

H. F. No. 1895 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:

Bang	Gunderson	Merriam	Renneke	Strand
Barrette	Hughes	Nichols	Rued	Stumpf
Benedict	Jensen	Olhoft	Schaaf	Tennessee
Bernhagen	Keefe, S.	Olson	Schmitz	Ueland, A.
Chmielewski	Kirchner	Omann	Setzepfandt	Ulland, J.
Dieterich	Knaak	Penny	Sieloff	Vega
Dunn	Knutson	Perpich	Sillers	Wegener
Engler	Lessard	Peterson	Solon	
Frederick	Luther	Pillsbury	Stern	
Gearty	Menning	Purfeerst	Stokowski	

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

SPECIAL ORDER

H. F. No. 1873: A bill for an act relating to local government in Ramsey county; providing for the membership and dues of the Ramsey county league of local governments; amending Laws 1963, Chapter 728, Section 1, as amended.

Mr. Stumpf moved to amend the amendment placed on H. F. No. 1873 by the Committee on Local Government, adopted by the Senate March 19, 1980, as follows:

Page 2, line 16, delete "*increased by one percent for*"

Page 2, lines 17 to 19, delete the new language

Page 2, line 26, delete "*increased by one percent for each*"

Page 2, delete line 27

Page 2, line 28, delete "*the nearest \$50*"

Page 2, lines 30 to 32, delete the new language

Page 3, delete lines 3 to 7

The motion prevailed. So the amendment was adopted.

H. F. No. 1873 was then progressed.

RECESS

Mr. Hanson 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 Reports of Committees.

REPORTS OF COMMITTEES

APPOINTMENTS

Mr. Coleman from the Subcommittee on Committees recom-

mends that the following Senators be and they hereby are appointed as a Conference Committee on:

S. F. No. 129: Messrs. Luther, Sikorski, Dieterich, Schaaf and Jensen.

Mr. Hanson moved that the foregoing appointments be approved. The motion prevailed.

GENERAL ORDERS

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

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

H. F. Nos. 2436 and 1904, which the committee recommends to pass.

S. F. No. 994, which the committee recommends to pass with the following amendments offered by Messrs. Wegener and Tennesen:

Mr. Wegener moved to amend S. F. No. 994 as follows:

Page 2, after line 24, insert:

“Sec. 3. Minnesota Statutes 1978, Section 82.22, Subdivision 6, is amended to read:

Subd. 6. [INSTRUCTION; NEW LICENSES.] (a) Every salesperson, licensed after July 1, 1973 and before July 1, 1976 shall, within two years of the date his license was first granted be required to successfully complete a course of study in the real estate field consisting of not less than 60 hours of instruction, approved by the commissioner. Upon appropriate showing of hardship by the licensee, or for persons licensed pursuant to section 82.20, subdivision 1, clause (b), the commissioner may waive or modify the requirements of this subdivision. Every salesperson licensed after July 1, 1976 and before July 1, 1978 shall, within three years of the date his license was first issued, be required to successfully complete a course of study in the real estate field consisting of not less than ~~90~~ 45 hours of instruction, approved by the commissioner;

(b) After July 1, 1978 every applicant for a salesperson's license shall be required to successfully complete a course of study in the real estate field consisting of 30 hours of instruction approved by the commissioner before taking the examination specified in subdivision 1. Every salesperson licensed after July 1, 1978 shall, within one year of the date his license was first issued, be required to successfully complete a course of study in the real estate field consisting of ~~60~~ 15 hours of instruction approved by the commissioner.

(c) The commissioner may approve courses of study in the real estate field offered in educational institutions of higher learning in

this state or courses of study in the real estate field developed by and offered under the auspices of the national association of realtors, its affiliates, or private real estate schools licensed by the state department of education. The commissioner may by rule prescribe the curriculum and qualification of those employed as instructors."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "reducing the number of hours of education required for a license;"

Page 1, line 10, delete "Subdivision" and insert "Subdivisions 6 and"

The motion prevailed. So the amendment was adopted.

Mr. Tennessen moved to amend S. F. No. 994 as follows:

Page 2, line 9, strike "1980" and insert "1981"

Page 2, line 11, strike "1981" and insert "1982"

Page 14, line 24, delete "Sections 82.22,"

Page 14, line 25, delete "Subdivision 13; and" insert "Section"

Page 14, line 25, delete "are" and insert "is"

Amend the title as follows:

Page 1, line 15, delete "Sections 82.22, Subdivision 13; and" insert "Section"

The motion prevailed. So the amendment was adopted.

H. F. No. 1443, which the committee recommends to pass with the following amendment offered by Mr. Laufenburger:

Amend H. F. No. 1443, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1457.)

Page 6, line 1, after the period, insert "*Nothing herein shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the terms of an agreement in effect on the effective date of sections 1 to 87 between an exclusive representative of public employees and the state or its appointing authorities.*"

The motion prevailed. So the amendment was adopted.

S. F. No. 2375, which the committee recommends to pass with the following amendment offered by Mr. Hanson:

Page 10, line 32, after "by" insert "*reason of*"

Page 10, line 33, strike "the original assessed value of the"

Page 11, line 1, strike "district shall be reduced by that amount" and insert "*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 motion prevailed. So the amendment was adopted.

H. F. No. 2149 which the committee recommends to pass, subject to the following motion:

Mr. Keefe, S. moved that the amendment made to H. F. No. 2149 by the Committee on Rules and Administration in the report adopted March 31, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

S. F. No. 2281, which the committee recommends to pass with the following amendment offered by Mr. Hanson:

Page 2, line 3, after "days" insert "*, beginning on the 14th day after the date when the county auditor has sent notice to the taxpayer as provided in subdivision 1,*"

Page 2, line 31, after "days" insert "*, beginning on the 14th day after the date when the county auditor has sent notice to the taxpayer as provided in subdivision 1,*"

Page 3, line 26, after "days" insert "*, beginning on the 14th day after the date when the county auditor has sent notice to the taxpayer as provided in subdivision 1,*"

Page 4, line 21, after "days" insert "*, beginning on the 14th day after the date when the county auditor has sent notice to the taxpayer as provided in subdivision 1,*"

The motion prevailed. So the amendment was adopted.

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

SPECIAL ORDER

Pursuant to Rule 10, Mr. Hanson, for Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated H. F. No. 2040 a Special Order to be heard immediately.

H. F. No. 2040: A bill for an act relating to privacy; providing for the collection and dissemination of government data; classifying data as private, confidential, nonpublic or public; amending Minnesota Statutes 1978, Sections 15.162, Subdivisions 3 and 5a, and by adding subdivisions; 15.165, Subdivision 3, and by adding a subdivision; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.1621, by adding a subdivision; 15.1642, Subdivisions 5 and 5a; 15.166, Subdivision 4; 15.1691, Subdivision 3; 15.1692, Subdivisions 1 and 2; 15.1693, Subdivision 2; and 15.1698, Subdivision 1, and by adding a subdivision; and Laws 1978, Chap-

ter 790, Section 5, Subdivision 2; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4.

Mr. Keefe, J. moved to amend H. F. No. 2040, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2039.)

Page 2, line 16, after "any" insert "living"

Page 1, line 16, delete ", living or dead," and strike "is or"

Pages 2 and 3, delete section 4

Page 5, delete section 11

Page 7, line 26, delete "5" and insert "4"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "Subdivisions" and insert "Subdivision" and delete "and 5a"

Page 1, lines 7 and 8, delete ", and by adding a subdivision"

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

Mr. Tennessen moved to amend H. F. No. 2040, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2039.)

Page 6, line 21, delete "written"

The motion prevailed. So the amendment was adopted.

H. F. No. 2040 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Omann	Solon
Ashbach	Gearty	Knoll	Penny	Spear
Bang	Gunderson	Knutson	Perpich	Staples
Barrette	Hanson	Laufenburger	Purfeerst	Stern
Benedict	Hughes	Lessard	Renneke	Stokowski
Bernhagen	Humphrey	Luther	Rued	Strand
Brataas	Jensen	Menning	Schaaf	Tennessen
Chmielewski	Johnson	Moe	Schmitz	Ueland, A.
Coleman	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Nichols	Sieloff	Vega
Dieterich	Kirchner	Olhoft	Sikorski	
Engler	Kleinbaum	Olson	Sillers	

Mr. Wegener voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Penny moved that H. F. No. 1813 be withdrawn from the Committee on Rules and Administration and be given its second reading. The motion prevailed.

H. F. No. 1813: A bill for an act relating to public finance; authorizing the issuance of Minnesota state railroad assistance bonds; appropriating money; amending Minnesota Statutes 1978, Chapter 222, by adding a section.

H. F. No. 1813 was read the second time.

Mr. Penny moved to amend H. F. No. 1813 as follows:

Delete everything after the enacting clause and insert:

“Section 1. [RAILROAD ASSISTANCE; APPROPRIATION.] The sum of \$13,500,000 is appropriated from the state building fund to the rail service improvement account in the special revenue fund, to be expended by the commissioner of transportation for the purposes specified in Minnesota Statutes, Sections 222.49 to 222.62.

Sec. 2. [BOND SALE; DEBT SERVICE.] Subdivision 1. To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$13,500,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7.

Sec. 3. [EMPLOYMENT PREFERENCE.] Individuals who have been previously employed by railroads any part of whose property or assets are acquired pursuant to this act shall have priority, based upon their length of service with that railroad, in employment with a purchasing carrier or other operator of a railroad incorporating that property or those assets.”

Delete the title and insert:

“A bill for an act relating to transportation; appropriating money for rail service improvement; authorizing issuance of state bonds.”

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Knoll imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Engler	Knutson	Perpich	Solon
Bang	Frederick	Laufenburger	Peterson	Spear
Barrette	Gearty	Lessard	Pillsbury	Staples
Benedict	Hanson	McCutcheon	Purfeerst	Stokowski
Bernhagen	Hughes	Menning	Renneke	Strand
Brataas	Humphrey	Moe	Rued	Ueland, A.
Chmielewski	Johnson	Nelson	Schaaf	Ulland, J.
Coleman	Keefe, S.	Nichols	Schmitz	Vega
Davies	Kirchner	Olhoff	Setzepfandt	Willet
Dieterich	Knaak	Omann	Sieloff	
Dunn	Knoll	Penny	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

Mr. Knoll moved to amend H. F. No. 1813, as amended by the Senate, adopted March 31, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1669.)

Page 1, line 14, after "in" insert "section 1 of"

Underline all the language in sections 1 to 3

Page 2, after line 5, insert:

"Sec. 4. Minnesota Statutes 1978, Chapter 116H, is amended by adding a section to read:

[116H.31] [DISTRICT HEATING LOANS.] *Subdivision 1. [POLICIES.] Developing and improving efficient and economical district heating systems is a public purpose for state financing and a proper function of state government. Climate and geography make a reliable, economic supply of energy essential for industrial, commercial and residential heating. Imported supplies are increasingly costly, unreliable, and environmentally disadvantageous. District heating systems employing cogeneration techniques and innovative technology offer an important means of increasing the efficiency of Minnesota's energy systems and reducing the state's reliance on imported energy supplies. The combination of the large initial capital cost and investors' lack of familiarity with district heating has made the private market reluctant to provide the necessary capital for district heating projects. As a result, public leadership, cooperation, and aid are needed to demonstrate the feasibility of district heating systems by establishing economically viable municipal district heating systems as demonstration projects. Municipal district heating systems may be financed by loans from the state.*

Subd. 2. [DEFINITIONS.] In this section:

(a) "Commissioner" means the commissioner of finance.

(b) "Director" means the director of the Minnesota energy agency.

(c) "District heating" means the use of a central energy conversion facility to produce hot water or steam for distribution to homes or businesses. District heating facilities may also produce electricity in addition to hot water or steam.

(d) "Municipality" means any county, city, town, municipal power agency, or public utility, as defined in section 452.01, subdivision 3, owned and operated by a city, however organized.

Subd. 3. [ELIGIBILITY.] The commissioner of finance, upon request of the director of the energy agency, shall make loans to municipalities for the acquisition and betterment of district heating systems. A loan shall be made only to a municipality that has demonstrated that:

(a) The municipality has the financial capability to sponsor the project;

(b) The project is technologically feasible; and

(c) The municipality has made adequate provision to assure proper and efficient operation and maintenance of the project after construction is completed.

Subd. 4. [PRIORITIES.] The director shall give higher priority to a project that does more to achieve the following goals:

(a) The district heating conversion facility employs cogeneration techniques;

(b) The facility uses renewable or non-petroleum sources of energy;

(c) The district heating facility will save petroleum or natural gas;

(d) The operation of the district heating facility will not have an adverse impact on the environment;

(e) The district heating facility may readily be expanded to serve additional customers or to supply additional amounts of energy, and market demand for the energy exists;

(f) The project has obtained additional financing from the federal government, private sources, or other sources of capital; and

(g) Other goals the director finds desirable for district heating systems.

Subd. 5. [ELIGIBLE COST.] The eligible cost of any municipal district heating project includes (a) preliminary planning to determine the economic, engineering, and environmental feasibility of the project; (b) engineering, architectural, legal, fiscal, economic, and project administrative costs of the agency and the municipality, and other investigations and studies; (c) surveys, designs, plans, working drawings, specifications, procedures, and other actions necessary to the planning, design, and construction of the project; (d) erection, building, acquisition, alteration, remodeling, improvement, and extension of district heating systems; (e) inspection and supervision of construction; and (f) loans to potential users of the district heating system to finance conversion of, additions to, or other necessary alterations of their energy systems to facilitate use of energy supplied by the district heating system.

Subd. 6. [AMOUNT.] The amount of a loan is limited to:

(a) 50 percent of the costs included under subdivision 5, clauses (a), (b), (c) and (e);

(b) 90 percent of the costs included under subdivision 5, clauses (d) and (f).

Subd. 7. [TERMS.] A loan is repayable over a period not to exceed 20 years, with interest at a rate sufficient to cover the cost to the state of borrowing the money.

Subd. 8. [APPLICATION.] Application for a loan shall be made by a municipality to the director on a form prescribed by the director by rule. The director shall review each application and determine:

(a) Whether or not the project is eligible for a loan;

(b) The priority of the project when ranked with all other eligible projects for which a loan application has been submitted;

(c) The total estimated cost of the project;

(d) The amount of the loan for which the project is eligible;

(e) The terms upon which the loan would be made; and

(f) The means by which the municipality proposes to finance the project, including:

(1) A loan authorized by state law; or

(2) A grant of money appropriated by state law; or

(3) A grant to the municipality by an agency of the federal government within the amount of money then appropriated to that agency and allocated by it to projects within the state; or

(4) The appropriation of proceeds of bonds or other money of the municipality to an account for the construction of the project; or

(5) Any or all of the means referred to in clauses (1) to (4).

Subd. 9. [PROJECT APPROVAL.] The director shall prepare and submit to the legislature a list of district heating projects, if any, for which loan applications have been submitted and reviewed. The list shall contain supporting information, including descriptions of the projects, plans, and the determinations made by the director pursuant to subdivision 8. The director shall request the commissioner of finance to make loans for projects within the limits of appropriations provided by the legislature.

Subd. 10. [PAYMENT; OBLIGATION.] The commissioner shall not pay money to a municipality pursuant to an approved loan until he has determined that:

(a) Financing of the project as proposed by the municipality is assured by an irrevocable undertaking, by resolution of the governing body of the municipality, to use all money made avail-

able by the financing plan exclusively for the construction of the project, and to pay any additional amount by which the cost of the project exceeds the estimate by the appropriation to the construction account of additional municipal money or the proceeds of additional bonds to be issued by the municipality; and that

(b) The governing body of the municipality has adopted a resolution obligating the municipality to repay the loan according to its terms. The obligation may be payable solely from user charges, special assessments or other money available to the municipality. The resolution shall obligate the municipality to annually impose and collect user charges or special assessments or to use any other money available to it from any other specified source, in amounts and at times that if collected in full will annually produce at least five percent in excess of the amount needed for all annual costs of the system, including annual repayment on state loans. A municipality may also pledge to levy an ad valorem tax to guarantee the payments under the loan agreement. For the purpose of repaying the loan the municipality by resolution of its governing body may fix the rates and charges for district heating system service and products, may enter into contracts for the payment by others of costs of construction, maintenance, and use of the project in accordance with section 444.075, and may pledge the revenues derived therefrom. The commissioner may condition a loan upon the establishment of rates and charges or the execution of contracts sufficient to produce the revenues pledged.

Subd. 11. [RECEIPTS.] All principal and interest payments received by the commissioner in repayment of the loans authorized by this section shall be deposited in the state treasury and credited to the Minnesota state building bond account and are appropriated to the commissioner for the purposes of that account.

Subd. 12. [RULES.] The director shall adopt rules necessary to carry out this section. The director may adopt temporary rules pursuant to section 15.0412, subdivision 5, meeting the requirements of this section. The rules shall contain as a minimum:

(a) Procedures for application by municipalities; and

(b) Criteria for reviewing loan applications, including those specified in subdivisions 3 and 4.

Sec. 2. Minnesota Statutes 1978, Section 412.321, Subdivision 1, is amended to read:

412.321 [MUNICIPAL UTILITIES.] Subdivision 1. [AUTHORITY TO OWN AND OPERATE.] Any statutory city may own and operate any waterworks, district heating system, or gas, light, power, or heat plant for supplying its own needs for utility service or for supplying utility service to private consumers or both. It may construct and install all facilities reasonably needed for that purpose and may lease or purchase any existing utility properties so needed. It may, in lieu of providing for the local production of gas, electricity, water, hot water, steam, or heat, purchase

the same wholesale and resell it to local consumers. After any such utility has been acquired, the council, except as its powers have been limited through establishment of a public utilities commission in the city, shall make all necessary rules and regulations for the protection, maintenance, operation, extension, and improvement thereof and for the sale of its utility products.

Sec. 3. Minnesota Statutes 1978, Section 412.351, is amended to read:

412.351 [COMMISSION, JURISDICTION.] The council shall, in the ordinance establishing the commission, decide which of the following public utilities shall be within the commissioner's jurisdiction: (1) the city water system; (2) light and power systems, including any system then in use or later acquired for the production and distribution of steam heat; (3) gas system; (4) sanitary or storm sewer system or both, including the city sewage disposal plant; (5) public buildings owned or leased by the city; (6) *district heating system*. As used subsequently in sections 412.351 to 412.391, the term "public utility" means any water, light and power, gas or sewer system, or public buildings thus placed by ordinance under the jurisdiction of the public utilities commission. Any public utility not placed under the jurisdiction of the public utilities commission by the ordinance establishing the commission may be placed under the jurisdiction of the commission by an amendment to the original ordinance.

Sec. 4. Minnesota Statutes 1978, Section 412.361, Subdivision 3, is amended to read:

Subd. 3. The commission shall have power to buy all fuel and supplies, and it may purchase wholesale electric energy, steam heat, *hot water energy*, gas or water, as the case may be, for municipal distribution.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 429.021, Subdivision 1, is amended to read:

429.021 [LOCAL IMPROVEMENTS, COUNCIL POWERS.] Subdivision 1. [IMPROVEMENTS AUTHORIZED.] The council of a municipality shall have power to make the following improvements:

(1) To acquire, open, and widen any street, and to improve the same by constructing, reconstructing, and maintaining sidewalks, pavement, gutters, curbs, and vehicle parking strips of any material, or by grading, graveling, oiling, or otherwise improving the same, including the beautification thereof and including storm sewers or other street drainage and connections from sewer, water or similar mains to curb lines.

(2) To acquire, develop, construct, reconstruct, extend and maintain storm and sanitary sewers and systems, including outlets, holding areas and ponds, treatment plants, pumps, lift stations, service connections, and other appurtenances of a sewer system, within and without the corporate limits.

(3) To construct, reconstruct, extend and maintain steam heating mains.

(4) To install, replace, extend and maintain street lights and street lighting systems and special lighting systems.

(5) To acquire, improve, construct, reconstruct, extend and maintain water works systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a water works system, within and without the corporate limits.

(6) To acquire, improve and equip parks, open space areas, playgrounds and recreational facilities within or without the corporate limits.

(7) To plant trees on streets and provide for their trimming, care and removal.

(8) To abate nuisances and to drain swamps, marshes and ponds on public or private property and to fill the same.

(9) To construct, reconstruct, extend, and maintain dikes and other flood control works.

(10) To construct, reconstruct, extend and maintain retaining walls and area walls.

(11) To acquire, construct, reconstruct, improve, alter, extend, operate, maintain and promote a pedestrian skyway system.

(12) To acquire, construct, reconstruct, extend, operate, maintain and promote underground pedestrian concourses.

(13) To acquire, construct, improve, alter, extend, operate, maintain and promote public malls, plazas or courtyards.

(14) To construct, extend, and maintain district heating systems.

Sec. 6. Minnesota Statutes 1978, Chapter 465, is amended by adding a section to read:

[465.74] [AUTHORIZATION TO OPERATE DISTRICT HEATING SYSTEMS.] *Subdivision 1.* [CITIES OF THE FIRST CLASS.] *A city operating a public utility pursuant to chapter 452 or its charter may acquire, construct, own, and operate a municipal district heating system pursuant to the provisions of that chapter or its charter.*

Subd. 2. [CITIES OF THE SECOND AND THIRD CLASS.] *A city authorized to operate an electric light plant or an electric light and power plant pursuant to chapter 455 or its charter may acquire, construct, own, and operate a municipal district heating system under that chapter or its charter.*

Subd. 3. [EXTENSION OF SERVICE OUTSIDE CITY.] *A municipal district heating system, operating pursuant to this section, may sell energy to customers located outside of the municipality and within the state but not more than a distance of 30 miles from the corporate limits of the municipality.*

Subd. 4. [NET DEBT LIMITS.] The loan obligations incurred by a political subdivision pursuant to section 4 shall not be considered as a part of its indebtedness under the provisions of its governing charter or of any law of this state fixing a limit of indebtedness.

Sec. 7. [APPROPRIATIONS.] Subdivision 1. The sum of \$49,600,000 is appropriated from the state building fund to the commissioner of finance for the purpose of making loans to municipalities for district heating systems pursuant to section 4. This appropriation is available for the following projects:

<i>(a) St. Paul</i>	<i>\$30,600,000</i>
<i>(b) Moorhead</i>	<i>\$10,000,000</i>
<i>(c) Red Wing and Minneapolis</i>	<i>\$ 8,000,000</i>
<i>(d) Preliminary planning, as defined in section 4, subdivision 5, clauses (a), (b) and (c), for Bagley, Aitkin and Virginia</i>	<i>\$ 1,000,000</i>

Subd. 2. The sum of \$100,000 is appropriated from the general fund to the director of the energy agency for the period ending June 30, 1981, for the purpose of administering loans to municipalities pursuant to section 4. The approved complement of the energy agency is increased by one position.

Sec. 8. [BOND SALE; DEBT SERVICE.] To provide the money appropriated from the state building fund by section 10, subdivision 1, the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$49,600,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67, and by the Constitution, Article XI, Sections 4 to 7.

Sec. 9. [EFFECTIVE DATE.] This act is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "transportation" and insert "public improvements"

Page 1, line 3, delete "authorizing issuance"

Page 1, delete line 4 and insert:

"authorizing the Minnesota energy agency to administer and supervise a program of loans to municipalities for establishing and improving district heating systems; authorizing the issuance of state bonds; authorizing cities to operate district heating systems; appropriating money; amending Minnesota Statutes 1978, Sections 412.321, Subdivision 1; 412.351; 412.361, Subdivision 3; Chapter 116H, by adding a section; and Chapter 465, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 429.021, Subdivision 1."

Mr. Ulland, J. questioned whether the amendment was germane.

The President ruled the amendment was germane.

The question recurred on the motion of Mr. Knoll. The motion prevailed. So the amendment was adopted.

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. 1813 and that the rules of the Senate be so far suspended as to give H. F. No. 1813 its third reading and place it on its final passage. The motion prevailed.

H. F. No. 1813 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 45 and nays 16, as follows:

Those who voted in the affirmative were:

Barrette	Hanson	McCutcheon	Perpich	Solon
Benedict	Hughes	Menning	Peterson	Spear
Chmielewski	Humphrey	Merriam	Purfeerst	Staples
Coleman	Johnson	Moe	Rued	Stokowski
Davies	Keefe, S.	Nelson	Schmitz	Strand
Dieterich	Knoll	Nichols	Setzepfandt	Ueland, A.
Engler	Laufenburger	Olhoft	Sieloff	Vega
Gearty	Lessard	Olson	Sikorski	Wegener
Gunderson	Luther	Penny	Sillers	Willet

Those who voted in the negative were:

Ashbach	Dunn	Keefe, J.	Knutson	Renneke
Bang	Frederick	Kirchner	Omann	Tennessee
Bernhagen	Jensen	Knaak	Pillsbury	Ulland, J.
Brataas				

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

Without objection, the Senate reverted to the Order of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

REPORTS OF COMMITTEES

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 121: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; removing references to legislative days.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 1696: 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.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 1827: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; adding a provision to allow the legislature to call a special session.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 2203: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 1550: A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; removing the requirements that notaries public be approved by the senate; amending Minnesota Statutes 1978, Section 359.01.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 2116: 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.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 599: A bill for an act relating to initiative and referendum; proposing amendments to the Minnesota Constitution, Article IV, by adding sections; authorizing initiative and referendum on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative and referendum measures; providing for judicial review; providing certain restrictions on the consideration of measures; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20 by adding a subdivision; 203A.31, Subdivision 2; and 645.02.

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

Mr. Coleman from the Committee on Rules and Administration, to which was re-referred

S. F. No. 1762: A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, Article XI, by adding a section; providing a constitutional limit on state appropriations; providing a statute implementing the amendment.

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

Mr. Gearty from the Committee on Elections, to which was referred the following appointment as reported in the Journal for March 28, 1980:

STATE ETHICAL PRACTICES BOARD

Henry J. Savelkoul

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

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

H. F. No. 102: A bill for an act relating to children; changing liability of parents for damage done by their minor children; amending Minnesota Statutes 1978, Section 540.18, Subdivision 1.

Reports the same back with the recommendation that the report from the Committee on Judiciary shown in the Journal for March 20, 1980, "And when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which was referred under Rule 35, together with the committee report thereon,

S. F. No. 1668: A bill for an act relating to health care; further defining "qualified expense" as it relates to catastrophic health expense protection; amending Minnesota Statutes 1978, Section 62E.52, Subdivision 3.

Reports the same back with the recommendation that the report from the Committee on Commerce shown in the Journal for March 20, 1980, "And when so amended the bill do pass" be adopted. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S. F. Nos. 121, 1696, 1827, 2203, 1550, 2116, 599, 1762 and 1668 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

SECOND READING OF HOUSE BILLS

H. F. No. 102 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS—CONTINUED

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H. F. No. 2023 at 4:30 p.m.:

Messrs. Merriam, Willet and Dunn. The motion prevailed.

Pursuant to Rule 21, Mr. Keefe, J. moved that the following members be excused for a Conference Committee on S. F. No. 1875 at 5:45 p.m.:

Messrs. Keefe, J.; Olson and Gunderson. The motion prevailed.

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H. F. No. 1781 at 6:00 p.m.:

Messrs. Merriam, Dunn, Hughes, Anderson and Dieterich. The motion prevailed.

MEMBERS EXCUSED

Messrs. Stumpf and Ogdahl were excused from the Session of today at 5:00 o'clock p.m. Mr. Dieterich was excused from the Session of today from 3:05 to 3:25 o'clock p.m.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:45 o'clock p.m. The motion prevailed.

The hour of 8:45 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on S. F. No. 364 at 8:45 p.m.:

Messrs. Willet, McCutcheon and Sillers. The motion prevailed.

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H. F. No. 1781 at 9:00 p.m.:

Messrs. Merriam, Dunn, Hughes, Anderson and Dieterich. The motion prevailed.

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on H. F. No. 1121 at 9:00 p.m.:

Messrs. McCutcheon, Johnson, Hanson, Peterson and Sillers. The motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Aabbech	Dieterich	Luther	Pillebury	Strand
Bang	Dunn	Menning	Purfeerst	Ulland, J.
Barrette	Gearty	Merriam	Schmitz	Vega
Benedict	Gunderson	Nelson	Sikorski	Willet
Brataas	Humphrey	Nichols	Spear	
Chmielewski	Keefe, S.	Ogdahl	Staples	
Coleman	Kleinbaum	Olhoft	Stern	
Davies	Laufenburger	Penny	Stokowski	

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.

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. 507: A bill for an act relating to taxation; providing for a levy apportionment for certain jurisdictions upon an assessment level differential greater than five percent; amending Minnesota Statutes 1978, Section 270.12, Subdivision 3.

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

Jude, Jacobs and Onnen.

Senate File No. 507 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

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. 1649: A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.

Senate File No. 1649 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

Mr. Gunderson moved that the Senate do not concur in the amendments by the House to S. F. No. 1649 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. 475.

H. F. No. 475: 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 1978, Sections 144.55; and 144.50, Subdivision 1.

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

Berkelman; Swanson; Reif; Nelsen, M. and Heinitz have been appointed as such committee on the part of the House.

House File No. 475 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 31, 1980

Mr. Nelson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 475, 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. 2187.

H. F. No. 2187: A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in the city of Brooklyn Center.

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

Ellingson; Carlson, L. and Rothenberg have been appointed as such committee on the part of the House.

House File No. 2187 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 31, 1980

Mr. Luther moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2187, 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. 133: A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

Senate File No. 133 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 31, 1980

Mr. Davies moved that the Senate do not concur in the amendments by the House to S. F. No. 133 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. 1453.

H. F. No. 1453: A bill for an act relating to retirement; authorizing payment of severance pay to retiring employees; validating past payments; amending Minnesota Statutes 1978, Section 356.24; and Minnesota Statutes, 1979 Supplement, Section 465.72.

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

Johnson, D.; Patton and Moe have been appointed as such committee on the part of the House.

House File No. 1453 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 31, 1980

Mr. Setzepfandt moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1453, 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. 1435.

H. F. No. 1435: A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1978, Section 147.09.

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

Forsythe, Reif and McCarron have been appointed as such committee on the part of the House.

House File No. 1435 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 31, 1980

Mrs. Knaak moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1435, 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. 1818.

H. F. No. 1818: A bill for an act relating to game and fish; authorizing moose seasons in the discretion of the commissioner; granting preference to landowners in obtaining moose licenses; amending Minnesota Statutes 1978, Section 100.27, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 100.271, Subdivision 1.

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

Reding; Carlson, D. and Kostohryz have been appointed as such committee on the part of the House.

House File No. 1818 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 31, 1980

Mr. Peterson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1818, 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. 1095.

H. F. No. 1095: A bill for an act relating to courts; authorizing certain actions against state officers to be tried in a county other than where the cause of action arose; providing for procedure for removal; amending Minnesota Statutes 1978, Sections 542.03; and 542.18.

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

Corbid, Faricy and Crandall have been appointed as such committee on the part of the House.

House File No. 1095 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 31, 1980

Mr. Hanson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1095, 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. Hanson moved that the Senate take up the Special Orders Calendar. The motion prevailed.

SPECIAL ORDER

H. F. No. 1942: A bill for an act relating to public welfare; requiring reporting of abuse or neglect of vulnerable adults; requiring certain facilities to establish abuse prevention plans;

establishing penalties; appropriating money; amending Minnesota Statutes 1978, Chapter 626, by adding a section; repealing Minnesota Statutes 1978, Sections 245.813; and 626.555.

Mr. Spear moved that the amendment made to H. F. No. 1942 by the Committee on Rules and Administration in the report adopted March 31, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Spear further moved to amend H. F. No. 1942 as follows:

Page 1, delete section 1

Page 2, line 15, delete "clearly"

Page 2, lines 21 and 30, delete "245.813" and insert "245.812"

Page 3, line 10, delete "The infliction of physical injury,"

Page 3, line 10, after "intentional" insert "and nontherapeutic"

Page 3, line 11, after "pain" insert "or injury"

Page 3, delete lines 13 and 14

Page 3, line 28, delete "Minnesota Statutes, Section" and insert "section"

Page 4, delete line 25 and insert "require the reporting or transmittal of information regarding an incident of abuse or neglect or suspected abuse or neglect if the incident has been reported or transmitted to the appropriate person or entity."

Page 6, line 13, after "any" insert "civil" and delete ", civil or criminal,"

Page 6, lines 15, 21 and 24, delete "willfully" and insert "intentionally"

Page 6, line 30, delete "Minnesota Statutes, Section" and insert "section"

Page 8, line 20, delete "Minnesota"

Page 8, line 21, delete "Statutes, Sections 15.162 to 15.1671" and insert "sections 15.1611 to 15.1698"

Page 9, line 13, delete "15.162 to 15.1671" and insert "15.1611 to 15.1698"

Page 12, after line 25, insert:

"Subd. 19. [PENALTY.] Any caretaker, as defined in section 1, 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."

Page 12, line 27, delete ", Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9,"

Page 12, line 33, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, delete "Section"

Page 1, line 7, delete everything before "Chapter"

Page 1, line 9, delete everything after "245.813"

Page 1, line 10, delete "6, 7, 8, and 9"

The motion prevailed. So the amendment was adopted.

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. 1942 and that the rules of the Senate be so far suspended as to give H. F. No. 1942 its third reading and place it on its final passage. The motion prevailed.

H. F. No. 1942 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Luther	Pillsbury	Staples
Ashbach	Engler	Menning	Purfeerst	Stern
Bang	Gearty	Moe	Renneke	Stokowski
Barrette	Gunderson	Nelson	Rued	Strand
Benedict	Humphrey	Nichols	Schmitz	Tennesen
Bernhagen	Keefe, J.	Ogdahl	Setzepfandt	Ueland, A.
Brataas	Keefe, S.	Olhoff	Sieloff	Ulland, J.
Chmielewski	Kirchner	Omann	Sikorski	Vega
Davies	Kleinbaum	Penny	Solon	
Dieterich	Knaak	Perpich	Spear	

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

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2476:

Messrs. Coleman, Ashbach, Willet, Spear and Moe. The motion prevailed.

SPECIAL ORDER

H. F. No. 1513: A bill for an act relating to the environment; regulating activities of drillers of exploratory borings; specifying the powers and duties of public officers and agencies; providing penalties; amending Minnesota Statutes 1978, Sections 156A.01; 156A.02, Subdivision 1, and by adding subdivisions; 156A.03, Subdivision 1; 156A.04; 156A.08; and Chapter 156A, by adding a section.

Mr. Luther moved to amend the amendment placed on H. F.

No. 1513 by the Committee on Agriculture and Natural Resources, adopted by the Senate March 18, 1980, as follows:

In the amendment to page 8

Line 7, delete "confidential" and insert "to be not public data"

Line 16, delete "confidential" and insert "not public"

Amend House File No. 1513 as follows:

Page 3, line 23, delete "7" and insert "8"

Page 6, line 16, delete "confidential" and insert "to be not public data"

Page 8, line 14, delete "not"

Page 8, line 15, delete "confidential" and insert "public data"

Page 8, line 26, delete "not"

Page 8, line 26, delete "confidential" and insert "public data"

The motion prevailed. So the amendment was adopted.

Mr. Chmielewski moved to amend the amendment placed on H. F. No. 1513 by the Committee on Agriculture and Natural Resources, adopted by the Senate March 18, 1980, as follows:

Delete subdivision 2 and insert:

"Subd. 2. No producer or refiner of petroleum products with sales of petroleum or petroleum products in excess of \$15,000,000,000 annually as of the effective date of this act shall directly or indirectly through subsidiaries, joint ventures or otherwise, maintain any interest in any entity engaging in the exploration for, mining of or processing of uranium within the state after the effective date of this act. The \$15,000,000,000 limit shall be adjusted annually to reflect the change in the revised consumer price index for all urban consumers for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as base year."

Renumber the subdivisions in sequence

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

Mr. Anderson moved to amend the amendment placed on H. F. No. 1513 by the Committee on Agriculture and Natural Resources, adopted by the Senate March 18, 1980, as follows:

Delete the amendment to page 2, line 10

Delete the amendment to page 4, after line 19

Delete the instruction to renumber the subdivisions

The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend H. F. No. 1513, as amended by the Committee on Agriculture and Natural Resources, adopted by the Senate March 18, 1980, as follows:

Page 10, line 5, after the period insert "Before March 1, 1981,

the board shall forward its findings and recommendations on exploration to the appropriate standing committees in the house and senate. Before June 1, 1981, the board shall forward its findings and recommendations on mining to the appropriate standing committees in the house and senate."

Page 10, line 10, delete "June" and insert "July"

The motion prevailed. So the amendment was adopted.

H. F. No. 1513 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:

Anderson	Engler	Laufenburger	Penny	Staples
Bang	Gearty	Lessard	Perpich	Stern
Barrette	Gunderson	Luther	Pillsbury	Stokowski
Benedict	Hughes	Menning	Purfeerst	Strand
Bernhagen	Humphrey	Merriam	Renneke	Stumpf
Brataas	Keefe, J.	Nelson	Rued	Tennessee
Chmielewski	Kirchner	Ogdahl	Schmitz	Ulland, J.
Davies	Kleinbaum	Olhoff	Setzepfandt	Vega
Dieterich	Knaak	Olson	Sieloff	Wegener
Dunn	Knoll	Omann	Sikorski	

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

SPECIAL ORDER

H. F. No. 1763: A bill for an act relating to education; increasing the bonding authority of the higher education coordinating board; amending Minnesota Statutes, 1979 Supplement, Section 136A.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 42 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Humphrey	Nelson	Renneke	Strand
Barrette	Keefe, J.	Ogdahl	Rued	Stumpf
Benedict	Kirchner	Olhoff	Schmitz	Ueland, A.
Bernhagen	Knaak	Olson	Sieloff	Ulland, J.
Brataas	Knoll	Omann	Sikorski	Vega
Chmielewski	Laufenburger	Penny	Solon	Wegener
Engler	Lessard	Perpich	Staples	
Gearty	Luther	Pillsbury	Stern	
Gunderson	Menning	Purfeerst	Stokowski	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1981: A bill for an act relating to public welfare; authorizing certain payments to shelter facilities for battered women; requiring direct payments to shelter facilities from general assistance; amending Minnesota Statutes 1978, Section 256D.05, Subdivision 3.

Mrs. Staples moved to amend H. F. No. 1981 as follows:

Page 2, after line 15, insert:

"Sec. 2. [REPEALER.] *Minnesota Statutes 1978, Section 609.349, is repealed.*"

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

Page 2, line 16, delete "*Section 1 is*" and insert "*Sections 1 and 2 are*"

Page 2, line 17, before the period insert "*and section 2 applies to all crimes committed on or after that date.*"

Amend the title as follows:

Page 1, line 2, delete "public welfare" and insert "crimes"

Page 1, line 5, after the semicolon insert "providing that the status of marriage or an ongoing voluntary sexual relationship of cohabiting adults shall not be a defense to prosecution for criminal sexual conduct"

Page 1, line 6, before the period insert "; repealing Minnesota Statutes 1978, Section 609.349"

Mr. Sieloff questioned whether the amendment was germane.

The President ruled that the amendment was germane.

CALL OF THE SENATE

Mr. Nelson imposed a call of the Senate. The following Senators answered to their names:

Barrette	Garty	Lessard	Perpich	Staples
Benedict	Humphrey	Luther	Pillsbury	Stern
Bernhagen	Jensen	Menning	Renneke	Stokowski
Brataas	Keefe, J.	Nelson	Rued	Stumpf
Chmielewski	Keefe, S.	Ogdahl	Schmitz	Tennessee
Davies	Kirchner	Olhoft	Setzepfandt	Ueland, A.
Engler	Knaak	Omann	Sieloff	Vega
Frederick	Laufenburger	Penny	Sikorski	Wegener

The Sergeant at Arms was instructed to bring in the absent members.

H. F. No. 1981 was then progressed.

SPECIAL ORDER

S. F. No. 2181: A bill for an act relating to taxation; sales; exempting sales of road building materials; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1; repealing Minnesota Statutes 1978, Section 297A.25, Subdivision 4.

Mr. Keefe, J. moved to amend S. F. No. 2181 as follows:

Page 8, line 33, delete "road building materials" and insert "sand, gravel, and crushed rock"

Amend the title as follows:

Page 1, line 3, delete "road building materials" and insert "sand, gravel, and crushed rock used in road construction"

The motion prevailed. So the amendment was adopted.

S. F. No. 2181: A bill for an act relating to taxation; sales; exempting sales of sand, gravel, and crushed rock used in road construction; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1; repealing Minnesota Statutes 1978, Section 297A.25, Subdivision 4.

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 10, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Lessard	Perpich	Staples
Ashbach	Hughes	Menning	Pillsbury	Stern
Bang	Humphrey	Moe	Renneke	Stokowski
Barrette	Jensen	Nelson	Rued	Strand
Bernhagen	Keefe, J.	Nichols	Schaaf	Ueland, A.
Brataas	Kirchner	Ogdahl	Schmitz	Ulland, J.
Chmielewski	Kleinbaum	Olhoff	Setzepfandt	Vega
Coleman	Knaak	Olson	Sieloff	Wegener
Engler	Knutson	Omann	Sikorski	Willet
Frederick	Laufenburger	Penny	Solon	

Those who voted in the negative were:

Benedict	Dieterich	Keefe, S.	Luther	Stumpf
Davies	Gunderson	Knoll	Merriam	Tennessee

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that H. F. No. 797 be taken from the table. The motion prevailed.

H. F. No. 797: A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.

Mr. Anderson moved that H. F. No. 797 be laid on the table. The motion prevailed.

RECESS

Mr. Coleman 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 Reports of Committees.

REPORTS OF COMMITTEES

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 599, 1827, 1696, 2116, 2203, 1550, 121 and 1762, makes the following report:

That the above Senate Files be placed on the Special Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested.

Mr. Coleman moved the adoption of the foregoing Committee report. The motion prevailed. Report adopted.

APPOINTMENTS

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

S. F. No. 133: Messrs. Davies, Spear, Bernhagen.

S. F. No. 1649: Messrs. Gunderson, Renneke, Strand.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the proceedings on S. F. No. 2085. The following Senators answered to their names:

Anderson	Frederick	Lessard	Renneke	Stokowski
Ashbach	Gearty	Luther	Rued	Strand
Bang	Hughes	Menning	Schaaf	Stumpf
Barrette	Humphrey	Merriam	Schmitz	Tennessee
Benedict	Keefe, S.	Moe	Setzepfandt	Ueland, A.
Bernhagen	Kirchner	Nichols	Sieloff	Ulland, J.
Brataas	Kleinbaum	Ogdahl	Sikorski	Vega
Coleman	Knaak	Olhoft	Solon	Wegener
Davies	Knoll	Olson	Spear	Willet
Dieterich	Knutson	Penny	Staples	
Engler	Laufenburger	Pillsbury	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 2085 a Special Order to be heard immediately.

S. F. No. 2085: A bill for an act relating to public employees; creating a state department of employee relations; establishing

appropriate units for state employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing the duty of the revisor of statutes regarding certain collective bargaining agreements; abolishing the personnel board and transferring the duties thereof; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.005, by adding a subdivision; 43.01, Subdivision 8; 43.05, Subdivision 2, and by adding a subdivision; 43.062, Subdivision 1; 43.065; 43.067, Subdivision 2; 43.068; 43.111; 43.245; 43.321; 43.323, Subdivision 1; 43.35; 43.45; 43.46; 179.63, Subdivision 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivision 3; 246.014; 352.01, Subdivision 2B; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 15A.083, Subdivision 4; 43.05, Subdivision 2; 43.062, Subdivision 3; 43.067, Subdivision 1; 43.09, Subdivision 2a; 43.19, Subdivision 1; 43.24; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.01, Subdivision 7; 43.03; 43.06; 43.062, Subdivision 2; 43.07; 43.324, Subdivision 2; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; 179.64, Subdivision 7.

Mr. Coleman moved to amend S. F. No. 2085 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes, 1979 Supplement, Section 3.855, is amended to read:

3.855 [LEGISLATIVE COMMISSION ON EMPLOYEE RELATIONS.] Subdivision 1. [ESTABLISHMENT.] There is created the legislative commission on employee relations. The commission shall consist of six members of the senate and six members of the house of representatives. The senate members shall include the *majority leader of the majority caucus of the senate*, the *minority leader of the minority caucus of the senate*, the chairman of the governmental operations committee, the chairman of the finance committee, the chairman of the ~~tax~~ *committee on taxes and tax laws*, and an additional member designated by the *minority leader*; ~~or their designees of the minority caucus~~. The house members shall include the speaker, the *minority leader of the minority caucus of the house*, the chairman of the governmental operations committee, the chairman of the appropriations committee, the chairman of the ~~tax~~ *taxes committee*, and an additional member designated by the *minority leader*; ~~or their designees of the minority caucus~~. In the event that the membership of the house is evenly divided, the house members shall be selected pursuant to the rules of the house. *Any member*

of the commission may resign by providing notice to the chairman. In the event of a resignation by a member of the: (1) senate, a replacement shall be selected from among the members of the senate by the committee on rules; (2) house, a replacement shall be selected from among the members of the house pursuant to house rules. The commission shall elect its own officers who shall serve for terms of two years. The chairmanship of the commission shall alternate between a member of the senate and a member of the house.

Subd. 2. [STATE EMPLOYEE NEGOTIATIONS.] Prior to the commencement of collective bargaining activities with state employees, the commission shall conduct hearings at which public employees, representatives of public employees and the commissioner of personnel shall be allowed to testify as to their beginning negotiating positions. The commissioner of personnel employee relations shall regularly advise the commission on the progress of collective bargaining activities with state employees pursuant to the state public employment labor relations act. During the course of the negotiations, the commission may make recommendations to the commissioner as it deems appropriate but no recommendation shall impose any obligation or grant any right or privilege to the parties. The commissioner shall submit to the chairman of the commission any negotiated agreements or arbitration awards which the commissioner has approved within five days of the making thereof. Approved negotiated agreements shall be submitted within five days of the date of approval by the commissioner or the date of approval by the affected state employees whichever occurs later. Arbitration awards shall be submitted within five days of their receipt by the commissioner. If the commission disapproves of any agreement or award, the commission shall specify in writing to the parties those portions with which it disagrees and the reasons therefor. Upon receipt of the notice of disapproval from the commission, the commissioner of personnel will reopen the negotiations. If the commission approves of an agreement or award, it shall cause the matter to be submitted to the legislature to be accepted or rejected pursuant to section 179.74, subdivision 5. Failure of the commission to disapprove of affected portions of an agreement or award within 30 days of its receipt shall be deemed approval. Approval or disapproval by the commission shall not be binding on the entire legislature.

After adjournment of the legislature in an odd numbered year, the commission may give interim approval to a negotiated agreement or arbitration award. It shall submit the negotiated agreement or arbitration award to the entire legislature for ratification as provided in section 179.74, subdivision 5.

Subd. 3. [OTHER DUTIES.] In addition to the duties specified in subdivision 2, the commission shall perform the following:

(a) Review and approve, reject, or modify a plan for compensation, terms and conditions of employment prepared and submitted by the commissioner of employee relations pursuant to section 10 covering all state employees not represented by an exclusive bar-

gaining representative and whose compensation is not otherwise established by law;

(b) Continually monitor the state's civil service system, as provided for in chapter 43, rules of the commissioner of employee relations and the collective bargaining process, as provided for in sections 179.61 to 179.76, as applied to state employees;

~~(b)~~ *(c) Research and analyze the need for improvements in those statutory sections; and*

~~(c)~~ *(d) Adopt rules not inconsistent with this section relating to the scheduling and conduct of commission business and other organizational and procedural matters; and*

(e) Perform such other related functions as are delegated to it by the legislature.

Sec. 2. Minnesota Statutes 1978, Chapter 43, is amended by adding a section to read:

[43.0001] *The name of the department of personnel is changed to the department of employee relations. The title of the commissioner of personnel is changed to the commissioner of employee relations. Subject to applicable laws, the department of employee relations, with its commissioner and officers, shall continue to exercise all the powers and duties vested in or imposed upon the department and commissioner of personnel immediately prior to the effective date of this section.*

Sec. 3. Minnesota Statutes 1978, Section 43.001, is amended to read:

43.001 [DEPARTMENT OF EMPLOYEE RELATIONS; CREATION.] Subdivision 1. The department of ~~personnel~~ *employee relations* is hereby created under the control and supervision of a commissioner of ~~personnel~~ *employee relations*, which office is hereby established.

Subd. 2. The commissioner of ~~personnel~~ *employee relations* is appointed by the governor under the provisions of section 15.06. He shall have ~~broad experience in a managerial position including about five years as an executive personnel manager in one or more organizations essentially similar in complexity to state government.~~ *The commissioner shall be knowledgeable in executive personnel management and shall have background in labor relations.*

Subd. 3. The commissioner may appoint ~~one deputy commissioner and a confidential secretary, each of whom~~ *who* shall serve at the pleasure of the commissioner in the unclassified service.

Subd. 4. Subject to the ~~provisions of Laws 1973, Chapter 507 and to other applicable laws governing a state department or agency,~~ the commissioner shall organize the department and employ ~~such other officers, employees, and agents as he may deem necessary to discharge the functions of his the department, define the duties of such these officers, employees, and agents and to~~

delegate to them any of his powers, duties, and responsibilities subject to his the commissioner's control and under such conditions as he the commissioner may prescribe. Personnel employed pursuant to this subdivision are in the classified service of the state civil service.

Subd. 5. The department of employee relations shall be organized into two divisions: the division of personnel and the division of labor relations. Each division shall be under the immediate charge of a deputy commissioner.

Subd. 6. The deputy commissioners for the divisions of personnel and labor relations shall be appointed by and serve at the pleasure of the commissioner, and shall be in the unclassified service of the state. The deputy commissioner for the division of labor relations shall have extensive background in labor relations and shall have experience in dealing with contracts similar in complexity to those negotiated between the state and exclusive representatives of state employees.

Subd. 7. Each division of the department of employee relations shall be responsible for administering the duties and functions that are assigned to it by law and by the commissioner of employee relations. Insofar as the duties of the divisions are not mandated by law, the commissioner may establish and revise the assignments of either division.

Subd. 8. The division of labor relations shall perform the duties assigned to the commissioner of employee relations by sections 3.855, 43.05, subdivision 3 and chapter 179.

The deputy commissioner for the division of labor relations shall be the chief state labor negotiator for purposes of negotiating and administering agreements with exclusive representatives of state employees.

Subd. 9. The division of personnel shall perform the duties assigned to the commissioner by section 43.05, subdivision 2.

Sec. 4. Minnesota Statutes 1978, Section 43.01, Subdivision 8, is amended to read:

Subd. 8. [COMMISSIONER.] "Commissioner" means the commissioner of personnel employee relations.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 43.05, subdivision 2, is amended to read:

Subd. 2. [SPECIFIED DUTIES.] The commissioner shall:

(1) Attend all meetings of the board;

(2) Promulgate personnel rules for the purpose of carrying out the provisions of this chapter; these rules shall provide, among other things, for current records of efficiency, and standards of performance, for all employees subject to the provisions of this chapter; the manner of completing appointments and promotions; rejection of eligible candidates; examinations; retention of examination records under the provisions of section 138.163; creation of

eligible lists, with successful candidates ranked according to their ratings in the examinations; leaves of absence with and without pay; transfers, and reinstatements; layoffs, vacations, and hours of work; public notice of examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other conditions of employment. If a rule is made concerning sick leave for illness in the immediate family of an employee, the term "immediate family" shall be limited to the spouse, minor or dependent children, or parent where the parent has no other person to provide the necessary nursing care, living in the household of the employee;

(3) Operate an information system from which data can be retrieved concerning employees in agencies under his jurisdiction showing their employment histories including the date of appointment, demotion, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, and separations from the service; and the commissioner shall have access to all public and private personnel data kept by an appointing authority, the examination of which will aid in the discharge of his duties;

(4) Prepare, in accordance with the provisions of this chapter and the rules adopted hereunder, examinations, eligible lists, and ratings of candidates for appointment;

(5) Make certifications for appointment within the classified service, in accordance with the provisions of this chapter;

(6) Make investigations concerning all matters touching the enforcement and effect of the provisions of this chapter and the personnel rules prescribed hereunder;

(7) Discharge such duties as are imposed upon him by this chapter;

(8) Establish, publish and continually review logical career paths in the classified civil service;

(9) Consider all requests for other than state appropriated funds from any state department or agency for personnel purposes all of which shall be submitted to him for comment before any such request is made of a federal, local, or private agency; and

(10) Prepare rules regulating the temporary designation of positions in the unclassified civil service;

(11) Review, establish or change titles for the positions in the unclassified civil service in the executive branch of state government except those established by law or by the constitution, to make titles descriptive of positions and consistent throughout the state service; and

(12) In conformance with the rule making provisions of chapter 15, promulgate a code of ethics establishing standards of conduct to be observed by state employees in the performance of their official duties.

Sec. 6. Minnesota Statutes 1978, Section 43.05, is amended by adding a subdivision to read:

Subd. 3. The commissioner, through the division of labor relations, shall:

(a) Represent the state at hearings conducted by the director of the bureau of mediation services relating to state employees;

(b) Represent the state in all collective bargaining between the state and exclusive representatives, and represent the state in mediation and arbitration of collective bargaining disputes;

(c) Report to the legislative commission on employee relations pursuant to section 3.855;

(d) Be responsible for state management interpretation of all collective bargaining agreements between the state and exclusive representatives and provide state management personnel with training in the interpretation and application of these collective bargaining agreements;

(e) Oversee the administration of all written grievances arising under collective bargaining agreements between the state and an exclusive representative. The commissioner shall establish procedures which appointing authorities shall follow to enable the commissioner to monitor the grievance procedure at all steps;

(f) Have final authority to decide if a grievance shall be submitted to arbitration or if it shall be settled without arbitration;

(g) Represent the state at all grievance arbitrations;

(h) Collect and analyze all information necessary to carry out the responsibilities of this subdivision.

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 43.067, Subdivision 1, is amended to read:

43.067 [SALARY LIMITS.] Subdivision 1. [AGENCY HEADS AND DEPUTIES.] The base salary of the head of any state department or other agency in the executive branch shall serve as the upper limit of compensation in the agency. ~~The base salary of the chancellor of the state university system is the upper limit of compensation of state university presidents.~~ The base salary of the commissioner of labor and industry is the upper limit of compensation of employees in the bureau of mediation services. ~~Within the agency, no person other than the agency head shall be paid more than the base salary that is or would be paid a deputy agency head pursuant to section 15A.081 whether or not there is a deputy agency head position for that agency.~~

Sec. 8. Minnesota Statutes 1978, Section 43.111, is amended to read:

43.111 [POLICY.] It is the public policy of the state of Minnesota that an efficient and well trained work force be maintained to carry out the work ordained by the legislature. It is further directed that modern methods of selection, training and salary admin-

istration be established and maintained. The standards of selection shall be of such a nature as to be based on merit and provide for the proper level of preparation and experience. Recognizing the cost of excessive employee turnover, it is directed that priority be given to the maintenance of a steady work force. To this end, training, by way of in-service programs and stipend allowances shall be encouraged. It is also established as the policy of the state of Minnesota that employees be paid a total compensation which is competitive with that paid for like positions in other private and public employment. Proper attention will also shall be given to equitable internal pay compensation relationships between related job classes and among the various levels within the same job family or department, with the understanding that the collective bargaining relationship between the state and its employees established through the provisions of chapter 179 must take precedence. Continuing analysis of pay rates and, supplementary pay practices shall be carried on, as well as and analyses of jobs to determine comparability of job content shall be carried on.

Sec. 9. Minnesota Statutes 1978, Chapter 43, is amended by adding a section to read:

[43.112] [COMPENSATION, TERMS, AND CONDITIONS OF EMPLOYMENT.] *Subdivision 1. [REPRESENTED EMPLOYEES.] To the extent they are lawfully covered by a collective bargaining agreement, the compensation, terms and conditions of employment for all state employees represented by an exclusive representative certified pursuant to chapter 179 shall be governed by the collective bargaining agreement executed by the parties and approved by the legislature.*

Subd. 2. [NON-REPRESENTED EMPLOYEES.] The compensation, terms and conditions of employment of all state employees not represented by an exclusive representative certified pursuant to chapter 179 shall be solely governed by statute, rule and the plan developed by the commissioner and approved by the legislature pursuant to sections 3.855 and 179.74, subdivision 5, and section 10.

Subd. 3. [MERIT SYSTEM TO CONTROL.] The provisions of chapter 43 governing the recruitment, classification and selection of state employees on the basis of their relative ability, knowledge and skills, including sections 43.111, 43.12, subdivision 1, 43.13 to 43.15, 43.17, 43.18, subdivisions 1 to 3, 43.19, subdivisions 2 and 3, 43.20, and 43.30, shall not be modified, waived or abridged by any contract executed by the state pursuant to chapter 179.

Sec. 10. Minnesota Statutes 1978, Chapter 43, is amended by adding a section to read:

[43.113] [PLAN FOR COMPENSATION, TERMS AND CONDITIONS OF EMPLOYMENT FOR NON-REPRESENTED EMPLOYEES.] *Subdivision 1. The commissioner of employee relations shall periodically submit to the legislative commission on employee relations a plan to govern the compensation, terms and conditions of employment for all state employees who*

are not represented by an exclusive representative certified pursuant to chapter 179 and whose compensation is not provided for by section 43.064 or other law. The commission shall review the plan and submit it to the legislature along with any recommendations it deems appropriate. The plan need not be adopted in accordance with the rulemaking provisions of chapter 15. The plan shall not take effect until approved by the legislature, provided that the legislative commission may give interim approval to a plan and subsequently submit it to the entire legislature for ratification in the same manner as provided for negotiated agreements and arbitration awards under section 179.74, subdivision 5.

Subd. 2. In establishing and recommending compensation for any position within the plan, the commissioner of employee relations shall assure that:

(1) Compensation in the classified and unclassified service bear equitable relationships to one another;

(2) Compensation for state positions bears equitable relationships to compensation for similar positions outside state service; and

(3) Compensation for management positions bears equitable relationships to compensation of represented employees managed.

(4) Compensation for positions within the classified service bear equitable relationships among related job classes and among various levels within the same job family or department.

Compensations bear equitable relationships to one another within the meaning of this subdivision if compensation for positions which require comparable knowledge, abilities, duties, responsibilities and accountabilities are comparable and if compensation for positions which require differing knowledge, abilities, duties, responsibilities and accountabilities are proportional to the knowledge, abilities, duties and responsibilities required.

Sec. 11. Minnesota Statutes 1978, Section 43.18, Subdivision 4, is amended to read:

Subd. 4. [APPOINTMENT; PROBATION.] The appointing authority shall appoint on probation, with sole reference to merit and fitness, one of the said candidates, whose name is certified in the manner above set forth, to fill such vacancy, except as provided in section 43.23. Seniority in length of service shall may also be one of the factors in an appointment in the manner as provided by personnel rule. The provisions of this section shall not apply when the employment situation is among those listed in section 43.20, for which competitive examinations are not required.

Sec. 12. Minnesota Statutes, 1979 Supplement, Section 43.19, Subdivision 1, is amended to read:

43.19 [VACANCIES; PROMOTIONS; DISMISSALS.] Subdivision 1. [VACANCIES FILLED BY PROMOTION.] (1) Vacancies in positions shall be filled, so far as practicable, by promotion from among persons holding positions in the execu-

tive branch of the state civil service, or the legislative branch of state civil service, and classified positions on the staff of the legislative auditor, Minnesota state retirement system and teachers retirement association and, subject to ~~such~~ *those* exceptions as the commissioner may provide, from the lower class and in accordance with section 43.18 and personnel rules. Except as provided in clause (2), promotions shall be based upon merit and fitness, to be ascertained by competitive examinations in which the employee's efficiency and job-related conduct shall constitute a factor. For positions defined by personnel rule as "non-managerial" seniority shall *may* also constitute a factor.

(2) The commissioner may authorize the appointing authority of any state agency to promote any employee in that agency to a higher class provided his position has been reallocated as the result of gradual changes in the job which have occurred over a period of time and he has performed satisfactorily in the position.

(3) *On or before January 1, 1981, the commissioner shall submit a report to the legislative commission on employee relations recommending methods of improving the state's efforts to insure equal employment opportunity pursuant to section 43.15. The report shall include recommendations with respect to both hiring and promotions along with an analysis of the effects of seniority requirements on promotional practices.*

Sec. 13. Minnesota Statutes 1978, Section 43.245, is amended to read:

43.245 [PERFORMANCE APPRAISAL SYSTEM.] The commissioner shall design and implement an employee performance appraisal system for the classified *and unclassified* service. This system shall be based on uniform position description and results oriented performance standards formats. The commissioner, in consultation with the departments, shall develop criteria and content as necessary so long as the system is uniform for all departments. The commissioner shall establish and enforce rules with respect to the utilization of the results of this performance appraisal system in all decisions relating to the status of employees. ~~The commissioner may further by rule prescribe the extent to which these reports shall be open to inspection by the public and by the affected employee.~~ Each employee in the classified and unclassified service in the executive branch shall be evaluated and counseled at least once a year on his work performance. Individual pay increases for all state employees not represented by an exclusive representative certified pursuant to chapter 179 shall be based on ~~such~~ *the evaluation and other factors the commissioner includes, and the legislature approves, in the plan developed pursuant to section 10. Collective bargaining agreements entered into pursuant to chapter 179 may, and are encouraged to, provide for pay increases based on employee performance.*

Sec. 14. Minnesota Statutes 1978, Section 43.321, is amended to read:

43.321 [GRIEVANCE PROCEDURE.] The commissioner shall promulgate by personnel rule procedures relating to grievances of

any state officer or employee in the executive branch and provide the circumstances under which the grievance procedure is available, except that no state employee may avail himself of more than one grievance procedure on any one complaint or use the procedure set forth in the rule if he is a member of a bargaining unit that has a collective bargaining agreement entered into pursuant to chapter 179 which provides for methods and procedures to resolve that type of grievance.

Sec. 15. Minnesota Statutes 1978, Section 43.45, is amended to read:

43.45 [CONTRACTING AUTHORITY.] Subdivision 1. The commissioner is authorized to request bids from carriers or to negotiate with carriers and to enter into contracts with carriers which in the sole judgment of the commissioner are best qualified to underwrite and service the benefit plans. The commissioner shall consider such factors such as the cost and conversion options relating to the contracts as well as the service capabilities, character, financial position, and reputation with respect to such of the carriers and any other factors which the commissioner may deem deems appropriate. Each such benefit contract shall be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. Effective October 1, 1980, the commissioner shall, to the extent feasible, make basic hospital and medical benefits available from at least three carriers at least one each of whom shall be licensed to do business pursuant to chapters 62A, 62C, and 62D. The commissioner need not provide health maintenance services to an employee who resides in an area which is not served by a licensed carrier. The commissioner may elect not to offer all three types of carriers if there are no bids or no acceptable bids by that type of carrier or if the offering of additional carriers would result in excessive additional administrative costs. Any carrier licensed pursuant to chapter 62A shall be exempt from the tax imposed by section 60A.15 on premiums paid to it by the state.

Subd. 2. Each contract under sections 43.42 to 43.49 shall contain a detailed statement of benefits offered and shall include such any maximums, limitations, exclusions, and other definitions of benefits as the commissioner may deem necessary or desirable. Each contract shall provide benefits at least equal to those required by section 62E.06, subdivision 2.

Subd. 3. The commissioner shall make available, through such any carriers as it the commissioner may authorize, as many optional coverages as it deems deemed feasible and advantageous to eligible state employees and their dependents which said the employees may pay for at their own expense to be paid for through payroll deductions.

Subd. 4. The commissioner shall appoint and serve as chairman of an insurance advisory council consisting of eleven members. Two members shall be selected from names submitted by exclusive representatives of state employees. One member shall be selected from names submitted by exclusive representatives of

employees of the university of Minnesota. One member shall be selected from names submitted by organizations representing retired state employees. One member shall be selected from names submitted by the regents of the university of Minnesota. The commissioners of administration, insurance, health and finance, and the deputy commissioner for labor relations or their designees, shall serve as the other members. Except as provided in this section, the provisions of section 15.059 shall apply to the members of the council. The council shall advise the commissioner in the selection of carriers and the implementation of collective bargaining agreements. Evidence of discussions, recommendations or decisions by the council shall not be submitted to any court or arbitrator in any matter involving state or university of Minnesota employees.

Sec. 16. Minnesota Statutes 1978, Section 43.46, is amended to read:

43.46 [CONTRIBUTIONS BY STATE.] *Subdivision 1.* The total contribution by the state for each state employee under sections 43.42 to 43.49 and for dependents of state employees shall be otherwise prescribed by law and which, rule, a plan prepared pursuant to section 10, or a collective bargaining agreement. The contribution shall be applied to provide basic hospital benefits, basic medical benefits, basic dental benefits, an annual health evaluation and screening program and basic life insurance of such in amounts as may be determined from time to time by the commissioner or in a collective bargaining agreement.

Subd. 2. [EMPLOYEE COVERAGE.] The amount of premium paid by the state for represented employees for state employees' basic hospital benefits, basic medical benefits and basic dental benefits coverage shall be negotiated between the state and exclusive representatives of state employees. Except as provided in this subdivision, the amount paid for each state employee's coverage shall be uniform for all employees in the same bargaining unit. Employees who select a carrier whose premium is in excess of the state payment shall be required to pay the difference. Employees who select a carrier whose premium is less than the state payment shall be given the option of using the difference to obtain benefits in addition to the standard negotiated packages or being paid the difference as additional compensation.

Subd. 3. [DEPENDENT COVERAGE.] The amount of premium paid by the state for state employees' dependents' basic hospital benefits, basic medical benefits and basic dental benefits coverage shall be negotiated between the state and exclusive representatives of state employees. Except as provided in this subdivision, the amount paid for each state employee's dependent coverage shall be uniform for all employees in the same bargaining unit. Employees who select a carrier whose premium is in excess of the state payment shall be required to pay the difference. Employees who select a carrier whose premium is less than the state payment shall be given the option of using the difference to

obtain benefits in addition to the standard negotiated packages or being paid the difference as additional compensation.

Subd. 4. [UNREPRESENTED EMPLOYEES.] The commissioner shall establish the level of state payment of premiums paid by the state for all state employees who do not have an exclusive representative and for their dependents. The levels of payment shall be included in the plan prepared pursuant to section 10. Payments shall be made in the manner provided for in subdivisions 2 and 3.

Sec. 17. Minnesota Statutes, 1979 Supplement, Section 43.50, Subdivision 1, is amended to read:

43.50 [PAYMENT OF PREMIUMS.] Subdivision 1. Each department of the state government shall pay the amounts due for basic life insurance, basic dental insurance, and basic health hospital benefits and basic medical benefits coverage authorized for eligible state employees as provided by pursuant to this chapter. Effective July 1, 1979, each department of the state government shall contribute up to \$64 per year toward the cost of the approved annual health evaluation and screening program for each eligible employee who elects to participate and who elects health insurance coverage under Blue Cross and Blue Shield of Minnesota. Eligible employees who elect coverage under a health maintenance organization shall only be eligible to receive this benefit if the health maintenance organization in which the employee is enrolled does not make available without additional cost, on an annual basis, the tests performed for state employees by the approved program.

Additionally, and notwithstanding any law to the contrary, effective the first day of the first payroll period commencing on or after July 1, 1979, each department of the state government shall contribute up to \$60 per month or 90 percent of the cost, whichever is greater, toward the cost of dependent hospital medical insurance coverage premiums for their eligible employees who have eligible dependents. Each department shall also contribute one half the difference between single and family dental coverage per month for all eligible employees carrying dependent dental insurance coverage. To enable employees to receive benefit from this provision, open enrollment periods from August 15 through September 30, 1979 and from August 15 through September 30, 1980, are established. During open enrollment periods employees may enroll their dependents in dental coverage and hospital medical coverage without proof of insurability. Effective January 1, 1981, The changed benefits provided in this section shall apply to eligible members of the legislature and their eligible dependents when they become eligible for the benefits. Each of the departments shall pay such the amounts from accounts and funds from which the department receives its revenues, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of salaries. In order to enable the commissioner of finance to maintain proper records

covering the appropriations pursuant to this section, he may require certifications in connection therewith as he may deem necessary from any state agency, the Minnesota historical society, or the University of Minnesota whose employees receive benefits pursuant to this chapter. The accounts and funds referred to from which departments receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

Sec. 18. Minnesota Statutes, 1979 Supplement, Section 62D.22, Subdivision 7, is amended to read:

Subd. 7. A licensed health maintenance organization shall be deemed to be a prepaid group practice plan for the purposes of chapter 43 and shall be allowed to participate as a carrier for state employees subject to any ~~negotiated labor agreement~~ *collective bargaining agreement entered into pursuant to chapter 179* and reasonable restrictions applied to all carriers. *The commissioner of employee relations may refuse to allow a health maintenance organization to continue as a carrier if it was selected by less than 500 employees in the preceding benefit year.*

Sec. 19. Minnesota Statutes 1978, Section 179.63, Subdivision 7, is amended to read:

Subd. 7. "Public employee" or "employee" means any person appointed or employed by a public employer except:

- (a) elected public officials;
- (b) election officers;
- (c) commissioned or enlisted personnel of the Minnesota national guard;
- (d) emergency employees who are employed for emergency work caused by natural disaster;
- (e) part time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's bargaining unit;
- (f) employees who hold positions of a basically temporary or seasonal character for a period not in excess of 100 working days in any calendar year;
- (g) employees of charitable hospitals as defined by section 179.35, subdivision 3;
- (h) *full time undergraduate students employed by the school which they attend under a work study program or in connection with the receipt of any financial aid, irrespective of number of hours of service per week.*

Sec. 20. Minnesota Statutes 1978, Section 179.63, Subdivision 8, is amended to read:

Subd. 8. "Confidential employee" means any employee who works in the personnel offices of a public employer or who has

access to information subject to use by the public employer in meeting and negotiating or who actively participates in the meeting and negotiating on behalf of the public employer. *Provided that when the reference is to executive branch employees of the state of Minnesota or employees of the regents of the University of Minnesota, "confidential employee" means any employee who has access to information subject to use by the public employer in collective bargaining or who actively participates in collective bargaining on behalf of the public employer.*

Sec. 21. Minnesota Statutes, 1979 Supplement, Section 179.63, Subdivision 11, is amended to read:

Subd. 11. "Essential employee" means firefighters, police peace officers subject to licensure pursuant to sections 626.84 to 626.855, highway patrolman, guards at correctional institutions facilities, and employees of hospitals other than state hospitals and registered nurses, as defined in section 148.171, engaged in the practice of professional nursing and employed in a state hospital or state nursing home; provided that (1) with respect to state employees, "essential employee" means all employees in the law enforcement, health care professional, correctional guards, and supervisory collective bargaining units, irrespective of severance, and no other employees, and (2) with respect to university of Minnesota employees, "essential employee" means all employees in the law enforcement, nursing professional and supervisory units, irrespective of severance, and no other employees. The term "firefighters" means salaried employees of a fire department whose duties include, directly or indirectly, controlling, extinguishing, preventing, detecting, or investigating fires.

Sec. 22. Minnesota Statutes 1978, Section 179.64, is amended by adding a subdivision to read:

Subd. 1a. [STRIKES AUTHORIZED.] (a) Nonstate public employees, other than confidential, essential, managerial; and supervisory employees, principals and assistant principals, shall have the right to strike only under the following circumstances: (1) The employer has violated section 179.68, subdivision 2, clause (9); (2) with respect to all employees other than teachers, the employer and the exclusive representative have participated in mediation sessions called pursuant to section 179.69 at least 30 days prior to the expiration date of the contract, and either: (i) one party has rejected a request by the other party for binding arbitration pursuant to section 179.69 or 179.692; or (ii) 30 days after an impasse in contract negotiations there is no agreement to submit the issues in dispute to binding arbitration; (3) with respect to teachers the employer and the exclusive representative have participated in mediation sessions called pursuant to section 179.69 for a period extending at least 30 days beyond the expiration date of the contract, and either: (i) one party has rejected a request by the other party for binding arbitration pursuant to section 179.69 or 179.692; or (ii) 30 days after an impasse in contract negotiations there is no agreement to submit the issues in dispute to binding arbitration. (b) Nonessential state employees shall have the right to strike only under the following circum-

stances: the employer has violated section 179.68, subdivision 2, clause (9); (2) the employer and the exclusive representative have participated in mediation sessions called pursuant to section 179.69 at least 30 days prior to the expiration date of the contract, and either: (i) one party has rejected a request by the other party for binding arbitration pursuant to section 179.69 or (ii) 30 days after an impasse in contract negotiations there is no agreement to submit the issues in dispute to binding arbitration; (3) the legislative commission on employee relations has not given interim approval to a negotiated agreement or arbitration award pursuant to section 179.74, subdivision 5 within 30 days after its receipt, or (4) the entire legislature rejects or fails to ratify a negotiated agreement or arbitration award, which has been approved by the legislative commission on employee relations, at a special legislative session called to consider it or at its next regular legislative session, whichever occurs first. (c) No strike may commence until the expiration date of a contract and ten days after service of written notification of intent to strike by the exclusive representative on the public employer and the bureau of mediation services service may be made by certified mail. If more than 30 days have expired after service of a notice of intent to strike, no strike may commence until ten days after service of a new written notification of intent to strike. Except as authorized in this subdivision, all strikes by public employees shall be illegal. Except as provided in this subdivision, no unfair labor practice or violation of sections 179.61 to 179.76 by a public employer shall give public employees a right to strike. Those factors may be considered by the court in mitigation of or retraction of any penalties provided by this section.

Sec. 23. Minnesota Statutes 1978, Section 179.64, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding any other provision of law, any public employee who ~~violates strikes in violation of~~ the provisions of this section may have his appointment or employment terminated by the employer effective the date the violation first occurs. ~~Such~~ The termination shall be ~~effective upon made by serving~~ written notice ~~served~~ upon the employee. Service may be made by certified mail.

Sec. 24. Minnesota Statutes 1978, Section 179.64, Subdivision 3, is amended to read:

Subd. 3. For purposes of this subdivision an employee who is absent from any portion of his work assignment without permission, or who abstains wholly or in part from the full performance of his duties without permission from his employer on the date or dates when a strike ~~not authorized by this section~~ occurs is prima facie presumed to have engaged in a ~~an~~ illegal strike on ~~such~~ the date or dates ~~involved~~.

Sec. 25. Minnesota Statutes 1978, Section 179.64, Subdivision 4, is amended to read:

Subd. 4. A public employee who knowingly ~~violates~~ participates in a strike in violation of the provisions of this section and whose

employment has been terminated pursuant to this section, may, subsequent to such violation, subsequently be appointed or reappointed, employed or reemployed, but the employee shall be on probation for two years with respect to such the civil service status, tenure of employment, or contract of employment, as to which he may have theretofore been was previously entitled.

No employee shall be entitled to any daily pay, wages, reimbursement of expenses, or per diem for the days on which he engaged in a strike.

Sec. 26. Minnesota Statutes 1978, Section 179.64, Subdivision 5, is amended to read:

Subd. 5. Any public employee, upon request, shall be entitled, as hereinafter provided, to request the opportunity to establish that he did not violate the provisions of this section. Such The request must shall be filed in writing with the officer or body having the power to remove such the employee, within ten days after notice of termination is served upon him; whereupon such. The employing officer, or body, shall within ten days commence a proceeding at which such person the employee shall be entitled to be heard for the purpose of determining whether the provisions of this section have been violated by such the public employee, and. If there be are contractual grievance procedures, laws and regulations or rules establishing proceedings to remove such the public employee, the hearing shall be conducted in accordance therewith with whichever procedure the employee elects provided that the election shall be binding and shall terminate any right to the alternative procedures. The same proceedings proceeding may upon application to the court by an employer, an employee, or employee organization and the issuance of an appropriate order by the court include more than one employee's employment status if the employees' defenses are identical, analogous or reasonably similar. Such The proceedings shall be undertaken without unnecessary delay. Any person whose termination is sustained in the administrative or grievance proceeding may secure a review of his removal by serving a notice so requesting of appeal upon the employer removing him within 20 days after the results of the hearing referred to herein have been announced. This notice, with proof of service thereof, shall be filed within ten days after service, with the clerk of the district court in the county where the employer has its principal office or in the county where the employee last was employed by the employer. The district court shall thereupon have jurisdiction to review the matter in the same manner as on appeal from administrative orders and decisions. This hearing shall take precedence over all matters before the court and may be held upon ten days written notice by either party. The court shall make such order in the premises as is it deems proper; and . An employer may obtain review of a decision to reinstate an employee in the same manner as provided for appeals by employees in this subdivision. An appeal may be taken therefrom from the district court order to the supreme court.

Sec. 27. Minnesota Statutes, 1979 Supplement, Section 179.65, Subdivision 6, is amended to read:

Subd. 6. *Except for confidential employees excluded from bargaining pursuant to section 179.74, subdivision 4, and section 38, supervisory and confidential employees, principals and assistant principals may form their own organizations. An employer shall extend exclusive recognition to a representative of or an organization of supervisory or confidential employees, or principals and assistant principals, for the purpose of negotiating terms or conditions of employment, in accordance with all other provisions of sections 179.61 to 179.76, as though they were essential employees. Units of Supervisory or confidential employees employee organizations shall not participate in any capacity in any joint negotiations which involve the participation of units of employees other than supervisory or confidential employees. Affiliation of a supervisory or confidential employee with another employee organization which has as its members non-supervisory employees or non-confidential employees is permitted. A supervisory or confidential employee organization which is affiliated, either directly or indirectly, with another employee organization which is the exclusive representative of non-supervisory or non-confidential employees of the same public employer or with a federation or other joint body of employee organizations, any one of whose affiliates is the exclusive representative of non-supervisory or non-confidential employees of the same public employer shall not be certified as, or act as, an exclusive representative pursuant to sections 179.61 to 179.76 or section 38.*

Sec. 28. Minnesota Statutes 1978, Section 179.67, Subdivision 4, is amended to read:

Subd. 4. *Any employee organization may obtain a certification election upon petition to the director wherein it is stated that at least 30 percent of the employees of a proposed employee unit wish to be represented by the petitioner or that the certified representative no longer represents the majority of employees in the unit. Any employee organization may obtain a representation election upon petition to the director wherein it is stated that the currently certified representative no longer represents the majority of employees in an established unit and that at least 30 percent of the employees in the established unit wish to be represented by the petitioner rather than by the currently certified representative. An individual employee or group of employees in a unit may obtain a decertification election upon petition to the director wherein it is stated that the certified representative no longer represents the majority of the employees in an established unit and that at least 30 percent of the employees wish to be unrepresented.*

Sec. 29. Minnesota Statutes 1978, Section 179.69, Subdivision 1, is amended to read:

179.69 [PROCEDURES.] Subdivision 1. [MEDIATION PETITION.] When any employees or representative of employees shall

desire to meet and negotiate an agreement establishing terms and conditions of employment, they shall give written notice to the employer and the director, and it shall thereupon be the duty of the employer to recognize the employee representative for purposes of reaching agreement on terms and conditions of employment of the employees or the employer shall within ten days of receipt of the written notice object or refuse to recognize the employees' representative or the employees as an appropriate unit. The employer or employees' representative may thereupon petition the director to take jurisdiction of the matter whereupon the director shall then be authorized and shall perform those duties as provided in section 179.71, subdivision 2(a) and (b).

Upon the certified exclusive representative and the employer reaching agreement on terms and conditions of employment or receiving a valid arbitration award, they shall execute a written contract or memorandum of contract containing the terms of such the negotiated agreement or arbitration award. The contracts or memoranda shall in every instance be subject to the provisions of section 179.70.

A petition by an employer shall be signed by him or his duly authorized officer or agent; and a petition by an exclusive representative shall be signed by its authorized officer. In either case the petition shall be served by delivering it to the director in person or by sending it by certified mail addressed to him at his office. The petition shall state briefly the nature of the disagreement of the parties. Upon receipt of a petition, the director, ~~or by September 1,~~ whichever date is earlier shall fix a time and place for a conference with the parties to negotiate the matter upon the issues involved not agreed upon in the matter, and he shall then take whatever steps he deems most expedient to bring about a settlement of the matter, including assisting in negotiating and drafting an agreement. It shall be the duty of all parties to respond to the summons of the director for joint or several conferences with him and to continue in such conference until excused by the director. Except for essential employees, absent the consent of both parties, conferences shall not continue beyond 30 days.

Sec. 30. Minnesota Statutes 1978, Section 179.69, Subdivision 3, is amended to read:

Subd. 3. [BINDING ARBITRATION PETITION.] The director shall only certify a matter to the board for binding arbitration pursuant to section 179.72 when either or both parties, except ~~for~~ in the case of essential employees when only one party need petition jointly, petition for binding arbitration stating that an impasse has been reached and the director has determined that further mediation efforts under subdivision 1 could serve no purpose. Upon such the filing of the petition and determination by the mediator, the parties shall each submit their respective final positions on matters not agreed upon. If the employer has petitioned for binding arbitration and the director has determined that an impasse has been reached said proceedings shall begin within 15 days thereof and be binding on both parties. The di-

rector shall determine the matters not agreed upon based upon *the positions submitted* and his efforts to mediate the dispute. If the employee representative has petitioned for binding arbitration the employer shall have 15 days after the director of mediation has determined that an impasse has been reached to reject the request or agree to submit matters not agreed upon to binding arbitration. If the employer does not respond within 15 days it shall be regarded as a rejection and said rejection shall be a refusal by the employer within the meaning of section 170.64, subdivision 7.

Sec. 31. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.691] *If the public employer and the exclusive representative fail to execute a contract by the expiration date of an existing agreement, they shall be conclusively presumed to be at an impasse. Upon an impasse, either party may petition the director for binding arbitration except in the case of negotiations involving teachers when a petition may be filed no earlier than 30 days after the expiration date of an existing contract. When a petition for binding arbitration is filed by either party and an impasse exists, the director shall notify the other party of the filing of a petition for binding arbitration. The other party shall have 15 days after notification of the filing of the petition to reject the request or to agree to submit matters not agreed upon to binding arbitration. If the other party does not respond within 15 days, the failure to respond shall be regarded as a refusal to submit to binding arbitration within the meaning of section 179.64, subdivision 1a.*

Sec. 32. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.692] *If a new or different exclusive representative is certified by the director at any time other than the period provided for decertification pursuant to statute or rule, or if on the expiration date of an existing contract a representation proceeding involving the employer and the employer's teachers is before the director, the provisions of section 179.691 shall not apply. In those cases, the employer and the exclusive representative of the employees shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 45 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative fail to execute a contract by 45 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated for a period of no less than 30 days in mediation sessions called pursuant to section 179.69.*

Upon an impasse, either party may petition the director for binding arbitration. When a petition for binding arbitration is

filed by either party and an impasse exists, the director shall notify the other party of the filing of a petition for binding arbitration. The other party shall have 15 days after notification of the filing of the petition to reject the request or to agree to submit matters not agreed upon to binding arbitration. If the other party does not respond within 15 days, the failure to respond shall be regarded as a refusal to submit to binding arbitration within the meaning of section 179.64, subdivision 1a.

Sec. 33. Minnesota Statutes 1978, Section 179.71, Subdivision 3, is amended to read:

Subd. 3. The director shall determine appropriate units, *except where appropriate units are defined by section 38.* In determining the appropriate unit he shall take into consideration, along with other relevant factors, the principles and the coverage of uniform comprehensive position classification and compensation plans of the employees, involvement of professions and skilled crafts and other occupational classifications, relevant administrative and supervisory levels of authority, geographical location, and the recommendation of the parties, and shall place particular importance upon the history and extent of organization and the desires of the petitioning employee representatives.

In addition, with regard to the inclusion or exclusion of supervisory employees, the director must find that an employee may perform or effectively recommend a majority of those functions referred to in section 179.63, subdivisions 9 or 9a, before an employee may be excluded as supervisory. However, in every case the administrative head, and his assistant, of a municipality, municipal utility, police or fire department shall be considered a supervisory employee.

He shall not designate an appropriate unit which includes employees subject to section 179.63, subdivision 11, with employees not included in section 179.63, subdivision 11.

Sec. 34. Minnesota Statutes 1978, Section 179.71, Subdivision 5, is amended to read:

Subd. 5. In addition to all other duties imposed by 179.77;

~~(f) furnish clerical and administrative services to the Minnesota public employment relations board as may be required;~~

~~(g) (f) adopt reasonable and proper rules and regulations relative to and regulating the forms of petitions, notices, orders and the conduct of hearings and elections subject to final approval of the Minnesota public employment relations board. Such The rules and regulations shall be printed and made available to the public and a copy delivered with each notice of hearing; provided, that every such any rule or regulation shall be filed with the secretary of state, and any change therein or additions thereto shall not take effect until 20 days after such the filing;~~

~~(h) (g) receive, catalogue and file in a logical manner all orders and decisions of the Minnesota public employment relations board and all arbitration panels authorized by sections 179.61 to 179.77~~

as well as all grievance arbitration decisions and the director's own orders and decisions. All orders and decisions catalogued and filed shall be made readily available to the public;

(i) (h) promulgate a grievance procedure to effectuate the purposes of section 179.70, subdivision 1. Such *The grievance procedure* shall not provide for the services of the bureau of mediation services. The exercise of authority granted by this clause shall be subject to the provisions of chapter 15; said. *The grievance procedure* to shall be available to any public employee employed in a unit not covered by a negotiated contractual grievance procedure as contained in section 179.70, subdivision 1;

(j) (i) conduct elections;

(j) assign state employee classifications and university of Minnesota classifications to the appropriate units provided in section 38, when the classifications have not been assigned pursuant to section 38, or have been significantly modified in occupational content subsequent to assignment pursuant to section 38, and assign supervisory employees to the appropriate units provided in section 38 when the positions have not been assigned pursuant to section 38 or have been significantly modified in occupational content. The assignment of the classes shall be made on the basis of the community of interest of the majority of employees in these classes with the employees within the statutory units, and all the employees in the class, excluding supervisory and confidential employees, shall be assigned to a single appropriate unit.

Sec. 35. Minnesota Statutes 1978, Section 179.72, Subdivision 6, is amended to read:

Subd. 6. When final positions are certified to the board as provided in section 179.69, subdivision 3, or submitted to the board as provided in section 179.60, subdivision 5; the board shall constitute an arbitration panel as follows:

The parties shall, under the direction of the chairman of the board, alternately strike names from a list of seven arbitrators until only three names remain, which three members shall be members of the panel; provided, however, that if either party requests the parties shall select a single arbitrator to hear the dispute. If the parties are unable to agree on who shall strike the first name, the question shall be decided by the flip of a coin. In submitting names of arbitrators to the parties the board shall endeavor whenever possible to include names of persons from the general geographical area in which the public employer is located. The panel shall assume and have jurisdiction over the items of dispute certified to the board for which the panel was constituted. The panel's orders shall be issued upon a majority vote of members considering a given dispute. The members of the panel shall be paid their actual and necessary traveling and other expenses incurred in the performance of their duties plus a per diem allowance of \$180 for each day or part thereof while engaged in the consideration of a dispute. All fees, expenses and costs of the panel shall be shared and assessed equally to the parties of the dispute. In those cases where a single arbitrator is hearing a

dispute, the fees, expenses and costs of the arbitrator shall also be shared and assessed equally by the parties to the dispute.

Sec. 36. Minnesota Statutes 1978, Section 179.74, Subdivision 2, is amended to read:

Subd. 2. The employer of state employees shall be, for purposes of sections 179.61 to ~~179.77~~ 179.76, the commissioner of personnel *employee relations* or his representative.

Sec. 37. Minnesota Statutes 1978, Section 179.74, Subdivision 3, is amended to read:

Subd. 3. In all negotiations between the state and exclusive representatives the state shall be represented by the commissioner of personnel *employee relations* or his representative. The attorney general, and each appointing authority shall cooperate with the commissioner of personnel *employee relations* in conducting negotiations and shall make available such any personnel and other resources as are necessary to enable the commissioner to conduct effective negotiations.

Sec. 38. Minnesota Statutes, 1979 Supplement, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The commissioner of personnel *employee relations* shall meet and negotiate with the exclusive representative of appropriate *each of the units specified in section 38, subdivision 1*, in the manner prescribed by sections 179.61 to ~~179.77~~; provided, however, that the director of mediation services shall define appropriate units of state employees as all the employees under the same appointing authority except where professional, geographical or other considerations affecting employment relations clearly require appropriate units of some other composition 179.76. *The appropriate units provided for in section 38 shall be the only appropriate units for executive branch state employees.* The positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of personnel *employee relations* in accordance with the provisions of section 43.326 and so designated in the official state compensation schedules, all unclassified positions in the state university system and the community college system defined as managerial by their respective boards, *all positions of physician employees compensated pursuant to section 43.126, the positions of all unclassified employees appointed by the governor, lieutenant governor, secretary of state, attorney general, treasurer and auditor, all positions in the bureau of mediation services and the public employment relations board, all hearing examiners examiner positions in the office of hearing examiners, and the positions of all confidential employees who work in the personnel offices of an appointing authority in the executive branch and who have access to information subject to use by the appointing authority in meeting and negotiating or who actively participate in the meeting and negotiating on behalf of the state, shall be excluded from any appropriate unit.* Regardless of unit determination, The governor may upon the unanimous written request of exclusive representatives of units and appointing authorities *the commissioner direct that*

negotiations be conducted for one or more appointing authorities units in a common proceeding or that supplemental negotiations be conducted for portions of a unit or units defined on the basis of appointing authority or geography.

Sec. 39. Minnesota Statutes, 1979 Supplement, Section 179.74, Subdivision 5, is amended to read:

Subd. 5. The commissioner of personnel employee relations is authorized to and may enter into agreements with exclusive representatives of the units specified in section 38, subdivision 1. The provisions of the negotiated agreements and arbitration awards shall be submitted to the legislature to be accepted or rejected in accordance with this section and section 3.855. A state employee whose exclusive representative, as defined by section 179.63, subdivision 6, has not reached a proposed agreement with the state which has been submitted by the commissioner to the legislative commission on employee relations on or before April 15 of an odd numbered year, shall not receive the wage and economic fringe benefit increases provided pursuant to an agreement executed and approved under this subdivision. Disapproval by the legislative commission on employee relations pursuant to section 3.855 or failure of the legislature to approve a negotiated agreement or arbitration award with respect to wages and economic fringe benefits by the time of adjournment of the regular legislative session in an odd numbered year shall be a defense to a violation of section 179.64. In the event that a proposed agreement or arbitration award is rejected or is not approved by the legislature prior to its adjournment in an odd numbered year, the legislative commission on employee relations is authorized to give interim approval to a proposed agreement or arbitration award. The proposed agreement or arbitration award shall be implemented upon its approval by the commission and state employees covered by the proposed agreement or arbitration award shall not have the right to strike while the interim approval is in effect. The commission shall submit the agreement, or arbitration award to the legislature for ratification at a special legislative session called to consider it or at its next regular legislative session. Wages and economic fringe benefit increases provided for in the agreement or arbitration award which were paid pursuant to the interim approval by the commission shall not be affected but such wages and benefit increases shall cease to be paid or provided effective upon the rejection of the agreement or arbitration award or upon adjournment by the legislature without acting upon the agreement or arbitration award. Rejection or failure to approve the agreement or arbitration award by the legislature prior to its adjournment in that session shall be grounds for a legal strike by affected nonessential state employees prior to the scheduled expiration date of the agreement or arbitration award which was given interim approval by the commission pursuant to section 179.64.

Sec. 40. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.741] [STATE AND UNIVERSITY OF MINNESOTA EMPLOYEES; APPROPRIATE UNITS.] Subdivision 1.

[STATE EMPLOYEES.] All appropriate units of state employees certified as of the effective date of this subdivision are abolished. The following shall be the appropriate units of executive branch state employees for the purposes of sections 179.61 to 179.76. All units shall exclude employees excluded by section 179.74, subdivision 4, and supervisory employees shall only be assigned to units 12 and 16. Unclassified employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. No additional units of executive branch state employees shall be recognized for the purpose of meeting and negotiating.

(1) **Law enforcement unit.** This unit shall consist of all sworn highway patrol personnel, all uniformed conservation officers, and all criminal apprehension agents.

(2) **Craft, maintenance, and labor unit.** This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(3) **Service unit.** This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(4) **Health care non-professional unit.** This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(5) **Health care professional unit.** This unit shall consist of all positions which are required to be filled by registered nurses.

(6) **Clerical and office unit.** This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(7) **Technical unit.** This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(8) **Correctional Guards unit.** This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(9) **State university instructional unit.** This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(10) **Community college instructional unit.** This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(11) *State university administrative unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.*

(12) *Professional engineering supervisory unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.*

(13) *Health treatment unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.*

(14) *General professional unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.*

(15) *Professional state residential instructional unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.*

(16) *Supervisory employees unit. This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.*

Subd. 2. [STATE EMPLOYEE SEVERANCE.] Each of the following groups of employees shall have the right, as specified in this subdivision, to separate from the general professional, health treatment or general supervisory units provided for in subdivision 1: attorneys, physicians, highway patrol-supervisors, and criminal apprehension investigative-supervisors. This right shall be exercised by petition during the period commencing on the effective date of this section and concluding thirty days after that date or, after January 1, 1981, during the sixty day period commencing 270 days prior to the termination of a contract covering the units. If one of these groups of employees exercises the right to separate from the units they shall have no right to meet and negotiate, but shall retain the right to meet and confer with the commissioner of employee relations and with the appropriate appointing authority on any matter of concern to them. The manner of exercise of the right to separate shall be as follows: An employee organization or group of employees claiming that a majority of any one of these groups of employees on a state-wide basis wish to separate from the units may petition the director for an election during the petitioning period. If the petition is supported by a showing of at least 30 percent support for the petitioner from the employees, the director shall hold an election to ascertain the wishes of the majority with respect to the issue of remaining within or severing from the units provided in subdivision 1. This election shall be conducted within 30 days of the close of the petition period. If a majority of votes cast endorse severance from the unit in favor of separate meet and confer status

for any one of these groups of employees, the director shall certify that result. This election shall, where not inconsistent with other provisions of this section, be governed by section 179.67. If a group of employees elects to sever they may rejoin that unit by following the same procedures specified above for severance, but may only do so during the periods provided for severance.

Subd. 3. [UNIVERSITY OF MINNESOTA.] All appropriate units of university of Minnesota employees certified as of the effective date of this section are abolished. The following shall be the appropriate units of university of Minnesota employees for the purposes of sections 179.61 to 179.76. All units shall exclude managerial and confidential employees and supervisory employees shall only be assigned to unit 12. No additional units of university of Minnesota employees shall be recognized for the purpose of meeting and negotiating.

(1) **Law enforcement unit.** This unit shall consist of the positions of all employees with the power of arrest.

(2) **Craft and trades unit.** This unit shall consist of the positions of all employees whose work requires specialized manual skills and knowledge acquired through formal training or apprenticeship or equivalent on-the-job training or experience.

(3) **Service, maintenance and labor unit.** This unit shall consist of the positions of all employees whose work is typically that of maintenance, service or labor and which does not require extensive previous training or experience, except as provided in unit 4.

(4) **Health care non-professional unit.** This unit shall consist of the positions of all non-professional employees of the university of Minnesota hospitals, dental school and health service whose work is unique to those settings, excluding labor and maintenance employees as defined in unit 3.

(5) **Nursing professional unit.** This unit shall consist of all positions which are required to be filled by registered nurses.

(6) **Clerical and office unit.** This unit shall consist of the positions of all employees whose work is typically clerical or secretarial, including non-technical data recording and retrieval and general office work, except as provided in unit 4.

(7) **Technical unit.** This unit shall consist of the positions of all employees whose work is not typically manual and which requires specialized knowledge or skills acquired through two year academic programs or equivalent experience or on-the-job training, except as provided in unit 4.

(8) **Twin Cities instructional unit.** This unit shall consist of the positions of all instructional employees with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow located on the Twin Cities campuses.

(9) **Duluth instructional unit.** This unit shall consist of the positions of all instructional employees with the rank of professor,

associate professor, assistant professor, including research associate, or instructor, including research fellow, located at the Duluth campus, provided that the positions of instructional employees of the same ranks at the Morris, Crookston or Waseca campuses shall be included within this unit if a majority of the eligible employees voting at a campus so vote during an election conducted by the director. The election shall be held when an employee organization or group of employees petitions the director stating that a majority of the eligible employees at one of these campuses wishes to join the unit when this petition is supported by a showing of at least 30 percent support from eligible employees at that campus and is filed within 60 days of the effective date of this section or during the certification period provided by rule.

(10) Graduate assistant unit. This unit shall consist of the positions of all graduate assistants who are enrolled in the graduate school and who hold the rank of research assistant, teaching assistant, teaching associate I or II, project assistant, or administrative fellow I or II.

(11) Non-instructional professional unit. This unit shall consist of the positions of all employees meeting the requirements of either clause (a) or (b) of section 179.63, subdivision 10, which are not defined as included within the instructional unit.

(12) Supervisory employees unit. This unit shall consist of the positions of all supervisory employees.

The employer shall petition the director within 90 days of the effective date of this subdivision indicating his position with respect to the allocation of all positions to the units provided in this subdivision. When the employer's position with respect to the positions to be included within a unit established by this subdivision is challenged by an employee organization petitioning under section 179.67, the director shall make a determination as to the allocation of the challenged positions under the language of subdivision 3. His determination shall be made within 60 days of receipt of the petitioning organization's challenge and may be appealed only to the supreme court. Should both units 8 and 9 elect exclusive bargaining representatives those representatives shall jointly negotiate a contract with the regents.

Subd. 4. [UNIVERSITY OF MINNESOTA EMPLOYEE SEVERANCE.] Each of the following groups of university of Minnesota employees shall have the right, as specified in this subdivision, to separate from the instructional and supervisory units provided for in subdivision 3: (1) health sciences instructional employees at all campuses with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, (2) instructional employees of the law school with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, (3) instructional supervisors, and (4) non-instructional professional supervisors. This right shall be exercised by petition during the period commencing on the effective date of this section and concluding 30 days after that

date or, after January 1, 1981, during the 60 day period commencing 270 days prior to the termination of a contract covering the units. If one of these groups of employees exercises the right to separate from their unit they shall have no right to meet and negotiate, but shall retain the right to meet and confer with the appropriate officials on any matter of concern to them. The manner of exercise of the right to separate shall be as follows: An employee organization or group of employees claiming that a majority of any one of these groups of employees on a state-wide basis wish to separate from their unit may petition the director for an election during the petitioning period. If the petition is supported by a showing of at least 30 percent support for the petitioner from the employees, the director shall hold an election to ascertain the wishes of the majority with respect to the issue of remaining within or severing from their unit provided in subdivision 3. This election shall be conducted within 30 days of the close of the petition period. If a majority of votes cast endorse severance from their unit in favor of meet and confer status for any one of these groups of employees, the director shall certify that result. This election shall, where not inconsistent with other provisions of this section, be governed by section 179.67. If a group of employees elects to sever they may rejoin that unit by following the same procedures specified above for severance, but may only do so during the periods provided for severance.

Sec. 41. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.742] [TRANSITION TO NEW BARGAINING UNIT STRUCTURE FOR STATE AND UNIVERSITY OF MINNESOTA EMPLOYEES.] *Subdivision 1.* [APPLICATION OF SECTION.] Notwithstanding section 179.65, subdivision 2, or any other law, this section shall govern, where contrary to other law, the initial certification and decertification, if any, of exclusive representatives for the appropriate units of state employees and university of Minnesota employees established by section 38. Subsequent to the initial certification and decertification, if any, pursuant to this section, the provisions of this section shall not apply.

Subd. 2. [EXISTING MAJORITY.] The director shall certify an employee organization as exclusive representative for an appropriate unit established by section 38 upon a petition filed with the director by the organization within 30 days of the effective date of this section for state employees and within 180 days of the effective date of this section for university of Minnesota employees stating that the petitioner is certified pursuant to section 179.67 as the exclusive representative of a majority of the employees included within the unit established by section 38 on the effective date of this section. Two or more employee organizations which represent the employees in a unit established by section 38, may petition jointly pursuant to this subdivision, provided that any organization may withdraw from a joint certification in favor of the remaining organization or organizations on 30 days notice to the remaining organization or organizations, the

employer, and the director without effect upon the rights and obligations of the remaining organization or organizations or the employer. The director shall make a determination on a timely petition within 45 days of its receipt.

Subd. 3. [NO EXISTING MAJORITY.] (1) If no exclusive representative is certified under subdivision 2, the director shall certify an employee organization as exclusive representative for an appropriate unit established by section 38 upon a petition filed by the organization within the time period provided in subdivision 2, stating that the petitioner is certified pursuant to section 179.67 as the exclusive representatives of fewer than a majority of the employees included within the unit established by section 38, where no other employee organization so certified has filed a petition within the time period provided in subdivision 2 so long as a majority of the employees in the unit established by section 38 are represented by employee organizations pursuant to section 179.67 on the effective date of this section. Two or more employee organizations, each of which represents employees included in the unit established by section 38 may petition jointly pursuant to this clause, provided that any organization may withdraw from a joint certification in favor of the remaining organization or organizations on 30 days notice to the remaining organization or organizations, the employer, and the director without effect upon the rights and obligations of the remaining organization or organizations or the employer. The director shall make a determination on a timely petition within 45 days of its receipt.

(2) If no exclusive representative is certified under subdivision 2 or subdivision 3, clause (1), and an employee organization petitions the director within 45 days of the effective date of this section for state employees and within 195 days of the effective date of this section for university of Minnesota employees stating that at least 30 percent of the employees included within a unit established by section 38 wish to be represented by the petitioner, where this 30 percent is evidenced by current dues deduction rights, signed statements plainly indicating that the signatories wish to be represented for collective bargaining purposes by the petitioner rather than by any other organization, or a combination thereof, the director shall conduct a secret ballot election to determine the wishes of the majority. The election shall be conducted within 75 days of the effective date of this section for state employees and within 225 days of the effective date of this section for university of Minnesota employees and shall, where not inconsistent with other provisions of this section, be governed by section 179.67.

Subd. 4. [DECERTIFICATION.] Prior to January 1, 1981 the director shall consider a petition for decertification of an exclusive representative certified under this section only when the petition is filed within 60 days of the initial certification and only when the certification was made pursuant to subdivisions 2 or 3(1). The petition shall be considered under the provisions of section 179.67 except where they are inconsistent with this subdivision.

Subd. 5. [CONTRACT AND REPRESENTATION RESPONSIBILITIES.] *Until June 30, 1981 exclusive representatives of units of state employees and university of Minnesota employees certified prior to the effective date of this section shall remain responsible for administration of their contracts and for all other contractual duties and shall enjoy the right to dues and fair share fee deduction and all other contractual privileges and rights. Exclusive representatives of state employees and university of Minnesota employees certified after the effective date of this section shall immediately upon certification have the responsibility of bargaining on behalf of employees within the unit and shall have the responsibility of administering grievances arising under previous contracts covering employees included within the unit which remain unresolved on June 30, 1981. Where the employer does not object, these responsibilities may be varied by agreement between the outgoing and incoming exclusive representatives. All other rights and duties of representation shall commence on July 1, 1981, except that exclusive representatives certified after the effective date of this section shall immediately upon certification have the right to all employer information and all forms of access to employees within the bargaining unit which would be permitted to the current contract-holder. This section shall in no way affect any existing collective bargaining contract. Should an exclusive bargaining agent not be certified for the unit provided for in section 38, subdivision 3, clause (2), the employees assigned to that unit shall continue to be compensated pursuant to the appropriate university of Minnesota civil service rules, or by the terms of any master or uniform contract of their particular trade which exists between associations of employers in their local area representing all or substantially all of the employees of that trade, if such method of compensation has been elected by the employee previous to the effective date of this section.*

Nothing in sections 1 to 42 shall prevent an exclusive representative certified after the effective date of sections 1 to 42 from assessing fair share or dues deductions immediately upon certification for employees in a unit established under section 38 if the employees were unrepresented for collective bargaining purposes prior to that certification.

Sec. 42. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.743] [STATE EMPLOYEES.] *When no prior determination has been made with respect to the supervisory status of a state employee or his predecessor and no agreement can be reached between the employer and petitioning employee organizations, the commissioner of employee relations may petition the director for a determination. The director shall not exclude any supervisory employee from an appropriate unit of nonsupervisory state employees on the basis of a petition filed later than 30 days after the effective date of this section, except as provided in section 32. The director shall make all determinations under this subdivision within 60 days of receipt of a timely petition. The director shall have full discretion in his determination of the ap-*

plication of sections 179.63, subdivisions 8, 9, and 9a, and 179.71, subdivision 3, paragraph 2 in all cases arising under this subdivision. Notwithstanding any other law, his decision shall be final and no appeal whatsoever shall be heard. For the purposes of the certification of a bargaining agent for units provided in subdivision 1 of section 38 employees sought to be excluded by a timely and valid petition as supervisory or confidential shall be counted or shall vote separately in a fashion which shall permit them to be individually excluded or included after a determination as to their status. When a certification is dependent upon challenged employees, the director shall determine the status of the challenged employees prior to deciding the cases of challenged employees whose status need not be determined for a certification. In the latter situation the certification of a bargaining agent shall proceed irrespective of pending challenges.

Sec. 43. Laws 1979, Chapter 332, Article 1, Section 114, is amended to read:

Sec. 114. [REPEALER.] Effective July 1, 1981, Minnesota Statutes 1978, Sections 43.03; 43.06; 43.062; 43.063; ~~43.064~~; 43.065; 43.067; 43.068; 43.069; 43.07; 43.09; ~~43.111~~; 43.12, subdivisions 2 to 27; 43.121; 43.122; 43.126; 43.127; 43.128; ~~43.13~~; ~~43.14~~; 43.162; ~~43.17~~; ~~43.18~~; ~~43.19~~; ~~43.20~~; ~~43.21~~; 43.22; 43.222; 43.223; 43.224; 43.23; 43.24; ~~43.246~~; ~~43.321~~; 43.322; 43.323; 43.324; 43.326; 43.327; 43.33; 43.44; ~~43.45~~; ~~43.46~~; 43.48; and 43.49; ~~43.50~~; and ~~43.51~~ are repealed.

Sec. 44. Laws 1979, Chapter 332, Article I, Section 116, 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 1982-1983 biennium. The provisions of section 64 shall expire on July 1, 1981, but shall apply to all arbitration proceedings which are to determine contractual provisions for the 1981-1983 contract period.* The provisions of sections ~~63~~ 64, 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. 45. [AGREEMENTS APPROVED.] *Notwithstanding the provisions of Minnesota Statutes, Section 299D.03, Subdivision 2, commencing July 2, 1980, the monthly base salary for highway patrol corporal, 10 through 20 years of service, shall be \$1,749.*

Notwithstanding the provisions of Laws 1979, Chapter 332, Section 109, employees of the department of economic security who are represented by the Minnesota administrative hearing officers association shall be entitled to receive the benefits pro-

vided by Laws 1979, Chapter 332, Section 109, provided they meet the applicable eligibility requirements.

Notwithstanding the provisions of Minnesota Statutes, Section 179.74, Subdivision 5, the commissioner of personnel is authorized to implement those provisions of the agreements negotiated with the Minnesota nurses association covering employees of the department of health which establish wages and economic fringe benefits. In lieu of the salaries provided by Minnesota Statutes, Section 43.12, Subdivisions 2 and 3, covered employees shall receive the salary increases provided by Laws 1979, Chapter 332, Section 103.

Sec. 46. [REPEALER.] Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7, are repealed.

Sec. 47. [APPROPRIATION.] Subdivision 1. The amount of \$285,000 is appropriated for the period ending June 30, 1981 to the department of employee relations. The personnel complement of the department of employee relations is increased by 5 persons.

Subd. 2. The amount of \$100,500 is appropriated for the period ending June 30, 1981 to the bureau of mediation services for the purpose of implementing sections 19 to 40.

Sec. 48. [INSTRUCTIONS TO REVISOR.] In the next and all subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute the term "department of employee relations" for "department of personnel" in every place where the latter is used. The revisor of statutes shall substitute the term "commissioner of employee relations" for "commissioner of personnel" in every place where the latter term is used.

Sec. 49. [EFFECTIVE DATE.] Section 16 shall be effective on July 1, 1981. The remaining provisions of this act are effective the day following final enactment but shall not alter the terms of any existing collective bargaining agreement before it expires. Any impermissible affiliation existing on the effective date of this section may continue until the termination of any labor agreement in effect on the effective date of this section."

Delete the title and insert:

"A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; ratifying certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.111; 43.18, Subdi-

vision 4; 43.19, Subdivision 1; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivisions 7 and 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7."

The motion prevailed. So the amendment was adopted.

Mr. Coleman moved to amend the Coleman amendment to S. F. No. 2085 as follows:

Page 23, line 11, delete "179.69" and insert "179.691"

Page 23, line 20, delete "179.69" and insert "179.691"

Page 23, line 25, after the colon insert "1"

Page 23, line 31, delete "179.69 or" and insert "179.691 or 179.692"

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

Mr. Ashbach moved to amend the Coleman amendment to S. F. No. 2085, as follows:

Pages 22 to 24, delete section 22

Page 52, after line 9, insert:

"Sec. 43. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.78] [TEACHERS; NEGOTIATIONS; ARBITRATION.]
Subdivision 1. The provisions of this section shall govern the negotiation and arbitration of a collective bargaining agreement between the employer and the exclusive representative of the teachers. The provisions of sections 179.61 to 179.76 shall continue to govern the rights and obligations of teachers, their exclusive representative and their employer except to the extent that the provisions are inconsistent with the provisions of this section.

Subd. 2. The employer and the exclusive representative of the teachers shall execute a written contract or memorandum of contract as provided in section 179.70 not later than July 1 of each odd-numbered year. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and

the exclusive representative fail to execute a contract by July 1 of the odd-numbered year, they shall be conclusively presumed to be at an impasse.

Subd. 3. If a new or different exclusive representative is certified by the director at any time other than the period between 120 days before the termination date of a contract and the termination date of the contract, or if on July 1 of any odd-numbered year a representation proceeding involving the employer and the employer's teachers is before the director, the provisions of subdivision 2 shall not apply. In those cases, the employer and the exclusive representative of the teacher shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 60 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative fail to execute a contract by 60 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse.

Subd. 4. Upon an impasse, either party may petition the director for binding arbitration. When a petition for binding arbitration is filed by either party and an impasse exists, the director shall notify the other party of the filing of a petition for binding arbitration. The other party shall have 15 days after notification of the filing of the petition to reject the request or to agree to submit matters not agreed upon to binding arbitration. If the other party does not respond within 15 days, the failure to respond shall be regarded as a refusal to submit to binding arbitration within the meaning of subdivision 6.

Subd. 5. (a) When the parties have agreed to binding arbitration and an impasse exists, the director shall require the parties to submit their final positions on all issues in dispute within 10 days of the agreement. The director shall define and state the issues in dispute and the final position of each party on each issue. In defining the issues in dispute, the director shall follow the rules promulgated by the board. The director may seek clarification from the parties about their final position on each issue as defined. The final positions of the parties shall be confidential, and the director shall not disclose them before certification of the dispute to the board.

(b) The director shall certify the dispute to the board by transmitting to it a statement in which the director defines the issues in dispute and the parties' final position on each disputed issue. The certification shall be made within 20 days after the director is notified that both parties agree to binding arbitration.

(c) When a dispute is certified to the board as provided in this section, the board shall constitute an arbitration panel in the manner provided by section 179.72, subdivision 6.

(d) The arbitration panel or arbitrator shall resolve the issues in dispute between the parties as certified by the director. The decision and order of the arbitration panel or arbitrator shall be final and binding on the parties. A dispute shall be resolved by the selection of the final position of one of the parties with respect to each issue as defined and stated by the director. Each issue shall be resolved on an independent basis, and the adoption of one party's final position on one issue shall not preclude the adoption of the other party's final position on other issues. In determining which party's final position to adopt with respect to an issue, the arbitration panel or arbitrator shall be governed by section 179.72, subdivision 7.

(e) The arbitration panel or arbitrator shall have the powers and follow the procedures set forth in section 179.72, subdivisions 8 and 9. The parties shall have the power set forth in section 179.72, subdivision 12.

(f) Before the effective date of this section, the board shall promulgate rules pursuant to chapter 15 governing the definition of disputed issues by the director for purposes of this section. The rules shall recognize the independent status of all matters which are not logically required to be grouped as a single issue, and they shall recognize the right of the parties to submit a final position on each independent matter.

Subd. 6. Teachers shall have the right to strike and a defense to a charge of violating section 179.64 only under the following circumstances:

(a) The employer has violated section 179.68, subdivision 2, clause (9);

(b) Either party has refused a request by the other party for binding arbitration pursuant to this section; or

(c) Sixty days after an impasse in contract negotiations, there is no agreement to submit the issues in dispute to binding arbitration pursuant to this section."

Page 53, lines 31 and 32, delete "179.64, Subdivision 1;"

Re-number the sections in sequence

Correct all internal references

Amend the title as follows:

Page 55, line 7, delete ", and by adding a subdivision"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 18 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Omann	Sieloff
Bang	Engler	Knaak	Pillsbury	Ueland, A.
Barrette	Frederick	Knutson	Renneke	
Brataas	Keefe, J.	Olhoft	Rued	

Those who voted in the negative were:

Anderson	Hughes	Menning	Setzepfandt	Tennessee
Chmielewski	Humphrey	Merriam	Spear	Vega
Coleman	Keefe, S.	Moe	Staples	Wegener
Davies	Kleinbaum	Nelson	Stern	Willet
Dieterich	Knoll	Nichols	Stokowski	
Gearty	Laufenburger	Penny	Strand	
Gunderson	Luther	Schmitz	Stumpf	

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

Mr. Anderson moved to amend the Coleman amendment to S. F. No. 2085 as follows:

Page 54, after line 1, insert:

“Sec. 47. Notwithstanding any law to the contrary, no collective bargaining agreement, arbitration award or contract of employment taking effect on or after July 1, 1981, between a school district and an exclusive representative of a teacher or a teacher in a public school shall increase the number of salary steps for teachers. Effective with the 1981-1982 school year, the two lowest paid salary steps for teachers in public schools shall be eliminated by all school districts in the state.”

Renumber the sections in sequence

The motion prevailed. So the amendment was adopted.

Mr. Pillsbury moved to amend the Coleman amendment to S. F. No. 2085 as follows:

Page 9, after line 33, insert:

“Sec. 8. Minnesota Statutes, 1979 Supplement, Section 43.067, Subdivision 4, is amended to read:

Subd. 4. [LIMIT ON POLITICAL SUBDIVISION SALARIES.] Notwithstanding any other law to the contrary, no salary of a person employed by a city, county, town, school district, metropolitan or regional agency, or other political subdivision of the state may exceed ~~106~~ 110 percent of the salary of the commissioner of finance.”

Renumber the sections in sequence

Correct the internal references

Amend the title as follows:

Page 55, line 13, after “43.067,” delete “Subdivision” and insert “Subdivisions”

Page 55, line 14, before the first semicolon insert “and 4”

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

Mr. Nelson moved to amend the Coleman amendment to S. F. No. 2085, as follows:

Page 21, after line 21, insert:

"The exclusions of clauses (e) and (f) of this subdivision shall not apply to an employee hired by a school district to replace an absent teacher who at the time of his absence is a "public employee" not within the other exclusions of this subdivision where the replacement employee is employed more than 30 working days as a replacement for that teacher;"

The motion prevailed. So the amendment was adopted.

Mr. Penny moved to amend the Coleman amendment to S. F. No. 2085, as follows:

Page 23, line 9, delete "either:"

Page 23, line 10, delete "(i)"

Page 23, delete lines 12 and 13

Page 23, line 14, delete "binding arbitration;"

Page 23, line 18, delete "either: (1)"

Page 23, line 20, delete "; or (ii)"

Page 23, delete lines 21 and 22

Page 23, line 23, delete "arbitration"

Page 30, line 11, reinstate "either"

Page 30, line 11, strike "both"

Page 30, line 13, strike "petition" and insert "petitions"

Page 30, lines 14 and 15, reinstate the stricken language

Page 30, line 16, before the period, reinstate the stricken language

Page 31, line 4, after "by" insert "45 days after"

Page 31, line 9, delete "30" and insert "45"

Page 36, after line 2, insert:

"Sec. 36. Minnesota Statutes, 1979 Supplement, Section 179.72, Subdivision 7b, is amended to read:

Subd. 7b. Notwithstanding the provisions of subdivision 7, for essential employees, supervisory employees, confidential employees, teachers 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."

Renumber the sections in sequence

Correct the internal section references accordingly

Amend the title amendment as follows:

Page 55, line 16, after "6;" insert "179.72, Subdivision 7b;"

Mr. Bernhagen requested division of the amendment as follows:

First portion:

Page 23, line 9, delete "either:"

Page 23, line 10, delete "(i)"

Page 23, delete lines 12 and 13

Page 23, line 14, delete "binding arbitration;"

Page 23, line 18, delete "either: (1)"

Page 23, line 20, delete "; or (ii)"

Page 23, delete lines 21 and 22

Page 23, line 23, delete "arbitration"

Page 30, line 11, reinstate "either"

Page 30, line 11, strike "both"

Page 30, line 13, strike "petition" and insert "petitions"

Page 30, lines 14 and 15, reinstate the stricken language

Page 30, line 16, before the period, reinsert the stricken language

Page 31, line 4, after "by" insert "45 days after"

Page 31, line 9, delete "30" and insert "45"

Second portion:

Page 36, after line 2, insert:

"Sec. 36. Minnesota Statutes, 1979 Supplement, Section 179.72, Subdivision 7b, is amended to read:

Subd. 7b. Notwithstanding the provisions of subdivision 7, for essential employees, supervisory employees, confidential employees, *teachers* 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."

Renumber the sections in sequence

Correct the internal section references accordingly

Amend the title amendment as follows:

Page 55, line 16, after "6;" insert "179.72, Subdivision 7b;"

The question was taken on the adoption of the first portion of the Penny amendment.

The roll was called, and there were yeas 15 and nays 38, as follows:

Those who voted in the affirmative were:

Bernhagen	Gunderson	Knaak	Olson	Sillers
Brataas	Keefe, J.	Knutson	Penny	Strand
Engler	Kleinbaum	Laufenburger	Pillsbury	Wegener

Those who voted in negative were:

Bang	Hughes	Merriam	Schaaf	Stokowski
Barrette	Humphrey	Moe	Schmitz	Stumpf
Benedict	Keefe, S.	Nelson	Setzepfandt	Tennessee
Coleman	Knoll	Nichols	Sieloff	Ulland, J.
Dieterich	Lessard	Ogdahl	Sikorski	Vega
Dunn	Luther	Olhoft	Spear	Willet
Frederick	McCutcheon	Renneke	Staples	
Gearty	Menning	Rued	Stern	

The motion did not prevail. So the first portion of the amendment was not adopted.

Mr. Bernhagen moved to amend the second portion of the Penny amendment to S. F. No. 2085, as follows:

Page 1, subdivision 7b, in the next to the last line, after "final offers" insert "*on salary related matters*"

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

The question was taken on the adoption of the second portion of the Penny amendment.

The roll was called, and there were yeas 10 and nays 44, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Gunderson	Penny	Setzepfandt
Bang	Chmielewski	Knaak	Pillsbury	Wegener

Those who voted in the negative were:

Anderson	Hughes	Merriam	Rued	Stern
Barrette	Humphrey	Moe	Schaaf	Stokowski
Benedict	Keefe, J.	Nelson	Schmitz	Stumpf
Bernhagen	Keefe, S.	Nichols	Sieloff	Tennessee
Coleman	Kirchner	Ogdahl	Sikorski	Ueland, A.
Dunn	Knoll	Olhoft	Sillers	Ulland, J.
Engler	Lessard	Olson	Solon	Vega
Frederick	Luther	Omman	Spear	Willet
Gearty	Menning	Renneke	Staples	

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

Mr. Bernhagen moved to amend the Coleman amendment to S. F. No. 2085 as follows:

Page 23, line 23, after the period, insert "*Notwithstanding clause (i) or (ii), teachers may not strike unless there is an affirmative vote by two-thirds of the teachers covered by the contract authorizing a strike. The strike vote must be taken after the required mediation sessions.*"

The roll was called, and there were yeas 3 and nays 52, as follows:

Messrs. Bernhagen, Omman and Rued voted in the affirmative.

Those who voted in the negative were:

Anderson	Gearty	Luther	Renneke	Stokowaki
Bang	Gunderson	Menning	Schaaf	Strand
Barrette	Hughes	Moe	Schmitz	Stumpf
Benedict	Johnson	Nelson	Setzepfandt	Tennessen
Brataas	Keefe, J.	Nichols	Sieloff	Ueland, A.
Chmielewski	Keefe, S.	Ogdahl	Sikorski	Ulland, J.
Coleman	Kirchner	Olhoff	Sillers	Vega
Dieterich	Kleinbaum	Olson	Solon	Willet
Dunn	Knoll	Penny	Spear	
Engler	Laufenburger	Perpich	Staples	
Frederick	Lessard	Pillsbury	Stern	

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

Mr. Coleman moved to amend the Coleman amendment to S. F. No. 2085, adopted by the Senate March 31, 1980, as follows:

Page 21, line 5, delete "500" and insert "200"

Page 45, line 2, delete "certification" and insert "decertification"

Page 53, delete section 45 and renumber the sections in sequence

Amend the title as follows:

Page 54, line 38, delete "ratifying certain"

Page 55, line 1, delete "collective bargaining agreements;"

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

S. F. No. 2085: A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.111; 43.18, Subdivision 4; 43.19, Subdivision 1; 43.245; 43.321; 43.45; 43.46; 43.63, Subdivisions 7 and 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.

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

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

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

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Perpich	Staples
Ashbach	Gearty	Luther	Pillsbury	Stern
Bang	Gunderson	Menning	Renneke	Stokowski
Barrette	Hughes	Merriam	Rued	Strand
Benedict	Johnson	Moe	Schaaf	Stumpf
Bernhagen	Keefe, J.	Nelson	Schmitz	Tennessee
Brataas	Keefe, S.	Nichols	Setzepfandt	Ueland, A.
Chmielewski	Kirchner	Ogdahl	Sieloff	Ulland, J.
Coleman	Kleinbaum	Olhoft	Sikorski	Vega
Dieterich	Knaak	Olson	Sillers	Wegener
Dunn	Knoll	Omann	Solon	Willet
Engler	Laufenburger	Penny	Spear	

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

SPECIAL ORDER

The question recurred on H. F. No. 1981.

H. F. No. 1981: A bill for an act relating to public welfare; authorizing certain payments to shelter facilities for battered women; requiring direct payments to shelter facilities from general assistance; amending Minnesota Statutes 1978, Section 256D.05, Subdivision 3.

Mrs. Staples withdrew her amendment.

Mrs. Staples then moved to amend H. F. No. 1981 as follows:

Page 2, after line 15, insert:

“Sec. 2. Minnesota Statutes 1978, Section 609.349, is amended to read:

609.349 [VOLUNTARY RELATIONSHIPS.] A person does not commit criminal sexual conduct under Laws 1975, Chapter 374 sections 609.342, clauses (a) and (b), 609.343, clauses (a) and (b), 609.344, clauses (a), (b) and (d), and 609.345, clauses (a), (b) and (d), if the actor and complainant were adults cohabiting in an ongoing voluntary sexual relationship at the time of the alleged offense, or if the complainant is the actor's legal spouse, unless the couple is living apart and one of them has filed for legal separation or dissolution of the marriage. Nothing in this section shall be construed to prohibit or restrain the prosecution for any other offense committed by any person against his legal spouse.”

Page 2, line 16, delete “2” and insert “3”

Page 2, line 16, delete “This act is” and insert “Sections 1 and 2 are”

Page 2, line 17, before the period, insert “and section 2 applies to all crimes committed on or after that date”

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing that the status of marriage or an ongoing voluntary sexual relationship of cohabiting adults shall not be a defense to most prosecution for criminal sexual conduct;"

Page 1, line 6, delete "Section" and insert "Sections" and before the period insert "; and 609.349"

The motion prevailed. So the amendment was adopted.

H. F. No. 1981 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 8, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Olson	Stern
Ashbach	Gearty	Knoll	Penny	Stokowski
Bang	Gunderson	Laufenburger	Perpich	Strand
Barrette	Hughes	Lessard	Pillsbury	Stumpf
Benedict	Humphrey	Luther	Schaaf	Tennessen
Brataas	Johnson	Merriam	Setzepfandt	Ueland, A.
Coleman	Keefe, J.	Moe	Sikorski	Ulland, J.
Dieterich	Keefe, S.	Nelson	Sillers	Vega
Dunn	Kirchner	Nichols	Spear	Wegener
Engler	Kleinbaum	Ogdahl	Staples	Willet

Those who voted in the negative were:

Bernhagen	Menning	Omann	Rued	Schmitz
Chmielewski	Olhoft	Renneke		

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Penny moved that S. F. No. 1669, on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

MEMBERS EXCUSED

Mr. Knoll was excused from this evening's Session until 9:35 o'clock p.m. Mr. Olson was excused from this evening's Session from 9:00 to 10:30 o'clock p.m. Mr. Purfeerst was excused from this evening's Session at 12:00 o'clock midnight. Mr. Lessard was excused from this evening's Session until 9:00 o'clock p.m. Mr. Perpich was excused from this evening's Session from 12:00 midnight until 2:00 o'clock a.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 12:00 o'clock noon, Tuesday, April 1, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-FIRST DAY

St. Paul, Minnesota, Tuesday, April 1, 1980

The Senate met at 12:00 o'clock noon and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Gearty	Menning	Purfeerst	Stokowski
Bang	Hughes	Merriam	Rued	Strand
Barrette	Johnson	Moe	Schmitz	Stumpf
Chmielewski	Keefe, S.	Olhoft	Setzpfandt	Ueland, A.
Coleman	Kirchner	Omann	Sieloff	Ulland, J.
Dieterich	Kleinbaum	Penny	Solon	Vega
Dunn	Knaak	Perpich	Staples	Wegener
Engler	Laufenburger	Pillsbury	Stern	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Winfield Johnson.

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

Anderson	Frederick	Knoll	Olson	Solon
Ashbach	Gearty	Knutson	Omann	Spear
Bang	Gunderson	Laufenburger	Penny	Staples
Barrette	Hanson	Lessard	Perpich	Stern
Benedict	Hughes	Luther	Peterson	Stokowski
Bernhagen	Humphrey	McCutcheon	Pillsbury	Strand
Brataas	Jensen	Menning	Purfeerst	Stumpf
Chmielewski	Johnson	Merriam	Renneke	Tennessee
Coleman	Keefe, J.	Moe	Rued	Ueland, A.
Davies	Keefe, S.	Nelson	Schmitz	Ulland, J.
Dieterich	Kirchner	Nichols	Setzpfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	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

Mr. Sillers was excused from the Session of today.

Pursuant to Rule 21, Mr. Sikorski moved that the following members be excused for a Conference Committee on H. F. No. 1896:

Messrs. Sikorski; McCutcheon; Luther; Keefe, J. and Davies. The motion prevailed.

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H. F. No. 1781 at 12:15 p.m.:

Messrs. Merriam, Dieterich, Hughes, Anderson and Dunn. The motion prevailed.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 1710 at 2:00 p.m.:

Messrs. Humphrey, Anderson and Ogdahl. The motion prevailed.

Pursuant to Rule 21, Mr. Gunderson moved that the following members be excused for a Conference Committee on S. F. No. 1649:

Messrs. Gunderson, Renneke and Strand. 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. Sieloff, Rued, Johnson, Sillers and Setzepfandt introduced—

S. F. No. 2420: 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.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 31, 1980

The Honorable Edward J. Gearty
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. 1815, 1957, 801, 1707, 2102, 1979, 1847, 1584, 1963, 1807, 802, 1633, 1674, 1719, and 1709.

Sincerely yours,
Albert H. Quie, Governor

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 2045 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.
2045	1806				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2045 be amended as follows:

Page 1, line 10, delete "4" and insert "5"

Page 1, line 15, delete "for a project" and insert "under section 3"

Page 1, line 17, delete "by" and insert "in regulations of"

Page 1, lines 18 to 20, delete "or by another agency or instrumentality of the United States to which the same or similar power may be granted, as authorized by" and insert "pursuant to"

Page 1, lines 21 and 22, delete "et seq. on the effective date of this section." and insert "to 647, as in effect March 1, 1980, which is engaged in any industrial or commercial activity except:

- (a) Banking or other financial service;
- (b) Real estate brokerage, management, sale, ownership, or leasing;
- (c) Legal, medical, dental, accounting, engineering, or any other professional or consulting service;
- (d) Furnishing recreational or athletic facilities; and
- (e) Serving food or beverages to be consumed on or adjacent to the premises where they are sold.

Subd. 5. "Eligible small business" for the purpose of section 3, subdivision 5, means a business entity organized for profit, including but not limited to any individual, partnership, corporation, joint venture, association or cooperative, which entity:

- (a) Is not an affiliate or subsidiary of a business dominant in its field of operation; and

(b) Has 20 or fewer full time employees or not more than the equivalent of \$1,000,000 in annual gross revenues in the preceding fiscal year.

Subd. 6. "Dominant in its field of operation" means having more than 20 full time employees and more than \$1,000,000 in annual gross revenues.

Subd. 7. "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 its field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in that field of operation.

Subd. 8. "Financial institution" means any bank or other financial corporation described in chapter 47, any insurance company licensed to do business under chapter 60A, and any securities broker-dealer licensed under chapter 80A.

Subd. 9. "Pollution control loan" means a federally guaranteed loan to the owner of a small business for the acquisition, construction, or improvement of pollution control facilities as defined by federal law authorizing the guaranty. On the effective date of this section such facilities as are defined in 15 U. S. Code, Sections 694-1 and 694-2, and such real and personal property as the United States small business administration, in its discretion, determines is likely to help prevent, reduce, abate, or control noise, air, or water pollution or contamination by removing, altering, disposing, or storing pollutants, contaminants, wastes, or heat, and such real and personal property as the administration determines will be used for the collection, storage, treatment, utilization, processing, or final disposal of solid or liquid waste shall qualify as a project for a pollution control loan."

Page 2, lines 3 and 4, delete "as a public body corporate and politic and a public corporation"

Page 2, line 6, delete "4" and insert "5"

Page 3, line 12, after "4" insert "and that title to all property then owned by the agency will remain or vest in the agency, its successor or the state, as the case may be."

Page 4, line 9, after "filling" insert "of"

Page 4, line 28, after "may" insert "make or purchase or"

Page 4, line 28, after "with" delete "banks, savings institutions, investment bankers, insurance companies and other"

Page 4, lines 30 and 31, delete "and committing to make or purchase business facilities loans and" and insert "or purchasing" and delete "facilities"

Page 4, line 32, delete ", as described in subdivisions 2 and 3 of this section" and insert "upon the conditions described in this section, and may enter into commitments therefor"

Page 4, delete line 33

Page 5, delete lines 1 to 11, and insert

purpose of pollution control facilities," and insert "not exceeding \$100,000 in principal amount, provided that each such loan shall be made only from the proceeds of a bond or note sold and issued to a financial institution, payable exclusively from the repayments of principal and interest on the loan, which shall be assigned to and serviced by the financial institution."

Page 5, line 12, after "3." insert "The agency may make" and delete "facilities"

Page 5, lines 12 to 14, delete "shall consist of loans for the purpose of pollution control facilities," and insert "not exceeding \$500,000 in principal amount, when"

Page 5, line 20, after "granted." delete "On the effective date of this section, the"

Delete page 5, line 21 to page 7, line 5 and insert

"Subd. 4. The agency shall make every effort to assure that at least 50 percent of the principal amount of the loans made or purchased by the agency in each fiscal year consists of loans with a principal amount of \$100,000 or less to eligible small businesses as defined in section 1, subdivision 5, and shall provide technical assistance needed by eligible small business owners to complete applications and meet other requirements for those loans. The agency shall report to the legislature annually on or before October 1 as to is compliance with the requirements of this subdivision during the preceding fiscal year.

Subd. 5. (a) Each financial institution which participates in a pollution control loan with the agency shall annually on or before March 1 submit a report for the prior calendar year to the agency on a form prescribed by the state auditor. The report shall include a listing of each new and outstanding loan in which the financial institution is a participant, the amount and terms of the loan, the purpose of the loan and any other information as the state auditor may reasonably require.

(b) The agency shall annually on or before May 1 submit a report on a form prescribed by the state auditor for the prior calendar year to the state auditor on all loans which it makes purchases or participates in. The report shall include a listing of each new and outstanding loan in which the financial institution is a participant, the amount and terms of the loan, the purpose of the loan and any other information as the state auditor may reasonably require.

(c) The state auditor shall annually on or before July 1 submit a report for the prior calendar year to the governor and the legislature summarizing the report submitted pursuant to clause (b).

(d) The cost of preparing and submitting the reports required by this subdivision shall be borne by the party submitting it. Any financial institution which fails to comply with the requirements of this subdivision shall be prohibited from participating in future loans until it complies."

Page 7, line 8, delete "3" and insert "5"

Page 7, line 14, delete "4" and insert "5"

Page 8, line 14, after "462A.17" insert ", all with the force and effect stated and the incidental powers granted and duties imposed in those sections"

Page 8, line 15, delete "general obligation"

Page 8, line 19, delete "\$30,000,000" and insert "\$20,000,000"

Page 8, line 21, delete "revenue"

Page 8, line 23, after "programs" insert "notwithstanding section 462A.08, subdivision 3"

Page 9, line 24, after "less." insert "It may deposit funds in excess of the amount insured with security as provided in chapter 118. Notwithstanding the foregoing, it may invest and deposit funds into accounts established pursuant to resolutions or indentures securing its bonds or notes in such investments and deposit accounts or certificates, and with such security, as may be agreed therein with the holders or a trustee for the holders."

Page 9, lines 26 and 27, delete "small business" and insert "pollution control"

Page 10, line 7, after "obligations," insert "any amounts granted or appropriated to the agency for the making or purchase or the insurance or guaranty of loans or for bond reserves,"

Amend the title as follows:

Page 1, line 3, after "to" insert "issue and"

Page 1, line 4, delete "revenue bonds" and insert "obligations"

Page 1, line 5, after "business" insert "and pollution control"

Page 1, line 5, delete "appropriating money" and insert "requiring reports"

And when so amended H. F. No. 2045 will be identical to S. F. No. 1806, and further recommends that H. F. No. 2045 be given its second reading and substituted for S. F. No. 1806, 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. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 251, 262, 1878, 2019, and 2046 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files 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.
251	291				
262	403				
1878	1699				
2019	2041				
2046	1706				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 251 be amended as follows:

Page 1, line 15, delete "*shall apply*" and insert "*applies*"

Page 1, line 16, after "*administers*" and "*compensation*" insert commas

Page 3, line 7, delete "*shall be*" and insert "*are*"

Page 3, line 19, delete "*shall be*" and insert "*are*"

Page 4, line 33, delete "*shall mean*" and insert "*means*"

Page 5, line 19, strike "(c)"

Page 5, line 23, strike "such"

Page 5, line 33, after the period, insert: "*Cost comparisons are not required between insured and self-insurance alternatives, but apply to comparisons between two or more insured proposals or comparisons between two or more self-insurance proposals.*"

Page 6, line 22, after "*rules,*" insert "*including emergency rules, pursuant to sections 15.0411 to 15.052,*"

Page 6, line 27, after "*or*" insert "*an insurance company approved pursuant to section 60A.20 or*"

Page 6, lines 30 and 31, delete "*, regardless of the time of payment of the claims, or*" and after "*contract*" insert "*. In addition to excess or stop-loss coverage,*"

Page 7, line 1, after "*contract*" insert "*which shall be adding to the expected claim level*"

Page 7, line 13, after "*representative*" insert "*and agreement by the exclusive representative that represents the largest number of employees to be included in the plan*"

Page 7, line 24, delete "*any*" and insert "*a*"

Page 7, line 26, delete "*Any*" and insert "*A*"

Delete page 7, line 32 to page 8, line 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 5 and 6, delete "Section 471.616, Subdivision 1; Section 60A.23, by adding a subdivision;" and insert "Sections 60A.23, by adding a subdivision; 471.616, Subdivision 1;"

And when so amended H. F. No. 251 will be identical to S. F. No. 291, and further recommends that H. F. No. 251 be given its second reading and substituted for S. F. No. 291, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 262 be amended as follows:

Page 1, line 18, after "insurance" insert "*for purposes of this subdivision*"

Page 2, line 1, after "but" insert "*for purposes of this subdivision*"

Page 2, line 9, delete "It" and insert "*For purposes of this subdivision "insurer"*"

Page 2, line 20, after "insurance" insert "*for purposes of this subdivision*"

Page 3, line 22, after "hazard" insert " , *not including health, life, accident or disability of its employees.*"

Page 3, line 24, after "hazard" insert " , *not including health, life, accident or disability of its employees.*"

Page 4, lines 26 and 27, delete "*Nothing in this section shall be construed to limit the power of*"

Page 4, line 27, delete "to" after "subdivision" and insert "*may*"

Page 4, line 29, delete "or to" and insert "*may*"

Page 4, line 33, after the headnote, insert "*Subdivision 1.*"

Page 5, line 11, delete "*shall be*" and insert "*is*"

Page 5, line 18, begin a new paragraph with "*The commissioner*" and insert "*Subd. 2.*" before it

Page 5, line 19, delete "*providing*" and insert "*including emergency rules pursuant to sections 15.0411 to 15.052. These rules may provide*"

Page 5, line 21, delete "and" and before the period insert " , *and other reasonable requirements to further the purpose of this section and shall at a minimum require the following:*

(a) *All participants in the pool are jointly and severally liable for all claims and expenses of the pool;*

(b) *Each pool shall contract with a service company licensed by the commissioner to provide or contract for all administrative services required by the pool. No vendor of risk management services or entity administering a self insurance plan under this section may transact such business in this state unless it is licensed to do so by the commissioner. An applicant for a license shall state in writing the type of activities it seeks authorization to engage in and the type of services it seeks authorization to pro-*

vide. The license shall be granted only when the commissioner is satisfied that the entity possesses the necessary organization, background, expertise, and financial integrity to supply the services sought to be offered. The commissioner may issue a license subject to restrictions or limitations upon the authorization, including the type of services which may be supplied or the activities which may be engaged in. The license fee shall be \$100. All licenses shall be for a period of two years;

(c) The service company has sole responsibility for the settlement of all claims against the pool or its members for which the pool may provide indemnification;

(d) A minimum premium volume for each pool shall be established. The minimum premium volume may differ because of the kinds of coverage provided, and the limits of liability for the coverage;

(e) All premiums or other assessments due to the pool from members shall be payable prior to the period for which coverage is being provided, or at equal intervals throughout the period;

(f) Premiums shall either be established by an actuary approved by the commissioner or shall be premiums filed by a licensed rate service organization with reductions permitted solely for administrative or premium tax savings;

(g) The commissioner may require each pool to purchase excess insurance above certain limits and in a particular form. The limits or form of the excess insurance may differ based on the kinds of coverage offered by a pool, the limits of liability of the coverage, and the revenues available to pool members for the payment of premiums or assessments;

(h) Each pool shall be audited annually by a certified public accountant;

(i) Limitations on the payment of dividends to pool members may be established as necessary to assure the solvency of the pool;

(j) No participant may withdraw from a pool for a period of at least three years after its initial entry into the pool;

(k) The amount of any liabilities in excess of assets shall be assessed to members of the pool within 30 days after a deficiency is identified and shall be payable by the member within 90 days;

(l) The investment policies of the pool shall be governed by the laws governing investments by cities pursuant to section 475.66;

(m) Pools shall be subject to the standards of unfair methods of competition and unfair or deceptive acts or practices established in Minnesota Statutes, Chapter 72A;

(n) Other requirements that are necessary to protect the solvency of the pool, the rights and privileges of claimants against the pool, and citizens of the members of the pool shall be included in the rules."

Page 5, delete lines 22 to 25 and insert

"Sec. 8. [APPROPRIATION.] *The sum of \$43,000 is appropriated from the general fund to the commissioner of insurance for the purposes of this act."*

Amend the title as follows:

Page 1, line 4, after "pooling;" insert "appropriating money;"

And when so amended H. F. No. 262 will be identical to S. F. No. 403, and further recommends that H. F. No. 262 be given its second reading and substituted for S. F. No. 403, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2019 be amended as follows:

Page 5, line 33, delete "school loan" and insert "equalization aid review"

And when so amended H. F. No. 2019 will be identical to S. F. No. 2041, and further recommends that H. F. No. 2019 be given its second reading and substituted for S. F. No. 2041, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1878 be amended as follows:

Page 2, after line 8, insert:

"Sec. 2. Minnesota Statutes 1978, Section 65B.49, is amended by adding a subdivision to read:

Subd. 4a. [UNDERINSURED MOTORIST COVERAGE.] No plan of reparation security may be renewed, delivered or issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, in an amount at least equal to the insured's residual liability limits, whereby the reparation obligor agrees to pay damages the insured is legally entitled to recover on account of a motor vehicle accident but which are uncompensated because the total damages exceed the residual bodily injury liability limit of the owner of the other vehicle. The reparation obligor is subrogated to any amounts it pays and upon payment has an assignment of the judgment if any against the other person to the extent of the money it pays."

Page 2, lines 17 to 26, delete the new language

Page 2, line 33, delete the comma

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 5, after "plan;" insert "providing for mandatory uninsured motorist coverage;"

Page 1, line 7, after "2;" insert "65B.49, by adding a subdivision;"

And when so amended H. F. No. 1878 will be identical to S. F. No. 1699, and further recommends that H. F. No. 1878 be given its second reading and substituted for S. F. No. 1699, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2046 be amended as follows:

Page 1, line 7, after "The" insert "advisory task force on the"

Page 1, lines 8 and 9, delete "The conference shall be directed by ten commissioners," and insert "The task force shall consist of nine members all of whom shall be small business persons."

Page 1, lines 12 to 16, delete "The tenth shall be a person who served as a commissioner of the 1980 White House conference on small business and shall be chairperson of the Minnesota conference. They shall meet from time to time to discharge the duties imposed by this act."

and insert "The honorary chairperson of the task force shall be a person who served as a commissioner of the 1980 White House conference on small business. The task force shall meet from time to time to discharge the duties imposed by this act. Compensation removal and filling of vacancies shall be as provided in section 15.059. The task force shall expire March 31, 1981."

Page 1, line 17, delete "Minnesota conference commissioners" and insert "task force"

Page 1, line 18 after "for" insert "and shall hold"

Page 1, lines 20 and 21, delete "who represent small business in all parts of the state" and insert "to a statewide conference"

Page 1, line 21, after the period insert "The delegates shall represent small business in all parts of the state."

Page 1, line 22, after "ex officio" insert "voting"

Page 2, line 2, delete "Minnesota conference shall hold a meeting" and insert "task force shall hold a statewide conference"

Page 2, line 4, delete "meeting" and insert "conference"

Page 2, line 5, after "be" insert "held"

Page 2, line 6, delete "rules and" and "provided" and insert "established" and delete "conference"

Page 2, line 7, delete "commissioners" and insert "task force" and delete "Minnesota conference" and insert "task force"

Page 2, line 11, delete "conference" and insert "task force" and after "report" insert "the"

Page 2, line 12, after "action" insert "adopted by the conference"

Page 2, after line 13, insert:

"Sec. 5. The task force may accept gifts and grants made to it and shall apply them to the purposes of this act."

Page 2, line 14, delete "\$10,000" and insert "6. [APPROPRIATION.] The sum of \$100,000"

Page 2, line 15, after the first "the" insert "task force on the" and delete "for" and insert "to accomplish"

Page 2, lines 16 to 19, delete: "Gifts to the conference are also appropriated to it for the purposes of this act. Notwithstanding any other law, these appropriations cancel March 31, 1981."

and insert "This appropriation is available until March 31, 1981."

Page 2, after line 19, insert:

"Sec. 7. [EFFECTIVE DATE.] This act is effective the day following final enactment and expires on March 31, 1981."

Amend the title as follows:

Page 1, line 2, after "the" insert "advisory task force on the"

And when so amended H. F. No. 2046 will be identical to S. F. No. 1706, and further recommends that H. F. No. 2046 be given its second reading and substituted for S. F. No. 1706, 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. 2045, 251, 262, 2019, 1878 and 2046 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Renneke introduced—

Senate Resolution No. 66: A Senate resolution relating to extending congratulations to the Spartans Girls' Volleyball Team from Gaylord for winning the 1979 Class A Girls' High School Volleyball Championship.

Referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate take up the 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. 1201: A bill for an act relating to waters; changing watercraft license fees; amending Minnesota Statutes 1978, Section 361.03, 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 37 and nays 8, as follows:

Those who voted in the affirmative were:

Bang	Keefe, S.	Menning	Rued	Tennessee
Benedict	Kirchner	Moe	Schmitz	Ueland, A.
Chmielewski	Kleinbaum	Nelson	Setzepfandt	Vega
Coleman	Knaak	Ogdahl	Solon	Wegener
Dunn	Knutson	Olson	Spear	Willet
Engler	Laufenburger	Omann	Stern	
Gearty	Lessard	Penny	Stokowski	
Humphrey	Luther	Peterson	Stumpf	

Those who voted in the negative were:

Ashbach	Johnson	Perpich	Sieloff	Ulland, J.
Barrette	Olhoft	Pillsbury		

So the bill passed and its title was agreed to.

H. F. No. 2035: A bill for an act relating to historic sites and monuments; adding property to Split Rock Lighthouse historic site; reestablishing Traverse des Sioux historic site as a state monument; authorizing a memorial to Minnesota's war dead in Arlington National Cemetery; memorializing Congress to pass H. R. 1918, a service pension for veterans of World War One and their surviving spouses; appropriating funds; amending Minnesota Statutes 1978, Sections 138.025, Subdivision 10; and 138.585, by adding a subdivision; repealing Minnesota Statutes 1978, Section 138.55, 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Penny	Staples
Bang	Humphrey	Luther	Perpich	Stern
Barrette	Johnson	Menning	Peterson	Stokowski
Benedict	Keefe, S.	Moe	Pillsbury	Stumpf
Bernhagen	Kirchner	Nelson	Rued	Tennessee
Chmielewski	Kleinbaum	Nichols	Schmitz	Ueland, A.
Coleman	Knaak	Ogdahl	Setzepfandt	Ulland, J.
Dunn	Knoll	Olhoft	Sieloff	Vega
Engler	Knutson	Olson	Solon	Wegener
Gearty	Laufenburger	Omann	Spear	Willet

So the bill passed and its title was agreed to.

H. F. No. 1138: A bill for an act relating to local government; authorizing the establishment of local government official training programs; appropriating money; amending Minnesota Statutes 1978, Section 471.59, 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	Johnson	Menning	Peterson	Stern
Bang	Keefe, S.	Moe	Pillsbury	Stokowski
Barrette	Kirchner	Nelson	Purfeerst	Stumpf
Benedict	Kleinbaum	Nichols	Rued	Tennessen
Bernhagen	Knaak	Ogdahl	Schmitz	Ueland, A.
Chmielewski	Knoll	Olhoft	Setzepfandt	Ulland, J.
Engler	Knutson	Olson	Sieloff	Vega
Gearty	Laufenburger	Omann	Solon	Wegener
Hanson	Lessard	Penny	Spear	Willet
Humphrey	Luther	Perpich	Staples	

So the bill passed and its title was agreed to.

S. F. No. 994: A bill for an act relating to real estate brokers and salespersons; allowing legal education courses to substitute for real estate education courses under certain circumstances; reducing the number of hours of education required for a license; regulating the real estate education, research and recovery fund; setting fees; providing guidelines for the amount of the recovery portion of the fund and for paying claims; amending Minnesota Statutes 1978, Sections 82.22, Subdivisions 6 and 13; 82.34, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, and by adding a subdivision; Minnesota Statutes, 1979 Supplement, Section 82.21, Subdivision 1; repealing Minnesota Statutes 1978, Section 82.34, 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Peterson	Staples
Bang	Humphrey	Menning	Pillsbury	Stern
Barrette	Johnson	Moe	Purfeerst	Stokowski
Benedict	Keefe, S.	Nelson	Renneke	Strand
Bernhagen	Kirchner	Nichols	Rued	Stumpf
Chmielewski	Kleinbaum	Ogdahl	Schmitz	Tennessen
Coleman	Knaak	Olhoft	Setzepfandt	Ueland, A.
Davies	Knoll	Olson	Sieloff	Ulland, J.
Engler	Knutson	Omann	Sikorski	Vega
Gearty	Laufenburger	Penny	Solon	Wegener
Gunderson	Lessard	Perpich	Spear	Willet

So the bill passed and its title was agreed to.

H. F. No. 1443: A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4;

218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Pillsbury	Stokowski
Bang	Humphrey	Menning	Purfeerst	Strand
Barrette	Johnson	Moe	Renneke	Stumpf
Benedict	Keefe, J.	Nelson	Rued	Ueland, A.
Bernhagen	Keefe, S.	Nichols	Schmitz	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Vega
Coleman	Kleinbaum	Olhoff	Sieloff	Wegener
Davies	Knaak	Olson	Sikorski	Willet
Engler	Knoll	Omann	Solon	
Frederick	Knutson	Penny	Spear	
Gearty	Laufenburger	Perpich	Staples	
Gunderson	Lessard	Peterson	Stern	

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2436: A bill for an act relating to the city of Duluth; providing for certain city tax revenues; repealing Laws 1973, Chapter 461, as amended; and Laws 1977, Chapter 438, 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 54 and nays 3, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Peterson	Staples
Bang	Humphrey	Luther	Pillsbury	Stern
Barrette	Johnson	Menning	Purfeerst	Stokowski
Benedict	Keefe, J.	Moe	Renneke	Strand
Bernhagen	Keefe, S.	Nelson	Rued	Stumpf
Chmielewski	Kirchner	Nichols	Schmitz	Ueland, A.
Coleman	Kleinbaum	Ogdahl	Setzepfandt	Ulland, J.
Engler	Knaak	Olson	Sieloff	Vega
Frederick	Knoll	Omann	Sikorski	Wegener
Gearty	Knutson	Penny	Solon	Willet
Gunderson	Laufenburger	Perpich	Spear	

Messrs. Davies, Olhoff and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2375: A bill for an act relating to taxation; clarifying provisions of the Minnesota tax increment financing act; authorizing assessment agreements; amending Minnesota Statutes 1978, Section 472A.02, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 273.73, Subdivisions 7, 8, 10, 11 and 12; 273.74, Subdivision 3; 273.75, Subdivisions 1, 2, 5 and 6; 273.76, Subdivisions 1, 2 and 3, and by adding subdivisions; 273.77; 273.78; 273.86, Subdivision 4; and 473F.08, Subdivision 6.

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 1, as follows:

Those who voted in the affirmative were:

Aashbach	Humphrey	McCutcheon	Pillsbury	Stokowski
Bang	Johnson	Menning	Purfeerst	Strand
Barrette	Keefe, J.	Moe	Renneke	Stumpf
Benedict	Keefe, S.	Nelson	Rued	Tennesen
Bernhagen	Kirchner	Nichols	Schmitz	Ueland, A.
Chmielewski	Kleinbaum	Ogdahl	Setzpfandt	Ulland, J.
Coleman	Knaak	Olhoff	Sieloff	Vega
Engler	Knoll	Olson	Sikorski	Wegener
Frederick	Knutson	Omann	Solon	Willet
Gearty	Laufenburger	Penny	Spear	
Gunderson	Lessard	Perpich	Staples	
Hanson	Luther	Peterson	Stern	

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2149: A bill for an act relating to public welfare; clarifying duties of the commissioner of public welfare regarding approval of public and private mental health centers and clinics for certain purposes; mandating additional rulemaking; amending Minnesota Statutes, 1979 Supplement, Section 245.69.

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	Humphrey	Luther	Peterson	Staples
Bang	Johnson	Menning	Pillsbury	Stern
Benedict	Keefe, J.	Moe	Purfeerst	Stokowski
Bernhagen	Keefe, S.	Nelson	Renneke	Strand
Chmielewski	Kirchner	Nichols	Rued	Stumpf
Davies	Kleinbaum	Ogdahl	Schmitz	Tennesen
Engler	Knaak	Olhoff	Setzpfandt	Ueland, A.
Frederick	Knoll	Olson	Sieloff	Ulland, J.
Gearty	Knutson	Omann	Sikorski	Vega
Gunderson	Laufenburger	Penny	Solon	Wegener
Hanson	Lessard	Perpich	Spear	Willet

So the bill passed and its title was agreed to.

S. F. No. 2281: A bill for an act relating to taxation; imposing penalties for failure to file returns for Kittson, Marshall, Clay, Becker and Wilkin counties' gravel tax; amending Laws 1961, Chapter 605, Section 3; Laws 1963, Chapter 475, Section 3; Laws 1977, Chapters 112, Section 3; and 117, Section 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Peterson	Stern
Bang	Humphrey	Luther	Pillsbury	Stokowski
Barrette	Jensen	Menning	Purfeerst	Strand
Benedict	Johnson	Moe	Renneke	Stumpf
Bernhagen	Keefe, J.	Nelson	Rued	Tennessee
Brataas	Keefe, S.	Nichols	Schmitz	Ueland, A.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Olhoff	Sieloff	Vega
Engler	Knaak	Olson	Sikorski	Wegener
Frederick	Knoll	Omann	Solon	Willet
Gearty	Knutson	Penny	Spear	
Gunderson	Laufenburger	Perpich	Staples	

So the bill passed and its title was agreed to.

H. F. No. 1904: A bill for an act relating to the Nine Mile Creek and Riley-Purgatory Creek Watershed Districts; providing for the establishment of district water maintenance and repair funds; authorizing tax levies for water maintenance and repair 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Peterson	Stern
Bang	Humphrey	Luther	Pillsbury	Stokowski
Barrette	Jensen	Menning	Purfeerst	Strand
Benedict	Johnson	Moe	Renneke	Stumpf
Bernhagen	Keefe, J.	Nelson	Rued	Tennessee
Brataas	Keefe, S.	Nichols	Schmitz	Ueland, A.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Olhoff	Sieloff	Vega
Engler	Knaak	Olson	Sikorski	Wegener
Frederick	Knoll	Omann	Solon	Willet
Gearty	Knutson	Penny	Spear	
Gunderson	Laufenburger	Perpich	Staples	

So the bill passed and its title was agreed to.

H. F. No. 160: A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; appropriating money;

amending Minnesota Statutes 1978, Section 256D.37, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 256B.06, Subdivision 1; and 256D.37, Subdivision 1.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Peterson	Stern
Bang	Humphrey	Luther	Pillsbury	Stokowski
Barrette	Jensen	Menning	Purfeerst	Strand
Benedict	Johnson	Moe	Renneke	Stumpf
Bernhagen	Keefe, J.	Nelson	Rued	Tennessee
Brataas	Keefe, S.	Nichols	Schmitz	Ueland, A.
Chmielewski	Kirchner	Ogdahl	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Olhoft	Sieloff	Vega
Engler	Knaak	Olson	Sikorski	Wegener
Frederick	Knoll	Omann	Solon	Willet
Gearty	Knutson	Penny	Spear	
Gunderson	Laufenburger	Perpich	Staples	

So the bill passed and its title was agreed to.

S. F. No. 2389: A bill for an act relating to taxation; income; providing for the nonrecognition of gain or loss from sales or exchanges certified by the Federal Communications Commission; amending Minnesota Statutes 1978, Section 290.13, 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Perpich	Stern
Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Luther	Pillsbury	Strand
Barrette	Humphrey	McCutcheon	Purfeerst	Stumpf
Benedict	Jensen	Menning	Renneke	Tennessee
Bernhagen	Johnson	Moe	Rued	Ueland, A.
Brataas	Keefe, J.	Nelson	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Nichols	Setzepfandt	Vega
Davies	Kirchner	Ogdahl	Sieloff	Wegener
Dieterich	Kleinbaum	Olhoft	Sikorski	Willet
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Omann	Spear	
Frederick	Knutson	Penny	Staples	

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Solon was excused from the Session of today until 3:45 o'clock p.m. Messrs. Hanson and McCutcheon were excused from the Session of today from 2:30 to 4:30 o'clock p.m. Mr. Sikorski was excused from the Session of today from 3:30 to 4:10 o'clock p.m. Mr. Menning was excused from the Session of today from 3:10 to 4:10 o'clock p.m.

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate. The following Senators answered to their names:

Bang	Frederick	Knutson	Peterson	Stokowski
Barrette	Gearty	Laufenburger	Pillsbury	Stumpf
Bernhagen	Gunderson	Luther	Purfeerst	Tennessee
Brataas	Hughes	Merriam	Renneke	Ulland, J.
Chmielewski	Johnson	Nelson	Rued	Vega
Coleman	Keefe, J.	Nichols	Setzepfandt	Wegener
Davies	Keefe, S.	Olhoft	Sieloff	
Dieterich	Kirchner	Omann	Sikorski	
Dunn	Kleinbaum	Penny	Spear	
Engler	Knaak	Perpich	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

SPECIAL ORDER

H. F. No. 1612: A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing property tax relief; appropriating money; amending Minnesota Statutes 1978, Section 273.111, Subdivision 6.

Mr. Sikorski moved to amend H. F. No. 1612, as amended pursuant to Rule 49, adopted by the Senate March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1597.)

Page 1, line 19, delete "*will*"

Page 1, line 20, delete "*be*"

Page 1, line 21, delete "*will be*"

Page 1, line 23, delete "*will be*"

Page 2, line 1, delete "*will be*"

Page 2, line 13, delete "*and*" and insert "*or*"

Page 2, line 14, delete "*and*" and insert "*or*"

Page 2, line 14, delete everything after "*stock*"

Page 2, line 15, delete "*Sections 18.44 to 18.61*"

Page 2, line 15, delete "*of all kinds*"

Page 2, line 16, after "*grains*" insert "*or*"

Page 2, line 16, after "*products*" delete "*, and*" and insert a period

Page 2, line 17, after "*woodlands*" insert "*accompanying land in agricultural use shall be deemed to be in agricultural use*"

Page 3, line 16, delete "*land contract*" and insert "*contract for deed*"

Page 4, line 7, delete "*is*"

Page 4, line 18, delete "*minor civil divisions*" and insert "*authorities*"

Page 4, line 20, delete "*minor civil divisions*" and insert "*authorities*"

Page 4, line 25, delete "*and*" and insert "*using*"

Page 5, line 5, delete "*officially*"

Page 5, line 9, delete "*such*"

Page 5, line 23, after "*apply*" insert "*to the authority with jurisdiction over the land on forms provided by the commissioner of agriculture*"

Page 5, line 29, delete everything after the period

Page 5, delete lines 30 and 31

Page 5, line 32, delete everything before "*at*" and insert "*The application shall contain*"

Page 6, line 1, delete everything after "*necessary*" and insert a colon

Page 7, line 6, delete "*of suitable form,*"

Page 7, line 9, delete "*of such data*"

Page 8, line 22, delete "*and shall state*" and insert "*of*"

Page 9, line 9, after "*its*" insert "*appropriate*"

Page 9, line 9, delete "*capability*" and insert "*classification and*"

Page 9, line 11, delete everything after the period

Page 9, delete lines 12 to 19 and insert "*In determining the value for ad valorem tax purposes the assessor shall not consider any added values resulting from nonagricultural factors.*"

Page 10, line 6, delete "*is*" and insert "*will be*"

Page 10, line 17, delete "*1982*" and insert "*1983*"

Page 10, line 21, after "*on*" insert "*or before*"

Page 10, line 21, delete "*1982*" and insert "*1983*"

Page 10, after line 25, insert:

"This section shall be effective for taxes levied in 1982, payable in 1983 and thereafter."

Page 11, line 21, delete *"regulations"* and insert *"rules"*

Page 11, line 23, delete *"regulations"* and insert *"rules"*

Page 11, line 23, delete everything after *"which"* and insert *"favor"*

Page 11, line 24, delete *"affecting"* and insert *"affect"*

Page 11, line 26, delete *"regulations"* and insert *"rules"*

Page 11, line 28, delete *"that would be supportive of"* and insert *"encourage"*

Page 11, line 30, delete everything after *"while"*

Page 11, line 31, delete *"protect"* and insert *"protecting"*

Page 12, delete lines 1 to 17

Page 13, line 3, delete *"moving to acquire"* and insert *"acquiring"*

Page 13, line 6, delete *"moving to advance"* and insert *"advancing"*

Page 13, line 11, before *"Notice"* insert *"At least 60 days prior to an action described in subdivision 1,"*

Page 13, line 12, delete everything after *"board"*

Page 13, line 20, after *"effect"* insert *"of the action"*

Page 13, line 33, before *"preserve"* insert *"affected"*

Page 13, line 33, delete *"preserves"* and insert *"preserve"*

Page 14, line 4, delete *"and"* and insert a comma

Page 14, line 5, after the comma, delete *"to"* and insert *"and"*

Page 14, line 6, delete *"and"*

Page 14, line 23, delete *"reasonable and cost effective"* and insert *"feasible and prudent"*

Page 15, line 14, delete *"there is ample evidence that"*

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H. F. No. 1612, as amended pursuant to Rule 49, adopted by the Senate March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1597.)

Page 1, line 10, delete *"19"* and insert *"17"*

Page 1, line 15, delete *"19"* and insert *"17"*

Page 2, line 6, delete "19" and insert "17"

Page 3, line 1, delete "19" and insert "17"

Page 6, lines 2 and 13, delete "19" and insert "17"

Page 7, line 24, delete "19" and insert "17"

Page 8, line 25, delete "19" and insert "17"

Page 11, line 8, delete "19" and insert "17"

Page 14, line 22, delete "19" and insert "17"

Pages 16 and 17, delete sections 18 and 19

Page 17, line 25, delete "18" and insert "17"

Page 17, line 26, delete everything after the period

Page 17, delete line 27

Renumber the sections in sequence

Delete all underlining from the bill

Amend the title as follows:

Page 1, line 4, delete "providing property tax relief;"

Page 1, line 5, delete everything after "money" and insert a period

Page 1, delete line 6

The motion prevailed. So the amendment was adopted.

Mr. Wegener moved to amend H. F. No. 1612, as amended pursuant to Rule 49, adopted by the Senate March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1597.)

Page 17, after line 2, insert:

"Sec. 19. Minnesota Statutes 1978, Section 462.351, is amended to read:

462.351 [MUNICIPAL PLANNING AND DEVELOPMENT; STATEMENT OF POLICY.] The legislature finds that municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, *to preserve agricultural and other open lands*, and to promote the public health, safety, ~~morals~~ and general welfare. Municipalities can prepare for anticipated changes and by such preparations bring about significant savings in both private and public expenditures. Municipal planning, by providing public guides to future municipal action, enables other public and private agencies to plan their activities in harmony with the municipality's plans. Municipal planning will assist in developing lands more wisely to serve citizens

more effectively, will make the provision of public services less costly, and will achieve a more secure tax base. It is the purpose of sections 462.351 to 462.364 to provide municipalities, in a single body of law, with the necessary powers and a uniform procedure for adequately conducting and implementing municipal planning.

Sec. 20. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 12. "Subdivision" means the separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or other use or any combination thereof, except those separations:

(a) Where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses;

(b) Creating cemetery lots;

(c) Resulting from court orders, or the adjustment of a lot line by the relocation of a common boundary.

Sec. 21. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 14. "Plat" means the drawing or map of a subdivision prepared for filing of record pursuant to chapter 505 and containing all elements and requirements set forth in applicable local regulations adopted pursuant to section 462.358 and chapter 505.

Sec. 22. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 15. "Subdivision regulation" means an ordinance adopted pursuant to section 462.358 regulating the subdivision of land.

Sec. 23. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 16. "Official controls" or "controls" means ordinances and regulations which control the physical development of a city, county or town or any part thereof or any detail thereof and implement the general objectives of the comprehensive plan. Official controls may include ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes and official maps.

Sec. 24. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 17. "Preliminary approval" means official action taken by a municipality on an application to create a subdivision which establishes the rights and obligations set forth in section 462.358 and the applicable subdivision regulation. In accordance with section 462.358, and unless otherwise specified in the applicable sub-

division regulation, preliminary approval may be granted only following the review and approval of a preliminary plat or other map or drawing establishing without limitation the number, layout, and location of lots, tracts, blocks, and parcels to be created, location of streets, roads, utilities and facilities, park and drainage facilities, and lands to be dedicated for public use.

Sec. 25. Minnesota Statutes 1978, Section 462.355, Subdivision 4, is amended to read:

Subd. 4. [INTERIM ORDINANCE.] *If a municipality is conducting or in good faith intends to conduct studies within a reasonable time or has authorized a study to be conducted or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 473.852 462.352, subdivision 16, or if new territory for which plans or controls have not been adopted is annexed to a municipality, the governing body of the municipality may adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety and welfare of its citizens. The interim ordinance may regulate, restrict or prohibit any use or, development, or subdivision within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is created effective, and may be renewed extended for one additional year such additional periods as the municipality may deem appropriate, not exceeding a total additional period of 18 months. No interim ordinance may halt, delay, or impede a subdivision which has been given preliminary approval prior to the effective date of the interim ordinance.*

Sec. 26. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision 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 regu-

lations 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 Minnesota Statutes, 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. 27. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 2a. [TERMS OF REGULATIONS.] The standards and requirements in the regulations may address without limitation: the size, location, grading, and improvement of lots, structures, public areas, streets, roads, trails, walkways, curbs and gutters, water supply, storm drainage, lighting, sewers, electricity, gas, and other utilities; the planning and design of sites; access to solar energy; and the protection and conservation of flood plains, shore lands, soils, water, vegetation, energy, air quality, and geologic and ecologic features. The regulations shall require that subdivisions be consistent with the municipality's official map if one exists and its zoning ordinance, and may require consistency with other official controls and the comprehensive plan. The regulations may prohibit certain classes or kinds of subdivisions in areas where prohibition is consistent with the comprehensive plan and the purposes of this section, particularly the preservation of agricultural lands. The regulations may prohibit the issuance of building permits for any tracts, lots, or parcels for which required subdivision approval has not been obtained. The regulations may permit the municipality to condition its approval on the construction and installation of sewers, streets, electric, gas, drainage, and water facilities, and similar utilities and improvements or, in lieu thereof, on the receipt by the municipality of a cash deposit, certified check, irrevocable letter of credit, or bond in an amount and with surety and conditions sufficient to assure the municipality that the utilities and improvements will be constructed or installed according to the specifications of the municipality. The regulations may permit the municipality to condition its approval on compliance with other requirements reasonably related to the provisions of the regulations and to execute development contracts embodying the terms and conditions of approval. The municipality may enforce such agreements and conditions by appropriate legal and equitable remedies.

Sec. 28. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 2b. [DEDICATION.] The regulations may require that a reasonable portion of any proposed subdivision be dedicated

to the public or preserved for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements. In addition, the regulations may require that a reasonable portion of any proposed subdivision be dedicated to the public or preserved for public use as parks, playgrounds, trails, or open space; provided that (a) the municipality may choose to accept an equivalent amount in cash from the applicant for part or all of the portion required to be dedicated to such public uses or purposes based on the fair market value of the land no later than at the time of final approval, (b) any cash payments received shall be placed in a special fund by the municipality used only for the purposes for which the money was obtained, (c) in establishing the reasonable portion to be dedicated, the regulations may consider the open space, park, recreational, or common areas and facilities which the applicant proposes to reserve for the subdivision, and (d) the municipality reasonably determines that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

Sec. 29. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3a. [PLATTING.] The regulations may require that any subdivision creating parcels, tracts, or lots, shall be platted. The regulations shall require that all subdivisions which create five or more lots or parcels which are 2½ acres or less in size shall be platted. The regulations shall not conflict with the provisions of chapter 505 but may address subjects similar and additional to those in that chapter.

Sec. 30. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3b. [REVIEW PROCEDURES.] The regulations shall include provisions regarding the content of applications for proposed subdivisions, the preliminary and final review and approval or disapproval of applications, and the coordination of such reviews with affected political subdivisions and state agencies. The regulations may provide for the consolidation of the preliminary and final review and approval or disapproval of subdivisions. Preliminary or final approval may be granted or denied for parts of subdivision applications. The regulations may prescribe fees sufficient to defray the costs incurred by the municipality in the review and investigation of and actions upon such applications. The regulations may delegate the authority to review proposals to the planning commission, but final approval or disapproval shall be the decision of the governing body of the municipality unless otherwise provided by law or charter. The regulations shall require that a public hearing shall be held on all subdivision applications prior to preliminary approval, unless otherwise provided by law or charter. The hearing shall be held following publication of notice of the time and place thereof in the official newspaper at least ten days before the day of the hearing. At the hearing, all persons interested shall be given an opportunity

to make presentations. A subdivision application shall be preliminarily approved or disapproved within 120 days following delivery of an application completed in compliance with the municipal ordinance by the applicant to the municipality, unless an extension of the review period has been agreed to by the applicant. When a division or subdivision to which the regulations of the municipality do not apply is presented to the city, the clerk of the municipality shall within ten days certify that the subdivision regulations of the municipality do not apply to the particular division.

If the municipality or the responsible agency of the municipality fails to preliminarily approve or disapprove an application within the review period, the application shall be deemed preliminarily approved, and upon demand the municipality shall execute a certificate to that effect. Following preliminary approval the applicant may request final approval by the municipality, and upon such request the municipality shall certify final approval within 60 days if the applicant has complied with all conditions and requirements of applicable regulations and all conditions and requirements upon which the preliminary approval is expressly conditioned either through performance or the execution of appropriate agreements assuring performance. If the municipality fails to certify final approval as so required, and if the applicant has complied with all conditions and requirements, the application shall be deemed finally approved, and upon demand the municipality shall execute a certificate to that effect. The applicant shall be notified of the preliminary and final approval or disapproval of his application, and the action and reasons therefor shall be set forth in the proceedings of the municipality. After final approval a subdivision may be filed or recorded.

Sec. 31. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3c. [EFFECT OF SUBDIVISION APPROVAL.] For one year following preliminary approval and for two years following final approval, unless the subdivider and the municipality agree otherwise, no amendment to a comprehensive plan or official control shall apply to or affect the use, development density, lot size, lot layout, or dedication or platting required or permitted by the approved application. Thereafter, pursuant to its regulations, the municipality may extend the period by agreement with the subdivider and subject to all applicable performance conditions and requirements, or it may require submission of a new application unless substantial physical activity and investment has occurred in reasonable reliance on the approved application and the subdivider will suffer substantial financial damage as a consequence of a requirement to submit a new application. In connection with a subdivision involving planned and staged development, a municipality may by resolution or agreement grant the rights referred to herein for such periods of time longer than two years which it determines to be reasonable and appropriate.

Sec. 32. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 4a. [DISCLOSURE BY SELLER; BUYER'S ACTION FOR DAMAGES.] *A person conveying a new parcel of land which, or the plat for which, has not previously been filed or recorded, and which is part of or would constitute a subdivision to which adopted municipal subdivision regulations apply, shall attach to the instrument of conveyance either: (a) recordable certification by the clerk of the municipality that the subdivision regulations do not apply, or that the subdivision has been approved by the governing body, or that the restrictions on the division of taxes and filing and recording have been waived by resolution of the governing body of the municipality in this case because compliance will create an unnecessary hardship and failure to comply will not interfere with the purpose of the regulations; or (b) a statement which names and identifies the location of the appropriate municipal offices and advises the grantee that municipal subdivision and zoning regulations may restrict the use or restrict or prohibit the development of the parcel, or construction on it, and that the division of taxes and the filing or recording of the conveyance may be prohibited without prior recordable certification of approval, nonapplicability, or waiver from the municipality. In any action commenced by a buyer of such a parcel against the seller thereof, the misrepresentation of or the failure to disclose material facts in accordance with this subdivision shall be grounds for damages. If the buyer establishes his right to damages, a district court hearing the matter may in its discretion also award to the buyer an amount sufficient to pay all or any part of the costs incurred in maintaining the action, including reasonable attorney fees, and an amount for punitive damages not exceeding five per centum of the purchase price of the land.*

Sec. 33. Minnesota Statutes 1978, Section 462.358, Subdivision 4, is amended to read:

Subd. 4b. [RESTRICTIONS ON FILING AND RECORDING CONVEYANCES.] *In a municipality in which subdivision regulations are in force and have been filed or recorded as provided in this section, no conveyance of land to which the regulations are applicable shall be filed or recorded, if the land is described in the conveyance by metes and bounds or by reference to an unapproved registered land survey made after April 21, 1961 or to an unapproved plat made after such regulations become effective. The foregoing provision does not apply to a conveyance if the land described:*

(1) *was a separate parcel of record April 1, 1945 or the date of adoption of subdivision regulations under Laws 1945, Chapter 287, whichever is the later, or of the adoption of subdivision regulations pursuant to a home rule charter, or*

(2) *was the subject of a written agreement to convey entered into prior to such time,*

(3) *was a separate parcel of not less than two and one-half acres in area and 150 feet in width on January 1, 1966, or*

(4) was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980, or

(4) (5) is a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width, or

(6) is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

In any case in which compliance with the foregoing restrictions will create an unnecessary hardship and failure to comply does not interfere with the purpose of the subdivision regulations, the platting authority may waive such compliance by adoption of a resolution to that effect and the conveyance may then be filed or recorded. Any owner or agent of the owner of land who conveys a lot or parcel in violation of the provisions of this subdivision shall forfeit and pay to the municipality a penalty of not less than \$100 for each lot or parcel so conveyed. A municipality may enjoin such conveyance or may recover such penalty by a civil action in any court of competent jurisdiction.

Sec. 34. [CONFLICT OF LAWS; APPLICABILITY.] *Where and to the extent that a provision of a municipal ordinance adopted before the effective date of this act is determined by the governing body of the municipality to conflict with the requirements of this act, the provision of the municipal ordinance shall govern until the ordinance is amended to conform to this act or one year after the effective date of this act, whichever occurs first. This act does not require a municipality to regulate subdivisions, or to regulate subdivisions to the maximum extent authorized by this act.*

Sec. 35. *Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, and 3 are repealed."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "development" insert "providing for municipal planning; authorizing regulation of subdivisions; providing a penalty;"

Page 1, line 9, delete "and" and insert "462.352, by adding subdivisions; 462.355, subdivision 4;"

Page 1, line 10, delete "Subdivision 4" and insert "by adding subdivisions; repealing Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, and 3"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Sikorski imposed a call of the Senate for the balance of the proceedings on H. F. No. 1612. The following Senators answered to their names:

Bang	Gunderson	Luther	Pillsbury	Stokowski
Barrette	Jensen	Menning	Purfeerst	Strand
Bernhagen	Keefe, S.	Merriam	Renneke	Stumpf
Chmielewski	Kirchner	Nichols	Rued	Tennessee
Davies	Kleinbaum	Olson	Schmitz	Ulland, J.
Dieterich	Knaak	Omann	Setzpfandt	Vega
Engler	Knoll	Penny	Sieloff	Wegener
Frederick	Knutson	Perpich	Sikorski	
Gearty	Laufenburger	Peterson	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

H. F. No. 1612 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 40 and nays 5, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	Penny	Stern
Barrette	Engler	Laufenburger	Pillsbury	Stokowski
Benedict	Gearty	Lessard	Purfeerst	Strand
Bernhagen	Gunderson	Luther	Schmitz	Stumpf
Brataas	Hughes	Merriam	Setzpfandt	Tennessee
Chmielewski	Kirchner	Nelson	Sieloff	Ulland, J.
Davies	Knaak	Nichols	Sikorski	Vega
Dieterich	Knoll	Olhoff	Staples	Wegener

Those who voted in the negative were:

Jensen	Keefe, J.	Omann	Renneke	Rued
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So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 902: A bill for an act relating to pollution; establishing noise limits for motorboats; appropriating money; amending Minnesota Statutes 1978, Section 361.17.

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 7, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knutson	Pillsbury	Strand
Barrette	Gearty	Lessard	Renneke	Stumpf
Benedict	Gunderson	Luther	Tennessee	Tennessee
Bernhagen	Hughes	Merriam	Setzpfandt	Ulland, J.
Brataas	Jensen	Nichols	Sikorski	Vega
Davies	Keefe, J.	Olhoff	Staples	Wegener
Dieterich	Kirchner	Olson	Stern	
Dunn	Knaak	Penny	Stokowski	

Those who voted in the negative were:

Chmielewski Nelson Perpich Purfeerst Rued
Laufenburger Omann

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1847: A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; providing for an information retrieval system; providing for nursing home dental health programs; appropriating money; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

Mr. Sikorski moved to amend H. F. No. 1847, as amended pursuant to Rule 49, adopted by the Senate March 31, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1883.)

Page 4, after line 10, insert:

"Sec. 7. Minnesota Statutes 1978, Chapter 253A, is amended by adding a section to read:

[253A.22] [EVALUATION PROGRAM FOR COMMITTED PERSONS.] *Subdivision 1. The committing court in each county shall participate in a statewide results-oriented evaluation program designed to assure that each person it orders committed pursuant to section 253A.07 shall receive the best possible treatment plan. In order to implement the program, the court shall appoint for each committed person, upon that person's hospitalization for an indeterminate period, a counsel guardian for the duration of the person's period of commitment.*

Subd. 2. For each patient assigned to the counsel guardian, the guardian shall obtain from the head of the hospital where the patient is institutionalized, as soon as practical after hospitalization and at the beginning of treatment, a written report describing the significant cognitive, emotional and behavioral problems of the patient and a clinical diagnosis of those problems. The guardian shall file the report with the committing court. Upon completion of a specific plan of treatment for a patient, the counsel guardian shall file a written report with the court indicating the type of treatment administered; the length of and cost incurred for the treatment; and the results obtained in light of the original diagnosis of each identified problem of the patient. Each report required under this subdivision shall refer to the patient by use of a numerical code in order to protect the patient's privacy. The head of a hospital to which a person has been committed pursuant to chapter 253A, shall make treatment information available to counsel guardians and otherwise assist guardians to carry out the provisions of this section.

Subd. 3. In order to further the purposes of this section, the

commissioner of public welfare shall develop and maintain a program of collection and compilation of statistics relating to treatment of patients. The data shall be derived from the reports required to be filed by guardians pursuant to subdivision 2. The commissioner shall provide a statistical summary of data relating to committed persons for each committing court and for the state as a whole. The commissioner shall prepare data in code and shall ensure that only the commissioner or his designate has access to the names of the patients, guardians and clinical diagnosticians.

Subd. 4. The judges of probate court may designate judges of probate to serve on a panel whose purpose shall be to analyze the impact, positive or negative, or both, of treatment upon committed persons. The panel may request statistical analysis relating to treatment of patients from the commissioner of public welfare. The panel shall consult with a recognized state medical psychiatric organization prior to dissemination of the data amongst the two professions, law and medicine."

Page 4, line 11, delete "7" and insert "8"

Page 4, after line 27, insert:

"Subd. 4. The sum of \$10,000 is appropriated from the general fund to the commissioner of public welfare for the purposes of section 7 to be available until June 30, 1981."

Page 4, line 28, delete "8" and insert "9"

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "requiring result-oriented treatment programs and counsel guardians for persons committed to hospitals; requiring the commissioner to collect and prepare statistical data;"

Page 1, line 8, before the period, insert "; and Chapter 253A, by adding a section"

The motion prevailed. So the amendment was adopted.

H. F. No. 1847 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:

Bang	Gearty	Merriam	Renneke	Stumpf
Barrette	Gunderson	Nelson	Rued	Tennessee
Benedict	Hughes	Nichols	Schmitz	Ueland, A.
Bernhagen	Keefe, J.	Olhoft	Setzepfandt	Ulland, J.
Brataas	Kirchner	Olson	Sieloff	Vega
Chmielewski	Kleinbaum	Omann	Sikorski	Wegener
Davies	Knutson	Penny	Staples	
Dieterich	Laufenburger	Perpich	Stern	
Dunn	Lessard	Pillsbury	Stokowski	
Engler	Luther	Purfeerst	Strand	

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

SPECIAL ORDER

H. F. No. 262: A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; appropriating money; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.

SUSPENSION OF RULES

Mr. Gunderson 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. 262 and that the rules of the Senate be so far suspended as to give H. F. No. 262, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 262 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 1, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Merriam	Purfeerst	Stokowski
Barrette	Gunderson	Nelson	Renneke	Strand
Benedict	Hughes	Nichols	Rued	Stumpf
Bernhagen	Keefe, J.	Olhoft	Schmitz	Tennessee
Brataas	Kirchner	Olson	Setzepfandt	Ueland, A.
Chmielewski	Kleinbaum	Omann	Sieloff	Ulland, J.
Davies	Knutson	Penny	Sikorski	Vega
Dieterich	Laufenburger	Perpich	Staples	Wegener
Engler	Luther	Pillsbury	Stern	

Mr. Frederick voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 251: A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; amending Minnesota Statutes 1978, Sections 60A.23, by adding a subdivision; 471.616, Subdivision 1; and Chapter 471, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Section 471.61, Subdivision 1b.

SUSPENSION OF RULES

Mr. Gunderson 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. 251 and that the rules of the Senate be so far suspended as to give H. F. No. 251, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 251 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 4, as follows:

Those who voted in the affirmative were:

Barrette	Gunderson	Luther	Purfeerst	Strand
Bernhagen	Hughes	Nelson	Renneke	Stumpf
Brataas	Keefe, J.	Nichols	Rued	Tennessee
Chmielewski	Kirchner	Olhoft	Schmitz	Ueland, A.
Davies	Kleinbaum	Olson	Sieloff	Ulland, J.
Dieterich	Knoll	Penny	Staples	Vega
Engler	Knutson	Perpich	Stern	
Gearty	Lessard	Pillsbury	Stokowski	

Messrs. Bang, Frederick, Laufenburger and Omann voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Gunderson moved that the following members be excused for a Conference Committee on S. F. No. 1649:

Messrs. Gunderson, Strand and Renneke. The motion prevailed.

SPECIAL ORDER

H. F. No. 1012: A bill for an act relating to housing; prohibiting unfair treatment in housing and real property on the basis of familial status; amending Minnesota Statutes 1978, Sections 363.01, Subdivision 24, and by adding subdivisions; 363.02, Subdivision 2; 363.03, Subdivision 2; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

CALL OF THE SENATE

Mr. Dieterich imposed a call of the Senate for the proceedings on H. F. No. 1012. The following Senators answered to their names:

Bang	Gearty	Lessard	Pillsbury	Stokowski
Barrette	Hughes	Luther	Purfeerst	Strand
Bernhagen	Jensen	Menning	Rued	Stumpf
Chmielewski	Kirchner	Nichols	Schmitz	Tennessee
Davies	Kleinbaum	Olhoft	Setzpfandt	Ueland, A.
Dieterich	Knoll	Olson	Sieloff	Ulland, J.
Engler	Knutson	Omann	Staples	Vega
Frederick	Laufenburger	Penny	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

Mr. Dieterich moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, delete clause (f) and insert:

“(f) any unoccupied dwelling unit designated by the owner of the building as exempt, provided that the owner shall not desig-

nate more than one-half of the units in the building as exempt under this clause. This clause shall be applicable exclusively to buildings that are not part of a multi-building complex consisting of more than one building. An election to designate a unit as exempt under this clause shall be made by filing a notice of the election with the commissioner. An election made pursuant to this clause may not be withdrawn for purposes of designating another unit in the building as exempt for a period of one year from the filing of the election; or"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 30, as follows:

Those who voted in the affirmative were:

Benedict	Hughes	McCutcheon	Peterson	Stern
Coleman	Johnson	Merriam	Schmitz	Stokowski
Davies	Keefe, S.	Moe	Sikorski	Strand
Dieterich	Knoll	Nelson	Solon	Stumpf
Gearty	Laufenburger	Nichols	Spear	Vega
Hanson	Luther	Perpich	Staples	Willet

Those who voted in the negative were:

Ashbach	Dunn	Knaak	Omann	Setzepfandt
Bang	Engler	Knutson	Penny	Sieloff
Barrette	Gunderson	Lessard	Pillsbury	Tennessee
Bernhagen	Jensen	Menning	Purfeerst	Ueland, A.
Brataas	Keefe, J.	Olhoft	Renneke	Ulland, J.
Chmielewski	Kirchner	Olson	Rued	Wegener

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

Mr. Dieterich then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 2, delete "*statute or ordinance prescribing*" and insert "*local, state or federal restrictions regarding*"

The motion prevailed. So the amendment was adopted.

Mr. Dieterich then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 21, delete "*and*" and insert a comma

Page 3, line 23, after "*act*" insert "*, and any unit in an adults-only condominium created from an existing adults-only rental building on or after the effective date of this act*"

Page 4, line 29, delete "*; or*" and insert a period

Page 4, delete lines 30 and 31

The motion prevailed. So the amendment was adopted.

Mr. Dieterich then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 13, line 28, after "*the*" insert "*written*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 6, line 2, after "discrimination" insert "*except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit*"

Page 7, line 3, after "discrimination" insert "*except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit*"

The motion prevailed. So the amendment was adopted.

Mr. Barrette moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 21, after "condominium" insert "*, other than a condominium converted from a residential building,*"

Page 3, line 22, delete "*constructed on vacant land*" and insert "*created*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 8, after line 20, insert:

"(5) Notwithstanding the provisions of any law, ordinance, or home rule charter to the contrary, no person shall be deemed to have committed an unfair discriminatory practice based upon age if the unfair discriminatory practice alleged is attempted or accomplished for the purpose of obtaining or maintaining one of the exemptions provided for a dwelling unit provided for in section 363.02, subdivision 2."

The motion prevailed. So the amendment was adopted.

Mr. Barrette moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 27, delete "*elderly persons*" and insert "*households of which at least one member is an elderly person*"

Page 4, lines 5 and 6, delete "*elderly persons*" and insert "*households of which at least one member is an elderly person*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 3, after "unit" insert "*or to defeat the ability of a lessor to prescribe the maximum number of occupants permitted to occupy a dwelling unit,*"

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

Mr. Sieloff then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, line 27, delete "*one-third*" and insert "*two-thirds*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knaak	Olhoft	Ueland, A.
Bernhagen	Jensen	Knutson	Penny	
Chmielewski	Keefe, J.	Lessard	Rued	
Engler	Kirchner	Menning	Sieloff	

Those who voted in the negative were:

Anderson	Hanson	Merriam	Sikorski	Ulland, J.
Barrette	Hughes	Nelson	Spear	Vega
Benedict	Johnson	Olson	Staples	Wegener
Coleman	Kleinbaum	Omann	Stern	
Davies	Knoll	Perpich	Stokowski	
Dieterich	Laufenburger	Purfeerst	Stumpf	
Gearty	Luther	Setzepfandt	Tennessee	

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

Mr. Tennessee moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, line 27, delete "*one-third*" and insert "*one-half*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 29, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knaak	Omann	Solon
Barrette	Frederick	Knutson	Penny	Tennessee
Bernhagen	Jensen	Lessard	Pillsbury	Ueland, A.
Brataas	Keefe, J.	Menning	Rued	Ulland, J.
Chmielewski	Kirchner	Olson	Sieloff	

Those who voted in the negative were:

Benedict	Humphrey	Luther	Perpich	Staples
Coleman	Johnson	McCutcheon	Peterson	Stern
Davies	Keefe, S.	Merriam	Purfeerst	Stokowski
Dieterich	Kleinbaum	Nelson	Setzepfandt	Stumpf
Gearty	Knoll	Nichols	Sikorski	Vega
Hughes	Laufenburger	Olhoft	Spear	

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

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, line 31, after "*condominium*" insert "; or

(h) an unoccupied dwelling unit in any building which the owner or his duly authorized agent has designated an adults-only

building, and in which at least a majority of the dwelling units are occupied by persons who have signed statements indicating a desire that the building be an adults-only building. For the purposes of this clause a person having familial status occupying a dwelling unit in a building which becomes an adults-only building shall be considered to have a familial status commenced during tenancy and shall be afforded the protection provided for in section 9"

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.

The roll was called, and there were yeas 31 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lessard	Renneke	Ueland, A.
Bang	Frederick	Menning	Rued	Ulland, J.
Barrette	Jensen	Olhoff	Schmitz	Willet
Bernhagen	Keefe, J.	Olson	Setzepfandt	
Brataas	Kirchner	Omann	Sieloff	
Chmielewski	Knaak	Pillsbury	Sikorski	
Dunn	Knutson	Purfeerst	Stern	

Those who voted in the negative were:

Benedict	Hughes	McCutcheon	Peterson	Tennessen
Coleman	Johnson	Merriam	Solon	Vega
Davies	Keefe, S.	Moe	Spear	Wegener
Dieterich	Kleinbaum	Nelson	Staples	
Gearty	Knoll	Nichols	Stokowski	
Gunderson	Laufenburger	Penny	Strand	
Hanson	Luther	Perpich	Stumpf	

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

Mr. Sieloff then moved to amend H. F. No. 1012 as follows:

Page 12, delete lines 2 to 8, and insert:

"Sec. 9. This act is applicable on its effective date only in the counties of Hennepin and Ramsey.

Sec. 10. This act is effective in Hennepin or Ramsey county upon approval by the board of commissioners of the appropriate county and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "housing" and insert "the counties of Hennepin and Ramsey"

Mr. Keefe, J. moved to amend the Sieloff amendment to H. F. No. 1012 as follows:

Page 1, line 5, delete "counties of Hennepin and" and insert "county of"

Page 1, line 6, delete "Hennepin or"

Amend the title amendment as follows:

Line 12, delete "counties" and insert "county" and delete "Hennepin and"

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

The question recurred on the Sieloff amendment.

The roll was called, and there were yeas 20 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knaak	Olhoft	Renneke
Bernhagen	Engler	Knutson	Olson	Rued
Brataas	Frederick	Lessard	Omann	Sieloff
Chmielewski	Jensen	Menning	Penny	Ueland, A.

Those who voted in the negative were:

Bang	Gunderson	Knoll	Pillsbury	Stern
Barrette	Hughes	Luther	Schmitz	Stokowski
Benedict	Johnson	Merriam	Setzepfandt	Strand
Coleman	Keefe, J.	Nelson	Sikorski	Stumpf
Davies	Keefe, S.	Nichols	Solon	Tennessee
Dieterich	Kirchner	Perpich	Spear	Ulland, J.
Gearty	Kleinbaum	Peterson	Staples	Vega

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

Mr. Dieterich moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 13, line 22, delete "\$80,000" and insert "\$30,000"

The motion prevailed. So the amendment was adopted.

H. F. No. 1012 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 38 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Merriam	Schmitz	Stumpf
Coleman	Humphrey	Moe	Setzepfandt	Tennessee
Davies	Johnson	Nelson	Sikorski	Ulland, J.
Dieterich	Keefe, S.	Nichols	Solon	Vega
Dunn	Kleinbaum	Penny	Spear	Wegener
Gearty	Knoll	Perpich	Stern	Willet
Gunderson	Lessard	Peterson	Stokowski	
Hanson	Luther	Purfeerst	Strand	

Those who voted in the negative were:

Ashbach	Brataas	Keefe, J.	Ogdahl	Renneke
Bang	Chmielewski	Kirchner	Olhoft	Rued
Barrette	Engler	Knaak	Olson	Sieloff
Benedict	Frederick	Knutson	Omann	Staples
Bernhagen	Jensen	Menning	Pillsbury	Ueland, A.

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

RECESS

Mr. Coleman 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.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Barrette	Hanson	Moe	Renneke	Strand
Brataas	Hughes	Nelson	Rued	Stumpf
Chmielewski	Johnson	Ogdahl	Schmitz	Tennessee
Coleman	Keefe, J.	Olhoft	Setzepfandt	Ueland, A.
Dunn	Keefe, S.	Penny	Sikorski	Ulland, J.
Engler	Kirchner	Perpich	Staples	Vega
Frederick	Lessard	Peterson	Stern	Willet
Garty	Luther	Pillsbury	Stokowski	

The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on S. F. No. 133:

Messrs. Davies, Spear and Bernhagen. The motion prevailed.

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. 2289

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 1, 1980

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2082.

H. F. No. 2082: A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1978, Sections 205.10; 205.17, Subdivision 1; and 412.02, Subdivision 2, and by adding a subdivision.

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

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

House File No. 2082 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 April 1, 1980

Mr. Coleman moved that H. F. No. 2082 be laid on the table. The motion prevailed.

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 2289: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

Mr. Schmitz moved that H. F. No. 2289 be laid on the table. The motion prevailed.

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 2023, 1668, and H. F. Nos. 102 and 1507, makes the following report:

That the above Senate Files and House Files be placed on the Special Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

APPOINTMENTS

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

H. F. No. 1818: Messrs. Peterson, Lessard and Bernhagen.

H. F. No. 475: Messrs. Nelson, Perpich, Kirchner, Sikorski and Mrs. Staples.

H. F. No. 1453: Messrs. Setzepfandt, Peterson and Ogdahl.

H. F. No. 1435: Mrs. Knaak, Messrs. Merriam and Gunderson.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

Pursuant to Rule 21, Mrs. Knaak moved that the following members be excused for a Conference Committee on H. F. No. 1435 at 3:30 o'clock p.m.:

Messrs. Gunderson, Merriam and Mrs. Knaak. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Special Orders Calendar. The motion prevailed.

SPECIAL ORDER

H. F. No. 2353: A bill for an act relating to water resources; continuing the water planning board; changing its membership and duties; appropriating money; amending Minnesota Statutes 1978, Section 105.401; and Laws 1979, Chapter 333, Section 31, Subdivision 5.

Mr. Moe moved to amend H. F. No. 2353, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2025.)

Page 1, line 22, after the period insert "*The citizen members shall not be considered public officers of the state for the purposes of section 112.37, subdivision 1.*"

The motion prevailed. So the amendment was adopted.

Mr. Hanson moved to amend H. F. No. 2353, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2025.)

Page 1, line 19, delete "*one*" and insert "*three*"

Page 1, line 20, delete "*member*" and insert "*members*"

Page 2, line 4, strike "*seventh*" and insert "*ninth*"

Page 2, line 7, delete "*member*" and insert "*members*"

The motion prevailed. So the amendment was adopted.

H. F. No. 2353 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:

Anderson	Gearly	Knutson	Omann	Sikorski
Bang	Gunderson	Lessard	Penny	Solon
Barrette	Hanson	Luther	Perpich	Staples
Benedict	Hughes	Menning	Peterson	Stokowski
Brataas	Humphrey	Merriam	Pillsbury	Strand
Chmielewski	Johnson	Moe	Renneke	Stumpf
Dieterich	Keefe, S.	Nelson	Rued	Ueland, A.
Dunn	Kirchner	Nichols	Schmitz	Ulland, J.
Engler	Knaak	Olhoff	Setzepfandt	Vega
Frederick	Knoll	Olson	Sieloff	Willet

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

SPECIAL ORDER

H. F. No. 1655: A bill for an act relating to pollution; recognizing the extent and severity of the problem of acid precipitation; appropriating funds and designating state agencies and departments to conduct activities designed to identify, control and abate acid precipitation.

Mr. Willet moved that the amendment made to H. F. No. 1655 by the Committee on Rules and Administration in the report adopted March 27, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1655 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:

Anderson	Hanson	Lessard	Perpich	Staples
Barrette	Hughes	Luther	Peterson	Stokowski
Benedict	Humphrey	Menning	Pillsbury	Strand
Chmielewski	Johnson	Merriam	Purfeerst	Stumpf
Dieterich	Keefe, S.	Moe	Renneke	Ueland, A.
Dunn	Kirchner	Nichols	Rued	Ulland, J.
Engler	Kleinbaum	Olhoff	Schmitz	Vega
Frederick	Knaak	Olson	Setzepfandt	Willet
Gearly	Knoll	Omann	Sikorski	
Gunderson	Knutson	Penny	Solon	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2476 at 9:15 p.m.:

Messrs. Moe, Willet, Ashbach, Coleman and Spear. The motion prevailed.

Pursuant to Rule 21, Mr. Gunderson moved that the following members be excused for a Conference Committee on S. F. No. 1649 at 9:30 p.m.:

Messrs. Gunderson, Renneke and Strand. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mrs. Stokowski moved that S. F. No. 2122 be taken from the table. The motion prevailed.

S. F. No. 2122: A bill for an act relating to elections; providing for redistricting of Hennepin County commissioner districts; authorizing time off from work for election judges; amending Minnesota Statutes 1978, Section 204A.17, by adding a subdivision.

CONCURRENCE AND REPASSAGE

Mrs. Stokowski moved that the Senate concur in the amendments by the House to S. F. No. 2122 and that the bill be placed on its repassage as amended. The motion prevailed.

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate for the proceedings on S. F. No. 2122. The following Senators answered to their names:

Anderson	Dunn	Knutson	Olhoft	Sieloff
Bang	Engler	Laufenburger	Omann	Sikorski
Barrette	Hanson	Lessard	Penny	Staples
Benedict	Hughes	Luther	Perpich	Stumpf
Brataas	Humphrey	Menning	Pillsbury	Ueland, A.
Chmielewski	Keefe, S.	Merriam	Rued	Vega
Davies	Kirchner	Nelson	Schmitz	Wegener
Dieterich	Knoll	Ogdahl	Setzpfandt	

The Sergeant at Arms was instructed to bring in the absent members.

S. F. No. 2122 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 35 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	McCutcheon	Peterson	Stern
Benedict	Humphrey	Menning	Schmitz	Stokowski
Coleman	Johnson	Nelson	Setzpfandt	Stumpf
Davies	Keefe, S.	Nichols	Sikorski	Tennessen
Dieterich	Knoll	Olhoft	Solon	Vega
Gearty	Laufenburger	Penny	Spear	Wegener
Hanson	Luther	Perpich	Staples	Willet

Those who voted in the negative were:

Ashbach	Chmielewski	Kirchner	Ogdahl	Sieloff
Bang	Dunn	Knaak	Olson	Ueland, A.
Barrette	Engler	Knutson	Omann	Ulland, J.
Bernhagen	Jensen	Lessard	Pillsbury	
Brataas	Keefe, J.	Merriam	Rued	

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

MEMBERS EXCUSED

Mr. Schaaf was excused from the Session of today. Mr. Purfeerst was excused from the Session of today at 9:45 o'clock p.m.

Mr. Kleinbaum was excused from the Session of today from 9:45 to 11:00 o'clock p.m.

RECESS

Mr. Hanson 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. Hanson imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Knoll	Omann	Stokowaki
Bang	Frederick	Laufenburger	Penny	Stumpf
Barrette	Gearty	Lessard	Perpich	Ueland, A.
Bernhagen	Hanson	Luther	Peterson	Vega
Brataas	Hughes	Menning	Pillsbury	Wegener
Chmielewski	Humphrey	Merriam	Rued	
Dieterich	Keefe, S.	Nichols	Schmitz	
Dunn	Kirchner	Olhoft	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

SPECIAL ORDER

H. F. No. 1603: A bill for an act relating to welfare; clarifying certain provisions of the general assistance medical care program; establishing an earned income disregard work incentive in the general assistance program; making various other changes in the general assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 256D.01; 256D.02, Subdivisions 4, 9, 10, 11, 12, and by adding a subdivision; 256D.03, Subdivisions 1 and 3; 256D.04; 256D.06, Subdivisions 1 and 2; 256D.08, Subdivision 2; 256D.09, Subdivision 1; 256D.10; 256D.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 256D.13, Subdivision 1; 256D.16; and 256D.18, Subdivisions 2 and 4; and Minnesota Statutes, 1979 Supplement, Sections 256D.03, Subdivision 2; 256D.07; and 256D.08, Subdivision 1.

Mr. Keefe, S. moved to amend H. F. No. 1603, as amended pursuant to Rule 49, adopted by the Senate March 31, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1581.)

Page 11, line 6, before "for" insert "*the conditions*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1603 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:

Anderson	Dunn	Knutson	Penny	Solon
Bang	Engler	Laufenburger	Perpich	Staples
Barrette	Frederick	Lessard	Peterson	Stokowski
Benedict	Gearty	Luther	Pillabury	Stumpf
Bernhagen	Hughes	Menning	Rued	Ueland, A.
Brataas	Humphrey	Merriam	Schmitz	Vega
Chmielewski	Johnson	Nichols	Setzepfandt	
Davies	Keefe, S.	Olhoft	Sieloff	
Dieterich	Kirchner	Omann	Sikorski	

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

SPECIAL ORDER

H. F. No. 1945: A bill for an act relating to regional railroad authorities; providing for their organization and governmental purpose, powers and duties.

Mr. Penny moved that the amendment made to H. F. No. 1945 by the Committee on Rules and Administration in the report adopted March 31, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Penny then moved to amend H. F. No. 1945 as follows:

Page 9, line 16, after "that" insert a colon

Page 9, line 17, before "Minnesota" insert:
"(a)"

Page 9, line 20, delete the period and insert "; and

(b) Minnesota Statutes, Chapter 295, shall apply to gross earnings derived by a railroad company from the operation of a railroad line owned or leased by the authority until the time of its repeal pursuant to Laws 1979, Chapter 303, Article VII, Section 16."

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Penny imposed a call of the Senate. The following Senators answered to their names:

Bang	Gearty	Laufenburger	Penny	Staples
Barrette	Hanson	Lessard	Peterson	Stern
Bernhagen	Hughes	Luther	Pillsbury	Stokowski
Brataas	Humphrey	Menning	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schmitz	Tennessee
Dieterich	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dunn	Kirchner	Olhoft	Sieloff	Vega
Engler	Knaak	Olson	Sikorski	Wegener
Frederick	Knoll	Omann	Solon	

The Sergeant at Arms was instructed to bring in the absent members.

H. F. No. 1945 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 40 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Olson	Staples
Barrette	Hughes	McCutcheon	Perpich	Stern
Benedict	Humphrey	Menning	Peterson	Stokowski
Chmielewski	Johnson	Merriam	Schmitz	Strand
Coleman	Keefe, S.	Moe	Setzepfandt	Stumpf
Dieterich	Knoll	Nelson	Sikorski	Vega
Gearty	Laufenburger	Nichols	Solon	Wegener
Gunderson	Lessard	Olhoff	Spear	Willet

Those who voted in the negative were:

Ashbach	Engler	Knutson	Renneke	Ulland, J.
Bang	Frederick	Ogdahl	Rued	
Bernhagen	Keefe, J.	Omamm	Sieloff	
Brataas	Kirchner	Penny	Tennessee	
Dunn	Knaak	Pillsbury	Ueland, A.	

So the bill, as amended, failed to pass.

RECONSIDERATION

Mr. Penny moved that the vote whereby H. F. No. 1945 failed to pass the Senate on April 1, 1980, be now reconsidered. The motion prevailed.

H. F. No. 1945 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. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

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

The roll was called, and there were yeas 39 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Menning	Perpich	Stern
Benedict	Johnson	Merriam	Peterson	Stokowski
Chmielewski	Keefe, S.	Moe	Schmitz	Strand
Coleman	Kleinbaum	Nelson	Setzepfandt	Stumpf
Gearty	Knoll	Nichols	Sikorski	Vega
Gunderson	Laufenburger	Olhoff	Solon	Wegener
Hanson	Lessard	Olson	Spear	Willet
Hughes	Luther	Penny	Staples	

Those who voted in the negative were:

Ashbach	Dieterich	Keefe, J.	Omann	Tennesen
Bang	Dunn	Kirchner	Pillsbury	Ueland, A.
Barrette	Engler	Knaak	Renneke	Ulland, J.
Bernhagen	Frederick	Knutson	Rued	
Brataas	Jensen	Ogdahl	Sieloff	

So the bill, as amended, failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Wednesday, April 2, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-SECOND DAY

St. Paul, Minnesota, Wednesday, April 2, 1980

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mrs. Stokowski imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Dunn	Kleinbaum	Pillsbury	Stern
Bang	Engler	Knaak	Rued	Stokowski
Barrette	Frederick	Knoll	Schaaf	Strand
Benedict	Gearty	Knutson	Schmitz	Stumpf
Bernhagen	Gunderson	Laufenburger	Setzepfandt	Ulland, J.
Brataas	Hughes	Luther	Sieloff	Vega
Chmielewski	Humphrey	Menning	Sikorski	
Davies	Johnson	Ogdahl	Solon	
Dieterich	Kirchner	Omann	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Winfield Johnson.

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

Anderson	Gearty	Laufenburger	Perpich	Stern
Ashbach	Gunderson	Lessard	Peterson	Stokowski
Bang	Hanson	Luther	Pillsbury	Strand
Barrette	Hughes	McCutcheon	Purfeerst	Stumpf
Benedict	Humphrey	Menning	Renneke	Tennessee
Bernhagen	Jensen	Merriam	Rued	Ueland, A.
Brataas	Johnson	Moe	Schaaf	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Schmitz	Vega
Coleman	Keefe, S.	Nichols	Setzepfandt	Wegener
Davies	Kirchner	Ogdahl	Sieloff	Willet
Dieterich	Kleinbaum	Olhoff	Sikorski	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Omann	Spear	
Frederick	Knutson	Penny	Staples	

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. Sillers was excused from the Session of today. Mr. Spear was excused from the Session of today until 12:30 o'clock p.m.

Messrs. Peterson, Johnson and Hanson were excused from the Session of today from 10:00 to 11:15 o'clock a.m.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2476 at 10:00 a.m.:

Messrs. Moe, Ashbach, Coleman, Willet and Spear. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Lessard introduced—

S. F. No. 2421: 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 1978, Sections 87.021, Subdivisions 2 and 3; 87.0221; 87.023; 87.025; and 87.03; repealing Minnesota Statutes 1978, Section 87.022.

Referred to the Committee on Judiciary.

Mr. Sieloff, Mrs. Knaak, Messrs. Rued, Setzepfandt and Schmitz introduced—

S. F. No. 2422: A bill for an act relating to no-fault automobile insurance; providing additional penalties for failure to insure under certain circumstances; amending Minnesota Statutes 1978, Section 65B.67, by adding a subdivision.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 31, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
	593	394	March 31	March 31
	711	395	March 31	March 31
	924	396	March 31	March 31
	942	397	March 31	March 31
	1349	398	March 31	March 31
	1427	399	March 31	March 31
	1601	400	March 31	March 31

S. F. No.	H. F. No.	Section Laws Chapter No.	Date Approved 1980	Date Filed 1980
	1623	401	March 31	March 31
	1695	402	March 31	March 31
	1778	403	March 31	March 31
	1846	404	March 31	March 31
	1985	405	March 31	March 31
	2051	406	March 31	March 31
	2119	407	March 31	March 31
	2135	408	March 31	March 31
	2222	409	March 31	March 31
	2287	410	March 31	March 31
801		411	March 31	March 31
802		412	March 31	March 31
1584		413	March 31	March 31
1633		414	March 31	March 31
1674		415	March 31	March 31
1707		416	March 31	March 31
1709		417	March 31	March 31
1719		418	March 31	March 31
1807		419	March 31	March 31
1815		420	March 31	March 31
1847		421	March 31	March 31
1957		422	March 31	March 31
1963		423	March 31	March 31
1979		424	March 31	March 31
2102		425	March 31	March 31

Sincerely,
Joan Anderson Growe,
Secretary of State

April 1, 1980

The Honorable Edward J. Gearty
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. 1675, 1797 and 2168.

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. 1612.

H. F. No. 1612: A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves;

providing property tax relief; excepting the conveyance of certain land from restrictions on the filing and recording of conveyances; modifying the policy statement for municipal planning and development; appropriating money; amending Minnesota Statutes 1978, Sections 462.351; and 462.358, Subdivision 4.

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

Schreiber, Levi and Casserly have been appointed as such committee on the part of the House.

House File No. 1612 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 April 1, 1980

Mr. Sikorski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1612, 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. 1201.

H. F. No. 1201: A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; appropriating money; amending Minnesota Statutes 1978, Sections 361.02, by adding subdivisions; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.18; 361.20; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; 361.27, Subdivision 1; and 361.29, Subdivision 4; repealing Minnesota Statutes 1978, Section 361.15, Subdivision 2.

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

Carlson, D.; Kahn and Munger have been appointed as such committee on the part of the House.

House File No. 1201 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 April 1, 1980

Mr. Dunn moved that the Senate accede to the request of the

House for a Conference Committee on H. F. No. 1201, 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. 1302.

H. F. No. 1302: A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.

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

Ellingson, Wynia and Blatz have been appointed as such committee on the part of the House.

House File No. 1302 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 April 1, 1980

Mr. Bang moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1302, 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. 1534.

H. F. No. 1534: A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; providing that the county recorder be notified of deferred assessments; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 11; 357.18, Subdivision 1; 375.14; 429.061, Subdivision 2; 462.358, by adding a subdivision; and 508.82.

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

Weaver, Clawson and Reding have been appointed as such committee on the part of the House.

House File No. 1534 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 April 1, 1980

Mr. Strand moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1534, 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. 729.

H. F. No. 729: A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.

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

Greenfield, Clark and Drew have been appointed as such committee on the part of the House.

House File No. 729 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 April 1, 1980

Mr. Vega moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 729, 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. 874.

H. F. No. 874: A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1 and 4; 15.0422; 15.0424, Subdivision 6; and 15.052, Subdivisions 1, 2, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

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

Kroening, Casserly and Crandall have been appointed as such committee on the part of the House.

House File No. 874 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 April 1, 1980

Mr. Schaaf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 874, 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. 2470.

H. F. No. 2470: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.

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

Voss; Anderson, D.; Sieben, M.; Anderson, R., and Anderson, G. have been appointed as such committee on the part of the House.

House File No. 2470 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 April 1, 1980

Mr. Moe moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2470, 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. 1662.

H. F. No. 1662: A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.

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

Berglin, Minne and Laidig have been appointed as such committee on the part of the House.

House File No. 1662 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 April 1, 1980

Mrs. Staples moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1662, 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. 1731.

H. F. No. 1731: A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.

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

Niehaus, Pleasant and Rodriguez have been appointed as such committee on the part of the House.

House File No. 1731 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 April 1, 1980

Mr. Chmielewski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1731, 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. 2040.

H. F. No. 2040: A bill for an act relating to government data; providing definitions; classifying data as public, private, confidential, non-public, or protected non-public; amending Minnesota Statutes 1978, Sections 15.162, by adding subdivisions; 15.165,

Subdivision 3; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.163, Subdivisions 3, 5, and 9; 15.1642, Subdivisions 1 and 5; 15.166, Subdivision 4; 15.1692, Subdivision 2, and by adding a subdivision; 15.1693, by adding a subdivision; 15.1698, Subdivision 1, and by adding subdivisions; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4.

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

Stoa, Hokanson and Dempsey have been appointed as such committee on the part of the House.

House File No. 2040 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 April 1, 1980

Mr. Davies, for Mr. Tennessen, moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2040, 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. 1813.

H. F. No. 1813: A bill for an act relating to public finance; authorizing the issuance of Minnesota state railroad assistance bonds; appropriating money; amending Minnesota Statutes 1978, Chapter 222, by adding a section.

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

Anderson, B.; Sviggum and Voss have been appointed as such committee on the part of the House.

House File No. 1813 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 April 1, 1980

Mr. Penny moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1813, 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. 1816.

H. F. No. 1816: A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lock-ups and workhouses; clarifying provisions penalizing the possession of contraband in local correctional facilities; repealing provisions concerning correctional or work farms; providing for establishing and organizing court administrative structure; budgeting and operation of court services, probation, juvenile detention and correctional facilities by counties; amending Minnesota Statutes 1978, Sections 401.02, Subdivision 3; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

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

Clawson, Laidig and Moe have been appointed as such committee on the part of the House.

House File No. 1816 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 April 1, 1980

Mr. Solon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1816, 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. 1847.

H. F. No. 1847: A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; appropriating money.

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

Clawson, Onnen and Berkelman have been appointed as such committee on the part of the House.

House File No. 1847 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 April 1, 1980

Mr. Sikorski moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1847, 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. 1931.

H. F. No. 1931: 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.

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

Wynia, Levi and Greenfield have been appointed as such committee on the part of the House.

House File No. 1931 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 April 1, 1980

Mr. Stumpf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1931, 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. 133: A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

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

Ellingson, Greenfield and Dempsey.

Senate File No. 133 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

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. 1649: A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.

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

Welch, Mann and Nelsen, B.

Senate File No. 1649 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

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. 2095: A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article 1, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

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

Greenfield, Long and Peterson, B.

Senate File No. 2095 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S. F. No. 797.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

Mr. President:

Your message notifying the House that new conferees on the part of the Senate have been appointed by the Senate to Senate File No. 129 was reported to the House.

Senate File No. 129 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 1, 1980

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. 1726: A bill for an act relating to children; providing for review of foster care of certain developmentally disabled children; amending Minnesota Statutes 1978, Section 257.071, Subdivision 3, and by adding a subdivision.

Senate File No. 1726 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1726 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1726: A bill for an act relating to children; providing for review of foster care of certain developmentally disabled children; permitting Ramsey and Hennepin County Juvenile Court referees to hear contested cases with parties' consent; amending Minnesota Statutes 1978, Sections 257.071, Subdivision 3; and 484.70, 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Perpich	Staples
Bang	Gearly	Luther	Pillsbury	Stern
Barrette	Gunderson	Menning	Purfeerst	Stokowski
Benedict	Hughes	Moe	Renneke	Strand
Bernhagen	Humphrey	Nelson	Rued	Stumpf
Brataas	Kirchner	Nichols	Schaaf	Ulland, J.
Chmielewski	Kleinbaum	Ogdahl	Schmitz	Vega
Davies	Knaak	Olhoft	Setzepfandt	Wegener
Dieterich	Knoll	Olson	Sieloff	Willet
Dunn	Knutson	Omann	Sikorski	
Engler	Laufenburger	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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1295: A bill for an act relating to contracts; making certain contracts unenforceable unless in writing.

Senate File No. 1295 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 1295 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1295: A bill for an act relating to contracts; making certain legal proceedings unenforceable unless in writing; providing for the admission of certain evidence.

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 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearly	Knutson	Omann	Sikorski
Bang	Gunderson	Laufenburger	Penny	Solon
Barrette	Hanson	Lessard	Perpich	Staples
Benedict	Hughes	Luther	Pillsbury	Stern
Bernhagen	Humphrey	Menning	Purfeerst	Stokowski
Brataas	Jensen	Moe	Renneke	Strand
Chmielewski	Keefe, S.	Nelson	Rued	Stumpf
Davies	Kirchner	Nichols	Schaaf	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Schmitz	Vega
Engler	Knaak	Olhoft	Setzepfandt	Wegener
Frederick	Knoll	Olson	Sieloff	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. 682: A bill for an act relating to game and fish; authorizing the use of handguns in taking small game; amending Minnesota Statutes 1978, Section 100.29, Subdivision 2.

Senate File No. 682 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

Mr. Chmielewski moved that S. F. No. 682 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. 971: A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivisions 4 and 19, and by adding a subdivision.

Senate File No. 971 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 971 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 971: A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivisions 4 and 19, and by adding subdivisions.

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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Pillsbury	Stokowski
Ashbach	Gunderson	Luther	Purfeerst	Strand
Bang	Hughes	Menning	Renneke	Stumpf
Barrette	Humphrey	Moe	Rued	Tennessee
Bernhagen	Jensen	Nelson	Schaaf	Ueland, A.
Brataas	Keefe, J.	Nichols	Setzepfandt	Ulland, J.
Chmielewski	Kleinbaum	Olhoft	Sieloff	Vega
Davies	Knoll	Olson	Sikorski	Wegener
Dieterich	Knaak	Omann	Solon	Willet
Dunn	Knutson	Penny	Staples	
Engler	Laufenburger	Perpich	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. 1132: A bill for an act relating to financial institutions; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; and 118.01.

Senate File No. 1132 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Laufenburger moved that the Senate concur in the amendments by the House to S. F. No. 1132 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1132: A bill for an act relating to financial institutions; altering permissible interest charges by industrial loan and thrift companies; authorizing securities for investment of deposits of savings banks and other financial institutions and for deposit to secure deposits of public funds; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 4; 53.04, by adding a subdivision; and 118.01.

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 5, as follows:

Those who voted in the affirmative were:

Ashbach	Hughes	Laufenburger	Pillsbury	Stern
Bang	Humphrey	Lessard	Purfeerst	Stokowski
Barrette	Jensen	McCutcheon	Renneke	Strand
Bernhagen	Keefe, J.	Menning	Rued	Stumpf
Brataas	Keefe, S.	Moe	Schaaf	Tennessen
Davies	Kirchner	Nelson	Setzepfandt	Ueland, A.
Dunn	Kleinbaum	Nichols	Sieloff	Ulland, J.
Engler	Knaak	Olhoff	Sikorski	Vega
Gearty	Knoll	Olson	Solon	Wegener
Gunderson	Knutson	Omann	Staples	

Those who voted in the negative were:

Chmielewski Dieterich Luther Perpich 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. 1775: A bill for an act relating to workers' compensation; 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; amending Minnesota Statutes, 1979 Supplement, Sections 79.34; 79.35; 79.36; 79.37; and 79.38; repealing Minnesota Statutes, 1979 Supplement, Sections 79.41 and 79.42.

Senate File No. 1775 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 1775 and that the bill be placed on its repassage as amended.

Mr. Frederick moved that the Senate do not concur in the amendments by the House to S. F. No. 1775, 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 question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 40, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Omann	Rued
Bang	Engler	Knaak	Penny	Sieloff
Bernhagen	Frederick	Knutson	Pillsbury	Ueland, A.
Brataas	Jensen	Merriam	Renneke	Ulland, J.

Those who voted in the negative were:

Anderson	Gunderson	Lessard	Olson	Stern
Barrette	Hanson	Luther	Perpich	Stokowski
Benedict	Hughes	McCutcheon	Peterson	Strand
Chmielewski	Humphrey	Menning	Purfeerst	Stumpf
Coleman	Johnson	Moe	Schaaf	Tennessee
Davies	Keefe, S.	Nelson	Setzepfandt	Vega
Dieterich	Knoll	Nichols	Solon	Wegener
Gearty	Laufenburger	Olhoff	Staples	Willet

The motion did not prevail.

The question recurred on the motion of Mr. Keefe, S. The motion prevailed.

S. F. No. 1775: A bill for an act relating to workers' compensation; 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; amending Minnesota Statutes, 1979 Supplement, Sections 79.34; 79.35; 79.36; 79.37; and 79.38; Minnesota Statutes 1978, Section 176.011, Subdivision 11a; repealing Minnesota Statutes, 1979 Supplement, Sections 79.41 and 79.42.

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 16, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	McCutcheon	Penny	Stern
Barrette	Hanson	Menning	Perpich	Stokowski
Benedict	Hughes	Merriam	Peterson	Strand
Bernhagen	Humphrey	Moe	Purfeerst	Stumpf
Chmielewski	Johnson	Nelson	Renneke	Tennessee
Coleman	Keefe, S.	Nichols	Rued	Vega
Davies	Knoll	Ogdahl	Schaaf	Wegener
Dieterich	Lessard	Olhoff	Setzepfandt	Willet
Gearty	Luther	Olson	Solon	

Those who voted in the negative were:

Ashbach	Engler	Kirchner	Omann	Staples
Bang	Frederick	Knaak	Pillsbury	Ueland, A.
Brataas	Jensen	Knutson	Sieloff	Ulland, J.
Dunn				

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. 1144: A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 2 and 6; 106.651; and Chapter 106, by adding a section.

Senate File No. 1144 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned March 31, 1980

CONCURRENCE AND REPASSAGE

Mr. Hanson moved that the Senate concur in the amendments by the House to S. F. No. 1144 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1144 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Penny	Stern
Ashbach	Frederick	Lessard	Perpich	Stokowski
Bang	Gearty	Luther	Peterson	Strand
Barrette	Gunderson	McCutcheon	Pillsbury	Stumpf
Benedict	Hanson	Menning	Purfeerst	Tennessen
Bernhagen	Hughes	Moe	Renneke	Ueland, A.
Brataas	Humphrey	Nelson	Rued	Ulland, J.
Chmielewski	Johnson	Nichols	Schaaf	Vega
Coleman	Kirchner	Ogdahl	Setzepfandt	Wegener
Davies	Knaak	Olhoft	Sieloff	Willet
Dieterich	Knoll	Olson	Solon	
Dunn	Knutson	Omann	Staples	

Mr. Merriam 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 House File, herewith transmitted: H. F. No. 2304.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 1, 1980

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 2304: A bill for an act relating to initiative; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes; providing for judicial review; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 290.09, Subdivision 2; 290.21, Subdivision 3; and 645.02.

Mr. Coleman moved that H. F. No. 2304 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1842 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.
1842	2023				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1842 be amended as follows:

Delete page 1, line 15 to page 2, line 22

Page 2, line 25, after "PLAN.]" insert "*Subdivision 1.*"

Page 2, line 27, after "*health*" insert a comma and before "*shall*" delete the comma

Page 2, line 29, delete "*plans*" and insert "*plan*"

Page 3, lines 4 and 5, delete "*state and local units of government, including*"

Page 3, after line 7, insert

"(2) Provision of a remote effluent monitoring system capable of continuously identifying and quantifying the radioactive components of all effluents from nuclear fission electrical generating plants into the environment pursuant to section 6;"

Page 3, line 8, delete "(2)" and insert "(3)"

Page 3, line 11, delete "(3)" and insert "(4)"

Page 3, line 13, delete "(4)" and insert "(5)"

Page 3, line 14, after "*for*" insert "*each plant site for the*" and delete "*plans*" and insert "*plan*"

Page 3, line 15, delete "(5)" and insert "(6)"

Page 3, after line 19, insert

"Subd. 2. The director, in coordination with the commissioner of public safety, shall provide grants to local units of government for the purpose of providing training and equipment to improve local nuclear power plant emergency response capacity.

Local units of government shall submit grant requests to the director in a manner and form prescribed by him. The director shall allocate grants on the basis of need and conformity with the plan."

Page 3, line 33, delete "SAFETY PREPAREDNESS"

Page 4, line 1, delete "ACT" and insert "POWER PLANT EMERGENCY RESPONSE PLAN"

Page 4, delete line 4 and insert "*an assessment of \$250,000 per plant to cover the initial cost of*"

Page 4, line 5, delete the comma

Delete page 4, line 8 to page 5, line 2 and insert "*plants. This assessment shall be paid to the state by September 1, 1980. Thereafter, an assessment of \$50,000 per plant shall be paid annually on January 1 of each year to cover ongoing costs related to the emergency response plan.*

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 12.21, Subdivision 4, is amended to read:

Subd. 4. The governor shall propose procedures for annual review by state and local officials of the ~~evacuation plans~~ *state emergency response plan* specified in the licensing of each nuclear fission electrical generating plant. The review shall include, but not be limited to such factors as changes in traffic patterns, population densities, and new construction. Opportunity for full public participation in the annual review shall be provided. Copies of an

evacuation plan a state emergency response plan shall be published, publicized, and distributed to the news media and to the appropriate officials of affected communities, and shall be made available to the general public upon request, at no more than the cost of reproduction.

Sec. 6. [CONTINUOUS REMOTE EFFLUENT MONITORING SYSTEMS.] *Subdivision 1. The department of public safety, in cooperation with the department of health and the pollution control agency, shall conduct a study of available continuous, remote effluent monitoring and notification systems and establish requirements for a system, including the type, number and location of devices for that system, suitable for use at Minnesota plant sites. The study shall be completed by January 1, 1981, and shall be reported to the legislature on or before January 15, 1981, and the requirements shall be established by July 1, 1981.*

The department of health may also provide for inspections and may require calibrations and maintenance activities to be performed by the operators of monitored plants.

Subd. 2. The operators of nuclear fission electrical generating plants shall implement the monitoring system requirements within one year of promulgation.

Sec. 7. [APPROPRIATIONS.] *Subdivision 1. The sum of \$681,000 is appropriated from the general fund to the commissioner of public safety, to be available until June 30, 1981, for the following purposes:*

- (a) *For the purposes provided in section 2: \$ 381,000*
- (b) *For the purpose of providing local grants pursuant to section 2, subdivision 2: \$ 100,000*
- (c) *For the purpose of a study of the consequences of a serious nuclear power plant incident at each of the existing operating plant locations, and for the study required in section 6: \$ 200,000*

The study of consequences shall be conducted by the director of emergency services and shall include analysis of existing emergency planning zones, and the need for modification or extension thereof, the capacity of state and local agencies to deal with a nuclear power plant emergency, the need for changes in land use regulation near plant sites, the scope of federal assistance during an emergency, the scope and coverage of utility insurance programs, and a review of the state's appropriate role in emergency planning and plant operation. The director shall report his findings and recommendations to the legislature by January 15, 1981.

The department of public safety, division of emergency services is authorized to increase its complement by two positions in the unclassified service.

Subd. 2. The sum of \$181,000 is appropriated from the general fund to the commissioner of health for the purchase of equipment,

and other costs necessary to carry out the purpose of section 2 to be available until expended.

The department of health is authorized to increase its complement by one full time position.

Sec. 8. This act is effective the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "nuclear safety" and insert "emergency services"

Page 1, line 7, after the semicolon insert "changing zoning laws;"

Page 1, line 12, before the period insert "and 4"

And when so amended H. F. No. 1842 will be identical to S. F. No. 2023, and further recommends that H. F. No. 1842 be given its second reading and substituted for S. F. No. 2023, 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. Coleman from the Committee on Rules and Administration, to which was referred

H. F. No. 1995 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.
1995	1668				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1995 be amended as follows:

Delete page 2, line 33 to page 3, line 4

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

Amend the title as follows:

Page 1, lines 10 and 11, delete "; and Laws 1979, Chapter 272, Section 12"

And when so amended H. F. No. 1995 will be identical to S. F. No. 1668, and further recommends that H. F. No. 1995 be given its second reading and substituted for S. F. No. 1668, 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. 1842 and 1995 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Schaaf moved that H. F. No. 2082 be taken from the table. The motion prevailed.

H. F. No. 2082: A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1978, Sections 205.10; 205.17, Subdivision 1; and 412.02, Subdivision 2, and by adding a subdivision.

Mr. Schaaf moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2082, 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. McCutcheon moved that H. F. No. 2304 be taken from the table. The motion prevailed.

H. F. No. 2304: A bill for an act relating to initiative; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes; providing for judicial review; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 290.09, Subdivision 2; 290.21, Subdivision 3; and 645.02.

SUSPENSION OF RULES

Mr. McCutcheon 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. 2304 and that the rules of the Senate be so far suspended as to give H. F. No. 2304 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 2304 was read the second time.

Mr. McCutcheon moved to amend H. F. No. 2304 as follows:

Delete everything after the enacting clause of H. F. No. 2304 and insert the language after the enacting clause of S. F. No. 599, as amended by the Committee on Judiciary, adopted by the Senate March 26, 1980; further, delete the title of H. F. No. 2304 and insert the title of S. F. No. 599, as amended by the Committee on Judiciary, adopted by the Senate March 26, 1980.

The motion prevailed. So the amendment was adopted.

Mr. McCutcheon then moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 19, line 13, after "*measure*" insert "*when the publication is undertaken primarily for the purpose of influencing adoption or rejection*"

The motion prevailed. So the amendment was adopted.

Mr. Lessard moved to amend H. F. No. 2304, as amended by the Senate, April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 5, delete "*congressional district*" and insert "*county*"

Page 7, line 6, delete "*five*" and insert "*ten*"

Page 7, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Page 7, line 25, delete "*congressional district*" and insert "*county*"

Page 8, line 6, delete "*congressional district*" and insert "*county*"

Page 9, lines 16 and 17, delete "*congressional district*" and insert "*county*"

Page 9, lines 23 and 24, delete "*congressional district*" and insert "*county*"

Page 10, line 1, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 12, line 14, delete "*congressional district*" and insert "*county*"

Page 14, line 5, delete "*congressional district*" and insert "*county*"

Page 14, line 6, delete "*five*" and insert "*ten*"

Page 14, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Mr. Sieloff requested division of the amendment as follows:
First portion:

Page 7, line 5, delete "*congressional district*" and insert "*county*"

Page 7, line 6, delete "*five*" and insert "*ten*"

Page 7, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Page 7, line 25, delete "*congressional district*" and insert "*county*"

Page 8, line 6, delete "*congressional district*" and insert "*county*"

Page 9, lines 16 and 17, delete "*congressional district*" and insert "*county*"

Page 9, lines 23 and 24, delete "*congressional district*" and insert "*county*"

Page 10, line 1, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 12, line 14, delete "*congressional district*" and insert "*county*"

Second portion:

Page 14, line 5, delete "*congressional district*" and insert "*county*"

Page 14, line 6, delete "*five*" and insert "*ten*"

Page 14, lines 7 and 8, delete "*congressional district*" and insert "*county*"

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate for the proceedings on H. F. No. 2304. The following Senators answered to their names:

Anderson	Engler	Lessard	Peterson	Stern
Barrette	Frederick	Menning	Pillsbury	Stokowski
Benedict	Gearty	Merriam	Rued	Stumpf
Bernhagen	Gunderson	Nelson	Schmitz	Ueland, A.
Brataas	Hughes	Nichols	Setzepfandt	Ulland, J.
Chmielewski	Humphrey	Olhoff	Sieloff	Wegener
Davies	Keefe, S.	Omamm	Sikorski	
Dieterich	Knaak	Penny	Solon	
Dunn	Knoll	Perpich	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to Rule 21, Mr. Setzepfandt moved that the following members be excused for a Conference Committee on H. F. No. 1453:

Messrs. Setzepfandt, Peterson and Ogdahl. The motion prevailed.

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

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

Mr. Keefe, S. moved to amend H. F. No. 2304, as amended by the Senate, April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 18, after line 18, insert:

"Sec. 29. [3B.265] [DISCLOSURE TO ETHICAL PRACTICES BOARD.] For the purpose of section 10A.01, subdivision 15, "political committee" includes any association organized to promote or defeat a ballot question, including the sponsors of a petition as defined by section 4, subdivision 6, and any association that gives implicit or explicit consent for any other person to receive contributions or make expenditures to promote or defeat a ballot question."

Page 21, delete Section 33

Page 21, line 32, delete "*which favors or*"

Page 21, line 33, delete everything before "*shall*" and insert "*organized to promote or defeat a ballot question*"

Page 22, line 1, delete "*before*" and insert "*not later than*"

Page 22, line 1, delete "*issuing of the*"

Page 22, line 2, delete "*provided for in*" and insert "*issued under*"

Page 22, line 2, before the period insert "*with respect to the petition on that question*"

Page 24, after line 2, insert:

"Sec. 36. Minnesota Statutes 1978, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. "Contribution" means a transfer of funds or a donation in kind.

Contribution includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, which loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

A contribution made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Contribution does not include services provided without compensation by an individual volunteering his time on behalf of a

candidate, *ballot question*, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Sec. 37. Minnesota Statutes 1978, Section 10A.01, Subdivision 7a, is amended to read:

Subd. 7a. "Transfer of funds" or "transfer" means 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*.

Sec. 38. Minnesota Statutes 1978, 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.

Sec. 39. Minnesota Statutes 1978, Section 10A.01, Subdivision 10, is amended to read:

Subd. 10. "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate *or for the purpose of promoting or defeating a ballot question*.

An expenditure is considered to be made in the year in which the goods or services for which it was made are used or consumed.

An expenditure made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Except as provided in clause (a), expenditure includes the dollar value of a donation in kind.

Expenditure does not include:

(a) Noncampaign disbursements as defined in subdivision 10c;

(b) Transfers as defined in subdivision 7a;

(c) Services provided without compensation by an individual volunteering his time on behalf of a candidate, *ballot question*, political committee, or political fund; or

(d) The publishing or broadcasting of news items or editorial comments by the news media.

Sec. 40. Minnesota Statutes 1978, Section 10A.01, Subdivision 10c, is amended to read:

Subd. 10c. "Noncampaign disbursement" means a purchase or

payment of money or anything of value made, or an advance of credit incurred, by a political committee, political fund, or principal campaign committee for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.

Noncampaign disbursement includes:

- (a) Payment for accounting and legal services;
- (b) Return of a contribution to the source;
- (c) Repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) Return of moneys from the state elections campaign fund;
- (e) Payment for food and beverages consumed at a fundraising event;
- (f) Services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to adjournment sine die of the legislature in the election year for the office held; and

(g) A donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f). The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

Sec. 41. Minnesota Statutes 1978, Section 10A.01, Subdivision 15, is amended to read:

Subd. 15. "Political committee" means any association as defined in subdivision 3 whose major purpose is to influence the nomination or election of a candidate or to promote or defeat a ballot question.

"Political committee" includes a major political party as defined in subdivision 12, a minor political party as defined in subdivision 13, and any principal campaign committee formed pursuant to section 10A.19.

Sec. 42. Minnesota Statutes 1978, Section 10A.01, Subdivision 16, is amended to read:

Subd. 16. "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the nomination or election of a candidate or for the purpose of promoting or defeating a ballot question.

Sec. 43. Minnesota Statutes 1978, Section 10A.01, is amended by adding a subdivision to read:

Subd. 23. "Ballot question" means a question or proposition which is placed on the ballot and which may be voted on by all voters of the state. "Promoting or defeating a ballot question"

includes activities related to qualifying the question for placement on the ballot.

Sec. 44. Minnesota Statutes 1978, Section 10A.12, Subdivision 1, is amended to read:

10A.12 [POLITICAL FUNDS.] Subdivision 1. No association other than a political committee shall transfer more than \$100 in aggregate in any one year to candidates or political committees or make any approved or independent expenditure or expenditure to promote or defeat a ballot question unless the transfer or expenditure is made from a political fund.

Sec. 45. Minnesota Statutes 1978, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or occupation if self-employed, of each individual, political committee or political fund who within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$50 for legislative candidates or \$100 for statewide candidates or ballot questions, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign committee of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made;

(e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (d);

(f) The sum of all receipts of the political committee or political fund during the reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or

political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, *identification of the ballot question which the expenditure is intended to promote or defeat*, and, in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(i) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(j) The name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(k) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(l) For principal campaign committees only, the sum of non-campaign disbursements made in each category listed in section 10 of ~~this act~~ *10A.01, subdivision 10c* during the reporting period; and

(m) The sum of all noncampaign disbursements made by the political committee, political fund, or principal campaign committee during the reporting period.

Sec. 46. Minnesota Statutes 1978, Section 10A.20, Subdivision 6, is amended to read:

Subd. 6. Every candidate who does not designate and cause to be formed a principal campaign committee, and any individual who makes independent expenditures *or expenditures expressly advocating the approval or defeat of a ballot question* in aggregate in excess of \$100 in any year, shall file with the board a report containing the information required by subdivision 3. Reports required by this subdivision shall be filed on the dates on which reports by committees and funds are filed.

Sec. 47. Minnesota Statutes 1978, Section 10A.32, Subdivision 3, is amended to read:

Subd. 3. As a condition of receiving any ~~moneys~~ *money* from the state elections campaign fund, a candidate shall agree by stating in writing to the board that (a) his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) he shall not accept contributions or

allow approved expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. The agreement insofar as it relates to the expenditure limits set forth in section 10A.25, remains effective until the dissolution of the principal campaign committee of the candidate or the opening of filings for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first. ~~Beginning in 1980,~~ Money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought shall be considered contributions accepted by that candidate in that year for the purposes of this subdivision. ~~Notwithstanding the effective date of this section, for 1978, the period for determining the aggregate contribution and approved expenditure limit agreed to pursuant to this subdivision shall begin January 1, 1978.~~ That amount of all contributions accepted by a candidate in an election year which equals the amount of noncampaign disbursements *and contributions and expenditures to promote or defeat a ballot question which are made by that candidate in that year, and the amount of contributions received and approved expenditures made between January 1, 1978, and February 28, 1978 which equals the amount of expenditures made between January 1, 1978, and February 28, 1978, for goods consumed and services used before February 28, 1978,* shall not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision. Any amount by which his aggregate contributions and approved expenditures agreed to under clause (b) exceed the difference shall be returned to the state treasurer in the manner provided in subdivision 2. In no case shall the amount returned exceed the amount received from the state elections campaign fund.

The candidate may submit his signed agreement to the filing officer on the day he files his affidavit of candidacy or petition to appear on the ballot, or he may submit the agreement to the board no later than September 1.

The board prior to the first day of filing for office shall forward forms for the agreement to all filing officers. The filing officer shall without delay forward signed agreements to the board. An agreement may not be rescinded after September 1.

For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a. plus the total amount estimated as provided in subdivision 3a to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than his share of the estimate, and his contri-

butions thereby exceed the difference, the agreement shall not be considered violated.

Sec. 48. Minnesota Statutes 1978, Section 210A.26, Subdivision 3, is amended to read:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election:

(a) When the committee is organized to support a candidate for a federal office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a judicial district or county office with the auditor of the county in which such committee has its headquarters;

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

~~(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.~~

Sec. 49. Minnesota Statutes 1978, Section 210A.26, is amended by adding a subdivision to read:

Subd. 6. [BALLOT QUESTIONS.] *Any individual, political committee, association or corporation that makes any contribution or expenditure to promote or defeat a ballot question shall file reports as required by this subdivision. Reports shall be filed at the times required for filing financial statements under subdivision 1. Reports shall be filed with the official responsible for placing the question on the ballot. Each report shall show the following information, covering the period from the last report to seven days before the filing date:*

(a) *The name and address of each committee, individual, or other person to whom aggregate contributions or expenditures in excess of \$100 have been made to promote or defeat a ballot question, together with the amount, date and purpose of the contribution or expenditure;*

(b) *The total amount of contributions and expenditures made to promote or defeat a ballot question; and*

(c) *Identification of the ballot question which the individual, political committee, association or corporation seeks to promote or defeat.*

The secretary of state shall prescribe the form for reports required under this subdivision and may do so without adopting rules pursuant to chapter 15.

For the purpose of this subdivision:

(1) "Ballot question" means a question or proposition, other than a ballot question as defined in section 10A.01, subdivision 23, which is placed on the ballot and which may be voted on by the voters of one or more political subdivisions of the state; and

(2) A contribution or expenditure for activities related to qualifying a question for placement on the ballot is a contribution or expenditure to promote or defeat the ballot question.

Sec. 50. Minnesota Statutes 1978, Section 210A.34, Subdivision 1, is amended to read:

210A.34 [CORPORATIONS NOT TO CONTRIBUTE TO POLITICAL CAMPAIGN; PERMITTED ACTIVITIES; REPORTS; PENALTIES.] Subdivision 1. It shall be unlawful for any corporation doing business in this state to ~~pay or contribute or make any contribution or to offer, consent or agree to pay or contribute~~ make any contribution, directly or indirectly, of any money, property, free service of its officers or employees or thing of value to any political party, organization, committee or individual ~~for any political purpose whatsoever,~~ or to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. *For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of any candidate to any political office which is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, his principal campaign committee or his agent.*

Sec. 51. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1a. It shall be unlawful for any corporation doing business in this state to make any independent expenditure or to offer, consent or agree to make any independent expenditure to promote or defeat the candidacy of any person for nomination, election or appointment to any political office. For the purpose of this subdivision, "independent expenditure" means an expenditure which is not made with the authorization or expressed or implied consent of, or in cooperation or concert with, or at the request or suggestion of, a candidate, his principal campaign committee or his agent.

Sec. 52. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1b. A corporation doing business in this state may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. But no such contribution shall be made to any candidate for nomination, election or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate.

Sec. 53. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1c. Nothing in this section shall be construed to prohibit publication or broadcasting of news items or editorial comments by the news media."

Page 24, line 8, after the period insert "*Sections 37 to 53 are effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "and" and insert a comma

Page 1, line 2, after "referendum" insert "and other ballot questions;"

Page 1, line 10, after "measures;" insert "permitting corporations to spend money to promote or defeat ballot questions; requiring reports of contributions and expenditures to promote or defeat ballot questions;"

Page 1, line 12, delete "Subdivision 15" and insert "Subdivisions 7, 7a, 7b, 10, 10c, 15, 16, and by adding a subdivision; 10A.12, Subdivision 1;"

Page 1, line 12, after "10A.20," insert "Subdivisions 3 and 6 and"

Page 1, line 12, after "subdivision;" insert "210A.26, Subdivision 3, and by adding a subdivision;"

Page 1, line 13, before "and" insert "210A.34, Subdivision 1, and by adding subdivisions;"

The motion prevailed. So the amendment was adopted.

Mr. Knutson moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 3, lines 20 and 21, delete "*or not later than August 1 in calendar year 1980*"

Page 6, line 11, delete "*or calendar year 1980*"

Page 6, line 30, delete "*, except those petitions*"

Page 6, delete line 31

Page 6, line 32, delete everything before the period

Page 7, line 12, delete the comma

Page 7, delete line 13

Page 7, line 14, delete everything before the period

Page 10, lines 23 and 24, delete "or not later than August 1 in calendar year 1980"

Page 24, delete lines 4 to 7 and insert "the governor announces the adoption of the new amendment by proclamation as provided by section 3.20 but shall expire on December"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Chmielewski	Kirchner	Pillsbury	Ueland, A.
Barrette	Engler	Knaak	Renneke	Ulland, J.
Benedict	Frederick	Knutson	Rued	
Bernhagen	Jensen	Ogdahl	Sieloff	
Brataas	Keefe, J.	Omann	Strand	

Those who voted in the negative were:

Anderson	Johnson	Merriam	Purfeerst	Stokowski
Davies	Knoll	Nelson	Schaaf	Tennessee
Dieterich	Laufenburger	Nichols	Setzepfandt	Vega
Gearty	Lessard	Olhoff	Sikorski	
Gunderson	Luther	Penny	Solon	
Hughes	McCutcheon	Perpich	Staples	
Humphrey	Menning	Peterson	Stern	

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

Mr. Pillsbury moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 1, line 20, delete "Any law except a" and insert "Any law and any amendment to article IV of the constitution but no other"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 33, as follows:

Those who voted in the affirmative were:

Bang	Dieterich	Kirchner	Omann	Sieloff
Barrette	Engler	Knaak	Perpich	Sikorski
Benedict	Frederick	Luther	Pillsbury	Ueland, A.
Bernhagen	Jensen	Nelson	Renneke	Ulland, J.
Brataas	Keefe, J.	Ogdahl	Rued	

Those who voted in the negative were:

Anderson	Humphrey	Menning	Purfeerst	Stokowski
Chmielewski	Johnson	Merriam	Schaaf	Strand
Davies	Keefe, S.	Nichols	Schmitz	Stumpf
Dunn	Knutson	Olhoff	Setzepfandt	Tennessee
Gearty	Laufenburger	Olson	Solon	Vega
Gunderson	Lessard	Penny	Staples	
Hughes	McCutcheon	Peterson	Stern	

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

Mr. Bernhagen moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 5, delete "congressional district" and insert "county"

Page 7, line 6, delete "five" and insert "eight"

Page 7, lines 7 and 8, delete "congressional district" and insert "county"

Page 7, line 25, delete "congressional district" and insert "county"

Page 8, line 6, delete "congressional district" and insert "county"

Page 9, lines 16 and 17, delete "congressional district" and insert "county"

Page 9, lines 23 and 24, delete "congressional district" and insert "county"

Page 10, line 1, delete "congressional district" and insert "county"

Page 10, line 6, delete "congressional district" and insert "county"

Page 12, line 14, delete "congressional district" and insert "county"

Page 14, line 5, delete "congressional district" and insert "county"

Page 14, lines 7 and 8, delete "congressional district" and insert "county"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 27 and nays 27, as follows:

Those who voted in the affirmative were:

Bang	Engler	Laufenburger	Purfeerst	Solon
Barrette	Frederick	Merriam	Renneke	Strand
Bernhagen	Gunderson	Olhoff	Rued	Ueland, A.
Brataas	Keefe, J.	Omann	Schaaf	
Chmielewski	Knaak	Perpich	Schmitt	
Dunn	Knutson	Pillsbury	Sieloff	

Those who voted in the negative were:

Anderson	Humphrey	McCutcheon	Peterson	Ulland, J.
Benedict	Keefe, S.	Menning	Sikorski	Vega
Davies	Kirchner	Nelson	Stern	Wegener
Dieterich	Kleinbaum	Nichols	Stokowski	
Gearty	Knoll	Olson	Stumpf	
Hughes	Luther	Penny	Tennessee	

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

Mr. Jensen moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 6, delete "five" and insert "ten"

Page 14, line 6, delete "five" and insert "ten"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 34, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knutson	Pillsbury	Strand
Bernhagen	Frederick	Merriam	Renneke	Ueland, A.
Brataas	Gunderson	Olhoft	Rued	
Chmielewski	Jensen	Olson	Schaaf	
Dunn	Knaak	Perpich	Sieloff	

Those who voted in the negative were:

Barrette	Johnson	Lesard	Peterson	Stokowski
Benedict	Keefe, J.	Luther	Purfeerst	Stumpf
Davies	Keefe, S.	McCutcheon	Sikoraki	Tennessee
Dieterich	Kirchner	Menning	Solon	Ulland, J.
Gearty	Kleinbaum	Nelson	Spear	Vega
Hughes	Knoll	Nichols	Staples	Wegener
Humphrey	Laufenburger	Penny	Stern	

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

Mr. Chmielewski moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 2, delete line 4

Page 2, delete line 21

Page 24, lines 4 and 5, delete "*the earlier of the following dates: (1)*"

Page 24, lines 7 and 8, delete "*; or (2) December 31, 1984*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 29, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Kirchner	Nichols	Rued
Bang	Engler	Knaak	Olson	Sieloff
Barrette	Frederick	Knutson	Omann	Staples
Benedict	Gunderson	Luther	Penny	Ueland, A.
Bernhagen	Jensen	Menning	Pillsbury	Ulland, J.
Brataas	Keefe, J.	Nelson	Renneke	

Those who voted in the negative were:

Anderson	Humphrey	McCutcheon	Schaaf	Strand
Coleman	Johnson	Merriam	Sikoraki	Stumpf
Davies	Keefe, S.	Olhoft	Solon	Tennessee
Dieterich	Knoll	Perpich	Spear	Vega
Gearty	Laufenburger	Peterson	Stern	Wegener
Hughes	Lesard	Purfeerst	Stokowski	

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

Mr. Johnson moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 7, line 5, delete "*congressional district*" and insert "*county*"

Page 7, line 6, delete "*five*" and insert "*nine*"

Page 7, lines 7 and 8, delete "*congressional district*" and insert "*county*"

Page 7, line 25, delete "*congressional district*" and insert "*county*"

Page 8, line 6, delete "*congressional district*" and insert "*county*"

Page 9, lines 16 and 17, delete "*congressional district*" and insert "*county*"

Page 9, lines 23 and 24, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 10, line 6, delete "*congressional district*" and insert "*county*"

Page 12, line 14, delete "*congressional district*" and insert "*county*"

Page 14, line 5, delete "*congressional district*" and insert "*county*"

Page 14, lines 7 and 8, delete "*congressional district*" and insert "*county*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Olhoff	Schmitz
Bang	Engler	Laufenburger	Perpich	Sieloff
Barrette	Gunderson	Lessard	Pillsbury	Solon
Bernhagen	Johnson	Menning	Renneke	Strand
Brataas	Kleinbaum	Merriam	Rued	Ueland, A.
Chmielewski	Knaak	Moe	Schaaf	

Those who voted in the negative were:

Anderson	Humphrey	Luther	Penny	Stokowski
Benedict	Jensen	McCutcheon	Purfeerst	Stumpf
Davies	Keefe, J.	Nelson	Sikorski	Tennessee
Dieterich	Keefe, S.	Nichols	Spear	Ulland, J.
Gearty	Kirchner	Olson	Staples	Vega
Hughes	Knoll	Omann	Stern	Wegener

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

Mr. Keefe, J. moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 2, line 4, delete "1984" and insert "1986"

Page 2, line 21, delete "1984" and insert "1986"

Page 24, line 8, delete "1984" and insert "1986"

Mr. Benedict moved to amend the Keefe, J. amendment to H. F. No. 2304 as follows:

In the Keefe, J. amendment, delete "1986" wherever it appears and insert "2035"

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

The question recurred on the Keefe, J. amendment. The motion prevailed. So the amendment was adopted.

Mr. Dunn moved to amend H. F. No. 2304, as amended by the Senate April 2, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 599.)

Page 18, line 21, after "*signing*" insert "*or circulating*"

Page 19, line 8, after "*signing*" insert "*or circulating*"

The motion prevailed. So the amendment was adopted.

Having voted on the prevailing side Mr. Purfeerst moved that the vote whereby the Johnson amendment to H. F. No. 2304 was not adopted on April 2, 1980, be now reconsidered. The motion did not prevail.

Mr. Davies moved to amend the Dunn amendment to H. F. No. 2304, adopted by the Senate April 2, 1980, as follows:

In the amendment to page 18, line 21, after "*or*" insert "*, except as an incidental part of his regular employment,*"

In the amendment to page 19, line 8, after "*or*" insert "*, except as an incidental part of regular employment,*"

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

H. F. No. 2304 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 19, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Menning	Pillsbury	Staples
Ashbach	Hanson	Moe	Purfeerst	Strand
Bang	Hughes	Nelson	Renneke	Ueland, A.
Barrette	Jensen	Nichols	Rued	Ulland, J.
Benedict	Keefe, J.	Olhoft	Schaaf	Vega
Bernhagen	Kirchner	Olson	Schmitz	Wegener
Chmielewski	Knaak	Omann	Setzepfandt	Willet
Dunn	Knutson	Penny	Sieloff	
Engler	Laufenburger	Perpich	Sikorski	
Frederick	McCutcheon	Peterson	Solon	

Those who voted in the negative were:

Brataas	Gearty	Kleinbaum	Merriam	Stokowski
Coleman	Humphrey	Knoll	Ogdahl	Stumpf
Davies	Johnson	Lessard	Spear	Tennessee
Dieterich	Keefe, S.	Luther	Stern	

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

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2476:

Messrs. Moe, Ashbach, Coleman, Willet and Spear. The motion prevailed.

SPECIAL ORDER

S. F. No. 1827: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; adding a provision to allow the legislature to call a special session.

Mr. Luther moved to amend S. F. No. 1827 as follows:

Page 1, line 21, delete "*two-thirds*" and insert "*three-fifths*"

Page 2, line 14, delete "a majority of its" and insert "three-fifths of the" and after "members" insert "of each house"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, J. moved to amend S. F. No. 1827 as follows:

Page 2, after line 16, insert:

"Sec. 3. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people as provided by subdivisions 2 and 3.

Subd. 2. If the amendment is adopted, article IV, sections 2 and 3 will read as follows:

Sec. 2. [APPORTIONMENT OF MEMBERS.] The number of members who compose the senate and house of representatives shall be prescribed by law. ~~The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof.~~ A law changing the number of senators or representatives shall be effective on January 1 of the next year ending in the number one following enactment of the law and shall govern beginning with the first general election held under an apportionment plan that becomes effective after that date.

Sec. 3. At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts. Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. The legislature shall not prescribe the boundaries for the districts of senators and representatives or for the districts of representatives in the congress of the United States.

Subd. 3. If the amendment is adopted, a new article will be added to the constitution which will read as follows:

ARTICLE XV REAPPORTIONMENT COMMISSION

Section 1. [REAPPORTIONMENT COMMISSION.] *In each year ending in the number one, or when required by court order, a reapportionment commission shall be established to draw the boundaries of legislative and congressional districts.*

The commission shall consist of nine members who are eligible voters of the state. One member shall be appointed by the speaker of the house and one by the members of the house representing political parties other than the party represented by the speaker. One member shall be appointed by the president of the senate and one by the members of the senate representing political parties other than the party represented by the president. Article IV, section 5 shall not apply to the appointment of members of the reapportionment commission. The term "political party" as used in this section shall have the meaning provided by law.

The remaining five members shall be appointed by unanimous agreement of the legislative appointees. The qualifications of these members shall be provided by law.

Members of the commission shall be appointed within the time provided by law but not later than March 15 when the commission is established in a year ending in the number one. The supreme court shall fill any vacancy caused by failure to appoint a member within the time required by law.

Sec. 2. [APPORTIONMENT STANDARDS.] *The commission shall draw the boundaries of legislative and congressional districts in accordance with the requirements of this section. There shall be one district for each representative, senator and representative in congress. No state representative district shall be divided in the formation of a senate district.*

All districts of the same kind shall be as equal in population as practicable. Population shall be the controlling factor in drawing the district boundaries.

The districts shall be composed of compact and contiguous territory. To the extent consistent with other standards, the boundaries of the districts shall follow the boundaries of local governmental

units and, wherever practicable, follow natural and man-made physical boundaries. No apportionment plan shall be drawn for the purpose of favoring any person or political party. Legislative and congressional districts shall be drawn according to the number of legislators and representatives in congress to be elected at the first election of all senators and representatives following the effective date of the apportionment plan.

Sec. 3. [APPORTIONMENT PLAN.] *The commission shall adopt an apportionment plan within the time provided by law but not later than December 1 when the commission is established in a year ending in the number one. The plan shall set forth all of the new legislative and congressional districts. An apportionment plan is adopted by the commission when it is approved by a vote of at least six of its members.*

Sec. 4. [EFFECTIVE DATE; ELECTIONS GOVERNED BY NEW DISTRICTS.] *An apportionment plan is effective when it is adopted and all judicial review under section 5 or by any other court is completed. The districts set forth in an apportionment plan shall govern legislative and congressional elections beginning on the date of the first general election after the plan is effective.*

Sec. 5. [JUDICIAL REVIEW; COURT DRAWN PLAN.] *The supreme court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law. If the commission fails to adopt an apportionment plan within the time provided by law the supreme court shall adopt its own plan in accordance with the requirements of section 2 of this article. If an apportionment plan for legislative districts is adopted by the supreme court later than April 1 of a general election year, the time for establishing residency for legislative candidates as set forth in article IV, section 6, is extended to either 45 days after the effective date of the plan or to the last day provided by law for filing for office at the general election, whichever is earlier.*

Sec. 6. [IMPLEMENTATION.] *The legislature may enact the laws necessary to implement this article provided that reapportionment shall be governed by the law in effect on January 1 of the year in which a reapportionment commission is established.*

Sec. . . . *The amendment shall be submitted to the people at the 1980 general election. The question proposed shall be:*

“Shall the Minnesota Constitution be amended to transfer from the legislature to a bipartisan commission the power to establish the boundaries of legislative and congressional districts?

Yes.

No.”

Sec. . . . [2A.01] [CITATION.] *Sections . . . to . . . may be cited as the “Reapportionment Implementation Act.”*

Sec. 4. [2A.02] [APPOINTMENT.] *Subdivision 1. For the purpose of Article XV, Section 1 of the Minnesota Constitution “political party” means the political party or political principle by which*

a legislator was designated on the general election ballot when the legislator was last elected.

Subd. 2. Not more than five members of the commission shall be residents of the metropolitan area as defined in section 473.121, subdivision 2 and not more than five members shall be residents of the area consisting of the remainder of the state.

Subd. 3. Except for the members appointed pursuant to subdivision 5, no individual shall be appointed or shall serve as a member of the commission who:

(a) Holds or has held within two years prior to appointment an elected or appointed office in the executive, judicial or legislative branch or in an independent agency of the federal or state government;

(b) Is or has been within two years prior to appointment an officer of a political party, except a precinct officer, or an officer of a campaign committee of a candidate for state or federal office;

(c) Is an employee of the legislature or congress;

(d) Is a member of the immediate family of a legislator or representative in congress. "Member of the immediate family" means father, mother, son, daughter, brother, sister, spouse, ex-spouse or member of the same household; or,

(e) Is or has been within two years prior to appointment a lobbyist as that term is defined by section 10A.01, subdivision 11.

Subd. 4. Except for members appointed pursuant to subdivision 5, no individual appointed as a member of the commission shall remain a member if he becomes a candidate for any elective state or federal office.

Subd. 5. Not later than January 15 of each year ending in the number one the secretary of state shall request the legislators who are authorized by the constitution to appoint members to serve on the commission to certify the names of their appointees. The representatives representing political parties other than the party represented by the speaker of the house and the senators representing political parties other than the party represented by the president of the senate shall convene during the ten days following the request of the secretary of state, at a time and place directed by the secretary, to appoint members of the commission. The secretary of state shall preside at these conventions. The names of all legislative appointees shall be certified to the secretary of state not later than the following February 1. If a certification is not received within the required time, the secretary of state shall notify the chief justice of the supreme court that there is a vacancy on the commission. Within ten days after notification the supreme court shall fill the vacancy and certify the name of the appointee to the secretary of state.

Subd. 6. Not later than March 15 the commission members whose appointments have been certified pursuant to subdivision 5 shall appoint the five remaining members by unanimous agree-

ment and certify the names to the secretary of state. When a certificate is not received within the required time, the secretary of state shall notify the chief justice that there is a vacancy. Within ten days after the notification the supreme court shall appoint the necessary number of members and certify their names to the secretary of state.

Subd. 7. Vacancies other than those resulting from a failure to appoint a member within the time provided by law shall be filled by the appointing authority that made the original appointment within five days after the vacancy occurs. If the vacancy is not filled within five days the supreme court shall fill the vacancy.

Sec. . . . [2A.03] [COMMENCEMENT OF DUTIES; MEETINGS.] *Subdivision 1. The secretary of state shall select a time and place of the first meeting of the commission, which shall not be later than April 1 of the year ending in one, and shall notify the commission members of the time and place selected. Before beginning to exercise their official duties the members of the commission shall take an oath in the form required for other state officers. The secretary of state shall preside at the meeting until the election of a permanent presiding officer. The commission shall elect a presiding officer and other officers as it shall find necessary.*

Subd. 2. The commission, after notice and opportunity for public comment, may adopt and publish procedures necessary to carry out its duties. Chapter 15 does not apply to these procedures.

Subd. 3. The commission shall meet upon the call of either the presiding officer or a majority of the members of the commission. The proceedings of the commission are open to the public. The commission shall give public notice of its proceedings and shall keep minutes and audio recordings of those proceedings. All materials submitted to or developed by the commission, together with the minutes and audio record of its proceedings shall be preserved and made available for public inspection and copying. The commission may administer oaths to individuals appearing before it.

Subd. 4. A majority of the members of the commission constitutes a quorum to conduct business. At any meeting of the commission at which a quorum is present, a majority of those present may compel the attendance of absent members. The attendance of absent members may be compelled in the manner that either the senate or house of representatives provide for their members.

Sec. . . . [2A.04] [REMOVAL OF COMMISSION MEMBER.] *Any member of the commission may be removed from the commission by the supreme court upon petition filed by any eligible voter. The member may be removed, after a hearing, upon a finding by the supreme court, by a preponderance of the evidence, that a member of the commission during his membership has been convicted of a gross misdemeanor or felony, or that a member*

is unqualified to serve under the provisions of section . . . , subdivision 3 or 4, or that a member is physically or mentally incapable of serving, or is unwilling to serve. It is prima facie evidence that a member is unwilling to serve if he fails to attend three successive meetings of the commission or fails to attend a total of six meetings of the commission. Upon removal, the position shall be filled in the manner provided for filling vacancies. An individual who is removed from the commission pursuant to this section may not be reappointed to the commission.

Sec. . . . [2A.05] [ADMINISTRATIVE SUPPORT.] *The presiding officer of the commission shall supervise the staff of the commission. The secretary of state, commissioner of administration, attorney general and revisor of statutes shall make available the personnel, facilities, technical services and other assistance requested by the commission. The commission may employ or contract for the services of other staff personnel.*

Sec. . . . [2A.06] [APPORTIONMENT PLAN.] *Subdivision 1. An apportionment plan adopted by the commission shall include:*

(a) *A written description of each district drawn by the commission;*

(b) *A map of each district showing the name and location of each public road and each local governmental unit boundary in the district in a scale that allows precise location of the district boundaries;*

(c) *A map of the state showing all of the districts drawn by the commission;*

(d) *A statement of the deviation in population of each district from the average population of all districts of that kind;*

(e) *A justification of any population deviation described in clause (d) which exceeds one-half of one percent for a congressional district or five percent for legislative districts;*

(f) *An explanation of the standards used by the commission to draw the district; and*

(g) *Any other information which the commission deems relevant to the plan.*

Subd. 2. An apportionment plan shall be adopted not later than September 1 of the year in which the commission is established. When an apportionment plan adopted by the commission is remanded by the supreme court or by a federal court, the commission shall adopt an amended plan consistent with the finding of the court not later than 30 days after the original plan is remanded.

Subd. 3. The commission shall file the original or any amended plan with the secretary of state within five days of its adoption.

Subd. 4. Any commission members in the minority may prepare

a minority report which shall be published with the plan adopted by the commission.

Sec. . . . [2A.07] [COURT ORDER OR CHANGE IN CONGRESSIONAL REPRESENTATION.] *Subdivision 1. When a commission is not otherwise constituted and either the number of the state's representatives in congress is changed by federal law or a federal court order requires either adoption or amendment of a plan, a commission shall be established and shall draw the congressional district boundaries or amend the plan.*

Subd. 2. The supreme court shall set a timetable for establishing a reapportionment commission and drawing the boundaries or amending the plan. The timetable shall be consistent with the time provided for adoption of an apportionment plan pursuant to section . . . , subdivision 2, as far as practicable.

Sec. . . . [2A.08] [COMPENSATION.] *Members of the commission who are not paid a salary by the state shall be compensated at the rate provided by section 15.059, subdivision 3, for members of advisory councils and committees. Members shall be compensated for their actual and necessary expenses incurred in carrying out their duties on the commission in the same manner and amount as other state employees.*

Sec. . . . [2A.09] [DISSOLUTION.] *The commission shall conclude its business and dissolve when:*

(a) 30 days have passed from the adoption of an original, unamended apportionment plan without the filing of any petition for review by the supreme court and all legal actions concerning the plan which are known at that time have been decided; or

(b) The commission has adopted an amended apportionment plan after remand by a court and has completed its duties under section . . . ; or

(c) The commission has failed to adopt a plan or amended plan within the time required by law.

The conclusion of business shall include preparation of the official record of the commission and a financial statement disclosing all expenditures made by the commission. The official record shall contain all information developed by the commission pursuant to carrying out its duties including records of public hearings, data collected, minutes and audio recordings of hearings and meetings, and other information of a similar nature. The official record shall be submitted to the secretary of state who shall provide for its preservation.

Sec. . . . [2A.10] [PUBLICATION OF REPORT.] *Subdivision 1. Promptly after the filing of an apportionment plan the commission shall:*

(a) Prepare and transmit a copy of the plan to each county auditor;

(b) Prepare and transmit a summary of the plan to each news-

paper of general circulation and each radio and television station in the state; and

(c) Prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

Subd. 2. The summary shall contain:

(a) A map showing all the new districts in the state;

(b) Separate maps showing the districts in the principal area served by the newspaper, radio or television station;

(c) A statement of the population of each district;

(d) A statement of the percentage variation of each district from the average population of other districts of the same kind; and

(e) An indication of where a copy of the final report of the commission may be examined or purchased and its purchase price.

Sec. ... [2A.11] [JUDICIAL REVIEW.] Subdivision 1. An action to review an original or amended apportionment plan adopted by the reapportionment commission shall be commenced by petition to the supreme court within 30 days of the date the plan is filed with the secretary of state. The petition shall set forth the facts and the law on the basis of which petitioner believes the plan does not comply with the provisions of the United States Constitution, the Minnesota Constitution or other provisions of law. A copy of the petition shall be served upon the commission and upon the attorney general. The court shall hold hearings upon the petition and shall render its opinion on an original unamended plan of the commission within 60 days of the date that the petition is filed. The court shall render its opinion on an amended plan of the commission within 30 days of the date a petition is filed claiming the amended plan does not comply with constitutional or legal requirements.

Subd. 2. If the court determines that an original, unamended plan of the reapportionment commission does not comply with constitutional or legal requirements, the court shall specify the reasons for its finding and immediately remand the plan to the commission for amendment. If the court retains jurisdiction of an action to review an apportionment plan when the plan is remanded to the commission, the court shall render its opinion on any amended plan within 30 days after the date the amended plan is filed with the secretary of state.

Subd. 3. If a federal court determines that an original unamended plan of the reapportionment commission does not comply with constitutional or legal requirements, and the court permits the commission to redraw the boundaries with consideration to the court's findings and conclusions, the plan shall be remanded to the commission for amendment.

Subd. 4. If the commission fails to adopt an apportionment plan or an amended plan within the time provided by law, or an

amended plan adopted by the commission is found invalid upon review by the supreme court or by any federal court, the supreme court shall adopt its own reapportionment plan in accordance with the requirements of Article XV, Section 2, of the Minnesota Constitution. The court shall hold at least one public hearing before adopting or amending a plan. An apportionment plan adopted or amended by the supreme court shall be in the form prescribed for a plan adopted by the commission. The court shall adopt the plan or amended plan and file it with the secretary of state not later than 60 days from the date on which the commission was required to adopt its plan or the date on which the plan was declared invalid. The secretary of state shall perform the duties provided in section .. with respect to an apportionment plan adopted by the court.

Sec. ... [2A.12] [DUTIES OF ATTORNEY GENERAL.]

The attorney general shall represent the commission and shall defend the apportionment plan adopted by the commission in any action to review the plan in the supreme court. He shall represent the state and shall defend the apportionment plan adopted pursuant to Article XV of the Minnesota Constitution and sections .. to .. in any action to review the plan in a federal court. In any action in federal court, the attorney general shall request the court to expedite the proceedings.

Sec. ... [APPROPRIATION.] Subdivision 1. *The sum of \$100,000 is appropriated from the general fund to the reapportionment commission for the purpose of implementing sections .. to ... The sum is available March 1, 1981, and until expended.*

Subd. 2. *The sum of \$150,000 is appropriated from the general fund to the legislative coordinating commission for the development by March 1, 1981, of data processing support for reapportionment. The coordinating commission may obtain bids and proposals from and may enter contracts and agreements with private contractors and state agencies or departments for all or portions of the data processing support in a level that the coordinating commission finds appropriate. For the purpose of this paragraph, "data processing support" includes the purchase or use of computer hardware, software, professional services, including system design consultation, and data entry services. This appropriation is available the day after final enactment and until March 1, 1981. Any amount that remains unobligated on March 1, 1981, is appropriated to the reapportionment commission for implementation of sections .. to .., and is available until expended.*

Sec. ... [REPEALER.] *Minnesota Statutes 1978, Sections 2.041 to 2.712 are repealed on the effective date of this section. Minnesota Statutes 1978, Sections 2.731 to 2.811 are repealed on the date of the general election for representatives in congress following the effective date of an apportionment plan pursuant to article XV of the constitution.*

Sec. ... [EFFECTIVE DATE.] *Sections .. to .. and .. are*

effective on the date the constitutional amendment in section . . . is ratified as provided by the constitution.

Sec. . . . [BALLOT QUESTIONS.] Notwithstanding any law or rule to the contrary, the ballot question in section . . . shall immediately precede any other ballot questions placed on the ballot and submitted to the people at the 1980 general election. This section is effective the day following final enactment."

Amend the title as follows:

Page . . . , line . . . , after . . . , insert

"proposing an amendment to the Minnesota Constitution, changing Article IV, Sections 2 and 3, and adding a new article, to provide for establishment of the boundaries of congressional and legislative districts by a commission and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed reapportionment commission amendment by 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;"

Page . . . , line . . . , after . . . , insert

"and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811"

Mr. Luther questioned whether the amendment was germane.

The President ruled the amendment was not germane.

CALL OF THE SENATE

Mr. Sieloff imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Frederick	Olhoff	Schnitz	Stumpf
Bang	Gerty	Olson	Setzepfandt	Tennessee
Benedict	Jensen	Omann	Sieloff	Ueland, A.
Bernhagen	Keefe, J.	Perpich	Sikorski	Ulland, J.
Coleman	Knoll	Renneke	Stern	Vega
Davies	Luther	Rued	Stokowski	
Dunn	Merriam	Schaaf	Strand	

The Sergeant at Arms was instructed to bring in the absent members.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Keefe, S.	Omann	Sieloff
Bang	Gerty	Kleinbaum	Penny	Stern
Barrette	Gunderson	Knaak	Perpich	Stumpf
Benedict	Hanson	Knoll	Peterson	Tennessee
Bernhagen	Hughes	Luther	Purfeerst	Ueland, A.
Brataas	Humphrey	Merriam	Renneke	Vega
Coleman	Jensen	Nelson	Rued	Wegener
Davies	Johnson	Olhoff	Schnitz	
Dunn	Keefe, J.	Olson	Setzepfandt	

The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to Rule 21, Mr. Nichols moved that the following members be excused for a Conference Committee on S. F. No. 2351 at 4:00 o'clock p.m.

Messrs. Dunn, Peterson and Nichols. The motion prevailed.

Mr. Jensen appealed the decision of the President as to the germaneness of the Keefe, J. amendment.

The question before the Senate was: Shall the decision of the President be the judgment of the Senate?

The roll was called, and there were yeas 32 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Luther	Purfeerst	Strand
Benedict	Hughes	Menning	Schaaf	Stumpf
Chmielewski	Humphrey	Merriam	Schmitz	Vega
Coleman	Keefe, S.	Olhoft	Setzepfandt	Wegener
Davies	Kleinbaum	Olson	Sikorski	
Dieterich	Knoll	Penny	Solon	
Gearty	Laufenburger	Perpich	Stokowski	

Those who voted in the negative were:

Ashbach	Brataas	Jensen	Omann	Sieloff
Bang	Dunn	Keefe, J.	Pillsbury	Ueland, A.
Barrette	Engler	Knaak	Renneke	Ulland, J.
Bernhagen	Frederick	Knutson	Rued	

The decision of the President was sustained.

Mr. Sieloff moved that Rule 37 be suspended as to the Keefe, J. amendment.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 20 and nays 30, as follows:

Those who voted in the affirmative were:

Ashbach	Brataas	Jensen	Ogdahl	Rued
Bang	Dunn	Keefe, J.	Omann	Sieloff
Barrette	Engler	Knaak	Pillsbury	Ueland, A.
Bernhagen	Frederick	Knutson	Renneke	Ulland, J.

Those who voted in the negative were:

Anderson	Gunderson	Knoll	Penny	Sikorski
Benedict	Hughes	Laufenburger	Perpich	Solon
Chmielewski	Humphrey	Luther	Purfeerst	Stokowski
Davies	Johnson	Menning	Schaaf	Stumpf
Dieterich	Keefe, S.	Merriam	Schmitz	Vega
Gearty	Kleinbaum	Olhoft	Setzepfandt	Wegener

The motion did not prevail.

S. F. No. 1827 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. Ulland, J. moved that those not voting be excused from voting. The motion did not prevail.

The roll was called, and there were yeas 19 and nays 43, as follows:

Those who voted in the affirmative were:

Coleman	Johnson	Laufenburger	Sikorski	Stokowski
Davies	Keefe, S.	Luther	Spear	Stumpf
Gearty	Kleinbaum	Perpich	Staples	Vega
Humphrey	Knoll	Schaaf	Stern	

Those who voted in the negative were:

Anderson	Dunn	Knaak	Omann	Sieloff
Ashbach	Engler	Knutson	Penny	Solon
Bang	Frederick	Menning	Peterson	Strand
Barrette	Gunderson	Merriam	Pillsbury	Ueland, A.
Benedict	Hanson	Moe	Purfeerst	Ulland, J.
Bernhagen	Hughes	Nelson	Renneke	Wegener
Brataas	Jensen	Nichols	Rued	Willet
Chmielewski	Keefe, J.	Ogdahl	Schmitz	
Dieterich	Kirchner	Olhoft	Setzepfandt	

So the bill, as amended, failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Schmitz moved that H. F. No. 2289 be taken from the table. The motion prevailed.

H. F. No. 2289: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

SUSPENSION OF RULES

Mr. Schmitz 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. 2289 and that the rules of the Senate be so far suspended as to give H. F. No. 2289 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 2289 was read the second time.

Mr. Chmielewski moved to amend H. F. No. 2289 as follows:

Page 1, after line 6, insert:

“Section 1. An amendment to the Minnesota Constitution, adding a section to Article I, is proposed to the people of the state. If the amendment is adopted, the section will read:

Sec. 18. The right of a citizen to possess and use arms for recreation, for marksmanship training, or for the defense of home, person or property, shall not be abridged.

Sec. 2. The amendment shall be submitted at the 1980 general election. The following question shall be proposed:

“Shall the Minnesota Constitution be amended to provide that the right to possess and use arms for recreation, for marksmanship training, or for the defense of home, person or property, shall not be abridged?

Yes.....
No.....” ”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete “an amendment” and insert “amendments”

Page 1, line 3, delete the first comma and insert “; amending”

Page 1, line 3, delete “; removing” and insert “to remove”

Page 1, line 4, before the period, insert “; amending Article I by adding a section to provide that the right to possess and use arms shall not be abridged”

Mr. Purfeerst questioned whether the amendment was germane.

The President ruled the amendment was not germane.

H. F. No. 2289 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Perpich	Solon
Bang	Hanson	Knutson	Pillsbury	Stern
Barrette	Hughes	Laufenburger	Purfeerst	Stokowski
Bernhagen	Humphrey	Luther	Renneke	Strand
Brataas	Johnson	Menning	Rued	Ueland, A.
Chmielewski	Keefe, J.	Merriam	Schmitz	Ulland, J.
Dunn	Keefe, S.	Ogdahl	Setzepfandt	
Engler	Kleinbaum	Olson	Sieloff	
Frederick	Knaak	Omann	Sikorski	

Messrs. Davies, Olhoft and Stumpf voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1550: A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; removing the requirement that notaries public be approved by the Senate; amending Minnesota Statutes 1978, Section 359.01.

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 8, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Kleinbaum	Olson	Sikorski
Bang	Gunderson	Knoll	Perpich	Solon
Barrette	Hanson	Laufenburger	Pillsbury	Stern
Bernhagen	Hughes	Luther	Purfeerst	Stokowski
Chmielewski	Humphrey	Menning	Renneke	Strand
Davies	Jensen	Merriam	Rued	Stumpf
Dieterich	Johnson	Ogdahl	Schmitz	Vega
Engler	Keefe, S.	Olhoff	Setzpfandt	

Those who voted in the negative were:

Brataas	Knaak	Omann	Ueland, A.	Ulland, J.
Keefe, J.	Knutson	Sieloff		

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 121: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; removing references to legislative days.

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 23 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Kleinbaum	Perpich	Stumpf
Benedict	Hughes	Luther	Purfeerst	Vega
Dieterich	Humphrey	Merriam	Sikorski	Wegener
Gearty	Johnson	Olhoff	Solon	
Gunderson	Keefe, S.	Olson	Stokowski	

Those who voted in the negative were:

Bang	Engler	Knutson	Pillsbury	Ueland, A.
Barrette	Frederick	Laufenburger	Renneke	Ulland, J.
Bernhagen	Jensen	Menning	Rued	
Brataas	Keefe, J.	Ogdahl	Schmitz	
Chmielewski	Knaak	Omann	Sieloff	
Davies	Knoll	Penny	Stern	

So the bill failed to pass.

NOTICE OF RECONSIDERATION

Mr. Davies gave notice of intention to move for reconsideration of S. F. No. 121.

SPECIAL ORDER

S. F. No. 1762: A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, Article XI, by adding a section; allowing state spending to be a fixed

proportion of state personal income; providing a statute implementing the amendment.

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 7, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knoll	Perpich	Solon
Bang	Gunderson	Knutson	Pillsbury	Stern
Barrette	Hanson	Laufenburger	Purfeerst	Stokowski
Benedict	Hughes	Luther	Renneke	Strand
Bernhagen	Humphrey	Menning	Rued	Ueland, A.
Chmielewski	Jensen	Olhoft	Schmitz	Ulland, J.
Dieterich	Keefe, J.	Olson	Setzepfandt	Vega
Engler	Kleinbaum	Omann	Sieloff	Wegener
Frederick	Knaak	Penny	Sikorski	

Those who voted in the negative were:

Brataas	Johnson	Merriam	Ogdahl	Stumpf
Davies	Keefe, S.			

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1878: A bill for an act relating to no-fault automobile insurance; coordinating benefits with medicare and workers' compensation; extending eligibility for the assigned claims plan; providing for mandatory uninsured motorist coverage; eliminating certain mandatory offers; amending Minnesota Statutes 1978, Sections 65B.46, Subdivision 2; 65B.49, by adding a subdivision; 65B.61, Subdivisions 1 and 2, and by adding subdivisions; 65B.64, Subdivision 1; repealing Minnesota Statutes 1978, Section 65B.49, Subdivisions 5 and 6.

Mr. Davies moved that the amendment made to H. F. No. 1878 by the Committee on Rules and Administration in the report adopted April 1, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1878 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Lessard	Pillsbury	Stumpf
Bang	Gunderson	Luther	Renneke	Tennessee
Barrette	Hughes	Menning	Rued	Ueland, A.
Brataas	Johnson	Merriam	Schmitz	Ulland, J.
Chmielewski	Keefe, S.	Olhoft	Setzepfandt	Vega
Davies	Knaak	Olson	Sikorski	Wegener
Dieterich	Knoll	Omann	Stern	
Engler	Knutson	Penny	Stokowski	
Frederick	Laufenburger	Perpich	Strand	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 140: A bill for an act relating to real estate; enacting the uniform condominium act; providing for taxation as a separate parcel; regulating eminent domain awards; regulating the creation of condominiums; protecting the purchasers of condominiums; regulating condominium declaration; regulating the management of condominiums.

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:

Anderson	Gearty	Knutson	Penny	Strand
Bang	Gunderson	Laufenburger	Perpich	Stumpf
Barrette	Hughes	Lessard	Pillsbury	Ueland, A.
Benedict	Humphrey	Luther	Renneke	Ulland, J.
Brataas	Jensen	Menning	Rued	Vega
Chmielewski	Johnson	Merriam	Schmitz	Wegener
Davies	Keefe, J.	Ogdahl	Setzpfandt	
Dieterich	Keefe, S.	Olhoff	Sikorski	
Engler	Knaak	Olson	Solon	
Frederick	Knoll	Omann	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2019: A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, 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 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Perpich	Stokowski
Bang	Gearty	Lessard	Pillsbury	Strand
Barrette	Gunderson	Luther	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Renneke	Ueland, A.
Bernhagen	Jensen	Nelson	Rued	Ulland, J.
Brataas	Johnson	Ogdahl	Schaaf	Vega
Chmielewski	Keefe, S.	Olhoff	Schmitz	Wegener
Davies	Kirchner	Olson	Setzpfandt	
Dieterich	Knaak	Omann	Sikorski	
Engler	Knoll	Penny	Solon	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mrs. Staples moved that the following members be excused for a Conference Committee on S. F. No. 702:

Messrs. Nelson, Kirchner and Mrs. Staples. The motion prevailed.

SPECIAL ORDER

H. F. No. 2045: A bill for an act relating to economic development; creating a small business finance agency with authority to issue and sell tax exempt obligations to provide loans for small business and pollution control projects; requiring reports.

Mr. Ogdahl moved to amend H. F. No. 2045, as amended pursuant to Rule 49, adopted by the Senate April 1, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1806.)

Page 2, after line 32, insert:

"Subd. 9. "Business loan" means a loan, other than a pollution control loan, to the owner of a small business for the interim or long term financing of capital expenditures for the acquisition or improvement of land, construction or improvement of buildings, or acquisition and installation of fixtures and equipment useful for the conduct of the business."

Page 2, line 33, delete "9" and insert "10"

Page 3, line 5, delete "as"

Page 3, line 6, after "694-2," delete "and" and insert "as"

Page 3, after line 28, insert:

"Because of its ability to pool or combine loans to be funded from one or more issues of bonds, 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."

Page 6, line 14, after "purchasing" insert "business loans and"

Page 6, after line 16, insert:

"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 and personal property;

(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 in accordance with plans and specifications, unless the 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."

Renumber the subdivisions in sequence

Page 7, line 11, after "loan" insert "or business"

Page 9, line 24, after the period insert "Obligations issued to participate in making or purchasing business loans pursuant to section 3, subdivision 2, shall be payable solely from revenues derived by the agency from repayments of such loans and from enforcement of the security therefor, or from a general reserve fund irrevocably pledged and appropriated to pay principal and interest due, for which other funds are not available. No such obligations shall be issued at any time unless the amount then held or then deposited in the general reserve fund equals at least ten percent of the aggregate principal amount of all such obligations then issued and then outstanding."

Page 11, line 1, delete "pollution control" and insert "small business"

The motion prevailed. So the amendment was adopted.

Mr. Laufenburger moved to amend H. F. No. 2045, as amended pursuant to Rule 49, adopted by the Senate April 1, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1806.)

Page 9, line 20, delete "\$20,000,000" and insert "\$30,000,000"

The motion prevailed. So the amendment was adopted.

H. F. No. 2045 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Laufenburger	Pillsbury	Strand
Bang	Gearty	Lessard	Purfeerst	Stumpf
Barrette	Hughes	Menning	Renneke	Ueland, A.
Benedict	Humphrey	Ogdahl	Rued	Ulland, J.
Bernhagen	Jensen	Olhoft	Schmitz	Vega
Brataas	Johnson	Olson	Setzepfandt	Wegener
Chmielewski	Kleinbaum	Omann	Sikorski	
Dieterich	Knaak	Penny	Solon	
Engler	Knutson	Perpich	Stokowski	

Those who voted in the negative were:

Davies	Keefe, S.	Knoll	Luther	Merriam
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So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2429: A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

Mr. Solon moved that the amendment made to H. F. No. 2429 by the Committee on Rules and Administration in the report adopted March 27, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Solon then moved that the Solon amendment to H. F. No. 2429 adopted by the Senate March 31, 1980 be stricken. The motion prevailed. So the amendment was stricken.

Mr. Sikorski moved to amend H. F. No. 2429 as follows:

Page 1, line 15, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 2, line 18, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 2, line 22, after the second "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 3, line 24, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

Page 3, line 28, after "association," insert "*a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs,*"

The motion prevailed. So the amendment was adopted.

Mr. Bang moved to amend H. F. No. 2429 as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 48.153, is amended to read:

48.153 [INSTALLMENT LOANS; FINANCE CHARGES; MINIMUM CHARGES.] Any bank organized under the laws of this state, or any national banking association doing business in this state, making any loan of money not exceeding \$25,000 repayable in installments, may make a finance charge for such the loan to be computed at a rate which does not exceed 12 percent per annum upon the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral. Any savings bank organized pursuant to chapter 50, and any savings association or savings and loan association subject to the provisions of sections 51A.01 to 51A.57 and any savings and loan association chartered under the laws of the United States having its principal place of business in this state, may make a loan for consumer purposes to any natural person in an amount not exceeding \$7,500 repayable in installments, and may make a finance charge for the loan to be computed at a rate not exceeding 12 percent per annum on the unpaid principal balance of the amount financed. Installment payments shall not extend beyond a period of five 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge or other collateral. Charges in reference to installment loans under this section shall be computed and collected only on the unpaid principal balance of the amount financed actually outstanding. One day's finance charge shall mean an amount equal to $1/365$ of the per annum rate provided for in an installment loan. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10. No loan shall be made pursuant to this section if over 50 percent of the proceeds of the loan are used to finance the purchase of a borrower's primary residence other than a mobile home."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to financial institutions; granting

certain lending powers to savings associations and savings and loan associations; providing for interest rates on certain installment loans; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 48.153; 334.02; 334.03; and Chapter 48, by adding a section."

The motion prevailed. So the amendment was adopted.

Mr. Engler moved to amend H. F. No. 2429 as follows:

Page 3, after line 30, insert:

"Sec. 5. With the prior approval of the commissioner of banks, any bank doing business within the town of Castle Rock in Dakota County may establish and maintain not more than one detached facility within the town of Castle Rock. Any bank desiring to establish a detached facility shall follow the approval procedure prescribed in Minnesota Statutes, Section 47.54. The establishment of a detached facility in the town shall be subject to the provisions of Minnesota Statutes, Sections 47.51 to 47.57 except insofar as inconsistent with this section."

Page 3, line 3, delete "This act is" and insert "Sections 1 to 4 are"

Page 4, line 5, after the period, insert "Section 5 is effective when approved by the town board of the town of Castle Rock and upon compliance with Minnesota Statutes, Section 645.021."

Renumber the sections in sequence

Amend the Bang title amendment as follows:

Page 2, line 28, after the semicolon, insert "authorizing the establishment of a detached banking facility in the town of Castle Rock;"

Mr. Solon questioned whether the amendment was germane.

The President ruled the amendment was germane.

The question was taken on the adoption of the amendment.

The motion prevailed. So the amendment was adopted.

H. F. No. 2429 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 38 and nays 6, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knaak	Penny	Solon
Barrette	Frederick	Knoll	Peterson	Strand
Benedict	Gearty	Laufenburger	Pillsbury	Ueland, A.
Bernhagen	Gunderson	Luther	Purfeerst	Ulland, J.
Brataas	Humphrey	Nelson	Rued	Vega
Davies	Keefe, S.	Nichols	Schmitz	Wegener
Dieterich	Kirchner	Olson	Setzepfandt	
Dunn	Kleinbaum	Omann	Sikorski	

Those who voted in the negative were:

Hughes	Menning	Merriam	Olhoft	Perpich
Johnson				

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

SPECIAL ORDER

H. F. No. 2090: A bill for an act relating to intoxicating liquor; authorizing the issuance of Sunday sales licenses by county boards in unorganized territory without voter approval; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

Mr. Johnson moved that the amendment made to H. F. No. 2090 by the Committee on Rules and Administration in the report adopted March 27, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 2090 was then progressed.

SPECIAL ORDER

H. F. No. 2268: A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.

Mr. Kirchner moved to amend H. F. No. 2268, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2161.)

Page 3, line 30, delete everything after "2." and insert "*With respect to specific transactions between a bank holding company and a state bank affiliate, the commissioner shall have the authority to examine the records of the holding company that pertain to the transactions to the same extent as if the holding company were a state bank or trust company.*"

Page 3, delete lines 31 to 33

Page 4, delete lines 1 and 2

Page 4, line 3, delete everything before "*For*"

The motion prevailed. So the amendment was adopted.

Mr. Nichols moved to amend H. F. No. 2268, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2161.)

Page 4, after line 7, insert:

"Sec. 2. Minnesota Statutes 1978, Section 46.07, is amended by adding a subdivision to read:

Subd. 3. Notwithstanding subdivision 2, on August 1, 1980, and annually thereafter, the commissioner shall make available for public inspection a list for each bank of all individuals, associations and corporations owning 15 percent or more of the outstanding shares of any class of stock of the bank. Banks shall provide this list to the commissioner upon his request."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring availability of bank ownership information;"

Page 1, line 6, delete "Section" and insert "Sections 46.07, by adding a subdivision; and"

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

H. F. No. 2268 was then progressed.

RECESS

Mr. Coleman 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 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.

Messrs. Olson, Menning, Wegener, Chmielewski and Penny introduced—

S. F. No. 2423: A bill for an act relating to taxation; motor vehicle excise tax; providing that the proceeds from the transfer of a new motor vehicle shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1978, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.

Referred to the Committee on Transportation.

Messrs. Sieloff, Merriam, Frederick, Davies and Peterson introduced—

S. F. No. 2424: A bill for an act relating to taxation; recodifying the income tax laws; deleting obsolete provisions; amending

Minnesota Statutes 1978, as amended by Laws of Minnesota by adding sections; repealing Minnesota Statutes 1978, Chapter 290, as amended.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Bernhagen, Omann, Setzepfandt, Engler and Rued introduced—

S. F. No. 2425: A resolution memorializing the President and Congress to take immediate action to provide necessary and adequate credit to the American farmer to ensure timely spring planting.

Referred to the Committee on Rules and Administration.

Mr. Kleinbaum introduced—

S. F. No. 2426: A bill for an act relating to taxation; income tax; excluding certain interest income from gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 2427: A bill for an act relating to taxation; income tax; providing a credit for contributions to institutions of higher education; amending Minnesota Statutes 1978, Chapter 290, by adding a section.

Referred to the Committee on Taxes and Tax Laws.

Mr. Kleinbaum introduced—

S. F. No. 2428: A bill for an act relating to natural resources; providing for a legislative study commission to study the effect of the increasing use of firewood on the forests of the state; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

Messrs. Olson and Menning introduced—

S. F. No. 2429: A bill for an act relating to transportation; requiring the early construction of trunk highway marked No. 60 between Worthington and St. James.

Referred to the Committee on Transportation.

Messrs. Menning, Chmielewski, Omann and Schmitz introduced—

S. F. No. 2430: 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.

Referred to the Committee on Judiciary.

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

APPOINTMENTS

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

H. F. No. 2470: Messrs. Moe; Tennessen; Humphrey; Kleinbaum; Keefe, J.

H. F. No. 1662: Mrs. Staples, Messrs. Nelson, Ogdahl.

H. F. No. 1931: Messrs. Stumpf, Hughes, Mrs. Brataas.

H. F. No. 729: Messrs. Vega; Nelson; Keefe, J.

H. F. No. 1302: Messrs. Bang, Laufenburger, Johnson.

H. F. No. 2040: Messrs. Tennessen; Keefe, J.; Stern.

H. F. No. 1816: Messrs. Solon, Nelson, Vega.

H. F. No. 1201: Messrs. Dunn, Nichols, Peterson.

H. F. No. 1612: Messrs. Sikorski, Merriam, Engler.

H. F. No. 1847: Messrs. Sikorski; Nelson; Keefe, J.

H. F. No. 1534: Messrs. Strand, Lessard, Frederick.

H. F. No. 2082: Messrs. Schaaf; Keefe, S.; Johnson; Ueland, A.; Jensen.

H. F. No. 874: Messrs. Schaaf; Dieterich; Keefe, J.

H. F. No. 2187: Messrs. Luther; Stern; Keefe, J.

H. F. No. 1095: Messrs. Hanson, Bernhagen, Merriam.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

Pursuant to Rule 21, Mr. Stern moved that the following members be excused for a Conference Committee on H. F. No. 2040:

Messrs. Stern; Keefe, J. and Tennesen. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. McCutcheon moved that S. F. No. 599, on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Mr. Schmitz moved that S. F. No. 2203, on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

MEMBERS EXCUSED

Mr. Sieloff was excused from the Session of today at 4:30 o'clock p.m. Mr. Sikorski was excused from the Session of today from 11:45 o'clock a.m. to 12:45 o'clock p.m. Mr. Tennesen was excused from the Session of today from 3:18 to 4:15 o'clock p.m. Mr. Lessard was excused from the Session of today from 3:20 to 4:25 o'clock p.m. Mr. Ogdahl was excused from the Session of today at 5:00 o'clock p.m. Messrs. Penny, Knoll and Barrette were excused from the Session of today from 3:00 to 4:00 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Thursday, April 3, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-THIRD DAY

St. Paul, Minnesota, Thursday, April 3, 1980

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dieterich	Kleinbaum	Penny	Spear
Ashbach	Dunn	Laufenburger	Perpich	Staples
Bang	Gearty	Luther	Pillsbury	Stern
Barrette	Hanson	Menning	Purfeerst	Stokowski
Bernhagen	Hughes	Moe	Renneke	Stumpf
Chmielewski	Jensen	Ogdahl	Rued	Tennessen
Coleman	Johnson	Olhoft	Setzepfandt	Vega
Davies	Keefe, S.	Omann	Solon	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Senator Emery Barrette.

MEMBERS EXCUSED

Messrs. Sillers and Lessard were excused from the Session of today. Mr. Menning was excused from the Session of today at 2:30 o'clock p.m. Mr. Knoll was excused from the Session of today from 2:30 to 3:45 o'clock p.m.

RECESS

Mr. Coleman moved that the Senate do now recess until 11:00 o'clock a.m. The motion prevailed.

The hour of 11:00 o'clock a.m. having arrived, the President called the Senate to order.

RECESS

Mr. Keefe, S. moved that the Senate do now recess until 2:00 o'clock p.m. The motion prevailed.

The hour of 2:00 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. McCutcheon moved that the following members be excused for a Conference Committee on H. F. No. 1121:

Messrs. Peterson, Hanson, Johnson and McCutcheon. The motion prevailed.

CALL OF THE SENATE

Mr. Schaaf imposed a call of the Senate. The following Senators answered to their names:

Barrette	Gunderson	Menning	Perpich	Stokowski
Benedict	Hughes	Merriam	Purfeerst	Stumpf
Brataas	Johnson	Moe	Rued	Tennessen
Chmielewski	Keefe, S.	Nelson	Schaaf	Ueland, A.
Dieterich	Knaak	Ogdahl	Setzepfandt	Ulland, J.
Dunn	Knutson	Olson	Sikorski	Vega
Engler	Laufenburger	Omann	Staples	Willet
Gearty	Luther	Penny	Stera	

The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on S. F. No. 133:

Messrs. Davies, Spear and Bernhagen. The motion prevailed.

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

Anderson	Frederick	Knutson	Perpich	Staples
Ashbach	Gearty	Laufenburger	Peterson	Stern
Bang	Gunderson	Luther	Pillsbury	Stokowski
Barrette	Hanson	Menning	Purfeerst	Strand
Benedict	Hughes	Merriam	Renneke	Stumpf
Bernhagen	Humphrey	Moe	Rued	Tennessen
Brataas	Jensen	Nelson	Schaaf	Ueland, A.
Chmielewski	Johnson	Nichols	Schmitz	Ulland, J.
Coleman	Keefe, J.	Ogdahl	Setzepfandt	Vega
Davies	Keefe, S.	Olhoff	Sieloff	Wegener
Dieterich	Kleinbaum	Olson	Sikorski	Willet
Dunn	Knaak	Omann	Solon	
Engler	Knoll	Penny	Spear	

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 1, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
	1207	426	April 1	April 1
	1408	427	April 1	April 1
	1732	428	April 1	April 1
	1834	429	April 1	April 1
	2024	430	April 1	April 1
	2047	431	April 1	April 1
1675		432	April 1	April 1
1797		433	April 1	April 1
2168		434	April 1	April 1

Sincerely,
Joan Anderson Growe,
Secretary of State

MOTIONS AND RESOLUTIONS

Remaining on the Order of Business of Motions and Resolutions, Mr. Keefe, S. moved to take up the Special Orders Calendar. The motion prevailed.

SPECIAL ORDER

H. F. No. 870: A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3, and by adding a subdivision; and 141.35.

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:

Anderson	Hanson	Merriam	Peterson	Stern
Barrette	Johnson	Moe	Pillsbury	Stokowski
Benedict	Keefe, J.	Nelson	Purfeerst	Strand
Chmielewski	Keefe, S.	Nichols	Renneke	Stumpf
Dieterich	Kleinbaum	Ogdahl	Rued	Ulland, J.
Dunn	Knaak	Olhoff	Schmitz	Vega
Engler	Knoll	Olson	Setzepfandt	Wegener
Frederick	Knutson	Omann	Sieloff	Willet
Gearty	Laufenburger	Penny	Sikorski	
Gunderson	Luther	Perpich	Staples	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 2302: A bill for an act relating to financial institutions; requiring all checks and drafts drawn on certain accounts to clearly display the month and year the account was opened.

Mr. Laufenburger moved to amend H. F. No. 2302, as amended pursuant to Rule 49, adopted by the Senate March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2284.)

Page 1, line 13, after "thereof" insert ", for a period of not less than one year,"

Page 1, line 15, delete "had"

Page 1, line 16, delete "in good standing" and delete "or another"

Mr. Olhoff requested division of the amendment as follows:

First portion:

Page 1, line 13, after "thereof" insert ", for a period of not less than one year,"

Second portion:

Page 1, line 15, delete "had"

Page 1, line 16, delete "in good standing" and delete "or another"

The question was taken on the adoption of the first portion of the Laufenburger amendment. The motion prevailed. So the first portion of the amendment was adopted.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate for the proceedings on H. F. No. 2302. The following Senators answered to their names:

Anderson	Gearty	Laufenburger	Perpich	Stokowski
Bang	Gunderson	Luther	Peterson	Strand
Bernhagen	Hughes	Merriam	Pillsbury	Stumpf
Chmielewski	Jensen	Moe	Rued	Tennessee
Davies	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Sieloff	Vega
Dunn	Knaak	Olhoff	Solon	Willet
Engler	Knutson	Olson	Spear	

The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the second portion of the Laufenburger amendment.

Mr. Laufenburger moved that those not voting be excused from voting. The motion did not prevail.

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

The roll was called, and there were yeas 23 and nays 19, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knaak	Olson	Ueland, A.
Barrette	Gunderson	Knutson	Omann	Ulland, J.
Bernhagen	Jensen	Laufenburger	Pillsbury	Wegener
Dieterich	Keefe, J.	Nichols	Renneke	
Dunn	Kleinbaum	Ogdahl	Sieloff	

Those who voted in the negative were:

Anderson	Hughes	Merriam	Peterson	Stokowski
Chmielewski	Keefe, S.	Moe	Schaaf	Stumpf
Davies	Luther	Olhoff	Sikorski	Willet
Gearty	McCutcheon	Perpich	Spear	

The motion prevailed. So the second portion of the amendment was adopted.

H. F. No. 2302 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 33 and nays 25, as follows:

Those who voted in the affirmative were:

Bang	Gunderson	Menning	Rued	Strand
Barrette	Johnson	Nichols	Setzepfandt	Ueland, A.
Bernhagen	Keefe, J.	Olson	Sieloff	Ulland, J.
Chmielewski	Kleinbaum	Omann	Solon	Wegener
Dunn	Knaak	Penny	Staples	Willet
Engler	Knutson	Pillsbury	Stern	
Gearty	Laufenburger	Purfeerst	Stokowski	

Those who voted in the negative were:

Anderson	Frederick	Luther	Ogdahl	Sikorski
Ashbach	Hanson	McCutcheon	Olhoff	Spear
Benedict	Hughes	Merriam	Perpich	Stumpf
Davies	Humphrey	Moe	Peterson	Tennessee
Dieterich	Keefe, S.	Nelson	Schaaf	Vega

So the bill, as amended, failed to pass.

SPECIAL ORDER

S. F. No. 1941: A bill for an act relating to corrections; creating an advisory task force; appropriating money for local correctional facility construction; authorizing issuance of state bonds; amending Minnesota Statutes 1978, Section 241.022, 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 43 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Nelson	Schaaf	Stokowski
Ashbach	Hughes	Nichols	Schmitz	Strand
Bang	Humphrey	Ogdahl	Setzepfandt	Stumpf
Barrette	Jensen	Olhoft	Sieloff	Tennessee
Benedict	Johnson	Olson	Sikorski	Vega
Bernhagen	Keefe, S.	Omann	Solon	Wegener
Chmielewski	Knaak	Perpich	Spear	Willet
Davies	Knutson	Purfeerst	Staples	
Dieterich	Merriam	Renneke	Stern	

Mr. Ulland, J. voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S. F. No. 1696: 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.

Mr. Davies moved to amend S. F. No. 1696 as follows:

Page 2, line 31, delete "fourth" and insert "fifth"

The motion prevailed. So the amendment was adopted.

S. F. No. 1696 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 19, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Nichols	Solon	Tennessee
Benedict	Keefe, S.	Olhoft	Spear	Vega
Chmielewski	Laufenburger	Olson	Staples	Wegener
Davies	Luther	Perpich	Stern	Willet
Dieterich	Merriam	Schaaf	Stokowski	
Gearty	Moe	Schmitz	Strand	
Gunderson	Nelson	Sikorski	Stumpf	

Those who voted in the negative were:

Bang	Frederick	Knoll	Penny	Rued
Barrette	Jensen	Knutson	Pillsbury	Sieloff
Bernhagen	Keefe, J.	Ogdahl	Purfeerst	Ulland, J.
Engler	Knaak	Omann	Renneke	

So the bill, as amended, failed to pass.

SPECIAL ORDER

H. F. No. 1995: A bill for an act relating to health care; exclud-

ing coverage of certain services in the Comprehensive Health Insurance plan; extending the pre-existing condition period; qualifying certain services covered by the Catastrophic Health Expense Protection program; repealing certain provisions; amending Minnesota Statutes 1978, Section 62E.12.

Mrs. Staples moved that the amendment made to H. F. No. 1995 by the Committee on Rules and Administration in the report adopted April 2, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mrs. Staples then moved to amend H. F. No. 1995 as follows:

Page 2, delete section 2

Page 3, line 7, delete everything after the period

Page 3, line 8, delete everything before "The"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, delete everything after the semicolon

Page 1, line 5, delete "condition period;"

Page 1, line 8, delete "Section" and insert "Sections"

Page 1, line 9, delete "62E.14, Subdivision 3;"

The motion prevailed. So the amendment was adopted.

H. F. No. 1995 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Merriam	Rued	Strand
Ashbach	Gearty	Nelson	Schaaf	Stumpf
Barrette	Gunderson	Olhoft	Setzepfandt	Tennessen
Benedict	Hughes	Olson	Sieloff	Ueland, A.
Bernhagen	Keefe, J.	Omann	Sikorski	Ulland, J.
Chmielewski	Knaak	Penny	Solon	Vega
Davies	Knoll	Perpich	Spear	Wegener
Dieterich	Knutson	Pillsbury	Staples	Willet
Dunn	Laufenburger	Purfeerst	Stern	
Engler	Luther	Renneke	Stokowski	

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

SPECIAL ORDER

H. F. No. 1823: A bill for an act relating to transportation; permitting informational notations on recorded maps and plats; simplifying correction of errors on them; amending Minnesota Statutes 1978, Section 160.085, Subdivision 1, 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 44 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Olhoft	Schaaf	Strand
Ashbach	Gearty	Olson	Setzepfandt	Stumpf
Barrette	Gunderson	Omann	Sieloff	Tennesen
Benedict	Hughes	Penny	Sikorski	Ueland, A.
Bernhagen	Humphrey	Perpich	Solon	Ulland, J.
Davies	Keefe, J.	Pillsbury	Spear	Vega
Dieterich	Luther	Purfeerst	Staples	Wegener
Dunn	Merriam	Renneke	Stern	Willet
Engler	Nelson	Rued	Stokowski	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1838: A bill for an act relating to taxation; real property; clarifying the treatment of cooperatives and charitable corporations; amending Minnesota Statutes 1978, Section 273.133, Subdivision 1.

Mr. Dieterich moved to amend H. F. No. 1838 as follows:

Page 2, after line 20, insert:

"Sec. 2. Minnesota Statutes 1978, 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, 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.*

Sec. 3. Minnesota Statutes 1978, Section 290.09, is amended by adding a subdivision to read:

Subd. 17a. If the original seller acquires any stock of a cooperative apartment corporation (1) from the corporation by purchase, or (2) by foreclosure, or by instrument in lieu of foreclosure, of any purchase-money security interest in stock of the corporation held by the original seller, for purposes of subdivision 17, the original seller shall be treated as a tenant-stockholder for a period not to exceed three years from the date of acquisition. This subdivision shall apply with respect to any acquisition of stock of a cooperative apartment corporation only if, together with acquisition, the original seller acquires the right to occupy an apartment to which the stock is appurtenant. For purposes of the preceding sentence, there shall not be taken into account the fact that, by agreement with a cooperative apartment corporation, the original seller or its nominee may not occupy an apartment without the prior approval of the corporation. The term "original seller" means the person or corporation from whom the cooperative apartment corporation has acquired the apartments or leaseholds therein."

Page 2, line 21, delete "This act" and insert "Sections 1 and 2"

Page 2, line 23, after the period insert "Sections 3 and 4 are effective for taxable years beginning after December 31, 1979."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon insert "allowing lending institutions and original sellers to qualify as tenant-stockholders of cooperative apartment corporations;"

Page 1, line 5, delete "Section" and insert "Sections" and after "1" insert "; and 290.09, Subdivision 17, and by adding a subdivision"

The motion prevailed. So the amendment was adopted.

Mr. Dieterich then moved to amend H. F. No. 1838 as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 1978, Section 273.13, is amended by adding a subdivision to read:

Subd. 17d. [NEIGHBORHOOD REAL ESTATE TRUSTS.] When a structure, consisting of one or more dwelling units, is owned by a neighborhood real estate trust and at least 60 percent of the dwelling units 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, the structure shall be assessed at 20 percent of the market value. This subdivision shall not apply to any portion of the structure used for nonresidential purposes.

For purposes of this subdivision, neighborhood real estate trust means an entity which (a) is a nonprofit corporation organized under chapter 317; (b) has as its principal purpose providing housing for lower income families in a specific geographic community designated in its articles or bylaws; (c) limits membership with voting rights to residents of the designated community; and (d) has a board of directors consisting of at least seven directors, 60 percent of whom are voting members and 25 percent of whom are elected by resident members of buildings owned by the trust."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "providing for the assessment of neighborhood real estate trusts;"

Page 1, line 5, delete "Section" and insert "Sections 273.13, by adding a subdivision; and"

The motion prevailed. So the amendment was adopted.

H. F. No. 1838 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 43 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Davies	Knoll	Omann	Schaaf
Ashbach	Dieterich	Knutson	Penny	Schmitz
Bang	Engler	Luther	Perpich	Setzepfandt
Barrette	Gearly	Merriam	Pillsbury	Sieloff
Benedict	Hughes	Nelson	Purfeerst	Solon
Bernhagen	Humphrey	Olhoff	Renneke	Spear
Chmielewski	Knaak	Olson	Rued	Stern

Stakowski	Stumpf	Ueland, A.	Wegener	Willet
Strand	Tennessee	Vega		

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

RECONSIDERATION

Mr. Davies moved that the vote whereby S. F. No. 121 failed to pass the Senate on April 2, 1980, be now reconsidered. The motion prevailed.

Mr. Davies moved that S. F. No. 121 be laid on the table. The motion prevailed.

Pursuant to Rule 21, Mr. Perpich moved that the following members be excused for a Conference Committee on H. F. No. 475 from 4:00 to 5:00 p.m.

Messrs. Perpich, Nelson and Mrs. Staples. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 1843 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1843

A bill for an act relating to transportation; establishing a state rail bank for abandoned rail lines; amending Minnesota Statutes 1978, Chapter 222, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 174.03, Subdivision 4; 222.50, Subdivision 7; and 222.65.

March 31, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1843, 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. 1843 be further amended as follows:

Page 4, line 7, before "potential" insert "present or"

Page 4, line 8, after "rail" insert "freight or"

Page 4, delete lines 13 to 21 and insert

"The commissioner shall provide for the maintenance including control of weeds, of any right-of-way that is included in the rail bank. The commissioner shall provide for the maintenance and management of any right-of-way that is acquired under the rail bank program in a manner that minimizes maintenance costs and

provides a benefit to the state. The commissioner may also require that any existing railroad track that is included in the acquired right-of-way shall not be removed during the period the right-of-way is included in the state rail bank."

Page 4, line 28, before "area" delete "the" and insert "each"

Page 5, line 28, before the period insert "at its fully appraised value"

Page 6, after line 24, insert:

"Sec. 5. The commissioner of natural resources may, in the same manner as provided by law for the sale of trust fund lands, sell at public auction the lands and interests in lands relating to the abandoned railway line located in Mower and Fillmore Counties which were acquired by the state in 1978 from the Chicago and Northwestern Transportation Company and which lie between the intersection of U.S. Highways 16 and 63 near the city of Spring Valley in Fillmore County and the intersection of the railway line with the Minnesota and Iowa border at a point southwest of LeRoy in Mower County. The commissioner may subdivide the lands and interests in lands into smaller parcels for the purpose of this sale.

Sec. 6. In any county in which a combination railroad and highway bridge is closed the county board may lease or purchase such bridge. The subsequent use and operation of the combination bridge shall conform to and be compatible with the existing uses adjoining both sides of that bridge. The county board may establish and from time to time adjust tolls to be charged for vehicular use of the bridge at the rate or rates and on the basis the county board may deem appropriate to provide revenues sufficient to finance the lease, purchase, operation, repair, and maintenance of the bridge and toll facilities. The revenues from the bridge tolls shall only be used for the lease, purchase, repair, operation, and maintenance of the bridge and toll facilities. Notwithstanding the provisions of this section, if the state purchases the combination bridge the county may lease the bridge from the state by contract.

Sec. 7. Minnesota Statutes 1978, Chapter 222, is amended by adding a section to read:

[222.64] [EMPLOYMENT PREFERENCE.] *Individuals who have been previously employed by railroads, whose users obtain guaranteed loans or other assistance pursuant to sections 222.46 to 222.64, shall have priority, based upon their length of service with that railroad, in employment with a purchasing carrier or other operator of a railroad benefiting from those loans or other assistance.*

Sec. 8. *This act is effective the day following its final enactment."*

Amend the title as follows:

Page 1, line 3, after the semicolon insert "providing for the sale of certain abandoned railway lines in certain counties; providing for the purchase or lease of certain bridges by counties,

authorizing toll charges for vehicular use thereof, and specifying the purposes for which the revenue may be used; providing for employment preferences for certain rail employees under certain circumstances;”

Page 1, lines 4 and 5, delete “a section” and insert “sections”

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Irving M. Stern, Timothy J. Penny, William G. Kirchner

House Conferees: (Signed) Arlene I. Lehto, Bruce Anderson, Delbert F. Anderson

CALL OF THE SENATE

Mr. Stern imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Knaak	Renneke	Stern
Ashbach	Frederick	Knoll	Rued	Stokowski
Bang	Gearty	Knutson	Schmitz	Strand
Barrette	Gunderson	Luther	Setzepfand	Stumpf
Benedict	Hughes	Olhoff	Sieloff	Ueland, A.
Bernhagen	Jensen	Omann	Sikorski	Ulland, J.
Davies	Johnson	Penny	Solon	Vega
Dunn	Keefe, S.	Purfeerst	Spear	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 2470 at 4:00 p.m.:

Messrs. Moe, Humphrey, Tennesen, Kleinbaum and Keefe, J. The motion prevailed.

Mr. Stern moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1843 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. 1843 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 12, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Nelson	Renneke	Strand
Bang	Gunderson	Ogdahl	Rued	Ueland, A.
Benedict	Hanson	Olhoff	Schaaf	Ulland, J.
Bernhagen	Hughes	Olson	Schmitz	Wegener
Chmielewski	Keefe, S.	Omann	Setzepfand	Willet
Coleman	Knaak	Penny	Sikorski	
Dunn	Knutson	Perpich	Staples	
Engler	Luther	Peterson	Stern	
Frederick	Merriam	Pillsbury	Stokowski	

Those who voted in the negative were:

Ashbach	Dieterich	Laufenburger	Sieloff	Stumpf
Barrette	Jensen	Purfeerst	Solon	Vega
Davies	Knoll			

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MEMBERS EXCUSED

Mr. Sikorski was excused from the Session of today from 2:45 to 3:15 o'clock p.m. and from 3:45 to 4:15 o'clock p.m.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 6:00 o'clock p.m., Monday, April 7, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-FOURTH DAY

St. Paul, Minnesota, Monday, April 7, 1980

The Senate met at 6:00 o'clock p.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Johnson imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gearty	Luther	Pillsbury	Stern
Ashbach	Gunderson	Menning	Purfeerst	Stokowski
Bang	Hughes	Merriam	Renneke	Strand
Barrette	Humphrey	Moe	Rued	Stumpf
Benedict	Jensen	Nelson	Schaaf	Tennessee
Bernhagen	Johnson	Nichols	Schmitz	Ueland, A.
Chmielewski	Keefe, S.	Ogdahl	Setzpfandt	Ulland, J.
Davies	Kirchner	Olhoff	Sieloff	Vega
Dieterich	Kleinbaum	Omann	Sikorski	Wegener
Dunn	Knaak	Penny	Solon	Willet
Engler	Knutson	Perpich	Spear	
Frederick	Laufenburger	Peterson	Staples	

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:

Anderson	Gearty	Luther	Pillsbury	Stokowski
Ashbach	Gunderson	McCutcheon	Purfeerst	Strand
Bang	Hanson	Menning	Renneke	Stumpf
Barrette	Hughes	Merriam	Rued	Tennessee
Benedict	Humphrey	Moe	Schaaf	Ueland, A.
Bernhagen	Jensen	Nelson	Schmitz	Ulland, J.
Chmielewski	Johnson	Nichols	Setzpfandt	Vega
Coleman	Keefe, S.	Ogdahl	Sieloff	Wegener
Davies	Kirchner	Olhoff	Sikorski	Willet
Dieterich	Kleinbaum	Omann	Solon	
Dunn	Knaak	Penny	Spear	
Engler	Knutson	Perpich	Staples	
Frederick	Laufenburger	Peterson	Stern	

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. Keefe, J.; Knoll; Lessard and Sillers were excused from the Session of today.

REPORTS FILED WITH THE SECRETARY OF THE SENATE

The following reports were received and filed by the Secretary of the Senate: Commissioner of Education, Bilingual Education Programs, 1980; Metropolitan Council, Appendix to the 1979 Annual Report; Commissioner of Transportation, Report on Small Business Set-Aside Program, 1980; Minnesota State Planning Agency, Annual Report of the State Demographer; Department of Education, Evaluation of Programs for American Indian Language and Culture, 1980; Region V, Regional Development Commission, 1979 Annual Report; Governor of the State of Minnesota, Report on Environmental Quality, 1979; State Board of Investment, Investment Policies; Department of Transportation, Highway Noise Abatement Study, 1980; Department of Public Safety, Law Enforcement Legislative Buy-Fund, Biennium Report, 1978-1979; Department of Health, Annual Report on Hospital Administration, 1979; Department of Public Welfare, Pilot Dental Care Program for Senior Citizens, 1980; Department of Commerce, Readability of Insurance Policies Act, 1980; Region Nine Development Commission, 1980.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 3, 1980

The Honorable Edward J. Gearty
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. 1922, 1679, 654, 744, 975, 1293, 1630, 1900, 1996, 1619, 1665, 1690, 1736, 1842, 2110, 2265, 1997, 1811, 1772, 2195, 1853, 210, 1240, 1541, 1611, 1764, 1734, 1749, 1813, 1789, 2067 and 1962.

Sincerely yours,
Albert H. Quie, Governor

April 4, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
1736		435	April 3	April 3
1749		436	April 3	April 3
1764		437	April 3	April 3
1772		438	April 3	April 3
1789		439	April 3	April 3

S. F. No.	H. F. No.	Session Laws Chapter No.	Date Approved 1980	Date Filed 1980
1811		440	April 3	April 3
1813		441	April 3	April 3
1842		442	April 3	April 3
1853		443	April 3	April 3
1900		444	April 3	April 3
1922		445	April 3	April 3
1937		446	April 3	April 3
1962		447	April 3	April 3
1996		448	April 3	April 3
1997		449	April 3	April 3
2110		450	April 3	April 3
2067		451	April 3	April 3
2195		452	April 3	April 3
2265		453	April 3	April 3
210		454	April 3	April 3
654		455	April 3	April 3
744		456	April 3	April 3
975		457	April 3	April 3
1240		458	April 3	April 3
1293		459	April 3	April 3
1541		460	April 3	April 3
1611		461	April 3	April 3
1619		462	April 3	April 3
1630		463	April 3	April 3
1665		464	April 3	April 3
1679		465	April 3	April 3
1690		466	April 3	April 3
1734		467	April 3	April 3
	753	468	April 3	April 3
	1090	469	April 3	April 3
	1262	470	April 3	April 3
	1286	471	April 3	April 3
	1653	472	April 3	April 3
	1684	473	April 3	April 3
	1723	474	April 3	April 3
	1824	475	April 3	April 3
	1871	476	April 3	April 3
	1949	477	April 3	April 3
	1962	478	April 3	April 3
	1963	479	April 3	April 3
	1996	480	April 3	April 3
	2028	481	April 3	April 3
	2152	482	April 3	April 3
	2262	483	April 3	April 3
	2314	484	April 3	April 3

Sincerely,
Joan Anderson Growe,
Secretary of State

April 4, 1980

The Honorable Edward J. Gearty
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. 2090.

Sincerely yours,
Albert H. Quie, Governor

The Honorable Fred C. Norton
Speaker of the House of Representatives

April 4, 1980

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1980 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 1980	Date Filed 1980
2090		485	April 4	April 4

Sincerely,
Joan Anderson Growe
Secretary of State

April 7, 1980

The Honorable Edward J. Gearty
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. 2184, 2117, 2071, 2062, 2045, 1865, 1759, 919, 797, 789, 768, 704, 523 and 49.

Sincerely yours,
Albert H. Quie, Governor

MOTIONS AND RESOLUTIONS RECONSIDERATION

Mr. Davies moved that the vote whereby H. F. No. 2302 failed to pass the Senate on April 3, 1980, be now reconsidered. The motion prevailed.

RECONSIDERATION

Mr. Penny moved that the vote whereby S. F. No. 1696 failed to pass the Senate on April 3, 1980, be now reconsidered. The motion prevailed.

Mr. Davies moved that H. F. No. 2302 and S. F. No. 1696 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 2:00 o'clock p.m., Tuesday, April 8, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-FIFTH DAY

St. Paul, Minnesota, Tuesday, April 8, 1980

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

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gearty	Luther	Pillsbury	Strand
Bang	Gunderson	McCutcheon	Purfeerst	Stumpf
Barrette	Hanson	Menning	Rued	Tennessen
Benedict	Hughes	Merriam	Schaaf	Ueland, A.
Bernhagen	Humphrey	Moe	Schmitz	Ulland, J.
Brataas	Jensen	Nelson	Setzepfandt	Vega
Chmielewski	Johnson	Ogdahl	Sikorski	Wegener
Coleman	Kirchner	Olson	Solon	Willet
Davies	Kleinbaum	Omamm	Spear	
Dunn	Knaak	Penny	Staples	
Engler	Knoll	Perpich	Stern	
Frederick	Laufenburger	Peterson	Stokowski	

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:

Anderson	Frederick	Knutson	Omamm	Solon
Ashbach	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Barrette	Hanson	Luther	Peterson	Stern
Benedict	Hughes	McCutcheon	Pillsbury	Stokowski
Bernhagen	Humphrey	Menning	Purfeerst	Strand
Brataas	Jensen	Merriam	Renneke	Stumpf
Chmielewski	Johnson	Moe	Rued	Tennessen
Coleman	Keefe, J.	Nelson	Schaaf	Ueland, A.
Davies	Kirchner	Nichols	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dunn	Knaak	Olhoff	Sieloff	Wegener
Engler	Knoll	Olson	Sikorski	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. Keefe, S. and Sillers were excused from the Session of today. Mr. Laufenburger was excused from the Session of today from 5:15 to 8:00 o'clock p.m. Mr. Wegener was excused from the Session of today from 5:15 to 8:30 o'clock p.m.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 7, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I am vetoing S. F. No. 2122. This Act, if allowed to become law, would have established a new method for reapportioning Hennepin County Commissioner districts.

I feel strongly that reapportionment should be removed from the political arena. However, unlike the proposed constitutional amendment establishing a state reapportionment commission, the provisions of this act have the potential of increasing the partisan motives inherent in all redistricting. S. F. 2122 ostensibly establishes a bipartisan commission, but its provisions fail to accomplish this worthy objective.

Although Hennepin County Commissioners are elected on a non-party designated ballot, they are endorsed by political parties during their campaigns. Under the proposed legislation, if five or more of the seven-member Hennepin County Board have the same political persuasion, there is no assurance that a bipartisan redistricting plan will be adopted.

Furthermore, if the Board is divided by a four-to-three vote, there is a strong likelihood that a court, and not the commission, would be required to draw the district boundaries. This differs from present state law which provides for a court-appointed redistricting commission to draw new boundaries, should the County Board fail to do so.

I. This legislation establishes an eleven member commission. Each county commissioner appoints one member, with the remaining four members selected by the first seven. A vote of six of the eleven members is required to approve the plan. Under this legislation, the following problems would arise:

1. The four non-board appointees are selected upon agreement by five of the board appointed members. Partisan politics could easily influence the appointment of the four non-board appointed members. This is in contrast to the state-wide bipartisan reapportionment proposal which I support. Under the proposed state-wide constitutional amendment, the five public members are selected only if *unanimous* consent is given by the four legislative appointees (two legislators from each political party).
2. A majority of six of the eleven members is required to approve the Hennepin County reapportionment plan.
—If the majority caucus of the Board has six or seven members, their representatives on the

reapportionment commission can effectively draw the boundaries.

- If the majority caucus has five members, their five representatives could select all of the non-Board appointees. The five from the majority caucus could then control all reapportionment decisions.

Again, this is in contrast to the state-wide proposal under which six of the nine members must agree on the reapportionment plan. This extraordinary majority requirement in the proposed constitutional amendment makes it necessary to achieve bipartisan consensus for any plan to be adopted.

3. If the majority caucus on Hennepin County controls four of the seven seats, it is likely that a court would write the reapportionment plan. This would result when the seven board-appointed members could not reach a five member consensus on the four non-board appointees. If this consensus is not reached, five of the *Board* members must agree on the four non-board appointees. If five Board members cannot agree, there is no provision for filling a vacancy. Presumably, the court would have to reapportion. Again, this is in contrast to the state-wide proposal, which constitutionally requires the Supreme Court to appoint members to vacancies which cannot be filled by consensus.

II. The Legislature, which used substantial portions of the state-wide reapportionment proposal in drafting S. F. 2122, failed to incorporate the bipartisan appointment principle which is part of the proposed constitutional amendment. The departure from this principle results in my veto.

Hennepin County is better served under present law (Minnesota Statutes, Sec. 375.025) than it would be if this legislation took effect.

The present county reapportionment law was adopted in 1974. The Hennepin County Board successfully reapportioned itself in 1975 under the provisions of the 1974 law.

Current law provides for a court appointed redistricting commission for redrawing boundaries if any county board fails to reapportion following a census or reapportions in a manner inconsistent with statutorily established standards. Existing law does not suffer from the defects of S. F. 2122 with its likelihood of a court determined reapportionment plan.

III. The following additional comments are offered.

S. F. 2122 contradicts existing law in one of its provisions. The Act fails to exempt Hennepin County from the applicability

of Minnesota Statutes 1978, Section 375.025, subd. 1, which requires redistricting by *county boards*. It is likely that this contradiction would result in litigation.

This is a significant error. Perhaps it reflects the hastiness with which this legislation was prepared and passed.

—This legislation was not presented to the House or Senate Hennepin County delegation for their consideration.

—This legislation was opposed by a majority on the Hennepin County Board.

—The bipartisan Metropolitan Inter-County Association, representing the seven-county metropolitan area, unanimously opposed this legislation.

Section 1 of this Act provides for individuals to take time off work to serve as election judges. This provision, standing alone, would have been acceptable. It is unfortunate that the Legislature amended the reapportionment commission to this bill. As Governor, I do not have the authority to let Section 1 become law on its own merits. Therefore, the entire Act must fall.

For the reasons set forth in this message, I cannot allow S. F. 2122 to become law. I am, therefore, returning it to you unsigned.

Sincerely,
Albert H. Quie, Governor

Mr. Luther moved that S. F. No. 2122 and the veto message be laid on the table. 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. 2023 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2023 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 2, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2023

A bill for an act relating to waste management; establishing a waste management board and a legislative commission; establishing a state government resource recovery program; establishing solid waste planning assistance and demonstration programs; providing for the issuance of state waste management bonds; providing for the establishment of solid waste management districts; requiring hazardous waste management planning and development; establishing procedures for the review and approval of permits for waste facilities; authorizing debt; appropriating

money; amending Minnesota Statutes 1978, Sections 116.06, Subdivisions 9, 10, 13, and by adding subdivisions; 116.07, Subdivisions 2, 4, 4a, and by adding subdivisions; 116.081, Subdivision 1; 116.101; 116.41; 400.03, Subdivision 1; 400.04; 400.06; 400.07; 400.13; 400.16; 400.161; 473.121, by adding a subdivision; 473.149; 473.502; 473.516; 473.801, Subdivision 1; 473.802; 473.803; 473.811; 473.813; 473.823, Subdivision 3, and by adding a subdivision; Chapter 400, by adding a section; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2 to 7; 473.121, Subdivisions 27 to 31c; 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 728, Section 7.

April 1, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 2023, 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. 2023 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE I

CITATION, PURPOSE, AND DEFINITIONS

Section 1. [CITATION.] *Articles I to VIII shall be known as the waste management act of 1980.*

Sec. 2. [LEGISLATIVE DECLARATION OF POLICY; PURPOSES.] *It is the goal of articles I to VIII to improve waste management in the state to serve the following purposes:*

- (a) *Reduction in waste generated;*
- (b) *Separation and recovery of materials and energy from waste;*
- (c) *Reduction in indiscriminate dependence on disposal of waste;*
- (d) *Coordination of solid waste management among political subdivisions;*
- (e) *Orderly and deliberate development and financial security of waste facilities including disposal facilities.*

Sec. 3. [DEFINITIONS.] *Subdivision 1. For the purposes of articles I to VIII, the terms defined in this section have the meanings given them, unless the context requires otherwise.*

Subd. 2. "Agency" means the pollution control agency.

Subd. 3. "Board" means the waste management board established in article II, section 1.

Subd. 4. "Cities" means statutory and home rule charter cities and towns authorized to plan under sections 462.351 to 462.364.

Subd. 5. "Collection" means the aggregation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

Subd. 6. "Commercial waste facility" means a waste facility established and permitted to sell waste processing or disposal services to generators other than the owner and operator of the facility.

Subd. 7. "Construction debris" means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.

Subd. 8. "Development region" means a region designated pursuant to sections 462.381 to 462.397.

Subd. 9. "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including ground waters.

Subd. 10. "Disposal facility" means a waste facility permitted by the agency that is designed or operated for the purpose of disposing of waste on or in the land.

Subd. 11. "Generation" means the act or process of producing waste.

Subd. 12. "Generator" means any person who generates waste.

Subd. 13. "Hazardous waste" has the meaning given it in section 116.06, subdivision 13.

Subd. 14. "Intrinsic hazard" of a waste means the propensity of the waste to migrate in the environment, and thereby to become exposed to the public, and the significance of the harm or damage likely to result from exposure of natural resources or the public to the waste, as a result of such inherent or induced attributes of the waste as its chemical and physical stability, solubility, bioconcentratability, toxicity, flammability, and corrosivity.

Subd. 15. "Intrinsic suitability" of a land area or site means that, because of the inherent and natural attributes, physical features, and location of the land area or site, the waste facility proposed to be located in the area or site would not be likely to result in material harm to the public health and safety and natural resources and that therefore the proposed facility can reasonably be expected to qualify for permits in accordance with agency rules.

Subd. 16. "Legislative commission on waste management" or "legislative commission" means the commission established in article II, section 11.

Subd. 17. "Local government unit" means cities, towns and counties.

Subd. 18. "Metropolitan area" has the meaning given it in section 473.121.

Subd. 19. "Metropolitan council" means the council established in Chapter 473.

Subd. 20. "Metropolitan waste control commission" or "waste control commission" means the waste control commission established in Chapter 473.

Subd. 21. "Mixed municipal solid waste" means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities which is generated and collected in aggregate, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, and other materials collected, processed, and disposed of as separate waste streams.

Subd. 22. "Natural resources" has the meaning given it in Chapter 116B.

Subd. 23. "Person" has the meaning given it in section 116.06, but does not include the board.

Subd. 24. "Political subdivision" means any municipal corporation, governmental subdivision or the state, local government unit, special district, or local or regional board, commission, or authority authorized by law to plan or provide for waste management.

Subd. 25. "Processing" means the treatment of waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification, and transfer from one waste facility to another.

Subd. 26. "Regional development commission" means a commission established pursuant to sections 462.381 to 462.397.

Subd. 27. "Resource recovery" means the reclamation for sale or reuse of materials, substances, energy, or other products contained within or derived from waste.

Subd. 28. "Resource recovery facility" means a waste facility established and used primarily for resource recovery.

Subd. 29. "Sewage sludge" means the solids and associated liquids in municipal wastewater which are encountered and concentrated by a municipal wastewater treatment plant for disposal at a sewage sludge disposal facility. Sewage sludge does not include incinerator residues and grit, scum, or screenings removed from other solids during treatment.

Subd. 30. "Sewage sludge disposal facility" means property owned or leased by a political subdivision and used for interim or final disposal or land spreading of sewage sludge.

Subd. 31. "Solid waste" has the meaning given it in section 116.06, subdivision 10.

Subd. 32. "Solid waste management district" or "waste district" means a geographic area extending into two or more counties in which the management of solid waste is vested in a special district established pursuant to article VIII.

Subd. 33. "Transfer station" means an intermediate waste facility in which waste collected from any source is temporarily deposited to await transportation to another waste facility.

Subd. 34. "Waste" means solid waste, sewage sludge, and hazardous waste.

Subd. 35. "Waste facility" means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except property for the collection of the waste and property used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities.

Subd. 36. "Waste management" means activities which are intended to affect or control the generation of waste and activities which provide for or control the collection, processing and disposal of waste.

ARTICLE II

WASTE MANAGEMENT BOARD; LEGISLATIVE COMMISSION ON WASTE MANAGEMENT; STATE GOVERNMENT RESOURCE RECOVERY PROGRAM

Section 1. [WASTE MANAGEMENT BOARD; CREATION.]
There is created in the executive branch a waste management board.

Sec. 2. [BOARD MEMBERSHIP.] Subdivision 1. [GENERAL.]
The board shall be composed of nine permanent members. Temporary members shall be added pursuant to subdivision 3.

Subd. 2. [PERMANENT MEMBERS.]
Eight of the permanent members of the board shall be appointed by the governor, with the advice and consent of the senate, to represent diverse areas and interests within the state. One member shall be appointed from each congressional district in accordance with boundaries existing on January 1, 1980. The term of office and compensation of the eight members thus appointed, and the manner of removal and filling of vacancies, shall be as provided in section 15.0575, except that the initial term of all members shall be four years and the rate of compensation shall be \$50 per day spent on board activities. The ninth permanent member of the board shall be the chairperson who shall be appointed by the governor with the advice and consent of the senate. The chairperson shall serve at the

pleasure of the governor for a term coterminous with that of the governor, except that the initial term of the chairperson shall be four years. The chairperson shall be the executive and operating officer of the board and shall determine the time and place of meetings, preside at meetings, appoint all board officers and hire and supervise all employees subject to the approval of the board, carry out the policy decisions of the board, and perform all other duties and functions assigned to him by the board or by law. No permanent member of the board shall hold other elected or appointed public office.

Subd. 3. [TEMPORARY MEMBERS.] For the purposes of each project review conducted by the board under article III and article IV, and for the purpose of preparing and adopting the hazardous waste management plan under section 8 and making decisions on the elements of the certification of need for disposal required under article III, six local representatives shall be added to the board as temporary voting members, as provided in article III, section 5, subdivision 4, and article IV, section 3. The provisions of section 15.075 relating to compensation, removal, and vacancy shall apply to temporary members except that the rate of compensation shall be \$50 per day spent on board activities.

Sec. 3. [POWERS OF THE BOARD.] Subdivision 1. [GENERAL.] The board shall have the powers and duties prescribed by articles I to VIII and all powers necessary or convenient to discharge its duties.

Subd. 2. [RULES.] Unless otherwise provided, the board shall promulgate rules in accordance with chapter 15 to govern its activities and implement articles I to VIII.

Subd. 3. [ACTIONS.] The board may sue and be sued.

Subd. 4. [ACQUISITION OF SITES FOR HAZARDOUS WASTE FACILITIES.] The board may direct the commissioner of administration to acquire by purchase, lease, condemnation, gift, or grant, any right, title, and interest in and to real property, including positive and negative easements and water, air, and development rights, for sites and buffer areas surrounding sites for hazardous waste facilities approved by the board pursuant to articles III and IV. Money for the acquisition of any real property and interest in real property pursuant to this subdivision shall come from the issuance of state waste management bonds in accordance with article VII. The property shall be leased to the owner and operator of the hazardous waste facility located thereon at a rate sufficient to pay debt service on the bonds which provided funds used to acquire the property and to evaluate the eligibility of the property for inclusion in the inventory under section 6 or candidacy under article III. Any local government unit and the commissioners of transportation, natural resources, and administration may convey or allow the use of any property for such sites and areas, subject to the rights of the holders of any bonds issued with respect thereto, with or without compensation and without an election or approval by any other government agency. Land owned by the state may be exchanged for land not

owned by the state for the purpose of providing a site and buffer area for a commercial hazardous waste facility, in accordance with the provisions of section 94.341 to 94.347 and other law. The commissioner of administration may hold the property for the purposes for which it was acquired, and may lease, rent, or dispose of the property so far as not needed for such purposes, upon the terms and in the manner the commissioner deems advisable. The right to acquire lands and property rights by condemnation shall be exercised in accordance with chapter 117. The commissioner of administration may take possession of any property for which condemnation proceedings have been commenced at any time after the issuance of a court order appointing commissioners for its condemnation. Where the property is acquired through eminent domain proceedings, the land owner's compensation shall be the fair market value of the property. Where the property is acquired by means other than through eminent domain proceedings, as by direct purchase or gift, the land owner's compensation shall be determined by the agreement of the parties involved. An award of compensation in a condemnation proceeding shall not be increased or decreased by reason of any increase or decrease in the value of the property caused by its designation in the inventory of sites and buffer areas under section 6 or as a candidate site under article III or its selection as a site or buffer area.

Subd. 5. [RIGHT OF ACCESS.] Whenever the board or the chairperson acting on behalf of the board deems it necessary to the accomplishment of its purposes, the board or any member, employee, or agent thereof, when authorized by it or the chairperson, may enter upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations, provided that the entrance and activity is undertaken after reasonable notice and during normal business hours and provided that compensation is made for any damages to the property caused by the entrance and activity.

Subd. 6. [GIFTS AND GRANTS.] The board, or the chairperson or commissioner of administration on behalf of the board, may apply for and accept gifts, loans, or other property from the United States, the state, or any person for any of the purposes of the board, may enter into any agreement required in connection therewith, and may hold, use, and dispose of the money or property in accordance with the terms of the gift, grant, loan or agreement.

Subd. 7. [PROPERTY EXEMPT FROM TAXATION.] Any real or personal property owned, used, or occupied by the board or the commissioner of administration for any purpose referred to in articles I to VIII is declared to be acquired, owned, used, and occupied for public and governmental purposes, and shall be exempt from taxation by the state or any political subdivision of or other governmental unit of or within the state, provided that those properties shall be subject to special assessments levied for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from the improvement. No possible use of the properties in any manner different from their use for hazardous waste management at the time shall

be considered in determining the special benefit received by the properties.

Subd. 8. [CONTRACTS.] The board or the chairperson acting on behalf of the board may enter into any contract necessary or proper for the exercise of its powers or the accomplishment of its purposes.

Subd. 9. [JOINT POWERS.] The board or the chairperson acting on behalf of the board may act under the provisions of Minnesota Statutes, Section 471.59, or any other law providing for joint or cooperative action.

Subd. 10. [RESEARCH.] The board or the chairperson acting on behalf of the board may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and order all necessary hearings and investigations in connection with its work and may advise and assist other government units on planning matters within the scope of its powers, duties, and objectives.

Subd. 11. [EMPLOYEES; CONTRACTS FOR SERVICES.] The board through its chairperson may employ persons and contract for services to perform research, engineering, legal, or other services necessary to carry out its functions.

Subd. 12. [INSURANCE.] The board through its chairperson may require any employee to obtain and file with it an individual bond or fidelity insurance policy. It may procure insurance in amounts it deems necessary to insure against liability of the board and employees or both, for personal injury or death and property damage or destruction, with the force and effect stated in Minnesota Statutes, Chapter 466, and against risks of damage to or destruction of any of its property as it deems necessary.

Sec. 4. [DUTIES OF THE BOARD; GENERAL.] *Subdivision 1. [INTERAGENCY COORDINATION.] The chairperson of the board shall inform the state planning agency of the board's activities in accordance with section 4.191. The chairperson shall keep the agency informed of the board's activities, solicit the advice and recommendations of the agency, and coordinate its work with the regulatory and enforcement activities of the agency.*

Subd. 2. [BIENNIAL REPORT.] Before November 15 of each even-numbered year the board through its chairperson shall prepare and submit to the legislative commission a report of the board's operations and activities pursuant to articles I to VIII and any recommendations for legislative action. The report shall include a proposed work plan for the following biennium.

Sec. 5. [DUTIES OF THE BOARD; HAZARDOUS WASTE MANAGEMENT REPORTS.] *Subdivision 1. [REPORT ON LIABILITY AND LONG-TERM CARE.] By January 1, 1981, the board through its chairperson shall report and make recommendations to the legislative commission on the management and financing of liability and post-closure monitoring and care for hazardous waste facilities in the state. The commissioner of economic*

development, in consultation with the chairperson of the board, shall conduct background research and shall report to the board by July 1, 1980, on the subject of the report required by this subdivision and on additional research needed to complete the report and recommendations.

Subd. 2. [REPORT ON PRIVATE INVESTMENT IN HAZARDOUS WASTE MANAGEMENT.] By January 1, 1981, the board through its chairperson shall report and make recommendations to the legislative commission on alternative state strategies to promote and secure private investment in hazardous waste management services, technologies, and facilities. The report at least shall evaluate: (a) strategies to promote and secure investments by generators in waste reduction, separation, pretreatment, and recovery; (b) strategies to secure generator assistance in the establishment and financing of hazardous waste facilities either directly through joint investment or indirectly through taxation; (c) strategies to protect the public against business failure by owners and operators of hazardous waste facilities; (d) strategies to promote and secure investment by the private waste management industry in hazardous waste facilities in the state. The report shall recommend priorities, objectives, and appropriate legislation for promoting and securing private investment in hazardous waste management. The commissioner of economic development, in consultation with the chairperson of the board, shall conduct background research and shall report to the board by July 1, 1980, on the subject of the report required by this subdivision and on additional research needed to complete the report and recommendations.

Subd. 3. [REPORT ON INTERSTATE COOPERATION.] By January 1, 1981, the board through its chairperson shall report and make recommendations to the legislative commission on actions to develop interstate cooperation in hazardous waste planning and management. The report shall make recommendations on uniformity of state laws, regulations, and enforcement and on coordination of decisions on facility development and use. The director of the state planning agency, in consultation with the chairperson of the board, shall conduct background research and shall report to the board by July 1, 1980, on the report required by this subdivision and on additional research needed to complete the report and recommendations.

Subd. 4. [REPORT ON HAZARDOUS WASTE MANAGEMENT; DRAFT MANAGEMENT PLAN AND CERTIFICATION OF NEED.] By January 1, 1982, the board through its chairperson shall report to the legislative commission on hazardous waste management. The report shall include at least:

(a) an evaluation of alternative disposal facilities, disposal facility technologies, and disposal facility design and operating specifications and an explanation of the preliminary design and operating specifications for disposal facilities selected for consideration under article III, section 6;

(b) an evaluation of prospects, strategies, and methods for

developing commercial hazardous waste disposal facilities of various types, sizes, and functions;

(c) an evaluation of all feasible and prudent alternatives to disposal, including waste reduction, separation, pretreatment, processing, and resource recovery, and the potential of the alternatives to reduce the need for and practice of disposal;

(d) an evaluation of feasible and prudent disposal abatement objectives, along with a description of hazardous waste management methods and technologies, private and government actions, facilities and services, development schedules, revenue-raising measures, and levels of public and private expenditure and effort necessary to the achievement of those objectives.

The report shall analyze the environmental, social, and economic effects of the alternatives and methods by which unavoidable adverse effects could be mitigated. The report shall include a draft hazardous waste management plan, based on the analysis in the report and proposed for adoption pursuant to section 8, and a draft certificate or certificates of need proposed for issuance under article III, section 7.

Subd. 5. [REPORT ON MITIGATION OF LOCAL EFFECTS OF HAZARDOUS WASTE FACILITIES.] *By January 1, 1982, the board through its chairperson shall report and make recommendations to the legislative commission on methods of mitigating and compensating for the local risks, costs, and other adverse effects of various types of hazardous waste facilities and on methods of financing mitigation and compensation measures. The methods of mitigating and compensating to be considered shall include but not be limited to the following: payment outside of levy limitations in lieu of taxes for all property taken off the tax rolls; preference in reviews of applications for federal funds conducted by the metropolitan council and regional development commissions; payment of all costs to service the facilities including the cost of roads, monitoring, inspection, enforcement, police and fire, and litter clean up costs; payment for buffer zone amenities and improvement; local control over buffer zone design; a guarantee against any and all liability that may occur.*

Subd. 6. [PREPARATION OF HAZARDOUS WASTE REPORTS; PROCEDURES; PUBLIC INVOLVEMENT.] *By January 1, 1981, the board through its chairperson shall submit a proposed scope of work and work program for the hazardous waste reports required by subdivisions 4 and 5 to the legislative commission for review. During the preparation of the proposed scope of work and work plan and the reports, the board and the chairperson on behalf of the board shall encourage public debate and discussion of the issues relating to the reports. The board and the chairperson on behalf of the board shall meet with local officials and sponsor at least one public meeting in areas of the state affected by the inventory of preferred processing facility sites prepared pursuant to section 6. The board and the chairperson on behalf of the board shall follow the procedures set out in article III, section 5, for consulting with citizens in areas affected by the*

selection of candidate sites for disposal facilities. To assist it in preparing the reports required by subdivisions 4 and 5, the board through its chairperson shall make grants to each local project review committee established for a candidate site for disposal identified under article III. The grants may be used by the committee to employ staff, pay administrative expenses, or contract with affected units of government or qualified consultants. The board and the chairperson on behalf of the board shall request recommendations from the private waste management industry, the board's advisory councils, affected regional development commissions, and the metropolitan council and shall consult with them on the board's intended disposition of the recommendations. The reports of the board shall summarize the comments received and the board's response to the comments.

Sec. 6. [DUTIES OF THE BOARD; INVENTORY OF PREFERRED SITES FOR HAZARDOUS WASTE PROCESSING FACILITIES.] **Subdivision 1. [BOARD RESPONSIBILITY.]** By November 1, 1981, the board shall prepare an inventory of preferred sites for commercial hazardous waste processing facilities. The inventory shall include at least three sites for each of the following categories of processing facilities: (a) a commercial chemical processing facility for hazardous waste, (b) a commercial incineration facility for hazardous waste, and (c) a commercial transfer and storage facility for hazardous waste.

Subd. 2. [EVALUATION OF SITES.] The board shall not be required to promulgate rules pursuant to chapter 15 to govern its evaluation and selection of sites under this section. The board and the chairperson on behalf of the board shall evaluate the sites in consultation with the board's advisory councils, the affected counties and regions, generators of hazardous waste, and prospective facility developers. The evaluation shall consider at least the consistency of sites with state and federal regulations, local land use and land use controls, the protection of agriculture and natural resources, existing and future development patterns, transportation and other services appropriate to the hazardous waste facilities, the quality of other potential sites, and the location of hazardous waste generators. No site shall be included in the inventory unless the agency certifies its intrinsic suitability for the use intended. No land shall be excluded from consideration for inclusion in the inventory except land determined by the agency to be intrinsically unsuitable for the use intended.

Subd. 3. [PROCEDURES.] The board shall propose the inventory of sites by June 1, 1981 by publication in the state register and newspapers of general circulation in the state and by mail to each regional development commission and local government unit containing a proposed site. Any person objecting to the agency's certification or the board's proposal of a site for inclusion in the inventory shall have 30 days in which to request a hearing. If a hearing is requested, the hearing shall be ordered by the chairperson of the board and shall be conducted by the state office of hearing examiners in a manner determined by the hearing examiner to be consistent with the completion of the proceedings

and the examiner's report in the time allowed by this section. At the hearing, any county in which a site is proposed for inclusion in the inventory may propose an alternative site or sites within the county. The hearing examiner may consolidate hearings. When any site in the inventory becomes unavailable as a hazardous waste facility site, the inventory shall be amended, in the manner of its original adoption, provided, however, that during the period when the inventory is being amended any other site in the inventory may be reviewed and approved under article IV. No action of the board shall be held invalid by reason of the board's failure to notify any of the entities listed in this subdivision.

Subd. 4. [GRANTS; TECHNICAL ASSISTANCE.] *To assist counties participating in the inventory required by this section, the board through its chairperson may make grants to the counties to be used to employ staff, pay administrative expenses, or contract with qualified consultants. The board through its chairperson shall ensure the delivery to the counties of technical information and assistance by appropriate state agencies.*

Sec. 7. [DUTIES OF THE BOARD; HAZARDOUS WASTE FACILITIES; ENCOURAGEMENT OF PRIVATE ENTERPRISE.] *The board and the chairperson on behalf of the board shall encourage the development and operation of hazardous waste facilities by private enterprise to the extent practicable and consistent with the purposes of articles I to VIII and the board's hazardous waste management plan adopted pursuant to section 8. In preparing the reports under section 5 and the inventory of processing facility sites under section 6, in adopting the management plan, and in its actions and decisions under articles III and IV, the board and the chairperson on behalf of the board shall solicit the active participation of private waste management firms and shall so conduct its activities as to encourage private permit applications for facilities needed in the state. The board shall promulgate rules for accepting, evaluating, and selecting applications for permits for the construction and operation of facilities at sites preferred or selected by the board pursuant to section 6 of article III. The rules shall include standards and procedures for making determinations on the minimum qualification including technical competence and financial capability, of permit applicants. The rules shall include standards and procedures for soliciting and accepting bids or permit applications and for selecting developers and operators of hazardous waste disposal facilities at sites chosen by the board pursuant to article III, which shall include a preference for qualified permit applicants who control a site chosen by the board.*

Sec. 8. [HAZARDOUS WASTE MANAGEMENT PLAN.] **Subdivision 1. [CONTENTS.]** *By May 1, 1982, the board shall adopt a hazardous waste management plan. The plan shall include at least the following elements:*

(a) an estimate of the types and volumes of hazardous waste which will be generated in the state through the year 2000;

(b) specific and quantifiable objectives for reducing to the

greatest feasible and prudent extent the need for and practice of disposal, through waste reduction, pretreatment, processing, and resource recovery;

(c) a description of the minimum disposal capacity and capability needed to be developed within the state for use through the year 2000, based on the achievement of the objectives under clause (b).

The plan shall require the establishment of at least one commercial disposal facility in the state.

Subd. 2. [PROCEDURE.] The plan shall be based upon the reports prepared pursuant to section 5. The plan shall not be subject to the rule-making or contested case provisions of chapter 15. Following the submission of the report on hazardous management required under section 5, subdivision 4, the board shall hold a public hearing on the draft plan and draft certificate or certificates of need contained in the report. Notices of the draft plan and the draft certificate or certificates and notice of the hearing shall be published in the state register and newspapers of general circulation in the state. The hearing shall be ordered by the chairperson of the board and shall be conducted by the state office of hearing examiners in a manner consistent with the completion of the proceedings in the time allowed by this section. A majority of the permanent members of the board shall attend the hearing. In connection with the hearing, the chairperson of the board shall provide copies of the studies and reports on which the draft plan and certification of need are based and shall make an affirmative presentation showing the need for and reasonableness of the draft plan and certification of need. Following the hearing, the board shall revise the plan and the certificate or certificates of need as it deems appropriate, shall make a written response to the testimony received at the hearing explaining its disposition of any recommendations made with respect to the plan and certification, and shall finally adopt a plan in accordance with this section and issue a certificate or certificates of need in accordance with article III, section 7.

Sec. 9. [ADVISORY COUNCILS.] Subdivision 1. [SOLID AND HAZARDOUS WASTE MANAGEMENT.] The chairperson of the board shall establish a solid waste management advisory council and a hazardous waste management planning council broadly representative of the geographic areas and interests of the state. The councils shall have not less than 9 nor more than 18 members each. The membership of the solid waste council shall consist of one-third citizen representatives, one-third representatives from local government units, and one-third representatives from private solid waste management firms. The solid waste council shall contain at least one member experienced in each of the following areas: state and municipal finance; solid waste collection, processing, and disposal; and solid waste reduction and resource recovery. The membership of the hazardous waste advisory council shall consist of one-third citizen repre-

sentatives, one-third representatives from local government units, and one-third representatives of hazardous waste generators and private hazardous waste management firms. The chairpersons of the advisory councils shall be appointed by the chairperson of the board. The chairperson of the board shall provide administrative and staff services for the advisory councils. The advisory councils shall have such duties as are assigned by law or the chairperson of the board. The solid waste advisory council shall make recommendations to the board on its solid waste management activities. The hazardous waste advisory council shall make recommendations to the board on its activities under article II, sections 5, 6, 7, and 8, and article III, sections 3, 4, 6, and 7. Members of the advisory councils shall serve without compensation but shall be reimbursed for their reasonable expenses as determined by the chairperson of the board.

Subd. 2. [TECHNICAL ADVISORY COUNCIL.] The chairperson of the board shall establish an interagency technical advisory council to advise the board and the chairperson on such matters as the board, through its chairperson, deems necessary. The members of the council shall be the commissioner of health; the commissioner of agriculture; the commissioner of natural resources; the commissioner of economic development; the director of the pollution control agency; the director of the energy agency; the director of the state planning agency; and such other heads of agency as the chairperson of the board deems necessary; or their designees. The council shall meet at the call of the chairperson of the board who shall serve as chairperson of the council. The members, collectively and individually shall advise the board and the chairperson on matters within their various areas of expertise and shall provide technical assistance and information as requested by the board through its chairperson.

Sec. 10. [BOARD; EXPIRATION.] The board shall cease to exist on June 30, 1987.

Sec. 11. [LEGISLATIVE COMMISSION ON WASTE MANAGEMENT.] Subdivision 1. [CREATION, MEMBERSHIP, VACANCIES.] There is created in the legislative branch a legislative commission on waste management. The commission shall consist of ten members appointed as follows:

(1) Five members of the senate to be appointed by the subcommittee on committees and to serve until their successors are appointed;

(2) Five members of the house to be appointed by the speaker and to serve until their successors are appointed;

(3) Vacancies occurring on the commission shall not affect the authority of the remaining members of the commission to carry out the functions thereof, and such vacancies shall be filled in the same manner as the original positions.

Subd. 2. [STAFF.] The commission is authorized, without regard to the civil service laws and regulations, to appoint and fix

the compensation of such additional legal and other personnel and consultants as may be necessary to enable it to carry out its functions, or to contract for services to supply necessary data, except that any state employees subject to the civil service laws and regulations who may be assigned to the commission shall retain civil service status without interruption or loss of status or privilege. The staff shall be hired and supervised for the commission by the executive director of the legislative commission on Minnesota resources.

Subd. 3. [DATA FROM STATE AGENCIES; AVAILABILITY.] *The commission may request information from any state officer or agency in order to assist it in carrying out its duties and such officer or agency is authorized and directed to promptly furnish any data required, subject to applicable requirements or restrictions imposed by sections 15.162 to 15.17.*

Subd. 4. [POWERS AND DUTIES.] *The commission shall review the biennial report of the board. The commission shall oversee the activities of the board under articles I to VIII and the activities of the agency under articles V and VI, and direct such changes or additions in the work plan of the board and agency as it deems fit. The commission may conduct public hearings and otherwise secure data and expressions of opinion. The commission shall make such recommendations as it deems proper to assist the legislature in formulating legislation. Any data or information compiled by the commission shall be made available to any standing or interim committee of the legislature upon request of the chairperson of the respective committee.*

Subd. 5. [STUDY.] *The commission shall study alternative methods of insuring that an adequate supply of solid waste will be available to resource recovery facilities and report to the appropriate policy committees of the house of representatives and senate before January 1, 1982. The commission shall, at a minimum, consider the relative merits of the required use provisions described in article VIII, section 9, article IX, section 8, and article X, section 14, and other mechanisms designed to facilitate resource recovery by raising costs of landfill alternatives or lowering costs of disposal at resource recovery facilities.*

Subd. 6. [EXPIRATION.] *The provisions of this section shall expire on June 30, 1987.*

Sec. 12. [STATE GOVERNMENT RESOURCE RECOVERY.]
Subdivision 1. [ESTABLISHMENT OF PROGRAM.] *There is established within state government a resource recovery program to promote the reduction of waste generated by state agencies, the separation and recovery of recyclable and reuseable commodities, the procurement of recyclable commodities and commodities containing recycled materials, and the uniform disposition of recovered materials and surplus property. The program shall be administered by the commissioner of administration.*

Subd. 2. [DUTIES OF COMMISSIONER.] *The commissioner of administration shall develop policies to reduce the volume of waste*

generated by state agencies. The commissioner shall develop and institute procedures for the separation, collection, and storage of used commodities wherever feasible in state agencies and shall establish policies for the reuse, sale, or disposition of recovered materials and surplus property. The commissioner shall promote and publicize the waste reduction and waste separation and recovery procedures on an on going basis to all state employees. The commissioner shall issue guidelines for the procurement of recyclable commodities and commodities containing recycled materials that include definitions of recycled materials, the percentage of recycled materials to be contained in each commodity and performance specifications. To the extent practicable, the guidelines shall be written so as to give preference to recyclable commodities and commodities containing recycled materials. The commissioner shall inform state agencies whenever recycled commodities are available for purchase. The commissioner shall investigate opportunities for the inclusion of local governments and regional agencies in administrative programs to reduce, separate, and recover waste materials. The commissioner shall investigate opportunities for the inclusion of local governments and regional agencies in the resource recovery program.

Subd. 3. [POWERS OF COMMISSIONER.] The commissioner of administration shall have such powers as are necessary to implement and operate the program. All state agencies shall comply with the policies, guidelines, and procedures established by the commissioner pursuant to this section. The commissioner shall have the power to issue orders to compel compliance.

Subd. 4. [STAFF.] The commissioner of administration shall employ an administrator to manage the resource recovery program and other staff and consultants as are necessary to carry out the program.

Subd. 5. [REPORTS.] By January 1, 1981, and each odd-numbered year thereafter, the commissioner of administration shall submit a report to the governor and to the legislative commission summarizing past activities and proposed goals of the program for the following biennium. By July 1, 1980, and each even numbered year thereafter the directors of the energy agency and the pollution control agency shall submit recommendations to the commissioner regarding the operation of the program.

Subd. 6. [RESOURCE RECOVERY REVOLVING ACCOUNT.] Upon the certification of the commissioner of administration, the commissioner of finance shall establish an account in the general services revolving fund, effective June 30, 1980, for the operation of the state government resource recovery program. The revolving account shall consist of all funds appropriated by the state for the program and all revenues resulting from the sale of used commodities made available for sale as a result of the resource recovery program. The account may be used for all activities associated with the program including payment of administrative and operating costs.

ARTICLE III
COMMERCIAL HAZARDOUS WASTE
DISPOSAL FACILITIES

Section 1. [LEGISLATIVE FINDINGS; PURPOSE.] *The legislature finds that proper management of hazardous waste generated in the state is needed to conserve and protect the natural resources in the state and the health, safety, and welfare of its citizens, that the establishment of safe disposal facilities is necessary to properly manage the waste, that this cannot be accomplished solely by the activities of private persons and political subdivisions acting alone or jointly, and that therefore it is necessary to provide a procedure for making final determinations on the locations, sizes, types, and functions of such facilities.*

Sec. 2. [PROCEDURE NOT EXCLUSIVE.] *The procedure established by this article for the permitting of hazardous waste disposal facilities shall not preclude the issuance of permits by the agency pursuant to section 116.07 for disposal facilities at sites not reviewed under this article.*

Sec. 3. [VALUATION OF SITES.] *The board shall not be required to promulgate rules pursuant to chapter 15 to govern its evaluation and selection of sites for commercial disposal facilities under this article. In evaluating and selecting sites for disposal facilities, the board shall consider at least the following factors:*

(a) economic feasibility, including proximity to concentrations of generators of the types of hazardous wastes likely to be proposed and permitted for disposal;

(b) intrinsic suitability of the sites;

(c) federal and state pollution control and environmental protection rules;

(d) the risk and effect for local residents, units of government, and the local public health, safety, and welfare, including such dangers as an accidental release of wastes during transportation to a facility or at a facility, water, air, and land pollution, and fire or explosion;

(e) the consistency of a facility with, and its effect on, existing and planned local land use and development; local laws, ordinances, and permits; and local public facilities and services;

(f) the adverse effects of a facility at the site on agriculture and natural resources and opportunities to mitigate or eliminate such adverse effects by stipulations, conditions, and requirements respecting the design and operation of a disposal facility at the proposed site.

No land shall be excluded from consideration except land determined by the agency to be intrinsically unsuitable for the use intended.

Sec. 4. [CANDIDATE SITES.] *Subdivision 1. [SELECTION.]*

By August 1, 1981, the board shall select six locations in the state, no more than one site per county, as candidate sites for commercial disposal facilities for hazardous waste. No location shall be selected as a candidate site unless the agency certifies its intrinsic suitability for the use intended. The board shall consult with the agency and the private waste management industry in selecting candidate sites. Any sites proposed in applications for permits for disposal facilities being reviewed by the agency on August 1, 1981, may be included by the board as candidate sites, provided the agency certifies the intrinsic suitability of the sites.

Subd. 2. [PROCEDURE.] As soon as practicable, the board through its chairperson shall publish a request soliciting proposals and permit applications for hazardous waste disposal facilities from potential developers and operators of such facilities. Notice of the request shall be published in the state register and newspapers of general circulation in the state and shall be transmitted to all regional development commissions, the metropolitan council, and all counties in the state. The board may select conceptual design and operating specifications for a variety of hazardous waste disposal facilities in sufficient detail and extent in the judgment of the board to assist the evaluation of sites and the selection of candidate sites. By November 1, 1980, the board through its chairperson shall notify each regional development commission, or the metropolitan council, and each local government unit within whose jurisdiction the board intends to search for candidate sites. The notification shall explain the selection of the jurisdiction as a search area; shall summarize any conceptual specifications and the evaluation factors, criteria, standards, and procedures the board intends to use in selecting candidate sites; and shall describe the relationship of the candidate site selection process to the other review procedures under this article and the hazardous waste reports and plans required under article II. The notification shall request recommendations and suggestions from each such commission, the metropolitan council, and local government unit on the criteria, standards, and procedures the board should use in selecting candidate sites within the time allowed. The board through its chairperson shall make a written response to any recommendations, explaining its disposition of the recommendations. By May 1, 1981, the board shall propose at least six locations as candidate sites and shall publish notice in the state register and newspapers of general circulation in the state and shall notify by mail all regional development commissions, or the metropolitan council, and local government units containing a proposed candidate site. Any person objecting to the agency's certification or the board's proposal of a site for candidacy shall have 30 days in which to request a hearing. If a hearing is requested, the hearing shall be ordered by the chairperson of the board and shall be conducted in a manner consistent with the completion of the proceedings and the examiner's report to the agency and board in the time allowed by this section. The hearing examiner may consolidate hearings. No action of the board shall be held invalid by reason of the board's failure to notify any of the entities listed in this subdivision.

Subd. 3. [MORATORIUM.] A moratorium is hereby imposed on all development, except hazardous waste facilities, within each proposed or candidate site identified pursuant to this section and in a buffer area identified by the board surrounding and at least equal in area to the site. The moratorium on candidate sites and buffer areas shall extend until six months following final action of the board pursuant to this article. No development shall be allowed to occur within a proposed site or buffer area during the period of the moratorium. No land use control of any political subdivision shall permit development, nor shall any political subdivision sanction or approve any subdivision, permit, license, or other authorization which would allow development to occur.

Sec. 5. [PARTICIPATION BY AFFECTED LOCALITIES.] Subdivision 1. [GENERAL.] In order systematically to involve those who would be affected most directly by disposal facilities in all decisions leading to their establishment, the board's decisions on reports referred to in subdivision 7, the preliminary specifications under section 6, and the certification of need required under section 7 shall not be made until after the establishment of local project review committees for each candidate site, with representation on the board, pursuant to this section.

Subd. 2. [ESTABLISHMENT OF LOCAL PROJECT REVIEW COMMITTEES.] A local project review committee shall be established for each location selected as a candidate site. The local committee shall exist, and its members shall serve, so long as the location for which the committee was formed is a candidate site or, for the site or sites finally chosen, until the commencement of the operation of the facility at that site.

Subd. 3. [MEMBERSHIP ON LOCAL COMMITTEES.] By September 1, 1981, the governor shall appoint the chairperson and members of each local project review committee, ensuring a balanced representation of all parties with a legitimate and direct interest in the outcome of the project review. The governor shall consult particularly with affected local units of government before selecting members. Members may be added to the local committee from time to time by the governor.

Subd. 4. [APPOINTMENT OF TEMPORARY BOARD MEMBERS.] By October 1, 1981, each local committee shall select a temporary board member to be added to the board for the purposes of the reports, certifications, and review conducted under this article. Temporary board members may be members of the local project review committee, and they shall be residents of the county where the candidate site is located.

Subd. 5. [DUTIES OF LOCAL COMMITTEES.] During the review, the local project review committee shall: inform affected local communities, government units, and residents of the proposed land containment and disposal facilities and of the planning and environmental review process relating to the proposed facilities; solicit and record local attitudes and concerns respecting the proposed facilities and represent and communicate such attitudes and concerns to the board, the legislative commission, the environ-

mental quality board, the agency, and other units and agencies of government; and act as a forum for the exchange of local attitudes and concerns and the development, where possible, of local consensus.

Subd. 6. [TECHNICAL ASSISTANCE; GRANTS.] To assist local project review committees to participate in the certification of need and the review process, the board through its chairperson shall make grants to the committees to be used to employ staff, pay administrative expenses, or contract with qualified consultants. The board through its chairperson shall ensure the delivery to the committees of technical information and assistance by appropriate state agencies.

Subd. 7. [HAZARDOUS WASTE MANAGEMENT REPORTS.] The chairperson and the board shall prepare and submit the hazardous waste management reports required by article II, section 5, subdivisions 4 and 5, in consultation with the local project review committees. The chairperson and the board shall request recommendations from the local committees and shall consult with the committees on the board's intended disposition of the recommendations. The reports of the board shall summarize the recommendations of the committees and the board's response to the recommendations. Before submitting the reports, the board shall hold at least one public meeting in each county in which a candidate site is located. A majority of the permanent members shall be present at each meeting. Notice of the meeting shall be published in a newspaper or newspapers of general circulation in the area for two successive weeks ending at least 15 days before the date of the meeting. The notice shall describe the proposed facilities, the proposed location, the purpose of the board's report to the legislature, and the subsequent and related activities of the board.

Sec. 6. [DISPOSAL FACILITIES; PRELIMINARY DESIGN AND OPERATING SPECIFICATIONS.] By January 1, 1982, the board shall select, for further study and consideration, design and operating specifications for a variety of disposal facilities for hazardous waste in sufficient detail and extent in the judgment of the agency to allow the agency to begin preparing an environmental impact statement on the alternative facilities at each of the candidate sites pursuant to section 8. The preliminary design and operating specifications shall not be final and shall not preclude the consideration of other specifications nor foreclose the subsequent addition by the board of other disposal facility alternatives.

Sec. 7. [CERTIFICATION OF NEED.] By May 1, 1982, on the basis of and consistent with its hazardous waste management plan adopted under article II, section 8, 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. 8. [AGENCY; ENVIRONMENTAL REVIEW PROCEDURES.] Subdivision 1. [ENVIRONMENTAL IMPACT STATEMENT.] An environmental impact statement meeting the requirements of chapter 116D shall be completed by the agency on disposal facilities at each candidate site. The statement shall be finally accepted or rejected within 120 days following the issuance of a certificate or certificates of need under section 7.

Subd. 2. [PUBLIC DISCLOSURE.] Before commencing preparation of the environmental impact statement, the agency shall issue a document summarizing and making full disclosure of the intended objectives and contents of the environmental impact statement and the environmental review. Announcement of the disclosure shall be published in the state register. The disclosure shall:

- (a) identify the candidate sites;
- (b) summarize preliminary design and operating specifications and indicate where and when the specifications are available for inspection;
- (c) describe as fully as possible the object of the review, including the significant actions, issues, alternatives, types of impacts, and compensation and mitigation measures expected to be addressed in the statement; the depth of the analysis expected; and subjects which the statement will not address in depth because they have been disposed of previously or because they are believed to be insignificant or remote and speculative;
- (d) identify, by reference and brief summary, any related plan-

ning activities and environmental reviews which have been, are being, or will be conducted, and the substantive, chronological, and procedural relationship between the proposed review and the other activities and reviews;

(e) identify the membership and address of the local project review committees and the names of the local representatives on the board;

(f) summarize the comments and suggestions received from the public pursuant to subdivision 3 and the agency's response.

Subd. 3. [PUBLIC PARTICIPATION PROCEDURES.] The public disclosure document shall be issued following diligent effort to involve the public in determining the objective and contents of the environmental impact statement. At least one public meeting shall be held in each county with a candidate site. The advice of the board, facility developers, state agencies, the local project review committees, and local units of government shall be actively solicited. The agency may engage the state hearing examiner to conduct meetings and make recommendations concerning the review. Each local project review committee shall present to the agency a written report summarizing local concerns and attitudes about the proposed action and the specific issues which the local communities and residents wish to see addressed in the environmental review.

Sec. 9. [AGENCIES; PERMIT CONDITIONS.] Within 60 days following the acceptance of the final environmental impact statement, and after consulting with the board, facility developers, affected local government units, and the local project review committees, each permitting state agency shall issue a notice of intent to issue permits, indicating the terms, conditions, and requirements of agency approval for all permits needed at each candidate site for the establishment of the facilities described in the board's certification of need. The agency decisions shall be consistent with the establishment of facilities in accordance with the certification of need.

Sec. 10. [HEARINGS.] Subdivision 1. **[AGENCY HEARINGS.]** Any person objecting to a notice of intent to issue permits shall have 30 days in which to request a hearing. The hearing shall be ordered by the commissioner or director of the agency involved and shall be conducted by the state office of hearing examiners in the manner provided for contested cases in chapter 15. The hearing examiner may consolidate hearings on agency notices as he deems appropriate. The hearing shall be held in the county where the candidate site is located. A majority of the permanent members of the board shall be present at the agency hearing. The proceeding shall be completed and the examiner's report submitted to the permitting agency within 90 days following the issuance of the agency's notice of intent. Within 60 days following the hearing examiner's report and after consulting with the board, facility developers, affected local government units, and the local project review committee, the per-

mitting agency shall revise its notice of intent as it deems appropriate and shall reissue the notice.

Subd. 2. [BOARD HEARINGS.] Within 90 days following the issuance of agency notice of intent under section 9, the board shall conduct a hearing in each county containing a candidate site, for the purpose of receiving testimony on the sites and facilities to be established. The hearings shall be ordered by the chairperson of the board and shall be conducted concurrently with any agency hearing regarding the site held pursuant to subdivision 1. The subject of the board hearing shall not extend to matters previously decided in the board's certificate of need. The hearing shall be conducted for the board by the state office of hearing examiner's in a manner determined by the hearing examiner to be consistent with the completion of the proceedings in the time allowed. The proceedings shall not be deemed a contested case under chapter 15. A majority of the permanent members of the board shall be present at the hearing.

Sec. 11. [FINAL ACTION.] Subdivision 1. [DECISION OF BOARD.] Within 60 days following final agency decisions on permits pursuant to section 9 and section 10, subdivision 1, and after consulting with private facility developers, the agency, affected local government units, and the local project review committees, the board shall finally select the site or sites for the facilities and shall submit or cause to be submitted final permit applications. If the chairperson of the board determines that an agency notice of intent has been substantially revised following hearings held pursuant to section 10, subdivision 1, the chairperson shall order a public hearing to receive further testimony on the sites and facilities to be established. The proceeding shall be conducted as provided in section 10, subdivision 2, except that hearings shall not be separately held in the affected counties and the issues relating to all agency notices shall be considered at one hearing. The board's decision and final permit applications shall embody all terms, conditions, and requirements of the permitting agencies, provided that the board may: (a) finally resolve any conflicts between state agencies regarding permit terms, conditions, and requirements, and (b) require more stringent terms, conditions, and requirements respecting the facility as may be consistent with the certification of need and the agency rules and permit conditions. The board's resolution of conflicts under clause (a) shall be in favor of the more stringent terms, conditions, and requirements. The board's decision and the permit applications shall provide for the establishment of facilities consistent with the board's certification of need.

Subd. 2. [BOARD'S DECISION PARAMOUNT.] The board's decision under subdivision 1 shall be final and shall supersede and preempt requirements of state agencies and political subdivisions, excepting only those terms, conditions, and requirements of permitting agencies embodied in the board's decision and except as provided in subdivision 3. The permitting agencies shall issue permits within 60 days following and in accordance with the board's final decision, and all permits shall conform to the terms, condi-

tions, and requirements of the board's decision. No charter provision, ordinance, regulation, permit, or other requirement of any state agency or political subdivision shall prevent or restrict the establishment, operation, expansion, continuance, or closure of a facility in accordance with the final decision of the board and permits issued pursuant thereto.

Subd. 3. [LOCAL REQUIREMENTS.] A political subdivision may impose reasonable requirements respecting the construction, inspection, operation, monitoring, and maintenance of a facility. Any such requirements shall be subject to review by the agency to determine their reasonableness and consistency with the establishment and use of a facility in accordance with the final decision of the board and permits issued pursuant thereto. The agency may approve, disapprove, suspend, modify, or reverse any such requirements. The decision of the agency shall be final.

Sec. 12. [RECONCILIATION AND INTERVENTION PROCEDURES.] **Subdivision 1. [REPORTS TO LEGISLATIVE COMMISSION.]** At least 30 days before making final decisions on final site selection and permit application under section 11, the board through its chairperson may report to the legislative commission describing permit conditions or requirements being considered which are not within the existing authority of the agency or the board or which would require legislation or public financial assistance. The report shall not raise issues previously decided by the board's certification of need. In any such report the chairperson of the board may request intervention in the review pursuant to subdivisions 2 and 3.

Subd. 2. [PRE-INTERVENTION ASSESSMENT.] If the legislative commission determines that intervention might be warranted under the terms of subdivision 1, the commission may suspend the review process for up to 60 days to allow a pre-intervention assessment. The pre-intervention assessment shall be conducted by an independent, impartial, and qualified public intervenor appointed by the commission with the advice and consent of the parties to the dispute. The intervenor shall report to the commission. The report shall include:

(a) an assessment of whether the dispute is ripe for mediation and whether the parties are willing to mediate;

(b) an assessment of whether, within the terms of subdivision 1, substantive issues exist which were not decided by the certification of need and which cannot be resolved effectively through normal administrative and judicial procedures;

(c) a preliminary definition of the facts and issues in dispute and actions and decisions being considered;

(d) a description of the diverse parties having a legitimate and direct interest in the outcome of the dispute.

Subd. 3. [SUSPENSION OF REVIEW PROCESS; INTERVENTION PROCEEDING.] Following the report of the intervenor, the legislative commission may suspend the review process

for an additional period not to exceed 90 days for an intervention proceeding. The intervention proceeding shall not consider issues previously decided by the board's certification of need. The intervenor shall be in charge of the intervention proceeding and may call for such participation and establish such procedures as he deems necessary and appropriate to facilitate agreement. The intervenor shall keep the chairperson of the legislative commission informed on the progress of the intervention proceeding, particularly with respect to agreements or proposed agreements which may require action or decisions not within the authority of the agency or board, legislative action, or public financial assistance. The intervenor shall make recommendations to the commission respecting any such agreements or proposed agreements. The commission may make recommendations to the intervenor respecting any such agreement or proposed agreement. If the commission approves of an agreement, or a decision based upon an agreement, which requires action or decisions not within the authority of the agency or board, legislative action, or public financial assistance, the commission shall cause the matter and recommendations to be submitted to the legislature for consideration.

Sec. 13. [JUDICIAL REVIEW.] Any civil action maintained by or against the agency or board under this article shall be brought in the county where the board is located and shall take precedence over all other matters of a civil nature and be expedited to the maximum extent possible. Any person aggrieved by a final decision of the board authorizing facilities under this article may appeal therefrom within 30 days as provided in chapter 15. No civil action shall be maintained pursuant to section 116B.03 with respect to conduct taken by a person pursuant to any environmental quality standard, limitation, regulation, rule, order, license, stipulation agreement or permit issued by the board under this article. Notwithstanding any provision of chapter 116B to the contrary, in any action brought under that chapter with respect to any decision or conduct undertaken by any person or the board or agency pursuant to this article after the period for appeal under this section has lapsed, the plaintiff shall have the burden of proving that the evidence required under section 116B.10 was not reasonably available within the time provided for appeal. The trial court shall, upon motion of any prevailing non-governmental party, award costs, disbursements, reasonable attorney's fees, and reasonable expert witness fees, if the court finds the action hereunder was commenced or defended in bad faith or was frivolous.

ARTICLE IV

Section 1. [RULES.] The board shall promulgate rules pursuant to chapter 15 to govern its activities under article IV.

Sec. 2. [ELIGIBILITY; REQUEST FOR REVIEW.] The following persons shall be eligible to request supplementary review by the board pursuant to this article: (a) a generator of sewage sludge within the state who has been issued permits by the agency for a facility to dispose of sewage sludge or solid waste resulting from sewage treatment; (b) a political subdivision which has been

issued permits by the agency, or a political subdivision acting on behalf of a person who has been issued permits by the agency, for a solid waste facility which is no larger than 250 acres, not including any proposed buffer area, and located outside the metropolitan area; (c) a generator of hazardous waste within the state who has been issued permits by the agency for a hazardous waste facility to be owned and operated by the generator, on property owned by the generator, and to be used by the generator for managing the hazardous wastes produced by the generator only; (d) a person who has been issued permits by the agency for a commercial hazardous waste processing facility at a site included in the board's inventory of preferred sites for such facilities adopted pursuant to article II, section 6. The metropolitan waste control commission shall not be eligible to request review under clause (a) for a sewage sludge disposal facility. The metropolitan waste control commission shall not be eligible to request review under clause (a) for a solid waste facility with a proposed permitted life of longer than four years. The board may require completion of a plan conforming to the requirements of article V, section 5, before granting review under clause (b). A request for supplementary review shall show that the required permits for the facility have been issued by the agency and that a political subdivision has refused to approve the establishment or operation of the facility.

Sec. 3. [APPOINTMENT OF TEMPORARY BOARD MEMBERS.] Within 45 days of the submission of a request determined by the board to satisfy the requirements for review under this article, temporary board members shall be added to the board for the purpose of the supplementary review. Three members shall be selected by the governing body of the city or town in which the chairperson of the waste management board determines the facility would be principally located, and three members shall be selected by the governing body of the county in which the chairperson of the waste management board determines the proposed facility would be principally located. If the proposed facility is located in unorganized territory, all six members shall be selected by the governing board of the county. Temporary members shall be residents of the county in which the proposed facility would be located and shall be selected to represent broadly the local interests that would be directly affected by the proposed facility. At least one member appointed by the city or town shall live within one mile of the proposed facility, and at least one member appointed by the county shall be a resident of a city or town in which the proposed facility would be located. Temporary board members shall serve for terms lasting until the board has taken final action on the facility.

Sec. 4. [REVIEW PROCEDURE.] The board shall meet to commence the supplementary review within 90 days of the submission of a request determined by the board to satisfy the requirements for review under this section. At the meeting commencing the review the chairperson shall recommend and the board establish a scope and procedure, in accordance with the rules of the board, for review and final decision on the proposed

facility. The procedure shall require the board to make a final decision on the proposed facility within 90 days following the commencement of review. The procedure shall require the board to hold, at the call of the chairperson, at least one public hearing in the county within which the proposed facility would be located. A majority of permanent members of the board shall be present at the hearing. The hearing shall be conducted for the board by the state office of hearing examiners in a manner determined by the hearing examiner to be consistent with the expeditious completion of the proceedings as required by this article. The hearing shall not be deemed a contested case under chapter 15. Notice of the hearing shall be published in a newspaper or newspapers of general circulation in the area for two successive weeks ending at least 15 days before the date of the meeting. The notice shall describe the proposed facility, its location, the permits, and the board's scope and procedure for review. The notice shall identify a location or locations within the city or town and county where the permit applications, the agency permits, and the board's scope and procedure for review are available for review and where copies may be obtained.

Sec. 5. [SCOPE AND CONTENT OF REVIEW.] In its review and final decision on the proposed facility, the board shall consider at least the following matters:

(a) the risk and effect of the proposed facility on local residents, units of government, and the local public health, safety, and welfare, including such dangers as an accidental release of wastes during transportation to the facility, water, air, and land pollution, and fire or explosion where appropriate, and the degree to which the risk or effect may be alleviated;

(b) the consistency of the proposed facility with, and its effect on, existing and planned local land use and development; local laws, ordinances, and permits; and local public facilities and services;

(c) the adverse effects of the facility on agriculture and natural resources and opportunities to mitigate or eliminate the adverse effects by additional stipulations, conditions, and requirements respecting the proposed facility at the proposed site;

(d) the need for the proposed facility, especially its contribution to abating solid and hazardous waste disposal, the availability of alternative sites, and opportunities to mitigate or eliminate need by additional and alternative waste management strategies or actions of a significantly different nature;

(e) whether, in the case of solid waste resource recovery facilities, the applicant has considered the feasible and prudent waste processing alternatives for accomplishing the purposes of the proposed project and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators.

Sec. 6. [FINAL DECISION OF BOARD.] Subdivision 1. [AP-

PROVAL OR DISAPPROVAL.] *In its final decision on the proposed facility, the board may either approve or disapprove the proposed facility at the proposed site. The board's approval shall embody all terms, conditions, and requirements of the permitting agencies, provided that the board may: (a) finally resolve any conflicts between state agencies regarding permit terms, conditions, and requirements, and (b) require more stringent permit terms, conditions, and requirements respecting the design, construction, operation, inspection, monitoring, and maintenance of the proposed facility at the proposed site. The board's resolution of conflicts under clause (a) shall be in favor of the more stringent terms, conditions, and requirements.*

Subd. 2. [DECISION PARAMOUNT.] *The decision of the board to approve a facility shall be final and shall supersede and preempt requirements of state agencies and political subdivisions, excepting only those terms, conditions, and requirements of permitting agencies embodied in the board's approval and except as provided in subdivision 3. The permitting agencies shall issue or amend the permits for the facility within 60 days following and in accordance with the final decision of the board, and all permits shall conform to the terms, conditions, and requirements of the board's decision. No charter provision, ordinance, regulation, permit, or other requirement of any state agency or political subdivision shall prevent or restrict the establishment, operation, expansion, continuance, or closure of the facility in accordance with the final decision of the board and permits issued pursuant thereto.*

Subd. 3. [LOCAL REQUIREMENTS.] *A political subdivision may impose reasonable requirements respecting the construction, inspection, operation, monitoring, and maintenance of a facility. Any such requirements shall be subject to review by the agency to determine their reasonableness and consistency with the establishment and use of a facility in accordance with the final decision of the board and permits issued pursuant thereto. The agency may approve, disapprove, suspend, modify, or reverse any such requirements. The decision of the agency shall be final.*

Sec. 7. [RECONCILIATION PROCEDURES.] **Subdivision 1. [REPORTS TO LEGISLATIVE COMMISSION.]** *At least 30 days before making a final decision under section 6 in a review brought pursuant to section 2, clause (d), the board through its chairperson may report to the legislative commission describing permit conditions or requirements being considered which are not within the existing authority of the agency or the board or which would require legislation or public financial assistance. In any such report the chairperson of the board may request intervention in the review pursuant to subdivisions 2 and 3.*

Subd. 2. [PRE-INTERVENTION ASSESSMENT.] *If the legislative commission determines that intervention might be warranted under the terms of subdivision 1, the commission may suspend the review process for up to 60 days to allow a pre-intervention assessment. The pre-intervention assessment shall be conducted by an independent, impartial, and qualified public intervenor*

appointed by the commission with the advice and consent of the parties to the dispute. The intervenor shall report to the commission. The report shall include:

(a) an assessment of whether the dispute is ripe for mediation and whether the parties are willing to mediate;

(b) an assessment of whether, within the terms of subdivision 1, substantive issues exist which cannot be resolved effectively through normal administrative and judicial procedures;

(c) a preliminary definition of the facts and issues in dispute and actions and decisions being considered;

(d) a description of the diverse parties having a legitimate and direct interest in the outcome of the dispute.

Subd. 3. [SUSPENSION OF REVIEW PROCESS; INTERVENTION PROCEEDING.] *Following the report of the intervenor, the legislative commission may suspend the review process for an additional period not to exceed 90 days for an intervention proceeding. The intervenor shall be in charge of the intervention proceeding and may call for such participation and establish such procedures as he deems necessary and appropriate to facilitate agreement. The intervenor shall keep the chairman of the legislative commission informed on the progress of the intervention proceeding, particularly with respect to agreements or proposed agreements which may require action or decisions not within the authority of the agency or board, legislative action, or public financial assistance. The intervenor shall make recommendations to the commission respecting any such agreements or proposed agreements. The commission may make recommendations to the intervenor respecting any such agreement or proposed agreement. If the commission approves of an agreement, or a decision based upon an agreement, which requires action or decisions not within the authority of the agency or board, legislative action, or public financial assistance, the commission shall cause the matter and recommendations to be submitted to the legislature for consideration.*

Sec. 8. [JUDICIAL REVIEW.] *Judicial review with respect to conduct or decisions in supplementary reviews brought pursuant to section 2, clauses (c) or (d) shall be as provided in article III, section 13.*

ARTICLE V SOLID WASTE MANAGEMENT PLANNING ASSISTANCE PROGRAM

Section 1. [ESTABLISHMENT AND ADMINISTRATION.] *There is established a planning assistance program to provide technical and financial assistance to political subdivisions of the state for the purpose of encouraging and improving regional and local solid waste management planning activities and efforts. The program shall be administered by the agency pursuant to rules promulgated under chapter 15, except in the metropolitan area where the program shall be administered by the metropolitan*

council pursuant to chapter 473. The agency and the metropolitan council shall ensure conformance with federal requirements and programs established pursuant to the Resource Conservation and Recovery Act of 1976 and amendments thereto.

Sec. 2. [ELIGIBLE RECIPIENTS.] *Political subdivisions shall be eligible for assistance under the program.*

Sec. 3. [FINANCIAL ASSISTANCE.] *Eligible recipients may receive grants for up to 50 percent of the cost of the planning activity, except that planning by a regional development commission and joint planning by two or more contiguous counties or political subdivisions located in two or more contiguous counties may receive grants for up to 100 percent of the cost of the planning activity. Financial assistance provided under the program may be used to employ staff, contract with other units of government or qualified consultants, and pay such other planning expenses as the agency or metropolitan council may allow.*

Sec. 4. [TECHNICAL ASSISTANCE.] *The agency and metropolitan council shall provide for technical assistance for eligible recipients. The agency and metropolitan council shall provide model plans for regional and local solid waste management. The agency and metropolitan council may contract for the delivery of technical assistance by a regional development commission, any state or federal agency, or private consultants. The agency shall prepare and publish an inventory of sources of technical assistance for solid waste planning, including studies, publications, agencies, and persons available.*

Sec. 5. [CONTENTS.] *Political subdivisions preparing plans under this article are encouraged to consult with persons presently providing solid waste collection, processing, and disposal services in the preparation of the plan. Plans prepared by local units of government in the metropolitan area shall conform to the requirements of chapter 473. Plans prepared by political subdivisions outside the metropolitan area with assistance from the program shall conform to the requirements of this section. The plans shall describe existing collection, processing, and disposal systems, including schedules of rates and charges, financing methods, environmental acceptability, and opportunities for improvements in the systems. The plans shall include an estimate of the land disposal capacity in acre-feet which will be needed through the year 2000, on the basis of current and projected waste generation practices. The plans shall contain an assessment of opportunities to reduce the need for land disposal through waste reduction and resource recovery, the alternative degrees of reduction achievable, and a comparison of the costs of alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators. The plans shall establish a siting procedure and development program to assure the orderly location, development, and financing of new or expanded solid waste facilities and services sufficient for a prospective ten-year period, including estimated costs and implementation schedules, proposed procedures for operation and maintenance, estimated annual costs*

and gross revenues, and proposals for the use of facilities after they are no longer needed or usable. The plans shall describe existing and proposed county and municipal ordinances and license and permit requirements relating to solid waste management and shall describe existing and proposed regulation and enforcement procedures. Plans for location, establishment, operation, maintenance, and post-closure use of facilities and facility sites, for ordinances, and for licensing, permit, and enforcement activities shall be consistent with the rules adopted by the agency pursuant to chapter 116. The plans shall address the resolution of conflicting, duplicative, or overlapping local management efforts. The plans shall address the establishment of joint powers management programs or waste management districts where appropriate. The plans shall address other matters as the rules of the agency may require consistent with the purposes of article V.

ARTICLE VI

SOLID WASTE MANAGEMENT DEMONSTRATION PROGRAM

Section 1. [ESTABLISHMENT; PURPOSES AND PRIORITIES.] *There is established a solid waste management demonstration program to encourage and assist cities, counties, and solid waste management districts in the development and implementation of solid waste management projects of potential state wide application or significance and to transfer the knowledge and experience gained from such projects to other communities in the state. The program shall be administered so as to demonstrate the application of feasible and prudent alternatives to disposal, including waste reduction; waste separation by generators, collectors, and other persons; and waste processing. The program shall be administered by the agency and the board in accordance with the requirements of article VI and rules promulgated by the agency and the board pursuant to chapter 15. In administering the program, the agency and the board shall give priority to areas where natural geologic and soil conditions are unsuitable for land disposal of solid waste and areas where the capacity of existing solid waste disposal facilities is determined by the agency or the board to be less than five years. In areas outside the metropolitan area, the agency and the board shall also give priority to projects serving more than one local government unit.*

Sec. 2. [ELIGIBLE RECIPIENTS.] *Eligible recipients for assistance under the program shall be limited to cities, counties, and solid waste management districts established pursuant to article VIII. Eligible recipients may apply for assistance under sections 4 and 5 on behalf of other persons.*

Sec. 3. [APPLICATION REQUIREMENTS.] *Applications for assistance under the program shall demonstrate: (a) that the project is conceptually and technically feasible; (b) that affected political subdivisions are committed to implement the project, to provide necessary local financing, and to accept and exercise the government powers necessary to the project; (c) that operating*

revenues from the project, considering the availability and security of sources of solid waste and of markets for recovered resources, together with any proposed federal, state, or local financial assistance, will be sufficient to pay all costs over the projected life of the project; (d) that the applicant has evaluated the feasible and prudent alternatives to disposal and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators. The agency or the board may require completion of a comprehensive solid waste management plan conforming to the requirements of article V, section 5, before accepting an application.

Sec. 4. [TECHNICAL ASSISTANCE FOR DEMONSTRATION PROJECTS.] *The agency and the board shall ensure the delivery of the technical assistance necessary for proper implementation of each demonstration project funded under the program. The agency and the board may contract for the delivery of technical assistance by any state or federal agency, a regional development commission, the metropolitan council, or private consultants and may use program funds to reimburse the agency, commission, council, or consultants. The agency and the board shall prepare and publish an inventory of sources of technical assistance, including studies, publications, agencies, and persons available. The agency and the board shall ensure statewide benefit from projects assisted under the demonstration program by developing exchange and training programs for local officials and employees and by using the experience gained in demonstration projects to provide technical assistance and education for other solid waste management projects in the state.*

Sec. 5. [WASTE REDUCTION AND SEPARATION PROJECTS.] *The agency shall provide technical assistance and grants to projects which demonstrate waste reduction; waste separation by generators, collectors, and other persons; and collection systems for separated waste. Activities eligible for assistance under this section include legal, financial, economic, educational, marketing, social, governmental, and administrative activities related to the implementation of the project. Preliminary planning and development, feasibility study, and conceptual design costs shall also be eligible activities, but no more than 20 percent of program funds shall be used to fund those activities. The rules of the agency shall prescribe the level or levels of local funding required for grants under this section.*

Sec. 6. [WASTE PROCESSING FACILITIES.] *Subdivision 1. [PURPOSES; PUBLIC INTEREST; DECLARATION OF POLICY.] The legislature finds that the establishment of waste processing facilities and transfer stations serving such facilities is needed to manage properly the solid waste generated in the state and to conserve and protect the natural resources in the state and the health, safety, and welfare of its citizens; that opportunities to establish the facilities and transfer stations are not being fully realized by individual political subdivisions or by agreements among subdivisions; and that therefore it is necessary to provide*

capital assistance to stimulate and encourage the acquisition and betterment of the facilities and transfer stations.

Subd. 2. [ADMINISTRATION; ASSURANCE OF FUNDS.] *The board shall provide technical and financial assistance for the acquisition and betterment of the facilities and transfer stations from revenues derived from the issuance of bonds authorized by article VII, section 2. Of money appropriated for the purposes of the demonstration program, at least 70 percent shall be distributed as loans, and the remainder shall be distributed as grants. An individual project may receive assistance totaling up to 100 percent of the capital cost of the project and grants up to 50 percent of the capital cost of the project. No grant or loan shall be disbursed to any recipient until the board has determined the total estimated capital cost of the project and ascertained that financing of the cost is assured by funds provided by the state, by an agency of the federal government within the amount of funds then appropriated to that agency and allocated by it to projects within the state, by any person, or by the appropriation of proceeds of bonds or other funds of the recipient to a fund for the construction of the project.*

Subd. 3. [OBLIGATIONS OF RECIPIENT.] *No grant or loan for any project shall be disbursed until the governing body of the recipient has made an irrevocable undertaking, by resolution, to use all funds made available exclusively for the capital cost of the project and to pay any additional amount by which the cost of the project exceeds the estimate by appropriation to the construction fund of additional funds or proceeds of additional bonds of the recipient. The resolution shall also indicate that any subsequent withdrawal of allocated or additional funds of the recipient will impair the obligation of contract between the state of Minnesota, the recipient, and the bondholders. The resolution shall pledge payment to the debt service account of all revenues of the project to the extent that they exceed costs and shall also obligate the recipient to levy a tax sufficient to make timely payments under the loan agreement, if a deficiency occurs in the amount of user charges, taxes, special assessments, or other moneys pledged for payment under the loan agreement. Each loan made to a recipient shall be secured by resolutions adopted by the board and the governing body of the recipient, obligating the recipient to repay the loan to the state treasurer in annual installments including both principal and interest. Installments shall be in an amount sufficient to pay the principal amount within the period required by the agency. The interest on the loan shall be calculated on the declining balance at a rate not less than the average annual interest rate on the state bonds of the issue from which proceeds of the loan were made. The resolution shall obligate the recipient to provide money for the repayment from user charges, taxes, special assessments or any other funds available to it.*

ARTICLE VII

STATE WASTE MANAGEMENT BONDS

Section 1. [WASTE MANAGEMENT FUND.] *Subdivision 1.*

[CREATION; RECEIPTS.] *The commissioner of finance shall maintain a Minnesota state waste management fund. The fund shall receive the proceeds of state bonds and other money appropriated to the fund and disburse money for the acquisition of real property and interests in real property for hazardous waste facility sites and surrounding buffer areas, as authorized by article II, section 3, subdivision 4, and money to be granted or loaned to political subdivisions pursuant to the waste processing facility capital assistance program created by article VI, section 6. The commissioner of finance and state treasurer shall deposit in the fund as received (a) all proceeds of Minnesota state waste management bonds, except accrued interest and premiums received upon the sale of the bonds; (b) all other money appropriated by law for purposes stated in article VII, and (c) all money granted to the state for those purposes by the federal government or any agency thereof. All the receipts are annually appropriated for the purposes of the fund, and shall remain available until expended.*

Subd. 2. [DISBURSEMENTS.] *Disbursements from the fund shall be made at the times and in the amounts authorized by the board in accordance with applicable state laws and the board's rules.*

Sec. 2. [MINNESOTA STATE WASTE MANAGEMENT BONDS.] **Subdivision 1. [AUTHORITY TO ISSUE BONDS.]** *The commissioner of finance shall sell bonds of the state of Minnesota for the prompt and full payment of which, together with interest, the full faith, credit, and taxing powers of the state are irrevocably pledged. Bonds shall be sold only upon request of the board and in the amount as may otherwise be authorized by this or a subsequently enacted law which authorizes the sale of additional bonds and the deposit of the proceeds in the state waste management fund. Any authorized amount of bonds in this law or any subsequently enacted law authorizing the issuance of bonds for the purposes of the state waste management fund, together with this section, constitute complete authority for the issue. The bonds shall not be subject to restrictions or limitations contained in any other law.*

Subd. 2. [ISSUANCE OF BONDS.] *Upon request by the board and upon authorization as provided in subdivision 1, the commissioner of finance shall sell Minnesota state waste management bonds. The bonds shall be in the aggregate amount requested, and sold upon sealed bids upon the notice, at the price, in the form and denominations, bearing interest at the rate or rates, maturing in the amounts and on the dates (without option of prepayment or subject to prepayment upon the notice and at the times and prices), payable at the bank or banks within or outside the state (with provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale or delivery of definitive bonds), and in accordance with any further provisions as the commissioner of finance shall determine. The sale is subject to the approval of the attorney general, but not subject to the provisions of Minnesota Statutes, Sections 15.0411 to 15.0422. The bonds shall be executed by the commissioner of finance and*

attested by the state treasurer under their official seals. The signatures of the officers on the bonds and any interest coupons and their seals may be printed, lithographed, engraved, or stamped thereon, except that each bond shall be authenticated by the manual signature on its face of one of the officers or of an officer of a bank designated by them as authenticating agent. The commissioner of finance shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions, and things necessary to make them valid and binding general obligations of the state of Minnesota, subject to the approval of the attorney general.

Subd. 3. [EXPENSES.] 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 these purposes, and any expenses of litigation relating to the validity of the bonds, shall be paid from the waste management fund, and the amounts necessary are appropriated from that fund.

Subd. 4. [DEBT SERVICE ACCOUNT IN THE STATE WASTE MANAGEMENT FUND.] The commissioner of finance shall maintain in the Minnesota state waste management fund a separate account to be called the state waste management debt service account. It shall record receipts of premium and accrued interest, loan repayments, project revenue or other money transferred to the fund and income from the investment of the money and record any disbursements to pay the principal and interest on waste management bonds. Income from investment shall be credited to the account in each fiscal year. The amount credited shall be equal to the average return that year on all funds invested by the state treasurer, as determined by the treasurer, times the average balance in the account that year.

Subd. 5. [APPROPRIATIONS TO DEBT SERVICE ACCOUNT; APPROPRIATION FROM ACCOUNT TO PAY DEBT SERVICE.] The premium and accrued interest received on each issue of Minnesota state waste management bonds, and all payments received in repayment of loans and other revenues received are appropriated to the debt service account. All income from the investment of the Minnesota state waste management fund is appropriated to the debt service account. In order to reduce the amount of taxes otherwise required to be levied, there is also appropriated to the debt service account from any funds available in the general fund on November 1 in each year, a sum of money sufficient in amount, when added to the balance then on hand, to pay all principal and interest on Minnesota waste management bonds due and to become due before July 1 in the second ensuing year. So much of the debt service account of the state waste management fund as is necessary to pay principal and interest on waste management bonds is annually appropriated from the debt service account for the payment of principal and interest of the waste management bonds. All funds appropriated by this subdivision shall be available in the debt service account prior to

any levy of the tax in any year required by the Minnesota Constitution, Article XI, Section 7.

Subd. 6. [SECURITY.] *On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money currently credited to the debt service account, to pay the entire amount of principal and interest currently due and the principal and interest to become due before July 1 in the second year thereafter on Minnesota waste management bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of Minnesota Statutes, Section 273.13, Subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all the bonds and interest thereon are fully paid. The proceeds of this tax are appropriated to the debt service account. The principal of and interest on the bonds are payable from the proceeds of this tax.*

Sec. 3. [BOND AUTHORIZATION AND APPROPRIATION OF PROCEEDS.] *The commissioner of finance is authorized, upon request of the board, to sell Minnesota state waste management bonds in the amount of up to \$8,800,000 for the purpose of the waste processing facility capital assistance program under article VI, section 6, and in the amount of up to \$6,200,000 for the purpose of acquiring real property and interests in real property for hazardous waste facility sites and buffer areas as authorized by article II, section 3, subdivision 4. The bonds shall be sold in the manner and upon the conditions prescribed in article VII, section 2, and in the Minnesota Constitution, Article XI, Sections 4 to 7. The proceeds of the bonds, except as provided in article VII, section 2, subdivision 5, are appropriated to the Minnesota state waste management fund. The amount of bonds issued pursuant to this authorization shall not exceed at any time the amount needed to produce a balance in the waste management fund equal to the aggregate amount of the loans and grants then approved and not previously disbursed, plus the amount of the loans and grants to be approved in the current and the following fiscal year, as estimated by the board.*

ARTICLE VIII

SOLID WASTE MANAGEMENT DISTRICTS

Section 1. [PURPOSE; PUBLIC INTEREST; DECLARATION OF POLICY.] *The legislature finds that the development of integrated and coordinated solid waste management systems is needed to manage properly the solid waste generated in the state and to conserve and protect the natural resources in the state and the health, safety, and welfare of its citizens; that this need cannot always be met solely by the activities of individual political subdivisions or by agreements among subdivisions; and that therefore it is necessary to establish a procedure for the creation of solid waste management districts having the powers and performing the functions prescribed in article VIII.*

Sec. 2. [SOLID WASTE MANAGEMENT DISTRICTS.] *Subdivision 1. [LEGAL STATUS.] Solid waste management districts established pursuant to article VIII shall be public corporations and political subdivisions of the state.*

Subd. 2. [ESTABLISHMENT BY BOARD.] The board may establish waste districts as public corporations and political subdivisions of the state, define the powers of such districts in accordance with article VIII, define and alter the boundaries of the districts as provided in article VIII, section 3, and terminate districts as provided in article VIII, section 5. The board shall promulgate rules pursuant to chapter 15 governing the establishment, alteration, and termination of districts.

Subd. 3. [RESTRICTIONS.] No waste district shall be established within the boundaries of the Western Lake Superior Sanitary District established by Laws 1971, Chapter 478, as amended. No waste district shall be established wholly within one county. The board shall not establish a waste district within or extending into the metropolitan area, nor define or alter the powers or boundaries of a district, without the approval of the metropolitan council. The council shall not approve a district unless the articles of incorporation of the district require that the district will have the same procedural and substantive responsibilities, duties, and relationship to the metropolitan agencies as a metropolitan county. The board shall not establish a district unless the petitioners demonstrate that they are unable to fulfill the purposes of a district through joint action under Minnesota Statutes, Section 471.59. The board shall require the completion of a comprehensive solid waste management plan conforming to the requirements of article V, section 5, by petitioners seeking to establish a district.

Sec. 3. [PROCEDURE FOR ESTABLISHMENT AND ALTERATION.] *Subdivision 1. [LOCAL PETITION.] Waste districts shall be established and their powers and boundaries defined or altered by the board only after petition requesting the action jointly submitted by the governing bodies of petitioners comprising at least one-half of the counties partly or wholly within the district. A petition for alteration shall include a resolution by the board of directors of the district approving the alteration.*

Subd. 2. [PETITION CONTENTS.] A petition requesting establishment or alteration of a waste district shall contain the information the board may require, including at least the following:

(a) *the name of the proposed district;*

(b) *a description of the territory and political subdivisions within and the boundaries of the proposed district or alteration thereto, along with a map showing the district or alteration;*

(c) *resolutions of support for the district, as proposed to the board, from the governing body of each of the petitioning counties;*

(d) a statement of the reason, necessity, and purpose for the district, plus a general description of the solid waste management improvements and facilities contemplated for the district showing how its activities will accomplish the purpose of the district and the purposes for waste resource districts stated in article VIII;

(e) articles of incorporation stating the powers of the district consistent with article VIII, including a statement of powers proposed pursuant to sections 9 and 10.

After the petition has been filed, no petitioner may withdraw from it except with the written consent of all other petitioners filed with the board.

Subd. 3. [LOCAL REVIEW AND COMMENT.] At least 60 days before submitting the petition to the board, the petitioners shall publish notice of the petition in newspapers of general circulation in the proposed district and shall cause a copy of the petition to be served upon the agency, the governing body of each political subdivision which is wholly or partly within the proposed district or is affected by the proposed alteration and each regional development commission affected by the proposed district or alteration. Each entity receiving service shall have 60 days within which to comment to the petitioners on the petition and the proposed district or alteration. Proof of service, along with any comments received, shall be attached to the petition when it is submitted to the board.

Subd. 4. [REVIEW PROCEDURES.] Upon receipt of the petition, the chairperson of the board shall determine whether the petition conforms in form and substance to the requirements of law and rule. If the petition does not conform to the requirements, the chairperson shall return it immediately to the petitioners with a statement describing the deficiencies and the amendments necessary to rectify them. If the petition does conform to the requirements, and if comments have been received objecting to the establishment or alteration of the district as proposed, the chairperson shall request the office of hearing examiners to conduct a hearing on the petition. The hearing shall be conducted in the proposed district in the manner provided in chapter 15 for contested cases. If no comments have been received objecting to the establishment of the district as proposed, the board may proceed to grant or deny the petition without the necessity of conducting a contested case hearing. If the petition conforms to the requirements of law and rule, the chairperson shall also immediately submit the petition to the solid waste and the technical advisory councils of the board for review and recommendation and shall forward the petition to the director of the agency, who shall prepare and submit to the board a report containing recommendations on the disposition of the petition. The director's report shall contain at least the director's findings and conclusions on whether the proposed boundaries, purposes, powers, and management plans of the district or alteration thereto serve the purposes of waste resource districts, are appropriately related to the waste generation, collection, processing, and disposal patterns in the area, and are generally consistent with the purposes of the agency's regulatory program.

Subd. 5. [CORRECTIONS ALLOWED.] No petition submitted by the requisite number of counties shall be void or dismissed on account of defects exposed in the hearing documents or report. The board shall permit the petition to be amended in form and substance to conform to the facts by correcting any errors in the description of the territory or any other defects.

Subd. 6. [BOARD ORDER.] After considering the reports of the hearing examiner, if a contested case hearing has been held, and the recommendations of the advisory councils director of the agency, the board shall make a final decision on the petition. If the board finds and determines that the establishment or alteration of a district as proposed in the petition would not be in the public interest and would not serve the purposes of article VIII, it shall give notice to the petitioners of its intent to deny the petition. If a contested case hearing has not been held, the petitioners may request a hearing within 30 days of notice of intent to deny the petition. The request shall be granted. Following the hearing and the report of the hearing examiner, the board shall make a final decision on the petition and mail a copy of its decision to the governing body of each affected political subdivision. If the board finds and determines that the establishment or alteration of a district as proposed in the petition would be in the public interest and would serve the purposes of article VIII, it shall, by order, establish the district, define its boundaries, and give it a corporate name by which, in all proceedings, it shall thereafter be known. The order shall include articles of incorporation stating the powers of the district and the location of its registered office. Upon the filing of a certified copy of the order of the board with the secretary of state, the district shall become a political subdivision of the state and a public corporation, with the authority, power, and duties prescribed in article VIII and the order of the board. At the time of filing, a copy of the order shall be mailed by the board to the governing body of each political subdivision wholly or partly within the district or affected by the alteration of the district.

Sec. 4. [PERPETUAL EXISTENCE.] A waste district created under the provisions of article VIII shall have perpetual existence to the extent necessary to perform all acts necessary and proper for carrying out and exercising the powers and duties expressly given in it. A district shall not be terminated except pursuant to article VIII, section 5.

Sec. 5. [TERMINATION.] Subdivision 1. **[PETITION.]** Proceedings for the termination of a district shall be initiated by the filing of a petition with the board. The petition shall be submitted by the governing bodies of not less than one-half of the counties which are wholly or partly in the district. The petition shall state that the existence of the district is no longer in the public interest. The petitioners shall publish notice of the petition in newspapers of general circulation in the district and shall cause to be served upon each political subdivision wholly or partly within the district a copy of the petition, and proof of service shall be attached to the petition filed with the board.

Subd. 2. [BOND; PAYMENT OF COSTS.] *If the petition is dismissed or denied, the petitioners shall be required to pay all costs and expenses of the proceeding for termination. At the time of filing the petition a bond shall be filed by the petitioners with the board in such sum as the board determines to be necessary to ensure payment of costs.*

Subd. 3. [HEARING; DECISION.] *If objection is made to the board against the petition for termination, a contested case hearing on the petition shall be held in the waste district pursuant to chapter 15. If the board determines that the termination of the district as proposed in the petition would not be in the public interest, the board shall give notice to the petitioner of its intent to deny the petition. If a contested case hearing has not been held, the petitioner may request a hearing within 30 days of the notice of intent to deny the petition. The request shall be granted. Following the hearing and the report of the hearing examiner, the board shall make a final decision on the petition. If the petition is dismissed all costs of the proceeding shall be assessed against the petitioner. If the board determines that the existence of the district is no longer in the public interest, the board shall by its findings and order terminate the district. Upon the filing of a certified copy of the finds and order with the secretary of state the district shall cease to be a public corporation and a political subdivision of the state.*

Subd. 4. [LIMITATION.] *The board shall not entertain a petition for termination of a district within five years from the date of the formation of the district nor shall the board entertain a petition for termination of the same district more often than once in five years.*

Sec. 6. [ORGANIZATION OF DISTRICT.] *The governing body of each county wholly or partly within the district shall appoint two persons to serve on the first board of directors of the district. The first chairperson of the board of directors shall be appointed by the chairperson of the waste management board and shall be a local elected official within the district. The first chairperson shall serve for a term of two years. Thereafter the chairperson shall be elected from outside the board of directors by majority vote of the board of directors. The first meeting of the board of directors shall be held at the call of the chairperson, after notice, for the purpose of proposing the bylaws, electing officers and for any other business that comes before the meeting. The bylaws of the district, and amendments thereto, shall be adopted by a majority vote of the board of directors unless the certificate of incorporation requires a greater vote. The bylaws shall state:*

(a) the manner and time of calling regular meetings of the representatives and the board of directors, not less than once annually;

(b) the title, manner of selection, and term of office of officers of the district;

(c) the term of office of members of the board of directors, the

manner of their removal, and the manner of filling vacancies on the board of directors;

(d) the powers and duties of the board of directors consistent with the order and articles of incorporation establishing the district;

(e) the definition of a quorum for meetings of the board of directors, which shall be not less than a majority of the members;

(f) the compensation and reimbursement for expenses for members of the board of directors, which shall not exceed that provided for in section 15.0575, subdivision 3; and

(g) such other provisions for regulating the affairs of the district as the board of directors shall determine to be necessary.

Sec. 7. [REGISTERED OFFICE.] Every district shall maintain an office in this state to be known as its registered office. When a district desires to change the location of its registered office, it shall file with the secretary of state, the board, and the director of the agency, a certificate stating the new location by city, town, or other community and the effective date of change. When the certificate has been duly filed, the board of directors may make the change without any further action.

Sec. 8. [POWERS.] Subdivision 1. [GENERAL.] A district shall have all powers necessary or convenient to perform its duties, including the powers provided in this section.

Subd. 2. [ACTIONS.] The district may sue and be sued, and shall be a public body within the meaning of chapter 562.

Subd. 3. [ACQUISITION OF PROPERTY.] The district may acquire by purchase, lease, condemnation, gift, or grant, any right, title, and interest in and to real or personal property deemed necessary for the exercise of its powers or the accomplishment of its purposes, including positive and negative easement and water and air rights. Any local government unit and the commissioners of transportation, natural resources, and administration may convey to or permit the use of any property or facilities by the district, subject to the rights of the holders of any bonds issued with respect thereto, with or without compensation and without an election or approval by any other government agency. The district may hold the property for its purposes, and may lease or rent the property so far as not needed for its purposes, upon the terms and in the manner as it deems advisable. The right to acquire lands and property rights by condemnation shall be exercised in accordance with Minnesota Statutes, Chapter 117. The district may take possession of any property for which condemnation proceedings have been commenced at any time after the issuance of a court order appointing commissioners for its condemnation.

Subd. 4. [RIGHT OF ENTRY.] Whenever the district deems it necessary to the accomplishment of its purposes, the district or any member, employee, or agent thereof, when authorized by it, may enter upon any property, public or private, for the purpose of

obtaining information or conducting surveys or investigations, provided that the entrance and activity is undertaken after reasonable notice and during normal business hours and provided that compensation is made for any damage to the property caused by the entrance and activity.

Subd. 5. [GIFTS AND GRANTS.] *The district may apply for and accept gifts, loans, or other property from the United States, the state, or any person for any of its purposes, may enter into any agreement required in connection therewith, and may hold, use, and dispose of the money or property in accordance with the terms of the gift, grant, loan or agreement.*

Subd. 6. [PROPERTY EXEMPT FROM TAXATION.] *Any real or personal property owned, used, or occupied by the district for any authorized purpose is declared to be acquired, owned, used and occupied for public and governmental purposes, and shall be exempted from taxation by the state or any political subdivision of the state, provided that those properties shall be subject to special assessments levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from the improvement. No possible use of the properties in any manner different from their use for solid waste management at the time shall be considered in determining the special benefit received by the properties. All bonds, certificates of indebtedness or other obligations of the district shall be exempted from taxation by the state or any political subdivision of the state. Interest on the obligations of the district shall be exempted from taxation in the same manner provided for interest on obligations qualifying under Minnesota Statutes, Section 290.08, Subdivision 7.*

Subd. 7. [FACILITIES AND SERVICES.] *The district may construct, equip, develop, enlarge, improve, and operate solid waste facilities and services as it deems necessary and may negotiate contracts for the use of public or private facilities and services. The district shall contract with private persons for the construction, maintenance, and operation of facilities and services where the facilities and services are adequate and available for use and competitive with other means of providing the same service.*

Subd. 8. [RATES; CHARGES.] *The district may establish and collect rates and charges for the facilities and services provided by the district any may negotiate and collect rates and charges for facilities and services contracted for by the district. The board of directors of the district may agree with the holders of district obligations which are secured by revenues of the district as to the maximum or minimum amounts which the district shall charge and collect for services provided by the district. Before establishing or raising any rates and charges the board of directors shall hold a public hearing regarding the proposed rates and charges. Notice of the hearing shall be published at least once in a legal newspaper of general circulation throughout the area affected by the rates and charges. Publication shall be no more than 45 days and no less than 15 days prior to the date of the hearing.*

Subd. 9. [DISPOSITION OF PROPERTY.] *The district may sell or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. The property shall be sold in the manner provided by Minnesota Statutes, Section 458.196, insofar as practical. The district shall give notice of sale which it deems appropriate. When the district determines that any property which has been acquired from a government unit without compensation is no longer required, the district shall transfer it to the government unit.*

Subd. 10. [DISPOSITION OF PRODUCTS AND ENERGY.] *The district may use, sell, or otherwise dispose of all of the products and energy produced by its facilities. The district may, on a competitive basis, enter into short or long term contracts, make spot sales, solicit bids, enter into direct negotiations, deal with brokers, or use such other methods of disposal as it chooses, provided that the dealings of the district shall be on a competitive basis so as not to create an unfair or unreasonable advantage or restraint of trade on the part of the district. The district shall give particular consideration to the needs of purchasers in this state and shall actively promote sales to such purchasers so long as this can be done at prices and under conditions that meet constitutional requirements and that are consistent with the district's object of being financially self supporting to the greatest extent possible.*

Subd. 11. [CONTRACTS.] *The district may enter into any contract necessary or proper for the exercise of its powers or the accomplishment of its purposes.*

Subd. 12. [JOINT POWERS.] *The district may act under the provisions of Minnesota Statutes, Section 471.59, or any other law providing for joint or cooperative action between government units.*

Subd. 13. [RESEARCH.] *The district may conduct research studies and programs, collect and analyze data, prepare reports, maps, charts, and tables, and conduct all necessary hearings and investigations in connection with its work and may advise and assist other government units on planning matters within the scope of its powers, duties, and objectives.*

Subd. 14. [EMPLOYEES; CONTRACTS FOR SERVICES.] *The district may employ persons or firms and contract for services to perform engineering, legal or other services necessary to carry out its functions.*

Subd. 15. [INSURANCE.] *The district may require any employee to obtain and file with it an individual bond or fidelity insurance policy. It may procure insurance in amounts it deems necessary to insure against liability of the board of directors and employees or both, for personal injury or death and property damage or destruction, with the force and effect stated in Minnesota Statutes, Chapter 466, and against risks of damage to or destruction of any of its facilities, equipment, or other property as it deems necessary.*

Subd. 16. [REVIEW OF PROJECTS.] *The district may require that persons shall not acquire, construct, alter, reconstruct or operate a solid waste facility within the district without prior consultation with and approval of the district.*

Sec. 9. [DESIGNATION OF RESOURCE RECOVERY FACILITIES; REQUIRED USE.] Subdivision 1. [GENERAL.] *A district may be authorized by the order and articles of incorporation establishing the district to require that all or any portion of the solid waste that is generated within its boundaries or any service area thereof and is deposited within the state be taken for processing to a resource recovery facility or a transfer station serving a facility designated by the district.*

Subd. 2. [STANDARDS.] *In determining whether to designate and require use of resource recovery facilities the district shall consider whether:*

(a) the required use will result in the recovery of resources or energy from materials which would otherwise be wasted;

(b) the required use will lessen the demand for and use of land disposal;

(c) the required use is necessary for the financial support of the facility;

(d) less restrictive methods for ensuring an adequate solid waste supply are available;

(e) all other feasible and prudent waste processing alternatives for accomplishing the purposes of the proposed designation have been considered and the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators have been compared and evaluated.

Subd. 3. [EXEMPTION.] *The district shall not designate and require use of facilities for materials which are separated from solid waste and recovered for reuse or recycling by the generator, by a private person under contract with the generator or by a licensed solid waste collector.*

Subd. 4. [PROCEDURE.] *The districts shall proceed as follows when designating and requiring use of facilities:*

(a) The district shall notify those persons whom the district has determined should use the facilities. Notification to political subdivisions, landfill operators, and licensed solid waste collectors shall be in writing. All other persons shall be notified at least by publication in a legal newspaper or newspapers having general circulation in the area. The notification shall specify types and quantities of solid wastes, plans for use of the solid wastes, the point of delivery of the solid wastes, and the fee to be charged. During a period of 90 days following the notification, the district shall negotiate with the persons within the areas to be served in order to develop contractual agreements on the terms of required use of the designated facilities.

(b) If contracts have not been made at the end of the 90 day period, or if persons subject to the required use have not made arrangements sufficient to justify exemption under subdivision 3, the district shall hold a public hearing to take testimony on the required use of the designated facilities. The hearing shall be preceded by the notice required under clause (a).

(c) If contracts have not been made within 30 days after the public hearing, or if persons subject to the required use have not made arrangements sufficient to justify exemption under subdivision 3, the district may order any person identified in the notice of the district to use the designated facilities, starting at a specified date which shall be at least 30 days after the order has been issued.

No designation shall be invalid by reason of the district's failure to provide written notice to any of the entities listed in this subdivision.

Subd. 5. [SERVICE GUARANTEE.] The district shall not arbitrarily terminate, suspend, or curtail services provided to any person required pursuant to this section to use designated facilities without the consent of the person or without just cause.

Subd. 6. [TERMINATION.] Use required under contract or order pursuant to this section may be terminated by a person upon an adequate showing to the district that the solid waste has value and that arrangements have been made by the person sufficient to justify exemption under subdivision 3, unless the district determines that the requirement must be continued to assure delivery of waste necessary to the financial support of the district facilities.

Sec. 10. [BONDING POWERS.] Subdivision 1. **[GENERAL.]** A district may exercise the bonding powers provided in this section to the extent the powers are authorized by the order of the waste management board establishing the district and by its articles of incorporation.

Subd. 2. [DEBT.] The district's bonds shall be sold, issued, and secured in the manner provided in chapter 475 for revenue bonds and the district shall have the same powers and duties as a municipality and its governing body in issuing revenue bonds under that chapter. No election shall be required. The bonds may be sold at any price and at public or private sale as determined by the district and shall not be subject to any limitation as to rate.

Subd. 3. [REVENUE BONDS.] A district may borrow money and incur indebtedness by issuing bonds and obligations which are payable solely:

(a) from revenues, income, receipts, and profits derived by the district from its operation and management of solid waste facilities;

(b) from the proceeds of warrants, notes, revenue bonds, de-

ventures, or other evidences of indebtedness issued and sold by the district which are payable solely from such revenues, income, receipts, and profits;

(c) from federal or state grants, gifts, or other moneys received by the district which are available therefor.

Every issue of revenue bonds by the district shall be payable out of any funds or revenues from any facility of the district, subject only to agreements with the holders of particular bonds or notes pledging particular revenues or funds. If any facility of the district is funded in whole or in part by Minnesota waste management bonds issued under article VII, the state bonds shall take priority. The district may provide for priorities of liens in the revenues between the holders of district obligations issued at different times or under different resolutions. The district may provide for the refunding of any district obligation through the issuance of other district obligations entitled to rights and priorities similar in all respects to those held by the obligations that are refunded.

Sec. 11. [AUDIT.] The board of directors, at the close of each year's business, shall cause an audit of the books, records and financial affairs of the district to be made by a certified public accountant or the state auditor. Copies of a written report of the audit, certified to by the auditors, shall be placed and kept on file at the principal place of business of the district and shall be filed with the secretary of state and the board.

ARTICLE IX

NONMETROPOLITAN COUNTIES

Section 1. Minnesota Statutes 1978, Section 400.03, Subdivision 1, is amended to read:

400.03 [DEFINITIONS.] Subdivision 1. For the purposes of sections 400.01 to 400.17 the terms defined in this section have the meaning given them. The terms defined in Minnesota Statutes 1969, chapter 116 and article I, section 3, also apply to the terms used in sections 400.01 to 400.17.

Sec. 2. Minnesota Statutes 1978, Section 400.04, is amended to read:

400.04 [SOLID WASTE MANAGEMENT PROGRAM.] Subdivision 1. [GENERAL.] Any county may conduct a solid waste management program which may include activities authorized by sections 400.01 to 400.17 and such other activities as are necessary and convenient to effectively carry out the purposes of sections 400.01 to 400.17.

Subd. 2. [ACQUISITION OF REAL PROPERTY.] A county may acquire by gift, lease, purchase or eminent domain as provided by law any land or interest in land upon such terms and conditions as it shall determine, including the use of contracts for deed, within or outside of the county, which the board deems

suitable for these purposes; provided that no such land or interest in land situated in any other county shall be acquired without the approval by resolution of the county board thereof.

Subd. 3. [ACQUISITION, CONSTRUCTION AND OPERATION OF PROPERTY AND FACILITIES.] A county may *acquire*, construct, enlarge, improve, repair, supervise, control, maintain, and operate any and all *solid waste facilities and other property and facilities* needed, *used, or useful* for a solid waste management program purposes, and may purchase and lease materials, equipment, machinery and such other personal property as is necessary for such purposes upon terms and conditions determined by the board including the use of conditional sales contracts and lease-purchase agreements. A county may employ such personnel as are reasonably necessary for the care, maintenance and operation of such *property and facilities*. A county shall contract with *private persons for the construction, maintenance, and operation of solid waste facilities where the facilities are adequate and available for use and competitive with other means of providing the same service.*

Subd. 4. [MANAGEMENT AND SERVICE CONTRACTS.] A county may enter into contracts for the construction, installation, maintenance and operation of *property and facilities* on private or public lands and may contract for the furnishing of solid waste management services.

Subd. 5. [PLANS.] The county may provide for surveys and plans to determine locations available, appropriate, and suitable for *property and facilities* needed for the program, and plans for the improvement of *sites property and facilities*.

Subd. 6. [EXPENDITURE OF FUNDS.] A county is authorized to expend funds for the purposes enumerated in this section and for any other activities necessary to an efficient solid waste management program.

Sec. 3. Minnesota Statutes 1978, Section 400.06, is amended to read:

400.06 [INSPECTION; COOPERATION WITH AGENCY.] All counties shall provide for the periodic inspection of *mixed municipal solid waste collection, storage, transportation and disposal facilities and mixed municipal solid waste management property and facilities* located and being operated within their respective boundaries to determine whether *such the property and facilities* are being maintained and operated in compliance with applicable county ordinances and rules, regulations, standards, orders, permits, and requirements of the agency. In the event that *such the property and facilities* are not so in compliance, the county board shall take *such actions as are necessary* to assure future compliance with all applicable ordinances, rules, regulations, standards and requirements, according to law, and shall cooperate with the agency in obtaining and maintaining *such compliance. All inspectors provided or used by the county under this*

section shall be certified by the agency in accordance with section 116.41.

Sec. 4. Minnesota Statutes 1978, Section 400.07, is amended to read:

400.07 [DEVELOPMENT OF RESOURCE RECOVERY SYSTEMS.] All counties shall cooperate with the agency in the *planning, development and implementation of resource recovery systems for the recovery and use of materials and energy from solid waste, and toward that end, shall modify applicable county ordinances consistent with rules, regulations and standards of the agency concerning this subject.*

Sec. 5. Minnesota Statutes 1978, Section 400.13, is amended to read:

400.13 [SOLID WASTE MANAGEMENT FUND.] Any county *owning or operating solid waste management property or facilities pursuant to section 400.04, subdivision 3, and establishing fees for the provision of services by the county pursuant to section 400.08, shall continuously maintain a special account on its official books and records designated as the solid waste management fund, to which it shall credit all receipts from the rates and charges authorized in section 400.08 and from the sale of real or personal property pertaining to the solid waste disposal system management purposes, and the proceeds of all gifts, grants, loans, and issues of bonds for the such purposes of the system, and to which it shall charge all costs of the acquisition, construction, enlargement, improvement, repair, supervision, control, maintenance, and operation of the system and of all facilities included therein property, facilities, and services. Separate accounts may be established within this fund for the segregation of revenues pledged for the payment of bonds or loans, or money granted or borrowed for use for a specific purpose.*

Sec. 6. Minnesota Statutes 1978, Section 400.16, is amended to read:

400.16 [SOLID WASTE AND SEWAGE SLUDGE DISPOSAL REGULATIONS.] The county may by ordinance establish and *from time to time revise rules, regulations, and standards for solid waste and sewage sludge management and land pollution, relating to (a) the location, sanitary operation, and maintenance of solid waste management facilities and sewage sludge disposal facilities by the county and any municipality or other public agency and by private operators; (b) the collection, transportation, storage processing, and disposal of solid waste and sewage sludge; (c) the amount and type of equipment required in relation to the amount and type of material received at any solid waste facility or sewage sludge disposal facility; (d) the control of salvage operations, water or air or land pollution, and rodents at such facilities; (e) the termination or abandonment of such facilities or activities; and (f) such other matters relating to such facilities as may be determined necessary for the public health, welfare, and safety. The county may issue permits or licenses for solid waste facilities*

and may require that such facilities be registered with an appropriate county office. The county shall adopt the ordinances for mixed municipal solid waste management. The county may issue shall make provision for issuing permits or licenses for mixed municipal solid waste management facilities and may shall require that such facilities be registered with an appropriate county office. No permit or license shall be issued for a mixed municipal solid waste facility unless the applicant has demonstrated to the satisfaction of the county board the availability of revenues necessary to operate the facility in accordance with applicable state and local laws, ordinances, and rules. The county ordinance may shall require appropriate procedures for termination or abandonment of any mixed municipal solid waste facilities or services, which shall include provision for long term monitoring for possible land pollution, and for the payment by the owners or operators thereof, or both, of any costs incurred by the county in completing such procedures. The county may require such procedures and payments with respect to any facilities or services regulated pursuant to this section. In the event the operators or owners fail to complete such procedures in accordance with the ordinance, the county may recover the costs of completion in a civil action in any court of competent jurisdiction or, in the discretion of the board, the costs may be certified to the county auditor as a special tax against the land to be collected as other taxes are collected. The ordinance may be enforced by injunction, action to compel performance, or other appropriate action in the district court. Any ordinance enacted under this section shall embody minimum standards and requirements established by rule of the agency.

Sec. 7. Minnesota Statutes 1978, Section 400.161, is amended to read:

400.161 [HAZARDOUS WASTE REGULATIONS.] The county may by ordinance establish and ~~from time to time~~ revise rules, regulations, and standards for hazardous waste management relating to (a) identification of hazardous waste, (b) the labeling and classification of hazardous waste, (c) the handling, collection, transportation ~~processing, disposal,~~ and storage of hazardous waste, (d) the ultimate disposal site of the hazardous waste, and ~~(e)~~ such other matters as may be determined necessary for the public health, welfare and safety. The county may issue permits or licenses for hazardous waste generation and may require the generators be registered with a county office. The ordinance may require appropriate procedures for the payment by the generator of any costs incurred by the county in completing such procedures. If the generator fails to complete such procedures, the county may recover the costs of completion in a civil action in any court of competent jurisdiction or, in the discretion of the board, the costs may be certified to the county auditor as a special tax against the land as other taxes are collected. The ordinance may be enforced by injunction, action to compel performance, or other action in district court. Any ordinance under this section shall embody standards and requirements established by rule of the agency. Issuing, denying, modifying, imposing conditions upon, or revoking permits pursuant to the provisions of this section or regula-

tions promulgated hereunder shall be, subject to review, denial, suspension, *modification*, and reversal by the pollution control agency. The pollution control agency shall after written notification have 15 days to review, *deny*, suspend, modify, or reverse the action of the county. After 15 days, the action of the county board shall be final subject to appeal to the district court as provided in section 115.05.

Sec. 8. Minnesota Statutes 1978, Chapter 400, is amended by adding a section to read:

[400.162] [COUNTY DESIGNATION OF RESOURCE RECOVERY FACILITY.] *Except within the metropolitan area, the Western Lake Superior Sanitary District established by Laws 1971, Chapter 478, as amended, and any solid waste management district established under article VIII, any county may require that all or any portion of the solid waste that is generated within the boundaries of the county or any service area thereof and is disposed of in the state be delivered to a resource recovery facility designated by the county board or a transfer station serving such a facility, provided that the designation is approved by the waste management board. The board may require the county to complete a comprehensive solid waste management plan conforming to the requirements of article V, section 5. In establishing, continuing, and terminating the designation, the county shall be governed by all standards, exemptions, procedures, and other requirements provided in article VIII, section 9, subdivisions 2 to 6.*

ARTICLE X

SOLID WASTE AND SEWAGE SLUDGE MANAGEMENT: METROPOLITAN AREA

Section 1. Minnesota Statutes 1978, Section 473.121, is amended by adding a subdivision to read:

Subd. 36. The definitions of terms relating to waste in chapter 116 and article 1, section 3, also apply to the same terms relating to waste used in chapter 473.

Sec. 2. Minnesota Statutes 1978, Section 473.149, is amended to read:

473.149 [SOLID WASTE COMPREHENSIVE PLANNING.]
Subdivision 1. [POLICY PLAN; GENERAL REQUIREMENTS.]
By July 1, 1978, The metropolitan council shall prepare and by resolution adopt as part of its development guide a long range policy plan for the collection and processing of solid and hazardous waste management in the metropolitan area. When adopted, the plan shall be followed in the metropolitan area. The plan shall substantially conform to all policy statements, purposes, goals, standards, maps and plans in development guide sections and plans adopted by the council, provided that no land shall be thereby excluded from consideration as a solid waste facility site except land determined by the agency to be intrinsically unsuitable for such use. The plan shall include goals and policies for the collection and processing of solid and hazardous waste management in

the metropolitan area and, to the extent appropriate, statements and information similar to that required under section 473.146, subdivision 1. The plan shall include criteria and standards for *solid waste facilities and solid waste facility sites* respecting the following matters: general location; capacity; operation; processing techniques; environmental impact; effect on existing, planned, or proposed collection services and waste facilities; and economic viability. For *solid waste facilities owned or operated by public agencies or supported primarily by public funds or obligations*, the plan shall include additional criteria and standards respecting ~~financial self sufficiency based upon competitive rates and charges to ensure that the facilities are operated on a competitive basis so as not to create an unfair or unreasonable advantage or restraint of trade in relation to comparable private facilities existing in the area.~~ In developing the plan the council shall consider the orderly and economic development, public and private, of the metropolitan area; the preservation and best and most economical use of land and water resources in the metropolitan area; the protection and enhancement of environmental quality; the conservation and reuse of resources and energy; the preservation and promotion of conditions conducive to efficient, low cost, competitive, and adaptable systems of waste collection and processing management; and the orderly resolution of questions concerning changes in systems of waste collection and processing management. Criteria and standards for solid and hazardous waste facilities shall be consistent with regulations adopted by the pollution control agency pursuant to chapter 116 and ~~section 473.823.~~ ~~The hazardous waste portion of the policy plan shall be approved by the pollution control agency in accordance with its standards and regulations prior to adoption by the council shall be at least as stringent as the guidelines, regulations, and standards of the federal environmental protection agency.~~

Subd. 2. [DISPOSAL CAPACITY ESTIMATE.] By July 1, 1980, the council shall adopt by resolution an estimate of the added solid waste disposal capacity needed in appropriate sectors of the metropolitan area in annual increments through the year 1990 and thereafter in five year increments through the year 2000. The council's estimate shall be based upon existing and projected solid waste generation rates without regard to potential waste reduction, separation, and recovery activity except that provided by services and facilities in operation or under construction.

Subd. 2a. [DISPOSAL ABATEMENT REPORT.] By January 1, 1981, the council shall prepare and submit a report to metropolitan counties on potentials for abating the need for and practice of land disposal of mixed municipal solid waste in the metropolitan area, for use by the counties in developing land disposal abatement plans pursuant to section 473.803, subdivision 1b. The report shall contain an analysis of abatement achievable through waste reduction, waste separation, waste processing, and resource recovery. The report shall contain specific and quantifiable alternative abatement objectives and degrees of abatement, along with solid waste management methods and

technologies, private and government actions, facilities and services, development schedules, revenue-raising measures, and levels of public and private expenditure and effort necessary to the achievement of those alternative objectives and degrees of abatement. The report shall recommend priorities and objectives for abating, immediately and over specified time periods, the disposal of mixed municipal solid waste in the metropolitan area. During the preparation of the report, the council shall encourage public debate and discussion of the issues relating to land disposal abatement and shall hold a public meeting on the issues in each metropolitan county.

Subd. 2b. [INVENTORY OF SOLID WASTE DISPOSAL SITES.] *By October 1, 1981, the council shall adopt by resolution an inventory of eligible solid waste disposal sites and buffer areas within the metropolitan area. The council's inventory shall be composed of the sites and buffer areas proposed by the counties and reviewed and approved by the council pursuant to section 473.803, subdivision 1a. If a county does not have an approved inventory, the council shall adopt the required inventory for the county, following investigations by the council and public hearings as the council deems appropriate. The council's inventory shall satisfy all requirements and standards described in section 473.803, subdivision 1a, for sites and buffer areas proposed by counties. For sites and buffer areas included in the council's inventory, the moratorium imposed under section 473.803, subdivision 1a, shall extend until October 1, 1983.*

Subd. 2c. [REPORT ON LOCAL EFFECTS OF SOLID WASTE DISPOSAL FACILITIES; REPORT TO LEGISLATURE.] *By January 1, 1982, the council shall report to the legislative commission on methods of mitigating and compensating for the local risks, costs, and other adverse effects of solid waste disposal facilities and on methods of financing mitigation and compensation measures. The methods of mitigating and compensating to be considered shall include but not be limited to the following: payment outside of levy limitations in lieu of taxes for all property taken off the tax rolls; preference for the city or town containing a facility in federal A-95 reviews conducted by the council; payment of all costs to service the facilities including the costs of roads, monitoring, inspection, enforcement, police and fire, and litter clean up costs; payment for buffer zone amenities and improvements; city or town control over buffer zone design; elimination of the tipping charge for solid waste collected in the city or town; a guarantee against any and all liability that may occur; payment for reclamation of closed sites to local design specifications.*

Subd. 2d. [LAND DISPOSAL ABATEMENT PLAN.] *By January 1, 1983, after considering county land disposal abatement proposals submitted pursuant to section 473.803, subdivision 1b, the council shall amend its policy plan to include specific and quantifiable objectives for abating the land disposal of mixed municipal solid waste. The plan shall include a reduced estimate, based on the council's abatement objectives, of the*

added solid waste disposal capacity needed in appropriate sectors of the metropolitan area, stated in annual increments through the year 1990 and thereafter in five year increments through the year 2000. The objectives in the plan shall be based upon standards for county resource recovery and waste reduction and separation programs and activities. The plan shall include standards and procedures to be used by the council in determining that metropolitan counties have not implemented the council's land disposal abatement plan and have not met the standards for county abatement programs and activities. The council shall report to the legislative commission on its abatement plan and on legislation that may be required to implement the plan.

Subd. 2e. [SOLID WASTE DISPOSAL FACILITIES DEVELOPMENT SCHEDULE.] *By January 1, 1983, after requesting and considering recommendations from the counties, cities, and towns, the council as part of its policy plan shall determine the number of sites to be acquired within each metropolitan county for solid waste disposal facilities in accordance with section 16. The council shall adopt a schedule for development of disposal facilities by each such county through the year 2000. The schedule shall be based upon the council's reduced estimate of the disposal capacity needed because of the council's land disposal abatement plan. The schedule may include procedures to be used by counties in selecting sites for acquisition pursuant to section 16. The schedule shall include standards and procedures for council certification of need pursuant to section 473.823. The schedule shall include a facility closure schedule and plans for post-closure management and disposition, for the use of property after acquisition and before facility development, and for the disposition of property and development rights, as defined in section 16, no longer needed for disposal facilities.*

Subd. 3. [PREPARATION AND ADOPTION.] *The solid waste policy plan shall be prepared, adopted, and amended in accordance with section 473.146, subdivision 2, provided that the procedural duties and responsibilities established therein for the affected metropolitan commission shall extend to the metropolitan counties and the pollution control agency. In addition to the requirements of section 473.146, subdivision 2, the council shall send notice of any hearing to the pollution control agency and the governing body of each metropolitan county and each local governmental unit, as defined in section 473.801, wherein a solid waste facility is or may be located in accordance with the plan. Any comprehensive solid and hazardous waste plan adopted by the council prior to the effective date of this act shall remain in force and effect until a policy plan is while new or amended plans are being prepared in accordance with subdivision 1 and adopted by the council. By October 1, 1976, the council shall adopt either interim policies or amendments to the existing comprehensive plan establishing standards and criteria for the review under section 473.823 of permit applications for solid waste facilities used primarily for resource recovery. For permit applications received by*

the council prior to October 1, 1976, the council may extend the time period provided for review under section 473.823 until 60 days after the adoption of the interim policies or amendments. No metropolitan county, local government unit, commission, or person shall acquire, construct, improve or operate any *solid* waste facility in the metropolitan area except in accordance with the council's plan and section 473.823, provided that no *solid* waste facility in use when a plan is adopted shall be discontinued solely because it is not located in an area designated in the plan as acceptable for the location of such facilities.

Subd. 4. [ADVISORY COMMITTEE.] The council shall establish an advisory committee to aid in the preparation of the policy plan and, *the performance of the council's responsibilities under subdivisions 2 to 2e*, the review of county master plans and reports and applications for permits for waste facilities, under sections 473.151 and 473.801 to 473.823 and sections 14 to 16, and other duties determined by the council. The committee shall consist of one-third citizen representatives, one-third representatives from metropolitan counties and municipalities, and one-third representatives from private waste management firms. *From October 1, 1981 to January 1, 1983, for the purpose only of participating in the preparation of the legislative report required by subdivision 2c and the land disposal abatement plan required by subdivision 2d, additional members shall be included on the advisory committee sufficient to assure that at least one-third of the members of the committee are residents of cities or towns containing eligible solid waste disposal sites included in the council's disposal site inventory, and that counties containing three sites have at least two additional members and counties containing one or two sites have at least one additional member.* A representative from the pollution control agency, one from the waste management board established under article II, section 1, and one from the Minnesota health department shall serve as ex officio members of the committee.

Sec. 3. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.153] [COMPREHENSIVE DISPOSAL FACILITIES PLAN FOR SEWAGE SLUDGE AND SOLID WASTE FROM SEWAGE TREATMENT.] *Subdivision 1. [FACILITIES REQUIRED.] Except as provided in subdivision 7 and article IV, section 2, all sewage sludge disposal facilities and facilities for the disposal of solid waste generated by the metropolitan waste control commission shall be established and operated in accordance with this section and section 473.516. The council and the commission shall establish at least one facility for sewage sludge disposal and at least one facility for solid waste disposal.*

Subd. 2. [CANDIDATE SITE SELECTION.] *By July 1, 1981, the council shall select three candidate sites for the disposal of the commission's sewage sludge and three candidate sites for the disposal of the commission's solid waste, together with appropriate surrounding buffer areas. The council shall evaluate sites for*

candidacy on the basis of at least the following factors: local land use and land use controls, the protection of agriculture and natural resources, existing and future development patterns, transportation facilities, distance from the points of generation, and the intrinsic suitability of sites compared with other potential sites. Notwithstanding any plan, charter provision, law, ordinance, regulation, or other requirement of the council, counties, or local units of government, no land shall be excluded from consideration for candidacy except land determined by the agency to be intrinsically unsuitable. No site shall be selected for candidacy unless the agency certifies its apparent intrinsic suitability for the use intended, based on preliminary environmental analysis and on-site surveys and investigations conducted by the agency. In selecting candidate sites, the council shall prefer land which is capable of being returned to its existing use or the use anticipated in a plan of a metropolitan agency, county, or local unit of government use after closure of a disposal facility.

Subd. 3. [MORATORIUM.] A moratorium is hereby imposed on development within the area of each proposed site and buffer area selected by the council. The moratorium shall extend until six months following the council's decision under subdivision 6. No development shall be allowed to occur within the area of a proposed site or buffer area during the period of the moratorium. No county, city, or town land use control shall permit such development, nor shall any county, city, or town sanction or approve any subdivision, permit, license, or other authorization which would allow such development to occur.

Subd. 4. [ADVISORY COMMITTEE.] For the purposes only of advising the council on decisions under this section, additional members shall be added to the advisory committee established by section 473.149, subdivision 4, sufficient to assure that each city and town containing a candidate site has at least one representative on the committee.

Subd. 5. [ENVIRONMENTAL AND PERMIT REVIEW.] An environmental impact statement meeting the requirements of chapter 116D shall be completed on each candidate site, provided that the statement shall be finally accepted or rejected within 280 days of the selection of candidate sites. Within 90 days following the acceptance of the statement, the agency shall indicate the conditions and terms of approval of all permits needed at each candidate site.

Subd. 6. [COUNCIL SITE SELECTION.] Within 90 days following the agency's decision on permit conditions and terms, the council shall select at least one of the candidate sites for acquisition and development by the commission as a sewage sludge disposal facility and at least one of the candidate sites for acquisition and development by the commission as a solid waste disposal facility. Before its selection the council shall consult with the advisory committee and affected counties, cities, and towns.

Subd. 7. [EXEMPTIONS.] Nothing in this section shall be construed to preclude the commission from continuing to use existing sewage sludge disposal facilities. In addition, to the same extent and upon the same conditions as sewage sludge may be applied on private property pursuant to section 473.516, subdivisions 3 and 4, the commission may use any site owned by the commission for the purpose of landspreading sewage sludge for a period no longer than four years. Any property currently used by the commission and permitted by the agency for disposing of the commission's solid waste may continue to be used for that purpose by the commission, as permitted by the agency, for a period not to exceed four years.

Sec. 4. Minnesota Statutes 1978, Section 473.502, is amended to read:

473.502 [LEGISLATIVE PURPOSE AND POLICY.] The legislature determines that in the metropolitan area there are serious problems of water pollution and *processing and disposal of sewage and waste resulting from sewage treatment*, which cannot be effectively or economically dealt with by existing local government units in the area under existing laws. The legislature therefore declares that for the protection of the public health, safety, and welfare of the area, for the preservation and best use of waters and other natural resources of the state in the area, for the prevention, control and abatement of water pollution in the area, and for the efficient and economic collection, treatment and disposal of *sewage and waste resulting from sewage treatment* it is necessary to assign to the metropolitan council the responsibility of carrying on a continuous, long-range program of planning with respect thereto and to establish a waste control commission, which, together with the council, can take over, acquire, construct, operate, and maintain all interceptors and treatment works *and waste facilities* necessary for the collection, treatment and disposal of *sewage and waste resulting from sewage treatment* in the metropolitan area, *and can take over, acquire, construct, operate, and maintain waste facilities in the metropolitan area.*

Sec. 5. Minnesota Statutes 1978, Section 473.516, is amended to read:

473.516 [WASTE FACILITIES; SEWAGE SLUDGE DISPOSAL.] *Subdivision 1. [ACQUISITION AND OPERATION.]* Without limiting the grant or enumeration of any of the powers conferred on the council or commission under sections 473.501 to 473.549, the commission shall have the specific power to acquire by purchase, lease, condemnation, gift or grant any real or personal property including *development rights as defined in section 16*, positive and negative easements and water and air rights, and it may construct, enlarge, improve, replace, repair, maintain and operate ~~hazardous~~ waste facilities in the metropolitan area deemed to be necessary or convenient in connection with the *processing or disposal of hazardous waste resulting from sewage treatment*, and the commission may contract for the maintenance and operation of such waste facilities, subject to the bidding requirements of section 473.523. The commission may accept for

processing hazardous waste derived from outside the metropolitan area in the state, as well as hazardous waste derived from within the metropolitan area, and may fix and collect fees and charges for the acceptance of hazardous waste as the commission determines to be reasonable.

Subd. 2. [GENERAL REQUIREMENTS.] With respect to its activities under this section, the commission shall be subject to and comply with the applicable provisions of this chapter. Property acquired by the commission under this section shall be subject to the provisions of section 473.545. Any site or facility owned or operated for or by the commission shall conform to the policy plan adopted by the council under section 473.149 and shall be authorized in accordance with the commission's development program and capital budget approved by the council. The commission shall contract with private persons for the construction, maintenance, and operation of waste facilities, subject to the bidding requirements of section 473.523, where the facilities are adequate and available for use and competitive with other means of providing the same service.

Subd. 3. [LOCAL RESTRICTIONS.] Counties and local units of government may impose conditions respecting the construction, operation, inspection, monitoring, and maintenance of a waste facility of the commission and conditions respecting the sale, gift, delivery, storage, use, and disposal of sewage sludge of the commission on private property as a soil conditioner or amendment, but only in the manner and only to the extent authorized and approved by the council and the agency as being consistent with the establishment and use of the commission's waste facilities and the disposal of the commission's sewage sludge on private property in accordance with the council's plan, adopted under section 3, and agency permits and rules. Counties may exercise the enforcement powers granted under section 473.811, subdivision 5c, in the manner and to the extent authorized and approved in accordance with this subdivision.

Subd. 4. [TECHNICAL MONITORING; SEWAGE SLUDGE DISPOSAL.] Each sewage sludge disposal facility of the waste control commission, or site used for the disposal of sewage sludge of the commission, shall be required to have an agency permit issued pursuant to agency rules for permitting sewage sludge disposal facilities and sites. Each permit shall require a regular monitoring and testing program to be carried out by the waste control commission. A regular inspection program shall be conducted by the agency or a county under contract to the agency. The commission shall reimburse the agency quarterly for the cost of the program, and the amounts reimbursed are hereby appropriated to the agency for the purposes of the program.

Sec. 6. Minnesota Statutes 1978, Section 473.801, Subdivision 1, is amended to read:

473.801 [DEFINITIONS.] Subdivision 1. For the purposes of sections 473.801 to 473.823 and sections 14 to 17 the terms defined in this section have the meanings given them.

Sec. 7. Minnesota Statutes 1978, Section 473.802, is amended to read:

473.802 [LEGISLATIVE PURPOSE AND POLICY.] The legislature determines that for the protection of the public health, safety, and welfare of the people of the metropolitan area, for the prevention, control and abatement of pollution of air and waters of the state in the metropolitan area, and for the efficient and economic collection and processing management of solid and hazardous waste in the metropolitan area, it is necessary to authorize the agency to regulate the handling of hazardous waste and the location and operation of waste facilities in the area; to authorize the metropolitan council to carry on a continuous, long range program of planning with respect to solid and hazardous waste collection and processing management, and to establish criteria and standards and approve permits for solid waste facilities in the area, and to provide funds for the acquisition of property for solid waste disposal purposes; and to authorize the metropolitan counties if necessary to acquire, construct, operate and maintain solid waste facilities, to plan for and regulate solid waste collection services and facilities, to collect data on solid and hazardous waste collection and processing management systems and procedures, and to assist state agencies to regulate the handling management of hazardous waste. The legislature declares that a public purpose is served by the recovery and utilization of resources from solid waste and hazardous waste where economically viable and compatible with source reduction. The plans, criteria, standards and regulations of the agency, council and metropolitan counties shall, to the extent practicable, encourage ownership and operation of solid waste facilities by private industry.

Sec. 8. Minnesota Statutes 1978, Section 473.803, is amended to read:

473.803 [METROPOLITAN COUNTY PLANNING.] Subdivision 1. [COUNTY MASTER PLANS; GENERAL REQUIREMENTS.] Each metropolitan county, following adoption or revision of the council's solid and hazardous waste policy plan and in accordance with the dates specified therein, and after consultation with all affected municipalities local government units, shall prepare and submit to the council for its approval, a county solid and hazardous waste master plan to implement the policy plan. *The master plan shall be revised and resubmitted at such times as the council's policy plan may require.* The master plan shall describe county solid and hazardous waste activities, functions, and facilities; the existing system of solid and hazardous waste generation, collection, and processing, and disposal within the county; existing and proposed county and municipal ordinances and license and permit requirements relating to solid waste facilities and hazardous and solid waste generation, collection, and processing, and disposal; existing or proposed municipal, county, or private solid waste facilities and collection services within the county together with schedules of existing rates and charges to users and statements as to the extent to which such facilities and services will or may be used to implement the policy plan; and any

solid waste facility which the county owns or plans to acquire, construct, or improve together with statements as to the planned method, estimated cost and time of acquisition, proposed procedures for operation and maintenance of each facility; an estimate of the annual cost of operation and maintenance of each facility; an estimate of the annual gross revenues which will be received from the operation of each facility; and a proposal for the use of each facility after it is no longer needed or usable as a waste facility. The master plan shall, to the extent practicable, encourage ownership and operation of solid waste facilities by private industry. For solid waste facilities owned or operated by public agencies or supported primarily by public funds or obligations, the master plan shall contain policies to ensure financial self sufficiency based upon competitive rates and charges that the facilities are operated on a competitive basis so as not to create an unfair or unreasonable advantage or restraint of trade in relation to comparable private facilities existing in the area.

Subd. 1a. [PROPOSED INVENTORY OF DISPOSAL SITES.]
By June 1, 1981, each county shall adopt, by resolution of its governing body, an inventory of four proposed sites in the county suitable for mixed municipal solid waste disposal facilities and one proposed site in the county suitable for the disposal of demolition debris and shall submit the inventory to the council for approval or disapproval. The council shall evaluate and approve or disapprove each proposed site in accordance with the standards set out in this subdivision. Except as otherwise provided in this subdivision, each site shall satisfy the standards and criteria in federal and state regulations and the council's policy plan for solid waste management. In proposing and approving sites for the inventory, the counties and the council shall prefer land which is capable of being returned to its existing use or the use anticipated in a plan of a metropolitan agency, county, or local unit of government use after closure of a disposal facility. Each site shall contain no less than 80 acres and no more than 250 acres. Each proposed site shall be surrounded by a buffer area at least equal to the area of the site. No site shall be proposed by the county or approved by the council unless the agency certifies its intrinsic suitability for the use intended, based on preliminary environmental analysis and on site surveys and investigations conducted by the county or agency. Notwithstanding any plan, charter provision, law, ordinance, regulation, or other requirement of any state agency or political subdivision, no land shall be excluded from consideration for inclusion in the inventory except land determined by the agency to be intrinsically unsuitable. The council shall evaluate each site with respect to local land use and land use controls, the protection of agriculture and natural resources, existing and future development patterns, transportation facilities and other services and facilities appropriate to land disposal facilities, the quality of other potential sites, and patterns of generation of solid waste. The council shall notify a county of any site proposed by the county which the council disapproves and shall allow the county 60 days to propose an alternative site. If the county fails to propose an alternative acceptable to the council in the time al-

lowed, the council shall propose a site acceptable to it for inclusion in the inventory of sites in that county. If in the council's judgment a county does not contain the requisite number of satisfactory sites, the council may reduce the number of sites required of that county. A moratorium is hereby imposed on development within the area of each site and buffer area proposed by a county, pending the council's adoption of an inventory pursuant to section 473.149, subdivision 2b. For sites and buffer areas included in the council's inventory, the moratorium shall extend until October 1, 1983. No development shall be allowed to occur within the area of a site or buffer area during the period of the moratorium. No county, city, or town land use control shall permit such development, nor shall any county, city, or town sanction or approve any subdivision, permit, license, or other authorization which would allow such development to occur.

Subd. 1b. [LAND DISPOSAL ABATEMENT.] By April 1, 1982, after considering the council's disposal abatement report submitted to the counties pursuant to section 473.149, subdivision 2a, each county shall submit to the council a proposal to reduce to the greatest feasible and prudent extent the need for and practice of land disposal of mixed municipal solid waste. The proposal shall address at least waste reduction, separation, and resource recovery. The proposal shall include objectives, immediately and over specified time periods, for reducing the land disposal of mixed municipal solid waste generated within the county. The proposal shall describe specific functions to be performed and activities to be undertaken by the county and cities and towns within the county to achieve the objectives and shall describe the estimated cost, proposed manner of financing, and timing of the functions and activities. The proposal shall include alternatives which could be used to achieve the objectives if the proposed functions and activities are not established. By June 1, 1983, each county shall revise its master plan to include a land disposal abatement element to implement the council's land disposal abatement plan adopted under section 473.149, subdivision 2d, and shall submit the revised plan to the council for review under subdivision 2. The proposal and master plan revision required by this subdivision shall be prepared in consultation with cities and towns within the county, particularly the cities and towns in which a solid waste disposal facility is or may be located pursuant to the county master plan.

Subd. 2. [COUNCIL REVIEW.] The council shall review each master plan or revision thereof to determine whether it is consistent with the council's policy plan. If it is not consistent, the council shall *disapprove* and return the plan with its comments to the county for revision and resubmittal. *The county shall have 90 days to revise and resubmit the plan for council approval.* Any county solid or hazardous waste plan or report approved by the council prior to April 9, 1976, shall remain in effect until a new master plan is submitted to and approved by the council in accordance with this section.

Subd. 3. [ANNUAL REPORT.] Each metropolitan county shall prepare and submit annually to the council *for its approval* a report containing information, as the council may prescribe in its policy plan, concerning solid and hazardous waste generation, collection, and processing and management within the county. *The report shall include a statement of progress in achieving the land disposal abatement objectives of the council's policy plan and county master plan.* The report shall include a schedule of rates and charges in effect or proposed for the use of any solid waste facility owned or operated by or on its behalf, together with a statement of the basis for such charges.

Sec. 9. Minnesota Statutes 1978, Section 473.811, is amended to read:

473.811 [COUNTIES AND LOCAL UNITS OF GOVERNMENT; WASTE MANAGEMENT.] Subdivision 1. [COUNTY ACQUISITION OF FACILITIES.] To accomplish the purpose specified in section 473.803, each metropolitan county may acquire by purchase, lease, gift or condemnation as provided by law, upon such terms and conditions as it shall determine, including contracts for deed and conditional sales contracts, solid waste facilities or properties or easements or development rights, as defined in section 16, for solid waste facilities which are in accordance with regulations adopted by the agency, the policy plan adopted by the council and the county master plan as approved by the council, and may improve or construct improvements on any property or facility so acquired. No metropolitan city, county or town shall own or operate a hazardous waste facility. Each metropolitan county is authorized to levy a tax in anticipation of need for expenditure for the acquisition and betterment of solid waste facilities. If such a tax is levied in anticipation of need, the purpose must be specified in a resolution of the county directing that the levy and the proceeds of the tax may be used only for that purpose. Until so used, the proceeds shall be retained in a separate fund or invested in the same manner as surplus in a sinking fund may be invested under section 475.66. The right of condemnation shall be exercised in accordance with chapter 117. A metropolitan county may acquire property for and operate a solid waste facility within the boundaries of any city or town in the metropolitan area, without complying with the provisions of any zoning ordinance adopted after April 15, 1969.

Subd. 1a. [RIGHT OF ACCESS.] *Whenever the county deems it necessary to the evaluation of a waste facility for enforcement purposes or to the evaluation of a site or buffer area for inclusion in the inventory of disposal sites pursuant to section 473.149, subdivision 2b, and section 473.803, subdivision 1a, or for final acquisition under section 16, the county or any member, employee, or agent thereof, when authorized by it, may enter upon any property, public or private, for the purpose of obtaining information or conducting surveys or investigations, provided that the entrance and activity is undertaken after reasonable notice and during normal business hours and provided that compensation is*

made for any damage to the property caused by the entrance and activity.

Subd. 2. [COUNTY FINANCING OF FACILITIES.] Each metropolitan county may by resolution authorize the issuance of bonds to provide funds for the acquisition or betterment of solid waste facilities or property or property rights for a solid waste facility, or for refunding any outstanding bonds issued for any such purpose, and may pledge to the payment of the bonds and the interest thereon, its full faith, credit and taxing powers, or the proceeds of any designated tax levies, or the gross or net revenues or charges to be derived from any facility operated by or for the county, or any combination thereof. Taxes levied for the payment of the bonds and interest shall not reduce the amounts of other taxes which the county is authorized by law to levy. No election shall be required to authorize the issuance of the bonds. Except as otherwise provided, the bonds shall be issued and sold in accordance with the provisions of chapter 475.

Subd. 3. [COUNTY OPERATION OF FACILITIES.] Each metropolitan county may operate and maintain solid waste facilities, and for this purpose may employ all necessary personnel, may adopt regulations governing operation, and may establish and collect reasonable, non-discriminatory rates and charges for the use of the facilities by any local government unit or person, estimated to be sufficient, with any other moneys appropriated for the purpose, to pay all costs of acquisition, operation and maintenance. Each metropolitan county may use itself or sell all or any part of materials or energy recovered from solid waste to private interests or public agencies for consumption or reuse by them. Section 471.345 and Laws 1951, Chapter 556, as amended shall not apply to the sale of the materials or energy provided that the dealings of each county shall be on a competitive basis so as not to create an unfair or unreasonable advantage or restraint of trade on the part of the county.

Subd. 4. [COUNTY CONTRACTS.] Each metropolitan county *may contract* for the use of existing public or private *solid waste facilities and may contract* with any person for the operation and maintenance of any solid waste facility owned by the county. The contract shall provide for the operation and maintenance of the facility in accordance with any regulations, criteria, and standards of the agency, the metropolitan council and the county relating thereto.

Subd. 4a. [ORDINANCES; GENERAL CONDITIONS; RESTRICTIONS; APPLICATION.] *Ordinances of counties and local government units related to or affecting waste management shall embody plans, policies, rules, standards and requirements adopted by any state agency authorized to manage or plan for or regulate the management of waste and the waste management plans adopted by the council and shall be consistent with county master plans approved by the council. Except as provided in this subdivision, a metropolitan county may acquire a site and buffer area for a solid waste disposal facility anywhere within the county*

without complying with local ordinances, if the action is approved by the council as being taken pursuant to the policy plan and the development schedule adopted under section 473.149, subdivision 2e, and the provisions of section 16, and the county may establish and operate or contract for the establishment or operation of a disposal facility at the site without complying with local ordinances, if the council certifies need under section 13. With the approval of the council, local government units may impose and enforce reasonable conditions respecting the construction, operation, inspection, monitoring, and maintenance of the disposal facilities. No local government unit shall prevent the establishment or operation of any solid waste facility in accordance with the council's decision under section 12, except that, with the approval of the council, the local government unit may impose reasonable conditions respecting the construction, inspection, monitoring, and maintenance of a facility.

Subd. 5. [ORDINANCES; SOLID WASTE COLLECTION AND TRANSPORTATION.] Each metropolitan county may adopt ordinances governing the collection of solid waste. ~~The ordinances shall not prevent the hauling of solid waste from one county to another.~~ Each municipality and town local unit of government within the metropolitan area shall adopt an ordinance governing the collection of solid waste within its boundaries. If the county within which it is located has adopted an ordinance, the ~~municipality or town local unit~~ shall adopt either the county ordinance by reference or a more strict ordinance. ~~A hauler who qualified under the ordinance of the municipality where he is making pickups may transport solid waste on streets and highways in other municipalities within the county without conforming to their ordinances.~~ Ordinances of counties and local government units may establish reasonable conditions respecting but shall not prevent the transportation of solid waste by a licensed collector through and between counties and local units, except as required for the enforcement of any designation of a facility by the council pursuant to section 14. A licensed collector or a metropolitan county or local government unit may request review by the council of an ordinance adopted under this subdivision. The council shall approve or disapprove the ordinance within 60 days of the submission of a request for review. The ordinance shall remain in effect unless it is disapproved. Ordinances of counties and local units of government shall provide for the enforcement of any designation of facilities by the council under section 14. Nothing in this subdivision shall be construed to limit the authority of the local government unit to regulate and license collectors of solid waste or to require review or approval by the council for ordinances regulating collection.

Subd. 5a. [ORDINANCES; SOLID WASTE FACILITIES.] Each metropolitan county shall by ordinance establish and from time to time revise rules, regulations, and standards for solid waste facilities within the county, relating to location, sanitary operation, periodic inspection and monitoring, maintenance, termination and abandonment, and other pertinent matters. The county ordinance shall require permits or licenses for solid waste

facilities and shall require that such facilities be registered with a county office.

Subd. 5b. [ORDINANCES; HAZARDOUS WASTE MANAGEMENT.] Each metropolitan county shall by ordinance establish and revise rules, regulations, and standards for hazardous waste management relating to (a) the identification of hazardous waste, (b) the labeling and classification of hazardous waste, (c) the handling, collection, storage, transportation and storage, processing, and disposal of hazardous waste, and (d) the ultimate disposal site of hazardous waste, and (e) other matters necessary for the public health, welfare and safety. The county shall require permits or licenses for the generation, collection, and processing, and disposal of hazardous waste and shall require registration with a county office. Any ordinance enacted under this subdivision shall embody regulations, standards, and requirements adopted by the agency and goals, policies, criteria, and standards adopted by the council and shall be consistent with the county master plan approved by the council. County ordinances adopted pursuant to this subdivision shall not apply to the location or operation of any hazardous waste facility owned or operated by the waste control commission under section 473.516. Issuing, denying, suspending, modifying, imposing conditions upon, or revoking hazardous waste permits or licenses, and county hazardous waste regulations and ordinances, shall be subject to review, denial, suspension, modification, and reversal by the agency. The agency shall after written notification have 15 days to review, suspend, modify, or reverse the action of the county. After this period, the action of the county board shall be final subject to appeal to the district court in the manner provided in section 115.05. Any ordinance enacted shall be published in accordance with the provisions of section 375.51 chapter 15.

Subd. 5a 5c. [COUNTY ENFORCEMENT.] Each metropolitan county shall be responsible for insuring that waste facilities, solid waste collection operations licensed or regulated by the county and hazardous waste generation, and collection, and processing operations are brought into conformance with, or terminated and abandoned in accordance with, applicable county ordinances; rules, regulations and requirements of the agency state; and goals, policies, criteria, and standards the policy plan of the council. Counties may provide by ordinance that operators or owners or both of such facilities or operations shall be responsible to the county for satisfactorily performing the procedures required. If operators or owners or both fail to perform, the county may recover the costs incurred by the county in completing the procedures in a civil action in any court of competent jurisdiction or, in the discretion of the board, the costs may be certified to the county auditor as a special tax against the land. The ordinances may be enforced by action in district court. The county may prescribe a criminal penalty for the violation of any ordinance enacted under this section not exceeding the maximum which may be specified for a misdemeanor.

Subd. 6. [GRANTS AND LOANS TO COUNTIES.] Each met-

ropolitan county may accept gifts, may apply for and accept grants or loans of money or other property from the United States, the state, the metropolitan council, any local government unit, or any person, to accomplish the purposes specified in sections 473.149, 473.151, and 473.801 to 473.823 and sections 14 to 17, may enter into any agreement required in connection therewith, and may hold, use, and dispose of the money or property in accordance with the terms of the gift, grant, loan or agreement relating thereto.

Subd. 7. [JOINT ACTION.] Each metropolitan county and local government unit may act *together with any county, city, or town within or without the metropolitan area* under the provisions of section 471.59 or any other appropriate law providing for joint or cooperative action between government units, to accomplish any purpose specified in sections 473.149, 473.151, and 473.801 to 473.823 and sections 14 to 17.

Subd. 8. [COUNTY SALE OR LEASE.] Each metropolitan county may sell or lease any facilities or property or property rights previously used or acquired to accomplish the purposes specified by sections 473.149, 473.151, and 473.801 to 473.823 and sections 14 to 17. Such property may be sold in the manner provided by section 458.196. Each metropolitan county may convey to or permit the use of any such property by a local government unit, with or without compensation, without submitting the matter to the voters of the county. No real property or property rights acquired pursuant to this section, may be disposed of in any manner unless and until the county shall have submitted to the agency and the metropolitan council for review and comment the terms on and the use for which the property will be disposed of. The agency and the council shall review and comment on the proposed disposition within 60 days after each has received the data relating thereto from the county.

Subd. 9. [SOLID AND HAZARDOUS WASTE FUND.] All moneys received by any metropolitan county from any source specified in sections 473.149, 473.151, and 473.801 to 473.823 and sections 14 to 17 shall be paid into the county treasury, placed in a special fund designated as the county solid and hazardous waste fund, and used only for the purposes authorized in those sections, as appropriated by the county board, subject to any lawful restrictions, conditions, or pledges applicable thereto.

Sec. 10. Minnesota Statutes 1978, Section 473.813, is amended to read:

473.813 [CITIES, COUNTIES, TOWNS; SOLID WASTE CONTRACTS.] Subdivision 1. Notwithstanding any contrary provision of law or charter, and in addition to the powers or authority granted by any other law or charter, a city, county, or town in the metropolitan area may directly negotiate and enter into contracts, for a term not to exceed 30 years, for the delivery of solid waste to a waste facility and the processing of solid waste. Contracts made by direct negotiations shall be approved by res-

olution adopted by the governing body of the city, county, or town.

Subd. 2. Before a city, county, or town may enter enters into any contract pursuant to subdivision 1, which contract is for a period of more than five years, the city, county, or town shall submit the proposed contract and a description of the proposed activities under the contract to the council for review and approval. The council shall approve the proposed contract if it determines that the contract will not adversely affect collection rates and charges during the term of the contract and that the contract is consistent with the council's plan, permits issued under section 473.823, and county reports or master plans approved by the council. The council may consolidate its review of contracts submitted under this section with its review of related permit applications submitted under section 473.823 and for this purpose may delay the review required by this section.

Sec. 11. Minnesota Statutes 1978, Section 473.823, Subdivision 3, is amended to read:

Subd. 3. [SOLID WASTE FACILITIES; REVIEW PROCEDURES.] The agency may prescribe permit and permit application forms, and may request applicants to submit in writing all information deemed relevant by the agency. The agency shall request applicants for solid waste facility permits to submit all information deemed relevant by the council to its review, including without limitation information relating to the geographic areas and population served, the need, the effect on existing facilities and services, the anticipated public cost and benefit, the anticipated rates and charges, the manner of financing, the effect on metropolitan plans and development programs, the supply of waste, anticipated markets for any product, and alternative means of disposal or energy production. The agency, or any employee or agent thereof, when authorized by it, may examine any books, papers, records or memoranda of the applicant pertaining to its waste facility, and may enter on any property, public or private, for the purpose of obtaining information, conducting surveys or making investigations relative to the location or operation of a waste facility. The agency may issue permits for the operation of waste facilities by any metropolitan county or commission, local government unit or person where the operation thereof is consistent with applicable regulations adopted by the agency pursuant to subdivision 1, provided that No permit may be issued for the operation of a solid waste facility in the metropolitan area which is not in accordance with the metropolitan council's solid and hazardous waste policy plan. The metropolitan council shall determine whether a permit is in accordance with the goals, policies, standards, and criteria in its policy plan. In making its determination, the council shall consider the area-wide need and benefit of the applicant facility and may consider, without limitation, the effect of the applicant facility on existing and planned solid waste facilities described in a waste control commission development program or county report or master plan. If the council determines that a permit is in accordance with its policy plan, the

council shall approve the permit. If the council determines that a permit is not in accordance with its policy plan, it shall disapprove the permit. The council's approval of permits may be subject to conditions necessary to satisfy criteria and standards in its policy plan, including conditions respecting the type, character, and quantities of waste to be processed at a *solid waste facility used primarily for resource recovery and restrictions on the geographic territory from which a waste facility used primarily for resource recovery facility or transfer station serving such a facility may draw its waste.* For the purpose of this review and approval by the council, the agency shall send a copy of each permit application and any supporting information furnished by the applicant to the metropolitan council within 15 days after receipt of the application and all other information requested from the applicant. Within 60 days after the application and supporting information are received by the council, unless a time extension is authorized by the agency, the council shall issue to the agency in writing its determination whether the permit is disapproved, approved, or approved with conditions. If the council does not issue its determination to the agency within the 60 day period, unless a time extension is authorized by the agency, the permit shall be deemed to be in accordance with the council's policy plan. No permit may be issued in the metropolitan area for a *solid waste facility used primarily for resource recovery, if the facility or site is owned and operated by a public agency or if the acquisition or betterment of the facility or site is secured by public funds or obligations pledging the full faith and credit or taxing powers of a city, county, or town,* unless the council finds that adequate markets exist for the products recovered without substantially reducing the supply of solid waste available for existing resource recovery operations and that all costs of operation, administration, maintenance and debt service will be covered by reasonable rates and charges for the use of the facility *the facility is operated on a competitive basis so as not to create an unfair or unreasonable advantage or restraint of trade in relation to comparable private facilities existing in the area.*

Sec. 12. Minnesota Statutes 1978, Section 473.823, is amended by adding a subdivision to read:

Subd. 5. [REVIEW OF WASTE PROCESSING FACILITIES.] A metropolitan county may establish a waste processing facility within the county without complying with local ordinances, if the action is approved by the council in accordance with the review process established by this subdivision. A county requesting review by the council shall show that the required permits for the proposed facility have been or will be issued by the agency, that the facility is consistent with the council's policy plan and the approved county master plan and that a local government unit has refused to approve the establishment or operation of the facility. The council shall meet to commence the review within 90 days of the submission of a request determined by the council to satisfy the requirements for review under this subdivision. At the meeting commencing the review the chairman shall recommend and the council establish a scope and procedure for its review and final

decision on the proposed facility. The procedure shall require the council to make a final decision on the proposed facility within 120 days following the commencement of review. The council shall conduct at least one public hearing in the city or town within which the proposed facility would be located. Notice of the hearing shall be published in a newspaper or newspapers of general circulation in the area for two successive weeks ending at least 15 days before the date of the hearing. The notice shall describe the proposed facility, its location, the proposed permits, and the council's scope and procedure for review. The notice shall identify a location or locations within the local government unit and county where the permit applications and the council's scope and procedure for review are available for review and where copies may be obtained. In its review and final decision on the proposed facility, the council shall consider at least the following matters:

(a) the risk and effect of the proposed facility on local residents, units of government, and the local public health, safety, and welfare, and the degree to which the risk or effect may be alleviated;

(b) the consistency of the proposed facility with, and its effect on, existing and planned local land use and development; local laws, ordinances, and permits; and local public facilities and services;

(c) the adverse effects of the facility on agriculture and natural resources and opportunities to mitigate or eliminate such adverse effects by additional stipulations, conditions, and requirements respecting the design and operation of the proposed facility at the proposed site;

(d) the need for the proposed facility and the availability of alternative sites;

(e) the consistency of the proposed facility with the county master plan adopted pursuant to section 473.803 and the council's policy plan adopted pursuant to section 473.149;

(f) transportation facilities and distance to points of waste generation.

In its final decision in the review, the council may either approve or disapprove the proposed facility at the proposed site. The council's approval shall embody all terms, conditions, and requirements of the permitting state agencies, provided that the council may require more stringent permit terms, conditions, and requirements respecting the design, construction, operation, inspection, monitoring, and maintenance of the proposed facility at the proposed site.

Sec. 13. Minnesota Statutes 1978, Section 473.823, is amended by adding a subdivision to read:

Subd. 6. [COUNCIL; CERTIFICATION OF NEED.] No new mixed municipal solid waste disposal facility shall be permitted in the metropolitan area without a certificate of need issued by the

council indicating the council's determination that the additional disposal capacity planned for the facility is needed in the metropolitan area. The council shall amend its policy plan, adopted pursuant to section 473.149, to include standards and procedures for certifying need. The standards and procedures shall be based on the council's disposal abatement plan adopted pursuant to section 473.149, subdivision 2d, and the abatement master plans of counties adopted pursuant to section 473.803, subdivision 1b. The council shall certify need only to the extent that there are no feasible and prudent alternatives to the disposal facility, including waste reduction, source separation and resource recovery which would minimize adverse impact upon natural resources. Alternatives that are speculative or conjectural shall not be deemed to be feasible and prudent. Economic considerations alone shall not justify the certification of need or the rejection of alternatives.

Sec. 14. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.827] [COUNCIL DESIGNATION OF SOLID WASTE FACILITY; REQUIRED USE.] *Subdivision 1. [AUTHORITY.] The council may require that all or any portion of the solid waste that is generated within the metropolitan area or any service area thereof and is disposed of in the state be delivered to a resource recovery facility designated by the council or a transfer station serving such a facility. The council may designate a facility under this section without the approval of the board except that the approval of the board shall be required if the solid waste required to be delivered is generated outside of the metropolitan area.*

Subd. 2. [STANDARDS.] In determining whether to designate and require the use of the facility the council shall consider whether:

(a) the required use will result in the recovery of resources or energy from materials which would otherwise be wasted;

(b) the required use will lessen the demand for and use of land disposal;

(c) the required use is necessary for the financial support of the facility;

(d) less restrictive methods for ensuring an adequate solid waste supply are available;

(e) the applicant has considered the feasible and prudent waste processing alternatives for accomplishing the purposes of the proposed project and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators.

Subd. 3. [EXEMPTION.] The council shall not designate and require use of facilities for materials which are separated from solid waste and recovered for reuse or recycling by the generator, by a private person under contract with the generator, or by a licensed solid waste collector.

Subd. 4. [PROCEDURE.] *The council shall proceed as follows when designating and requiring use of facilities:*

(a) *The council shall notify those persons whom the council has determined should use the facilities. Notification to political subdivisions, disposal facility operations, and licensed solid waste collectors shall be in writing. All other persons shall be notified at least by publication in a legal newspaper or newspapers having general circulation in the area. The notification shall specify types and quantities of solid wastes, plans for use of the solid wastes, the point of delivery of the solid wastes, and the fee to be charged. No action of the council pursuant to this subdivision shall be held invalid by reason of the council's failure to provide written notice to persons listed in this subdivision. During a period of 90 days following the notification, the council shall negotiate with the persons within the areas to be served in order to develop contractual agreements on the terms of required use of the designated facilities.*

(b) *If contracts have not been made at the end of the 90-day period, or if persons subject to the required use have not made arrangements sufficient to justify exemption, the council shall hold a public hearing to take testimony on the required use of the designated facilities. The hearing shall be preceded by the notice required under clause (a).*

(c) *If contracts have not been made within 30 days after the public hearing, or if persons subject to the required use have not made arrangements sufficient to justify exemption, the council may order any person identified in the notice of the council to use the designated facilities, starting at a specified date which shall be at least 30 days after the order has been issued.*

Subd. 5. [SERVICE GUARANTEE.] *The facility designated by the council shall not arbitrarily terminate, suspend, or curtail services approved to any person required pursuant to this section to use designated facilities without the consent of the person, or without just cause.*

Subd. 6. [TERMINATION.] *Use required under contract or order pursuant to this section may be terminated by a person upon an adequate showing to the council that the solid waste has value and that arrangements have been made sufficient to justify exemption under subdivision 3, unless the council determines that the requirement must be continued to assure delivery of waste necessary to the financial support of the facilities designated by the council.*

Sec. 15. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.831] [DEBT OBLIGATIONS; SOLID WASTE DISPOSAL.] **Subdivision 1. [GENERAL OBLIGATION BONDS.]** *Following the adoption of the revisions to its policy plan required by section 473.149, subdivision 2e, the council may by resolution authorize the issuance of general obligation bonds of the council to provide funds for the acquisition of sites and sur-*

rounding buffer areas for development as solid waste disposal facilities pursuant to this section and section 16 and to provide funds for refunding obligations issued under this section. The bonds shall be sold, issued, and secured in the manner provided in chapter 475 for general obligation bonds, and the council shall have the same power and duties as a municipality and its governing body in issuing bonds under chapter 475, except as otherwise provided in this chapter. No election shall be required, and the net debt limitations in chapter 475 shall not apply. The principal amount of bonds issued pursuant to this section shall not exceed \$15,000,000.

Subd. 2. [USE OF PROCEEDS.] The proceeds of bonds issued under subdivision 1 shall be used pursuant to section 16, by the council, to make grants to metropolitan counties to pay the cost of the acquisition of all property or interests in property for solid waste disposal sites and surrounding buffer areas required to be acquired by the county, pursuant to section 16, by the council's policy plan and development schedule adopted pursuant to section 473.149, subdivision 2e.

Sec. 16. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.833] [SOLID WASTE DISPOSAL SITES AND BUFFER AREAS.] *Subdivision 1. [DEFINITION.] "Development right" as used in this section means the right of the owner of the fee interest in land to change the use of the land from its existing use to any other use.*

Subd. 2. [REQUIREMENT.] Each metropolitan county shall select and acquire sites and buffer areas for solid waste disposal facilities in accordance with this section and the council's policy plan and development schedule adopted pursuant to section 473.149, subdivision 2e.

Subd. 3. [COUNTY SITE SELECTION AUTHORITIES.] Each metropolitan county shall establish a site selection authority. By June 1, 1983, each site selection authority shall select specific sites within the county from the council's disposal site inventory, in accordance with the procedures established by the council under section 473.149, subdivision 2e, and in a number equal to that required by the council to be acquired by the county. Each site selection authority shall be composed of the county board, plus one member appointed by the governing body of each city or town within the county containing a site in the council's disposal site inventory or the majority of the land contained within such a site. If the number of members on the site selection authority who reside in a city or town containing all or part of a site or buffer area is equal to or greater than the number of members who do not, the chairman of the county board shall appoint to the authority an additional member or members, residing within the county but not within a city or town containing all or part of a site or buffer area, sufficient to assure a majority of one on the authority of members residing in cities and

towns not containing all or any part of a site of buffer area. The chairman of the county board shall be the chairman of the site selection authority. If a site selection authority has not selected the requisite number of sites in accordance with the council's standards, criteria, and procedures by June 1, 1983, the council shall make the selection.

Subd. 4. [ACQUISITION AND DISPOSITION.] In order to prevent the development of conflicting land uses at and around future solid waste disposal facility sites, the council shall provide for the acquisition by a metropolitan county of property and rights in property at and around each solid waste disposal site selected pursuant to subdivision 3. Each site scheduled for development as a facility through the year 1990 shall be acquired in fee. Development rights shall be acquired for each site scheduled for development as a facility after the year 1990 through the year 2000. Development rights shall be acquired in a buffer area surrounding and at least equal to the area of each site scheduled for development as a facility through the year 2000. The owner of any property for which development rights are to be or have been acquired pursuant to this subdivision may elect by written notice at any time up to 90 days following the issuance of a permit by the agency for a facility to have the county acquire fee title to the property. Fee title shall be acquired by counties for buffer areas only at the election of the owner of the fee.

Subd. 5. [COMPENSATION.] Where the development right or fee is acquired by means other than through eminent domain proceedings, as by direct purchase or gift, the land owner's compensation shall be determined by the agreement of the parties involved. Where the fee is acquired through eminent domain proceedings, the land owner's compensation shall be the fair market value of the property. Where the development rights are acquired through eminent domain proceedings, the land owner's compensation shall be the fair market value of the property less the value of the land as restricted to the use to which it is devoted at the time of the acquisition. An award of compensation in a condemnation proceeding shall not be increased or decreased by reason of any increase or decrease in the value of the property caused by its designation in the inventory of disposal sites and buffer areas or its selection as a site or buffer area. Where the fee is subsequently condemned after the acquisition of the development rights, the land owner's compensation shall be based on the value of the property as restricted to the use permitted at the date of the subsequent acquisition.

Subd. 6. [DISPOSITION.] The county may sell property and development rights, with the permission of the council, when they are no longer needed for a site or surrounding buffer area. The owner of the fee shall have the right of first refusal of any development rights at the price of purchase plus interest at the rate permitted under section 344.01. The proceeds from any sale of property or development rights shall be returned to the council and used to pay debt service on the council's solid waste bonds.

Subd. 7. [FAILURE OF COUNTIES TO ACQUIRE; REPORT TO LEGISLATURE.] *If any county fails to identify property for acquisition or if any county refuses to proceed with acquisition, as required by this section and the council's disposal facility development schedule adopted pursuant to section 473.149, subdivision 2e, the council shall prepare and recommend to the legislature, no later than January 1, 1984, legislation to transfer solid waste management authority and responsibility in the metropolitan area from the counties to the waste control commission or a new metropolitan commission established for that purpose.*

Sec. 17. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

[473.834] [DEBT SERVICE; SOLID WASTE BONDS.] Subdivision 1. [CERTAIN CITIES AND TOWNS; EXEMPTION.] *Each city or town in which a solid waste disposal facility is operating after January 1, 1980, shall be permanently exempt from the payments required by this section, if the facility is a commercial facility disposing of mixed municipal solid waste under an agency permit.*

Subd. 2. [ALLOCATION OF DEBT SERVICE.] *The annual debt service on the council's solid waste bonds, issued under article X, section 15, shall be annually apportioned by the council to each city and town in the metropolitan area, in the proportion that the assessed value of all taxable property within such city or town bears to the assessed value of the taxable property in all such cities and towns, as last finally equalized before October 1 in the year in which the allocation is made.*

Subd. 3. [CERTAIN CITIES AND TOWNS; REDUCED PAYMENTS.] *When a solid waste reduction, separation, or resource recovery program is implemented or solid waste processing facilities are established in a city or town pursuant to a county land disposal abatement plan approved by the council, the annual payment otherwise required of the city or town pursuant to subdivision 2, shall be reduced by an amount determined by the council to be proportionate to the abatement in the waste going from the city or town into a solid waste disposal facility as a result of the local abatement program or processing facility.*

Subd. 4. [PROCEDURES FOR PAYMENT.] *By January 1 of each year, the council shall certify to the auditor of each county the amount to be levied within each city and town in the metropolitan area to pay debt service on the council's bonds in the next succeeding calendar year. The amounts so certified shall be due and payable to the council, for deposit in the council's debt service fund, at such time or times during the year as the council determines. The council shall set the dates for payment with reference to the dates on which tax, assessment, and revenue collections become available to the government units required to pay such charges, provided that all payments shall be due in time to allow the council to certify deficiency tax levies pursuant to subdivision 5.*

Subd. 5. [SECURITY.] In addition to the power to require payments and tax levies under subdivisions 3 and 4 for the payment of debt service on bonds issued under section 16, the council may levy taxes for the payment of the debt service upon all taxable property within the metropolitan area without limitation of rate or amount and without affecting the amount or rate of taxes which may be levied by the council for other purposes or by any local government unit in the area.

Sec. 18. Article X applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

ARTICLE XI

POLLUTION CONTROL AGENCY

Section 1. Minnesota Statutes 1978, Section 116.06, Subdivision 9, is amended to read:

Subd. 9. "Land pollution" means the presence in or on the land of any solid waste in such quantity, of such nature and duration, and under such condition as would affect injuriously any waters of the state, create air contaminants or cause air pollution.

Sec. 2. Minnesota Statutes 1978, Section 116.06, is amended by adding subdivisions to read:

Subd. 9a. "Waste" has the meaning given it in article I, section 3.

Subd. 9b. "Waste management" has the meaning given it in article I, section 3.

Subd. 9c. "Collection" of waste has the meaning given it in article I, section 3.

Subd. 9d. "Processing" of waste has the meaning given it in article I, section 3.

Subd. 9e. "Disposal" of waste has the meaning given it in article I, section 3.

Subd. 9f. "Intrinsic hazard" of a waste has the meaning given it in article I, section 3.

Subd. 9g. "Intrinsic suitability" of a land area or site has the meaning given it in article I, section 3.

Subd. 9h. "Sewage sludge" has the meaning given it in article I, section 3.

Sec. 3. Minnesota Statutes 1978, Section 116.06, Subdivision 10, is amended to read:

Subd. 10. "Solid waste" means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded solid waste materials and sludges, including solid waste materials and waste sludges in solid, semi-solid, liquid, or contained gaseous form, resulting from industrial,

commercial, *mining*, and agricultural operations, and from community activities, but does not include *hazardous waste*; animal waste used as fertilizer; earthen fill, boulders, rock, solids; *sewage sludge*; solid or dissolved material in domestic sewage or other significant common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under section 402 of the federal water pollution control act, as amended, dissolved materials in irrigation return flows, or other common water pollutants; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

Sec. 4. Minnesota Statutes 1978, Section 116.06, Subdivision 13, is amended to read:

Subd. 13. "Hazardous waste" means any refuse or discarded material or combinations of refuse or discarded materials in solid, semi-solid, liquid, or gaseous form which cannot be handled by routine waste management techniques because they pose a substantial present or potential hazard to human health or other living organisms because of their chemical, biological, or physical properties. Categories of hazardous waste materials include, but are not limited to: explosives, flammables, oxidizers, poisons, irritants, and corrosives. *Hazardous waste does not include sewage sludge and source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended.*

Sec. 5. Minnesota Statutes 1978, Section 116.07, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION OF STANDARDS.] The pollution control agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the pollution control agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air

quality which are more stringent than those set by the pollution control agency.

The pollution control agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, storage, *processing*, and disposal of solid waste *and the disposal of sewage sludge* for the prevention and abatement of water, air and land pollution, recognizing that due to variable factors, no single standard of solid waste control is applicable to all areas of the state. In adopting standards, the pollution control agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of solid waste control shall be premised on technical criteria and commonly accepted practices.

The pollution control agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises recur, the time period for which noises continue, the times of day during which noises occur, and such other factors as could affect the extent to which noises may be injurious to human health or welfare, animal or plant life, or property, or could interfere unreasonably with the enjoyment of life or property. In adopting standards, the pollution control agency shall give due recognition to the fact that the quantity or characteristics of noise or the duration of its presence in the outdoor atmosphere, which may cause noise pollution in one area of the state, may cause less or not cause any noise pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, meteorological conditions and the fact that a standard which may be proper in an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such noise standards shall be premised upon scientific knowledge as well as effects based on technically substantiated criteria and commonly accepted practices. No local governing unit shall set standards describing the maximum levels of sound pressure which are more stringent than those set by the pollution control agency.

The pollution control agency shall adopt standards for the identification of hazardous waste and for the *management, identification*, labeling, classification, storage, collection, transportation, *processing*, and disposal of hazardous waste, recognizing that due

to variable factors, *no a single standard of hazardous waste control is may not be applicable to all areas of the state.* In adopting standards, the pollution control agency shall recognize that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state. The agency shall consider existing physical conditions, topography, soils, and geology, climate, transportation and land use. Standards of hazardous waste control shall be premised on technical knowledge, and commonly accepted practices. No local government unit shall set standards of hazardous waste control which are in conflict or inconsistent with those set by the pollution control agency.

Sec. 6. Minnesota Statutes 1978, Section 116.07, Subdivision 4, is amended to read:

Subd. 4. [RULES AND STANDARDS.] Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind *regulations rules* and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the prevention, abatement, or control of air pollution. Any such *regulation rule* or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, *regulations rules* or standards may relate to sources or emissions of air contamination or air pollution, to the quality or composition of such emissions, or to the quality of or composition of the ambient air or outdoor atmosphere or to any other matter relevant to the prevention, abatement, or control of air pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend, and rescind *regulations rules* and standards having the force of law relating to any purpose within the provisions of Laws 1969, Chapter 1046, for the collection, transportation, storage, *processing*, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution. *The agency shall adopt such rules and standards for the disposal of sewage sludge, addressing the intrinsic suitability of land, the volume and rate of application of sewage sludge of various degrees of intrinsic hazard, design of disposal facilities, and operation of disposal facilities and disposal sites. The agency shall promulgate temporary rules for sewage sludge disposal pursuant to section 15.0412, subdivision 5.* Any such *regulation rule* or standard may be of general application throughout the state or may be limited as to times, places, circumstances, or conditions in order to make due allowance for variations therein. Without limitation, *regulations rules* or standards may relate to collection, transportation, *processing*, disposal, equipment, location, procedures, methods, systems or techniques or to any other matter relevant to the prevention, abatement or

control of water, air, and land pollution which may be advised through the control of collection, transportation, *processing*, and disposal of solid waste *and the disposal of sewage sludge*, and the deposit in or on land of any other material that may tend to cause pollution.

Pursuant and subject to the provisions of chapter 15, and the provisions hereof, the pollution control agency may adopt, amend and rescind *regulations rules* and standards having the force of law relating to any purpose within the provisions of Laws 1971, Chapter 727, for the prevention, abatement, or control of noise pollution. Any such *regulation rule* or standard may be of general application throughout the state, or may be limited as to times, places, circumstances or conditions in order to make due allowances for variations therein. Without limitation, *regulations rules* or standards may relate to sources or emissions of noise or noise pollution, to the quality or composition of noises in the natural environment, or to any other matter relevant to the prevention, abatement, or control of noise pollution.

As to any matters subject to this chapter, local units of government may set emission regulations with respect to stationary sources which are more stringent than those set by the pollution control agency.

Pursuant to chapter 15, the pollution control agency may adopt, amend, and rescind *regulations rules* and standards having the force of law relating to any purpose within the provisions of this chapter for the *management, identification, labeling, classification, storage, collection, treatment, transportation, processing, and disposal of hazardous waste and location of hazardous waste disposal facilities*. A *regulation rule* or standard may be of general application throughout the state, or may be limited as to times, places, circumstances, or conditions. The public service commission, in cooperation with the pollution control agency, shall set standards for the transportation of hazardous waste in accordance with chapter 221. *In implementing its hazardous waste rules, the pollution control agency shall give high priority to providing planning and technical assistance to hazardous waste generators. The agency shall assist generators in investigating the availability and feasibility of both interim and long term hazardous waste management methods. The methods shall include waste reduction, waste separation, waste processing, resource recovery, and temporary storage.*

The pollution control agency shall give highest priority in the consideration of permits to authorize disposal of diseased shade trees by open burning at designated sites to evidence concerning economic costs of transportation and disposal of diseased shade trees by alternative methods.

Sec. 7. Minnesota Statutes 1978, Section 116.07, Subdivision 4a, is amended to read:

Subd. 4a. [PERMITS.] The pollution control agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air

contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, or for the sources or emissions of noise pollution.

The pollution control agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the storage, collection, transportation, processing, or disposal of solid waste, or for the installation or operation of any system or facility, or any part thereof, related to the storage, collection, transportation, processing, or disposal of solid waste.

The pollution control agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

The pollution control agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the treatment or disposal or both of hazardous waste, or for the installation or operation of any system or facility or any part thereof.

Sec. 8. Minnesota Statutes 1978, Section 116.07, is amended by adding a subdivision to read:

Subd. 4b. [PERMITS; HAZARDOUS WASTE FACILITIES.] The agency shall provide to the waste management board established in article II, section 1, copies of each preliminary and final permit application for a hazardous waste facility immediately upon its submittal to the agency. The agency shall request recommendations on each permit application from the board and shall consult with the board on the agency's intended disposition of the recommendations. Except as otherwise provided in article III, the agency shall commence any environmental review required under chapter 116D within 120 days of its acceptance of a completed preliminary permit application. The agency shall respond to a preliminary permit application for a hazardous waste facility within 120 days following a decision not to prepare environmental documents or following the acceptance of a negative declaration notice or an environmental impact statement. Except as otherwise provided in article III, within 60 days following the submission of a final permit application for a hazardous waste facility, unless a time extension is agreed to by the applicant, the agency shall issue or deny all permits needed for the construction of the proposed facility.

Sec. 9. Minnesota Statutes 1978, Section 116.07, is amended by adding a subdivision to read:

Subd. 4c. [PERMITS; TEMPORARY HAZARDOUS WASTE STORAGE FACILITIES.] A generator of hazardous waste within the state or an entity composed of or under contract to such generators may apply to the agency for permits for a temporary storage facility for hazardous waste generated within the state. The application shall demonstrate: (a) that no permitted commercial waste facility is reasonably available to accept the waste,

and (b) that the proposed storage facility will be used for storing the hazardous waste generated exclusively by the applicant. The agency shall give highest priority to and shall expedite consideration of such applications. Within 60 days of receipt of a completed application, the agency shall either deny a permit or give notice of its intent to issue a permit. The agency shall publish the notice in the state register and shall notify directly the board and the affected county and city or town. If no hearing is requested on the permit within 30 days following the notice of intent, the agency shall issue the permit. If a hearing is requested, the hearing shall be ordered by the director of the agency and shall be conducted by the state office of hearing examiners in a manner determined by the hearing examiner to be consistent with the expeditious completion of the proceedings as required by this subdivision. The examiner shall give highest priority to and shall expedite the proceedings. The hearing shall be conducted within 45 days of the request, the examiner's report shall be submitted to the agency within 15 days of the hearing, and the agency shall make a final decision on the permit within 30 days of the report. The permit shall be issued for a period not to exceed one year but shall be renewable for four successive one year periods if at the time of each annual renewal the agency determines that there continues to be no permitted commercial waste facility reasonably available to accept the waste and that the facility has been operated in a way that does not cause pollution, impairment or destruction of the environment. Notwithstanding any law or requirement to the contrary, the permit shall be the only permit or approval required. Upon submission of an application for temporary storage facilities and until the permit is issued, the applicant shall store its hazardous wastes in the manner set forth in the application. A temporary storage permit issued or contract entered into for the purposes of a storage permit issued pursuant to this subdivision shall not affect the individual generator's ownership of and responsibility for the waste or the responsibility of the individual generator for removal and final processing or disposal in a permitted hazardous waste facility. The agency shall not be required to promulgate rules pursuant to chapter 15 governing its activity under this subdivision.

Sec. 10. Minnesota Statutes 1978, Section 116.07, is amended by adding a subdivision to read:

Subd. 9. [ORDERS; INVESTIGATIONS.] The agency shall have the following powers and duties for the enforcement of any provision of chapter 116, relating to waste:

(a) to adopt, issue, reissue, modify, deny, revoke, enter into or enforce reasonable orders, schedules of compliance and stipulation agreements;

(b) to require the owner or operator of any system or facility related to the storage, collection, transportation, processing, or disposal of waste to establish and maintain records; to make reports; to install, use, and maintain monitoring equipment or methods; and to make tests, in accordance with methods, at locations, at intervals, and in a manner as the agency shall prescribe;

and to provide other information as the agency may reasonably require;

(c) to conduct investigations, issue notices, public and otherwise, and order hearings as it may deem necessary or advisable for the discharge of its duties under chapter 116, including but not limited to the issuance of permits; and to authorize any member, employee, or agent appointed by it to conduct the investigations and issue the notices.

Sec. 11. Minnesota Statutes 1978, Section 116.081, Subdivision 1, is amended to read:

116.081 [PROHIBITIONS.] Subdivision 1. [OBTAIN PERMIT.] It shall be unlawful for any person to construct, install or operate an emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, storage facility, or system or facility related to the collection, transportation, storage, processing, or disposal of solid waste, or any part thereof unless otherwise exempted by any agency regulation rule now in force or hereinafter adopted, until plans therefor shall have been submitted to the agency, and a written permit therefor shall have been granted by the agency. The requirements of this section shall not be applied to motor vehicles, abatement and control of air and land pollution during each biennium to the legislature with recommendations for action in furtherance of the air and land pollution and solid waste programs.

Sec. 12. Minnesota Statutes 1978, Section 116.101, is amended to read:

116.101 [HAZARDOUS WASTE CONTROL AND SPILL CONTINGENCY PLAN.] The pollution control agency shall study and investigate problems of hazardous waste control and shall develop a statewide hazardous waste management spill contingency plan detailing the location of hazardous waste disposal facilities and storage sites throughout the state and the needs relative to the interstate transportation of hazardous waste.

Elements of The statewide hazardous waste spill contingency plan which relate to hazardous wastes, shall be incorporated into the statewide hazardous waste management plan plans of the waste management board established by article II, section 1. The pollution control agency shall develop an informational reporting system of hazardous waste quantities generated, processed, and disposed of in the state.

Sec. 13. Minnesota Statutes 1978, Section 116.41, is amended to read:

116.41 [WASTE AND WASTE FACILITIES CLASSIFICATION; TRAINING AND CERTIFICATION.] Subdivision 1. [LAND DISPOSAL FACILITY CLASSIFICATION.] By January 1, 1982, the pollution control agency may shall classify, respectively, facilities for the disposal of solid waste, facilities for the disposal of sewage sludge, and facilities for the disposal of

hazardous waste according to the degree of hazard to public health or the environment involved in their operation, and according to the volume or hazardous character of solid waste disposed of at the facility. The agency may develop standards of competence for persons operating various classes of facilities for the disposal of solid waste. The classification of disposal facilities for waste shall be based upon the degree of intrinsic hazard and the volume and rate of application of the waste accepted by a facility, the intrinsic suitability of the location of the facility, the design and operating character of the facility, and other factors deemed relevant by the agency.

Subd. 1a. [HAZARDOUS WASTE CLASSIFICATION.] By January 1, 1982, the agency shall prescribe by rule criteria for excluding types and categories of hazardous wastes from disposal, criteria for accepting types and categories of wastes as suitable for disposal, and minimum pre-treatment standards required as a condition of acceptance for disposal. The criteria and standards shall be based upon the degree of intrinsic hazard of the waste; the availability of conventional processing technologies for reducing, separating, reusing, recycling, and treating the waste; the feasibility and cost of applying the processing technologies in relation to the benefits to be achieved by such application; the class of facility; and other factors deemed relevant by the agency.

Subd. 2. [TRAINING AND CERTIFICATION PROGRAMS.] The agency shall develop standards of competence for persons operating and inspecting various classes of disposal facilities. The agency may shall conduct training programs for persons operating facilities for the disposal of solid waste and for inspectors of such facilities, and may charge such fees as are necessary to cover the actual costs of the training programs. Subd. 3. After July 1, 1976, when a facility for the disposal of solid waste, other than an animal feedlot, is operating under a permit from the agency, The agency may shall require the operator operators and inspectors of the facility such facilities to obtain from the agency a certificate of his competence to operate the facility. The agency may shall conduct examinations to test the competence of applicants for certification, and may shall require that certificates be renewed at reasonable intervals. The agency may charge such fees as are necessary to cover the actual costs of receiving and processing applications, conducting examinations, and issuing and renewing certificates.

Subd. 3. [REGULATION AND ENFORCEMENT ASSISTANCE.] The agency shall establish a program to provide technical and financial assistance for regulation and enforcement to counties which have certified operators and inspectors conforming to the requirements of the agency, chapters 400 and 473, and articles I to VIII.

Subd. 4. [RULES.] The agency may shall adopt, amend, and rescind such rules and regulations as may be necessary to carry out the provisions of this section in accordance with chapter 15.

Sec. 14. [REPORT ON SEWAGE SLUDGE.] By January 1,

1981, in consultation with the department of health, the agency shall prepare and submit a report on sewage sludge disposal to the legislative commission. The report shall be based on available information and shall recommend appropriate strategies, procedures, and programs to abate potential health hazards resulting from sewage sludge disposal facilities. The report shall: (a) analyze the potential public health hazards resulting from sewage sludge disposal facilities and methods of abatement; (b) examine existing regional, state, and federal regulations regarding the pre-treatment of industrial wastewater and efforts which are being or could be made by industry to pre-treat their industrial wastewaters; (c) analyze the need and potential effects of state regulations on concentrations of toxic and hazardous substances in industrial wastewater effluent; (d) summarize the duties and relationships among government entities responsible for sewage and sewage sludge treatment and regulation.

ARTICLE XII APPROPRIATIONS

Section 1. [APPROPRIATION.] Subdivision 1. The sum of \$2,900,000 is appropriated from the general fund, and the sum of \$15,000,000 is appropriated from the state waste management fund, to the agencies and for the purposes indicated in this section. Except as otherwise indicated in this section, appropriations are from the general fund and are available from the effective date of this act through the fiscal year ending June 30, 1981. Appropriations from the waste management fund are available until expended.

Subd. 2. [REAPPROPRIATED FUNDS.] The joint committee on solid and hazardous waste is abolished. The amount remaining from the appropriations in Laws 1979, Chapter 333, Section 2, Subdivision 3, for the joint committee shall be reappropriated in accordance with this subdivision. All reports required by this subdivision shall be prepared in consultation with the chairperson of the waste management board and shall be submitted to the legislative commission on waste management at the time of their submittal to the waste management board.

(a) Legislative Commission on Waste Management. \$ 65,000

This amount shall be available for expenditure by the commission on the effective date of this act.

(b) Commissioner of Economic Development. 10,000

Up to this amount shall be available on the effective date of this act for expenditure by the commissioner of economic development for the preparation of the reports to the waste management board required in article II, section 5, subdivisions 1 and 2.

(c) Director of the State Planning Agency. 15,000

Up to this amount shall be available on the effective date of this act for expenditure by the director of the state planning agency for preparation of the report to the board required in article II, section 5, subdivision 3, and for the preparation of a report to the board, by July 1, 1980, on public education and public participation in hazardous waste management planning.

The report on public participation and education shall be prepared in consultation with the environmental quality board and shall contain analysis and recommendations on the purposes, the components, and the expeditious implementation of comprehensive public education and participation programs in hazardous waste management planning.

(d) Minnesota Geological Survey.

15,000

Up to this amount shall be available on the effective date of this act for expenditure by the Minnesota geological survey for preparation of a report to the board, by July 1, 1980, assessing the geologic and hydrogeologic suitability of land in the state for hazardous waste facility search areas and sites required to be selected under article II, section 6, and article III, section 4. The report by the geological survey shall be based on readily available data and shall be prepared in consultation with the United States geological survey, the pollution control agency, and the departments of health and natural resources.

(e) Waste Management Board.

The amount remaining on June 30, 1980, shall be reappropriated and added to the amount appropriated to the waste management board in subdivision 3, clause (a).

Subd. 3. [WASTE MANAGEMENT BOARD.]

15,718,000

This appropriation is available for the following purposes:

(a) General Operations and Management.

718,000

Approved Complement—14.

These positions are in the unclassified service and their continuation is dependent upon the availability of money from appropriations in this subdivision.

When these appropriations have been expended the positions shall be cancelled and the approved complement reduced accordingly. The annual salary of the full-time chairperson of the board shall be \$45,000.

(b) Acquisition of Sites and Buffer Areas for Hazardous Waste Facilities.

6,200,000

This appropriation is from the state waste management fund, to be spent pursuant to article II, section 3, subdivision 4. Up to \$1,200,000 is available for expenditure before June 30, 1981 for costs of staff and independent professional services needed for the selection and acquisition of sites.

(c) Waste Processing Facility Demonstration Program.

8,800,000

This appropriation is from the state waste management fund, to be spent pursuant to article VI, sections 4 and 6. Up to 5 percent is available for administration and technical and professional services.

Subd. 4. [POLLUTION CONTROL AGENCY.]

1,969,000

Approved Complement—14.

Ten of these positions shall be for the purposes of clause (a) and four for the purposes of clause (b). These positions are in the unclassified service and their continuation is dependent upon the availability of money from this appropriation. When the appropriation has been expended the positions shall be cancelled and the approved complement reduced accordingly. This appropriation is available for the following purposes.

(a) General Operations and Management.

408,000

This appropriation is for the responsibilities of the agency under articles II, III, IV, VIII, IX, X, and XI. The agency shall submit to the legislative commission summaries of its work plans for implementing the provisions of these articles.

(b) Solid Waste Planning Assistance and Waste Reduction and Separation Projects.

570,000

This appropriation is to be spent pursuant to article V and article VI, sections 4 and 5. Up to 20 percent is available for administration and technical and professional services. It is a condition of the acceptance of this appropriation that the agency shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on waste management. None of the moneys provided may be expended unless the commission has approved the work program.

(c) Metropolitan Solid Waste Management.

991,000

This appropriation is for a grant to the metropolitan council to implement chapter 473 and article X. Up to five percent is available for administration and up to \$65,000 is available to prepare reports by the council required by article X, section 2, subdivisions 2a and

2c. *The remainder is available for grants to metropolitan counties for solid waste inventories and plans required under chapter 473 and article X.*

Subd. 5. [ATTORNEY GENERAL.]

133,000

Approved Complement—5.

Three of these positions shall be for attorneys and two for legal secretaries. These positions are in the unclassified service and their continuation is dependent upon the availability of money from this appropriation. When the appropriation has been expended the positions shall be cancelled and the approved complement reduced accordingly. This appropriation is available for legal services required by the waste management board and the pollution control agency in carrying out the provisions of this act.

Subd. 6. [ADMINISTRATION.]

80,000

Approved Complement—3.

Two of these positions are in the unclassified service and their continuation is dependent upon the availability of money from this appropriation. When the appropriation has been expended the two positions shall be cancelled and the approved complement reduced accordingly. This appropriation is for transfer to the general services revolving fund, resource recovery account, to be used by the commissioner of administration for the implementation and operation of the state government resources recovery program under article II, section 12.

ARTICLE XIII

Section 1. Minnesota Statutes 1978, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] Subdivision 1. Except as provided in other subdivisions of this section or in section 272.025, 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;
- (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 Minnesota, 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 (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.

(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.

Sec. 2. [REPEALER.] *Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2, 3, 4, 5, 6, and 7; 473.121, Subdivisions 27, 28, 29, 31, 31a, 31b, and 31c; and 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 728, Section 7, are repealed.*

Sec. 3. [EFFECTIVE DATE.] *Except as otherwise provided in this section, this act is effective the day following final enactment. Section 1 of this article is effective for taxes levied in 1980 and thereafter, payable in 1981 and thereafter. Article VIII, section 9, article IX, section 8, and article X, section 14, are effective July 1, 1982.*

Amend the title as follows:

Page 1, line 9, after "requiring" insert "solid and"

Page 1, line 10, after "establishing" insert "state and metropolitan"

Page 1, line 12, after the first semicolon insert "providing that certain solid waste disposal facilities are not exempt from real

property taxes; authorizing the acquisition of property by purchase and eminent domain;"

Page 1, line 17, after "116.41;" insert "272.02, Subdivision 1;"

Page 1, line 22, delete "a subdivision" and insert "subdivisions"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) James R. Casserly, William Schreiber, James C. Pehler

Senate Conferees: (Signed) Gene Merriam, Robert G. Dunn, Gerald L. Willet

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2023 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Sikorski moved that the recommendations and Conference Committee Report on H. F. No. 2023 be rejected and that the bill be re-referred to the Conference Committee as formerly constituted for further consideration.

CALL OF THE SENATE

Mr. Merriam imposed a call of the Senate for the balance of the proceedings on H. F. No. 2023. The following Senators answered to their names:

Anderson	Frederick	Laufenburger	Penny	Staples
Bang	Gearty	Lessard	Perpich	Stern
Barrette	Gunderson	Luther	Peterson	Stokowski
Benedict	Hanson	Menning	Pillsbury	Strand
Bernhagen	Hughes	Merriam	Purfeerst	Stumpf
Brataas	Humphrey	Moe	Renneke	Tennessee
Chmielewski	Jensen	Nelson	Rued	Ueland, A.
Coleman	Keefe, J.	Nichols	Schmitz	Ulland, J.
Davies	Kirchner	Ogdahl	Setzepfandt	Vega
Dieterich	Kleinbaum	Olhoft	Sieloff	Wegener
Dunn	Knaak	Olson	Sikorski	Willet
Engler	Knoll	Omann	Speare	

The Sergeant at Arms was instructed to bring in the absent members.

Without objection, Mr. Stern was excused from voting on all the proceedings on H. F. No. 2023, pursuant to Rule 22.

The question recurred on the motion of Mr. Sikorski.

The roll was called, and there were yeas 18 and nays 45, as follows:

Those who voted in the affirmative were:

Benedict	Keefe, J.	Penny	Schaaf	Tennessee
Dieterich	Kleinbaum	Perpich	Schmitz	Vega
Engler	Knutson	Renneke	Sikorski	
Hughes	Nelson	Rued	Stumpf	

Those who voted in the negative were:

Anderson	Frederick	Knoll	Ogdahl	Solon
Aahbach	Gearty	Laufenburger	Olhoft	Spear
Bang	Gunderson	Lessard	Olson	Staples
Barrette	Hanson	Luther	Omann	Stokowski
Bernhagen	Humphrey	McCutcheon	Peterson	Strand
Brataas	Jensen	Menning	Pillsbury	Ueland, A.
Chmielewski	Johnson	Merriam	Purfeerst	Ulland, J.
Davies	Kirchner	Moe	Setzepfandt	Wegener
Dunn	Knaak	Nichols	Sieloff	Willet

The motion did not prevail.

The question recurred on the motion of Mr. Merriam.

The roll was called, and there were yeas 56 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Omann	Stokowski
Aahbach	Gunderson	Lessard	Perpich	Strand
Bang	Hanson	Luther	Peterson	Stumpf
Barrette	Hughes	McCutcheon	Pillsbury	Tennessee
Benedict	Humphrey	Menning	Purfeerst	Ueland, A.
Bernhagen	Jensen	Merriam	Schmitz	Ulland, J.
Brataas	Johnson	Moe	Setzepfandt	Wegener
Chmielewski	Kirchner	Nelson	Sieloff	Willet
Davies	Kleinbaum	Nichols	Sikorski	
Dunn	Knaak	Ogdahl	Solon	
Engler	Knoll	Olhoft	Spear	
Frederick	Knutson	Olson	Staples	

Those who voted in the negative were:

Dieterich	Penny	Rued	Schaaf	Vega
Keefe, J.	Renneke			

The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2023: A bill for an act relating to waste management; establishing a waste management board and a legislative commission; establishing a state government resource recovery program; establishing solid waste planning assistance and demonstration program; providing for the issuance of state waste management bonds; providing for the establishment of solid waste management districts; requiring solid and hazardous waste management planning and development; establishing state and metropolitan procedures for the review and approval of permits for waste facilities; providing that certain solid waste disposal facilities are not exempt from real property taxes; authorizing the acquisition of property by purchase and eminent domain; authorizing debt; appropriating money; amending Minnesota Statutes 1978, Sections 116.06, Subdivisions 9, 10, 13, and by adding subdivisions; 116.07, Subdivisions 2, 4, and 4a, and by adding subdivisions; 116.081, Subdivision 1; 116.101; 116.41; 272.02, Subdivision 1; 400.03, Subdivision 1; 400.04; 400.06; 400.07; 400.13; 400.16; 400.161; 473.121, by adding a subdivision; 473.149; 473.502; 473.516; 473.801, Subdivision 1; 473.802; 473.803; 473.811; 473.813; 473.823, Subdivision 3, and by add-

ing subdivisions; Chapter 400, by adding a section; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2 to 7; 473.121, Subdivisions 27 to 31c; 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 728, Section 7.

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:

Anderson	Gearty	Laufenburger	Omam	Stokowski
Ashbach	Gunderson	Lessard	Perpich	Strand
Bang	Hanson	Luther	Peterson	Stumpf
Barrette	Hughes	McCutcheon	Pillsbury	Tennessee
Benedict	Humphrey	Menning	Purfeerst	Ueland, A.
Bernhagen	Jensen	Merriam	Schaaf	Ulland, J.
Brataas	Johnson	Moe	Setzepfandt	Wegener
Chmielewski	Kirchner	Nelson	Sieloff	Willet
Davies	Kleinbaum	Nichols	Sikorski	
Dunn	Knaak	Ogdahl	Solon	
Engler	Knoll	Olhoff	Spear	
Frederick	Knutson	Olson	Staples	

Those who voted in the negative were:

Dieterich	Penny	Rued	Schmitz	Vega
Keefe, J.	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. 1710 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1710 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 3, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1710

A bill for an act relating to energy; stating legislative energy policy; providing grants and assistance for community energy planning; assessment of fees for residential energy audits; providing grants for residential heating costs and weatherization; providing guidelines for a state plan for spending federal money; reimbursing counties for heating emergency assistance expenses;

defining large energy facilities; authorizing subdivisions to levy for certain energy related activities; providing grants for energy research and development projects; providing education on building energy efficiency; energy audits; ethanol plant demonstration project; creating the alcohol fuels information center; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending Minnesota Statutes 1978, Sections 116H.01; 116H.087; 116H.12, Subdivision 11; 216B.16, by adding a subdivision; 275.50, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.02, Subdivision 5; 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1710, 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. 1710 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [3.351] [LEGISLATIVE COMMISSION ON ENERGY.] *Subdivision 1. [COMPOSITION.] The legislative commission on energy is composed of five senators of the majority party and three senators of the minority party appointed by the subcommittee on committees of the committee on rules and administration, and five representatives of the majority party and three representatives of the minority party appointed by the speaker of the house. The commission shall be appointed by June 1, 1980. The commission shall elect a chairman from among its members.*

Subd. 2. [GENERAL DUTIES.] The commission shall:

(a) *Make a continuing study of matters relating to energy supply and use in the state;*

(b) *Identify the potential for enhanced economic growth and job creation from increased energy efficiency and the production and utilization of renewable energy systems.*

(c) *Identify ways to assure the provision of necessary energy supplies to all Minnesotans;*

(d) *Coordinate resources and programs on energy conservation; and*

(e) *Review overall legislative policy concerning energy.*

Subd. 3. [ENERGY PLAN; REPORT TO LEGISLATURE.] *The commission shall develop legislative energy plans based on the provisions of subdivision 2 and consistent with appropriate long term energy goals for Minnesota. The plans shall be reported to the legislature no later than February 15 of each year.*

Subd. 4. [STAFF.] *The commission shall use existing legislative facilities and staff.*

Sec. 2. Minnesota Statutes 1978, Section 45.17, is amended by adding a subdivision to read:

Subd. 7. *The consumer services section shall represent and further the interests of residential utility consumers through participation as an intervenor or interested party in federal proceedings relating to the regulation of: (a) wholesale rates for energy delivered through interstate facilities; or (b) fuel used in generation of electricity or the manufacture of gas. The consumer services section may maintain, intervene in or otherwise participate in any civil actions relating to the federal proceedings. In performing its duties pursuant to this subdivision, the section shall follow the guidelines established pursuant to subdivision 6, clause (1).*

Sec. 3. Minnesota Statutes 1978, Section 90.195, is amended to read:

90.195 [SPECIAL USE PERMIT.] *The commissioner, for a \$5 fee, may issue a permit to salvage or cut not to exceed 25 12 cords of fuelwood per year for personal use from either or both of the following sources: (1) Dead, down, and diseased trees; (2) other trees that are of negative value under good forest management practices. Such permits may be issued for a period not to exceed one year. A fee shall be charged for the permit of not less than \$5 nor more than the approximate current market value of fuelwood stumpage of similar species, grade and volume that is being charged in the area.*

Sec. 4. Minnesota Statutes 1978, Section 116H.01, is amended to read:

116H.01 [FINDINGS AND PURPOSE.] *The legislature finds and declares that the present rapid continued growth in demand for energy is in part due to unnecessary energy use; that a continuation of this trend will result in serious depletion of finite quantities of fuels, land and water resources, and threats to the state's environmental quality; that the state must insure consideration of urban expansion, transit systems; economic development, energy conservation and environmental protection in planning for large energy facilities; that there is a need to carry out energy conservation measures; and that energy planning, protection of environmental values, development of Minnesota energy sources, and conservation of energy require expanded authority and technical capability and a unified, coordinated response within state government.*

The legislature seeks to encourage thrift in the use of energy, and to maximize use of energy efficient systems, thereby reducing the rate of growth of energy consumption, prudently conserving energy resources, and assuring statewide environmental protection consistent with an adequate, reliable supply of energy. will cause severe social and economic dislocations, and that the state has a vital interest in providing for: increased efficiency in energy consumption, the development and use of renewable energy resources wherever possible, and the creation of an effective energy forecasting, planning and education program.

The legislature further finds and declares that the protection of life, safety and financial security for citizens during an energy crisis is of paramount importance.

Therefore, the legislature finds that it is in the public interest to review, analyze and encourage those energy programs that will minimize the need for annual increases in fossil fuel consumption by 1990 and the need for additional electrical generating plants, and provide for an optimum combination of energy sources consistent with environmental protection and the protection of citizens.

The legislature intends to monitor, through energy policy planning and implementation, the transition from historic growth in energy demand to a period when demand for traditional fuels becomes stable and the supply of renewable energy resources is readily available and adequately utilized.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 116H.085, is amended to read:

116H.085 [ENERGY CONSERVATION INFORMATION CENTER.] The director shall establish an energy conservation information center in the agency's offices in St. Paul. The information center shall maintain a toll-free telephone information service and disseminate printed materials on energy conservation topics, including but not limited to, availability of loans and other public and private financing methods for energy conservation physical improvements, the techniques and materials used to conserve energy in buildings, including retrofitting or up-grading insulation and installing weatherstripping, the projected prices and availability of different sources of energy, and the alternative sources of energy.

The energy information center shall serve as the official Minnesota alcohol fuels information center and shall disseminate information, printed, by the toll-free telephone information service, or otherwise on the applicability and technology of alcohol fuels.

The information center shall include information on the potential hazards of energy conservation techniques and improvements in the printed materials disseminated. The agency shall not be liable for damages arising from the installation or operation of equipment or materials recommended by the information center.

Sec. 6. Minnesota Statutes 1978, Section 116H.087, is amended to read:

116H.087 [ENERGY CONSERVATION PUBLICITY.] The director of the energy agency in consultation with the director of the housing finance agency *other affected agencies or departments* shall develop *informational materials, pamphlets and radio and television messages on the energy conservation and housing programs available in Minnesota, renewable energy resources, and energy supply and demand.* The *pamphlets printed materials* shall include information on available tax credits for residential energy conservation measures, residential retrofitting loan and grant programs, and data on the economics of energy conservation and *renewable resource* measures. *Before the pamphlets or media messages are released for general distribution they Copies of printed materials shall be reviewed by distributed to members of the appropriate standing committees of the legislature.*

Sec. 7. [116H.089] [COMMUNITY ENERGY PLANNING; GRANTS.] *Subdivision 1. [PURPOSE.] In order to improve the energy planning capabilities of local governments, the energy agency shall make grants to counties and cities, however organized. The energy agency when making grants shall give priority to those units of government that submit proposals that could result in significant savings of traditional energy sources, development of renewable energy systems, and broad community involvement. The director shall give priority to local units of government that provide staff or other support for a program and who request grants for programs which can be duplicated by other local governments. The grants may be used to purchase materials, employ staff or contract with other units of government or qualified consultants.*

The director shall not make grants of more than 45 percent of the amount appropriated for those purposes to cities and counties located within the seven county metropolitan area. A single grant to a city or county shall not exceed \$50,000.

Subd. 2. [QUALIFYING EXPENDITURES.] Community energy planning grants may be used for the following purposes:

(a) To gather, monitor, and analyze local energy supply, demand, and cost information;

(b) To prepare comprehensive community energy plans;

(c) To implement comprehensive energy plans that the unit of government is authorized to undertake for the management of problems resulting from: (1) rising energy cost; (2) lack of efficient public and private transportation; (3) lack of community conservation efforts; (4) lack of widespread renewable energy sources; and (5) lack of energy components in comprehensive plans and local ordinances;

(d) To assist neighborhood organizations in counties and cities to do energy planning by making grants to the local unit of government; and

(e) Any other purposes deemed appropriate by the director of the energy agency.

Subd. 3. [ADMINISTRATION.] The energy agency shall determine priorities pursuant to subdivisions 1 and 2, and shall promulgate rules for the submission and review of applications in accordance with the provisions of chapter 15. For this purpose the energy agency may adopt temporary rules pursuant to the provisions of section 15.0412, subdivision 5.

Sec. 8. Minnesota Statutes 1978, Section 116H.12, Subdivision 11, is amended to read:

Subd. 11. No new residential

- (a) forced air type central furnace,
- (b) cooking appliance manufactured with an electrical supply cord, or
- (c) clothes drying equipment

designed to burn natural gas equipped with a continuously burning pilot shall be sold or installed in Minnesota. *This subdivision does not apply to forced air type furnaces designed for installation in mobile homes.*

Sec. 9. Minnesota Statutes 1978, Section 116H.129, Subdivision 5, is amended to read:

Subd. 5. [RESIDENTIAL ENERGY DISCLOSURE PROGRAM.] ~~By March 1, 1979~~ *May 1, 1980*, the commissioner of administration, in consultation with the director of the energy agency and the appropriate standing committees of the legislature, shall promulgate rules providing for residential energy disclosure requirements and shall approve forms for the purposes of this subdivision. The rules and forms shall provide only for the disclosure of structural characteristics, energy use characteristics relating to energy consumption and conservation, and the extent of compliance with standards adopted pursuant to subdivision 1. Nothing in the forms shall indicate or be deemed to indicate that the residence meets all state building code specifications.

Sec. 10. Minnesota Statutes, 1979 Supplement, Section 116H.13, Subdivision 3, is amended to read:

Subd. 3. No proposed large energy facility shall be certified for construction unless the applicant has justified its need. In assessing need, the director shall evaluate:

(1) The accuracy of the long range energy demand forecasts on which the necessity for the facility is based;

(2) The effect of existing or possible energy conservation programs under sections 116H.01 to 116H.15 or other federal or state legislation on long term energy demand;

(3) The relationship of the proposed facility to overall state energy needs, such as are described in the most recent state energy policy and conservation report prepared pursuant to section 116H.11;

(4) Promotional activities which may have given rise to the demand for this facility;

(5) Socially beneficial uses of the output of this facility, including its uses to protect or enhance environmental quality;

(6) The effects of the facility in inducing future development;

(7) Possible alternatives for satisfying the energy demand including but not limited to potential for increased efficiency of existing energy generation facilities;

(8) The policies, rules and regulations of other state and federal agencies and local governments; *and*

(9) *Any feasible combination of energy conservation improvements, required by the public service commission pursuant to section 18, that can (1) replace part or all of the energy to be provided by the proposed facility, and (2) compete with it economically.*

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 116H.13, Subdivision 7, is amended to read:

Subd. 7. *Other state agencies authorized to issue permits for siting, construction or operation of large energy facilities, and those state agencies authorized to participate in matters before the Minnesota public service commission involving utility rates and adequacy of utility services, shall present their position regarding need and participate in the public hearing process prior to the issuance or denial of a certificate of need. Issuance or denial of certificates of need shall be the sole and exclusive prerogative of the director and said determinations and certificates shall be binding upon other state departments and agencies, regional, county and local governments and special purpose government districts except as provided in sections 116C.01 to 116C.08 and 116D.04, subdivision 9.*

Sec. 12. [116H.17] [ENERGY AUDITS.] *The director of the energy agency, in cooperation with the director of consumer services, shall develop the state plan for the program of energy audits of residential and commercial buildings required by 42 United States Code, Section 8211 et seq. The consumer services division and the attorney general are authorized to release information on consumer complaints about the operation of the program to the energy agency.*

Sec. 13. Minnesota Statutes, 1979 Supplement, Section 116H.22, is amended to read:

116H.22 [MONEY FOR SCHOOLS AND GOVERNING BODIES.] *Funds Money to pay part or all of the actual costs of mini-audits, maxi-audits and energy conservation measures performed by or for schools and governing bodies shall be available from legislative appropriations made for that purpose in accordance with the priorities established in section 116H.23. Money appropriated pursuant to this section is available to school dis-*

tricts and local governmental units that submitted acceptable mini-audits or maxi-audits after April 9, 1976 and before July 1, 1979.

Sec. 14. [174.256] [PARK AND RIDE PROGRAM.] *Subdivision 1. [PURPOSE.] It is the purpose of this section to encourage citizens of Minnesota to transfer from low-occupancy vehicles to multi-occupancy vehicles, to reduce the use of the automobile and provide for more efficient usage of existing facilities in heavily traveled corridors and congested areas, to divert automobile drivers from parking spaces in metro areas, to decrease low-occupancy vehicle miles driven and the congestion, pollution, energy consumption, highway damage, and other costs associated with highway use, and to increase the efficiency and productivity of and benefit from public investments in public park and ride facilities and systems in the state, reducing the need for increases in urban land used for parking. It is also the purpose of this section to encourage the use of van pools, car pools, and ride sharing by the citizens of the state.*

Subd. 2. [DEFINITIONS.] *For purposes of this section the following terms have the meanings given them in this subdivision:*

(a) "Commissioner" means the commissioner of transportation.

(b) "Park and ride facility" means a facility consisting of a park and ride lot where commuters' automobiles are parked, and, within a reasonable walking distance, a station or some transfer point where commuters board the transit mode.

(c) "Transit mode" includes transportation by bus, car pool, van pool, and other similar services.

(d) "Exclusive use park and ride lot" means a parking lot that is intended to be used exclusively for park and ride purposes, is constructed with public money and is located within 100 miles of a central business district.

(e) "Joint use park and ride lot" means a parking lot that is intended to be used for other purposes in addition to park and ride and is located within 100 miles of a central business district.

(f) "Fringe parking lot" means a parking lot located outside but near a central business district.

Subd. 3. [GENERAL POWERS AND DUTIES.] *The commissioner shall have the power to:*

(a) Develop and monitor a comprehensive park and ride facility program throughout the state. The program shall coordinate and provide money for the development of a statewide program of park and ride facilities, including joint use park and ride lots, exclusive use park and ride lots, and fringe park and ride lots;

(b) Offer, use and apply the information developed pursuant to clause (a) to assist and advise political subdivisions and recipients of financial assistance in the planning, promotion, development, operation and evaluation of park and ride service

facilities. The political subdivision or eligible recipient is responsible for the repair and maintenance of the facility by using local money;

(c) Act upon request as the designated agent of any eligible person for the receipt and disbursal of federal money;

(d) Contract for or provide services as needed in the design or construction of park and ride facilities; and

(e) Establish rules and regulations necessary for implementation of the program.

The commissioner shall perform the duties and exercise the powers under this section in coordination with and in furtherance of statewide, regional, and local transportation plans and transportation development programs.

Subd. 4. [ELIGIBILITY; APPLICATIONS.] A statutory or home rule charter city, county, school district, independent board or agency is eligible to receive financial assistance through the park and ride grant program. Applications for grants shall be approved or denied by the commissioner within 120 days of receipt.

Subd. 5. [EVALUATION AND REPORTS.] The commissioner shall evaluate or contract for the evaluation of park and ride programs developed under the preceding section and submit a report to the legislature by January 15, 1981, including the following information:

(a) The amounts of money spent or obligated for the park and ride program by the commissioner and the persons receiving those amounts;

(b) The number and type of public park and ride lots in use and a physical description of each;

(c) The types of lots in use, number of individuals served and areas covered;

(d) A comparison of the cost of providing different types of service;

(e) A review of the achievements or failures of the project, problems encountered in implementation and conclusions and recommendations concerning future action.

Sec. 15. [174.257] [RIDE SHARING PROGRAM.] The commissioner of transportation shall establish a ride sharing program in order to advise citizens of the available alternatives to travel by low occupancy vehicles and the benefits derived from sharing rides. The program shall provide citizens with necessary information and opportunities for sharing rides, encourage citizens to share rides, and assist citizens in obtaining access to shared rides. The program shall make use of existing services and agencies whenever possible. The program shall give priority to assisting employers who will implement employee ride sharing

programs. The services provided by the program shall include, but not be limited to:

(a) Providing general information to potential ride sharing users;

(b) Establishing procedures for the implementation of ride sharing programs by individuals, groups, corporations or local agencies;

(c) Offering assistance to local governments and other political subdivisions in implementing ride sharing programs;

(d) Providing technical assistance to those individuals, groups, corporations or local agencies;

Sec. 16. Minnesota Statutes 1978, Section 216B.16, is amended by adding a subdivision to read:

Subd. 6b. All investments and expenses of a public utility as defined in section 18, subdivision (1) (c), incurred in connection with energy conservation improvements shall be recognized and included by the commission in the determination of just and reasonable rates as if the investments and expenses were directly made or incurred by the utility in furnishing utility service.

Sec. 17. Minnesota Statutes 1978, Chapter 216B, is amended by adding a section to read:

[216B.165.] [ENERGY AUDITS.] *Subdivision 1. A customer who asks a public utility to perform an energy audit of his residence pursuant to 42 United States Code 8211 et seq. shall pay no more than \$10 of the administrative and general expenses associated with the audit. The remainder of the administrative and general expenses of operating a program of energy audits pursuant to 42 United States Code 8211 et seq., including those associated with program audits, list distribution, customer billing services, arranging services and post-installation inspections shall be treated as current operating expenses of providing utility service and shall be charged to all ratepayers of the public utility in the same manner as other current operating expenses of providing utility service.*

Subd. 2. All audits performed pursuant to 42 United States Code 8211 et seq. of residences which are required by section 116H.129, subdivision 3 to comply with energy efficiency standards shall include a separate list of those improvements to the residence which are required to bring the residence into compliance with section 116H.129, subdivision 3, and a statement describing remedies available to tenants for violations.

Sec. 18. [216B.241] [ENERGY CONSERVATION IMPROVEMENTS.] *Subdivision 1. [DEFINITIONS.] For purposes of this section, the terms defined in this subdivision shall have the meanings given them:*

(a) "Commission" means the public service commission, department of public service;

(b) "Energy conservation improvement" means the purchase or installation of any device, method or material that increases the efficiency in the residential use of electricity or natural gas including, but not limited to:

- (1) insulation and ventilation;
- (2) storm or thermal doors or windows;
- (3) caulking and weatherstripping;
- (4) furnace efficiency modifications;
- (5) thermostat or lighting controls;
- (6) awnings; or

(7) systems to turn off or vary the delivery of energy. The term "energy conservation improvement" does not include any device or method which creates, converts or actively uses energy from renewable sources such as solar, wind and biomass.

(c) "Investments and expenses of a public utility" includes the investments and expenses incurred by a public utility in connection with an energy conservation improvement including, but not limited to:

(1) the differential in interest cost between the market rate and the rate charged on a no interest or below market interest loan made by a public utility to a customer for the purchase or installation of an energy conservation improvement;

(2) the difference between the utility's cost of purchase or installation of energy conservation improvements and any price charged by a public utility to a customer for such improvements.

(d) "Public utility" has the same meaning as given that term in section 216B.02, subdivision 4. For the purposes of this section, "public utility" shall not include cooperative electric associations that become subject to rate regulation after the effective date of this act.

Subd. 2. [PROGRAMS.] Prior to January 1, 1981, the commission, after consultation with the energy agency, shall initiate a pilot program designed to demonstrate the feasibility of investments and expenses of a public utility in energy conservation improvements. The commission, as part of the pilot program, shall order at least one public utility to make investments and expenditures in energy conservation improvements, explicitly setting forth the interest rates, prices, and terms under which the improvements shall be offered to the customers. The order of the commission shall provide to the extent practicable for a free choice of contractor, qualified under the residential conservation services program of the energy agency, for consumers participating in the pilot program. The commission shall not order a utility to make any energy conservation improvement investment or expenditure unless it first finds that the improvement will result in energy savings at a total cost to the utility less than the cost to the utility to produce or purchase an equivalent amount of new supply of energy. Investments and expenditures made pursuant to an order

shall be treated for ratemaking purposes in the manner prescribed in section 16. No utility shall make an energy conservation improvement pursuant to this section to a residential building envelope unless it is the primary supplier of energy used for either space heating or cooling in the building.

Subd. 3. [OWNERSHIP OF RESIDENTIAL ENERGY CONSERVATION IMPROVEMENTS.] *Any energy conservation improvement made to or installed in any residential building pursuant to this section shall be the exclusive property of the owner of the building except insofar as it is subjected to a security interest in favor of the utility in case of a loan to the building owner. The utility shall have no liability for loss, damage or injury caused directly or indirectly by any energy conservation improvement except for negligence by the utility in purchase, installation, or modification of the product.*

Subd. 4. [FEDERAL LAW PROHIBITIONS.] *If investments by public utilities in energy conservation improvements are in any manner prohibited or restricted by federal law and there is a provision under which such prohibition or restriction may be waived, then the commission, the governor, or any other necessary state agency or officer shall take all necessary and appropriate steps to secure a waiver with respect to those public utility investments in energy conservation improvements included in this section.*

Sec. 19. Minnesota Statutes, 1979 Supplement, Section 268.37, is amended to read:

268.37 [COORDINATION OF FEDERAL AND STATE RESIDENTIAL WEATHERIZATION PROGRAMS.] Subdivision 1. The department of economic security is the state agency to apply for, receive, and disburse federal money made available to the state by federal law or rules promulgated thereunder for the purpose of weatherizing the residences of low-income persons. The commissioner of economic security shall coordinate available federal money with any state money appropriated for this purpose.

Subd. 2. The commissioner shall make grants of federal and state money to community action agencies and other public or private nonprofit agencies for the purpose of weatherizing the residences of low-income persons. Grant applications shall be submitted in accordance with rules developed pursuant to 42 U.S.C., Sections 6861 to 6872, any other relevant federal weatherization program, and rules promulgated by the commissioner.

Subd. 3. The commissioner shall promulgate temporary rules as necessary to administer the grants program by July 1, 1979 and shall promulgate permanent rules by July 1, 1980. The rules shall describe: (a) procedures for the administration of grants, (b) data to be reported by grant recipients, and (c) other matters the commissioner finds necessary for the proper administration of the grant program including compliance with relevant federal regulations. Weatherization assistance shall be given to households where the total income does not exceed 125 percent of the poverty level as

updated by the federal office of management and budget poverty guidelines.

Subd. 4. [SUPPLEMENTARY STATE GRANTS.] *The commissioner shall distribute supplementary state grants in a manner consistent with the goal of producing the maximum number of weatherized units. Supplementary state grants are provided primarily for the payment of additional labor costs for the federal weatherization program, and as an incentive for the increased production of weatherized units.*

Criteria for the allocation of state grants to local agencies include: (a) existing local agency production levels, (b) availability of CETA resources in the area, (c) emergency needs, and (d) the potential for maintaining or increasing acceptable levels of production in the area.

An eligible local agency may receive advance funding for 90 days' production, but thereafter shall receive grants solely on the basis of program criteria.

Subd. 5. *The commissioner shall submit reports to the legislature by March 1 of each year, 1980, and March 1, 1981, evaluating the weatherization program. The reports shall describe: (a) the number of households weatherized, (b) the average cost per household, (c) any change in energy consumption after weatherization, (d) outreach efforts, and (e) any other information the commissioner feels is relevant, including information routinely submitted to the federal government.*

Sec. 20. *Minnesota Statutes 1978, Section 462A.05, is amended by adding a subdivision to read:*

Subd. 15b. It may make grants to assist in energy conservation rehabilitation measures for existing owner occupied housing including, but not limited to: insulation, storm windows and doors, furnace or space heater repair, cleaning or replacement, chimney construction or improvement, weatherstripping and caulking, and structural or other directly related repairs essential for energy conservation. The grant to any household shall not exceed \$2,000.

To be eligible for an emergency energy conservation grant, a household must be certified as eligible to receive emergency residential heating assistance under either the federal or the state program, and either (1) have had a heating cost for the preceding heating season that exceeded 120 percent of the regional average for the preceding heating season for that energy source as determined by the energy agency, or (2) be eligible to receive a federal energy conservation grant, but be precluded from receiving the grant because of a need for directly related repairs that cannot be paid for under the federal program. The housing finance agency shall make a reasonable effort to determine whether other state or federal loan and grant programs are available and adequate to finance the intended improvements. An emergency energy conservation grant may be made in conjunction with grants or loans from other state or federal programs that finance other needed rehabilitation work. The receipt of a grant pursuant to this section

shall not affect the applicant's eligibility for other housing finance agency loan or grant programs.

Temporary rules to implement this subdivision may be promulgated and amended pursuant to chapter 15. The temporary rules may remain in effect until July 1, 1981.

Sec. 21. Minnesota Statutes 1978, Section 462A.21, is amended by adding a subdivision to read:

Subd. 4g. It may make emergency energy conservation grants as provided in section 20 and may pay the costs and expenses necessary and incidental to the development of the emergency energy conservation grant program.

Sec. 22. [EMERGENCY RESIDENTIAL HEATING GRANTS.] *Subdivision 1. The commissioner of economic security shall make grants pursuant to the state plan to county boards, community action agencies, or other public or private nonprofit agencies for the purpose of providing emergency residential heating grants to low income households. These grants shall be made to the same agencies and in the same manner as provided for federal grants under the energy crisis assistance program of 42 United States Code, Section 2809, Paragraph (a), Clause (5), except as otherwise provided in sections 22 to 25.*

Subd. 2. The commissioner of economic security shall promulgate rules that provide: (a) procedures for the administration of grants; (b) data to be reported by grant recipients and heating fuel suppliers; and (c) other matters the commissioner finds necessary for the proper administration of the state and federal grant programs. The rules may take effect as temporary rules upon approval by the attorney general and without the normal publication in the state register and 20 day wait for comments from the public, and may be amended in the same manner at a later date if comments from the public demonstrate that amendments are justified.

Subd. 3. Data on individuals collected, maintained, used, or disseminated pursuant to sections 22 to 25 are private data on individuals and shall not be disclosed except as provided for data in the welfare system under Minnesota Statutes, 1979 Supplement, Section 15.1691.

Sec. 23. [ALLOCATIONS.] *Money appropriated for emergency residential heating grants shall be allocated among local administrative agencies on the basis of the number of households in the area served by the agency whose income falls within the limits specified for grant eligibility in relation to the total of those households in the state.*

Sec. 24. [ELIGIBILITY; AMOUNT OF GRANT.] *Subdivision 1. [INCOME LIMITS.] Emergency residential heating grants under this section shall be paid only to households not eligible for the federal energy crisis assistance program and whose total household income does not exceed the following limits:*

Size of
Household

1
2
3
4
5
6

Not More
Than

\$ 5,100
6,750
8,400
10,050
11,700
13,350

(For each additional
household member
add \$1,650.)

In determining total household income, a household with earned income may deduct from earned income state and federal income taxes and social security contributions. In addition, a household may deduct medical expenses that are not reimbursed by insurance or other sources and that exceed three percent of the household income.

Subd. 2. [AMOUNT OF GRANT.] The amount of a grant under this section, in combination with the special grant paid by the federal government directly to recipients of supplemental security income and money available to the state under the HEW block grant program shall be the lesser of:

(a) Fifty percent of the cost of residential heating energy paid or reasonably anticipated to be paid by the household during the winter heating season beginning in September and ending in May; or

(b) The appropriate table of maximum grant amounts as follows:

(1) If the maximum grant for fuel oil under the current state plan for the federal energy assistance program at the highest eligible income level is between \$400 and \$600, the following amounts graduated by size of household, income of household, and source of energy:

Household Size	Household Income More Than but	Income Not More than	Fuel Oil, Canadian Natural Gas and Propane	Wood and Other Energy Sources
1		\$ 4,250	\$400	\$267
	\$ 4,250	\$ 4,675	\$283	\$189
	\$ 4,675	\$ 5,100	\$167	\$111
2		\$ 5,625	\$400	\$267
	\$ 5,625	\$ 6,188	\$283	\$189
	\$ 6,188	\$ 6,750	\$167	\$111
3		\$ 7,000	\$400	\$267
	\$ 7,000	\$ 7,700	\$283	\$189
	\$ 7,700	\$ 8,400	\$167	\$111
4		\$ 8,375	\$400	\$267
	\$ 8,375	\$ 9,212	\$283	\$189
	\$ 9,212	\$10,050	\$167	\$111
5		\$ 9,750	\$400	\$267

	\$ 9,750	\$10,725	\$283	\$189
	\$10,725	\$11,700	\$167	\$111
6		\$11,125	\$400	\$267
	\$11,125	\$12,238	\$283	\$189
	\$12,238	\$13,350	\$167	\$111

or

(2) If the maximum grant for fuel oil under the current state plan for the federal energy assistance program at the highest eligible income level is \$600 or more, the following amounts graduated by size of household, income of household, and source of energy:

Household Size	Household Income		Fuel Oil, Canadian Natural Gas and Propane	Wood and Other Energy Sources
	More Than but	Not More Than		
1		\$ 4,250	\$600	\$400
	\$ 4,250	\$ 4,675	\$425	\$283
	\$ 4,675	\$ 5,100	\$250	\$167
2		\$ 5,625	\$600	\$400
	\$ 5,625	\$ 6,188	\$425	\$283
	\$ 6,188	\$ 6,750	\$250	\$167
3		\$ 7,000	\$600	\$400
	\$ 7,000	\$ 7,700	\$425	\$283
	\$ 7,700	\$ 8,400	\$250	\$167

For households of more than six members, the amount of the grant is scaled downward as income goes upward in the same manner as provided in tables 1 and 2 above.

Grants for recipients who use two or more types of fuel shall be based on the household's primary energy source.

Users of wood as the primary heating source, whether the wood is purchased or not, are eligible for assistance under this section.

Grants shall not be considered as income or resources under any other public or publicly assisted income tested program.

Sec. 25. [LEGISLATIVE AUDITOR REPORT.] The legislative auditor shall submit to the legislature by January 1 of each year an audit report of the department of economic security concerning their administration of the emergency residential heating grant program. This report shall also contain a summary of the audit results of the local agencies involved in the administration of the program.

These financial and compliance audits of the local agencies shall be initiated, monitored, and approved by the commissioner of economic security. The legislative auditor must approve the selection of the auditors and scope of the audit.

Sec. 26. [STATE PLAN FOR SPENDING FEDERAL MONEY.] Subdivision 1. The governor shall submit to the appropriate federal agency a state delivery plan for money the state

receives under the Federal Home Energy Assistance Act of 1980 that includes the following elements:

(a) Those households in which one or more individuals are eligible for (a) aid to families with dependent children, (b) supplemental security income payments, (c) food stamps, or (d) certain veteran's benefits as limited by the Home Energy Assistance Act of 1980 shall be categorically eligible for assistance under the state plan, and procedures for simplified application shall be developed.

(b) Users of wood as a primary heating source, whether the wood is purchased or not, shall be eligible for assistance if otherwise eligible under federal law.

(c) Grants under the state plan may be in the form of a direct payment to an eligible household or as a line of credit to an energy supplier. The plan shall describe the conditions under which direct payment is permitted.

(d) Eligible households that have medically necessary cooling costs, as limited by federal law, shall be eligible for assistance.

(e) The state plan shall provide that three percent of the federal money shall be set aside for the emergency uses specified in federal law.

(f) The state plan shall specify the local entity to receive federal funds.

Subd. 2. Before the state plan is submitted to the appropriate federal agency, the governor shall deliver the plan to the appropriate committees of the legislature for review and comment. Thereafter, the governor shall notify the committees of any changes made in the plan.

Sec. 27. [AVAILABILITY OF MATCHING FUNDS; POSITIONS.] Money appropriated by Extra Session Laws 1979, Chapter 2, Section 45, Subdivision 2, Clause (i) is available to match federal, local or private money for district heating systems when the federal or local government or private sources, or a combination thereof, issues a letter of intent to finance the project at the rate of at least \$3 for each \$1 of state money. Positions authorized by Extra Session Laws 1979, Chapter 2, Section 45, Subdivision 2, may be in the classified or unclassified service.

Sec. 28. [ENERGY EFFICIENT BUILDING EDUCATION.] The energy agency shall develop a program to provide information and training to 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. 29. [MINNESOTA BIOMASS CENTER.] Subdivision 1. The director of the energy agency, in consultation with the commissioner of agriculture, and the commissioner of economic

development, shall prepare a plan for the creation and organization of a Minnesota biomass center, to be delivered to the legislature by January 1, 1981.

The center shall be the focus of biomass energy activities for the state. To the maximum extent possible, the center shall coordinate its activities and the use of its staff and facilities with those of other entities involved in biomass energy projects.

Subd. 2. [RESPONSIBILITIES.] *The center shall:*

(1) Coordinate existing education and training programs for biomass energy production and use within the state and develop new programs where necessary. Educational programs shall cover all types of biomass energy production use, including but not limited to production from grain, biowaste, and cellulosic materials;

(2) Serve as a central information resource in conjunction with existing agencies and academic institutions in order to provide information to the public on the production and use of biomass energy. The center shall obtain and analyze available information on biomass energy topics and prepare it for distribution to ensure that the public receives the most accurate and up-to-date information available;

(3) Participate in necessary research projects to assist in technological advancement in areas of biomass energy production, distribution, and use. The center shall also study the environmental and safety aspects of biomass energy use;

(4) Support and coordinate financing activities for biomass energy production, including providing technical assistance and manuals to individuals and groups seeking private, local, state or federal funding. The center shall be responsible for evaluating projects for any state assistance that may become available;

(5) Develop consumer information and protection programs for all aspects of biomass energy production and use;

(6) Investigate marketing and distribution needs within the state;

(7) Review state and federal laws and regulations affecting biomass energy production and use, and evaluate regulatory incentives in order to provide the legislature with legislative proposals for the encouragement of biomass energy production and use within the state.

Sec. 30. [ETHANOL DEMONSTRATION PLANT.] *The University of Minnesota shall construct and operate a small scale plant for the production of ethanol at the west central experimental station, Morris. The plant shall produce ethanol from more than one resource. The plant shall operate for at least two years and shall be instrumented and monitored. The university shall determine the feasibility of utilization of byproducts produced by the plant. The plant shall be designed for easy replication by farmers. The*

university shall develop and print at least 5,000 copies of easily understandable plans that demonstrate the construction of a small scale ethanol plant by February 28, 1982. The plans shall be available at no cost from the agricultural extension service.

Sec. 31. [PUBLIC UTILITY DELINQUENCY CHARGES.]
A public utility as defined by section 216B.02, a municipality or cooperative electric association, or telephone company as defined by section 237.01 shall, if that utility adopts a policy of imposing a charge or fee upon delinquent residential and farm accounts, provide that each billing shall clearly state the terms and conditions of any penalty in the form of the monthly percentage rate.

Sec. 32. [APPROPRIATIONS.] Subdivision 1. The sum of \$19,930,500 is appropriated from the general fund to the agencies and for the purposes indicated in this section, to be available for the fiscal year ending June 30 in the years indicated. Appropriations for fiscal year 1980 do not cancel but are available until June 30, 1981. Approved complement positions shall be in the unclassified service and for the balance of the biennium ending June 30, 1981 only.

	1980	1981
Subd. 2. LEGISLATIVE COORDINATING COMMISSION	\$	25,000
<i>To pay the expenses incurred by the legislative commission on energy created in section 1.</i>		

Subd. 3. ADMINISTRATION	\$	200,000
<i>This appropriation is for purchase or lease of commuter vans pursuant to section 16.756.</i>		

Subd. 4. ENERGY AGENCY	\$	2,175,500
<i>This appropriation is available for the following purposes:</i>		

(a) Expansion of the energy conservation information center and energy conservation publicity	\$	123,000
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(b) For the purposes specified in section 29	\$	50,000
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It is a condition of acceptance of the appropriation made in clause (b) that the agency shall submit a work program and progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this subdivision may be expended unless the commission has approved the pertinent work program.

	1980	1981
(c) Development of state plan for energy audits for residential and commercial buildings pursuant to section 12.	\$ 70,000	
(d) Energy supply emergency plan development	\$ 5,000	
(e) Renewable energy resource research and development grant rulemaking	\$ 7,500	
(f) Wetlands plant biomass research	\$ 225,000	
(g) Energy efficient building education pursuant to section 28	\$ 35,000	
(h) To administer the grant program established by section 7 and to develop model community energy plans and ordinances of statewide applicability	\$ 40,000	
Approved complement—1		
(i) For the community energy program grants established by section 7	\$ 1,250,000	
This appropriation is available until expended.		
(j) Energy conservation materials.	\$ 230,000	
(k) Continued operation of fuel allocation program	\$ 140,000	
Approved complement—5		
Total complement—11		
Subd. 5. TRANSPORTATION	\$ 400,000	
This appropriation is available for the following purposes:		
(a) Park and Ride Program	\$ 200,000	
(b) Ride Sharing Program	\$ 200,000	
Subd. 6. ECONOMIC SECURITY	\$12,000,000	\$ 2,000,000
This appropriation is available for the following purposes:		
(a) For emergency residential heating assistance	\$ 3,000,000	
(b) For emergency residential heating assistance for fiscal year 1981		\$ 2,000,000
(1) If for any reason federal money is not available, the appropriation in clause (b) may be used for grants to be made pursuant to the current state plan. (2)		

1980

1981

If federal money is available to pay energy grants to persons eligible under section 24, the money appropriated in clause (b) is available for any state matching requirement required by a federal energy assistance program. (3) If a household's income does not exceed 168 percent of office of management and budget nonfarm poverty guidelines and the household is not eligible for assistance under the federal program for fiscal year 1981, the money appropriated in clause (b) is available for grants in the same manner and form as is specified in the state plan for the federal energy assistance program for fiscal year 1981. (4) If grants are paid from the appropriation of state money in clause (b) to persons eligible to receive grants for the same purpose from federal money, the appropriations shall be reimbursed for those grants from federal money when the federal money becomes available if reimbursement is permitted under federal law.

(c) Local administrative agencies may retain up to five percent of the appropriations in clauses (a) and (b) for administrative costs. The state administrative agency may retain up to two percent of the appropriation for administrative costs.

(d) Weatherization of residences pursuant to section 19. \$ 9,000,000

Local administrative agencies may retain up to 7-½ percent of the appropriation in this clause for administrative costs. The state administrative agency may retain up to two percent of the appropriation in this clause for administrative costs.

Subd. 7. UNIVERSITY OF MINNESOTA \$ 200,000

For construction and operation of a small scale ethanol plant at the west central experimental station at Morris and the production of plans pursuant to section 30.

Subd. 8. HOUSING FINANCE AGENCY

1980

1981

(a) For the purpose of subsidizing the loan origination fee on a rehabilitation loan of \$2,000 or less if the loan is made in accordance with Minnesota Statutes, Section 462A.05, Subdivision 14, to enable the recipient to accomplish energy conservation related improvements. The appropriation in this section may be used only to subsidize that part of a loan origination fee which is equal to the difference between the initiation fee for the loan and two percent of the face value of the loan. The appropriation shall be available until expended. Before January 15, 1981, the Minnesota housing finance agency shall report to the legislature on the effectiveness of the loan origination fee subsidization program.

\$ 150,000

(b) To the housing development fund created by section 462A.20, for the purpose of the emergency energy conservation grant program specified in sections 20 and 21, and for the payment of related costs and expenses.

\$ 2,000,000

Approved complement—2.

Subd. 9. COMMERCE

For development of energy audit program for commercial and residential buildings

\$ 30,000

Subd. 10. PUBLIC WELFARE

To reimburse counties for the county portion of expenses incurred by them in providing residential heating assistance under the emergency assistance and special needs allowance programs during fiscal year 1980. No county match is required for this money.

\$ 500,000

Subd. 11. NATURAL RESOURCES

For the fuelwood management program

\$ 250,000

The commissioner of natural resources shall develop and implement a fuelwood management program to increase the availability of fuelwood on public lands by the application of sound forest management techniques including timber stand improvements and utilization of

1980

1981

wood residues resulting from timber harvesting and site conversion. Notwithstanding any law to the contrary, the department may make contracts for professional, technical or consulting services to implement this program.

It is a condition of acceptance of the appropriation made in this subdivision that the agency shall submit a work program and progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this subdivision may be expended unless the commission has approved the pertinent work program.

Sec. 33. [REPEALER.] *Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2, are repealed.*

Sec. 34. [EFFECTIVE DATE.] *This act is effective the day following final enactment. The provisions of section 1 shall expire on July 1, 1987. The provisions of sections 22 to 25 shall expire January 2, 1982."*

Delete the title and insert:

"A bill for an act relating to energy; establishing a legislative commission on energy; stating energy policy; broadening the scope of state weatherization programs; creating a state emergency residential heating program; expanding energy awareness programs; creating a Minnesota biomass center; providing for an ethanol demonstration plant; providing grants and assistance for community energy planning; expanding consumer representation in certain energy hearings; regulating delinquency charges on customer or subscriber accounts; providing guidelines for a state plan for spending federal money; reimbursing counties for emergency energy assistance expenses; providing education on building energy efficiency; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending Minnesota Statutes 1978, Sections 45.17, by adding a subdivision; 90.195; 116H.01; 116H.087; 116H.12, Subdivision 11; 116H.129, Subdivision 5; 216B.16, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Ken G. Nelson, Tom Stoa, William D. Dean

Senate Conferees: (Signed) Hubert H. Humphrey III, Jerald C. Anderson, Harmon T. Ogdahl

Mr. Humphrey moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1710 be now adopted, and that the bill be repassed as amended by the Conference Committee.

CALL OF THE SENATE

Mr. Humphrey imposed a call of the Senate for the balance of the proceedings on H. F. No. 1710. The following Senators answered to their names:

Ashbach	Hanson	Luther	Renneke	Stumpf
Bang	Hughes	Menning	Rued	Tennessen
Barrette	Humphrey	Moe	Schmitz	Ueland, A.
Bernhagen	Jensen	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Ogdahl	Sikorski	Vega
Davies	Kleinbaum	Omann	Solon	Wegener
Dieterich	Knaak	Penny	Spear	Willet
Dunn	Knoll	Perpich	Staples	
Engler	Knutson	Peterson	Stern	
Frederick	Laufenburger	Pillsbury	Stokowski	
Gearty	Lessard	Purfeerst	Strand	

The Sergeant at Arms was instructed to bring in the absent members.

Mr. Tennessen moved that the recommendations and Conference Committee Report on H. F. No. 1710 be rejected and that the bill be re-referred to the Conference Committee as formerly constituted for further consideration.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 19 and nays 43, as follows:

Those who voted in the affirmative were:

Ashbach	Chmielewski	Keefe, J.	Nichols	Stern
Bang	Davies	Knaak	Renneke	Tennessen
Barrette	Frederick	Knutson	Schaaf	Ueland, A.
Brataas	Jensen	McCutcheon	Sieloff	

Those who voted in the negative were:

Anderson	Hanson	Luther	Perpich	Staples
Benedict	Hughes	Menning	Peterson	Stokowski
Bernhagen	Humphrey	Merriam	Pillsbury	Strand
Coleman	Johnson	Moe	Purfeerst	Stumpf
Dieterich	Kirchner	Ogdahl	Rued	Ulland, J.
Dunn	Kleinbaum	Olhoft	Schmitz	Vega
Engler	Knoll	Olson	Setzepfandt	Willet
Gearty	Laufenburger	Omann	Sikorski	
Gunderson	Lessard	Penny	Spear	

The motion did not prevail.

The question recurred on the motion of Mr. Humphrey. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 1710: A bill for an act relating to energy; establishing a legislative commission on energy; stating energy policy; broadening the scope of state weatherization programs; creating a state

emergency residential heating program; expanding energy awareness programs; creating a Minnesota biomass center; providing for an ethanol demonstration plant; providing grants and assistance for community energy planning; expanding consumer representation in certain energy hearings; regulating delinquency charges on customer or subscriber accounts; providing guidelines for a state plan for spending federal money; reimbursing counties for emergency energy assistance expenses; providing education on building energy efficiency; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending Minnesota Statutes 1978, Sections 45.17, by adding a subdivision; 90.195; 116H.01; 116H.087; 116H.12, Subdivision 11; 116H.129, Subdivision 5; 210B.16, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 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 55 and nays 7, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Olson	Staples
Ashbach	Gearty	Knoll	Omann	Stern
Bang	Gunderson	Laufenburger	Penny	Stokowski
Barrette	Hanson	Lessard	Perpich	Strand
Benedict	Hughes	Luther	Pillsbury	Stumpf
Brataas	Humphrey	McCutcheon	Purfeerst	Tennessee
Coleman	Jensen	Menning	Schaaf	Ueland, A.
Davies	Johnson	Merriam	Schmitz	Ulland, J.
Dieterich	Keefe, J.	Moe	Sieloff	Vega
Dunn	Kirchner	Ogdahl	Sikorski	Wegener
Engler	Kleinbaum	Olhoft	Spear	Willet

Those who voted in the negative were:

Chmielewski	Nichols	Renneke	Rued	Setzpfandt
Knutson	Peterson			

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

RECESS

Mr. Coleman 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.

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. 2304.

H. F. No. 2304: A bill for an act relating to initiative; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes; providing for judicial review; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 290.09, Subdivision 2; 290.21, Subdivision 3; and 645.02.

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

Sieben, M.; Pehler and Kempe have been appointed as such committee on the part of the House.

House File No. 2304 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 April 8, 1980

Mr. McCutcheon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2304, 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.

RECESS

Mr. Coleman 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 proceeded to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

APPOINTMENTS

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

H. F. No. 1731: Messrs. Chmielewski, Vega and Pillsbury.

H. F. No. 1813: Messrs. Penny, Knoll and Barrette.

H. F. No. 1121: Mr. Bang to replace Mr. Sillers.

H. F. No. 2304: Messrs. McCutcheon, Schaaf and Coleman.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration pursuant to the second paragraph of Rule 40 and on request of Mr. Nichols, chief author of S. F. No. 4, companion bill to H. F. No. 8, recommends that House File No. 8 be withdrawn from the Committee on Taxes and Tax Laws and be placed on the top of General Orders. Report adopted.

MOTIONS AND RESOLUTIONS

SUSPENSION OF RULES

Mr. Nichols 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. 8 and that the rules of the Senate be so far suspended as to give H. F. No. 8 its second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 8: A bill for an act relating to taxation; gasoline tax; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board; appropriating money; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, by adding a section.

H. F. No. 8 was read the second time.

Mr. Nichols moved to amend H. F. No. 8 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 296.02, Subdivision 1, is amended to read:

296.02 [GASOLINE EXCISE TAX.] Subdivision 1. [TAX IMPOSED FOR MOTOR VEHICLE USE.] There is hereby imposed an excise tax of ~~nine~~ 11 cents per gallon on all gasoline used in producing and generating power for propelling motor vehicles used on the public highways of this state. This tax shall be payable at the times, in the manner, and by persons specified in this chapter.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 473.596, is amended to read:

473.596 [ACCESS STREETS AND HIGHWAYS, HIGHWAY USER TAX DISTRIBUTION FUND.] ~~So long as the tax imposed pursuant to article XIV, section 10, of the Minnesota Constitution is at or below the rate fixed by law on January 1, 1979, No money derived from the highway user tax distribution~~

fund shall be used to construct, relocate, or improve any streets, highways, or other public thoroughfares, except ones included in the municipal state aid street system established pursuant to article XIV, section 4, if such work is done in order to provide or improve access to a new sports facility constructed pursuant to sections 473.551 to 473.595. The commissioner of transportation shall determine whether expenditures are in violation of this section.

Sec. 3. [EFFECTIVE DATE.] *Section 1 is effective May 1, 1980, and applies to all gasoline and special fuels as defined in Minnesota Statutes, Section 296.01, Subdivision 6, in distributor storage on that date.*"

Amend the title as follows:

Page 1, line 2, delete "reducing" and insert "increasing"

Page 1, delete lines 3 to 9 and insert "tax on gasoline; prohibiting use of proceeds of gas tax for access routes to the metropolitan sports facility; amending Minnesota Statutes 1978, Section 296.02, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 473.596."

The motion prevailed. So the amendment was adopted.

H. F. No. 8 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 14, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Omann	Staples
Ashbach	Gunderson	Lessard	Penny	Stern
Benedict	Hanson	McCutcheon	Pillsbury	Stokowski
Bernhagen	Hughes	Menning	Purfeerst	Strand
Brataas	Humphrey	Moe	Renneke	Tennessee
Chmielewski	Jensen	Nelson	Rued	Ueland, A.
Coleman	Keefe, J.	Nichols	Schmitz	Ulland, J.
Dunn	Kirchner	Ogdahl	Setzepfandt	Willet
Engler	Kleinbaum	Olhoft	Solon	
Frederick	Knoll	Olson	Spear	

Those who voted in the negative were:

Barrette	Johnson	Merriam	Schaaf	Stumpf
Davies	Knaak	Perpich	Sieloff	Vega
Dieterich	Luther	Peterson	Sikorski	

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

RECESS

Mr. Coleman moved that the Senate do now recess until 7:15 o'clock p.m. The motion prevailed.

The hour of 7:15 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Schmitz was excused from this evening's Session. Mr. Johnson was excused from this evening's Session from 9:00 to 10:00 o'clock p.m. Mr. Laufenburger was excused from the Session of today at 9:45 o'clock p.m. Mr. Peterson was excused from this evening's Session from 9:15 to 10:05 o'clock p.m.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Dunn	Lessard	Penny	Strand
Ashbach	Engler	Luther	Perpich	Stumpf
Bang	Gearly	Menning	Pillsbury	Tennessee
Barrette	Gunderson	Merriam	Purfeerst	Vega
Brataas	Hanson	Moe	Setzepfandt	Willet
Chmielewski	Hughes	Nelson	Spear	
Coleman	Humphrey	Nichols	Staples	
Davies	Kirchner	Olhoff	Stern	
Dieterich	Knaak	Omann	Stokowski	

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, First Reading of House Bills, Reports of Committees and Second Reading of Senate Bills.

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. 1843 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1843: A bill for an act relating to transportation; establishing a state rail bank for abandoned rail lines; amending Minnesota Statutes 1978, Chapter 222, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 174.03, Subdivision 4; 222.50, Subdivision 7; and 222.65.

Senate File No. 1843 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 7, 1980

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 644.

H. F. No. 644: A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without addi-

tional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; authorizing the board of medical examiners to promulgate rules governing advertising by physicians; establishing penalties; amending Minnesota Statutes 1978, Chapter 147, by adding a section; Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions 1 and 2.

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

Berkelman, Heinitz and Reif have been appointed as such committee on the part of the House.

House File No. 644 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 April 8, 1980

Mr. Strand moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 644, 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. 2429.

H. F. No. 2429: A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

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

Corbid, Kelly and Sviggum have been appointed as such committee on the part of the House.

House File No. 2429 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 April 8, 1980

Mr. Coleman moved that H. F. No. 2429 be laid on the table. 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. 2458 and 1619.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 2, 1980

FIRST READING OF HOUSE BILLS

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

H. F. No. 2458: A resolution memorializing the President and Congress of the United States to block a plan of the Department of Energy to adopt rules prohibiting the weekend use of motor-boats during the present energy crisis.

Referred to the Committee on Rules and Administration.

H. F. No. 1619: A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; removing the requirement that notaries public be approved by the Senate; amending Minnesota Statutes 1978, Section 359.01.

Mr. Coleman moved that H. F. No. 1619 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which was referred

S. F. No. 2419: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; amending Laws 1980, Chapters 341, Section 8; 345, Section 17; and 358, Section 2.

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

Page 1, after line 9, insert:

“Section 1. Minnesota Statutes, 1979 Supplement, Section 204A.23, is amended to read:

204A.23 [COMPENSATION.] 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's attendance at the capitol, and an amount for each mile necessarily traveled in

going to and returning from St. Paul, equal to the amount allowed for state employees in accordance with regulation under section 471.665, subdivision 1;

(b) To persons, other than county, city or township employees during their normal work day, appointed or designated 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 necessarily spent and an amount for each mile of necessary travel, equal to the amount allowed for state employees in accordance with regulation under section 471.665, subdivision 1;

(c) To members of county canvassing boards, ~~\$5 for each eight hours of service as members of the canvassing board and seven and one-half cents for each mile of necessary travel each day; provided that in counties new or hereafter having a population of 600,000 or more the members of the county canvassing boards in these counties shall be paid \$12 for each eight hours of service as members of the canvassing board, and mileage 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 pursuant to section 471.665, subdivision 1;~~

(d) The compensation for election judges in home rule charter and statutory cities shall be fixed by the governing body of the city. The compensation of election judges in unorganized territory shall be fixed by the county board. The compensation for election judges in towns shall be fixed by the town board. *Election judges in towns and unorganized territory shall receive not less than the prevailing Minnesota minimum wage for each hour spent carrying out their duties at the polling places.* 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 amount as allowed for state employees pursuant to section 471.665, subdivision 1; and

(e) To special peace officers, an amount for each hour of service rendered by direction of the judges, to be fixed as in the case of judges of election.

Sec. 2. *The amendment of section 1 to Minnesota Statutes, 1979 Supplement, Section 204A.23, supersedes any other amendment to Section 204A.23 enacted at the 1980 legislative session.*"

Page 2, after line 5, insert:

"Sec. 6. Laws 1980, Chapter 357, Section 21, is amended to read:

Subd. 2. [SPECIFIC POWERS.] Subject to the provisions of section 241.021, subdivision 2, the commissioner of public welfare shall:

(1) Administer and supervise all forms of public assistance pro-

vided for by state law and other welfare activities or services as may from time to time be vested in the commissioner.

(2) Administer and supervise all child welfare activities; promote the enforcement of laws protecting defective, illegitimate, dependent, neglected and delinquent children; license and supervise child-caring and child-placing agencies and institutions; supervise the care of children in boarding and foster homes or in private institutions; and generally perform all functions relating to the field of child welfare now vested in the state board of control.

(3) Administer and supervise all non-institutional service to handicapped persons, including the blind, the deaf, the tuberculous, the crippled, and otherwise handicapped persons. The authority and power conferred by this subdivision shall include the authority and power to provide and contract for the care and treatment of qualified indigent children in facilities other than those located and available at state hospitals when it is not feasible to provide the service in state hospitals.

(4) Assist and actively cooperate with other departments, agencies and institutions, local, state, and federal, by performing services in conformity with the purposes of Laws 1939, Chapter 431.

(5) Act as the agent of and cooperate with the federal government in matters of mutual concern relative to and in conformity with the provisions of Laws 1939, Chapter 431, including the administration of any federal funds granted to the state to aid in the performance of any functions of the commissioner as specified in Laws 1939, Chapter 431, and including the promulgation of rules making uniformly available medical care benefits to all recipients of public assistance, at other times as the federal government increases its participation in assistance expenditures for medical care to recipients of public assistance, the cost thereof to be borne in the same proportion as are grants of aid to said recipients.

(6) Establish and maintain any administrative units reasonably necessary for the performance of administrative functions common to all divisions of the department.

(7) Administer and supervise any additional welfare activities and services as may, from time to time, hereafter be vested by law in the state department.

(8) The commissioner is hereby specifically constituted as guardian of both the estate and the person of all the wards of the state of Minnesota and other persons the guardianship of whom has been heretofore vested in the state board of control, whether by operation of law or by an order of court, without any further act or proceeding whatever, except as to persons committed as mentally retarded or epileptic. All of said guardianships, and the funds and property of the same, are hereby transferred to and vested in said commissioner, and said commissioner is hereby constituted a legal entity and is hereby empowered to act as guardian under any laws of this state heretofore conferring such powers upon the state board of control.

(9) Act as coordinating referral and informational center on requests for service for newly arrived immigrants coming to Minnesota.

(10) The specific enumeration of powers and duties as hereinabove set forth shall in no way be construed to be a limitation upon the general transfer of powers herein contained.

(11) Establish county, regional, or state-wide schedules of maximum fees and charges which may be paid by local agencies for medical, dental, surgical, hospital, nursing and nursing home care and medicine and medical supplies under all programs of medical care provided by the state and for congregate living care under the income maintenance programs.

(12) Have the authority to conduct and administer experimental projects to test methods and procedures of administering assistance and services to recipients or potential recipients of public welfare. To carry out such experimental projects, it is further provided that the commissioner of public welfare is authorized to waive the enforcement of existing specific statutory program requirements, regulations, and standards in one or more counties. The order establishing the waiver shall provide alternative methods and procedures of administration, shall not be in conflict with the basic purposes, coverage, or benefits provided by law, and in no event shall the duration of a project exceed two years. It is further provided that no order establishing an experimental project as authorized by the provisions of this section shall become effective until the following conditions have been met:

(a) The proposed comprehensive plan including estimated project costs and the proposed order establishing the waiver shall be filed with the Secretary of the Senate and Chief Clerk of the House of Representatives at least 60 days prior to its effective date.

(b) The secretary of health, education, and welfare of the United States has agreed, for the same project, to waive state plan requirements relative to state-wide uniformity.

(c) A comprehensive plan, including estimated project costs, shall be approved by the legislative advisory commission and filed with the commissioner of administration.

(13) In accordance with federal requirements establish procedures to be followed by local welfare boards in creating citizen advisory committees, including procedures for selection of committee members.

(14) Promulgate, by rule, standards of administration to be applied by local welfare boards administering state and county financed programs of medical assistance pursuant to *chapter 256B*, general relief medical care pursuant to *section 256D.02, subdivision 4* and medical, hospital, and surgical care for persons eligible for general assistance pursuant to *chapter 256D*, or for indigent persons whose costs of hospitalization are paid pursuant

to sections 261.21 to 261.232. The rules shall specify a uniform standard of performance and a tolerated error rate, but shall not specify the minimum number of personnel to be employed by a local agency if the agency operates at the specified standard of performance or at or below the tolerated error rate. The commissioner may deduct from the earned administrative reimbursements of a county a penalty for the county's failure to comply with the standards of administration. The penalty shall be fixed by the commissioner as a percentage of the overexpenditure caused by improper administration, beyond an initial tolerated amount of overexpenditure. In the event that fiscal sanctions are imposed by the federal government because of improper administration of the programs, one-half of the amount of the sanctions attributable to local agency performance shall be deducted from administrative reimbursement otherwise due the county.

Sec. 7. Laws 1980, Chapter 361, Section 6, is amended to read:

Sec. 6. [EFFECTIVE DATE.] Sections one to ~~four~~ five are effective on October 1, 1980.

Sec. 8. Laws 1980, Chapter 373, is amended by adding a section to read:

Sec. 9. (a) Notwithstanding any provision in H. F. No. 1956 or any other law, a notice required by section 6 of this act upon default in the conditions of a contract for deed executed prior to May 1, 1980 is not required until July 1, 1980.

(b) A commitment for a contract for deed executed after final enactment of this act but prior to its effective date that provides for an interest rate that is lawful upon the effective date of this act is not usurious. For purposes of this section the terms used in this section have the meaning given them by this act.

(c) For purposes of this section the provisions of this act defining the terms used in this section are effective the day following final enactment.

Sec. 9. A law enacted at the 1980 regular session styled as S. F. No. 1865 is amended by adding a section to read:

Sec. 5. [EFFECTIVE DATE.] This act is effective the day following final enactment and applies to all offenses committed on or after that date.

Sec. 10. A law enacted at the 1980 regular session styled as S. F. No. 2117, is amended in sections 1 and 2, as follows:

Section 1. Minnesota Statutes 1978, Section 50.14, Subdivision 5, is amended to read:

Subd. 5. (1) Class four shall be:

(a) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate, whether in fee or in a leasehold of a duration not less than ten years beyond the maturity of the loan, in any state of the United States, worth at least twice the amount loaned thereon;

(b) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) where the notes or bonds do not exceed 80 percent of the appraised value of the security for the same, provided that the notes or bonds are payable in installments aggregating not less than five percent of the original principal per annum in addition to the interest; or, are payable on a regular amortization basis in equal installments, including principal and interest, the installments to be payable monthly in such amounts that the debt will be fully paid in not to exceed 30 years if the security is non-agricultural real estate, and the installments to be payable annually or semi-annually in such amounts that the debt will be fully paid in not to exceed 25 years if the security is agricultural real estate. A construction loan is deemed amortized as required by this clause if the first installment thereon is payable not later than 18 months after the date of the first advance in the case of residential construction or not later than 36 months after the date of the first advance in the case of nonresidential construction; and

(c) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) which are in an original principal amount of \$100,000 or more and which do not exceed 95 percent of the appraised value of the security for the same which may be payable in a manner as the trustees of the bank prescribe, provided that construction loans made by a savings bank pursuant to this clause (1) (c) shall not exceed in the aggregate five percent of the assets of the savings bank.

(2) Class four investments shall be made only on report of a committee directed to investigate the same and report its value, according to the judgment of its members, and its report shall be preserved among the bank's records.

(3) Notwithstanding anything to the contrary in clause (1) (b), a mutual savings bank organized under the laws of this state may invest in notes or bonds secured by mortgages or trust deed where the notes or bonds do not exceed 95 percent of the appraised value of the security for the same. Except as modified herein, the other provisions of clause (1) (b) apply.

(4) For purposes of this subdivision, real estate is deemed unencumbered if the only existing mortgage or lien against the real estate is a first mortgage lien in favor of the savings bank making a second mortgage loan.

(5) Renegotiable rate notes or bonds secured by mortgages or trust deeds where the notes or bonds do not exceed 95 percent of the appraised value of the security for the same.

For the purposes of this clause, a renegotiable rate mortgage loan is a loan issued for a term of three years to five years, secured by a mortgage maturing in not to exceed 30 years, and automatically renewable at equal intervals after the original loan term which may be up to 6 months shorter or longer than subsequent terms. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at

least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining life of the mortgage.

In the mortgage documents, the savings bank must grant to the borrower an option to renew the loan for a new term, but not beyond the maturity date of the mortgage, at a new interest rate which shall be the savings bank's current market rate of interest on similar loans determined 60 days before the due date of the loan: provided, that the maximum interest rate increase shall be equal to one-half of one percent per year multiplied by the number of years in the loan term with a maximum net increase of five percent over the life of the mortgage. Interest rate increases are optional with the savings bank; net decreases from the previous loan term are mandatory.

The borrower may not be charged costs connected with the renewal of the loan.

Sixty days before the due date of the loan, the savings bank shall send a written notification to the borrower containing the following information: (i) The date on which the entire balance of borrower's loan is due and payable; (ii) a statement that the loan will be renewed automatically by the savings bank at the rate specified in the notice unless the borrower pays the loan by the due date; (iii) the amount of the monthly payment, calculated according to the new rate determined at the time of notice; (iv) a statement that the borrower may prepay the loan without penalty at any time after the original loan becomes due and payable; ~~(v) the cost, if any, of document preparation and recording;~~ and ~~(vi)~~ (v) the name and phone number of a savings bank employee who will answer the borrowers' questions concerning the information in the notice.

An applicant for a renegotiable rate mortgage loan must be given, at the time an application is requested, written disclosure materials prepared in reasonably simple terms that contain at least the following information: (i) An explanation of how a renegotiable rate mortgage differs from a standard fixed rate mortgage; (ii) an example of a renegotiable rate mortgage indicating the maximum possible interest rate increase and monthly payment calculated on that rate at the time of the first renewal; *and* (iii) an explanation of how the savings bank determines what the rate will be at the end of each loan term; *and* ~~(iv) an estimate of possible costs of renewal.~~

Sec. 2. Minnesota Statutes 1978, Section 51A.02, is amended by adding a subdivision to read:

Subd. 4a. Pursuant to rules the commissioner finds necessary and proper "direct reduction loan" also means renegotiable rate notes or bonds secured by mortgages or trust deeds where the notes or bonds do not exceed 95 percent of the appraised value of the security for the same.

For the purposes of this subdivision, a renegotiable rate mortgage loan is a loan issued for a term of three years to five years,

secured by a mortgage maturing in not to exceed 30 years, and automatically renewable at equal intervals after the original loan term which may be up to 6 months shorter or longer than subsequent terms. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining life of the mortgage.

In the mortgage documents, the association must grant to the borrower an option to renew the loan for a new term, but not beyond the maturity date of the mortgage, at a new interest rate which shall be the association's current market rate of interest on similar loans determined 60 days before the due date of the loan; provided, that the maximum interest rate increase shall be equal to one-half of one percent per year multiplied by the number of years in the loan term with a maximum net increase of five percent over the life of the mortgage. Interest rate increases are optional with the association; net decreases from the previous loan term are mandatory.

The borrower may not be charged costs connected with the renewal of the loan.

Sixty days before the due date of the loan, the association shall send a written notification to the borrower containing the following information: (i) The date on which the entire balance of borrower's loan is due and payable; (ii) a statement that the loan will be renewed automatically by the association at the rate specified in the notice unless the borrower pays the loan by the due date; (iii) the amount of the monthly payment, calculated according to the new rate determined at the time of notice; (iv) a statement that the borrower may prepay the loan without penalty at any time after the original loan becomes due and payable; ~~(v) the cost, if any, of document preparation and recording;~~ and ~~(vi)~~ (v) the name and phone number of an association employee who will answer the borrowers' questions concerning the information in the notice.

An applicant for a renegotiable rate mortgage loan must be given, at the time an application is requested, written disclosure materials prepared in reasonably simple terms that contain at least the following information: (i) An explanation of how a renegotiable rate mortgage differs from a standard fixed rate mortgage; (ii) an example of a renegotiable rate mortgage indicating the maximum possible interest rate increase and monthly payment calculated on that rate at the time of the first renewal; and (iii) an explanation of how the association determines what the rate will be at the end of each loan term; ~~and (iv) an estimate of possible costs of renewal.~~

Sec. 11. A law passed at the 1980 regular session styled as H. F. No. 1710, Section 15, is amended by adding at the end thereof two clauses to read:

(e) Providing advice to individuals requesting assistance in finding ride sharing opportunities and programs;

(f) *Providing van leasing, insurance, and management assistance to individuals and persons implementing ride sharing programs.*

Sec. 12. A law enacted at the 1980 regular session styled as H. F. No. 1878, Section 8, is amended in the first sentence by deleting "2" and inserting "1 to".

Sec. 13. A law enacted at the 1980 regular session styled as H. F. No. 1942, Section 3, is amended by deleting "section 2" and inserting "section 1".

Sec. 14. [EFFECTIVE DATE.] *This act is effective the day following final enactment.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "amending" insert "Minnesota Statutes, 1979 Supplement, Section 204A.23;"

Page 1, line 7, delete "and" and insert "357, Section 21;" and before the period, insert "; 361, Section 6; and 373, by adding a section; amending laws enacted at the 1980 regular session styled as S. F. No. 1865, by adding a section; S. F. No. 2117, Sections 1 and 2; H. F. No. 1710, Section 15; H. F. No. 1878, Section 8; and H. F. No. 1942, Section 3"

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

SECOND READING OF SENATE BILLS

S. F. No. 2419 was read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS

Mrs. Stokowski moved that the name of Mr. Luther be added as co-author to S. F. No. 2122. The motion prevailed.

Mr. Renneke moved that H. F. No. 1768, No. 1 on the Calendar, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to 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. 1358.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 2, 1980

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. 1708: A bill for an act relating to workers' compensation; changing special compensation fund assessment procedures; providing for reimbursement to certain insurers; amending Minnesota Statutes, 1979 Supplement, Sections 176.131, Subdivision 10; and 176.191, Subdivision 3.

Senate File No. 1708 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 2, 1980

Mrs. Brataas moved that the Senate concur in the amendments by the House to S. F. No. 1708 and that the bill be placed on its repassage as amended.

Mr. Willet moved that the Senate do not concur in the amendments by the House to S. F. No. 1708 and that a Conference Committee of 3 members be appointed by the Committee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House.

Mrs. Brataas moved that S. F. No. 1708 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. 407: A bill for an act relating to regional development commissions; requiring a report on the commission's effectiveness; providing procedures for terminating commissions; amending Minnesota Statutes 1978, Section 462.393; and Chapter 462, by adding a section.

Senate File No. 407 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 2, 1980

CONCURRENCE AND REPASSAGE

Mr. Peterson moved that the Senate concur in the amendments

by the House to S. F. No. 407 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 407 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 37 and nays 23, as follows:

Those who voted in the affirmative were:

Ashbach	Jensen	Nichols	Renneke	Strand
Benedict	Johnson	Olhoft	Rued	Ueland, A.
Bernhagen	Kleinbaum	Olson	Setzepfandt	Ulland, J.
Chmielewski	Knaak	Omann	Sieloff	Vega
Dumb	Lessard	Penny	Sikorski	Willet
Engler	Menning	Perpich	Solon	
Gearty	Moe	Peterson	Stern	
Hanson	Nelson	Pillsbury	Stokowski	

Those who voted in the negative were:

Anderson	Dieterich	Keefe, J.	Luther	Staples
Bang	Frederick	Kirchner	Merriam	Stumpf
Barrette	Gunderson	Knoll	Ogdahl	Tennessee
Brataas	Hughes	Knutson	Purfeerst	
Davies	Humphrey	Laufenburger	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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 1818 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1818 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 2, 1980

CONFERENCE COMMITTEE REPORT ON H F. NO. 1818

A bill for an act relating to game and fish; authorizing moose seasons in the discretion of the commissioner; granting preference to landowners in obtaining moose licenses; amending Minnesota Statutes 1978, Section 100.27, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 100.271, Subdivision 1.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1818, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and the bill be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 97.40, Subdivision 7, is amended to read:

Subd. 7. “Fur bearing animals” includes all protected mammals, except bear, deer, moose, elk and caribou.

Sec. 2. Minnesota Statutes 1978, Section 97.49, is amended by adding a subdivision 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 from each deer license issued by the commissioner shall be used for the purpose of deer habitat improvement.

Sec 3. [98.455] [BEAR HUNTING GUIDE LICENSE.] *No person shall for compensation engage in the business or occupation of placing bait for bear or guiding hunters in seeking to take bear without an annual license from the commissioner. The commissioner shall promulgate rules governing qualifications for, issuance and administration of licenses required by this section. No license shall be issued under this section after the day prior to the opening of the season for taking bear by firearms, and all license agents shall return all stubs and unsold license blanks to the county auditor at a time and in a manner to be determined by the commissioner.*

Sec. 4. Minnesota Statutes 1978, 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, \$5;

(2) 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, \$50, provided that any employee, partner or officer buying or selling at the established place of business only for such licensee may secure a supplemental license for \$20;

(3) To trap beaver during an open season or by permit when doing damage, \$2.50 ;

(4) *To guide bear hunters, \$50.*

Sec. 5. Minnesota Statutes 1978, Section 98.46, Subdivision 16, is amended to read:

Subd. 16. ~~Fee Fees~~ for the following license licenses, to be issued to non-residents, shall be:

To buy or sell raw furs, \$400, except that a license shall not be required to buy from those licensed under subdivision 4, clause (2).

To guide bear hunters, \$400.

Sec. 6. Minnesota Statutes 1978, Section 98.46, Subdivision 22, is amended to read:

Subd. 22. No deer ~~or~~, moose, or bear taken in this state shall be transported or possessed unless a tag of a type prescribed by the commissioner bearing the license number of the owner, the year of its issue, and such other information as the commissioner may require has been affixed to its carcass in a manner prescribed by the commissioner. The tag must be so affixed at the time the deer ~~or~~, moose, or bear is brought into any hunting camp, dwelling, farm yard, or other place of abode of any kind occupied overnight, or before being placed wholly or partially on a motor vehicle of any kind, or upon a conveyance towed by a motor vehicle of any kind. Provided, that deer taken by bow and arrow and moose shall be tagged by a conservation officer or other authorized agent as may be prescribed by the commissioner, in addition to the tag herein provided for.

Sec. 7. Minnesota Statutes 1978, Section 98.47, Subdivision 7, is amended to read:

Subd. 7. No license to trap beaver shall be issued to any person to whom a fur buyer's license shall have been issued and in force, and No license 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 household, or employee, engaged in the business of conducting a summer resort.

Sec. 8. Minnesota Statutes 1978, Section 98.47, Subdivision 15, is amended to read:

Subd. 15. A permanent license to take fish shall be issued at the prevailing fee for an individual resident license *without charge* to any citizen of Minnesota, 16 years of age or older, who is mentally retarded and whose parent or guardian furnishes satisfactory evidence of the disability to the county auditor or a subagent of the county auditor, acting under the provisions of section 98.50.

Sec. 9. Minnesota Statutes 1978, Section 98.47, Subdivision 16, is amended to read:

Subd. 16. A permanent license to take fish shall be issued at the prevailing fee for an individual resident license *without charge* to any Minnesota veteran as defined in section 197.447, who has a 100 percent service connected disability as defined by the United

States veterans administration, and furnishes satisfactory evidence of his disability to the county auditor or a subagent of the county auditor, acting under the provisions of section 98.50.

Sec. 10. Minnesota Statutes 1978, Section 100.27, Subdivision 2, is amended to read:

Subd. 2. Deer, moose and bear may be taken in such areas of the state, under such restrictions and on such dates within the periods hereafter prescribed as the commissioner may, by order, provide:

(1) Deer and bear by bow and arrow; legal muzzle loading firearms as defined in section 100.29, subdivision 3, clause (2), or both, between September 1 and December 31 and in any areas of the state designated by the commissioner. Legal muzzle loading firearms shall be permitted by the commissioner on public lands only;

(2) Deer, by legal firearms and with bow and arrow, between November 1 and December 15, with the length of the season to be determined by the commissioner; and

(3) Moose, between January 1 and December 31 in any of the calendar years 1976 through 1979 as determined by the commissioner, by legal firearms and with bow and arrow, in areas of the state, and under such restrictions and on such dates as the commissioner may by order provide; for purposes of this section a split season in any one calendar year shall be considered as one season.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 100.27, Subdivision 4, is amended to read:

Subd. 4. Muskrats may be taken for a period not exceeding 60 90 days in the aggregate for the area, otter for a period not exceeding 15 days, only by trapping, and mink for a period not exceeding 90 days, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe. Beaver may be taken, by trapping only, in the areas of the state, during the times between October 25th and April 30th of the following year and subject to any other restrictions which the commissioner shall prescribe.

Sec. 12. Minnesota Statutes, 1979 Supplement, Section 100.271, Subdivision 1, is amended to read:

100.271 [MOOSE OR TURKEY; LICENSES.] Subdivision 1. At the time of issuing the order setting the dates of a moose or turkey season, the commissioner shall include in the same order the number of licenses to be issued for that season. Those eligible to receive a license shall be determined by the commissioner according to the provisions of this section and such rules as the commissioner may provide. The commissioner may, if he deems it advisable, conduct a separate selection for not to exceed 20 per-

cent of the licenses to be issued for any one area, for which selection the only eligible applicants for turkey licenses will be persons who live as owners or tenants on 40 acres or more of agricultural or grazing land within the prescribed area, and the only eligible applicants for moose licenses shall be persons who are owners of or live as tenants on not less than 160 acres of agricultural or grazing land within the prescribed area. Landowners or tenants who are unsuccessful in ~~this~~ these separate selection selections shall be included in the selection selections for the remaining licenses.

Any landowner or tenant who is successful in the commissioner's separate selection shall permit turkey hunting on his land during the turkey season.

Sec. 13. Minnesota Statutes 1978, Section 100.29, Subdivision 1, is amended to read:

100.29 [RESTRICTIONS AND PROHIBITIONS.] Subdivision 1. It shall be unlawful to take protected wild animals, except raccoon and fox, with the use of a gun or bow and arrows between sunset and one-half hour before sunrise the evening and morning times established by the commissioner by order. It shall be unlawful to take pheasants between sunset the evening time established by the commissioner by order and 9 a.m.

Sec. 14. Minnesota Statutes 1978, Section 101.41, Subdivision 2, is amended to read:

Subd. 2. Except as otherwise provided, the following fish may be taken only by angling with a single line except that not more than two lines and two baits may be used to take fish through the ice, transported and possessed, subject to all other provisions of chapters 97 to 102, between the dates set opposite each species:

Species
Large and small mouthed black bass

Dates—May 15th and Feb. 15th the third Monday in February

Trout

Dates—As the commissioner may by order prescribe between Jan. 1st and Oct. 31st

Lake trout (land-locked salmon)

Dates—Jan. 1st and Oct. 31st

Wall-eyed pike

Dates—May 15th and Feb. 15th the third Monday in February

Sauger (sand pike)

Dates—May 15th and Feb. 15th the third Monday in February

Great Northern pike and pickerel

Dates—May 15th and Feb. 15th the third Monday in February

Muskellunge

Dates—May 15th and Feb. 15th the third Monday in February

Rock bass and white bass

Dates—No closed season

Crappies

Dates—No closed season

Sunfish and blue gill

Dates—No closed season

Catfish

Dates—No closed season

Bullheads

Dates—No closed season

Carp, dogfish, redhorse, sheepshead, suckers, eelpout, garfish, perch, whitefish, tullibees, buffalofish

Dates—No closed season.

Sec. 15. Minnesota Statutes 1978, Section 100.29, Subdivision 31, is amended to read:

Subd. 31. Any person placing bait for bear shall display a tag as prescribed by the commissioner at each site where bait is placed and register the location of the bait in a manner prescribed by the commissioner. It shall be unlawful to take bear by using solid waste containing bottles, cans, plastic, paper, metal or any other materials that are not readily biodegradable as a bait or a lure for the purpose of attracting the bear.

Sec. 16. Minnesota Statutes 1978, Section 100.30, is amended to read:

100.30 [POSSESSION, SALE, TRANSPORTATION.] The skins of all fur bearing animals, the hides of *bear*, deer or moose, *the claws of bear*, and the flesh of beaver, muskrat, raccoon, rabbits and hares, legally taken and bearing such seals or tags as may be required by chapters 97 to 102, may be bought, sold, and transported at any time, provided the flesh of animals enumerated herein, except muskrats, shall not be transported outside of the state of Minnesota.

Sec. 17. [EFFECTIVE DATE.] *Sections 8, 9, and 11 are effective for the license seasons beginning March 1, 1981."*

Amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to game and fish; excluding bears from the definition of fur bearing animals; providing that a portion of deer license fees shall be used for the purpose of deer habitat improvement; requiring licenses of persons providing guide services for bear hunters; specifying fees; requiring tagging of bears taken in the state; removing certain restrictions on the trapping of beaver; providing for free fishing licenses for certain mentally retarded and disabled residents; authorizing moose seasons at the discretion of the commissioner; granting landowners preference for moose licenses; extending the muskrat

trapping season; changing the times of day during which certain wild animals may be taken; regulating bear baiting; allowing sale of bear hides and claws; altering the end date of certain fishing seasons; amending Minnesota Statutes 1978, Sections 97.40, Subdivision 7; 97.49, by adding a subdivision; 98.46, Subdivisions 4, 16, and 22; 98.47, Subdivisions 7, 15, and 16; 100.27, Subdivision 2; 100.29, Subdivisions 1 and 31; 100.30; 101.41, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 100.27, Subdivision 4; and 100.271, Subdivision 1."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Leo J. Reding, Douglas W. Carlson, Richard J. Kostohryz

Senate Conferees: (Signed) Collin C. Peterson, Bob Lessard, John Bernhagen

Mr. Peterson moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1818 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. 1818 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:

Anderson	Engler	Knutson	Penny	Staples
Ashbach	Frederick	Laufenburger	Perpich	Stern
Bang	Gearty	Luther	Peterson	Stokowski
Barrette	Gunderson	Menning	Pillsbury	Strand
Benedict	Hanson	Moe	Purfeerst	Stumpf
Bernhagen	Hughes	Nelson	Renneke	Tennessee
Chmielewski	Humphrey	Nichols	Rued	Ueland, A.
Coleman	Keefe, J.	Ogdahl	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Olhoft	Sieloff	Vega
Dieterich	Knaak	Olson	Sikorski	Willett
Dunn	Knoll	Omann	Spear	

Mr. Merriam 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. 1727 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1727 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 2, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1727

A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivision 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; 259.27, Subdivision 4; and Chapter 259, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

April 1, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1727, 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. 1727 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 144.218, Subdivision 1, is amended to read:

144.218 [NEW CERTIFICATES OF BIRTH.] Subdivision 1. Upon receipt of a certified copy of an order, decree, or certificate of adoption, the state registrar shall register a supplementary certificate in the new name of the adopted person. The original certificate of birth and the certified copy are confidential pursuant to section 15.162, subdivision 2a, and shall not be disclosed except pursuant to court order or section 144.1761. *A certified copy of the original birth certificate from which the registration number has been deleted and which has been marked "Not for Official Use," or the information contained on the original birth certificate, except for the registration number, shall be provided on request to a parent who is named on the original birth certificate.* Upon the receipt of a certified copy of a court order of annulment of adoption the state registrar shall restore the original certificate to its original place in the file.

Sec. 2. Minnesota Statutes 1978, Section 144.225, Subdivision 2, is amended to read:

Subd. 2. Disclosure of information pertaining to births out of

wedlock or information from which it can be ascertained, shall be made only to the guardian of the person, the person to whom the record pertains when the person is 18 years of age or older, a parent of the person born out of wedlock as provided by section 1, or upon order of a court of competent jurisdiction. The birth and death records of the commissioner of health shall be open to inspection by the commissioner of public welfare and it shall not be necessary for him to obtain an order of the court in order to inspect records or to secure certified copies thereof.

Sec. 3. Minnesota Statutes 1978, Chapter 257, is amended by adding a section to read:

[257.34] [DECLARATION OF PARENTAGE.] *Subdivision 1. The mother and father of an illegitimate child may, in a writing signed by both of them before a notary public, declare and acknowledge under oath that they are the biological parents of the child. The declaration may provide that any illegitimate child born to the mother on or before ten months after the date of execution of the declaration is the biological child of the signatories. Execution of the declaration shall:*

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

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

(c) *Have the same consequences as an acknowledgement by the father of paternity of the child for the purposes of sections 257.251 and 257.252;*

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

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

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

Subd. 2. The declaration authorized by subdivision 1 shall be conclusive evidence of all the matters stated therein and shall have the same effect as an adjudication of paternity for the purposes of the statutory provisions described in subdivision 1.

Subd. 3. The declaration authorized by subdivision 1 shall not affect the rights or duties arising out of a parent-child relationship of any person not a signatory to the declaration claiming to be the parent of the child nor shall the declaration impair any rights of the child arising out of a parent-child relationship against any person not a signatory to the declaration.

Sec. 4. Minnesota Statutes 1978, Section 259.24, Subdivision 2, is amended to read:

Subd. 2. [PARENTS, GUARDIAN.] If a parent who consents to the adoption of an illegitimate child is under 18 years of age, the consent of his parents or guardian, if any, also shall be required; if either or both the parents are disqualified for any of the reasons enumerated in subdivision 1, the consent of such parent shall be waived, and the consent of the guardian only shall be sufficient; and, if there be neither parent nor guardian qualified to give such consent, the consent may be given by the commissioner. *The agency overseeing the adoption proceedings shall ensure that the minor parent is offered the opportunity to consult with an attorney, a clergyman or a physician before consenting to adoption of the child. The advice or opinion of the attorney, clergyman or physician shall not be binding on the minor parent. If the minor parent cannot afford the cost of consulting with an attorney, clergyman or physician, the county shall bear that cost.*

Sec. 5. Minnesota Statutes 1978, Section 259.24, Subdivision 5, is amended to read:

Subd. 5. [EXECUTION.] All consents to an adoption, except those by the commissioner, his agent, a licensed child-placing agency, or the child's parent when that parent is either a co-petitioner in the adoption proceeding or does not have custody of the child, shall be executed before a representative of the commissioner, his agent or a licensed child-placing agency. In addition all consents to an adoption shall be in writing, *and shall contain notice to the parent of the substance of section 6, providing for the right to withdraw consent. Consents shall be executed before two competent witnesses and acknowledged by the consenting party. Consents shall be filed in the adoption proceedings at any time before the matter is heard provided, however, that a consent executed and acknowledged outside of this state, either in accordance with the law of this state or in accordance with the law of the place where executed, is valid.*

Sec. 6. Minnesota Statutes 1978, Section 259.24, is amended by adding a subdivision to read:

Subd. 6a. [WITHDRAWAL OF CONSENT.] *A parent's consent to adoption may be withdrawn for any reason within ten working days after the consent is executed and acknowledged. Written notification of withdrawal of consent must be received by the agency to which the child was surrendered no later than the tenth working day after the consent is executed and acknowledged. On the day following the tenth working day after execution and acknowledgement, the consent shall become irrevocable, except upon order of a court of competent jurisdiction after written findings that consent was obtained by fraud. In proceedings to determine the existence of fraud, the adoptive parents and the child shall be made parties. The proceedings shall be conducted to preserve the confidentiality of the adoption process. There shall be no presumption in the proceedings favoring the natural parents over the adoptive parents.*

Sec. 7. Minnesota Statutes 1978, Section 259.25, Subdivision 1, is amended to read:

259.25 [AGREEMENT CONFERRING AUTHORITY TO PLACE FOR ADOPTION.] Subdivision 1. [CONSENTS REQUIRED.] The parents and guardian, if there be one, of a legitimate child may enter into a written agreement with the commissioner of public welfare or an agency, giving the commissioner or such agency authority to place the child for adoption. The parents of an illegitimate child also may enter into such written agreement, but, if he is under the age of 18 years the written consent of his parents and guardian, if any, also shall be required; if either or both of the parents are disqualified from giving such consent for any of the reasons enumerated in section 259.24, subdivision 1, then the written consent of the guardian shall be required. Such agreement and consent shall be in the form prescribed by the commissioner and shall contain notice to the parent of the substance of section 8 providing for the right to revoke the agreement. The agreement shall be executed by the commissioner or agency, or one of their authorized agents, and all other necessary parties, and shall be filed, together with the consent, in the proceedings for the adoption of the child.

Sec. 8. Minnesota Statutes 1978, Section 259.25, is amended by adding a subdivision to read:

Subd. 2a. A parent's agreement to authorize placing a child for adoption may be revoked for any reason within ten working days after the agreement is executed. Written notification of revocation must be received by the agency which was given authority to place the child no later than the tenth working day after the agreement is executed. On the day following the tenth working day after execution the agreement shall become irrevocable, except upon order of a court of competent jurisdiction after written findings that the agreement was obtained by fraud. Proceedings to determine the existence of fraud shall be conducted as provided in section 6 for proceedings to determine fraud in obtaining consent.

Sec. 9. Minnesota Statutes 1978, Section 259.27, Subdivision 4, is amended to read:

Subd. 4. [PREADOPTON RESIDENCE.] No petition shall be granted until the child shall have lived ~~six~~ three months in the proposed home, subject to a right of visitation by the commissioner or an agency or their authorized representatives.

Sec. 10. Minnesota Statutes 1978, Section 260.221, is amended to read:

260.221 [GROUNDS FOR TERMINATION OF PARENTAL RIGHTS.] The juvenile court may, upon petition, terminate all rights of ~~parents a parent~~ to a child in the following cases:

(a) With the written consent of ~~parents a parent~~ who for good cause ~~desire~~ desires to terminate ~~their~~ his parental rights; or

(b) If it finds that one or more of the following conditions exist:

(1) That the parents have *parent has* abandoned the child; or

(2) That the parents have *parent has* substantially and , continuously, or repeatedly refused or neglected to give the child necessary parental care and protection *comply with the duties imposed upon that parent by the parent and child relationship, including but not limited to providing the child with necessary food, clothing, shelter, education, and other care and control necessary for the child's physical, mental or emotional health and development, if the parent is physically and financially able;* or

(3) That, although the parents are financially able, they have substantially and continuously neglected to provide the child with necessary subsistence, education, or other care necessary for his physical or mental health or morals or have neglected to pay for such subsistence, education or other care when legal custody is lodged with others a parent has been ordered to contribute to the support of the child or financially aid in the child's birth and has continuously failed to do so without good cause. This clause shall not be construed to state a grounds for termination of parental rights of a noncustodial parent if that parent has not been ordered to or cannot financially contribute to the support of the child or aid in the child's birth; or

(4) That the parents are unfit by reason of debauchery, intoxication or habitual use of narcotic drugs, or repeated lowd and lascivious behavior, or other conduct found by the court to be likely to be detrimental to the physical or mental health or morals of the child a parent is palpably unfit to be a party to the parent and child relationship because of a consistent pattern of specific conduct before the child or of specific conditions directly relating to the parent and child relationship either of which are determined by the court to be permanently detrimental to the physical or mental health of the child; or

(5) That following upon a determination of neglect or dependency, reasonable efforts, under the direction of the court, have failed to correct the conditions leading to the determination; or

(6) That in the case of an illegitimate child the person is not entitled to notice of an adoption hearing under section 259.26 and either the person has not filed a notice of his intention to retain parental rights under section 259.261 or that such notice has been successfully challenged; or

(7) That the child is neglected and in foster care.

Sec. 11. Minnesota Statutes 1978, Section 260.241, Subdivision 1, is amended to read:

260.241 [TERMINATION OF PARENTAL RIGHTS; EFFECT.] Subdivision 1. If, after a hearing, the court finds by clear and convincing evidence that one or more of the conditions set out in section 260.221 exist, it may terminate parental rights. If the court terminates parental rights of both parents, or of the

mother if the child is illegitimate, or of the only living parent, the court shall order guardianship and legal custody of the child transferred to:

(a) The commissioner of public welfare; or

(b) A licensed child placing agency; or

(c) A reputable individual of good moral character.

Upon the termination of parental rights all rights, powers, privileges, immunities, duties, and obligations, including any rights to custody, control, visitation, or support existing between the child and parent shall be severed and terminated and the parent shall have no standing to appear at any further legal proceeding concerning the child. Provided, however, that a parent whose parental rights are terminated shall remain liable for the unpaid balance of any support obligation owed under a court order upon the effective date of the order terminating parental rights.

Sec. 12. Minnesota Statutes 1978, Section 260.241, Subdivision 2, is amended to read:

Subd. 2. (a) A guardian appointed under the provisions of subdivision 1 has legal custody of his ward unless the court which appoints him gives legal custody to some other person. If the court awards such custody to a person other than such guardian, the guardian nonetheless has the right and responsibility of reasonable visitation, except as limited by court order.

(b) Such guardian may make major decisions affecting the person of his ward, including but not limited to giving consent (when such consent is legally required) to the marriage, enlistment in the armed forces, medical, surgical, or psychiatric treatment, or adoption of the ward. When, pursuant to clause (a) of subdivision 1, the commissioner of public welfare is appointed such guardian, he may delegate to the welfare board of the county in which, after such appointment, the ward resides, the authority to act for him in decisions affecting the person of his ward, including but not limited to giving consent to the marriage, enlistment in the armed forces, medical, surgical, or psychiatric treatment of the ward.

(c) guardianship created under the provisions of subdivision 1 shall not in itself include the guardianship of any estate of the ward. An order terminating the parent and child relationship shall not disentitle a child to any benefit due the child from any third person, agency, state, or the United States, nor shall any action under this section be deemed to affect any rights and benefits that a child derives from the child's descent from a member of a federally recognized Indian tribe.

Sec. 13. Minnesota Statutes 1978, Chapter 260, is amended by adding a section to read:

[260.242] [GUARDIAN.] *Subdivision 1. If the court terminates parental rights of both parents or of the only known living parent, the court shall order the guardianship and the legal custody of the child transferred to:*

(a) *The commissioner of public welfare; or*

(b) *A licensed child placing agency; or*

(c) *An individual who is willing and capable of assuming the appropriate duties and responsibilities to the child.*

Subd. 2. (a) A guardian appointed under the provisions of subdivision 1 has legal custody of his ward unless the court which appoints him gives legal custody to some other person. If the court awards custody to a person other than the guardian, the guardian nonetheless has the right and responsibility of reasonable visitation, except as limited by court order.

(b) The guardian may make major decisions affecting the person of his ward, including but not limited to giving consent (when consent is legally required) to the marriage, enlistment in the armed forces, medical, surgical, or psychiatric treatment, or adoption of the ward. When, pursuant to subdivision 1, clause (a), the commissioner of public welfare is appointed guardian, he may delegate to the welfare board of the county in which, after the appointment, the ward resides, the authority to act for him in decisions affecting the person of his ward, including but not limited to giving consent to the marriage, enlistment in the armed forces, medical, surgical, or psychiatric treatment of the ward.

(c) A guardianship created under the provisions of subdivision 1 shall not of itself include the guardianship of the estate of the ward.

Sec. 14. Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6, and 259.25, Subdivision 2, are repealed.

Sec. 15. Sections 1 to 3 are effective the day following final enactment. Sections 4 to 9 are effective August 1, 1980 for consents to adoption, agreements to placement and pre-adoption residences commenced on or after that date. Sections 10 to 13 are effective August 1, 1980."

Amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; authorizing a multi-purpose declaration of parentage; providing counsel for certain minor parents; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; changing certain procedures and criteria for termination of parental rights; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivisions 2 and 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; 259.27, Subdivision 4; 260.221; 260.241, Subdivisions 1 and 2; and Chapters 257 and 260, by adding sections; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Ray W. Faricy, Michael R. Sieben, Terry M. Dempsey

Senate Conferees: (Signed) Jack Davies, Ron Sieloff, Howard A. Knutson

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1727 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. 1727 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:

Anderson	Frederick	Knutson	Penny	Staples
Ashbach	Gearty	Lessard	Perpich	Stern
Bang	Gunderson	Luther	Pillsbury	Strand
Barrette	Hanson	Menning	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Renneke	Tennessee
Bernhagen	Humphrey	Moe	Rued	Ueland, A.
Brataas	Jensen	Nelson	Schaaf	Ulland, J.
Chmielewski	Johnson	Nichols	Setzepfandt	Vega
Coleman	Keefe, J.	Ogdahl	Sieloff	Willet
Davies	Kirchner	Olhoff	Sikorski	
Dunn	Kleinbaum	Olsen	Solon	
Engler	Knaak	Omann	Spear	

Mr. Knoll 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. 1612 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1612 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 3, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1612

A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing property tax relief; excepting the conveyance of certain land from restrictions on the filing and recording of conveyances; modifying the policy statement for municipal planning and development; ap-

propriating money; amending Minnesota Statutes 1978, Sections 462.351; and 462.358, Subdivision 4.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1612, 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. 1612 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION; POLICY; PURPOSE.] *Subdivision 1. Sections 2 to 17 may be cited as the "metropolitan agricultural preserves act".*

Subd. 2. It is the policy of the state to encourage the use and improvement of its agricultural lands for the production of food and other agricultural products. It is the purpose of sections 2 to 17 to provide an orderly means by which lands in the metropolitan area designated for long term agricultural use through the local and regional planning processes will be taxed in an equitable manner reflecting the long term singular use of the property, protected from unreasonably restrictive local and state regulation of normal farm practices, protected from indiscriminate and disruptive taking of farmlands through eminent domain actions, protected from the imposition of unnecessary special assessments, and given such additional protection and benefits as are needed to maintain viable productive farm operations in the metropolitan area.

Sec. 2. [DEFINITIONS.] *Subdivision 1. For purposes of sections 2 to 17 the terms defined in this section shall have the meanings given them.*

Subd. 2. "Agricultural preserve" or "preserve" means a land area covenanted according to section 5 to remain in agricultural use.

Subd. 3. "Agricultural use" means the production for sale of livestock, dairy animals, dairy products, poultry or poultry products, fur bearing animals, horticultural or nursery stock, fruit, vegetables, forage, grains, or bees and apiary products. Wetlands, pasture and woodlands accompanying land in agricultural use shall be deemed to be in agricultural use.

Subd. 4. "Authority" means the unit of government exercising planning and zoning authority for the land specified in an application as provided under section 5 and pursuant to Minnesota Statutes, Sections 394.21 to 394.37, 462.351 to 462.364, or 366.10 to

366.19. *Where both a county and a township have adopted zoning regulations, the authority shall be the unit of government designated to prepare a comprehensive plan pursuant to Minnesota Statutes, Section 473.861, Subdivision 2.*

Subd. 5. "Certified long term agricultural land" means land certified pursuant to section 4 as eligible for designation as agricultural preserves.

Subd. 6. "Covenant agreement" means a restrictive covenant initiated by the owner and evidenced by an agreement provided for in section 5 whereby the owner places the limitations on specified land and receives the protections and benefits contained in sections 2 to 17.

Subd. 7. "Long term agricultural land" means land in the metropolitan area designated for agricultural use in local or county comprehensive plans adopted and reviewed pursuant to Minnesota Statutes, Sections 473.175, and 473.351 to 473.871, and which has been zoned specifically for agricultural use permitting a maximum residential density of not more than one unit per quarter/quarter.

Subd. 8. "Metropolitan area" has the meaning given it in Minnesota Statutes, Section 473.121, Subdivision 2.

Subd. 9. "Owner" means a resident of the United States owning land specified in an application pursuant to section 5, and includes an individual, legal guardian or family farm corporation as defined in Minnesota Statutes, Section 500.24, having a joint or common interest in the land. Where land is subject to a contract for deed, owner means the vendor in agreement with the vendee.

Subd. 10. "Quarter/quarter" means one quarter of one quarter of any section in the rectangular land survey system.

Sec. 3. [ELIGIBILITY.] Subdivision 1. Long term agricultural land comprising 40 or more acres shall be eligible for designation as an agricultural preserve.

Subd. 2. Noncontiguous parcels may be included to achieve the minimum acreage requirement in subdivision 1, provided that each parcel is at least ten acres in size and provided that all separate parcels are farmed together as a unit.

Subd. 3. The minimum acreage requirement in subdivision 1 may be reduced to 35 acres provided the land is a single quarter/quarter parcel and the amount less than 40 acres is due to a public road right-of-way or a perturbation in the rectangular survey system resulting in a quarter/quarter of less than 40 acres.

Subd. 4. Contiguous long term agricultural land comprising not less than 20 acres and surrounded by eligible land on not less than two sides shall be eligible for designation as an agricultural preserve provided the authority by resolution determines that: (i) the land area predominantly comprises Class I, II, III, or irrigated Class IV land according to the Land Capability Classification Systems of the Soil Conservation Service and the county soil

survey; (ii) the land area is considered by the authority to be an essential part of the agricultural region; and (iii) the parcel was a parcel of record prior to January 1, 1980, or the land was an agricultural preserve prior to becoming a separate parcel of at least 20 acres.

Subd. 5. Contiguous long term agricultural land meeting the total acreage requirements of this section but located in two or more authorities so that the minimum acreage requirement is not met in one or more of the authorities shall be eligible by joint resolution of the affected authorities.

Sec. 4. [CERTIFICATION.] *Subdivision 1. On or before January 1, 1981 each authority in the metropolitan area having land classified agricultural pursuant to Minnesota Statutes, 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 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.*

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 in a newspaper having a general circulation within the area of jurisdiction of the authority.

Subd. 3. The authority shall provide the metropolitan council with suitable maps showing any lands certified eligible pursuant to subdivision 1 or decertified pursuant to subdivision 2. The metropolitan council shall maintain maps of the metropolitan area showing all certified long term agricultural lands.

Sec. 5. [APPLICATION; COVENANT AGREEMENT.] *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. Land for which application is received prior to March 1 of any year shall be assessed pursuant to section 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 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 parcel identification numbers as 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 2 to 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 with the land;*

(f) *Date of application and date that designation is effectuated.*

Subd. 2. The authority may require an application fee, not to exceed \$50, to defray administrative costs.

Sec. 6. [NOTIFICATION.] Subdivision 1. Within five days of the date of application, the authority shall forward copies of the completed and signed application to the county recorder, the county auditor, the county assessor, the metropolitan council, and the county soil and water conservation district.

Subd. 2. The county recorder shall file and record the restrictive covenant.

Subd. 3. The county auditor, for taxes payable in the following year and thereafter for the duration of the preserve, shall determine mill rates, assessments and taxes involving the preserve according to the provisions of section 10.

Subd. 4. The county assessor, for taxes payable in the following calendar year and thereafter for the duration of the preserve, shall value and assess the agricultural preserve according to section 10.

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 and such other agencies as the council deems appropriate.

Subd. 6. County auditors shall maintain records of the taxes assessed and paid on agricultural preserves in a manner prescribed by the commissioner of revenue for the orderly monitoring of the program.

Subd. 7. The county soil and water conservation district may prepare an advisory statement of existing and potential conservation problems for the agricultural preserve land. The statement shall be forwarded to the owner of record and a copy of the statement shall be forwarded to the authority.

Sec. 7. [COMMENCEMENT OF PRESERVE.] A land area shall be deemed an agricultural preserve and subject to all the benefits and restrictions of sections 2 to 17 commencing 30 days from the date of application.

Sec. 8. [DURATION.] Subdivision 1. Agricultural preserves

shall continue until either the landowner or the authority initiates expiration as provided in this section.

Subd. 2. A landowner may initiate expiration by notifying the authority on a form provided by the commissioner of agriculture. The notice shall describe the property for which expiration is desired and shall state the date of expiration which shall be at least eight years from the date of notice. The notice and expiration may be rescinded by the owner at any time during the first two years following notice.

Subd. 3. The authority may initiate expiration by notifying the landowner by registered letter on a form provided by the commissioner of agriculture, provided that before notification (i) the comprehensive plan and the zoning for the land have been officially amended so that the land is no longer planned for long term agriculture and is no longer zoned for long term agriculture, evidenced by a maximum residential density permitting more than one unit per quarter/quarter, and (ii) the authority has certified such changes pursuant to section 4, subdivision 2. The notice shall describe the property for which expiration is desired and shall state the date of expiration which shall be at least eight years from the date of notice.

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 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 2 to 17 for the preserve shall cease on the date of expiration.

Sec. 9. [EARLY TERMINATION.] Termination of an agricultural preserve earlier than a date derived through application of section 8 may be permitted only in the event of a public emergency upon petition from the owner or authority to the governor. The determination of a public emergency shall be by the governor through executive order pursuant to Minnesota Statutes, Sections 4.035 and 12.01 to 12.46. The executive order shall identify the preserve, the reasons requiring the action and the date of termination.

Sec. 10. [AD VALOREM PROPERTY TAXES.] Subdivision 1. Real property within an agricultural preserve shall be valued and assessed pursuant to Minnesota Statutes, Chapter 273, except as provided in this section.

Subd. 2. All land classified agricultural and in agricultural use, exclusive of buildings, shall be valued solely with reference to its appropriate agricultural classification and value, notwithstanding Minnesota Statutes, Sections 272.03, Subdivision 8, and 273.11. In determining the value for ad valorem tax purposes the assessor shall not consider any added values resulting from nonagricultural factors.

Subd. 3. (a) After the assessor has determined the market value

of all land valued according to subdivision 2, he shall compute the assessed value of those properties by applying the appropriate classification percentages. When the county auditor computes the rate of tax pursuant to Minnesota Statutes, Section 275.09, he shall include the assessed value of land as provided in this clause.

(b) The county auditor shall compute the tax on lands valued according to subdivision 2 and nonresidential buildings by multiplying the assessed value times the total rate of tax for all purposes as provided in clause (a).

(c) The county auditor shall then compute the maximum ad valorem property tax on lands valued according to subdivision 2 and nonresidential buildings by multiplying the assessed value times 105 percent of the previous year's statewide average mill rate levied on property located within townships for all purposes.

(d) The tax due and payable by the owner of preserve land valued according to subdivision 2 and nonresidential buildings will be the amount determined in clause (b) or (c), whichever is less. If the gross tax in clause (c) is less than the gross tax in clause (b), the state shall reimburse the taxing jurisdictions for the amount of difference. Residential buildings shall continue to be valued and classified according to the provisions of Minnesota Statutes, Sections 273.11 and 273.13, as they would be in the absence of this section, and the tax on those buildings shall not be subject to the limitation contained in this clause.

The county auditor shall certify to the commissioner of revenue on or before June 1, 1983, and each year thereafter, the total amount of tax lost to the taxing jurisdictions located within his county as a result of this subdivision. Payments shall be made by the state annually on or before July 15, 1983 and each year thereafter to each of the affected taxing jurisdictions. There is annually appropriated from the general fund in the state treasury to the commissioner of revenue an amount sufficient to make the reimbursement provided in this subdivision. This section shall be effective for taxes levied in 1982, payable in 1983 and thereafter.

Sec. 11. [LIMITATION ON CERTAIN PUBLIC PROJECTS.] Notwithstanding Minnesota Statutes, Chapter 429, construction projects for public sanitary sewer systems and public water systems benefiting land or buildings in agricultural preserves shall be prohibited. New connections between land or buildings in agricultural preserves and sanitary sewers or water systems shall be prohibited. Public sanitary sewer or water systems built in the vicinity of agricultural preserves are deemed of no benefit to the land and buildings in agricultural preserves.

Sec. 12. [PROTECTION FOR NORMAL FARM PRACTICES.] Local governments and counties shall be prohibited from enacting ordinances or regulations within an agricultural preserve which would unreasonably restrict or regulate normal farm structures or farm practices in contravention of the purpose of sections 2 to 17 unless the restriction or regulation bears a direct relationship to the public health and safety. This section shall apply to the

operation of farm vehicles and machinery in the planting, maintenance and harvesting of crops and in the care and feeding of farm animals, the type of farming, and the design of farm structures, exclusive of residences.

Sec. 13. [STATE AGENCIES TO BE SUPPORTIVE.] *Subdivision 1. It shall be the policy of all state agencies to encourage the maintenance of viable farming in agricultural preserves.*

Subd. 2. The joint legislative committee on agricultural land preservation shall undertake a study of state agency rules which negatively affect long term agricultural lands. The committee shall identify any state rules which favor nonagricultural development and adversely affect the long term nature of farming in an agricultural preserve. For any rules so identified, the committee shall propose modifications for application to agricultural preserves encourage agriculture as the primary and long term use of land within an agricultural preserve while protecting the health, safety, and welfare of the public. The committee shall make a report on this study to the legislature by January 1, 1982.

Sec. 14. [ANNEXATION PROCEEDINGS.] *Agricultural preserve land within a township shall not be annexed to a municipality pursuant to Minnesota Statutes, Chapter 414, without a specific finding by the Minnesota municipal board that either (a) the expiration period as provided for in section 8 has begun; (b) the surviving unit of government 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. 15. [EMINENT DOMAIN ACTIONS.] *Subdivision 1. Any agency of the state, any public benefit corporation, any local, county or regional unit of government, or any other entity possessing powers of eminent domain under Minnesota Statutes, Chapter 117, shall follow the procedures contained in this section before (1) acquiring any land or easement having a gross area over ten acres in size within agricultural preserves; or (2) advancing a grant, loan, interest subsidy or other funds for the construction of dwellings, commercial or industrial facilities, or water or sewer facilities that could be used to serve nonfarm structures within agricultural preserves.*

Subd. 2. At least 60 days prior to an action described in subdivision 1, notice of intent shall be filed with the environmental quality board containing information and in the manner and form required by the environmental quality board. The notice of intent shall contain a report justifying the proposed action, including an evaluation of alternatives which would not require acquisition within agricultural preserves.

Subd. 3. The environmental quality board, in consultation with

affected units of government, shall review the proposed action to determine the effect of the action on the preservation and enhancement of agriculture and agricultural resources within the preserves and the relationship to local and regional comprehensive plans.

Subd. 4. If the environmental quality board finds that the proposed action might have an unreasonable effect on an agricultural preserve or preserves, the environmental quality board shall issue an order within the 60 day period for the party to desist from such action for an additional 60 day period.

Subd. 5. During the additional 60 day period, the environmental quality board shall hold a public hearing concerning the proposed action at a place within the affected preserve or otherwise easily accessible to the preserve upon notice in a newspaper having a general circulation within the area of the preserves, and individual notice, in writing, to the municipalities whose territory encompasses the preserves, the agency, corporation or government proposing to take the action, and any public agency having the power of review of or approval of the action, in a manner conducive to the wide dissemination of the findings to the public.

Subd. 6. The review process required in this section may be conducted jointly with any other environmental impact review conducted by the environmental quality board.

Subd. 7. The environmental quality board may request the attorney general to bring an action to enjoin any agency, corporation or government from violating the provisions of this section.

Subd. 8. This section shall not apply to an emergency project which is immediately necessary for the protection of life and property.

Subd. 9. The environmental quality board shall be empowered to suspend any eminent domain action for up to one year which it determines to be contrary to the purposes of sections 2 to 17 and for which it determines there are feasible and prudent alternatives which have less negative impact on the agricultural preserves.

Sec. 16. [CONSERVATION.] *Subdivision 1. Land within an agricultural preserve shall be farmed and otherwise managed according to sound soil and water conservation management practices. Management practices which are not sound shall be any use of the land resulting in wind or water erosion in excess of the soil loss tolerance for each soil type as found in the United States soil conservation service, Minnesota technical guide.*

Subd. 2. The authority shall be responsible for enforcing this section. Upon receipt of a written complaint stating the conditions or land management practices which are believed to be in violation of this section, the authority shall consult with the county soil and water conservation district. The district shall determine the average soil loss in tons per acre per year for each field cited in the complaint according to the universal soil loss equation and the wind erosion equation, and shall return to the authority a report showing the average soil loss in tons per acre per year for each

field and a list of alternative practices that the landowner can use to reduce the soil loss to the limit allowed in subdivision 1. After consultation, and if in the judgment of the authority the land is not being managed properly as required by this section, the authority shall adopt a resolution to this effect and shall seek corrective measures from the owner. At the request of the landowner, the district shall assist in the planning, design and application of the practices selected to reduce the soil loss to an acceptable level and shall give such landowners a high priority for providing technical and cost share assistance.

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 of not more than \$1,000. The authority may recover the penalty by a civil action in a court of competent jurisdiction.

Subd. 4. Costs incurred by the authority in the enforcement of this section may be charged to the property owner. Charges not timely paid may be placed on the tax rolls and collected as a special assessment against the property.

Sec. 17. [LAND USE.] *Subdivision 1. Land within an agricultural preserve shall be maintained for agricultural production. The average maximum density of residential structures within an agricultural preserve shall not exceed one unit per 40 acres. The location of any new structure shall conform to locally applicable zoning regulations. Commercial and industrial uses shall not be permitted except that small on-farm commercial or industrial operations normally associated with and important to farming in the area may be permitted by the authority. The authority shall be responsible for enforcing this section.*

Subd. 2. When a separate parcel is created for a residential structure permitted under subdivision 1, the parcel shall cease to be an agricultural preserve unless the eligibility requirements of section 3 are met. However, the residential unit shall continue to be included in the maximum residential density for the original preserve.

Sec. 18. Minnesota Statutes 1978, Section 462.351, is amended to read:

462.351 [MUNICIPAL PLANNING AND DEVELOPMENT; STATEMENT OF POLICY.] *The legislature finds that municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, to preserve agricultural and other open lands, and to promote the public health, safety, morals and general welfare. Municipalities can prepare for anticipated changes and by such preparations bring about significant savings in both private and public expenditures. Municipal planning, by providing public guides to future municipal action, enables other public and private agencies to plan their activities in harmony with the municipality's plans. Municipal planning will assist in developing lands more wisely to serve citizens more effec-*

tively, will make the provision of public services less costly, and will achieve a more secure tax base. It is the purpose of sections 462.351 to 462.364 to provide municipalities, in a single body of law, with the necessary powers and a uniform procedure for adequately conducting and implementing municipal planning.

Sec. 19. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 12. "Subdivision" means the separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or other use or any combination thereof, except those separations:

(a) Where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses;

(b) Creating cemetery lots;

(c) Resulting from court orders, or the adjustment of a lot line by the relocation of a common boundary.

Sec. 20. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 14. "Plat" means the drawing or map of a subdivision prepared for filing of record pursuant to chapter 505 and containing all elements and requirements set forth in applicable local regulations adopted pursuant to section 462.358 and chapter 505.

Sec. 21. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 15. "Subdivision regulation" means an ordinance adopted pursuant to section 462.358 regulating the subdivision of land.

Sec. 22. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 16. "Official controls" or "controls" means ordinances and regulations which control the physical development of a city, county or town or any part thereof or any detail thereof and implement the general objectives of the comprehensive plan. Official controls may include ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes and official maps.

Sec. 23. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 17. "Preliminary approval" means official action taken by a municipality on an application to create a subdivision which establishes the rights and obligations set forth in section 462.358 and the applicable subdivision regulation. In accordance with section 462.358, and unless otherwise specified in the applicable sub-

division regulation, preliminary approval may be granted only following the review and approval of a preliminary plat or other map or drawing establishing without limitation the number, layout, and location of lots, tracts, blocks, and parcels to be created, location of streets, roads, utilities and facilities, park and drainage facilities, and lands to be dedicated for public use.

Sec. 24. Minnesota Statutes 1978, Section 462.355, Subdivision 4, is amended to read:

Subd. 4. [INTERIM ORDINANCE.] *If a municipality is conducting or in good faith intends to conduct studies within a reasonable time or has authorized a study to be conducted or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 473.852 462.352, subdivision 16, or if new territory for which plans or controls have not been adopted is annexed to a municipality, the governing body of the municipality may adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety and welfare of its citizens. The interim ordinance may regulate, restrict or prohibit any use or , development, or subdivision within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is created effective, and may be renewed extended for one additional year such additional periods as the municipality may deem appropriate, not exceeding a total additional period of 18 months. No interim ordinance may halt, delay, or impede a subdivision which has been given preliminary approval prior to the effective date of the interim ordinance.*

Sec. 25. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision 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 Minnesota Statutes, 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. 26. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 2a. [TERMS OF REGULATIONS.] The standards and requirements in the regulations may address without limitation: the size, location, grading, and improvement of lots, structures, public areas, streets, roads, trails, walkways, curbs and gutters, water supply, storm drainage, lighting, sewers, electricity, gas, and other utilities; the planning and design of sites; access to solar energy; and the protection and conservation of flood plains, shore lands, soils, water, vegetation, energy, air quality, and geologic and ecologic features. The regulations shall require that subdivisions be consistent with the municipality's official map if one exists and its zoning ordinance, and may require consistency with other official controls and the comprehensive plan. The regulations may prohibit certain classes or kinds of subdivisions in areas where prohibition is consistent with the comprehensive plan and the purposes of this section, particularly the preservation of agricultural lands. The regulations may prohibit the issuance of building permits for any tracts, lots, or parcels for which required subdivision approval has not been obtained. The regulations may permit the municipality to condition its approval on the construction and installation of sewers, streets, electric, gas, drainage, and water facilities, and similar utilities and improvements or, in lieu thereof, on the receipt by the municipality of a cash deposit, certified check, irrevocable letter of credit, or bond in an amount and with surety and conditions sufficient to assure the municipality that the utilities and improvements will be constructed or installed according to the specifications of the municipality. The regulations may permit the municipality to condition its approval on compliance with other requirements reasonably related to the provisions of the regulations and to execute development contracts embodying the terms and conditions of approval. The municipality may enforce such agreements and conditions by appropriate legal and equitable remedies.

Sec. 27. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 2b. [DEDICATION.] The regulations may require that a reasonable portion of any proposed subdivision be dedicated to the public or preserved for public use as streets, roads, sewers, electric,

gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements.

In addition, the regulations may require that a reasonable portion of any proposed subdivision be dedicated to the public or preserved for public use as parks, playgrounds, trails, or open space; provided that (a) the municipality may choose to accept an equivalent amount in cash from the applicant for part or all of the portion required to be dedicated to such public uses or purposes based on the fair market value of the land no later than at the time of final approval, (b) any cash payments received shall be placed in a special fund by the municipality used only for the purposes for which the money was obtained, (c) in establishing the reasonable portion to be dedicated, the regulations may consider the open space, park, recreational, or common areas and facilities which the applicant proposes to reserve for the subdivision and (d) the municipality reasonably determines that it will need to acquire that portion of land for the purposes stated in this paragraph as a result of approval of the subdivision.

Sec. 28. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3a. [PLATTING.] The regulations may require that any subdivision creating parcels, tracts, or lots, shall be platted. The regulations shall require that all subdivisions which create five or more lots or parcels which are 2½ acres or less in size shall be platted. The regulations shall not conflict with the provisions of chapter 505 but may address subjects similar and additional to those in that chapter.

Sec. 29. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3b. [REVIEW PROCEDURES.] The regulations shall include provisions regarding the content of applications for proposed subdivisions, the preliminary and final review and approval or disapproval of applications, and the coordination of such reviews with affected political subdivisions and state agencies. The regulations may provide for the consolidation of the preliminary and final review and approval or disapproval of subdivisions. Preliminary or final approval may be granted or denied for parts of subdivision applications. The regulations may prescribe fees sufficient to defray the costs incurred by the municipality in the review and investigation of and actions upon such applications. The regulations may delegate the authority to review proposals to the planning commission, but final approval or disapproval shall be the decision of the governing body of the municipality unless otherwise provided by law or charter. The regulations shall require that a public hearing shall be held on all subdivision applications prior to preliminary approval, unless otherwise provided by law or charter. The hearing shall be held following publication of notice of the time and place thereof in the official newspaper at least ten days before the day of the hearing. At the hearing, all persons interested shall be given an opportunity to make presentations. A subdivision application shall be preliminarily approved or dis-

approved within 120 days following delivery of an application completed in compliance with the municipal ordinance by the applicant to the municipality, unless an extension of the review period has been agreed to by the applicant. When a division or subdivision to which the regulations of the municipality do not apply is presented to the city, the clerk of the municipality shall within ten days certify that the subdivision regulations of the municipality do not apply to the particular division.

If the municipality or the responsible agency of the municipality fails to preliminarily approve or disapprove an application within the review period, the application shall be deemed preliminarily approved, and upon demand the municipality shall execute a certificate to that effect. Following preliminary approval the applicant may request final approval by the municipality, and upon such request the municipality shall certify final approval within 60 days if the applicant has complied with all conditions and requirements of applicable regulations and all conditions and requirements upon which the preliminary approval is expressly conditioned either through performance or the execution of appropriate agreements assuring performance. If the municipality fails to certify final approval as so required, and if the applicant has complied with all conditions and requirements, the application shall be deemed finally approved, and upon demand the municipality shall execute a certificate to that effect. After final approval a subdivision may be filed or recorded.

Sec. 30. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3c. [EFFECT OF SUBDIVISION APPROVAL.] For one year following preliminary approval and for two years following final approval, unless the subdivider and the municipality agree otherwise, no amendment to a comprehensive plan or official control shall apply to or affect the use, development density, lot size, lot layout, or dedication or platting required or permitted by the approved application. Thereafter, pursuant to its regulations, the municipality may extend the period by agreement with the subdivider and subject to all applicable performance conditions and requirements, or it may require submission of a new application unless substantial physical activity and investment has occurred in reasonable reliance on the approved application and the subdivider will suffer substantial financial damage as a consequence of a requirement to submit a new application. In connection with a subdivision involving planned and staged development, a municipality may by resolution or agreement grant the rights referred to herein for such periods of time longer than two years which it determines to be reasonable and appropriate.

Sec. 31. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 4a. [DISCLOSURE BY SELLER; BUYER'S ACTION FOR DAMAGES.] A person conveying a new parcel of land which, or the plat for which, has not previously been filed or recorded, and which is part of or would constitute a subdivision to which adopted municipal subdivision regulations apply, shall attach to

the instrument of conveyance either: (a) recordable certification by the clerk of the municipality that the subdivision regulations do not apply, or that the subdivision has been approved by the governing body, or that the restrictions on the division of taxes and filing and recording have been waived by resolution of the governing body of the municipality in this case because compliance will create an unnecessary hardship and failure to comply will not interfere with the purpose of the regulations; or (b) a statement which names and identifies the location of the appropriate municipal offices and advises the grantee that municipal subdivision and zoning regulations may restrict the use or restrict or prohibit the development of the parcel, or construction on it, and that the division of taxes and the filing or recording of the conveyance may be prohibited without prior recordable certification of approval, nonapplicability, or waiver from the municipality. In any action commenced by a buyer of such a parcel against the seller thereof, the misrepresentation of or the failure to disclose material facts in accordance with this subdivision shall be grounds for damages. If the buyer establishes his right to damages, a district court hearing the matter may in its discretion also award to the buyer an amount sufficient to pay all or any part of the costs incurred in maintaining the action, including reasonable attorney fees, and an amount for punitive damages not exceeding five per centum of the purchase price of the land.

Sec. 32. Minnesota Statutes 1978, Section 462.358, Subdivision 4, is amended to read:

Subd. 4b . [RESTRICTIONS ON FILING AND RECORDING CONVEYANCES.] In a municipality in which subdivision regulations are in force and have been filed or recorded as provided in this section, no conveyance of land to which the regulations are applicable shall be filed or recorded, if the land is described in the conveyance by metes and bounds or by reference to an unapproved registered land survey made after April 21, 1961 or to an unapproved plat made after such regulations become effective. The foregoing provision does not apply to a conveyance if the land described:

(1) was a separate parcel of record April 1, 1945 or the date of adoption of subdivision regulations under Laws 1945, Chapter 287, whichever is the later, or of the adoption of subdivision regulations pursuant to a home rule charter, or

(2) was the subject of a written agreement to convey entered into prior to such time,

(3) was a separate parcel of not less than two and one-half acres in area and 150 feet in width on January 1, 1966, or

(4) was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980, or

~~(4)~~ (5) is a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width, or

(6) is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

In any case in which compliance with the foregoing restrictions will create an unnecessary hardship and failure to comply does not interfere with the purpose of the subdivision regulations, the platting authority may waive such compliance by adoption of a resolution to that effect and the conveyance may then be filed or recorded. Any owner or agent of the owner of land who conveys a lot or parcel in violation of the provisions of this subdivision shall forfeit and pay to the municipality a penalty of not less than \$100 for each lot or parcel so conveyed. A municipality may enjoin such conveyance or may recover such penalty by a civil action in any court of competent jurisdiction.

Sec. 33. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 9. [LIMITATIONS.] Nothing in this section shall be construed to require a municipality to regulate subdivisions or to regulate all subdivisions which it is authorized to regulate by this section.

Sec. 34. [EXTENSION OF TIME FOR COMPLIANCE.] *Any municipality which has in effect on or before the effective date of this act an ordinance for subdivision controls may elect not to come into compliance with any change in subdivision regulations as may be required by this act until such time as the ordinance for subdivision controls is next amended.*

Sec. 35. Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, and 3 are repealed.

Sec. 36. [EFFECTIVE DATE.] *Sections 1 to 17 are effective on June 1, 1980."*

Amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing for municipal planning; authorizing regulation of subdivisions; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Sections 462.351; 462.352, by adding subdivisions; 462.355, Subdivision 4; 462.358, Subdivision 4, and by adding subdivisions; repealing Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2 and 3."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) William Schreiber, James R. Casserly and Connie M. Levi

Senate Conferees: (Signed) Gerry Sikorski, Steve Engler and Gene Merriam

Mr. Sikorski moved that the foregoing recommendations and

Conference Committee Report on H. F. No. 1612 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. 1612 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 55 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olson	Spear
Ashbach	Gearty	Knutson	Omann	Staples
Bang	Gunderson	Laufenburger	Penny	Stern
Barrette	Hanson	Luther	Perpich	Stokowski
Benedict	Hughes	Menning	Pillsbury	Strand
Bernhagen	Humphrey	Merriam	Purfeerst	Stumpf
Brataas	Johnson	Moe	Rued	Tennessen
Chmielewski	Keefe, J.	Nelson	Setzepfandt	Ueland, A.
Davies	Kirchner	Nichols	Sieloff	Ulland, J.
Dunn	Kleinbaum	Ogdahl	Sikorski	Vega
Engler	Knaak	Olhoft	Solon	Wilbet

Mr. 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. 1534 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1534 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 3, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1534

A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; providing that the county recorder be notified of deferred assessments; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 11; 357.18, Subdivision 1; 375.14; 429.061, Subdivision 2; 462.358, by adding a subdivision; and 508.82.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1534, 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) John L. Weaver, John T. Clawson, Leo J. Reding

Senate Conferees: (Signed) Roger E. Strand, Bob Lessard, Mel Frederick

Mr. Strand moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1534 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. 1534 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:

Anderson	Gearty	Laufenburger	Penny	Stern
Ashbach	Gunderson	Lessard	Perpich	Stokowski
Bang	Hanson	Luther	Pillsbury	Strand
Barrette	Hughes	Menning	Purfeerst	Stumpf
Benedict	Humphrey	Merriam	Renneke	Tennessee
Bernhagen	Johnson	Moe	Rued	Ueland, A.
Brataas	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nichols	Sieloff	Vega
Davies	Kleinbaum	Ogdahl	Sikorski	Willet
Dunn	Knaak	Olhoff	Solon	
Engler	Knoll	Olson	Spear	
Frederick	Knutson	Omann	Staples	

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. 729 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 729 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 3, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 729

A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 729, 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. 729 be further amended as follows:

Page 1, line 19, delete "\$33" and insert "\$35"

Page 2, line 12, after "audits" insert "*at the same time as cost report audits required under section 256B.27, subdivision 2a, and at any other time but*"

Page 2, line 13, after "years" insert a comma

Page 2, lines 14 and 15, delete "*by the skilled nursing home or intermediate care facility*"

Page 2, lines 17 to 19, delete "*The field audits may be conducted at the same time as cost report audits required under section 256B.27, subdivision 2a.*"

Page 2, line 27 delete "shall" and insert "may"

Page 3, line 18, delete "\$540,000" and insert "\$452,500"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Lee Greenfield, Janet H. Clark, John Drew

Senate Conferees: (Signed) Conrad M. Vega, Tom A. Nelson, John B. Keefe

Mr. Vega moved that the foregoing recommendations and Conference Committee Report on H. F. No. 729 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. 729 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:

Anderson	Frederick	Knutson	Penny	Stern
Ashbach	Gearty	Laufenburger	Perpich	Stokowski
Bang	Gunderson	Lessard	Pillsbury	Strand
Barrette	Hanson	Luther	Purfeerst	Stumpf
Benedict	Hughes	Menning	Renneke	Tennessee
Bernhagen	Humphrey	Merriam	Rued	Ueland, A.
Brataas	Johnson	Moe	Setzepfandt	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Sieloff	Vega
Davies	Kirchner	Nichols	Sikorski	Willet
Dieterich	Kleinbaum	Ogdahl	Solon	
Dunn	Knaak	Olhoft	Spear	
Engler	Knoll	Omman	Staples	

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. 1435 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1435 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 3, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1435

A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1978, Section 147.09.

April 1, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1435, 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. 1435 be further amended as follows:

Page 2, after line 7, insert:

“Sec. 2. [REPEALER.] Minnesota Statutes 1978, Sections 144.59, 144.60; 144.61; 144.62; 144.63; 144.64; and 144.65 are repealed.”

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "abolishing the hospital administrator registration program;"

Page 1, line 5, before the period, insert "; repealing Minnesota Statutes 1978, Sections 144.59 to 144.65"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Mary M. Forsythe, Robert W. Reif, Paul McCarron

Senate Conferees: (Signed) Delores J. Knaak, Gene Merriam, Jerome Gunderson

Mrs. Knaak moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1435 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. 1435: A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; abolishing the hospital administration registration program; amending Minnesota Statutes 1978, Section 147.09; repealing Minnesota Statutes 1978, Sections 144.59 to 144.65.

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:

Anderson	Frederick	Laufenburger	Perpich	Stern
Ashbach	Gearty	Lessard	Peterson	Stokowski
Bang	Gunderson	Luther	Pillsbury	Strand
Barrette	Hanson	Menning	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Renneke	Tennessee
Bernhagen	Humphrey	Moe	Rued	Ueland, A.
Brataas	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nichols	Sieloff	Vega
Davies	Kleinbaum	Ogdahl	Sikorski	Wegener
Dieterich	Knaak	Olhoft	Solon	Willet
Dunn	Knoll	Omann	Spear	
Engler	Knutson	Penny	Staples	

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. 1662 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1662 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 3, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1662

A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.

April 3, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1662, 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. 1662 be amended as follows:

Page 2, lines 14 and 15, delete “, with the exception of the coordinator of this program”

Page 3, line 30, before “clause” insert “subdivision 2,”

Page 4, line 16, delete “or Minnesota” and insert “, the” and delete “as” and insert “, or the highway patrol retirement fund, whichever is”

Page 4, line 18, after “system” insert “or the highway patrol retirement fund”

Page 5, line 2, delete “to” and insert “shall”

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Linda Berglin, Lona A. Minne, Gary W. Laidig

Senate Conferees: (Signed) Emily Anne Staples, Tom A. Nelson, Harmon T. Ogdahl

Mrs. Staples moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1662 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. 1662 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:

Anderson	Frederick	Laufenburger	Perpich	Stern
Ashbach	Gearty	Lessard	Peterson	Stokowski
Bang	Gunderson	Luther	Pillsbury	Strand
Barrette	Hanson	Menning	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Renneke	Tennessee
Bernhagen	Humphrey	Moe	Rued	Ueland, A.
Brataas	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nichols	Sieloff	Vega
Davies	Kleinbaum	Ogdahl	Sikorski	Wegener
Dieterich	Knaak	Olhoft	Solon	Willet
Dunn	Knoll	Omann	Spear	
Engler	Knutson	Penny	Staples	

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. 2187 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2187 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 7, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2187

A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in the city of Brooklyn Center.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 2187, 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. 2187 be further amended as follows:

Page 1, line 9, delete "highways" and insert "transportation"

Page 3, after line 19, insert:

"Subd. 5. If the city of Brooklyn Center conveys any land

described in subdivision 2 to any abutting property owner, the conveyance shall be without monetary consideration.”

Page 3, delete section 2 and insert:

“Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of this act the terms defined in this section have the meanings given them.

Subd. 2. Local Government Information Systems (LOGIS) is that organization of government units organized pursuant to an agreement effective on May 25, 1972, entered into under the provisions of Minnesota Statutes, Section 471.59, for the purpose of providing data processing services to its members.

Subd. 3. “Member” means a government unit which is a party to the agreement specified in subdivision 2. The term does not include “associate members” as that term is defined in article XI of the agreement.

Subd. 4. LOGIS is a municipality within the meaning of Minnesota Statutes, Section 475.51, Subdivision 2. The governing body of LOGIS is its board of directors.

Subd. 5. “Data processing equipment” means computer equipment, related hardware and software, and other items of capital equipment necessary for the efficient and economical provision of data processing services by LOGIS to its members.

Sec. 3. [BONDS; PURPOSES.] LOGIS may issue and sell its bonds or other obligations in the manner prescribed by Minnesota Statutes, Chapter 475 and this act for the acquisition and betterment of data processing equipment.

Sec. 4. [BONDS; TYPES.] Subdivision 1. [GENERAL OBLIGATIONS; REFERENDUM.] LOGIS may by resolution adopted by a unanimous vote of its board of directors and approved by the governing body of each member issue and sell its general obligation bonds for the acquisition and betterment of data processing equipment pursuant to this subdivision. If the principal amount of bonds to be issued exceeds one percent of the assessed valuation of all taxable property in the member having the smallest population, the bonds may not be issued until ten days have elapsed after the publication in a newspaper of general circulation in all members of the resolution authorizing their issuance; and if before that time, a petition asking for an election on the proposition signed by voters of any member equal to ten percent of the number of voters at the last regular municipal election in the member is filed with the clerk of the member, the bonds may not be issued unless the proposition for their issuance has been approved by a majority of the voters of the member at a regular or special election. Before issuing bonds under this subdivision the board of directors shall certify to each member and to the county auditor or auditors the taxes required to be levied for the payment of the bonds by Minnesota Statutes, Section 475.61. The county auditor shall apportion the proportionate share of each member in the taxes to each member based upon the ratio of the assessed

valuation of property in the member to the assessed valuation of all members.

Subd. 2. [GENERAL OBLIGATION REVENUE BONDS.] LOGIS may also by resolution adopted by unanimous vote of its board of directors and approved by the governing body of each member issue and sell its general obligation bonds for the acquisition and betterment of data processing equipment pursuant to this subdivision. The resolution authorizing the issuance of the bonds shall contain a covenant or agreement that the board of directors will establish, maintain, revise when necessary and collect rates and charges from members and others to whom services are provided in the amounts and at the times required to produce net revenues sufficient to pay when due the principal of and interest on the bonds and the board of directors shall covenant and pledge the net revenues to the payment of principal and interest. The required covenants shall be enforceable by appropriate actions by any bondholder or taxpayer of any member in a court of competent jurisdiction. Bonds issued pursuant to this subdivision are deemed payable wholly from the income of a revenue producing convenience within the meaning of Minnesota Statutes, Sections 475.51 and 475.58. In the event a tax levy is made for the payment of principal and interest on bonds issued pursuant to this subdivision the tax shall be levied and apportioned in the manner prescribed by subdivision 1.

Subd. 3. [BONDS; OTHER.] LOGIS may also issue and sell any other obligation authorized by Minnesota Statutes, Chapter 475 for the acquisition and betterment of data processing equipment in the manner prescribed by Minnesota Statutes, Chapter 475.

Sec. 5. [MEMBERS; LEASES; FINANCING.] A member of LOGIS may acquire data processing equipment and may lease the equipment to LOGIS, and LOGIS is authorized to enter into the equipment lease. The rental payments under the lease may be pledged by the member to the payment of principal and interest on obligations issued by the member for the acquisition of the equipment. The governing body of the member issuing obligations under this section may make the pledges and covenants specified in section 4, subdivision 2, and when the covenants and pledges are made the obligations are deemed payable wholly from the income of a revenue producing convenience within the meaning of Minnesota Statutes, Sections 475.51 and 475.58.

Sec. 6. [REVENUE PRODUCING CONVENIENCE.] Data processing equipment acquired by LOGIS or a member is a revenue producing convenience within the meaning of Minnesota Statutes, Chapter 475.

Sec. 7. [OBLIGATIONS; DEBT LIMITS.] Obligations issued pursuant to this act shall not be included in the computation of net debt of LOGIS or of any member.

Sec. 8. [INSTALLMENT PURCHASES.] LOGIS may acquire data processing equipment in the same manner and subject to the

same limitations as a city under Minnesota Statutes, Section 465.71.

Sec. 9. [REFINANCING.] LOGIS or a member may issue and sell obligations authorized by this act to refund the outstanding obligations of the city of Brooklyn Center dated September 1, 1979. Obligations issued pursuant to this section shall be issued in accordance with the provisions of Minnesota Statutes, Section 475.67.

Sec. 10. The city of Brooklyn Center may fix sewer charges on any equitable basis including the age or income of the recipient of the service.

Sec. 11. [EFFECTIVE DATE.] Section 1 is effective the day following final enactment. Sections 2 to 8 are effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3 by the board of directors of LOGIS. Section 9 is effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3 by the board of directors of LOGIS and the city council of the city of Brooklyn Center. Section 10 is effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3 by the city council of the city of Brooklyn Center."

Amend the title as follows:

Page 1, line 2, delete "state lands" and insert "local government"

Page 1, line 4, before the period, insert "; permitting the acquisition and financing of data processing equipment by Local Government Information Systems and its members; providing for sewer charges by the city of Brooklyn Center on an equitable basis"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Robert L. Ellingson, Lyndon R. Carlson, Elliott C. Rothenberg

Senate Conferees: (Signed) William P. Luther, Irving M. Stern, John B. Keefe

Mr. Luther moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2187 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. 2187: A bill for an act relating to local government: authorizing conveyance of certain parcels of land in the city of Brooklyn Center; permitting the acquisition and financing of data processing equipment by Local Government Information Systems and its members; providing for sewer charges by the city of Brooklyn Center on an equitable basis.

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 15, as follows:

Those who voted in the affirmative were:

Barrette	Gunderson	Menning	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Schaaf	Tennessee
Bernhagen	Humphrey	Moe	Sieloff	Ulland, J.
Chmielewski	Keefe, J.	Nelson	Sikorski	Vega
Davies	Kleinbaum	Nichols	Solon	Wegener
Dieterich	Knaak	Olson	Spear	Willet
Engler	Laufenburger	Penny	Staples	
Frederick	Lessard	Perpich	Stern	
Gearty	Luther	Peterson	Stokowski	

Those who voted in the negative were:

Anderson	Brataas	Knutson	Pillsbury	Setzepfandt
Ashbach	Dunn	Ogdahl	Renneke	Strand
Bang	Kirchner	Olhoft	Rued	Ueland, A.

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. 1201 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1201 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 8, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1201

A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; appropriating money; amending Minnesota Statutes 1978, Sections 361.02, by adding subdivisions; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.18; 361.20; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; 361.27, Subdivision 1; and 361.29, Subdivision 4; repealing Minnesota Statutes 1978, Section 361.15, Subdivision 2.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1201, 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. 1201 be further amended as follows:

Page 3, line 5, delete "\$7.50" and insert "\$7"

Page 3, line 7, delete "\$10" and insert "\$12"

Page 7, line 8, delete "No rule"

Page 7, delete lines 9 and 10

Page 8, line 19, strike the second "such" and insert "the"

Page 8, line 23, strike "refuse such" and insert "refuses the"

Page 8, line 24, strike "such" and insert "the"

Page 10, line 5, after "patrol," insert "*removal of hazards to navigation,*"

Page 10, lines 20 and 21, delete the new language

Page 11, line 3, delete everything after "Subd. 3."

Page 11, delete lines 4 and 5.

Page 11, line 6, delete "*watercraft safety,*"

Page 11, line 6, after "require" delete "the" and insert "a"

Page 11, line 8, delete everything after "*adequately*"

Page 11, line 9, delete "*enforce watercraft safety*" and insert "*carry out the provisions of chapter 361*"

Page 11, line 9, after "county" delete "board"

Page 11, line 10, delete "*an adequate*" and insert "a"

Page 11, line 10, after "budget" insert "*or fails to carry out the proposed activities after submitting a budget*"

Page 13, delete lines 8 to 24

Page 13, line 28, delete everything after "1981" and insert a period

Page 13, delete line 29

Renumber the sections in sequence

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 7, delete "and motor noise limits"

Page 1, line 9, delete "appropriating money;"

Page 1, line 16, after "361.24;" insert "and"

Page 1, line 17, delete everything after the first semicolon

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Douglas W. Carlson, Phyllis L. Kahn, Willard M. Munger

Senate Conferees: (Signed) Robert G. Dunn, Jim Nichols, Collin C. Peterson

Mr. Dunn moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1201 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. 1201: A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; altering certain safety requirements; providing an outline for distributing water safety enforcement funds; amending Minnesota Statutes 1978, Sections 361.02, by adding subdivisions; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.18; 361.20; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; and 361.27, Subdivision 1; repealing Minnesota Statutes 1978, Section 361.15, 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 50 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knutson	Olson	Staples
Ashbach	Frederick	Laufenburger	Omann	Stern
Bang	Gearty	Lessard	Penny	Stokowski
Benedict	Gunderson	Luther	Pillsbury	Strand
Bernhagen	Hughes	Menning	Rued	Stumpf
Brataas	Humphrey	Merriam	Schaaf	Tennessee
Chmielewski	Keefe, J.	Moe	Sieloff	Ulland, J.
Davies	Kirchner	Nichols	Sikorski	Vega
Dieterich	Kleinbaum	Ogdahl	Solon	Wegener
Dunn	Knoll	Olhoft	Spear	Willet

Messrs. Barrette, Perpich and Setzepfandt 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. 1896 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1896 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 7, 1980

CONFERENCE COMMITTEE REPORTS ON H. F. NO. 1896

A bill for an act relating to juveniles; establishing criteria for reference of certain juveniles for prosecution; requiring written findings and conclusions after reference hearings; providing monitoring by the crime control planning board; amending Minnesota Statutes 1978, Section 260.125, by adding subdivisions.

April 3, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1896, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 1896 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 241.021, Subdivision 1, is amended to read:

241.021 [LICENSING AND SUPERVISION OF INSTITUTIONS AND FACILITIES.] Subdivision 1. [SUPERVISION OVER CORRECTIONAL INSTITUTIONS; ADVISORY TASK FORCES.] (1) The commissioner of corrections shall inspect and license all correctional facilities throughout the state, whether public or private, established and operated for the detention and confinement of persons detained or confined therein according to law except to the extent that they are inspected or licensed by other state regulating agencies. He shall promulgate pursuant to chapter 15, rules establishing minimum standards for these facilities with respect to their management, operation, physical condition, and the security, safety, health, treatment and discipline of persons detained or confined therein. Commencing September 1, 1980, no individual, corporation, partnership, voluntary association or other private organization legally responsible

for the operation of a correctional facility may operate the facility unless licensed by the commissioner of corrections. The commissioner may provide by rule for provisional licenses which authorize the operation of a correctional facility on a temporary basis where the operator is temporarily unable to comply with all of the requirements for a license. Notwithstanding the provisions of sections 15.0412 and 15.0413, rules setting standards for group homes established under the direction of the juvenile courts shall not take effect until September 1, 1979. The commissioner shall have access to the buildings, grounds, books, records, staff and to persons detained or confined in these facilities. He may require the officers in charge of these facilities to furnish all information and statistics he deems necessary, upon forms furnished by him. *Rules promulgated hereunder establishing the maximum number of children permitted to reside in group homes shall require that children in the group foster parents' natural family be counted in the number of children actually residing in the group home, and the application of the rules providing the maximum number and manner of counting residents shall not be waived.*

(2) Any state agency which regulates, inspects, or licenses certain aspects of correctional facilities shall, insofar as is possible, ensure that the minimum standards it requires are substantially the same as those required by other state agencies which regulate, inspect, or license the same aspects of similar types of correctional facilities, although at different correctional facilities.

(3) Nothing in this section shall be construed to limit the commissioner of corrections' authority to promulgate rules establishing standards of eligibility for counties to receive funds under sections 401.01 to 401.16, or to require counties to comply with operating standards the commissioner establishes as a condition precedent for counties to receive that funding.

(4) When the commissioner finds that any facility described in clause (1) of this subdivision, except foster care facilities for delinquent children and youth as provided in subdivision 2, does not conform to the minimum standards established by law or by the commissioner, he shall promptly notify the chief executive officer and the governing board of the facility of the deficiencies and order that they be remedied within a reasonable period of time. The commissioner may by written order restrict the use of any facility which does not substantially conform to minimum standards to prohibit the detention of any person therein for more than 72 hours at one time. When, after due notice and hearing, the commissioner finds that any facility described in this subdivision, except county jails and lockups as provided in sections 641.26, 642.10, and 642.11, does not conform to minimum standards, or is not making satisfactory progress toward substantial compliance therewith, he may issue his order revoking the license of that facility. After revocation of its license, that facility shall not be used until its license is renewed. When the commissioner is satisfied that satisfactory progress towards substantial compliance with minimum standard is being made, he may, at the request of the appropriate officials of the affected facility supported by a

written schedule for compliance, grant an extension of time for a period not to exceed one year.

(5) As used in this subdivision, "correctional facility" means any facility, including a group home, having a residential component, the primary purpose of which is to serve persons placed therein by a court, court services department, parole authority, or other correctional agency having dispositional power over persons charged with, convicted or adjudicated to be guilty or delinquent.

Sec. 2. Minnesota Statutes 1978, Section 257.071, is amended to read:

257.071 [CHILDREN IN FOSTER HOMES; PLACEMENT; REVIEW.] Subdivision 1. [PLACEMENT; PLAN.] A case plan shall be prepared within 30 days after any child is placed in a *foster home residential facility* by court order or by the voluntary release of the child by his parent or parents. By July 1, 1979, a case plan shall be prepared for each child who was residing in a *foster home* on July 1, 1978 and who has not been returned to the home of his parent or parents.

For purposes of this section, a residential facility means any group home, family foster home or other publicly supported out-of-home residential facility, including any out-of-home residential facility under contract with the state, county or other political subdivision, or any agency thereof, to provide those services.

For the purposes of this section, a case plan means a written document which is ordered by the court or which is prepared by the social service agency responsible for the *foster home residential facility* placement and is signed by the parent or parents, or other custodian, of the child, the child's legal guardian, the social service agency responsible for the *foster home residential facility* placement, and, if possible, the child. The document shall be explained to all persons involved in its implementation, including the child who has signed the document, and shall set forth:

(1) The specific reasons for the placement of the child in a *foster home residential facility*, including a description of the problems or conditions in the home of the parent or parents which necessitated removal of the child from his home;

(2) The specific actions to be taken by the parent or parents of the child to eliminate or correct the problems or conditions identified in clause (1), and the time period during which the actions are to be taken;

(3) The financial responsibilities and obligations, if any, of the parents for the support of the child during the period the child is in the *foster home residential facility*;

(4) The visitation rights and obligations of the parent or parents during the period the child is in the *foster home residential facility*;

(5) The social and other supportive services to be provided to the parent or parents of the child, the child, and the *foster parents*

residential facility during the period the child is in the *foster home residential facility*;

(6) The date on which the child is expected to be returned to the home of his parent or parents;

(7) The nature of the effort to be made by the social service agency responsible for the placement to reunite the family; and

(8) Notice to the parent or parents that placement of the child in foster care may result in termination of parental rights but only after notice and a hearing as provided in chapter 260.

The parent or parents and the child *each* shall have the right to legal counsel in the preparation of the case plan *and shall be informed of the right at the time of placement of the child. The child shall also have the right to a guardian ad litem.* If unable to employ counsel from their own resources, the court shall appoint counsel upon the request of the parent or parents or the child or his legal guardian. The parent or parents may also receive assistance from any person or social service agency in preparation of the case plan.

After the plan has been agreed upon by the parties involved, the foster parents shall be fully informed of the provisions of the case plan.

Subd. 2. [SIX MONTH REVIEW OF VOLUNTARY PLACEMENTS.] If the child has been placed in a *foster home residential facility* pursuant to a voluntary release by his parent or parents, the case plan shall be reviewed by the persons involved in its preparation 180 days after the initial placement of the child in a *foster home residential facility* if the child is not returned to the home of his parent or parents within that time.

Subd. 3. [REVIEW OF VOLUNTARY PLACEMENTS.] If the child has been placed in a *foster home residential facility* pursuant to a voluntary release by his parent or parents, and is not returned to his home within 18 months after his initial placement in the *foster home residential facility*, the social service agency responsible for the placement shall:

(a) Return the child to the home of his parent or parents; or

(b) File an appropriate petition pursuant to sections 260.131 or 260.231.

Sec. 3. Minnesota Statutes 1978, Section 260.011, Subdivision 2, is amended to read:

Subd. 2. The purpose of the laws relating to juvenile courts is to secure for each *minor child alleged or adjudicated neglected or dependent* and under the jurisdiction of the court, the care and guidance, preferably in his own home, as will serve the spiritual, emotional, mental, and physical welfare of the *minor child* and the best interests of the state; to preserve and strengthen the *minor's child's* family ties whenever possible, removing him from the custody of his parents only when his welfare or safety and *protection of the public* cannot be adequately safeguarded without re-

moval; and, when the ~~minor~~ *child* is removed from his own family, to secure for him custody, care and discipline as nearly as possible equivalent to that which should have been given by his parents.

The purpose of the laws relating to children alleged or adjudicated to be delinquent is to promote the public safety and reduce juvenile delinquency by maintaining the integrity of the substantive law prohibiting certain behavior and by developing individual responsibility for lawful behavior. This purpose should be pursued through means that are fair and just, that recognize the unique characteristics and needs of children, and that give children access to opportunities for personal and social growth.

The laws relating to juvenile courts shall be liberally construed to carry out these purposes.

Sec. 4. Minnesota Statutes 1978, Section 260.111, Subdivision 1, is amended to read:

260.111 [JURISDICTION.] Subdivision 1. [CHILDREN WHO ARE DELINQUENT, NEGLECTED, DEPENDENT OR NEGLECTED AND IN FOSTER CARE.] Except as provided in ~~section~~ *sections 260.125 and 260.193*, the juvenile court has original and exclusive jurisdiction in proceedings concerning any child who is alleged to be delinquent, a juvenile traffic offender, neglected, neglected and in foster care, or dependent, and in proceedings concerning any minor alleged to have been a delinquent or a juvenile traffic offender prior to having become eighteen years of age. The juvenile court shall deal with such a minor as it deals with any other child who is alleged to be delinquent or a juvenile traffic offender.

Sec. 5. Minnesota Statutes 1978, Section 260.115, Subdivision 1, is amended to read:

260.115 [TRANSFERS FROM OTHER COURTS.] Subdivision 1. Except where a juvenile court has referred an alleged violation to a prosecuting authority in accordance with the provisions of section 260.125 or ~~to a court in accordance with the provisions of section 260.193~~ *has original jurisdiction of a child who has committed a minor traffic offense, as defined in section 260.193, subdivision 1, clause (c)*, a court other than a juvenile court shall immediately transfer to the juvenile court of the county the case of a minor who appears before the court on a charge of violating any state or local law or ordinance and who is under 18 years of age or who was under 18 years of age at the time of the commission of the alleged offense.

Sec. 6. Minnesota Statutes 1978, Section 260.121, subdivision 3, is amended to read:

Subd. 3. *Except when a child is alleged to have committed a minor traffic offense, as defined in section 260.193, subdivision 1, clause (c)*, if it appears at any stage of the proceeding that a child before the court is a resident of another state, the court may invoke the provisions of the interstate compact on juveniles or, if it is in the best interests of the child or the public to do so, the court may place the child in the custody of his parent, guardian, or

custodian, if the parent, guardian, or custodian agree to accept custody of the child and return him to their state.

Sec. 7. Minnesota Statutes 1978, Section 260.125, is amended to read:

260.125 [REFERENCE FOR PROSECUTION.] Subdivision 1. When a child is alleged to have violated a state or local law or ordinance after becoming 14 years of age the juvenile court may enter an order referring the alleged violation to the appropriate prosecuting authority for action under laws in force governing the commission of and punishment for violations of statutes or local laws or ordinances. The prosecuting authority to whom ~~such the~~ matter is referred shall within the time specified in ~~such the~~ order of reference, which time shall not exceed 90 days, file with the court making ~~such the~~ order of reference notice of intent to prosecute or not to prosecute. If ~~such the~~ prosecuting authority files notice of intent not to prosecute or fails to act within the time specified, the court shall proceed as if no order of reference had been made. If such prosecuting authority files with the court notice of intent to prosecute the jurisdiction of the juvenile court in the matter is terminated.

Subd. 2. The juvenile court may order a reference only if :

(a) A petition has been filed in accordance with the provisions of section 260.131;

(b) Notice has been given in accordance with the provisions of sections 260.135 and 260.141;

(c) A hearing has been held in accordance with the provisions of section 260.155, *within 30 days of the filing of the reference motion, unless good cause is shown by the prosecution or the child as to why the hearing should not be held within this period*; and

(d) The court finds that

(1) *there is probable cause, as defined by the rules of criminal procedure promulgated pursuant to section 480.059, to believe the child committed the offense alleged by delinquency petition and*

(2) *the prosecuting authority has demonstrated by clear and convincing evidence that the child is not suitable to treatment or that the public safety is not served under the provisions of laws relating to juvenile courts.*

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 adjudicated delinquent for an offense committed within the preceding 24 months, which offense 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 adjudicated delinquent for two offenses, not in the same behavioral incident, which offense were committed within the preceding 24 months and 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 previously adjudicated delinquent for three offenses, none of which offenses were committed in the same behavioral incident, which offenses were committed within the preceding 24 months and which offenses 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, subdivisions 1 or 2; 609.221; 609.222; 609.223; 609.245; 609.25; 609.342; 609.343; 609.344, clauses (c) or (d); 609.345, clauses (c) or (d); 609.561; 609.58, subdivision 2, clause (b); or 609.713.

Subd. 3 4. When the juvenile court enters an order referring an alleged violation to a prosecuting authority, the prosecuting authority shall proceed with the case as if the jurisdiction of the juvenile court had never attached.

Subd. 5. If the juvenile court orders a reference for prosecution, the order shall contain in writing, findings of fact and conclusions of law as to why the child is not suitable to treatment or the public safety is not served under the provisions of laws relating to the juvenile courts. If the juvenile court, after a hearing conducted pursuant to subdivision 2, decides not to order a reference for prosecution, the decision shall contain, in writing, findings of fact and conclusions of law as to why a reference for prosecution is not ordered.

Subd. 6. The crime control planning board created pursuant to section 299A.03, shall monitor and evaluate the effect of this section 7 and shall submit a report to the legislature on or before January 1, 1982. The report shall, at the minimum, compare the number of references ordered and the characteristics of juveniles referred for prosecution pursuant to section 260.125 prior to and subsequent to the effective date of this act.

Sec. 8. Minnesota Statutes 1978, Section 260.135, Subdivision 1, is amended to read:

260.135 [SUMMONS; NOTICE.] Subdivision 1. After a petition has been filed and unless the parties hereinafter named voluntarily

appear, the court shall set a time for a hearing and shall issue a summons requiring the person who has custody or control of the *minor child* to appear with the *minor child* before the court at a time and place stated. The summons shall recite briefly the substance of the petition or shall be attached to have a copy of the petition attached, and shall advise the parties of the right to counsel and of the consequences of failure to obey the summons.

Sec. 9. Minnesota Statutes 1978, Section 260.135, Subdivision 2, is amended to read:

Subd 2. The court shall have notice of the pendency of the case and of the time and place of the hearing served upon the parents a parent, guardians guardian, or spouse of a legitimate minor or the mother, guardian, or spouse of an illegitimate minor the child, if they are not who has not been summoned as provided in subdivision 1.

Sec. 10. Minnesota Statutes 1978, Section 260.135, Subdivision 5, is amended to read:

Subd. 5. If it appears from the notarized petition or by separate sworn affidavit of a person having knowledge of the fact that the minor is in such condition or surroundings that his that there are reasonable grounds to believe the child is in surroundings or conditions which endanger the child's health, safety or welfare requires and require that his custody be immediately assumed by the court, the court may order, by endorsement upon the summons, that the officer serving the summons shall take the minor child into immediate custody at once.

Sec. 11. Minnesota Statutes 1978, Section 260.141, Subdivision 1, is amended to read:

260.141 [SERVICE OF SUMMONS, NOTICE.] Subdivision 1. (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.

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 person personally outside the state. Such service if made personally outside the state shall be sufficient to confer jurisdiction; providing however it be made at least five days before the date fixed for hearing in such 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 persons, and by one week's 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 county welfare board required by section 260.135, subdivision 3, shall be in such manner as the court may direct.

Sec. 12. Minnesota Statutes 1978, Section 260.155, Subdivision 1, is amended to read:

260.155 [HEARING.] Subdivision 1. [GENERAL.] Except for hearings arising under section 260.261, hearings on any matter shall be without a jury and may be conducted in an informal manner. *The rules of evidence promulgated pursuant to section 480.0591 and the law of evidence shall apply in adjudicatory proceedings involving a child alleged to be delinquent and hearings conducted pursuant to section 260.125 except to the extent that the rules themselves provide that they do not apply.* Hearings may be continued or adjourned from time to time and, in the interim, the court may make such orders as it deems in the best interests of the minor in accordance with the provisions of sections 260.011 to 260.301. The court shall exclude the general public from these hearings and shall admit only those persons who, in the discretion of the court, have a direct interest in the case or in the work of the court. *In all delinquency cases a person named in the charging clause of the petition as a person directly damaged in person or property shall be entitled, upon request, to be notified by the clerk of court in writing, at his last known address, of (1) the date of the reference or adjudicatory hearings, and (2) the disposition of the case.* Adoption hearings shall be conducted in accordance with the provisions of laws relating to adoptions.

Sec. 13. Minnesota Statutes 1978, 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. 14. Minnesota Statutes 1978, Section 260.155, Subdivision 4, is amended to read:

Subd. 4. [GUARDIAN AD LITEM.] (a) The court shall appoint a guardian ad litem to protect the interests of the minor when it appears, at any stage of the proceedings, that the minor is without a parent or guardian, or that his parent is a minor or incompetent, or that his parent or guardian is indifferent or hostile

to the minor's interests, and in every proceeding alleging neglect or dependency. In any other case the court may appoint a guardian ad litem to protect the interests of the minor when the court feels that such an appointment is desirable. The court shall appoint the guardian ad litem on its own motion or in the manner provided for the appointment of a guardian ad litem in the district court.

(b) The court may waive the appointment of a guardian ad litem pursuant to clause (a), whenever counsel has been appointed pursuant to subdivision 2 or is retained otherwise, and the court is satisfied that the interests of the minor are protected.

(c) In appointing a guardian ad litem pursuant to clause (a), if the court finds that it is not in the best interests of the child, the court shall not appoint the party, or any agent or employee thereof, filing a petition pursuant to section 260.131.

Sec. 15. Minnesota Statutes 1978, Section 260.155, is amended by adding a subdivision to read:

Subd. 8 [WAIVER.] Waiver of any right which a child has under this chapter must be an express waiver intelligently made by the child after the child has been fully and effectively informed of the right being waived. If a child is under 12 years of age, the child's parent, guardian or custodian shall give any waiver or offer any objection contemplated by this chapter.

Sec. 16. Minnesota Statutes 1978, Section 260.161, Subdivision 1, is amended to read:

260.161 [RECORDS.] Subdivision 1. The juvenile court judge shall keep such minutes and in such manner as he deems necessary and proper. *The court shall keep and maintain records pertaining to delinquent adjudications until the person reaches the age of 23 years and shall release the records on an individual to a requesting adult court for purposes of sentencing. The juvenile court shall provide, upon the request of any other juvenile court, copies of the records concerning adjudications involving the particular child.* The court shall also keep an index in which files pertaining to juvenile matters shall be indexed under the name of the juvenile. After the name of each file shall be shown the file number and, if ordered by the court, the book and page of the register in which the documents pertaining to such file are listed. The court shall also keep a register properly indexed in which shall be listed under the name of the juvenile all documents filed pertaining thereto and in the order filed. ~~Such~~ *The list shall show the name of the document and the date of filing thereof.* The juvenile court legal records shall be deposited in files and shall include the petition, summons, notice, findings, orders, decrees, judgments, and motions and such other matters as the court deems necessary and proper. The legal records maintained in this file shall be open at all reasonable times to the inspection of any minor to whom the records relate, and to his parent and guardian.

Sec. 17. Minnesota Statutes 1978, Section 260.185, Subdivision 1, is amended to read:

260.185 [DISPOSITIONS; DELINQUENT CHILD.] Subdivision 1. 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 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 county welfare board; 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 ordinance which has resulted in damage to the property of another, the court may order the child to make reasonable restitution for such 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 not impose an undue financial hardship on the child;*

~~(f)~~ (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;

~~(g)~~ (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 eighteenth 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 eighteenth birthday, and the commissioner is hereby authorized to cancel such license without a hearing. At any time before the termination of the period or 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 so authorize.

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered, and 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 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. 18. Minnesota Statutes 1978, Section 260.193, is amended to read:

260.193 [JUVENILE TRAFFIC OFFENDER; PROCEDURES; DISPOSITIONS.] Subdivision 1. *(a) For purposes of this section, the following terms have the meanings given them.*

(b) "Major traffic offense" includes any violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law not included within the provisions of clause (c).

(c) "Minor traffic offense" means a violation of a state or local traffic law, ordinance, or regulation, or a federal, state, or local water traffic law constituting an offense punishable only by fine of not more than \$100.

Subd. 2. A child who violates a state or local traffic law, ordinance, or regulation, or who violates a federal, state, or local water traffic law commits a major traffic offense shall be adjudicated a "juvenile highway traffic offender" or a "juvenile water traffic offender," as the case may be, and shall not be adjudicated delinquent, unless, as in the case of any other child alleged to be delinquent, a petition is filed in the manner provided in section 260.131, summons issued, notice given, a hearing held, and the court finds as a further fact that the child is also delinquent within the meaning and purpose of the laws relating to juvenile courts.

Subd. 3. Except as provided in subdivision 4, a child who commits a minor traffic offense and at the time of the offense was at least 16 years old shall be subject to the laws and court procedures controlling adult traffic violators and shall not be under the jurisdiction of the juvenile court. When a child is alleged to have committed a minor traffic offense and is at least 16 years old at

the time of the offense, the peace officer making the charge shall follow the arrest procedures prescribed in section 169.91 and shall make reasonable effort to notify the child's parent or guardian of the nature of the charge.

Subd. 4. The juvenile court shall have original jurisdiction if the child is alleged to have committed both major and minor traffic offenses in the same behavioral incident.

Subd. 2 5. When a child is alleged to have violated any state or local traffic law, ordinance, or regulation committed a major traffic offense, the peace officer making the charge shall file a signed copy of the notice to appear, as provided in section 169.91, with the juvenile court of the county in which the violation occurred, and the notice to appear has the effect of a petition and gives the juvenile court jurisdiction. Filing with the court of a notice to appear containing the name and address of the child allegedly violating a federal, state, or local water traffic law committing a major traffic offense and specifying the offense charged, the time and place of the alleged violation shall have the effect of a petition and give the juvenile court jurisdiction. Any reputable person having knowledge of a child who violates a state or local traffic law, ordinance, or regulation or a federal, state, or local water traffic law, ordinance, or regulation commits a major traffic offense may petition the juvenile court in the manner provided in section 260.131. Whenever a notice to appear or petition is filed alleging that a child is a juvenile highway traffic offender or a juvenile water traffic offender, the court shall summon and notify the persons required to be summoned or notified as provided in sections 260.135 and 260.141. However, it is not necessary to (1) notify more than one parent, or (2) publish any notice, or (3) personally serve outside the state.

Subd. 3 6. Before making a disposition of any child found to be a juvenile highway major traffic offender, the court shall obtain from the department of transportation information of any previous traffic violation by this juvenile. In the case of a juvenile water traffic offender, he shall obtain from the office where such the information is now or hereafter may be kept information of any previous water traffic violation by such the juvenile.

Subd. 4 7. If after a hearing the court finds that the welfare of a juvenile highway major traffic offender or a juvenile water traffic offender or the public safety would be better served under the laws controlling adult traffic violators, the court may transfer the case to any court of competent jurisdiction presided over by a salaried judge if there is one in the county. The juvenile court transfers the case by forwarding to the appropriate court the documents in the court's file together with an order to transfer. The court to which the case is transferred shall proceed with the case as if the jurisdiction of the juvenile court had never attached.

Subd. 5 8. If the juvenile court finds that the child is a juvenile major highway or water traffic offender, it may make any one or more of the following dispositions of the case:

(a) Reprimand the child and counsel with the child and his parents;

(b) Continue the case for a reasonable period under such conditions governing the child's use and operation of any motor vehicles or boat as the court may set;

(c) Require the child to attend a driver improvement school if one is available within the county;

(d) Recommend to the department of public safety suspension of the child's driver's license as provided in section 171.16;

(e) If the child is found to have committed two moving highway traffic violations or to have contributed to a highway accident involving death, injury, or physical damage in excess of \$100, the court may recommend to the commissioner of public safety or to the licensing authority of another state the cancellation of the child's license until he reaches the age of 18 years, and the commissioner of public safety is hereby authorized to cancel the license without hearing. At any time before the termination of the period of cancellation, the court may, for good cause, recommend to the commissioner of public safety, or to the licensing authority of another state, that the child's license be returned to him, and the commissioner of public safety is authorized to return the license;

(f) Place the child under the supervision of a probation officer in his own home under conditions prescribed by the court including reasonable rules relating to his operation and use of motor vehicles or boats directed to the correction of his driving habits;

(g) *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 not impose an undue financial hardship on the child.*

Subd. 6 9. The juvenile court shall report the disposition of all juvenile highway traffic cases to the commissioner of public safety, as provided in section 171.16, on the standard form provided by the department of public safety under section 169.95.

Subd. 7 10. The juvenile court records of juvenile highway traffic offenders and juvenile water traffic offenders shall be kept separate from delinquency matters.

Sec. 19. Minnesota Statutes 1978, Section 260.211, Subdivision 1, is amended to read:

260.211 [EFFECT OF JUVENILE COURT PROCEEDINGS.]
Subdivision 1. No adjudication upon the status of any child in the jurisdiction of the juvenile court shall operate to impose any of the civil disabilities imposed by conviction, nor shall any child be deemed a criminal by reason of this adjudication, nor shall this adjudication be deemed a conviction of crime. The disposition of the child or any evidence given by the child in the juvenile court shall not be admissible as evidence against him in any case or

proceeding in any other court, *except that an adjudication may later be used to determine a proper sentence, nor shall the disposition or evidence disqualify him in any future civil service examination, appointment, or application.*

Sec. 20. Minnesota Statutes 1978, Chapter 480, is amended by adding a section to read:

[480.0595] [JUVENILE COURT RULES.] *The supreme court shall promulgate rules to regulate the pleadings, practice, procedure and the forms thereof in juvenile proceedings in all juvenile courts of the state in accordance with the provisions of section 480.059, except with respect to the composition of the advisory committee. The rules shall be published and distributed to the judiciary and attorneys of the state on or before September 1, 1981.*

Sec. 21. Minnesota Statutes 1978, Section 484.70, is amended by adding a subdivision to read:

Subd. 5. No referee sitting in juvenile court in the second and fourth judicial districts may hear any motion involving a contested case or preside at any hearing or final trial involving a contested case if either party or his attorney objects in writing to the assignment of a referee to hear the matter. The court shall, by rule, specify the time within which the objections must be filed. If written objections are not filed consistent with the court's rules, the parties and their attorneys are deemed to have conferred full judicial powers to the referee.

Sec. 22. Minnesota Statutes 1978, Section 540.18, Subdivision 1, is amended to read:

540.18 [DAMAGE BY MINOR; RESPONSIBILITY OF PARENT, GUARDIAN, AND MINOR.] 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 \$100 \$500, if such minor would have been liable for such injury or damage if he had been an adult. Nothing in this subdivision shall be construed to relieve such minor from personal liability for such 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.

Sec. 23. [EFFECTIVE DATE.] *Section 21 is effective the day following final enactment and expires July 31, 1981. The remainder of the sections are effective August 1, 1980 and apply to offenses committed on or after that date except with respect to the history of offenses provided for in section 7."*

Delete the title and insert:

"A bill for an act relating to juveniles and corrections; modifying dispositions available to juvenile court judges; increasing civil

liability of parents for intentional acts of their children; modifying statutory provisions relating to records of adjudications of delinquency; making the rules of evidence applicable in certain juvenile proceedings; modifying procedures in juvenile court; providing for informed consent by juveniles to waiver of rights; providing for the promulgation of statewide juvenile court rules; modifying the jurisdiction of the juvenile courts; modifying the provisions for reference of juveniles for adult prosecution; expanding the coverage of the provisions requiring preparation of a case plan for children placed in foster care; providing for maximum capacities for group homes; authorizing juvenile court referees in the second and fourth judicial districts to hear contested trials, hearings, or motions unless objection is made; amending Minnesota Statutes 1978, Sections 241.021, Subdivision 1; 257.071; 260.011, Subdivision 2; 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; 260.125; 260.135, Subdivisions 1, 2, and 5; 260.141, Subdivision 1; 260.155, Subdivisions 1, 2, 4 and by adding a subdivision; 260.161, Subdivision 1; 260.185, Subdivision 1; 260.193; 260.211, Subdivision 1; 484.70, by adding a subdivision; 540.18, Subdivision 1; and Chapter 480, by adding a section."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Randy C. Kelly, Robert E. Vanasek, William A. Crandall, Steven G. Novak, David M. Jennings

Senate Conferees: (Signed) Gerry Sikorski, Bill McCutcheon, William P. Luther, John B. Keefe, Jack Davies

Mr. Sikorski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1896 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. 1896 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	Frederick	Luther	Pillsbury	Stokowski
Bang	Gearty	Menning	Purfeerst	Strand
Barrette	Gunderson	Merriam	Rued	Stumpf
Benedict	Hughes	Nelson	Schaaf	Tennessen
Bernhagen	Humphrey	Nichols	Setzepfandt	Ueland, A.
Brataas	Keefe, J.	Ogdahl	Sieloff	Ulland, J.
Chmielewski	Kirchner	Olhoft	Sikorski	Vega
Davies	Knaak	Olson	Solon	Wegener
Dieterich	Knoll	Omann	Spear	
Dunn	Laufenburger	Penny	Staples	
Engler	Lessard	Perpich	Stern	

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. 1847 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1847 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 8, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1847

A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; appropriating money.

April 3, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1847, 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. 1847 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. The commissioner of public welfare shall undertake a study to further develop, analyze, and evaluate suggested revisions to the current rate reimbursement system established pursuant to Minnesota Statutes, Sections 256B.41 to 256B.48. In the study, the commissioner shall analyze the fiscal impact of the suggested rate reimbursement formula on nursing homes in the state and on the medical assistance program budget. The study shall also analyze the revisions of the current system to determine if they are designed to improve the system’s equitable treatment of nursing homes, control costs and cost increases, reduce administrative complexity, provide capability for better biennial budgeting for nursing home care by the commissioner, and place the commissioner’s primary concerns on fair and equitable reimbursement and enforcement. The revisions studied shall provide for reimbursement of capital costs according to a rental concept of payment based upon an initial appraised value of fixed assets and land that will be updated according to an index or indices. The commissioner shall prepare a report for the legislature before December 31, 1980, which shall include cost analyses, implementation strategies and suggestions regarding changes in rule and stat-

utory language needed to incorporate the revisions into the nursing home rate reimbursement system. The rule and statutory language changes in the report shall address allowable costs, capital costs, operating costs and exceptions.

Sec. 2. Minnesota Statutes 1978, Section 256B.47, is amended by adding a subdivision to read:

Subd. 5. The commissioner shall promulgate rules no later than August 1, 1980, to amend the current rules governing nursing home reimbursement, in accordance with sections 15.0411 to 15.052, to allow providers to allocate their resources in order to provide as many nursing hours as necessary within the total cost limitations of the per diem already granted.

Sec. 3. [STATEMENT OF PURPOSE.] *The legislature finds that general health is related to dental health and, due to the increased longevity of the population, the expansion of the nursing home industry, and the existing unmet and continuing needs for dental health in nursing homes, it is appropriate and necessary to establish programs for residents of nursing homes which promote dental health and prevent dental disease.*

Sec. 4. [PROGRAM ASPECTS.] Subdivision 1. *The commissioner of health shall provide for the establishment of nursing home dental health programs as provided in this section.*

Subd. 2. The commissioner shall:

(a) Develop, maintain, and distribute to nursing homes a dental health manual which identifies their administrative and patient care responsibilities and which recommends a local dental health policy;

(b) Establish, in conjunction with the dental profession, nursing home dental health standards, priorities of dental operations and guidelines for advisory dentists;

(c) Review existing nursing home dental health regulations to insure their consistency with current oral health standards;

(d) Seek the cooperation and coordination of a joint statewide effort between the dental profession, the nursing home industry and senior citizen organizations to promote the purpose of this section; and

(e) Provide technical dental health assistance, dental consultation, and current dental health information to nursing homes.

Subd. 3. *In each of the eight health department districts, the commissioner shall establish during the biennial cycle a specific site program for nursing homes each to include:*

(a) The analysis and identification of resident dental care needs and obstacles to access and the achievement of optimal oral health care and maintenance; and

(b) A training program of preventive oral health practices for nursing home staff.

Sec. 5. [PROGRAM SUPERVISION.] *The commissioner shall provide for all administrative and technical responsibilities for section 4. The development and administration of the program shall be under a licensed dentist.*

Sec. 6. [REPORT.] *The commissioner shall compile, analyze, and evaluate programmatic data and accomplishments related to sections 4 and 5 and submit a report to the legislature by April 15, 1981.*

Sec. 7. Minnesota Statutes 1978, Chapter 253A, is amended by adding a section to read:

[253A.22] [EVALUATION PROGRAM FOR COMMITTED PERSONS.] *Subdivision 1. The committing court in each county shall participate in a statewide results-oriented evaluation program designed to assure that each person it orders committed pursuant to section 253A.07 shall receive the best possible treatment plan. In order to implement the program, the court shall appoint for each committed person, upon that person's hospitalization for an indeterminate period, a counsel guardian for the duration of the person's period of commitment.*

Subd. 2. For each patient assigned to the counsel guardian, the guardian shall obtain from the head of the hospital where the patient is institutionalized, as soon as practical after hospitalization and at the beginning of treatment, a written report describing the significant cognitive, emotional and behavioral problems of the patient and a clinical diagnosis of those problems. The guardian shall file the report with the committing court. Upon completion of a specific plan of treatment for a patient, the counsel guardian shall file a written report with the court indicating the type of treatment administered; the length of and cost incurred for the treatment; and the results obtained in light of the original diagnosis of each identified problem of the patient. Each report required under this subdivision shall refer to the patient by use of a numerical code in order to protect the patient's privacy. The head of a hospital to which a person has been committed pursuant to chapter 253A, shall make treatment information available to counsel guardians and otherwise assist guardians to carry out the provisions of this section.

Subd. 3. In order to further the purposes of this section, the commissioner of public welfare shall develop and maintain a program of collection and compilation of statistics relating to treatment of patients. The data shall be derived from the reports required to be filed by guardians pursuant to subdivision 2. The commissioner shall provide a statistical summary of data relating to committed persons for each committing court and for the state as a whole. The commissioner shall prepare data in code and shall ensure that only the commissioner or his designate has access to the names of the patients, guardians and clinical diagnosticians.

Subd. 4. The judges of probate court may designate judges of probate to serve on a panel whose purpose shall be to analyze the impact, positive or negative, or both, of treatment upon committed persons. The panel may request statistical analysis relating

to treatment of patients from the commissioner of public welfare. The panel shall consult with a recognized state medical psychiatric organization prior to dissemination of the data amongst the two professions, law and medicine.

Sec. 8. [APPROPRIATION.] *Subdivision 1. The sum of \$40,000 is appropriated from the general fund to the commissioner of public welfare for use in implementing an analysis and fiscal evaluation of suggested revisions to the nursing home rate reimbursement formula. This appropriation is available until January 1, 1981.*

Subd. 2. The sum of \$40,000 is appropriated from the general fund to the commissioner of public welfare for the purpose of providing an ongoing computer based information retrieval system that includes the annual cost report information and the balance sheet and statement of changes in financial position from the audited financial statement required by section 256B.48, subdivision 2, clause (a). This appropriation is available until June 30, 1981.

Subd. 3. The sum of \$60,000 is appropriated from the general fund to the commissioner of health for nursing home dental health programs, to be available until June 30, 1981.

Subd. 4. The sum of \$10,000 is appropriated from the general fund to the commissioner of public welfare for the purposes of section 7 to be available until June 30, 1981.

Sec. 9. [TEMPORARY PROVISION.] *The commissioner of corrections shall amend 11 MCAR Section 2.111 (G) (1.) by striking the word "Health" and insert the word "Corrections."*

Notwithstanding sections 15.0411 to 15.052, the amendment shall be effective on the day following its publication in the State Register.

Sec. 10. [EFFECTIVE DATE.] *This act is effective the day following its final enactment. Sections 3, 4, 5 and 6 shall expire June 30, 1981 and section 7 shall expire June 30, 1983."*

Delete the title in its entirety and insert:

"A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; providing for an information retrieval system; providing for nursing home dental health programs; requiring result-oriented treatment programs and counsel guardians for persons committed to hospitals; requiring the commissioner to collect and prepare statistical data; appropriating money; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision; and Chapter 253A, by adding a section."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) John T. Clawson, Tony D. Onnen,
Thomas R. Berkelman

Senate Conferees: (Signed) Gerry Sikorski, Tom A. Nelson,
John B. Keefe

Mr. Sikorski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1847 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. 1847 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 0, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Lessard	Penny	Staples
Bang	Gunderson	Luther	Perpich	Stern
Barrette	Hanson	Menning	Pillsbury	Stokowski
Benedict	Hughes	Merriam	Purfeerst	Strand
Bernhagen	Humphrey	Moe	Rued	Stumpf
Brataas	Keefe, J.	Nelson	Schaaf	Ueland, A.
Chmielewski	Kirchner	Nichols	Setzepfandt	Ulland, J.
Davies	Knaak	Ogdahl	Sieloff	Vega
Dieterich	Knoll	Olhoff	Sikorski	Wegener
Dunn	Knutson	Olson	Solon	Willet
Engler	Laufenburger	Omann	Spear	

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Solon moved that H. F. No. 2429 be taken from the table. The motion prevailed.

H. F. No. 2429: A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

Mr. Solon moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2429, 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.

S. F. No. 480 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 480

A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giving grant and program monitoring responsibilities to the commissioner of health; appropriating money.

March 31, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 480, report that we have agreed upon the items in dispute and recommend as follows:

The House recede from its amendments and S. F. No. 480 be further amended as follows:

Page 1, line 8, delete "STATE" and insert "MINNESOTA"

Page 1, line 12, delete "referral" and insert "appropriate home management"

Page 1, line 12, delete "treatment" and insert "referral"

Page 1, after line 15, insert:

"Subd. 2. [ADVISORY COUNCIL.] The commissioner of health shall appoint an advisory council to serve on a voluntary basis consisting of, but not limited to, the following: one nurse; one pharmacist; one physician each from the fields of toxicology, pediatric medicine, emergency medicine, and internal medicine; and one person who has no past or present material financial interest or professional involvement in the provision of poison information or treatment services. No more than three members may be residents of the metropolitan area, as defined in Minnesota Statutes, Section 473.02, Subdivision 5; no more than one may be a resident of any single county; and none may be affiliated in any way with the currently designated poison information center."

Renumber the subdivisions in sequence

Page 1, line 17, delete "On an annual basis," and insert "Each year"

Page 1, line 17, delete "of health,"

Page 1, line 18, delete "after giving" and insert "shall give"

Page 1, line 19, delete the comma and insert a period

Page 1, line 19, after the period, insert "After consulting with the advisory council, the commissioner"

Page 1, line 22, delete "3" and insert "4"

Page 2, line 1, delete quotation marks

Page 2, line 1, delete "state" and insert "Minnesota"

Page 2, line 3, delete "on a" and delete "basis"

Page 2, line 16, delete the comma and insert "direction as well as the"

Page 2, line 17, before the semicolon insert "needed for poison information services"

Page 3, line 10, delete "452,800" and insert "125,000"

Page 3, line 12, delete "state" and insert "Minnesota"

Page 3, line 13, delete everything after "available" and insert "until June 30, 1981."

Page 3, delete lines 14 to 16

Page 3, line 17, delete "Section 1 is" and insert "Sections 1 and 2 are"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Emily Anne Staples, William G. Kirchner, Tom A. Nelson

House Conferees: (Signed) Tony D. Onnen, Robert W. Reif, Thomas R. Berkelman

Mrs. Staples moved that the foregoing recommendations and Conference Committee Report on S. F. No. 480 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. 480 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Penny	Staples
Ashbach	Frederick	Lessard	Perpich	Stern
Bang	Gearty	Luther	Pillsbury	Stokowski
Barrette	Gunderson	Menning	Renneke	Strand
Benedict	Hughes	Merriam	Rued	Stumpf
Bernhagen	Humphrey	Nelson	Schaaf	Tennessee
Brataas	Keefe, J.	Nichols	Setzepfandt	Ueland, A.
Chmielewski	Kirchner	Ogdahl	Sieloff	Ulland, J.
Davies	Knaak	Olhoft	Sikorski	Vega
Dieterich	Knoll	Olson	Solon	Wegener
Dunn	Knutson	Omann	Spear	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. 572 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 572

A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

April 3, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 572, report that we have agreed upon the items in dispute and recommend as follows:

The House recede from its amendments and that S. F. No. 572 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. The label of any brand of intoxicating or nonintoxicating malt beverage may be registered only by the brand owner or its authorized agent. No such brand may be imported for sale within the state without the consent of the brand owner or its authorized agent.

Nothing in this subdivision shall be construed to repeal, limit or otherwise affect the provisions of section 340.114.

Sec. 2. Subdivision 1. The area known as the Metropolitan Sports area, comprising 147 acres, and which is generally described as lying east of Cedar Avenue, south of East 79th Street, west of 24th Avenue South and north of Killebrew Drive, shall be exempt from any legal limitations on the number of on-sale liquor licenses. The on-sale liquor licenses may be issued to establishments located in said area by the city and shall not apply to any limitation in Minnesota Statutes, Section 340.11, Subdivision 5a, and Laws 1979, Chapter 305, Section 2.

Subd. 2. This section is effective only upon approval by a majority of the city council in compliance with Minnesota Statutes, Section 645.021."

Delete the title and insert:

"A bill for an act relating to liquor; regulating registration of brand labels; removing certain limitations on the numbers of on-sale licenses which the city of Bloomington may issue."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Otto T. Bang, Jr., Allan H. Spear, Sam G. Solon

House Conferees: (Signed) Bill Peterson, William Schreiber, James C. Pehler

Mr. Bang moved that the foregoing recommendations and Conference Committee Report on S. F. No. 572 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. 572 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 38 and nays 15, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Moe	Rued	Strand
Bang	Gearty	Nelson	Setzepfandt	Stumpf
Barrette	Humphrey	Ogdahl	Sieloff	Ueland, A.
Benedict	Kirchner	Olson	Sikorski	Ulland, J.
Bernhagen	Kleinbaum	Omann	Solon	Vega
Brataas	Knaak	Penny	Spear	Wegener
Davies	Lessard	Perpich	Staples	
Engler	Luther	Pillsbury	Stern	

Those who voted in the negative were:

Anderson	Dunn	Knoll	Merriam	Schaaf
Chmielewski	Gunderson	Knutson	Olhoft	Tennessee
Dieterich	Hughes	Menning	Renneke	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. 1141 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1141

A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing duties for the department of health; providing for a study by the state planning agency; appropriating money.

April 1, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1141, 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. 1141 be further amended as follows:

Page 1, line 15, delete "11" and insert "7"

Page 1, line 25, delete "10" and insert "7"

Page 2, delete lines 14 to 20

Page 2, line 27, after the period insert "The center shall maintain a current registry of those persons having or suspected of having a hearing impairment who live in that region. A special task of the registry is to assure that referrals and follow-up services are completed with respect to persons in the register."

Page 4, line 20, delete "staff of county welfare"

Page 4, delete line 21

Page 4, line 22, delete "boards" and insert "social service or income maintenance staff employed by counties or by organizations with whom counties contract for services"

Page 5, line 2, after the period insert "The commissioner of health shall establish standards for screening for hearing impairments with special emphasis on screening of persons from birth through school age and persons over age 65."

Page 5, delete lines 3 to 33

Page 6, delete lines 1 to 14 and insert:

"Sec. 8. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.44] [AIDS FOR HANDICAPPED AT STATE MEETINGS.] *After July 1, 1980, a state agency which sponsors, in whole or in part, a meeting or conference for the public or for state employees shall ensure that a physically handicapped participant who gives reasonable advance notice to the agency will receive the auxiliary aids necessary for effective participation. Auxiliary aids may include taped or brailled materials, interpreters or other effective means of making orally delivered material available to participants with hearing impairments, and equipment adaptable for use by participants with manual impairments and other similar services and action; however, nothing in this section shall (1) require a state agency to provide attendants, individually prescribed devices, or other devices or services of a personal nature or (2) apply to a state university, the university of Minnesota or a state community college with respect to classes, seminars or training programs which are offered by them. When sign language interpreters are provided, they shall be provided in a manner so that hearing impaired participants will be able to see their signing clearly. For the purposes of this section, "physically handicapped" has the meaning given in section 16.84, subdivision 8. For the purposes of this section, "agency" means any state officer, employee, board, commission, authority, department or other agency or the executive branch of state government.*

Sec. 9. Minnesota Statutes 1978, Section 16.85, Subdivision 1c, is amended to read:

Subd. 1c. *After July 1, 1979 1980, meetings or conferences attended by for the public and or for state employees sponsored in whole or in part by a state agency in non-publicly owned buildings shall be held in buildings that either meet the state building code requirements relating to accessibility for the physically handi-*

capped or are eligible to display the state symbol for accessibility persons. The provisions of this subdivision shall not apply to any classes, seminars or training programs offered by a state university, the university of Minnesota or a state community college. Meetings or conferences intended for specific individuals none of whom need the accessibility features for handicapped persons specified in the state building code need not comply with this subdivision unless a handicapped person gives reasonable advance notice of his or her intent to attend the meeting or conference. When sign language interpreters will be provided, meetings or conference sites shall be chosen which allow hearing impaired participants to see their signing clearly.

Sec. 10, Minnesota Statutes 1978, Section 16.85, Subdivision 1d, is amended to read:

Subd. 1d. The commissioner of administration may grant an exemption from the requirements of subdivisions 1b and 1c in advance if a state agency has demonstrated that reasonable efforts were made to secure facilities which complied with the requirements of subdivision 1b and 1c and if the selected facilities are the best available for access for handicapped persons. Exemptions shall be granted using criteria developed by the commissioner in consultation with the council for the handicapped.

For the purposes of this section, "agency" shall have the meaning given to it in section 16.098, subdivision 1, clause (3)."

Page 6, line 16, delete "\$1,006,500" and insert "\$302,000"

Page 6, line 18, after the period insert "The director of the state planning agency shall monitor the implementation and effectiveness of sections 1 to 7 and report to the legislature by January 1, 1982."

Page 6, line 20, delete "\$498,500" and insert "\$166,000"

Page 6, line 22, delete "1980-14"

Page 6, line 22, delete "22" and insert "8"

Page 6, line 24, delete "\$330,400" and insert "\$136,000"

Page 6, line 26, delete "1980-6"

Page 6, line 26, delete "10" and insert "6"

Page 6, delete lines 27 to 33

Page 7, delete line 1 and insert:

"Sec. 12. [EFFECTIVE DATE.] Sections 8 to 10 of this act are effective the day following final enactment."

Renumber sections in sequence

Underscore all new language in the bill

Amend the title as follows:

Page 1, line 2, delete "hearing impaired persons" and insert "the handicapped"

Page 1, line 2, after "committees" insert "to aid the hearing impaired"

Page 1, line 7, delete "commissioner" and insert "commissioners"

Page 1, line 7, before the semicolon insert "and health"

Page 1, line 7, delete "establishing an"

Page 1, delete lines 8 to 12 and insert "requiring certain state agency meetings to be accessible to physically handicapped persons; requiring certain auxiliary aids for physically handicapped participants at state agency meetings; appropriating money; amending Minnesota Statutes 1978, Section 16.85, Subdivisions 1c and 1d; and Chapter 15, by adding a section."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Emily Anne Staples, William G. Kirchner, Tom A Nelson

House Conferees: (Signed) O. J. Heinitz, Paul McCarron, Mary M. Forsythe

Mrs. Staples moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1141 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.

Without objection, Mr. Barrette was excused from voting on S. F. No. 1141, pursuant to rule 22.

S. F. No. 1141 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 3, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knutson	Omann	Solon
Ashbach	Gearty	Luther	Penny	Spear
Bang	Gunderson	McCutcheon	Perpich	Staples
Benedict	Hughes	Menning	Pillsbury	Stern
Bernhagen	Humphrey	Merriam	Renneke	Stokowski
Brataas	Keefe, J.	Nelson	Rued	Strand
Chmielewski	Kirchner	Nichols	Schaaf	Stumpf
Davies	Kleinbaum	Ogdahl	Setzepfandt	Tennessee
Dieterich	Knaak	Olhoft	Sieloff	Ulland, J.
Engler	Knoll	Olson	Sikorski	Vega

Messrs. Dunn, Wegener and Willet 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. 1875 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 1875

A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.

March 31, 1980

**The Honorable Edward J. Gearty
President of the Senate**

**The Honorable Fred C. Norton
Speaker of the House of Representatives**

We, the undersigned conferees for S. F. No. 1875, 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. 1875 be further amended as follows:

Page 2, line 15, delete "30 days" and insert "90 days"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) John B. Keefe, Jerome Gunderson, Howard D. Olson

House Conferees: (Signed) Carl W. Kroening, Joel Jacobs

Mr. Keefe, J. moved that the foregoing recommendations and Conference Committee Report on S. F. No. 1875 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. 1875 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:

Bang	Gearty	Luther	Pillsbury	Stokowski
Barrette	Gunderson	McCutcheon	Renneke	Strand
Benedict	Hughes	Menning	Rued	Stumpf
Bernhagen	Humphrey	Merriam	Schaaf	Tennessee
Brataas	Keefe, J.	Nelson	Setzepfandt	Ueland, A.
Chmielewski	Kirchner	Nichols	Sieloff	Ulland, J.
Davies	Kleinbaum	Ogdahl	Sikorski	Vega
Dieterich	Knaak	Olhoft	Solon	Wegener
Dunn	Knoll	Olson	Spear	Willet
Engler	Knutson	Penny	Staples	
Frederick	Lessard	Perpich	Stern	

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 2095 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2095

A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article I, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

April 1, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2095, 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. 2095 be further amended as follows:

Page 5, line 28, delete "*five*" and insert "*seven*"

Page 7, line 14, delete "*35*" and insert "*50*"

Page 10, line 20, delete "*four-fifths*" and insert "*six-sevenths*"

Page 10, line 32, delete "*four-fifths*" and insert "*six-sevenths*"

Page 14, line 33, strike "the end that" and insert "*improve*"

Page 14, line 33, strike the third "the"

Page 15, line 1, strike "*service*" and insert "*services*"

Page 15, line 1, strike "by the persons in the classified service"

Page 15, strike line 2

Page 15, line 3, strike "advantage of promotional opportunities"

Page 31, delete lines 7 to 16

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "14,"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Emily Anne Staples, John B. Keefe,
Myrton O. Wegener

House Conferees: (Signed) Lee Greenfield, Dee Long, Bill Peterson

Mrs. Staples moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2095 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. 2095 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 38 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knoll	Penny	Staples
Ashbach	Gearty	Lessard	Perpich	Stern
Bang	Gunderson	Luther	Pillsbury	Stokowski
Barrette	Hanson	McCutcheon	Purfeerst	Stumpf
Benedict	Hughes	Merriam	Schaaf	Ulland, J.
Brataas	Humphrey	Moe	Sikoraki	Wegener
Chmielewski	Kirchner	Nichols	Solon	
Davies	Kleinbaum	Omann	Spear	

Those who voted in the negative were:

Bernhagen	Knaak	Olhoft	Renneke	Strand
Dunn	Menning	Peterson	Rued	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. 364 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 364

A bill for an act relating to peace officers; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Section 169.98.

March 31, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 364, 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. 364 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 367.41, Subdivision 1, is amended to read:

367.41 [CONSTABLES AND PEACE OFFICER LICENSING REQUIREMENTS; DEPUTY CONSTABLES, REQUIREMENTS.] Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any constable employed or elected on or after July 1, 1979, by any political subdivision of the state of Minnesota shall not be eligible for permanent appointment without being licensed by the Minnesota board of peace officer standards and training pursuant to rules promulgated under section 626.843 section 626.8463, clauses (a) to (c).

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 626.84, is amended to read:

626.84 [DEFINITIONS AND SCOPE.] Subdivision 1. [DEFINITIONS.] For the purposes of sections 626.84 to 626.855, the following terms shall have the meanings given them:

(a) "Board" means the Minnesota board of peace officer standards and training;

(b) "Director" means the executive director of the board;

(c) "Peace officer" means an employee of a political subdivision or state law enforcement agency who is *licensed by the board*, charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota highway patrol and state conservation officers.

(d) "Constable" shall have the meaning assigned to it in section 367.40.

(e) "Deputy constable" shall have the meaning assigned to it in section 367.40.

(f) "Part-time officer" means an individual *licensed by the board* whose services are utilized by law enforcement agencies no more than an average of 14 20 hours per week, not including time spent on call when no call to active duty is received, calculated on an annual basis, who has either full powers of arrest or authorization to carry a firearm while on active duty. The term shall apply even though the individual receives no compensation for time spent on active duty, and shall apply irrespective of the title conferred upon the individual by any law enforcement agency.

(g) "Reserve officer" means an individual whose services are utilized by a law enforcement agency for purposes including, but not limited to, providing supplementary assistance at special events, traffic or crowd control, or administrative or clerical assistance; provided that the individual's duties do not include enforcement of the general criminal laws of the state unless accompanied by a licensed peace officer; further provided that the individual does not have full powers of arrest or authorization to carry a firearm on duty. The term shall apply even though the individual receives no compensation and irrespective of the num-

ber of hours worked by, or the title conferred upon, the individual by any law enforcement agency.

Subd. 2. [SCOPE.] Notwithstanding sections 12.03, subdivision 4, 12.25, or any other law to the contrary, no individual employed or acting as an agent of any political subdivision shall be authorized to carry a firearm when on duty unless the individual has been licensed pursuant to sections 626.84 to 626.855. Nothing herein shall be construed as requiring licensure of a security guard as that term is defined in section 626.88, subdivision 1, clause (c).

Sec. 3. Minnesota Statutes 1978, Section 626.846, Subdivision 1, is amended to read:

626.846 [ATTENDANCE, FORFEITURE OF POSITION.] Subdivision 1. Notwithstanding any general or local laws or charter to the contrary, any peace officer or part-time officer employed or elected on or after July 1, 1978 1979 , by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota with a population of more than 1,000 according to the last federal census shall not be eligible for permanent appointment without being licensed by the board pursuant to rules promulgated under section 626.843 sections 626.84 to 626.855.

Sec. 4. Minnesota Statutes 1978, Section 626.846, Subdivision 2, is amended to read:

Subd. 2. Every peace officer or part-time officer who shall be appointed by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota on a temporary basis or for a probationary term, shall forfeit his position unless he has been licensed by the board pursuant to sections 626.841 to 626.855. Any other peace officer or part-time officer employed or elected by any state, county, municipality or joint or contractual combination thereof, may attend peace officer training courses and be licensed by the board subject to the rules promulgated pursuant to section 626.843 sections 626.84 to 626.855.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 626.8463, is amended to read:

626.8463 [PART-TIME OFFICERS.] Any individual appointed or employed as a part-time officer to a position which was filled by a part-time officer in the year 1978 between January 1, 1978 and May 31, 1979 owing to the death, termination, or failure of the incumbent to comply with the requirements of this section shall provide proof to the board that:

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

(b) Within 12 months of his appointment he has successfully

met the training requirements of section 626.8467, subdivision 2 completed a board certified course, or a professionally recognized program, in first aid, and, if authorized to carry a firearm on duty, firearms training, including legal limitations on the justifiable use of deadly force;

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

A law enforcement agency may designate personnel as part-time officer replacements who shall be subject to the training requirements of this section notwithstanding the fact that the personnel are appointed to positions which were not filled by part-time officers in the year 1978 between January 1, 1978 and May 31, 1979. Provided that the number of personnel so designated shall not exceed a number equal to two or ten percent of the positions filled by part-time officers during the year 1978 between January 1, 1978 and May 31, 1979, rounded to the next highest whole number, whichever is greater.

Sec. 6. Minnesota Statutes 1978, Section 626.851, Subdivision 1, is amended to read:

626.851 [ELIGIBILITY OF OFFICERS.] Subdivision 1. Any police peace officer or part-time officer employed or elected by any county or municipality of the state of Minnesota shall be eligible to attend such training courses as herein provided in accordance with the rules and regulations of the board.

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 626.8464, is amended to read:

626.8464 [NEW PART-TIME POSITIONS.] Except as otherwise provided in section 626.8463, any individual appointed or employed as a part-time officer to a position which was not filled by a part-time officer in the year 1978 between January 1, 1978 and May 31, 1979 shall meet the training and licensing requirements of the board then in effect for full-time peace officers.

Sec. 8. Minnesota Statutes 1978, Section 626.852, is amended to read:

626.852 [TUITION; SALARY AND EXPENSES.] No tuition shall be charged any peace officer or part-time officer for attending any training school herein provided for, and each officer when assigned to attend the police school shall receive his regular salary and shall be reimbursed by the governing body of the governmental unit or combination of governmental units from which elected or by which employed for his cost of meals, travel, and lodgings while in attendance at the police school, not to exceed similar allowance for state employees, except as provided in section 626.853.

Sec. 9. [626.88] [UNIFORMS; PEACE OFFICERS, SECURITY GUARDS; COLOR.] Subdivision 1. [DEFINITIONS.] (a) For the purposes of this section, the following terms have the meanings given them.

(b) "Peace officer" means an employee of a political subdivision or state law enforcement agency who is licensed pursuant to sections 626.84 to 626.855 charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has full power of arrest, and shall also include Minnesota highway patrolmen, state conservation officers, park police, constables, and University of Minnesota police officers.

(c) "Security guard" means any person who is paid a fee, wage or salary to perform one or more of the following functions:

(1) Prevention or detection of intrusion, unauthorized entry or activity, vandalism or trespass on private property;

(2) Prevention or detection of theft, loss, embezzlement, misappropriation, or concealment of merchandise, money, bonds, stocks, notes, or other valuable documents or papers;

(3) Control, regulation, or direction of the flow or movements of the public, whether by vehicle or otherwise, to assure protection of private property;

(4) Protection of individuals from bodily harm; or

(5) Enforcement of policies and rules of his employer related to crime reduction insofar as such enforcement falls within the scope of his duties.

The term "security guard" does not include: (i) auditors, accountants, and accounting personnel performing audits or accounting functions; (ii) employees of a firm licensed pursuant to section 326.331 whose duties are primarily administrative or clerical in nature; (iii) unarmed watchmen; (iv) personnel temporarily employed pursuant to statute or ordinance by political subdivisions to provide protective services at social functions; (v) employees of air or rail carriers.

Subd. 2. [UNIFORMS.] Uniforms for peace officers shall be of uniform colors throughout the state as provided herein. Uniforms for:

(a) Municipal peace officers, including University of Minnesota peace officers, constables, and peace officers assigned to patrol duties in parks, shall be blue, brown or green;

(b) Peace officers who are members of the county sheriffs' office shall be blue, brown or green;

(c) Highway patrolmen shall be maroon;

(d) Conservation officers shall be green.

The uniforms of security guards may be any color other than those specified for peace officers.

This subdivision shall apply to uniforms purchased subsequent to January 1, 1981.

Sec. 10. Minnesota Statutes 1978, Section 169.98, is amended to read:

169.98 [POLICE OR PATROL VEHICLES; SECURITY GUARD VEHICLES; MARKINGS AND COLORS.] Subdivision 1. Except as provided in this subdivision 2, all motor vehicles which are primarily used in the enforcement of highway traffic regulation by the highway patrol or for general uniform patrol assignment by any municipal police department, highway patrol, or peace officer other law enforcement agency, except conservation officers, shall have uniform colors and markings as provided herein. Motor vehicles of:

(a) Municipal police departments, including the University of Minnesota police department and park police units, and constables shall be predominantly blue, brown, green or white;

(b) The highway patrol shall be predominantly maroon; and

(c) The county sheriffs' office shall be predominantly brown or white.

The commissioner of public safety by rule or regulation shall establish uniform colorings and markings for such motor vehicles which colors and markings shall be both distinctive and contrasting in appearance so as to distinguish such motor vehicles from other motor vehicles and make them easily identifiable.

The identity of the governmental unit operating the vehicle shall be displayed on both front door panels and on the rear of the vehicle. The identity may be in the form of a shield or emblem, or may be the word "police", "sheriff", or the words "state patrol" or "conservation officer", as appropriate, with letters not less than two and one-half inches high, one inch wide and of a three-eighths inch brush stroke. The identity shall be of a color contrasting with the background color so that the motor vehicle is easily identifiable as belonging to a specific type of law enforcement agency. Each vehicle shall be marked with its own identifying number on the rear of the vehicle. The number shall be printed in the same size and color required pursuant to this subdivision for identifying words which may be displayed on the vehicle.

Subd. 2. The commissioner of public safety may authorize the use of specially marked highway patrol vehicles, that have only a marking composed of a shield on the right door with the words inscribed thereon "Minnesota Highway State Patrol" for primary use in the enforcement of highway traffic regulations when in his judgment the use of specially marked highway patrol vehicles will contribute to the safety of the traveling public. The number of such specially marked highway patrol vehicles used in the enforcement of highway traffic regulations shall not exceed 10 percent of the total number of highway patrol vehicles used in traffic law enforcement. All specially marked highway patrol vehicles shall be operated by uniformed members of the highway patrol and so equipped and operated as to clearly indicate to the driver of a car which is signaled to stop that the specially marked highway patrol vehicle is being operated by the highway patrol.

Subd. 3. All motor vehicles which are used by security guards in

the course of their employment may have any color other than those specified in subdivision 1 for law enforcement vehicles. The identity of the security service shall be displayed on the motor vehicle as required for law enforcement vehicles.

Subd. 2. 4. ~~Subdivision 1~~ *Subdivisions 1 to 3 shall apply to those motor vehicles used primarily in traffic law enforcement purchased subsequent to the effective date of Laws 1950, Chapter 554 and also subsequent to the effective date of any rules and regulations that the commissioner of public safety shall establish pursuant to the purposes set forth in subdivision 1 January 1, 1981.*

Sec. 11. Minnesota Statutes 1978, Section 326.337, Subdivision 1, is amended to read:

326.337 [VIOLATIONS; PENALTY.] 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 to 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 word *words* "police", "constable", "patrol", "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. 12. [REPEALER.] *Minnesota Statutes 1978, Sections 367.41, Subdivision 3; and 626.846, Subdivisions 1a, 3a, 4, and 5; Minnesota Statutes, 1979 Supplement, Sections 367.41, Subdivision 2; and 626.8467 are repealed.*

Sec. 13. [EFFECTIVE DATE.] *This act is effective upon final enactment."*

Delete the title and insert:

"A bill for an act relating to peace officers, part-time officers and constables; providing for the training of part-time officers and constables; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Sections 169.98; 326.337, Subdivision 1; 367.41, Subdivision 1; 626.846, Subdivisions 1 and 2; 626.851, Subdivision 1; 626.852; and Minnesota Statutes, 1979 Supplement, Sections 626.84; 626.8463; 626.8464; and repealing Minnesota Statutes 1978, Sections 367.41, Subdivision 3; and 626.846, Subdivisions 1a, 3a, 4, and 5; and Minnesota Statutes, 1979 Supplement, Sections 367.41, Subdivision 2; and 626.8467."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Bill McCutcheon, Gerald L. Willet, Douglas H. Sillers

House Conferees: (Signed) Robert E. Vanasek, Arlene I. Lehto, Gary W. Laidig

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee report on S. F. No. 364 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. 364 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:

Anderson	Dieterich	Humphrey	Lessard	Olhoft
Bang	Dunn	Johnson	Luther	Omann
Barrette	Engler	Keefe, J.	McCutcheon	Penny
Benedict	Frederick	Kirchner	Menning	Perpich
Bernhagen	Gearty	Kleinbaum	Merriam	Peterson
Brataas	Gunderson	Knaak	Moe	Pillsbury
Chmielewski	Hanson	Knoll	Nelson	Purfeerst
Davies	Hughes	Knutson	Nichols	Renneke

Rued	Sikorski	Stern	Tennessee	Wegener
Schaaf	Solon	Stokowski	Ueland, A.	Willet
Setzepfandt	Spear	Strand	Ulland, J.	
Sieloff	Staples	Stumpf	Vega	

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 2134 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2134

A bill for an act relating to natural resources; providing for analysis of hydroelectric generating capacity of publicly owned dams; clarifying provisions relating to the administration of and authorization for dam repair and reconstruction grants; authorizing the employment of a person to administer grants; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 1 and 4; Minnesota Statutes, 1979 Supplement, Section 105.482, Subdivisions 3 and 5a; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5.

March 31, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2134, 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. 2134 be further amended as follows:

Page 5, line 14, strike "2, 3 and" and insert "1 to"

Page 5, delete lines 20 to 26

Page 5, line 27, delete "7" and insert "6"

Re-number the remaining section

Amend the title as follows:

Page 1, line 7, delete everything after the semicolon

Page 1, line 8, delete "administer grants;"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Gerald L. Willet; Hubert H. Humphrey, III; Robert G. Dunn

House Conferees: (Signed) Arlene I. Lehto, Willard M. Munger, Warren Stowell

Mr. Willet moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2134 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. 2134 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:

Anderson	Frederick	Lessard	Peterson	Stokowski
Bang	Gearty	Luther	Pillsbury	Strand
Barrette	Gunderson	Menning	Purfeerst	Stumpf
Benedict	Hanson	Merriam	Renneke	Tennessee
Bernhagen	Hughes	Moe	Rued	Ueland, A.
Brataas	Humphrey	Nelson	Schaaf	Ulland, J.
Chmielewski	Johnson	Nichols	Setzepfandt	Vega
Coleman	Kirchner	Olboft	Sikorski	Wegener
Davies	Kleinbaum	Olson	Solon	Willet
Dieterich	Knaak	Omann	Spear	
Dunn	Knoll	Penny	Staples	
Engler	Knutson	Perpich	Stern	

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 702 and the Conference Committee Report thereon, were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 702

A bill for an act relating to health; requiring counties to establish local nursing home pre-admission screening teams; prescribing duties of the teams and the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Chapter 256B, by adding a section.

April 3, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 702, 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. 702 be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Chapter 256B, is amended by adding a section to read:

[256B.091] [NURSING HOME PRE-ADMISSION SCREENING PROGRAM.] *Subdivision 1. [PURPOSE.] It is the purpose of this section to prevent inappropriate nursing home placement by establishing a program of pre-admission screening teams for all medical assistance recipients and any individual who would become eligible for medical assistance within 90 days of admission to a licensed nursing home participating in the program. Further, it is the purpose of this section and the program to gain further information about how to contain costs associated with inappropriate nursing home admissions. The commissioners of public welfare and health shall seek to maximize use of available federal and state funds and establish the broadest program possible within the appropriation available. The commissioner of public welfare shall promulgate temporary rules in order to implement this section by September 1, 1980.*

Subd. 2. [SCREENING TEAMS; ESTABLISHMENT.] Each county agency designated by the commissioner of public welfare to participate in the program shall contract with the local board of health organized under Minnesota Statutes, Section 145.911 to 145.922 or other public or non-profit agency to establish a screening team to assess, prior to admission to a nursing home licensed under section 144A.02, the health and social needs of medical assistance recipients and individuals who would become eligible for medical assistance within 90 days of nursing home admission. Each local screening team shall be composed of a public health nurse from the local public health nursing service and a social worker from the local community welfare agency. Each screening team shall have a physician available for consultation and shall utilize individuals' attending physicians' physical assessment forms, if any, in assessing needs. The individual's physician shall be included on the screening team if the physician chooses to participate. Other personnel as deemed appropriate by the county agency may be included on the team. No member of a screening team shall have a direct or indirect financial or self-serving interest in a nursing home or non-institutional referral such that it would not be possible for the member to consider each case objectively.

Subd. 3. [SCREENING TEAM; DUTIES.] Local screening teams shall seek cooperation from other public and private agencies in the community which offer services to the disabled and elderly. The responsibilities of the agency responsible for screening shall include:

(a) Provision of information and education to the general public regarding availability of the screening program;

(b) Acceptance of referrals from individuals, families, human service professionals and nursing home personnel of the community agencies;

(c) *Assessment of health and social needs of referred individuals and identification of services needed to maintain these persons in the least restrictive environments;*

(d) *Identification of available noninstitutional services to meet the needs of individuals referred;*

(e) *Recommendations for individuals screened regarding:*

(1) *Nursing home admission; and*

(2) *Maintenance in the community with specific service plans and referrals and designation of a lead agency to implement each individual's plan of care;*

(f) *Provisions of follow up services as needed; and*

(g) *Preparation of reports which may be required by the commissioner of public welfare.*

Subd. 4. [SCREENING OF PERSONS.] *Prior to nursing home admission, screening teams shall assess the needs of all persons receiving medical assistance and of all persons who would be eligible for medical assistance within 90 days of admission to a nursing home, except patients from acute care facilities or transfers from other nursing homes. Any other interested person may be assessed by a screening team upon payment of a fee based upon a sliding fee scale.*

Subd. 5. [APPEALS.] *Appeals from the screening team's determination shall be made pursuant to the procedures set forth in Minnesota Statutes, Section 256.045, Subdivisions 2 and 3. An appeal shall be automatic if the individual's physician does not agree with the recommendation of the screening team.*

Subd. 6. [TEAM REIMBURSEMENT.] *The commissioner of public welfare shall amend the Minnesota medical assistance plan to include reimbursement for the local screening teams. Reimbursement shall not be provided for any recipient placed in a nursing home in opposition to the screening team's recommendation after January 1, 1981; provided, however, the commissioner shall not deny reimbursement for (1) an individual admitted to a nursing home who is assessed to need long-term supportive services if long-term supportive services other than nursing home care are not available in that community; or (2) any eligible individual placed in the nursing home pending an appeal of the preadmission screening team's decision; or (3) any eligible individual placed in the nursing home by a physician in an emergency situation and where the screening team has not made a decision within five working days of its initial contact.*

Subd. 7. [REPORT.] *The commissioner of public welfare, in consultation with the commissioner of health, shall evaluate the screening program established pursuant to this section and provide a report to the legislature by April 1, 1981, which shall include a description of:*

(a) *The cost effectiveness of the program;*

- (b) *The unmet needs in the community;*
 (c) *Similar screening activities in the counties;*
 (d) *Methods to improve the program.*

Sec. 2. [APPROPRIATION.] *For the biennium ending June 30, 1981, there is appropriated from the general fund to the department of public welfare the sum of \$48,000 for the purposes of section 1 and the approved complement shall be increased by one until June 30, 1981.*

Sec. 3. [EFFECTIVE DATE.] *This act shall be effective the day following its enactment."*

Amend the title as follows:

Page 1, lines 2 and 3, delete "requiring counties to establish" and insert "establishing"

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Tom A. Nelson, Emily Anne Staples, William G. Kirchner

House Conferees: (Signed) Linda L. Berglin, Richard J. Welch, O. J. Heinitz

Mrs. Staples moved that the foregoing recommendations and Conference Committee Report on S. F. No. 702 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. 702 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 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knaak	Perpich	Staples
Bang	Engler	Knoll	Peterson	Stern
Barrette	Frederick	Luther	Pillsbury	Stokowski
Benedict	Gearty	Merriam	Purfeerst	Strand
Bernhagen	Gunderson	Moe	Renneke	Stumpf
Brataas	Hanson	Nelson	Schaaf	Tennessee
Chmielewski	Hughes	Nichols	Setzepfandt	Ueland, A.
Coleman	Humphrey	Olhoff	Sikorski	Ulland, J.
Davies	Johnson	Olson	Solon	Vega
Dieterich	Kirchner	Penny	Spear	Willet

Those who voted in the negative were:

Knutson	Menning	Omann	Rued	Wegener
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So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

RECESS

Mr. Coleman 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 Reports of Committees.

REPORTS OF COMMITTEES**APPOINTMENTS**

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

H. F. No. 2429: Messrs. Solon, Bang and Sikorski.

H. F. No. 644: Messrs. Strand, Schaaf and Kirchner.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Wednesday, April 9, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-SIXTH DAY

St. Paul, Minnesota, Wednesday, April 9, 1980

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate. The following Senators answered to their names:

Anderson	Gearty	Lessard	Peterson	Stern
Ashbach	Gunderson	Menning	Pillsbury	Stokowski
Bang	Hughes	Merriam	Rued	Strand
Barrette	Jensen	Moe	Schaaf	Stumpf
Bernhagen	Johnson	Nelson	Schmitz	Ulland, J.
Chmielewski	Kirchner	Olson	Setzepfandt	Wegener
Davies	Kleinbaum	Omann	Sikorski	Willet
Dunn	Knaak	Penny	Solon	
Frederick	Laufenburger	Perpich	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rabbi Joseph W. Wiesen-berg.

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

Anderson	Frederick	Knutson	Omann	Solon
Ashbach	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Barrette	Hanson	Luther	Peterson	Stern
Benedict	Hughes	McCutcheon	Pillsbury	Stokowski
Bernhagen	Humphrey	Menning	Purfeerst	Strand
Brataas	Jensen	Merriam	Renneke	Stumpf
Chmielewski	Johnson	Moe	Rued	Tennessee
Coleman	Keefe, J.	Nelson	Schaaf	Ueland, A.
Davies	Kirchner	Nichols	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dunn	Knaak	Olhoff	Sieloff	Wegener
Engler	Knoll	Olson	Sikorski	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

Mr. Sillers was excused from the Session of today. Mr. Spear was excused from the Session of today until 2:30 o'clock p.m.

Mr. Benedict was excused from the Session of today from 10:00 o'clock a.m. to 2:00 o'clock p.m. Mr. Ueland, A. was excused from the Session of today until 2:00 o'clock p.m. Mr. Keefe, S. was excused from the Session of today until 8:00 o'clock p.m. Mr. Bang was excused from the Session of today from 11:45 o'clock a.m. to 2:00 o'clock p.m. Mrs. Staples was excused from the Session of today from 11:30 o'clock a.m. to 2:00 o'clock p.m. Mr. Dieterich was excused from the Session of today until 11:15 o'clock a.m. Mr. Knutson was excused from the Session of today until 11:15 o'clock p.m. Mr. Ogdahl was excused from the Session of today from 3:00 to 7:00 o'clock p.m. Mr. Kirchner was excused from the Session of today at 12:00 noon.

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. 2431: 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 1978, Section 210A.39.

Referred to the Committee on Elections.

Mr. Davies introduced—

S. F. No. 2432: A bill for an act relating to trade regulations; redefining certain elements of the franchise relationship; broadening the exemption from registration for certain transactions; amending Minnesota Statutes 1978, Sections 80C.01, Subdivisions 4, 9, and by adding subdivisions; and 80C.03.

Referred to the Committee on Commerce.

Mr. Davies introduced—

S. F. No. 2433: A bill for an act relating to estates; removing authority for certain dispositions of multiparty accounts by will; amending Minnesota Statutes 1978, Section 528.05.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 2434: A bill for an act relating to gifts; changing the age of minority in uniform gifts to minors act; amending Minnesota Statutes 1978, Sections 527.01, Subdivisions 2 and 14; 527.04, Subdivision 4; and 527.07, Subdivision 4.

Referred to the Committee on Judiciary.

Mr. Davies introduced—

S. F. No. 2435: A bill for an act relating to conservatorships; providing for a limited conservatorship for an individual who is chemically dependent and receiving public benefits; providing for a hearing to determine the need for a conservatorship; providing for termination of the conservatorship.

Referred to the Committee on Judiciary.

Messrs. Peterson, Sieloff, Mrs. Staples and Mr. Ulland, J. introduced—

S. F. No. 2436: A bill for an act relating to taxation; income tax; altering the treatment of capital gains for individuals; providing graduated corporate rates; providing a deduction for corporations for the amount of the federal investment credit; abolishing the minimum tax on tax preference income; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 1; 290.09, by adding a subdivision; 290.361, Subdivision 2; Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20; and repealing Minnesota Statutes, 1979 Supplement, Section 290.091.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sikorski introduced—

S. F. No. 2437: A bill for an act relating to insurance; regulating anticipated loss ratios on certain policies; amending Minnesota Statutes 1978, Section 62A.02, Subdivision 3.

Referred to the Committee on Commerce.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 8, 1980

The Honorable Edward J. Gearty
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. 1054.

Sincerely yours,
Albert H. Quie, Governor

April 8, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 Session of the State Legislature have been re-

ceived 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 1980	Date Filed 1980
	1145	486	April 7	April 7
	1169	487	April 7	April 7
	1272	488	April 7	April 7
	1451	489	April 7	April 7
	1655	490	April 7	April 7
	1742	491	April 7	April 7
	1765	492	April 7	April 7
	1779	493	April 7	April 7
	1790	494	April 7	April 7
	1794	495	April 7	April 7
	1800	496	April 7	April 7
	1814	497	April 7	April 7
	1835	498	April 7	April 7
	1841	499	April 7	April 7
	1884	500	April 7	April 7
	1904	501	April 7	April 7
	1987	502	April 7	April 7
	2067	503	April 7	April 7
	2075	504	April 7	April 7
	2122	505	April 7	April 7
	2149	506	April 7	April 7
	2185	507	April 7	April 7
	2191	508	April 7	April 7
	2369	509	April 7	April 7
	2374	510	April 7	April 7
	2436	511	April 7	April 7
49		512	April 7	April 7
523		513	April 7	April 7
704		514	April 7	April 7
768		515	April 7	April 7
789		516	April 7	April 7
797		517	April 7	April 7
919		518	April 7	April 7
1759		519	April 7	April 7
1865		520	April 7	April 7
2045		521	April 7	April 7
2062		522	April 7	April 7
2071		523	April 7	April 7
2117		524	April 7	April 7
2184		525	April 7	April 7

Sincerely,
Joan Anderson Growe,
Secretary of State

MOTIONS AND RESOLUTIONS

CONFIRMATION

Mrs. Stokowski, for Mr. Gearty, moved that the report from the

Committee on Elections, reported March 31, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mrs. Stokowski, for Mr. Gearty, moved that the foregoing report be now adopted. The motion prevailed.

Mrs. Stokowski, for Mr. Gearty, moved that in accordance with the report from the Committee on Elections, reported March 31, 1980, the Senate, having given its advice, do now consent to and confirm the appointment of:

STATE ETHICAL PRACTICES BOARD

Henry J. Savelkoul, R.R. 1, Albert Lea, Freeborn County, effective March 7, 1980, for a term expiring on the first Monday in January, 1984.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 133 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 133

A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

April 7, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 133, 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. 133 be amended as follows:

Page 1, after line 5, insert

“UNIFORM CONDOMINIUM ACT

ARTICLE I

GENERAL PROVISIONS

Section 515.1-101. [SHORT TITLE.] Sections 515.1-101 to 515.4-117 shall be known and may be cited as the uniform condominium act.

Sec. 515.1-102. [APPLICABILITY.] (a) Sections 515.1-105 (Separate Titles and Taxation; Homestead), 515.1-106 (Applicability of Local Ordinances, Regulations, and Building Codes), 515.1-107 (Eminent Domain), 515.2-103 (Construction and Validity of Declaration and Bylaws), 515.2-104 (Description of Units),

515.3-102 (1) to (5) and (9) to (12) (Powers of Unit Owners Association), 515.3-111 (Tort and Contract Liability), 515.3-112 (Insurance), 515.3-115 (Lien for Assessments), 515.3-116 (Association Records), 515.4-107 (Resales of Units), and 515.1-103 (Definitions) to the extent necessary in construing any of those sections, apply to all condominiums created in this state prior to the effective date of sections 515.1-101 to 515.4-117; provided, however, that these sections apply only with respect to events and circumstances occurring after the effective date of sections 515.1-101 to 515.4-117, and do not invalidate existing provisions of the declaration, bylaws, or floor plans of those condominiums.

(b) Sections 515.1-101 to 515.4-117 apply to all condominiums created within this state after August 1, 1980. The provisions of Minnesota Statutes, Sections 515.01 to 515.29 do not apply to condominiums created after August 1, 1980 and do not invalidate any amendment to the declaration, bylaws, or floor plans of any condominium created before August 1, 1980 if the amendment would be permitted by sections 515.1-101 to 515.4-117. The amendment must be adopted in conformity with the procedures and requirements specified by those instruments and by Minnesota Statutes, Sections 515.01 to 515.29. If the amendment grants to any person any rights, powers, or privileges permitted by sections 515.1-101 to 515.4-117, all correlative obligations, liabilities, and restrictions in sections 515.1-101 to 515.4-117 also apply to that person.

Sec. 515.1-103. [DEFINITIONS.] In the declaration and bylaws, unless specifically provided otherwise or the context otherwise requires, and in sections 515.1-101 to 515.4-117:

(1) "Additional real estate" means real estate that may be added to a flexible condominium.

(2) "Affiliate of a declarant" means any person who controls, is controlled by, or is under common control with a declarant. A person "controls" a declarant if the person (i) is a general partner, officer, director, or employer of the declarant or (ii) directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing, more than 20 percent of the voting interest in the declarant, or (iii) controls in any manner the election of a majority of the directors of the declarant, or (iv) has contributed more than 20 percent of the capital of the declarant. A person "is controlled by" a declarant if the declarant (i) is a general partner, officer, director, or employer of the person or (ii) directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, holds with power to vote, or holds proxies representing, more than 20 percent of the voting interest in the person, or (iii) controls in any manner the election of a majority of the directors of the person, or (iv) has contributed more than 20 percent of the capital of the person. Control does not exist if the powers described in this paragraph are held solely as security for an obligation and are not exercised.

(3) "Association" or "unit owners association" means the unit owners association organized under section 515.3-101.

(4) "Common elements" means all portions of a condominium other than the units.

(5) "Common expenses" means expenditures made or liabilities incurred by or on behalf of the association, together with any allocations to reserves.

(6) "Common expense liability" means the liability for common expenses allocated to each unit pursuant to section 515.2-108.

(7) "Condominium" means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

(8) "Conversion condominium" means a condominium in which a building was at any time before the recording of the declaration wholly or partially occupied by persons other than purchasers and persons who occupied with the consent of the purchasers.

(9) "Declarant" means:

(a) if the condominium has been created, (1) any person who has executed a declaration or an amendment to a declaration to add additional real estate, other than persons holding interests in the real estate solely as security for an obligation, persons whose interests in the real estate will not be conveyed to unit owners, or, in the case of a leasehold condominium, a lessor who possesses no special declarant rights and who is not an affiliate of a declarant who possesses special declarant rights, or (2) any person who succeeds under section 515.3-104 to any special declarant rights; or

(b) any person who has offered prior to creation of a condominium to dispose of his interest in a unit to be created and not previously disposed of.

(10) "Dispose" or "disposition" means a voluntary transfer of any legal or equitable interest in a unit, other than as security for an obligation.

(11) "Flexible condominium" means a condominium to which additional real estate may be added.

(12) "Leasehold condominium" means a condominium in which all of the real estate is subject to a lease, the expiration or termination of which will terminate the condominium.

(13) "Limited common element" means a portion of the common elements allocated by the declaration or by operation of section 515.2-102(2) or (4) for the exclusive use of one or more but fewer than all of the units.

(14) "Person" means a natural person, corporation, partnership, trust, or other entity, or any combination thereof.

(15) "Purchaser" means any person, other than a declarant, who prior to creation of the condominium enters into a purchase agreement with a declarant or who by means of a voluntary transfer after creation of the condominium holds a legal or equitable interest in a unit, other than (i) a leasehold interest (including renewal options) of less than three years, or (ii) as security for an obligation.

(16) "Real estate" means any leasehold for three years or more or other estate or interest in, over, or under land, including structures, fixtures, and other improvements and interests which by custom, usage, or law pass with a conveyance of land though not described in the contract of sale or instrument of conveyance. "Real estate" includes parcels with or without upper or lower boundaries.

(17) "Security for an obligation" means the vendor's interest in a contract for deed, mortgagee's interest in a mortgage, purchaser's interest under a sheriff's certificate of sale during the period of redemption, or the holder's interest in a lein.

(18) "Special declarant rights" means rights reserved for the benefit of a declarant to complete improvements indicated on floor plans (section 515.2-110); to add additional real estate to a flexible condominium (section 515.2-111); to subdivide or convert a unit (section 515.2-115); to maintain sales offices, management offices, signs advertising the condominium, and models (section 515.2-117); to use easements through the common elements for the purpose of making improvements within the condominium or any additional real estate (section 515.2-118); or to appoint or remove any board member during any period of declarant control (section 515.3-103(a)).

(19) "Unit" means a portion of the condominium, whether or not contained solely or partially within a building, designated for separate ownership, the boundaries of which are described pursuant to section 515.2-110.

(20) "Unit owner" means a declarant who owns a unit, a person to whom ownership of a unit has been conveyed or transferred, or in a leasehold condominium a lessee of a unit whose lease expires simultaneously with any lease the expiration or termination of which will remove the unit from the condominium, but does not include a holder of an interest as security for an obligation.

Sec. 515.1-104. [VARIATION BY AGREEMENT.] Except as expressly otherwise provided in sections 515.1-101 to 515.4-117, provisions of sections 515.1-101 to 515.4-117 may not be varied by agreement, and rights conferred by sections 515.1-101 to 515.4-117 may not be waived. A declarant may not act under a power of attorney, or use any other device, to evade the limitations or prohibitions of sections 515.1-101 to 515.4-117 or the declaration.

Sec. 515.1-105. [SEPARATE TITLES AND TAXATION; HOMESTEAD.] (a) Each unit together with its common element interest constitutes for all purposes a separate parcel of real estate.

(b) If a declaration is recorded prior to ten days before any installment of real estate taxes becomes payable, the local taxing authority shall split the taxes so payable on the condominium among the units. Interest and penalties which would otherwise accrue shall not begin to accrue until at least 30 days after the split is accomplished.

(c) A unit used for residential purposes together with not more than two units used for vehicular parking and their common element interests shall be treated the same as any other real estate in determining whether homestead exemptions or classifications shall apply.

Sec. 515.1-106 [APPLICABILITY OF LOCAL ORDINANCES, REGULATIONS, AND BUILDING CODES.] (a) Except as provided in subsections (b) and (c), a zoning, subdivision, building code, or other real estate use law, ordinance, charter provision, or regulation may not directly or indirectly prohibit the condominium form of ownership or impose any requirement upon a condominium, upon the creation or disposition of a condominium or upon any part of the condominium conversion process which it would not impose upon a physically similar development under a different form of ownership. Otherwise, no provision of sections 515.1-101 to 515.4-117 invalidates or modifies any provision of any zoning, subdivision, building code, or other real estate use law, ordinance, charter provision, or regulation.

(b) Subsection (a) shall not apply to any ordinance, rule, regulation, charter provision or contract provision relating to the financing of housing construction, rehabilitation, or purchases provided by or through a housing finance program established and operated pursuant to state or federal law by a state or local agency or local unit of government.

(c) A statutory or home rule charter city, pursuant to an ordinance or charter provision establishing standards to be applied uniformly within its jurisdiction, may prohibit or impose reasonable conditions upon the conversion of buildings to the condominium form of ownership only if there exists within the city a significant shortage of suitable rental dwellings available to low and moderate income individuals or families or to establish or maintain the city's eligibility for any federal or state program providing direct or indirect financial assistance for housing to the city. Prior to the adoption of an ordinance pursuant to the authority granted in this subsection, the city shall conduct a public hearing.

Any ordinance or charter provision adopted pursuant to this subsection shall not apply to any conversion condominium or proposed conversion condominium for which a bona fide loan commitment for a consideration has been issued by a lender and is in effect on the date of adoption of the ordinance or charter provision, or for which a notice of condominium conversion or intent to convert prescribed by section 515.4-110(a), containing a termination of tenancy, has been given to at least 75 percent of the

tenants and subtenants in possession prior to the date of adoption of the ordinance or charter provision.

(d) For purposes of providing marketable title, a statement in the declaration showing that the condominium is not subject to an ordinance or showing that any conditions required under an ordinance have been complied with shall be prima facie evidence that the condominium was not created in violation thereof.

(e) A violation of an ordinance or charter provision adopted pursuant to the provisions of subsections (b) or (c) shall not affect the validity of a condominium. This subsection shall not be construed to in any way limit the power of a city to enforce the provisions of an ordinance or charter provision adopted pursuant to subsections (b) or (c).

Any ordinance or charter provision enacted hereunder shall not be effective for a period exceeding 18 months.

Sec. 515.1-107. [EMINENT DOMAIN.] (a) If a unit is acquired by eminent domain, or if part of a unit is acquired by eminent domain leaving the unit owner with a remnant which may not practically or lawfully be used for any purpose permitted by the declaration, the award shall compensate the unit owner and holders of an interest as security for an obligation in the unit and its common element interest as their interests may appear, whether or not any common element interest is acquired. Upon acquisition, unless the decree otherwise provides, that unit's entire common element interest, votes in the association, and common expense liability are automatically reallocated to the remaining units in proportion to the respective interests, votes, and liabilities of those units prior to the taking, and the association shall promptly prepare, execute, and record an amendment to the declaration reflecting the reallocations. Any remnant of a unit remaining after part of a unit is taken under this subsection is thereafter a common element.

(b) Except as provided in subsection (a), if part of a unit is acquired by eminent domain, the award shall compensate the unit owner and the holders of an interest as security for an obligation as their interests may appear for the reduction in value of the unit and its common element interest. Upon acquisition, unless the apportionment thereof pursuant to the declaration is based upon equality, (1) that unit's common element interest, votes in the association, and common expense liability are reduced in proportion to the reduction in the size of the unit, and (2) the portion of common element interest, votes, and common expense liability divested from the partially acquired unit are automatically reallocated to that unit and the remaining units in proportion to the respective interests, votes, and liabilities of those units prior to the taking, with the partially acquired unit participating in the reallocation on the basis of its reduced interests, votes, and liabilities.

(c) If part of the common elements is acquired by eminent domain, the award shall be paid to the association. The association shall divide any portion of the award not used for any restor-

ation or repair of the remaining common elements among the unit owners and holders of an interest as security for an obligation as their interests may appear in proportion to their respective interests in the common elements before the taking, but the portion of the award attributable to the acquisition of a limited common element shall be equally divided among the owners of the units to which that limited common element was allocated at the time of acquisition and the respective holders of an interest as security for an obligation of the units as their interests may appear of the units to which that limited common element was allocated at the time of acquisition, or in such other manner as the declaration may provide.

(d) The court decree shall be recorded in every county in which any portion of the condominium is located.

Sec. 515.1-108. [SUPPLEMENTAL GENERAL PRINCIPLES OF LAW APPLICABLE.] The principles of law and equity, including the law of corporations, the law of real property and the law relative to capacity to contract, principal and agent, eminent domain, estoppel, fraud, misrepresentation, duress, coercion, mistake, receivership, substantial performance, or other validating or invalidating cause supplement the provisions of sections 515.1-101 to 515.4-117, except to the extent inconsistent with sections 515.1-101 to 515.4-117. Documents required by sections 515.1-101 to 515.4-117 to be recorded shall in the case of registered land be filed.

Sec. 515.1-109. [CONSTRUCTION AGAINST IMPLICIT REPEAL.] Sections 515.1-101 to 515.4-117 being a general act intended as a unified coverage of its subject matter, no part of it shall be construed to be impliedly repealed by subsequent legislation if that construction can reasonably be avoided.

Sec. 515.1-110. [UNIFORMITY OF APPLICATION AND CONSTRUCTION.] Sections 515.1-101 to 515.4-117 shall be applied and construed so as to effectuate its general purpose to make uniform the law with respect to the subject of sections 515.1-101 to 515.4-117 among states enacting it.

Sec. 515.1-111. [SEVERABILITY.] If any provision of sections 515.1-101 to 515.4-117 or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of sections 515.1-101 to 515.4-117 which can be given effect without the invalid provisions or application, and to this end the provisions of sections 515.1-101 to 515.4-117 are severable.

Sec. 515.1-112. [UNCONSCIONABLE AGREEMENT OR TERM OF CONTRACT.] (a) The court, upon finding as a matter of law that a contract or contract clause to which the declarant or the affiliate of a declarant is a party was unconscionable at the time the contract was made, may refuse to enforce the contract, enforce the remainder of the contract without the unconscionable clause, or limit the application of any unconscionable clause in order to avoid an unconscionable result.

(b) Whenever it is claimed, or appears to the court that such a contract or contract clause is or may be unconscionable, the parties, in order to aid the court in making the determination, shall be afforded a reasonable opportunity to present evidence as to:

(1) the commercial setting of the negotiations;

(2) whether a party has knowingly taken advantage of the inability of the other party reasonably to protect his interests by reason of physical or mental infirmity, illiteracy, or inability to understand the language of the agreement or similar factors;

(3) the effect and purpose of the contract or clause; and

(4) if a sale, any gross disparity, at the time of contracting, between the amount charged for the real estate and the value of the real estate measured by the price at which similar real estate was readily obtainable in similar transactions, but a disparity between the contract price and the value of the real estate measured by the price at which similar real estate was readily obtainable in similar transactions does not, of itself, render the contract unconscionable.

Sec. 515.1-113. [OBLIGATION OF GOOD FAITH.] Every contract or duty governed by sections 515.1-101 to 515.4-117 imposes an obligation of good faith in its performance or enforcement.

Sec. 515.1-114. [REMEDIES TO BE LIBERALLY ADMINISTERED.] (a) The remedies provided by sections 515.1-101 to 515.4-117 shall be liberally administered to the end that the aggrieved party is put in as good a position as though the other party had fully performed, provided that rights of bona fide purchasers shall be protected. However, consequential, special, or punitive damages may not be awarded except as specifically provided in sections 515.1-101 to 515.4-117 or by other rule of law.

(b) Any right or obligation declared by sections 515.1-101 to 515.4-117 is enforceable by judicial proceeding unless the provision declaring it provides otherwise.

Sec. 515.1-115. [NOTICE.] Except as otherwise stated in sections 515.1-101 to 515.4-117 all notices required by sections 515.1-101 to 515.4-117 shall be in writing and shall be effective upon hand delivery or upon mailing if properly addressed with postage prepaid and deposited in the United States mail.

Sec. 515.1-116. [EFFECTIVE DATE.] Section 515.1-106 is effective the day following final enactment.

ARTICLE II

CREATION, ALTERATION,

AND TERMINATION OF CONDOMINIUMS

Sec. 515.2-101. [CREATION OF CONDOMINIUM.] (a) A condominium may be created pursuant to sections 515.1-101 to 515.4-117 only by recording a declaration executed, in the same manner as a deed, by all persons whose interests in the real estate

will be conveyed to unit owners, except vendors under contracts for deed, and by every lessor of a lease the expiration or termination of which will terminate the condominium. The condominium shall not include real estate covered by a lease affecting less than all of the condominiums and the expiration or termination of which will reduce the size of the condominium. The declaration and bylaws shall be recorded in every county in which any portion of the condominium is located. Failure of any party to join in a declaration shall have no effect on the validity of a condominium provided that after the recording of the declaration the party acknowledges the condominium in a recorded instrument or the interest of the party is extinguished.

(b) A declaration, or an amendment to a declaration adding units to a condominium, may not be recorded unless all structural components and mechanical systems serving more than one unit of all buildings containing or comprising any units thereby created are substantially completed consistent with the floor plans, as evidenced by a certificate executed by a registered professional engineer or architect and recorded or attached to the floor plans.

(c) No possessory interest in a unit may be conveyed until the unit is substantially completed as evidenced by a recorded certificate of completion executed by a registered professional engineer or architect. For the purpose of this section "substantially completed" means entirely completed consistent with the floor plans. This subsection does not prevent the conveyance prior to substantial completion of all units owned by the declarant to a person who is a transferee of special declarant rights.

(d) The declaration, any amendment or amendments thereof, and every instrument affecting a condominium or any unit shall be entitled to be recorded.

(e) In addition to the records and indexes required to be maintained by the recording officer, the recording officer shall maintain an index or indexes whereby the record of each declaration contains a reference to the record of each conveyance of a unit affected by the declaration.

(f) The recording officer shall upon request assign a number to a condominium to be formed.

(g) The recording officer shall separate the floor plans from the declaration and the floor plans shall be kept by the recording officer in a separate file for each condominium indexed in the same manner as a conveyance entitled to record indicating the number of the condominium.

Sec. 515.2-102. [UNIT BOUNDARIES.] Except as otherwise provided by the declaration:

(1) If walls, floors, or ceilings are designated as boundaries of a unit, all lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring, and any other materials constituting any part of the finished surfaces thereof are a part of

the unit, and all other portions of the walls, floors, or ceilings are a part of the common elements.

(2) If any chute, flue, duct, pipe, wire, conduit, bearing wall, bearing column, or any other fixture lies partially within and partially outside of the designated boundaries of a unit, any portion thereof serving only that unit is a limited common element allocated solely to that unit, and any portion thereof serving more than one unit or any portion of the common elements is a part of the common elements.

(3) Subject to the provisions of paragraph (2), all spaces, interior partitions, and other fixtures and improvements within the boundaries of a unit are a part of the unit.

(4) All exterior doors and windows and any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, patios, or other fixtures designed to serve a single unit, but located outside the unit's boundaries, are limited common elements allocated exclusively to that unit.

Sec. 515.2-103. [CONSTRUCTION AND VALIDITY OF DECLARATION AND BYLAWS.] (a) All provisions of the declaration and bylaws are severable.

(b) The rule against perpetuities may not be applied to defeat any provision of the declaration or sections 515.1-101 to 515.4-117, or any instrument executed pursuant to the declaration of sections 515.1-101 to 515.4-117.

(c) In the event of a conflict between the provisions of the declaration and the bylaws, the declaration prevails except to the extent that the declaration is inconsistent with sections 515.1-101 to 515.4-117.

Sec. 515.2-104. [DESCRIPTION OF UNITS.] After the declaration is recorded, a description of a unit which sets forth the number of the condominium, the county in which the condominium is located, and the identifying number of the unit, is a sufficient legal description of that unit and its common element interest whether or not the common element interest is described or referred to therein.

Sec. 515.2-105. [CONTENTS OF DECLARATION; ALL CONDOMINIUMS.] The declaration for a condominium shall contain:

(1) the name and number of the condominium, which shall include the word "condominium" or be followed by the words "a condominium";

(2) the name of every county in which any part of the condominium is situated;

(3) a legally sufficient description of the real estate included in the condominium;

(4) a description or delineation of the boundaries of a unit;

(5) the floor plans as required by section 515.2-110;

(6) an allocation to each unit of an undivided interest in the common elements, a portion of the votes in the association, and a percentage or fraction of the common expenses of the association (section 515.2-108);

(7) a statement of the maximum number of any units which may be created by the subdivision or conversion of units owned by the declarant pursuant to section 515.2-115(c);

(8) an allocation of any limited common elements, as provided in section 515.2-109;

(9) any restrictions on use, occupancy, and alienation of the units;

(10) a statement showing that the condominium is not subject to an ordinance provided for in section 515.1-106 or showing that any conditions required under an ordinance have been complied with;

(11) any other matters the declarant deems appropriate.

Sec. 515.2-106. [CONTENTS OF DECLARATION; FLEXIBLE CONDOMINIUMS.] The declaration for a flexible condominium shall include, in addition to the matters specified in section 515.2-105:

(1) an explicit reservation of any options to add additional real estate;

(2) a statement of any time limit, not exceeding seven years after the recording of the declaration, upon which any option reserved under paragraph (1) will lapse, together with a statement of any circumstances that will terminate the option before the expiration of the time limit. If no time limit is set forth in the declaration, the time limit shall be seven years after the recording of the declaration;

(3) a statement of any limitations on any option reserved under paragraph (1), other than limitations created by or imposed pursuant to law;

(4) legally sufficient descriptions of each portion of additional real estate;

(5) if portions of any additional real estate may be added at different times, a statement to that effect together with a statement fixing the boundaries of those portions and regulating the order in which they may be added or a statement that no assurances are made in those regards;

(6) a statement of (i) the maximum number of units that may be created within any additional real estate and within any portion, the boundaries of which are fixed pursuant to paragraph (5), and (ii) how many of those units will be restricted exclusively to residential use;

(7) a statement that any buildings and units that may be erected upon the additional real estate or a portion thereof will be

compatible with the other buildings and units in the condominium in terms of architectural style, quality of construction, principal materials employed in construction, and size, or a statement of any differences with respect to the buildings or units, or a statement that no assurances are made respecting those matters;

(8) a statement that all restrictions in the declaration affecting use, occupancy, and alienation of units will apply to units created in the additional real estate, or a statement of any differentiations that may be made as to those units;

(9) general descriptions of all other improvements and common elements that may be made or created upon or within the additional real estate or each portion thereof;

(10) a statement of the extent to which any assurances made in the declaration regarding additional real estate pursuant to paragraphs (5) to (9) apply in the event any additional real estate is not added to the condominium, or a statement that those assurances do not apply if the real estate is not added to the condominium.

Sec. 515.2-107. [LEASEHOLD CONDOMINIUMS.] (a) Any lease the expiration or termination of which may terminate the condominium shall be recorded and the declaration shall include, in addition to the matters specified in section 515.2-105:

(1) the county of recording and recorder's document number for the lease;

(2) the date on which the lease is scheduled to expire;

(3) any right of the unit owners to purchase the lessor's interest in the real estate and the manner whereby those rights may be exercised, or a statement that they do not have those rights;

(4) any right of the unit owners to remove any improvements within a reasonable time after the expiration or termination of the lease, or a statement that they do not have those rights; and

(5) any rights of the unit owners to renew the lease and the conditions of any renewal, or a statement that they do not have those rights.

(b) After the declaration for a leasehold condominium is recorded, neither the lessor nor his successor in interest may terminate the leasehold interest of a unit owner who makes timely payment of his share of the rent which shall be the same portion thereof as that of his common area expense and who otherwise complies so far as practicable with his share of all other covenants which, if violated, would entitle the lessor to terminate the lease. No unit owner's leasehold interest is affected by failure of any other person to pay rent or fulfill any other covenant.

(c) Acquisition of the leasehold interest of any unit owner by the lessor does not merge the leasehold and fee simple interests

and the lessor shall hold the title to the unit subject to the declaration unless the leasehold interests of all unit owners subject to the lease are so acquired.

Sec. 515.2-108. [ALLOCATION OF COMMON ELEMENT INTERESTS, VOTES, AND COMMON EXPENSE LIABILITIES.] (a) The declaration shall allocate a fraction or percentage of the undivided interests in the common elements, common expenses and votes in the association to each unit in such manner that each of the items is equally allocated or is allocated according to the proportion of the area or volume of each unit to the area or volume of all units, and the items need not be allocated the same for all purposes. The declaration may provide that a portion of each common expense assessment may be allocated on the basis of equality and the remainder on the basis of area or volume of each unit. The sum of the percentages or fractions shall equal 100 percent or 1.

(b) Except in the case of eminent domain (section 515.1-107), expansion of a flexible condominium (section 515.2-111), relocation of boundaries between adjoining units (section 515.2-114), or subdivision of units (section 515.2-115), the common element interest, votes and common expense liability allocated to any unit may not be altered, except as an amendment to the declaration which is signed by all unit owners and first mortgagees, and which complies with section 515.2-119. The common elements are not subject to partition, and any purported conveyance, encumbrance, judicial sale or other voluntary or involuntary transfer of an undivided interest or involuntary transfer of an undivided interest in the common elements without the unit to which the interest is allocated is void.

(c) The association may assess certain common expenses against fewer than all units pursuant to section 515.3-114.

Sec. 515.2-109. [COMMON ELEMENTS AND LIMITED COMMON ELEMENTS.] Common elements other than limited common elements may be used in common with all unit owners. Except for the limited common elements described in section 515.2-102(2) and (4), the declaration shall specify to which unit each limited common element is allocated.

Sec. 515.2-110. [FLOOR PLANS.] (a) Floor plans are a part of the declaration. The floor plans shall contain a certification by a registered professional engineer, surveyor or architect that the floor plans accurately depict all information required by this section.

(b) Each floor plan shall show:

(1) the number of the condominium, and the boundaries and dimensions of the land included in the condominium;

(2) the dimensions and location of all existing structural improvements and roadways;

(3) the intended location and dimensions of any contemplated

common element improvements to be constructed within the condominium labeled either "MUST BE BUILT" or "NEED NOT BE BUILT";

(4) the location and dimensions of any additional real estate, labeled as such;

(5) the extent of any encroachments by or upon any portion of the condominium;

(6) the location and dimensions of all recorded easements within the condominium serving or burdening any portion of the condominium;

(7) the distance between noncontiguous parcels of real estate;

(8) the location and dimensions of limited common elements, including porches, balconies and patios, other than limited common elements described in section 515.2-102(2) and (4);

(9) the location and dimensions of the vertical boundaries of each unit, and that unit's identifying number;

(10) the location and dimensions of the horizontal unit boundaries with reference to established or assumed datum, and that unit's identifying number;

(11) any units which may be converted by the declarant to create additional units or common elements (section 515.2-115) identified separately.

(c) When adding additional real estate (section 515.2-111), the declarant shall record supplemental floor plans for that real estate conforming to the requirements of subsection (b). If less than all additional real estate is being added, the supplemental floor plans shall also show the location and dimensions of the remaining portion.

(d) If a declarant subdivides or converts any unit into two or more units, common elements or limited common elements (section 515.2-115), he shall record an amendment to the floor plans showing the location and dimensions of any new units, common elements and limited common elements thus created.

Sec. 515.2-111. [EXPANSION OF FLEXIBLE CONDOMINIUMS.] (a) To add additional real estate pursuant to an option reserved under section 515.2-106(1), all persons having an interest in the additional real estate, excepting any holder of an easement or any holder of an interest to secure an obligation which interest was recorded or created subsequent to the recording of the declaration, shall prepare and execute and, after notice as provided in subsection (b), record an amendment to the declaration. The amendment to the declaration shall assign an identifying number to each unit formed in the additional real estate, and reallocate common element interests, votes in the association, and common expense liabilities according to section 515.2-108. The amendment shall describe or delineate any limited common

elements formed out of the additional real estate, showing or designating the unit to which each is allocated to the extent required by section 515.2-109 (Limited Common Elements).

(b) The declarant shall serve notice of his intention to add additional real estate as follows:

(1) To the association in the same manner as service of summons in a civil action in district court at least 30 days prior to recording the amendment. The amendment shall be attached to the notice and shall not thereafter be changed so as to materially affect the rights of unit owners.

(2) To the occupants of each unit by notice given in the manner provided in section 515.1-115 not less than 20 days prior to recording the amendment addressed to "Occupant Entitled to Legal Notice" at each unit. Attached to the notice shall be a statement that the amendment has been served on the association.

(3) Proof of service upon the association and the occupants shall be attached to the recorded amendment.

Sec. 515.2-112. [RESERVED.]

Sec. 515.2-113. [ALTERATIONS OF UNITS.] Subject to the provisions of the declaration and other provisions of law, a unit owner:

(1) may make any improvements or alterations to his unit that do not impair the structural integrity or mechanical systems or lessen the support of any portion of the condominium;

(2) after acquiring an adjoining unit or an adjoining part of an adjoining unit, may with consent of the association and first mortgagees of the affected units, remove or alter any intervening partition or create apertures therein, even if the partition in whole or in part is a common element, if those acts do not impair the structural integrity or mechanical systems or lessen the support of any portion of the condominium. The adjoining unit owners shall have the exclusive license to use the space occupied by the common elements, but the use shall not create an easement or vested right. Removal of partitions or creation of apertures under this paragraph is not an alteration of boundaries. The association may reasonably require that the owner or owners of units affected replace or restore any such partition.

Sec. 515.2-114. [RELOCATION OF BOUNDARIES BETWEEN ADJOINING UNITS.] (a) Subject to the provisions of the declaration and other provisions of law, the boundaries between adjoining units may be relocated by an amendment to the declaration upon application to the association by the owners of those units. The owners of the adjoining units shall specify the proposed reallocation between their units of their common element interests, votes in the association, and common expense liabilities in the application and in accord with section 515.2-108. Unless the board of directors determines within 60 days after receipt of the application by the association that the proposed

amendment is not in the best interests of the condominium, the unit owners shall prepare an amendment which shall identify the units involved, state the reallocation, be executed by those unit owners and by any holder of an interest as security for an obligation, contain words of conveyance between them, contain written consent of the association, and upon recordation be indexed in the name of the grantor and the grantee. The amendment shall include an amended floor plan to show the altered boundaries between the adjoining units and their dimensions and identifying numbers. If a holder of an interest as security for an obligation joins in the amendment pursuant to this section, the extent of the interest and the remedies shall be deemed to be modified as provided in the amendment. The association shall incur no liability to any party by reason of performing those acts enumerated in this section.

(b) The association may require the owners of the affected units to build a boundary wall and other common elements between the units.

(c) The applicant shall deliver a certified copy of the amendment to the association.

Sec. 515.2-115. [SUBDIVISION OR CONVERSION OF UNITS.] (a) If the declaration expressly so permits, (i) a unit may be subdivided into two or more units, or, (ii) if owned by a declarant, a unit may be subdivided or converted into two or more units, limited common elements, common elements, or a combination of units, limited common elements and common elements. Subject to the provisions of the declaration and other provisions of law, the unit owner shall prepare and execute an amendment to the declaration, including the floor plans, subdividing or converting that unit. The amendment to the declaration shall be executed by the unit owner and any holder of an interest as security for an obligation of the unit to be subdivided or converted, assign an identifying number to each unit created, and reallocate the common element interest, votes in the association, and common expense liability formerly allocated to the subdivided unit to the units in accord with section 515.2-108.

(b) The unit owner shall deliver a certified copy of the recorded amendment to the association.

(c) In the case of a unit owned by a declarant, if a declarant converts part or all of a unit to common elements, the amendment to the declaration shall reallocate among the other units the common element interest, votes in the association, and common expense liability formerly allocated to the converted unit or portion thereof on the same basis used for the initial allocation thereof.

(d) If a holder of an interest as security for an obligation joins in the amendment pursuant to this section, the interest and remedies shall be deemed to apply to the units and the common element interests that result from the subdivision or conversion under this section. In the event of enforcement of any remedy, including foreclosure by advertisement, all instruments and notices

shall describe the subject property in terms of the amended description.

Sec. 515.2-116. [MINOR VARIATION IN BOUNDARIES.] The existing physical boundaries of a unit or of a unit reconstructed in substantial accordance with the floor plans are conclusively presumed to be its boundaries regardless of settling or lateral movement of the building.

Sec. 515.2-117. [USE FOR SALES PURPOSES.] If the declaration so provides and specifies the rights of a declarant with regard to their number, size, location and relocation, a declarant may maintain sales offices, management offices, and models in the condominium. Any sales office, management office, or model not designated a unit by the declaration is a common element, and if a declarant ceases to be a unit owner, he ceases to have any rights with regard thereto unless it is removed promptly from the condominium in accordance with a right to remove reserved in the declaration. Subject to any limitations in the declaration, a declarant may maintain signs on the common elements advertising the condominium.

Sec. 515.2-118. [EASEMENT TO FACILITATE COMPLETION, CONVERSION, AND EXPANSION.] Subject to the provisions of the declaration, a declarant has an easement through the common elements as may be reasonably necessary for the purpose of discharging a declarant's obligations or exercising special declarant rights, whether arising under sections 515.1-101 to 515.4-117 or reserved in the declaration.

Sec. 515.2-119. [AMENDMENT OF DECLARATION.] (a) Except in cases of amendments which may be executed by a declarant under sections 515.2-110(c) and (d), 515.2-111(a); the association under section 515.1-107(a); or certain unit owners under sections 515.2-114, 515.2-115, or 515.2-120(b), and except as limited by subsection (d), the declaration may be amended by the association only by a vote or written agreement of unit owners to which at least 67 percent of the votes in the association are allocated, and 67 percent of the first mortgagees of the units (each mortgagee having one vote per unit financed) or any larger or smaller majority the declaration specifies. The declaration may specify any percentage if all of the units are restricted exclusively to nonresidential use.

(b) Every amendment to the declaration shall be recorded in every county in which any portion of the condominium is located, and is effective only when recorded.

(c) Except to the extent expressly permitted or required by other provisions of sections 515.1-101 to 515.4-117, no amendment may create or increase special declarant rights, increase the number of units, convert common elements to limited common elements, or change the boundaries of any unit, the common element interest, common expense liability, or voting strength in the association allocated to a unit, or the uses to which any unit is restricted, in the absence of unanimous written agreement of the

unit owners and holders of an interest as security for an obligation.

(d) Limited common elements shall not be altered without the written agreement of the unit owners and holders of an interest to secure an obligation of the units to which the limited common elements are allocated.

(e) An affidavit of the secretary of the association stating that the votes or agreements required by this section have occurred, shall be attached to the amendment and shall constitute prima facie evidence of the representations contained therein.

Sec. 515.2-120. [TERMINATION OF CONDOMINIUM.] (a) Except in the case of a taking of all the units by eminent domain (section 515.1-107), a condominium may be terminated only by agreement of unit owners of units to which at least 80 percent of the votes in the association are allocated, and 80 percent of the first mortgagees of the units (each mortgagee having one vote per unit financed), or any larger percentage the declaration specifies. The declaration may specify a smaller percentage only if all of the units in the condominium are restricted exclusively to nonresidential uses.

(b) An agreement of unit owners and mortgagees to terminate a condominium must be evidenced by their execution of a termination agreement or ratification thereof. If, pursuant to a termination agreement, the real estate constituting the condominium is to be sold following termination, the termination agreement shall set forth the terms of the sale. A termination agreement and all ratifications thereof shall be effective upon recording in every county in which a portion of the condominium is situated.

(c) If the termination agreement provides that the real estate constituting the condominium is to be sold following termination, title to that real estate, upon termination, vests in the association as trustee for the holders of all interests in the units. The association as trustee thereafter has all powers necessary and appropriate to effect the sale. Until the sale has been concluded and the proceeds thereof distributed, the association continues in existence with all powers and responsibilities it had before termination whether under the declaration or otherwise. Unless the termination agreement otherwise provides, proceeds of the sale shall be paid to the association as trustee and shall be distributed to the unit owners and holders of an interest as security for an obligation as their interests may appear and according to the priority enjoyed prior to termination in proportion to the respective interests of unit owners as provided in subsection (f). Any interest as security for an obligation formerly affecting a unit shall constitute a claim against the proceeds in the amount existing at the time of termination plus interest and other amounts accrued until distribution. Except as otherwise specified in the termination agreement, as long as the association as trustee holds title to the real estate, each unit owner and his successors in interest have the right to use the real estate that formerly constituted the common elements and have an exclusive right to occupancy of the portion of the real estate that formerly constituted his unit and limited

common elements. During the period of such occupancy, each unit owner and his successors in interest remain liable for all assessments and other obligations imposed on unit owners by sections 515.1-101 to 515.4-117, the declaration, or the termination agreement.

(d) If the real estate constituting the condominium is not to be sold following termination, title to the real estate, upon termination, vests in the unit owners as tenants in common in proportion to their respective interests as provided in subsection (f). Any interests held as security for an obligation and the respective instruments formerly affecting a unit shall be deemed to be an interest affecting the resulting undivided interest in the same manner as they formerly affected the unit. As long as the tenancy in common exists, each unit owner and his successors in interest have an exclusive right to occupancy of the portion of the real estate that formerly constituted his unit and limited common elements. Unless the termination agreement otherwise provides during the period of tenancy in common, the cotenants and the association shall have the rights and obligations under sections 515.1-101 to 515.4-117, the declaration and bylaws and the termination agreement.

(e) Following termination of the condominium, and after payment of or provision for the claims of the association's creditors, the assets of the association shall be distributed to unit owners and holders of an interest as security for an obligation in proportion to their respective interests as provided in subsection (f). The proceeds of sale described in subsection (c) and held by the association as trustee are not assets of the association.

(f) The respective interests of unit owners referred to in subsections (c), (d), and (e) are as follows:

(1) except as provided in paragraph (2), the respective interests of unit owners are the fair market values of their units, limited common elements, and common element interests immediately before the termination, as determined by one or more independent appraisers selected by the association. The decision of the independent appraisers shall be delivered in the manner provided in section 515.1-115 addressed to the "Occupant Entitled to Legal Notice" at each unit and the first mortgagee of each unit at its last known address and becomes final unless disapproved within 30 days after delivery by unit owners of units to which 25 percent of the votes in the association are allocated or by 25 percent of the first mortgagees, each mortgagee having one vote per unit financed. The proportion of any unit owner's interest to that of all unit owners is determined by dividing the fair market value of his interest by the total fair market values of the interests of all unit owners.

(2) if any unit is destroyed to the extent that an appraisal of the fair market value thereof prior to destruction cannot be made and there is not satisfactory evidence to afford such an appraisal, the interests of all unit owners are their respective common element interests immediately before the termination.

Sec. 515.2-121. [RIGHTS OF HOLDERS OF AN INTEREST AS SECURITY FOR AN OBLIGATION.] (a) Nothing in sections 515.1-101 to 515.4-117 unless expressly stated diminishes the rights of holders of an interest as security for an obligation or prevents the declaration from requiring that all of a specified number or percentage of holders of an interest as security for an obligation affecting the units approve specified actions of the unit owners or the association as a condition to the effectiveness of those actions, but no requirement for approval may operate to (1) deny or delegate control over the general administrative affairs of the association by the unit owners, or (2) prevent the association from commencing, intervening in or settling any litigation or proceeding, or receiving and distributing any insurance proceeds pursuant to section 515.3-112.

(b) Foreclosure or enforcement of an interest as security for an obligation against the entire condominium does not of itself terminate the condominium. Foreclosure or enforcement of an interest as security for an obligation against a portion of the condominium without redemption withdraws that portion from the condominium unless (i) the interest is recorded subsequent to the recording of the declaration or is otherwise subordinate to the declaration, or (ii) the holder or his predecessor has issued a release or deed for a unit.

ARTICLE III

MANAGEMENT OF THE CONDOMINIUM

Section 515.3-101. [ORGANIZATION OF UNIT OWNERS ASSOCIATION.] A unit owners association shall be organized no later than the date the condominium is created. The membership of the association at all times shall consist exclusively of all the unit owners or, following termination of the condominium, of all former unit owners entitled to distributions of proceeds under section 515.2-120, or their heirs, successors, or assigns. The association shall be organized as a profit or nonprofit corporation.

Sec. 515.3-102. [POWERS OF UNIT OWNERS ASSOCIATION.] (a) Unless limited by the provisions of the declaration, the association may:

- (1) adopt and amend rules and regulations;
- (2) adopt and amend budgets for revenues, expenditures, and reserves and collect assessments for common expenses from unit owners;
- (3) hire and terminate managing agents and other employees, agents, and independent contractors;
- (4) institute, defend, or intervene in litigation or administrative proceedings in its own name on behalf of itself or two or more unit owners on matters affecting the condominium;
- (5) regulate the use, maintenance, repair, replacement and modification of common elements;

(6) cause improvements to be made as a part of the common elements;

(7) grant leases, licenses, and concessions not to exceed one year and utility easements through or over the common elements; provided, however, that after conveyance to owners other than the declarant or affiliate of a declarant of units to which more than 50 percent of the voting power is allocated, the association may by resolution of a meeting of the members duly called grant leases, licenses, and concessions in excess of one year and easements through or over the common elements;

(8) impose and receive any payments, fees, or charges for the use, rental, or operation of the common elements other than limited common elements described in section 515.2-102(2) and (4);

(9) impose reasonable charges including reasonable costs and attorneys' fees, for the evaluation, preparation and recordation of amendments to the declaration, resale certificates required by section 515.4-107, or statements of unpaid assessments;

(10) provide for the indemnification of its officers and board and maintain directors' and officers' liability insurance;

(11) impose charges for late payment of assessments and, after notice and an opportunity to be heard, levy reasonable fines for violations of the declaration, bylaws, and rules and regulations of the association;

(12) exercise any other powers conferred by state law, the declaration, or bylaws.

(b) Notwithstanding subsection (a), the declaration may not impose limitations on the power of the association to deal with the declarant that are more restrictive than the limitations imposed on the power of the association to deal with other persons.

Sec. 515.3-103. [BOARD OF DIRECTORS, MEMBERS AND OFFICERS.] (a) The declaration may provide for a period of declarant control of the association, during which period a declarant, or persons designated by him, may elect the members of the board of directors. Any period of declarant control extends from the date of the first conveyance of a unit to a unit owner other than a declarant for a period not exceeding five years in the case of a flexible condominium or three years in the case of any other condominium. Regardless of the period provided in the declaration, a period of declarant control terminates upon surrender of control by the declarant or no later than 60 days after conveyance of 75 percent of the units to unit owners other than a declarant.

(b) Not later than 60 days after conveyance of 50 percent of the units to unit owners other than a declarant not less than 33 $\frac{1}{3}$ percent of all of the members of the board of directors shall be elected by unit owners other than the declarant.

(c) Not later than the termination of the period of declarant control and thereafter the unit owners shall elect a board of di-

rectors of at least three members, at least a majority of whom shall be unit owners or the individual nominees of unit owners other than individuals. The board of directors shall elect the officers. The persons elected shall take office upon election.

(d) In determining whether the period of declarant control has terminated under subsection (a), or whether unit owners other than a declarant are entitled to elect members of the board of directors under subsection (b), the percentage of the units which has been conveyed is presumed to be that percentage which would have been conveyed if all the units which the declarant has built or reserved the right to build in the declaration were included in the condominium.

Sec. 515.3-104. [TRANSFER OF SPECIAL DECLARANT RIGHTS.] (a) No special declarant rights (section 515.1-103(18)) created or reserved under sections 515.1-101 to 515.4-117 may be transferred except by an instrument evidencing the transfer recorded in every county where any portion of the condominium is located. The instrument shall be recordable and is not effective unless executed by the transferor and transferee. If additional real estate is transferred by the declarant, the transferee shall be deemed to receive all special declarant rights with respect thereto and shall be subject to any obligations imposed by the declaration respecting the additional real estate so transferred.

(b) Upon transfer of any special declarant right, the liability of a transferor declarant is as follows:

(1) a transferor is not relieved of any obligation or liability which arose before the transfer, and remains liable for warranty obligations imposed on him by sections 515.1-101 to 515.4-117. Lack of privity does not deprive any unit owner of standing to bring an action to enforce any obligation of the transferor;

(2) if a transferor retains any special declarant right, or if a successor to any special declarant right is an affiliate of a declarant (section 515.1-103(2)), the transferor is subject to liability for all obligations and liabilities imposed on a declarant by sections 515.1-101 to 515.4-117 or by the declaration arising after the transfer and is jointly and severally liable with the successor for the liabilities and obligations of the successor which relate to the condominium; and

(3) a transferor who retains no special declarant right has no liability for any act or omission or any breach of a contractual or warranty obligation arising from the exercise of a special declarant right by a successor declarant who is not an affiliate of the transferor.

(c) In case of foreclosure of a mortgage or cancellation of a contract for deed or sale under the bankruptcy act or receivership proceeding or the foreclosure of any other item against any unit owned by a declarant in the condominium, a person first acquiring title to all the units being cancelled, foreclosed or sold, succeeds to all then existing special declarant rights except the special de-

clarant rights with respect to additional real estate, unless the mortgage or other instrument or proceeding also covers additional real estate.

(d) The liabilities and obligations of persons who succeed to special declarant rights are as follows:

(1) A successor to any special declarant right who is an affiliate of a declarant is subject to all the obligations and liabilities imposed on any declarant by sections 515.1-101 to 515.4-117 or by the declaration.

(2) A successor to any special declarant right, other than a successor described in paragraphs (3) or (4) of this subsection, who is not an affiliate of a declarant, is subject to all obligations and liabilities imposed on a declarant by sections 515.1-101 to 515.4-117 of the declaration, except that he is not subject to liability for misrepresentations of warranty obligations on improvements made by any previous declarant, or made before the condominium was created, or for a breach of fiduciary obligation by any previous declarant.

(3) A successor to only a right reserved in the declaration to maintain models, sales offices, and signs (section 515.2-117), if he is not an affiliate of a declarant, may not exercise any other special declarant right, and is not subject to any liability or obligation as a declarant, except the obligation to provide a disclosure statement and any liability arising as a result thereof.

(4) A successor to all special declarant rights, who is not an affiliate of a declarant and who succeeded to those rights pursuant to a deed in lieu of foreclosure or by reason of subsection (c), may declare his intention in a recorded instrument to hold those rights solely for transfer to another person. Thereafter, until transferring all special declarant rights to any person acquiring title to any unit owned by the successor, or until recording an instrument permitting exercise of all those rights, that successor may not exercise any of those rights other than the right to control the board of directors in accordance with the provisions of section 515.3-103 for the duration of any period of declarant control, and any attempted exercise of those rights is void. So long as any successor declarant may not exercise special declarant rights under this subsection, he is not subject to any liability or obligation as a declarant other than liability for his acts and omissions under section 515.3-103.

(e) Nothing in this section subjects any successor to a special declarant right to any claims against or other obligations of a transferor declarant, other than claims and obligations arising under sections 515.1-101 to 515.4-117 or the declaration.

Sec. 515.3-105. [TERMINATION OF CONTRACTS AND LEASES OF DECLARANT.] If entered into prior to expiration of the period of declarant control pursuant to section 515.3-103, (1) any management contract, employment contract, or lease of recreational or parking areas or facilities, (2) any other contract

or lease binding the association or any unit owner other than the declarant or an affiliate of the declarant to which a declarant or an affiliate of a declarant is a party, or (3) any contract or lease binding the association or any unit owner other than the declarant or an affiliate of the declarant which is not bona fide or which was unconscionable to the unit owners at the time entered into under the circumstances then prevailing, may be terminated without penalty by the association at any time after the expiration of declarant control upon not less than 90 days' notice to the other party. This section does not apply to any lease the termination of which would terminate the condominium.

Sec. 515.3-106. [BYLAWS.] The bylaws and any amendments thereto must be recorded to be effective and shall provide:

(a) The meeting of the members shall be held at least once each year and shall specify an officer who shall, at least 21 days in advance of any annual or regularly scheduled meeting and at least seven days in advance of any other meeting, send to each unit owner notice of the time, place and complete agenda of the meeting. The notice shall be hand delivered or sent by United States mail to all unit owners of record at the address of the respective units and to other addresses as any of them may have designated to the officer.

(b) No vote in the association of unit owners shall be deemed to inure to any unit during the time when the unit owner is the association.

(c) For a mechanism to resolve disputes regarding voting among more than one unit owner of a unit in such a way that the vote allocated to the unit is not split or otherwise cast separately by the several unit owners.

(d) An annual report be prepared by the association and a copy of the report be provided to each unit owner and the report contain a minimum of the following:

(1) A statement of any capital expenditures in excess of two percent of the current budget or \$5,000 whichever is the greater anticipated by the association during the current year or succeeding two fiscal years.

(2) A statement of the status and amount of any reserve or replacement fund and portion of the fund designated for any specified project by the board of directors.

(3) A copy of the statement of financial condition for the association for the last fiscal year.

(4) A statement of the status of any pending suits or judgments to which the association is a party.

(5) A statement of the insurance coverage provided by the association.

(6) A statement of any unpaid assessments by the association on individual units identifying the unit number and the amount of the unpaid assessment.

Sec. 515.3-107. [UPKEEP OF THE CONDOMINIUM.] Except to the extent otherwise provided by the declaration or section 515.3-112(d), the association is responsible for maintenance, repair, and replacement of the common elements and each unit owner is responsible for maintenance, repair, and replacement of his unit. Each unit owner shall afford to the association and the other unit owners, and to their agents or employees, access through his unit reasonably necessary for those purposes.

If damage is inflicted on the common elements or any unit through which access is taken, the unit owner responsible for the damage, or the association if it is responsible, is liable for the prompt repair thereof.

Sec. 515.3-108. [RESERVED.]

Sec. 515.3-109. [RESERVED.]

Sec. 515.3-110. [RESERVED.]

Sec. 515.3-111. [TORT AND CONTRACT LIABILITY.] (a) If a tort or breach of contract occurred during any period of declarant control (section 515.3-103), the declarant shall indemnify the association for all liability incurred by the association as a result of that tort or breach of contract, including legal fees. Any statute of limitation affecting the association's right of action under this section is tolled until the period of declarant control terminates.

(b) No unit owner shall have tort liability arising out of his ownership of the common elements provided that the association has liability insurance coverage on the occurrence in an amount not less than \$1,000,000.

Sec. 515.3-112. [INSURANCE.] (a) Commencing not later than the time of the first conveyance of a unit to a unit owner other than a declarant, the association shall maintain, to the extent reasonably available:

(1) Property insurance on the common elements and units, exclusive of land, excavations, foundations, and other items normally excluded from property policies, insuring against all risks of direct physical loss. The total amount of insurance after application of any deductibles shall not be less than 80 percent of the full insurable replacement cost of the insured property. The association or its authorized agent may enter a unit at reasonable times upon reasonable notice for the purpose of making appraisals for insurance purposes.

(2) Comprehensive general liability insurance, in an amount determined by the board of directors but not less than any amount specified in the declaration, covering all occurrences commonly insured against for death, bodily injury, and property damage arising out of or in connection with the use, ownership, or maintenance of the common elements.

(b) If the insurance described in subsection (a) is not maintained, the association shall immediately cause notice of that fact

to be sent postage prepaid by United States mail to all unit owners at their respective units and other addresses provided to the association. The declaration may require the association to carry any other insurance, and the association in any event may carry any other insurance it deems appropriate to protect the association or the unit owners.

(c) Insurance policies carried pursuant to subsection (a) shall provide that:

(1) Each unit owner and holder of a vendor's interest in a contract for deed is an insured person under the policy with respect to liability arising out of his ownership of an undivided interest in the common elements;

(2) The insurer waives its right to subrogation under the policy against any unit owner of the condominium or members of his household and against the association and members of the board of directors;

(3) No act or omission by any unit owner or holder of an interest as security for an obligation, unless acting within the scope of his authority on behalf of the association, shall void the policy or be a condition to recovery under the policy; and

(4) If, at the time of a loss under the policy, there is other insurance in the name of a unit owner covering the same property covered by the policy, the policy is primary insurance not contributing with the other insurance.

(d) Any loss covered by the property policy under subsection (a) (1) shall be adjusted with the association, but the insurance proceeds for that loss shall be payable to any insurance trustee designated for that purpose, or otherwise to the association. The insurance trustee or the association shall hold any insurance proceeds in trust for unit owners and holders of an interest as security for an obligation as their interests may appear. The proceeds shall be disbursed first for the repair or restoration of the damaged common elements and units, and unit owners and holders of an interest as security for an obligation are not entitled to receive payment of any portion of the proceeds unless there is a surplus of proceeds after the common elements and units have been completely repaired or restored, or the condominium is terminated.

(e) An insurance policy issued to the association does not prevent a unit owner from obtaining insurance for his own benefit.

(f) An insurer that has issued an insurance policy under this section shall issue certificates or memoranda of insurance, upon request, to any unit owner, or holder of an interest as security for an obligation. The insurance may not be cancelled until 30 days after notice of the proposed cancellation has been mailed to the association and to each unit owner and holder of an interest as security for an obligation to whom certificates of insurance have been issued.

(g) Any portion of the condominium damaged or destroyed

shall be promptly repaired or replaced by the association unless (1) the condominium is terminated and the association votes not to repair or replace all or part thereof, (2) repair or replacement would be illegal under any state or local health or safety statute or ordinance, or (3) 80 percent of the unit owners, including every owner and first mortgagee of a unit or assigned limited common element which will not be rebuilt, vote not to rebuild. The cost of repair or replacement of a unit or the common area in excess of insurance proceeds and reserves shall be a common expense. If less than the entire condominium is repaired or replaced, (1) the insurance proceeds attributable to the damaged common elements shall be used to restore the damaged area to a condition compatible with the remainder of the condominium, (2) the insurance proceeds attributable to units and limited common elements which are not rebuilt shall be distributed to the owners of those units and the holders of an interest as security for an obligation of those units and the owners and holders of an interest as security for an obligation of the units to which those limited common elements were assigned, as their interests may appear, and (3) the remainder of the proceeds shall be distributed to all the unit owners and holders of an interest as security for an obligation as their interests may appear in proportion to their common element interest. In the event the unit owners vote not to rebuild a unit, that unit's entire common element interest, votes in the association, and common expense liability are automatically reallocated upon the vote as if the unit had been condemned under section 515.1-107(a), and the association shall promptly prepare, execute and record an amendment to the declaration reflecting the reallocations. Notwithstanding the provisions of this subsection, if the condominium is terminated, insurance proceeds not used for repair or replacement shall be distributed in the same manner as sales proceeds pursuant to section 515.2-120.

(h) The provisions of this section may be varied or waived in the case of a condominium all of the units of which are restricted to nonresidential use.

Sec. 515.3-113. [SURPLUS FUNDS.] Unless otherwise provided in the declaration, any surplus funds of the association remaining after payment of or provision for common expenses and any prepayment of reserves shall be credited to the unit owners to reduce their future common expense assessments.

Sec. 515.3-114. [ASSESSMENTS FOR COMMON EXPENSES.] (a) Until the association levies a common expense assessment, the declarant shall pay all accrued expenses of the condominium. After any assessment has been levied by the association, assessments shall be levied at least annually and shall be based on a budget adopted at least annually by the association.

(b) Except for assessments under subsections (c) and (d), common expenses shall be assessed against all the units in accordance with the common expense liability allocated to each unit (section 515.2-108). Any past due assessment or installment thereof shall bear interest at the rate established by the association not exceeding the rate of interest provided in section 549.09.

(c) Except as provided by the declaration any common expense associated with the maintenance, repair, or replacement of a limited common element shall be assessed against the unit or in equal shares against the units to which that limited common element was assigned at the time the expense was incurred.

(d) If the declaration so provides, the association may assess any common expense benefiting less than all of the units against the units benefited. In that case the common expense shall be allocated among units benefited in proportion to their common expense liability.

Sec. 515.3-115. [LIEN FOR ASSESSMENTS.] (a) The association has a lien on a unit for any assessment levied against that unit from the time the assessment becomes payable. The association's lien may be foreclosed as provided by the laws of this state as if it were a lien under a mortgage containing a power of sale. The rights of the parties shall be the same as those provided by law except that the period of redemption for unit owners shall be six months from the date of sale. Unless the declaration otherwise provides, fees, charges, late charges, and interest charges pursuant to section 515.3-102(8), (9) and (12) are enforceable as assessments under this section.

(b) A lien under this section is prior to all other liens and encumbrances on a unit except (1) liens and encumbrances recorded before the recordation of the declaration, (2) any recorded mortgage on the unit securing a first mortgage holder, and (3) liens for real estate taxes and other governmental assessments or charges against the unit. This subsection does not affect the priority of mechanics' or materialmen's liens.

(c) Recording of the declaration constitutes record notice and perfection of the lien, and no further recordation of any claim of lien for assessment under this section is required.

(d) Proceedings to enforce an assessment must be instituted within three years after the last installment of the assessment becomes payable.

(e) Unit owners at the time an assessment is payable are personally liable to the association for payment of the assessments.

(f) A foreclosure sale, judgment or decree in any action, proceeding or suit brought under this section shall include costs and reasonable attorney's fees for the prevailing party.

(g) The association shall furnish to a unit owner or his authorized agent upon written request of the unit owner or his authorized agent a recordable statement setting forth the amount of unpaid assessments currently levied against his unit. The statement shall be furnished within ten business days after receipt of the request and is binding on the association and every unit owner.

Sec. 515.3-116. [ASSOCIATION RECORDS.] The association shall keep financial records sufficiently detailed to enable

the association to comply with section 515.4-107. All financial records shall be made reasonably available for examination by any unit owner and his authorized agents.

Sec. 515.3-117. [ASSOCIATION AS TRUSTEE.] With respect to a third person dealing with the association in the association's capacity as a trustee, the existence of trust powers and their proper exercise by the association may be assumed without inquiry. A third person is not bound to inquire whether the association has power to act as trustee or is properly exercising trust powers and a third person, without actual knowledge that the association is exceeding its powers or improperly exercising them, is fully protected in dealing with the association as if it possessed and properly exercised the powers it purports to exercise. A third person is not bound to assure the proper application of trust assets paid or delivered to the association in its capacity as trustee.

ARTICLE IV

PROTECTION OF PURCHASES

Section 515.4-101. [APPLICABILITY; WAIVER.] (a) This article applies to all units subject to sections 515.1-101 to 515.4-117 except as provided in subsection (b) and section 515.4-113 or as modified or waived by agreement of purchasers of units in a condominium in which all units are restricted to nonresidential use.

(b) A disclosure statement need not be prepared in case of:

- (1) a gratuitous transfer of a unit;
- (2) a disposition pursuant to court order;
- (3) a disposition by a government or governmental agency;
- (4) a disposition by foreclosure or deed in lieu of foreclosure and subsequent disposition by the purchaser at mortgage foreclosure sale, or grantee in the deed in lieu of foreclosure;
- (5) a transfer to which section 515.4-107 (Resales of Units) applies.

Sec. 515.4-102. [DISCLOSURE STATEMENT; GENERAL PROVISIONS.] A disclosure statement shall fully disclose:

- (a) The name and principal address of the declarant and the address and the name, if any, and number, if available, of the condominium;
- (b) A general description of the condominium; including without limitation the types and number of all buildings, units and amenities, and declarant's schedule of commencement and completion of construction thereof;
- (c) The total number of additional units that may be included in the condominium and whether the declarant intends to rent or market blocks of units to investors;
- (d) A copy of the declaration other than the floor plans, floor

plans for the particular unit, bylaws, articles of incorporation, rules and regulations, and any contracts and leases to which the unit owners or association will be subject and which may not be cancelled upon 30 days notice by the association;

(e) Any current balance sheet and a projected budget for the association for the first full or partial year during which a unit is conveyed to a unit owner other than a declarant and any projected budget for future years which the association has adopted, and a statement of who prepared the balance sheet, projected budget or budget. The budget or projected budget shall include, without limitation:

(1) a statement of the amount, or a statement that there is no amount, included in the budget as a reserve for repairs and replacement;

(2) a statement of any other reserves;

(3) the projected common expense assessment by category of expenditures for the association;

(4) the projected monthly common expense assessment for each type of unit;

(f) Any supplies and services not reflected in the budget or projected budget which the declarant provides, or expenses which he pays, and which he expects may become at any subsequent time a common expense of the association and the projected common expense assessment attributable to each of those services or expenses for the association and for each type of unit;

(g) Any initial or special fee due from the purchaser to the declarant or the association at closing, together with a description of the purpose and method of calculating the fee;

(h) A description of any liens, defects, or encumbrances on or affecting the title to the condominium after the contemplated conveyance;

(i) A description of any financing offered by the declarant;

(j) The terms of any warranties provided by the declarant, including the warranties set forth in sections 515.4-111 and 515.4-112, and limitations imposed by the declarant on the enforcement thereof;

(k) A statement that:

(1) within 15 days after receipt of a disclosure statement, a purchaser may, prior to conveyance, cancel any purchase agreement of a unit from a declarant;

(2) if a declarant fails to provide a disclosure statement to a purchaser before conveying a unit, that purchaser may recover from the declarant an amount not to exceed five percent of the sales price of the unit, and

(3) if a purchaser received the disclosure statement more than

15 days before he signs a purchase agreement, he cannot cancel the agreement;

(l) A statement disclosing, to the extent of the actual knowledge of the declarant or an affiliate of the declarant after reasonable inquiry, any judgments against the association, the status of any pending suits to which the association is a party, and the status of any pending suits material to the condominium;

(m) A statement that any earnest money paid in connection with the purchase of a unit will be held in an escrow account until closing and will be returned to the purchaser if the purchaser cancels the purchase agreement pursuant to section 515.4-106;

(n) A description of the insurance coverage to be provided for the benefit of unit owners;

(o) Any current or expected fees or charges to be paid by unit owners for the use of the common elements and other facilities related to the condominium; and

(p) Whether financial arrangements have been provided for completion of all improvements labeled "MUST BE BUILT" pursuant to section 515.4-117 (Declarant's Obligation to Complete and Restore).

Sec. 515.4-103. [RESERVED.]

Sec. 515.4-104. [SAME; CONVERSION CONDOMINIUMS.] The disclosure statement of a conversion condominium the units of which may be used for residential purposes shall contain, in addition to the information required by section 515.4-102:

(a) A professional opinion prepared by an architect licensed in this state or a registered professional engineer licensed in this state, describing the present condition of all structural components and mechanical and electrical installations material to the use and enjoyment of the condominium to the extent reasonably ascertainable without disturbing the improvements or dismantling the equipment;

(b) A statement by the declarant of the expected useful life of each item reported on in subsection (a) or a statement that no representations are made in this regard;

(c) A list of any outstanding notices of uncured violations of building code or other municipal regulations, which will be outstanding at the time of the first conveyance of a unit, together with the estimated cost of curing those violations.

Sec. 515.4-105. [RESERVED.]

Sec. 515.4-106. [PURCHASER'S RIGHT TO CANCEL.] (a) Unless delivery of a disclosure statement is not required under section 515.4-101(b), a declarant shall provide at least one of the purchasers of a unit with a copy of a disclosure statement not later than the date of any purchase agreement. Unless a purchaser is given the disclosure statement more than 15 days prior to execu-

tion of a purchase agreement for the unit, the purchaser may, prior to the conveyance, cancel the agreement within 15 days after receiving the disclosure statement.

If the conveyance occurs within 15 days after the date of the execution of the purchase agreement by the purchaser, any purchaser may waive in writing all rights to receive a disclosure statement under this section.

(b) If a purchaser elects to cancel a purchase agreement pursuant to subsection (a), he may do so by hand delivering notice thereof to the declarant or by mailing notice thereof by postage prepaid United States mail to the declarant or to his agent for service of process. Cancellation is without penalty, and all payments made by the purchaser pursuant to the purchase agreement shall be refunded promptly.

(c) If a declarant fails to provide a purchaser to whom a unit is conveyed with a disclosure statement and all amendments thereto as required by subsections (a) and (d), that purchaser, in addition to any rights to damages or other relief, is entitled to receive from the declarant an amount not to exceed five percent of the sales price of the unit.

(d) The disclosure statement and any information furnished in connection therewith may be amended prior to conveyance if the amendment is delivered to the purchaser to whom the disclosure statement was delivered. If the amendment materially adversely affects a purchaser, then the purchaser shall have 15 days after delivery of the amendment to cancel the purchase agreement in accordance with this section.

Sec. 515.4-107. [RESALES OF UNITS.] (a) In the event of a resale of a unit by a unit owner other than a declarant, the unit owner shall furnish to a purchaser before execution of any purchase agreement for a unit, or otherwise before conveyance, a copy of the declaration, other than the floor plans, the bylaws, the rules and regulations of the association, and any amendments thereto, and a certificate dated not more than 90 days prior to the date of the purchase agreement or otherwise before conveyance, containing:

(1) a statement disclosing any right of first refusal or other restraint on the free alienability of the unit contained in the declaration, bylaws, rules and regulations, or any amendment thereof;

(2) a statement setting forth the amount of periodic installments of common expense assessments and special assessments and any unpaid common expense or special assessment currently payable;

(3) a statement of any other fees payable by unit owners;

(4) a statement of any capital expenditures approved by the association for the current and next succeeding two fiscal years;

(5) a statement that a copy of the floor plans and any amend-

ments thereof are available in the office of the association for inspection;

(6) a statement of the amount of any reserves for capital expenditures and of any portions of those reserves designated by the association for any specified projects;

(7) the most recent regularly prepared balance sheet and income and expense statement, if any, of the association;

(8) the current budget of the association;

(9) a statement of any judgments against the association and the status of any pending suits to which the association is a party;

(10) a statement describing any insurance coverage provided for the benefit of unit owners.

(b) The association shall, within seven days after a request by a unit owner or his authorized agent, furnish a certificate containing the information necessary to enable the unit owner to comply with this section. A unit owner without actual knowledge providing a certificate pursuant to subsection (a) shall have no liability to the purchaser for any erroneous information provided by the association and included in the certificate.

(c) A purchaser is not liable for any unpaid assessment or fee existing as of the date of the certificate greater than the amount set forth in the certificate prepared by the association. A unit owner is not responsible to a purchaser for the failure or delay of the association to provide the certificate in a timely manner.

Sec. 515.4-1075. [PURCHASER'S RIGHT TO CANCEL.] (a) The information required to be delivered by section 515.4-107 shall be delivered to a purchaser not later than the date of any purchase agreement. Unless a purchaser is given the information more than 15 days prior to the execution of the purchase agreement for the unit the purchaser may, prior to the conveyance, cancel the agreement within 15 days after receiving the information.

(b) If a purchaser elects to cancel a purchase agreement pursuant to subsection (a), he may do so by hand delivering notice thereof to the seller or his agent or by mailing notice thereof by postage prepaid United States mail to the seller or his agent. Cancellation is without penalty and all payments made by the purchaser shall be refunded promptly.

Sec. 515.4-108. [ESCROW OF DEPOSITS.] Any earnest money paid in connection with the purchase or reservation of a unit from a declarant shall be escrowed and held in this state in an account, savings deposit or certificate of deposit designated solely for that purpose in an institution whose accounts are insured by a governmental agency or instrumentality until (1) delivered to the declarant at closing; (2) delivered to the declarant because of purchaser's default under the purchase agreement or reservation; or (3) delivered to the purchaser.

Sec. 515.4-109. [RELEASE OF INTERESTS AS SECURITY FOR AN OBLIGATION.] (a) Before conveying a unit to a purchaser other than a declarant, the seller shall furnish to the purchaser releases for that unit and its common element interest of all interests as security for an obligation affecting more real estate than that unit and its common element interest, or if the purchaser expressly agrees, a policy of title insurance insuring against loss or damage by reason of such interests. Failure to furnish the releases does not of itself invalidate the lien or the conveyance. This subsection does not apply to conveyance of all of the units in the condominium or to deeds in lieu of foreclosure.

(b) Whether perfected before or after creation of the condominium, if a lien other than a mortgage, including a lien attributable to work performed or materials supplied before creation of the condominium, becomes effective against two or more units, the unit owner of such a unit may pay to the lienholder the amount of the lien attributable to his unit, and the lienholder, upon receipt of payment, shall promptly deliver a release of the lien covering that unit and its common element interest. The amount of the payment shall be proportionate to the ratio which that unit owner's common expense liability bears to the common expense liabilities of all unit owners whose units are subject to the lien. After payment, the association may not assess or have a lien against that unit owner's unit for any portion of the common expenses incurred in connection with that lien.

(c) Labor performed or materials furnished for the common elements, if duly authorized by the association, shall be deemed to be performed or furnished with the express consent of each unit owner and shall be the basis for the filing of a lien pursuant to the lien law against each of the units and shall be subject to the provisions of subsection (b) of this section.

Sec. 515.4-110. [CONVERSION CONDOMINIUMS.] (a) A declarant of a conversion condominium shall give each of the tenants and any subtenant in possession of buildings subject to sections 515.1-101 to 515.4-117 notice of the conversion or the intent to convert no later than 120 days before the declarant will require them to vacate. The notice shall set forth generally the rights conferred by this section and shall have attached thereto a form of purchase agreement setting forth the terms of sale contemplated by subsection (b) and a statement of any significant restrictions on the use and occupancy of the unit to be imposed by the declarant and shall be hand delivered or mailed by postage prepaid United States mail to the tenant and subtenant at the address of the unit. The notice shall further state that the tenants or subtenants in possession of a residential unit may demand to be given 60 additional days before being required to vacate, if any of them, or any person residing with them, is 62 years of age or older, handicapped as defined in Minnesota Statutes 129A.01, or a minor child on the date the notice is given. This demand must be in writing, contain reasonable proof of qualification, and be given to the declarant within 30 days after the notice of condominium conversion is delivered or mailed. The notice

shall be contained in an envelope upon which the following words shall be boldly printed: "Notice of Condominium Conversion". No tenant or subtenant may be required by the declarant to vacate upon less than 120 days notice, except by reason of nonpayment of rent, waste, or conduct which disturbs other tenants' peaceful enjoyment of the premises, and the terms of the tenancy may not be altered during that period, except that a tenant or subtenant in possession of a residential unit may vacate upon 30 days' written notice to the declarant. Nothing in this section prevents the declarant and the tenant or subtenant in possession of the unit from agreeing to an extension of the tenancy on a month to month basis beyond the 120-day notice period. No repair work or remodeling may be commenced or undertaken in the occupied units or common areas of the building during the notice period, unless reasonable precautions are taken to ensure the safety and security of the tenants or subtenants in possession of the premises. Failure of a declarant to give notice as required by this section constitutes a defense to an action for possession.

(b) For 60 days after delivery or mailing of the notice described in subsection (a), the holder of the lessee's interest for each unit on the date the notice is delivered or mailed shall have an option to purchase that unit on the terms set forth in the purchase agreement attached to the notice. The purchase agreement shall contain no terms or conditions preventing the purchase of the unit by the holder because of the age of the holder or of persons residing with the holder. If the holder fails to exercise the option during that 60 day period, the declarant may not offer to dispose of an interest in that unit during the following 180 days at a price or on terms more favorable to the offeree than the price or terms offered to the holder. This subsection does not apply to any unit in a conversion condominium if that unit will be restricted exclusively to nonresidential use or if the boundaries of the converted unit do not substantially conform to the dimensions of the residential unit before conversion.

(c) If a declarant, in violation of subsection (b), conveys a unit to a purchaser for value who has no knowledge of the violation, delivery of the deed conveying the unit extinguishes any right which a holder of a lessee's interest not in possession may have under subsection (b) to purchase that unit, but does not affect the right of the holder to recover damages from the declarant for a violation of subsection (b).

(d) Nothing in this section permits termination of a lease by a declarant in violation of its terms.

Sec. 515.4-111. [EXPRESS WARRANTIES.] (a) Express warranties made by a declarant or an affiliate of a declarant to a purchaser of a unit if reasonably relied upon by the purchaser, are created as follows:

(1) any affirmation of fact or promise which relates to the unit, its use, or rights appurtenant thereto, area improvements to the condominium that would directly benefit the unit, or the right to use or have the benefit of facilities not located in the condomin-

ium, creates an express warranty that the unit and related rights and uses will conform to the affirmation or promise;

(2) any model or description of the physical characteristics of the condominium, including plans and specifications of or for improvements, creates an express warranty that the condominium will conform to the model or description. A notice prominently displayed on a model or description shall prevent a purchaser from reasonably relying upon the model or description to the extent of the disclaimer set forth on the notice;

(3) any description of the quantity or extent of the real estate comprising the condominium, including plats or surveys, creates an express warranty that the condominium will conform to the description, subject to customary tolerance; and

(4) a provision that a buyer may put a unit only to specified use is an express warranty that the specified use is lawful.

(b) Neither formal words, such as "warranty" or "guarantee", nor a specific intention to make a warranty, are necessary to create an express warranty. A statement purporting to be merely an opinion or commendation of the real estate or its value does not create a warranty.

(c) Any conveyance of a unit transfers to the purchaser all express warranties made by a declarant or an affiliate of a declarant.

Sec. 515.4-112. [IMPLIED WARRANTIES.] (a) A declarant warrants to a purchaser that a unit will be in at least as good condition at the earlier of the time of the conveyance or delivery of possession as it was at the time of contracting, reasonable wear and tear excepted.

(b) A declarant warrants to a purchaser that a unit and the common elements in the condominium are structurally suitable for the ordinary uses of real estate of its type and that any improvements or repairs made or contracted for by him or made by any person in contemplation of the creation of the condominium, will be:

(1) free from defective materials; and

(2) constructed in accordance with applicable law, according to sound engineering and construction standards, and in a workmanlike manner.

(c) A declarant warrants to a purchaser of a unit which may be used for residential use that the residential use does not violate applicable law at the earlier of the time of conveyance or delivery of possession.

(d) Warranties imposed by this section may be excluded or modified as specified in section 515.4-113.

(e) For purposes of this section, improvements made or contracted for by an affiliate of a declarant (section 515.1-103(2)) are made or contracted for by the declarant.

(f) Any conveyance of a unit transfers to the purchaser all of any declarant's implied warranties.

Sec. 515.4-113. [EXCLUSION OR MODIFICATION OF IMPLIED WARRANTIES.] (a) Except as limited by subsection (b) implied warranties:

(1) may be excluded or modified by agreement of the parties; and

(2) are excluded by expression of disclaimer, such as "as is", "with all faults", or other language which in common understanding calls the buyer's attention to the exclusion of warranties.

(b) With respect to a purchaser of a unit which may be occupied for residential use, no general disclaimer of implied warranties is effective, but a declarant may disclaim liability in an instrument signed by the purchaser for a specified defect or specified failure to comply with applicable law, if the defect or failure entered into and became a part of the basis of the bargain.

Sec. 515.4-114. [STATUTE OF LIMITATIONS FOR WARRANTIES.] (a) A judicial proceeding for breach of any obligation arising under section 515.4-111 or 515.4-112 must be commenced within six years after the cause of action accrues, but the parties may reduce the period of limitation to not less than two years. With respect to a unit which may be occupied for residential use, an agreement to reduce the period of limitation shall be evidenced by a separate instrument executed by the purchaser.

(b) Subject to subsection (c), a cause of action under section 515.4-111 or 515.4-112, regardless of the purchaser's lack of knowledge of the breach, accrues:

(1) as to a unit, when the purchaser to whom the warranty is first made enters into possession after a conveyance of a possessory interest if a possessory interest is conveyed or otherwise at the time of acceptance of the instrument of conveyance if a non-possessory interest was conveyed; and

(2) as to each common element, the later of (i) the time the common element is completed, (ii) the time the first unit in the condominium is conveyed to a bona fide purchaser, or (iii) as to a common element within any additional real estate or portion thereof the time the first unit therein is conveyed to a bona fide purchaser.

(c) If a warranty under section 515.4-111 or 515.4-112 explicitly extends to future performance or duration of any improvement or component of the condominium, the cause of action accrues at the time the breach is discovered or at the end of the period for which the warranty explicitly extends, whichever is earlier.

Sec. 515.4-115. [EFFECT OF VIOLATIONS ON RIGHTS OF ACTION; ATTORNEYS' FEES.] If a declarant or any other person subject to sections 515.1-101 to 515.4-117 violates any provision thereof or any provision of the declaration or bylaws, any person or class of persons adversely affected by the violation has a

claim for appropriate relief. Punitive damages may be awarded in the case of a willful violation of sections 515.1-101 to 515.4-117. The court, in an appropriate case, may award reasonable attorneys' fees.

Sec. 515.4-116. [LABELING OF PROMOTIONAL MATERIAL.] If any improvement contemplated in a condominium is required by section 515.2-110(b)(3) to be labeled "NEED NOT BE BUILT" on the floor plan, no promotional material may be displayed or delivered to prospective purchasers which describes or depicts that improvement unless the description or depiction of the improvement is conspicuously labeled or identified as "NEED NOT BE BUILT".

Sec. 515.4-117. [DECLARANT'S OBLIGATION TO COMPLETE AND RESTORE.] (a) The declarant shall complete all improvements labeled "MUST BE BUILT" on the floor plans prepared pursuant to section 515.2-110.

(b) The declarant is subject to liability for the prompt repair and restoration to a condition compatible with the remainder of the condominium of any portion of the condominium affected by the exercise of rights reserved pursuant to or created by sections 515.2-111, 515.2-117, and 515.2-118.

Sec. 515.4-118. [REFERENCES.] When used in Articles I to IV, the term "this act" and similar terms refer to Articles I to IV.

ARTICLE V

1976 UNIFORM LIMITED PARTNERSHIP ACT"

Page 28, after line 10, insert

"Sec. 63. When used in Article V, the term "this act" and similar terms refer to Article V."

Delete the title and insert

"A bill for an act regulating certain joint economic activities; enacting the uniform condominium act and the 1976 uniform limited partnership act."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Jack Davies, Allan H. Spear, John Bernhagen

House Conferees: (Signed) Robert L. Ellingson, Lee Greenfield, Terry M. Dempsey

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on S. F. No. 133 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. 133 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 4, as follows:

Those who voted in the affirmative were:

Anderson	Gerty	Lessard	Penny	Strand
Ashbach	Gunderson	Luther	Perpich	Stumpf
Bang	Hanson	Menning	Pillsbury	Tennessen
Barrette	Hughes	Merriam	Purfeerat	Ulland, J.
Bernhagen	Humphrey	Moe	Renneke	Vega
Brataas	Jensen	Nelson	Schmitz	Wegener
Chmielewski	Johnson	Nichols	Setzepfandt	Willet
Davies	Kirchner	Ogdahl	Sikorski	
Dunn	Kleinbaum	Olhoff	Solon	
Engler	Knaak	Olson	Staples	
Frederick	Knoll	Omann	Stokowski	

Messrs. Laufenburger, Peterson, Rued and Stern voted in the negative.

So the bill, as amended by the Conference Committee, was re-passed and its title was agreed to.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that H. F. No. 797 be taken from the table. The motion prevailed.

H. F. No. 797: A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.

Mr. Sikorski moved to amend H. F. No. 797 as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 152.15, is amended by adding a subdivision to read:

Subd. 4a. Any person 18 years of age or over who violates section 152.09, subdivision 1, clause (2), by possessing on school premises a controlled substance listed on Schedules I or II which is a narcotic drug is punishable by a fine of up to twice that authorized by section 152.15, subdivision 2, clause (1), by a term of imprisonment of up to twice that authorized by section 152.15, subdivision 2, clause (1), or both. Any person 18 years of age or over who violates section 152.09, subdivision 1, clause (2), by possessing on school premises any other controlled substance listed on Schedules I, II, III, IV or V, except a small amount of marijuana, is punishable by a fine of up to twice that authorized by section 152.15, subdivision 2, clauses (2), (3), or (4), by a term of imprisonment up to twice that authorized by section 152.15, subdivision 2, clauses (2), (3), or (4), or both.

For the purposes of this subdivision, "school premises" means the premises of an elementary, middle, or secondary school, or secondary vocational center.

Sec. 2. Minnesota Statutes 1978, Section 260.015, Subdivision 5, is amended to read:

Subd. 5. "Delinquent child" means a child:

(a) Who has violated any state or local law or ordinance, except section 120.10 and those provisions described in section 260.015, subdivision 6, clause (g), and except as provided in section 260.193, subdivision 1; or

(b) Who has violated a federal law or a law of another state and whose case has been referred to the juvenile court; or

~~(c) Who is habitually truant from school; or~~

~~(d) Who is uncontrolled by his parent, guardian, or other custodian by reason of being wayward or habitually disobedient.~~

Sec. 3. Minnesota Statutes 1978, Section 260.015, Subdivision 6, is amended to read:

Subd. 6. "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

~~(e) Who is uncontrolled by his parent, guardian or other custodian by reason of being wayward or habitually disobedient; or~~

~~(f) Who is habitually truant from school; or~~

~~(g) Who has violated any of the provisions of sections 145.39; 340.035, subdivision 1; 340.731; or 609.685 .~~

Sec. 4. Minnesota Statutes 1978, Section 260.173, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding the provisions of subdivision 1, if the child had been taken into custody pursuant to section 260.165, subdivision 1, clause (a), or had been found in surroundings or conditions reasonably believed to endanger his health or welfare (c) (1) or (c) (2), and is not alleged to be delinquent, he may be detained only in a shelter care facility.

Sec. 5. Minnesota Statutes 1978, Section 260.173, Subdivision 3, is amended to read:

Subd. 3. If the child had been taken into custody and detained as one who is alleged to be delinquent by reason of:

(a) Being uncontrolled by his parent, guardian, or other custodian because of waywardness or habitual disobedience, or

(b) (a) Having committed an offense which would not constitute a violation of a state law or local ordinance if he were an adult; or

(c) (b) Having been previously adjudicated delinquent, or conditionally released by the juvenile court without adjudication of delinquency, has violated his probation, parole, or other field supervision under which he had been placed as a result of behavior described in this subdivision; he may be placed only in a shelter care facility.

Sec. 6. Minnesota Statutes 1978, Section 260.185, Subdivision 1, is amended to read:

260.185 [DISPOSITIONS; DELINQUENT CHILD.] Subdivision 1. 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 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 county welfare board; 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 ordinance which has resulted in damage to the property of another, the court may order the child to make reasonable restitution for such damage;

(f) 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.

(g) 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 eighteenth 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 eighteenth birthday, and the commissioner is hereby authorized to cancel such 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 so authorize.

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered, and 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 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 (e) or (d) made prior to, on, or after January 1, 1978.

Sec. 7. Minnesota Statutes 1978, Section 260.191, Subdivision 1. is amended to read:

260.191 [DISPOSITIONS; CHILDREN WHO ARE NEGLECTED, DEPENDENT, OR NEGLECTED AND IN FOSTER CARE.] Subdivision 1. 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 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 county welfare board; or

(3) A reputable individual of good moral character. No person

may receive custody of three or more unrelated children unless he is licensed as a residential facility pursuant to sections 245.781 to 245.813.

(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) Counsel the child or his parent, guardian or custodian.

Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition ordered, and shall 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 were not appropriate in the instant case."

Delete the title and insert:

"A bill for an act relating to criminal behavior; prescribing penalties for the possession of controlled substances on school premises; redefining "delinquent" and "dependent" children; providing for additional alternative dispositions for dependent children; amending Minnesota Statutes 1978, Sections 152.15, by adding a subdivision; 260.015, Subdivisions 5 and 6; 260.173, Subdivisions 2 and 3; 260.185, Subdivision 1; and 260.191, Subdivision 1."

The motion prevailed. So the amendment was adopted.

H. F. No. 797 was read the third time, as amended, and placed on its final passage.

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

The roll was called and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Laufenburger	Omann	Solon
Ashbach	Gunderson	Lessard	Penny	Staples
Bang	Hanson	Luther	Perpich	Stern
Barrette	Hughes	Menning	Peterson	Stokowski
Bernhagen	Humphrey	Merriam	Pillsbury	Strand
Brataas	Jensen	Moe	Purfeerst	Stumpf
Chmielewski	Johnson	Nelson	Renneke	Tennessee
Davies	Kirchner	Nichols	Rued	Ulland, J.
Dunn	Kleinbaum	Ogdahl	Setzepfandt	Vega
Engler	Knaak	Olhoft	Sieloff	Wegener
Frederick	Knoll	Olson	Sikorski	Willet

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

SPECIAL ORDER

Mr. Peterson moved that S. F. No. 2066, No. 4 on Special

Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

SPECIAL ORDER

H. F. No. 2268: A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.

Mr. Nichols moved to amend H. F. No. 2268, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2161.)

Page 4, after line 7, insert:

"Sec. 2. Minnesota Statutes 1978, Section 46.07, Subdivision 2, is amended to read:

Subd. 2. The commissioner shall divulge facts and information obtained in the course of examining financial institutions under his supervision only when and to the extent that he is required or permitted by law to report upon or take special action regarding the affairs of any such institution, or to testify in any criminal proceeding or in a court of justice, except that he may, in his discretion, furnish information as to matters of mutual interest to an official or examiner of the Federal Reserve System, the Federal Deposit Insurance Corporation, or of the National Credit Union Administration. The commissioner shall not be required to disclose the name of any debtor of any financial institution under his supervision, or anything relative to the private accounts, ownership, or transactions of any such institution, or any fact obtained in the course of any examination thereof, except as herein provided."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "certain" insert "banks and"

Page 1, line 6, delete "Section" and insert "Sections 46.07, Subdivision 2; and"

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate for the balance of the proceedings on H. F. No. 2268. The following Senators answered to their names:

Anderson	Gunderson	Merriam	Purfeerst	Strand
Bang	Hanson	Moe	Renneke	Stumpf
Barrette	Hughes	Nelson	Rued	Tennesen
Bernhagen	Humphrey	Nichols	Schmitz	Ulland, J.
Brataas	Johnson	Ogdahl	Setzepfandt	Vega
Chmielewski	Kirchner	Olson	Sieloff	Wegener
Davies	Kleinbaum	Omann	Sikorski	Willet
Dunn	Knaak	Penny	Solon	
Engler	Knoll	Perpich	Staples	
Frederick	Luther	Peterson	Stern	
Gearty	Menning	Pillsbury	Stokowski	

The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the Nichols amendment.

The roll was called, and there were yeas 17 and nays 34, as follows:

Those who voted in the affirmative were:

Davies	Lessard	Nelson	Sikorski	Willet
Gearty	Luther	Nichols	Stern	
Hanson	Menning	Perpich	Stumpf	
Johnson	Moe	Peterson	Vega	

Those who voted in the negative were:

Ashbach	Engler	Kleinbaum	Omann	Setzepfandt
Bang	Frederick	Knaak	Penny	Sieloff
Barrette	Gunderson	Laufenburger	Pillsbury	Solon
Bernhagen	Hughes	Merriam	Purfeerst	Staples
Brataas	Humphrey	Ogdahl	Renneke	Ulland, J.
Chmielewski	Jensen	Olhoft	Rued	Wegener
Dunn	Kirchner	Olson	Schmitz	

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

Mr. Luther moved to amend H. F. No. 2268, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2161.)

Page 7, after line 14, insert:

"Sec. 3. Minnesota Statutes 1978, Chapter 47, is amended by adding a section to read:

[47.202] [FEDERAL PREEMPTION OVERRIDE.] *The provisions of P.L. 96-211, Title V, Part A do not apply with respect to a loan, mortgage, credit sale or advance made in this state after the effective date of this section, nor with respect to a loan, mortgage, credit sale or advance secured by real property located in this state and made after the effective date of this section.*

Sec. 4. [EFFECTIVE DATE.] *Section 3 is effective the day following final enactment."*

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "providing a federal preemption override to certain transactions;"

Page 1, line 6, after the semicolon, insert "and Chapter 47, by adding a section;"

The motion prevailed. So the amendment was adopted.

H. F. No. 2268 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 38 and nays 14, as follows:

Those who voted in the affirmative were:

Barrette	Humphrey	Menning	Peterson	Strand
Chmielewski	Johnson	Merriam	Schaaf	Stumpf
Davies	Keefe, J.	Moe	Schmitz	Tennessee
Dieterich	Kleinbaum	Nelson	Setzepfandt	Ulland, J.
Gearty	Knoll	Olhoft	Sikorski	Vega
Gunderson	Laufenburger	Olson	Solon	Willet
Hanson	Lessard	Penny	Stern	
Hughes	Luther	Perpich	Stokowski	

Those who voted in the negative were:

Bang	Dunn	Knaak	Omann	Rued
Bernhagen	Engler	Knutson	Purfeerst	Sieloff
Brataas	Frederick	Ogdahl	Renneke	

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

SPECIAL ORDER

H. F. No. 2090: A bill for an act relating to Lake County; validating the issuance of a Sunday on-sale intoxicating liquor license.

Mr. Peterson moved to amend H. F. No. 2090 as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes, 1979 Supplement, Section 340.11, Subdivision 11, is amended to read:

Subd. 11. [ON-SALE LICENSES, INCLUDING HOTELS, CLUBS, RESTAURANTS, AND ON-SALE EXCLUSIVE LIQUOR STORES.] "On-sale" licenses may be issued by municipalities for the sale of intoxicating liquors in hotels, clubs, restaurants and establishments for the sale of "on-sale" liquors exclusively within the number authorized by this section. Except in a city of the first class and in addition to the number of licenses authorized by this section, an "on-sale" license may be issued, if approved by the commissioner of public safety, to a bona fide club which has been in existence for 15 years or more or to a congressionally chartered veterans' organization which has been in existence for 10 years. Such a club or veterans' organization shall be incorporated in order to be eligible to apply for a license, and the license issued shall be for the sale of intoxicating liquors to members and bona fide guests only. The license fee for such an "on-sale" license

issued by a municipality pursuant to this subdivision is \$100 unless the municipality sets a higher amount shall be in an amount determined by the governing body thereof subject to the following limitations: up to \$300 for a veterans organization or fraternal club with a membership of 200 or less; up to \$500 for a veterans organization or fraternal club with a membership of between 201 and 500; up to \$650 for a veterans organization or fraternal club with a membership of between 501 and 1,000; up to \$800 for a veterans organization or fraternal club with a membership of between 1,001 and 2,000; up to \$1,000 for a veterans organization or fraternal club with a membership between 2,000 and 4,000; up to \$2,000 for a veterans organization or fraternal club with a membership of between 4,001 and 6,000; and up to \$3,000 for a veterans organization or fraternal club with a membership of more than 6,000. For purposes of the maximum license fee which may be imposed by a municipality pursuant to this subdivision, "fraternal club" means a club which serves only members and their guests and which uses any profits derived from these sales principally for sponsoring activities beneficial to the community and not for the benefit of any individual. Except in cities of the first, second, and third class, a license may be issued jointly to congressionally chartered veterans' organizations which otherwise qualify under this subdivision."

Page 1, line 12, delete "This act" and insert "Section 1 is effective the day following final enactment. Section 2"

Renumber the sections in sequence

Underline all new language in the bill

Amend the title as follows:

Page 1, line 2, delete "Lake County" and insert "intoxicating liquor"

Page 1, line 2. after the semicolon insert "setting a maximum fee for on-sale licenses for veterans organizations and fraternal clubs;"

Page 1, line 3, before the period insert "in Lake County; amending Minnesota Statutes, 1979 Supplement, Section 340.11, Subdivision 11"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 43 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Peterson	Stokowski
Barrette	Hughes	Merriam	Pillsbury	Strand
Bernhagen	Humphrey	Moe	Purfeerst	Stumpf
Chmielewski	Johnson	Nelson	Rued	Ulland, J.
Davies	Kirchner	Ogdahl	Schaaf	Vega
Dunn	Kleinbaum	Olson	Setzepfandt	Wegener
Engler	Knaak	Omman	Sieloff	Willet
Frederick	Knoll	Penny	Sikorski	
Gearty	Laufenburger	Perpich	Stern	

Those who voted in the negative were:

Brataas	Knutson	Menning	Olhoft	Renneke
Gunderson				

The motion prevailed. So the amendment was adopted.

Mr. Rued moved to amend H. F. No. 2090, as amended, as follows:

Page 1, after line 11, insert:

"Sec. 3. [AITKIN COUNTY; COMBINATION LICENSES.] Subject to section 340.11, subdivision 10, and other applicable laws, the county board of Aitkin County may issue combination licenses for the on-sale and off-sale of intoxicating liquor in unorganized or unincorporated areas. The fee for such licenses shall be comparable with fees for combination licenses in comparable areas. No licensee shall continue operation of the off-sale portion of his business after discontinuance of the on-sale portion.

Sec. 4. Section 3 is effective upon approval by the governing body of the county of Aitkin and compliance with Minnesota Statutes, Section 645.021."

Renumber the sections in sequence

Amend the title as follows:

Page 1, before "amending" insert "authorizing combination on-sale and off-sale intoxicating liquor licenses in Aitkin County;"

The motion prevailed. So the amendment was adopted.

H. F. No. 2090 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 45 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knaak	Olson	Sikorski
Ashbach	Engler	Knoll	Omann	Stern
Barrette	Frederick	Laufenburger	Penny	Stokowski
Bernhagen	Gearty	Lessard	Perpich	Strand
Brataas	Hanson	Luther	Pillsbury	Stumpf
Chmielewski	Hughes	Merriam	Purfeerst	Ulland, J.
Coleman	Humphrey	Moe	Rued	Vega
Davies	Johnson	Nelson	Schaaf	Wegener
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Willet

Those who voted in the negative were:

Gunderson	Knutson	Menning	Olhoft	Renneke
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So the bill, as amended, passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 3:00 o'clock p.m. The motion prevailed.

The hour of 3:00 o'clock p.m. having arrived, the President called the Senate to order.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2470 at 4:00 p.m.:

Messrs. Moe, Tennessen, Humphrey, Kleinbaum and Keefe, J. The motion prevailed.

CALL OF THE SENATE

Mr. Chmielewski imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Lessard	Peterson	Stern
Ashbach	Gearty	Luther	Purfeerst	Stokowski
Bang	Gunderson	McCutcheon	Renneke	Strand
Barrette	Hughes	Menning	Rued	Stumpf
Benedict	Jensen	Merriam	Schaaf	Tennessen
Bernhagen	Johnson	Moe	Schmitz	Ueland, A.
Brataas	Kleinbaum	Nelson	Setzepfandt	Vega
Coleman	Knaak	Olson	Sikorski	Wegener
Davies	Knoll	Omann	Solon	Willet
Dunn	Knutson	Penny	Spear	
Engler	Laufenburger	Perpich	Staples	

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.

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. 702 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 702: A bill for an act relating to health; requiring counties to establish local nursing home pre-admission screening teams; prescribing duties of the teams and the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Chapter 256B, by adding a section.

Senate File No. 702 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 9, 1980

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. 1141 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1141: A bill for an act relating to hearing impaired persons; establishing regional service centers and advisory committees; establishing a statewide interpreter referral service; pro-

viding for a program of training and employment; prescribing duties for the commissioner of public welfare; establishing an office on hearing impairment; providing for an advisory committee for the state council for the handicapped; prescribing duties for the department of health; providing for a study by the state planning agency; appropriating money.

Senate File No. 1141 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 9, 1980

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. 1875 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 1875: A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.

Senate File No. 1875 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 9, 1980

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. 2134 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2134: A bill for an act relating to natural resources; providing for analysis of hydroelectric generating capacity of publicly owned dams; clarifying provisions relating to the administration of and authorization for dam repair and reconstruction grants; authorizing the employment of a person to administer grants; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 1 and 4; Minnesota Statutes, 1979 Supplement, Section 105.482, Subdivisions 3 and 5a; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5.

Senate File No. 2134 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 9, 1980

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. 2095 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2095: A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article I, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

Senate File No. 2095 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 9, 1980

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. 133 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 133: A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

Senate File No. 133 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 9, 1980

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. 364 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 364: A bill for an act relating to peace officers; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Section 169.98.

Senate File No. 364 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 9, 1980

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. 480 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 480: A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giv-

ing grant and program monitoring responsibilities to the commissioner of health; appropriating money.

Senate File No. 480 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 9, 1980

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Davies moved that S. F. No. 1696 be taken from the table. The motion prevailed.

S. F. No. 1696: 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.

CALL OF THE SENATE

Mr. Davies imposed a call of the Senate for the proceedings on S. F. No. 1696 and S. F. No. 121. The following Senators answered to their names:

Ashbach	Gearty	Moe	Purfeerst	Stern
Barrette	Gunderson	Nelson	Renneke	Stokowski
Benedict	Hanson	Nichols	Rued	Strand
Bernhagen	Hughes	Olhoft	Schaaf	Stumpf
Chmielewski	Johnson	Olson	Schmitz	Tennessee
Davies	Keefe, J.	Omann	Setzepfandt	Ueland, A.
Dieterich	Knaak	Penny	Sieloff	Ulland, J.
Dunn	Knutson	Perpich	Solon	Vega
Engler	Laufenburger	Peterson	Spear	Willet
Frederick	Merriam	Pillsbury	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

S. F. No. 1696 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 35 and nays 23, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Nelson	Schmitz	Stokowski
Chmielewski	Hughes	Olhoft	Setzepfandt	Strand
Coleman	Johnson	Olson	Sikorski	Stumpf
Davies	Laufenburger	Perpich	Solon	Tennessee
Dieterich	Luther	Peterson	Spear	Vega
Gearty	Merriam	Purfeerst	Staples	Wegener
Gunderson	Moe	Schaaf	Stern	Willet

Those who voted in the negative were:

Ashbach	Dunn	Knoll	Omann	Sieloff
Bang	Engler	Knutson	Penny	Ueland, A.
Barrette	Frederick	Lessard	Pillsbury	Ulland, J.
Bernhagen	Keefe, J.	Menning	Renneke	
Brataas	Knaak	Nichols	Rued	

So the bill passed and its title was agreed to.

Mr. Davies moved that S. F. No. 121 be taken from the table. The motion prevailed.

S. F. No. 121: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; removing references to legislative days.

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 23, as follows:

Those who voted in the affirmative were:

Benedict	Hanson	Nelson	Setzepfandt	Strand
Chmielewski	Hughes	Olhoff	Sikorski	Stumpf
Davies	Johnson	Olson	Solon	Tennessee
Dieterich	Kleinbaum	Perpich	Spear	Vega
Dunn	Luther	Peterson	Staples	Wegener
Garty	Menning	Schaaf	Stern	Willet
Gunderson	Merriam	Schmitz	Stokowski	

Those who voted in the negative were:

Ashbach	Engler	Knutson	Penny	Sieloff
Bang	Frederick	Laufenburger	Pillsbury	Ueland, A.
Barrette	Keefe, J.	Lessard	Purfeerst	Ulland, J.
Bernhagen	Knaak	Nichols	Renneke	
Brataas	Knoll	Omann	Rued	

So the bill passed and its title was agreed to.

Mr. Chmielewski moved that S. F. No. 682 be taken from the table. The motion prevailed.

CALL OF THE SENATE

Mr. Chmielewski imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Garty	Merriam	Schaaf	Stumpf
Bang	Gunderson	Nelson	Schmitz	Tennessee
Barrette	Hanson	Nichols	Setzepfandt	Ueland, A.
Benedict	Hughes	Olhoff	Sieloff	Ulland, J.
Bernhagen	Kleinbaum	Omann	Sikorski	Vega
Chmielewski	Knaak	Penny	Spear	Wegener
Davies	Laufenburger	Perpich	Staples	Willet
Dunn	Lessard	Pillsbury	Stern	
Engler	Luther	Purfeerst	Stokowski	
Frederick	Menning	Rued	Strand	

The Sergeant at Arms was instructed to bring in the absent members.

CONCURRENCE AND REPASSAGE

Mr. Chmielewski moved that the Senate concur in the amendments by the House to S. F. No. 682 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 682: A bill for an act relating to game and fish; authorizing the use of handguns in taking small game; amending Minnesota Statutes 1978, Section 100.29, Subdivisions 2, 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 48 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Laufenburger	Perpich	Staples
Bang	Hanson	Lessard	Peterson	Stern
Barrette	Hughes	Menning	Purfeerst	Stokowski
Benedict	Humphrey	Merriam	Renneke	Strand
Bernhagen	Jensen	Nelson	Rued	Ueland, A.
Brataas	Johnson	Nichols	Schmitz	Vega
Chmielewski	Keefe, J.	Olhoff	Setzepfandt	Wegener
Engler	Kleinbaum	Olson	Sieloff	Willet
Frederick	Knaak	Omann	Sikorski	
Garty	Knutson	Penny	Solon	

Those who voted in the negative were:

Davies	Dunn	Luther	Stumpf	Tennessee
Dieterich	Knoll	Spear		

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Anderson moved that the names of Messrs. Sikorski and Merriam be added as co-authors to S. F. No. 1538. The motion prevailed.

SPECIAL ORDER

Mr. Peterson moved that S. F. No. 1157, No. 7 on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Mr. Peterson moved that S. F. No. 1693, No. 12 on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Mr. Peterson moved that S. F. No. 1694, No. 13 on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Mr. Tennesen moved that S. F. No. 2331, No. 17 on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Mr. Davies moved that S. F. No. 2116, No. 24 on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

Pursuant to Rule 21, Mr. Tennesen moved that the following members be excused for a Conference Committee on H. F. No. 2040:

Messrs. Tennesen; Keefe, J. and Stern. The motion prevailed.

Mr. Peterson moved that H. F. No. 2046, No. 22 on Special Orders, be stricken and re-referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration. The motion prevailed.

SPECIAL ORDER

H. F. No. 1842: A bill for an act relating to emergency services; providing for a nuclear power plant emergency response plan; providing for assessment of costs to nuclear power plants; requiring the departments of public safety and health to monitor, provide training, and prepare plans for nuclear power plant incidents; changing zoning laws; requiring a study; appropriating money; amending Minnesota Statutes 1978, Chapter 12, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 12.03, Subdivision 4; and 12.21, Subdivisions 1 and 4.

Mr. Luther moved to amend H. F. No. 1842 as follows:

Delete everything after the enacting clause and insert:

"Section 1. [CITATION.] This act shall be known and may be cited as the "Minnesota Nuclear Safety Preparedness Act."

Sec. 2. [POLICY.] It is declared to be the policy of the legislature to protect the people of the state of Minnesota against adverse health effects resulting from radiological accidents by establishing a mechanism for emergency preparedness to mitigate the effects of such accidents. The legislature finds it appropriate that the nuclear power industry in Minnesota bear costs associated with preparing and implementing plans to deal with the effects of nuclear accidents.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 12.03, Subdivision 4, is amended to read:

Subd. 4. "Emergency services or civil defense" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters, or from acute shortages of energy, or from incidents occurring at nuclear fission electrical generating plants which pose

radiological or other health hazards. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, implementation of energy supply emergency conservation and allocation measures, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.

Sec. 4. Minnesota Statutes 1978, Chapter 12, is amended by adding a section to read:

[12.13] [NUCLEAR POWER PLANT EMERGENCY RESPONSE PLAN.] *The state director, in cooperation with the commissioner of health and affected local units of government, shall develop the state and local portions of the emergency response plans specified in the licensing of each nuclear fission electrical generating plant located in Minnesota.*

In addition to any requirements imposed by federal law, the director shall assess the need for protective actions required to mitigate the effect of an incident at a nuclear power plant, and develop a nuclear power plant emergency response plan which shall include, but is not limited to:

(1) *Purchase of equipment for state and local units of government, including public warning systems, protective devices, and communication systems, including preparation of brochures, pamphlets and educational programs;*

(2) *Development of a detailed nuclear emergency response plan for areas surrounding each nuclear fission electrical generating plant;*

(3) *Training of state and local emergency response personnel;*

(4) *Development of accident scenarios and exercises for nuclear emergency response plans; and*

(5) *Provision of any other specialized response equipment necessary to fulfill the plan.*

The director shall provide any necessary assistance to other state agencies and local units of government in order to improve the state's nuclear power plant emergency response capacity.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 12.21, Subdivision 1, is amended to read:

12.21 [GOVERNOR.] Subdivision 1. The governor has general direction and control of emergency services and has the power and duty to carry out the provisions of this chapter and, during a civil defense emergency declared as existing under section 12.31, or during the existence of an energy supply emergency as declared

under section 116H.09, or during the existence of any emergency resulting from an incident at a nuclear fission electrical generating plant which poses radiological or other health hazard, may assume direct operational control over all or any part of the emergency services functions within this state.

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 12.21, Subdivision 4, is amended to read:

Subd. 4. The governor shall propose procedures for annual review by state and local officials of the ~~evacuation plans~~ *state emergency response plan* specified in the licensing of each nuclear fission electrical generating plant. The review shall include, but not be limited to such factors as changes in traffic patterns, population densities, and new construction. Opportunity for full public participation in the annual review shall be provided. Copies of an ~~evacuation plan~~ *a state emergency response plan* shall be published, publicized, and distributed to the news media and to the appropriate officials of affected communities, and shall be made available to the general public upon request, at no more than the cost of reproduction.

Sec. 7. [ASSESSMENT FOR NUCLEAR SAFETY PREPAREDNESS ACT.] *Any person, firm, corporation or association in the business of owning or operating a nuclear fission electrical generating plant located in Minnesota, shall pay an assessment of \$250,000 per plant to cover the initial cost of upgrading nuclear power plant emergency response plans and other programs necessary to deal with incidents resulting from the operation of nuclear fission electrical generating plants. This assessment shall be paid to the state for deposit in the general fund within 90 days of the effective date of this act. Thereafter, an assessment of \$50,000 per plant shall be paid annually on January 1 of each year to cover ongoing costs related to the emergency response plan.*

Sec. 8. [APPROPRIATIONS.] *The sum of \$500,000 is appropriated from the general fund to the department of public safety for the purpose of furthering the policy stated in section 4 and for a study to include analysis of existing emergency planning zones, and the need for modification or extension, the need for changes in land use regulation near plant sites, the capacity of state and local agencies to deal with nuclear power plant emergency, the scope of federal assistance during an emergency, the scope and coverage of utility insurance programs, a review of the state's role in emergency planning, an evaluation of remote monitoring and notification systems used or planned for use in other states, and an evaluation and recommendations for the adjustment of the annual assessment fees to the owners of the nuclear power plants. That part of the study which deals with remote monitoring systems shall include specific recommendations and requirements for the system most suitable for use at Minnesota plant sites. The director of emergency services shall submit a report to the legislature by February 1, 1981.*

The department of public safety, division of emergency services is authorized to increase its complement by two full time positions.

The department of health is authorized to increase its complement by one full time position.

Sec. 9. This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to nuclear safety; providing for a nuclear power plant emergency response plan; providing for assessment of costs to nuclear power plants; requiring the department of public safety and health to monitor, provide training, and prepare plans for nuclear power plant incidents; requiring a study; appropriating money; amending Minnesota Statutes 1978, Chapter 12, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 12.03, Subdivision 4; and 12.21, Subdivisions 1 and 4."

The motion prevailed. So the amendment was adopted.

Mr. Stern moved to amend the Luther amendment to H. F. No. 1842, adopted by the Senate April 9, 1980, as follows:

Page 4, line 21, delete "January" and insert "July"

Page 4, line 22, after "year" insert ", beginning with July 1, 1981,"

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

Mr. Laufenburger moved to amend the Luther amendment to H. F. No. 1842, adopted by the Senate April 9, 1980, as follows:

Page 1, delete sections 1 and 2

Page 4, line 27, delete "4" and insert "2"

Renumber the sections in sequence

Mr. Merriam requested division of the Laufenburger amendment to the Luther amendment as follows:

First portion: Page 1, delete section 1

Renumber the sections in sequence and correct internal references

Second portion: Page 1, delete section 2

Renumber the sections in sequence and correct internal references

The question was taken on the adoption of the first portion of the amendment.

The roll was called, and there were yeas 27 and nays 23, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Lessard	Rued	Ueland, A.
Bang	Jensen	Nichols	Schmitz	Ulland, J.
Barrette	Knaak	Omann	Setzpfandt	Wegener
Brataas	Knoll	Pillsbury	Sieloff	
Dunn	Knutson	Purfeerst	Solon	
Engler	Laufenburger	Renneke	Staples	

Those who voted in the negative were:

Anderson	Hanson	Merriam	Perpich	Stumpf
Benedict	Hughes	Nelson	Peterson	Vega
Davies	Johnson	Olhoft	Sikorski	Willet
Dieterich	Luther	Olson	Stokowski	
Gearty	Menning	Penny	Strand	

The motion prevailed. So the first portion of the Laufenburger amendment to the Luther amendment was adopted.

The question was taken on the adoption of the second portion of the amendment.

The roll was called, and there were yeas 29 and nays 18, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Renneke	Strand
Barrette	Jensen	Olson	Rued	Ueland, A.
Brataas	Knaak	Omann	Schmitz	Ulland, J.
Dunn	Knoll	Penny	Sieloff	Wegener
Engler	Knutson	Pillsbury	Solon	Willet
Frederick	Laufenburger	Purfeerst	Staples	

Those who voted in the negative were:

Benedict	Hughes	Merriam	Peterson	Stumpf
Davies	Johnson	Nelson	Setzpfandt	Vega
Dieterich	Luther	Olhoft	Sikorski	
Gearty	Menning	Perpich	Stokowski	

The motion prevailed. So the second portion of the Laufenburger amendment to the Luther amendment was adopted.

CALL OF THE SENATE

Mr. Willet imposed a call of the Senate for the balance of the proceedings on H. F. No. 1842. The following Senators answered to their names:

Anderson	Hanson	Merriam	Renneke	Stumpf
Ashbach	Hughes	Nelson	Rued	Ueland, A.
Barrette	Jensen	Olhoft	Schmitz	Ulland, J.
Benedict	Knaak	Olson	Setzpfandt	Vega
Brataas	Knoll	Omann	Sieloff	Wegener
Davies	Knutson	Penny	Sikorski	Willet
Dieterich	Laufenburger	Perpich	Solon	
Dunn	Lessard	Peterson	Staples	
Engler	Luther	Pillsbury	Stokowski	
Gearty	Menning	Purfeerst	Strand	

The Sergeant at Arms was instructed to bring in the absent members.

H. F. No. 1842 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 40, and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Knoll	Olson	Solon
Ashbach	Gearty	Laufenburger	Penny	Staples
Barrette	Gunderson	Lessard	Perpich	Stokowski
Benedict	Hanson	Luther	Peterson	Strand
Chmielewski	Hughes	Menning	Purfeerst	Stumpf
Davies	Jensen	Merriam	Schmitz	Ulland, J.
Dieterich	Johnson	Nelson	Sieloff	Vega
Dunn	Knaak	Olhoft	Sikorski	Willet

Those who voted in the negative were:

Brataas	Knutson	Pillsbury	Rued	Ueland, A.
Frederick	Omann	Renneke	Setzepfandt	Wegener

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

MOTIONS AND RESOLUTIONS—CONTINUED

Mrs. Brataas moved that S. F. No. 1708 be taken from the table. The motion prevailed.

S. F. No. 1708: A bill for an act relating to workers' compensation; changing special compensation fund assessment procedures; providing for reimbursement to certain insurers; amending Minnesota Statutes, 1979 Supplement, Sections 176.131, Subdivision 10; and 176.191, Subdivision 3.

CONCURRENCE AND REPASSAGE

Mrs. Brataas moved that the Senate concur in the amendments by the House to S. F. No. 1708 and that the bill be placed on its repassage as amended.

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate for the balance of the proceedings on S. F. No. 1708. The following Senators answered to their names:

Anderson	Frederick	Luther	Pillsbury	Stern
Ashbach	Gearty	McCutcheon	Renneke	Stokowski
Bang	Gunderson	Menning	Rued	Strand
Barrette	Hughes	Merriam	Schaaf	Stumpf
Benedict	Jensen	Nelson	Schmitz	Ueland, A.
Brataas	Johnson	Nichols	Setzepfandt	Ulland, J.
Davies	Knaak	Olhoft	Sieloff	Vega
Dieterich	Knoll	Omann	Sikorski	Wegener
Dunn	Knutson	Penny	Spear	Willet
Engler	Laufenburger	Peterson	Staples	

The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the motion of Mrs. Brataas.

The roll was called, and there were yeas 21, and nays 34, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knutson	Pillsbury	Ulland, J.
Bang	Engler	Laufenburger	Renneke	
Barrette	Frederick	Merriam	Rued	
Chmielewski	Jensen	Olson	Sieloff	
Davies	Knaak	Omann	Ueland, A.	

Those who voted in the negative were:

Anderson	Hanson	Menning	Schaaf	Stern
Benedict	Hughes	Nelson	Schmitz	Stokowski
Brataas	Johnson	Nichols	Setzepfandt	Strand
Coleman	Knoll	Olhoff	Sikorski	Stumpf
Dieterich	Lessard	Penny	Solon	Vega
Gearty	Luther	Perpich	Spear	Willet
Gunderson	McCutcheon	Peterson	Staples	

The motion did not prevail.

NOTICE OF RECONSIDERATION

Mrs. Brataas gave notice of intention to move for reconsideration of S. F. No. 1708.

Mrs. Brataas moved that S. F. No. 1708 be laid on the table. The motion prevailed.

MEMBERS EXCUSED

Mr. Bernhagen was excused from the Session of today at 4:20 o'clock p.m. Mr. Humphrey was excused from the Session of today from 3:30 to 4:00 o'clock p.m.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 2:00 o'clock p.m., Thursday, April 10, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-SEVENTH DAY

St. Paul, Minnesota, Thursday, April 10, 1980

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

CALL OF THE SENATE

Mr. Johnson imposed a call of the Senate. The following Senators answered to their names:

Anderson	Engler	Laufenburger	Olson	Spear
Ashbach	Frederick	Lessard	Penny	Staples
Barrette	Gunderson	Luther	Perpich	Stern
Benedict	Hanson	McCutcheon	Peterson	Stokowski
Brataas	Hughes	Menning	Pillsbury	Strand
Chmielewski	Jensen	Merriam	Purfeerst	Stumpf
Coleman	Johnson	Nelson	Rued	Ueland, A.
Davies	Keefe, S.	Nichols	Schmitz	Ulland, J.
Dieterich	Knaak	Ogdahl	Setzepfandt	Vega
Dunn	Knutson	Olhoft	Solon	Wegener

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Winfield Johnson.

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

Anderson	Frederick	Knutson	Omann	Solon
Ashbach	Gearty	Laufenburger	Penny	Spear
Bang	Gunderson	Lessard	Perpich	Staples
Barrette	Hanson	Luther	Peterson	Stern
Benedict	Hughes	McCutcheon	Pillsbury	Stokowski
Bernhagen	Humphrey	Menning	Purfeerst	Strand
Brataas	Jensen	Merriam	Renneke	Stumpf
Chmielewski	Johnson	Moe	Rued	Tennessee
Coleman	Keefe, J.	Nelson	Schaaf	Ueland, A.
Davies	Keefe, S.	Nichols	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dunn	Knaak	Olhoft	Sieloff	Wegener
Engler	Knoll	Olson	Sikorski	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. Kirchner and Sillers were excused from the Session

of today. Mr. Sikorski was excused from the Session of today from 2:30 to 2:50 o'clock and from 4:00 to 4:10 o'clock p.m. Mr. Knoll was excused from the Session of today from 2:00 to 5:23 o'clock p.m. Mr. Gunderson was excused from the Session of today from 3:30 to 4:00 o'clock p.m. Mr. Laufenburger was excused from the Session of today at 5:15 o'clock p.m. Mr. Omann was excused from the Session of today at 6:00 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Barrette, Mrs. Knaak and Mr. Ulland, J. introduced—

S. F. No. 2438: A bill for an act relating to malt liquor; restricting sales of certain liquors at sports facilities.

Referred to the Committee on Commerce.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

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

March 27, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

The following appointment as Director of the Minnesota Energy Agency is hereby respectfully submitted to the Senate for confirmation as required by law:

Mark E. Mason, Lowry Square Apartments, No. 901, 4th and Wabasha, St. Paul, Ramsey County, has been appointed by me, effective March 31, 1980, for a term expiring the first Monday in January, 1983.

Sincerely,
Albert H. Quie, Governor

(Referred to the Committee on Energy and Housing.)

April 8, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1980 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 1980	Date Filed 1980
1054		526	April 8	April 8

Sincerely,
Joan Anderson Growe
Secretary of State

MOTIONS AND RESOLUTIONS

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2470:

Messrs. Moe, Humphrey, Kleinbaum, Tennessen and Keefe, J. The motion prevailed.

Mr. Coleman introduced—

Senate Resolution No. 67: 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 of the 71st Legislature, 1980 session and the convening of the 72nd Legislature, 1981 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, 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 such 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 between the adjournment sine die of the 71st Legislature and the convening of the 72nd Legislature 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 for 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 between the adjournment sine die of the 71st Legislature and the convening of the 72nd Legislature. 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 1980 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 interval between the adjournment sine die of the 71st Legislature and the convening of the 72nd Legislature under the provisions herein specified.

The Secretary of the Senate is authorized to employ after the close of the session such employees as may be necessary to finish the business of the Senate at the salaries paid such employees under the rules of the Senate for the 1980 regular session. He is authorized to employ the necessary employees to prepare for the 1981 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 43.43 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 not to exceed \$45 per month, upon proper verification of the expenses incurred, and for such other expenses as may be 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 71st 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 for the period between the close of the 1980 regular session and the convening of the 1981 regular session. The Secretary of the Senate is authorized to 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.

Mr. Coleman moved the adoption of the foregoing resolution.

The question was taken on the adoption of the motion.

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

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Peterson	Staples
Ashbach	Frederick	Luther	Pillsbury	Stern
Bang	Gearty	Menning	Purfeerst	Stokowski
Barrette	Gunderson	Merriam	Renneke	Strand
Benedict	Hanson	Nelson	Rued	Stumpf
Bernhagen	Hughes	Nichols	Schaaf	Ueland, A.
Brataas	Jensen	Ogdahl	Schmitz	Ulland, J.
Chmielewski	Johnson	Olhoft	Setzepfandt	Vega
Coleman	Keefe, S.	Olson	Sieloff	Wegener
Davies	Knaak	Omann	Sikorski	Willet
Dieterich	Knutson	Penny	Solon	
Dunn	Laufenburger	Perpich	Spear	

The motion prevailed. So the resolution was adopted.

Mr. Coleman introduced—

Senate Concurrent Resolution No. 14: A Senate concurrent resolution relating to the delivery of bills to the governor after final adjournment.

WHEREAS, the Minnesota Constitution, Article IV, Section 23, provides for the presentation of some bills to the Governor after sine die adjournment; NOW, THEREFORE,

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring, that on adjournment sine die of the 71st 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 deliver a copy of this Resolution to the Governor and the Secretary of State.

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mr. Coleman, for the Committee on Rules and Administration, offered the following resolution:

BE IT RESOLVED, by the Senate, that the following named persons be and are hereby appointed to the positions hereinafter stated and at the salaries heretofore fixed.

Rev. Robert Moritz, Chaplain, effective March 31, 1980

Rabbi Joseph W. Wiesenberg, Chaplain, effective April 9, 1980

Mr. Coleman moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Mrs. Stokowski introduced—

Senate Resolution No. 68: A Senate resolution extending congratulations and best wishes to Frances Dion upon her retirement from state service.

Referred to the Committee on Rules and Administration.

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. 572 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 572: A bill for an act relating to the city of Bloomington; authorizing additional on-sale liquor licenses.

Senate File No. 572 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 9, 1980

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. 2166: A bill for an act relating to the cities of Minneapolis, Bloomington and Winona; authorizing the creation of an economic development and redevelopment agency or depart-

ment; granting powers of the port authority to the city of Bloomington; providing powers and conditions of debt for the port authority of Winona; providing for hearings for the issuance of industrial revenue bonds; amending Minnesota Statutes 1978, Section 458.192, Subdivision 1, and by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Sections 462C.07, Subdivision 3; and 474.01, Subdivision 7b.

Senate File No. 2166 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 2, 1980

CONCURRENCE AND REPASSAGE

Mr. Keefe, S. moved that the Senate concur in the amendments by the House to S. F. No. 2166 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2166 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Penny	Solon
Ashbach	Frederick	Lessard	Perpich	Staples
Bang	Gearty	Luther	Peterson	Stern
Barrette	Gunderson	Menning	Pillsbury	Stokowski
Benedict	Hanson	Merriam	Purfeerst	Strand
Bernhagen	Hughes	Nelson	Renneke	Stumpf
Brataas	Jensen	Nichols	Rued	Ueland, A.
Chmielewski	Johnson	Ogdahl	Schaaf	Ulland, J.
Davies	Keefe, S.	Olhoff	Schmitz	Vega
Dieterich	Knaak	Olson	Sieloff	Wegener
Dunn	Knutson	Omann	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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 644 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 644 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 9, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 644

A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; authorizing the board of medical examiners to promulgate rules governing advertising by physicians; establishing penalties; amending Minnesota Statutes 1978, Chapter 147, by adding a section; Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions 1 and 2.

April 9, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 644, 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. 644 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 150A.06, Subdivision 1, is amended to read:

150A.06 [LICENSURE.] Subdivision 1. [DENTISTS.] A person of good moral character not already a licensed dentist of the state, having submitted an application and fee as prescribed by the board and his diploma or equivalent from a dental college of good standing, of which standing the board shall be the sole judge, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such a manner as to test thoroughly the applicant's fitness to practice dentistry. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, appli-

cants may take the examination prior to applying to the board for licensure. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. *The board may by rule provide that an applicant shall be ineligible to retake the clinical examination required by the board upon failing it on two occasions until such time as he obtains further education and training as specified by the board in the rule.* A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who passes the examination and meets all other requirements of the board shall be licensed to practice dentistry and supplied with a license by the board. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 2. Minnesota Statutes 1978, Section 150A.06, Subdivision 2, is amended to read:

Subd. 2. [DENTAL HYGIENISTS.] A person of good moral character not already a licensed dental hygienist of this state, being a graduate of an accredited high school or its equivalent, and having submitted an application and fee as prescribed by the board and his diploma or equivalent from a training school for dental hygienists of good standing, of which standing the board shall be the sole judge, or equivalent approved by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in ~~such a manner as to thoroughly~~ test the applicant's fitness to practice dental hygiene. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for licensure. Each applicant shall also be examined on the applicant's knowledge of the laws of Minnesota relating to dentistry and of the rules of the board. *The board may by rule provide that an applicant shall be ineligible to retake the clinical examination required by the board upon failing it on two occasions until such time as he obtains further education and training as specified by the board in the rule.* A separate fee may be charged for each time a person applies which in no case shall be refunded. An applicant who passes the examination and meets all the other requirements of the board shall be licensed as a dental hygienist and supplied with a license by the board. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 150A.06, Subdivision 2a. is amended to read:

Subd. 2a. [REGISTERED DENTAL ASSISTANT.] A person of good moral character, having submitted an application and fee as

prescribed by the board and his diploma or equivalent from a training school, of good standing, for dental assistants, of which standing the board shall be sole judge, or equivalent as approved by the board, may be examined by the board or by an agency pursuant to section 150A.03, subdivision 1, in such a manner as to test thoroughly the applicant's fitness to perform as a registered dental assistant. In the case of examinations conducted pursuant to section 150A.03, subdivision 1, applicants may take the examination prior to applying to the board for registration. The examination shall include an examination of the applicant's knowledge of the laws of Minnesota relating to dentistry and the rules of the board. *The board may by rule provide that an applicant shall be ineligible to retake the clinical examination required by the board upon failing it on two occasions until such time as he obtains further education and training as specified by the board in the rule.* A separate fee may be charged for each time a person ~~applied~~ *applies* which in no case shall be refunded. An applicant who passes the examination and meets all the other requirements of the board shall be registered as a dental assistant. Rules of the board establishing an examination fee shall remain in effect and shall constitute the application fee provided for herein until such time as the board shall amend, repeal, or otherwise change the rules pursuant to chapter 15.

Sec. 4. Minnesota Statutes 1978, Section 150A.09, Subdivision 3, is amended to read:

Subd. 3. [CHANGE OF ADDRESS AND DUPLICATE CERTIFICATES.] Every licensed dentist upon changing his location of practice, every dental hygienist and every registered dental assistant, upon changing his address shall, within ten 30 days thereafter, furnish the board with his new address. Duplicate licenses or duplicate annual certificates of license renewal may be issued by the board upon satisfactory proof being furnished to the board of the need for such duplicates and upon the payment of the fee established by the board.

Sec. 5. Minnesota Statutes 1978, Section 150A.11, Subdivision 1, is amended to read:

150A.11 [UNLAWFUL ACTS.] Subdivision 1. [UNLAWFUL PRACTICE.] It shall be unlawful for any person to: enable an unlicensed person to practice dentistry; or to practice or attempt to practice dentistry without a license; or to practice dentistry under the name of a corporation, or company, association, or trade name, or under any name except his own proper name, which shall be the name used in his license as issued by the state board of dentistry; or to practice under any name that may tend to deceive the public or imply professional superiority to or greater skill than that possessed by another dentist. *If a dentist practices under his own name, any public display or cards shall include the initials of his dental degree, such as D.D.S. or D.M.D., following the name. If a dentist practices under a name other than his own, the name shall include some designation which makes clear that the person is practicing dentistry or some specialty thereof;*

and that the names of all of the participating dentists practicing under the name be clearly identified on letterheads and building or office signs that display a name other than the dentist's own name. Any communication between dentist and patient shall clearly indicate the name of the dentist treating the patient. The board may promulgate rules regarding the name under which a dentist may practice . No corporation shall practice dentistry or engage therein, or hold itself out as being entitled to practice dentistry, or furnish dental services or dentists, or advertise under or assume the title of dentists or dental surgeons or equivalent title. No corporation shall furnish dental advice, or advertise or hold itself out with any other person or alone, that it has or owns a dental office or can furnish dental service, dentists, or dental surgeons, or solicit, through itself, or its agents, officers, employees, directors or trustees, dental patronage for any dentist or dental surgeon. The provisions of this section:

(1) Shall not apply to any licensee while acting as an instructor in or under the University of Minnesota including the Mayo graduate school of medicine, or any other school in the state recognized by the state board of dentistry;

(2) Shall not prohibit any dentist from incorporating his practice of dentistry for business purposes under the special provisions of a corporate practice act for dentistry;

(3) Shall not be construed to change or amend the right of licensed dentists to provide dental care under any form of organization that is now or hereafter lawful under the laws of this state, or to contract to sell their services in any manner that is now or hereafter lawful under the laws of this state.

Sec. 6. Minnesota Statutes 1978, Chapter 214, is amended by adding a section to read:

[214.15] [TRADE REGULATION.] *Notwithstanding any other law to the contrary, members of occupations regulated by the licensing boards may advertise, but advertisements must not be inconsistent with rules relating to advertising format and substance which each board is herewith empowered to adopt if that board had statutory advertising limitations on the effective date of the rules. A board may adopt rules relating to minimum fees, splitting of fees, referral fees, compensation, hours of practice, or other practice limitations, but only if (a) the governor or the board had specific statutory limitations or specific statutory authority to adopt the rules on the effective date of the rules, (b) the rules are not inconsistent with other law and (c) the rules are immediately and directly related to the protection of the safety and well-being of citizens of the state.*

Sec. 7. Minnesota Statutes 1978, Section 60A.17, is amended by adding a subdivision to read:

Subd. 2b. [TEMPORARY LICENSE FOR QUALIFIED PERSON.] The commissioner shall grant a temporary license to act as an insurance agent to a person satisfying the requirements of subdivision 2, clauses (2) and (3).

Such person shall receive a temporary license to act as an insurance agent no later than the date upon which he receives notification from the commissioner that he has passed the examination required by subdivision 2, clause (2).

The temporary license authorized by this subdivision shall be issued for the insurance company which has endorsed the person's application for license. It shall be limited to the line or lines of insurance for which the applicant has satisfactorily completed the written examination and it shall be valid until the license required by subdivision 1 is obtained from the commissioner. In no event shall the temporary license be valid for a period in excess of 90 days.

Sec. 8. Minnesota Statutes 1978, Section 62F.01, Subdivision 2, is amended to read:

Subd. 2. Sections 62F.01 to 62F.14 expire September 1, ~~1980~~ 1982.

Sec. 9. Minnesota Statutes 1978, Section 62F.06, Subdivision 1, is amended to read:

62F.06 [POLICY FORMS AND RATES.] Subdivision 1. A policy issued by the association shall provide for a continuous period of coverage beginning with its effective date and terminating automatically at 12:01 a.m. on September 1, ~~1978~~ 1982, or sooner as provided in sections 62F.01 to 62F.14. The policy shall be issued subject to the group retrospective rating plan and the stabilization reserve fund authorized by section 62F.09. The policy shall be written to apply to injury which results from acts or omissions during the policy period. No policy form shall be used by the association unless it has been filed with the commissioner, and the commissioner may disapprove the form within 30 days if he determines it is misleading or violates public policy.

Sec. 10. *Sections 1 to 5 are effective July 1, 1981. Section 7 is effective June 1, 1980. Section 6 is effective January 1, 1981. Sections 8 and 9 are effective the day following final enactment.*"

Delete the title and insert:

"A bill for an act relating to licensed occupations; allowing the board of dentistry by rule to prohibit applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training specified by the board in the rule; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; requiring the issuance of temporary licenses to certain qualified persons to act as insurance agents; extending the temporary joint underwriting association act for an additional two year period; extending the termination date of certain insurance policies; providing for rules on advertising by licensed professionals; establishing penalties; amending Minnesota Statutes 1978, Chapter 214, by adding a section; Sections 60A.17, by adding a subdivision; 62F.01, Sub-

division 2; 62F.06, Subdivision 1; 150A.06, Subdivisions 1 and 2; 150A.09, Subdivision 3; 150A.11, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 150A.06, Subdivision 2a."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Thomas R. Berkelman, O. J. Heinitz, Robert W. Reif

Senate Conferees: (Signed) Roger E. Strand, David D. Schaaf

Mr. Strand moved that the foregoing recommendations and Conference Committee Report on H. F. No. 644 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. 644 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Penny	Sikorski
Ashbach	Frederick	Lessard	Perpich	Solon
Bang	Gearty	Luther	Peterson	Staples
Barrette	Gunderson	Menning	Pillsbury	Stern
Benedict	Hanson	Merriam	Purfeerst	Stokowski
Bernhagen	Hughes	Nelson	Renneke	Strand
Brataas	Jensen	Nichols	Rued	Stumpf
Chmielewski	Johnson	Ogdahl	Schaaf	Ueland, A.
Davies	Keefe, S.	Olhoft	Schmitz	Uiland, J.
Dieterich	Knaak	Olson	Setzepfandt	Vega
Dunn	Knutson	Omann	Sieloff	Wegener

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. 1095 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1095 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 9, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1095

A bill for an act relating to courts; authorizing certain actions against state officers to be tried in a county other than where the cause of action arose; providing for procedure for removal; amending Minnesota Statutes 1978, Sections 542.03; and 542.18.

April 8, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1095, 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. 1095 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 484.545, Subdivision 1, is amended to read:

484.545 [LAW CLERKS.] Subdivision 1. The district judges regularly assigned to hold court in each judicial district except for the second and, fourth, and tenth judicial districts may by orders filed with the clerk of court and county auditor of each county in the district appoint a competent law clerk for every two district court judges of the judicial district. *The district judges regularly assigned to hold court in the tenth judicial district may by orders filed with the clerk of court and county auditor of each county in the district appoint a competent law clerk for each district court judge of the district.* In addition, the Dakota county board of commissioners may authorize the district judges regularly assigned to hold court in the first judicial district to appoint three competent law clerks, whose salaries shall be paid by the county.

Sec. 2. Minnesota Statutes 1978, Section 542.03, is amended to read:

542.03 [OFFICIAL MISCONDUCT, WHERE CAUSE AROSE.] *Subdivision 1. Except as provided in subdivision 2, actions against a public officer, or person specially appointed to execute his duties, for acts done by virtue of such his office, and against any person for like cause who has acted in place or in aid of such the officer, and actions to recover penalties or forfeitures imposed by statute, shall be tried in the county in which the cause of action arose. If the act for which the penalty or forfeiture is imposed be is committed upon a lake or stream extending into, or bordering upon, more than one county, such the action may be tried in any of these counties.*

Subd. 2. The trial of any action against a state official for acts affecting the use of land or waters of the state may, in the discre-

tion of the court, be tried in the county where the land or water is located, whether or not the state official resides in that county, on motion made to the court in that county by any party to the action if the court finds (1) that trial of the action in that county is in the interests of justice, (2) that no party to the action will be prejudiced thereby and (3) that the trial of the action will be expedited. The motion may be submitted on pleadings mailed to the court without the necessity of personal appearance.

Sec. 3. Minnesota Statutes 1978, Section 542.18, is amended to read:

542.18 [STATE AS PARTY TO CIVIL ACTION; REMOVAL FROM RAMSEY COUNTY.] Notwithstanding any provision of law to the contrary, the trial of any civil action in the county of Ramsey to which the state or any officer, department or agency thereof is a party may, in the discretion of the court, be removed to any other county in which one of the parties resides on motion made to the court as in civil actions by any of the parties to the action, if the court finds ~~that such removal~~ is (1) *that removal is* in the interests of justice, (2) that no party to the action will be prejudiced thereby and (3) that the trial of the action will be expedited thereby. *The motion may be submitted on pleadings mailed to the court without the necessity of personal appearance.*

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 518.156, Subdivision 1, is amended to read:

518.156 [COMMENCEMENT OF CUSTODY PROCEEDING.] Subdivision 1. In a court of this state which has jurisdiction to decide child custody matters, a child custody proceeding is commenced:

(a) By a parent

(1) By filing a petition for dissolution or legal separation; or

(2) Where a decree of dissolution or legal separation has been entered or where none is sought, by filing a petition or motion seeking custody of the child in the county where the child is permanently resident or where he is found or *where an earlier order for custody of the child has been entered*; or

(b) By a person other than a parent, by filing a petition or motion seeking custody of the child in the county where the child is permanently resident or where he is found or *where an earlier order for custody of the child has been entered.*

Sec. 5. [EFFECTIVE DATE.] *Sections 1 to 4 are effective the day after final enactment."*

Delete the title in its entirety and insert:

"A bill for an act relating to courts; providing for venue for child custody proceedings; authorizing the appointment of a law clerk for each district court judge in the tenth judicial district; authorizing certain actions against state officers to be tried in a county other than where the cause of action arose; providing for

procedure for removal; providing penalties; amending Minnesota Statutes 1978, Sections 484.545, Subdivision 1; 542.03; and 542.18; and Minnesota Statutes, 1979 Supplement, Section 518.156, Subdivision 1.”

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) John R. Corbid, Ray W. Faricy, William A. Crandall

Senate Conferees: (Signed) Marvin B. Hanson, John Bernhagen, Gene Merriam

Mr. Hanson moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1095 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. 1095 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Penny	Solon
Ashbach	Frederick	Lessard	Perpich	Staples
Bang	Gearty	Luther	Peterson	Stern
Barrette	Gunderson	Menning	Pillsbury	Stokowski
Benedict	Hanson	Merriam	Purfeerst	Strand
Bernhagen	Hughes	Nelson	Renneke	Stumpf
Brataas	Jensen	Nichols	Rued	Ueland, A.
Chmielewski	Johnson	Ogdahl	Schaaf	Ulland, J.
Davies	Keefe, S.	Olhoft	Schmitz	Vega
Dieterich	Knaak	Olson	Setzepfandt	Wegener
Dunn	Knutson	Omann	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. 2429 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2429 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 10, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2429

A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.

April 9, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 2429, 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. 2429 be further amended as follows:

Strike everything after the enacting clause and insert:

“Section 1. Laws 1980, Chapter 522, Section 1, is amended to read:

48.153 [INSTALLMENT LOANS; FINANCE CHARGES; MINIMUM CHARGES.] Subdivision 1. A bank organized under the laws of this state, or a national banking association doing business in this state making a loan of money not exceeding \$35,000 repayable in installments, may charge upon the unpaid principal balance of the financed amount a rate of interest not in excess of 12 percent a year. A loan made prior to June 30, 1982, at a greater rate than permitted by this subdivision may continue to bear the greater rate of interest if that greater rate was lawful when the loan was made.

Subd. 1a. (a) Notwithstanding subdivision 1, a bank organized under the laws of this state, or a national banking association doing business in this state, making a loan of money not exceeding \$35,000 repayable in installments, may charge, at the time the loan is made, a rate of interest upon the unpaid principal balance of the amount financed of 12 percent a year, or the rate of interest authorized by section 334.011, whichever is greater. If the rate of interest charged is permitted by section 334.011 at the time the loan is made, the rate does not later become usurious because of a fluctuation in the federal discount rate.

(b) This subdivision supersedes subdivision 1 from its effective date until June 30, 1982.

Subd. 2. Installment payments on loans made pursuant to this section by a bank or national banking association shall not extend beyond a period of 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral.

Subd. 3. A savings bank organized pursuant to chapter 50, *a savings association or savings and loan association subject to the*

provisions of sections 51A.01 to 51A.07, or a savings and loan association chartered under the laws of the United States, that has its principal place of business in this state, may make a loan for consumer purposes to a natural person in an amount not exceeding \$25,000 repayable in installments, and may charge upon the unpaid principal balance of the financed amount a rate of interest not in excess of 12 percent a year. A loan made prior to June 30, 1982, at a greater rate than permitted by this subdivision may continue to bear the greater rate of interest if that greater rate was as lawful when the loan was made.

Subd. 3a. (a) Notwithstanding subdivision 3, a savings bank organized pursuant to chapter 50, *a savings association or savings and loan association subject to the provisions of sections 51A.01 to 51A.57, or a savings and loan association chartered under the laws of the United States, that has its principal place of business in this state, may make a loan for consumer purposes to a natural person in an amount not exceeding \$25,000 repayable in installments, and may charge a rate of interest upon the unpaid principal balance of the amount financed of 12 percent a year, or the rate of interest authorized by section 334.011, whichever is greater. If the rate of interest charged is permitted by section 334.011 at the time the loan is made, the rate does not later become usurious because of a fluctuation in the federal discount rate.*

(b) This subdivision supersedes subdivision 3 from its effective date until June 30, 1982.

Subd. 4. Installment payments on loans made pursuant to this section by a savings bank, *a savings association or savings and loan association subject to the provisions of sections 51A.01 to 51A.57, or a savings and loan association chartered under the laws of the United States shall not extend beyond a period of five 12 years and 32 days from the date of the loan. The loan may be secured by a mortgage, pledge, or other collateral.*

Subd. 5. Charges in reference to installment loans under this section shall be computed and collected only on the unpaid principal balance of the amount financed actually outstanding. One day's finance charge means an amount equal to 1/365 of the per annum rate provided for in an installment loan. If the total finance charge determined on an installment loan, single payment or demand loan shall be less than \$10 the amount charged may nevertheless be \$10. No loan shall be made pursuant to this section if over 50 percent of the proceeds of the loan are used to finance the purchase of a borrower's primary residence other than a mobile home.

Sec. 2. Minnesota Statutes 1978, Chapter 48, is amended by adding a section to read:

[48.195] [PENALTY FOR USURIOUS INTEREST CHARGED BY BANKS AND SAVINGS BANKS.] *The taking, receiving, reserving or charging by a lender of a rate of interest greater than is allowed by state law shall be deemed a forfeiture of the entire interest which the note, bill, or other evidence of*

debt carries with it, or which has been agreed to be paid thereon. In case the greater rate of interest has been paid, the person paying it, or his legal representatives, may recover, in an action in the nature of an action of debt, twice the amount of the interest thus paid from the lender taking or receiving the interest, if the action is commenced within two years from the time the usurious transaction occurred. For purposes of this section, the term "lender" means a bank or savings bank organized under the laws of this state, a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, a credit union organized under chapter 52, or a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs.

Sec. 3. Minnesota Statutes 1978, Section 334.02, is amended to read:

334.02 [USURIOUS INTEREST; RECOVERY.] Every person who for any such loan or forbearance shall have paid or delivered any greater sum or value than in section 334.01 allowed to be received may, by himself or his personal representatives, recover in an action against the person who shall have received the same, or his personal representatives, the full amount of interest or premium so paid, with costs, if action is brought within two years after such payment or delivery. *This section does not apply when the loan or forbearance is made by a lender and the lender is liable for the penalty provided in section 2 in connection with the loan or forbearance. For purposes of this section, the term "lender" means a bank or savings bank organized under the laws of this state, a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, a credit union organized under chapter 52, or a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs.*

Sec. 4. Minnesota Statutes 1978, Section 334.03, is amended to read:

334.03 [USURIOUS CONTRACTS INVALID; EXCEPTIONS.] All bonds, bills, notes, mortgages, and all other contracts and securities, and all deposits of goods, or any other thing, whereupon or whereby there shall be reserved, secured, or taken any greater sum or value for the loan or forbearance of any money, goods, or things in action than prescribed, except such instruments which are taken or received in accordance with and in reliance upon the provisions of any statute, shall be void except as to a holder in due course. No merely clerical error in the computation of interest, made without intent to avoid the provisions of this chapter, shall constitute usury. Interest at the rate of one-twelfth of eight percent for every 30 days shall not be construed to exceed eight percent per annum; nor shall the payment of interest in advance of one year, or any less time, at a rate not exceeding eight percent per annum constitute usury;

and nothing herein shall prevent the purchase of negotiable mercantile paper, usurious or otherwise, for a valuable consideration, by a purchaser without notice, at any price before the maturity of the same, when there has been no intent to evade the provisions of this chapter, or where such purchase has not been a part of the original usurious transactions; but where the original holder of a usurious note sells the same to an innocent purchaser, the maker thereof, or his representatives, may recover back from the original holder the amount of principal and interest paid by him on the note. *This section does not apply when the loan or forbearance is made by a lender and the lender is liable for the penalty provided in section 2 in connection with the loan or forbearance. For purposes of this section, the term "lender" means a bank or savings bank organized under the laws of this state, a federally chartered savings and loan association, a savings association organized under chapter 51A, a federally chartered credit union, a credit union organized under chapter 52, or a mortgagee or lender approved or certified by the secretary of housing and urban development or approved or certified by the administrator of veterans affairs.*

Sec. 5. [EFFECTIVE DATE.] *Sections 1 to 4 are effective the day following final enactment.*"

Delete the title and insert:

"A bill for an act relating to financial institutions; granting certain lending powers to savings associations and savings and loan associations; providing for interest rates on certain installment loans; changing the penalty for usurious loans made by banks, savings banks, savings associations, credit unions and certain other lenders; amending Laws 1980, Chapter 522, Section 1; Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 4B, by adding a section."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) John R. Corbid, Randy C. Kelly

Senate Conferees: (Signed) Sam G. Solon, Otto T. Bang, Jr., Gerry Sikorski

Mr. Solon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2429 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. 2429 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 2, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Laufenburger	Peterson	Stern
Ashbach	Frederick	Lessard	Pillsbury	Stokowski
Bang	Gearty	Luther	Purfeerst	Strand
Barrette	Gunderson	Menning	Renneke	Stumpf
Benedict	Hanson	Nelson	Rued	Ueland, A.
Bernhagen	Hughes	Nichols	Schaaf	Ulland, J.
Brataas	Jensen	Ogdahl	Schmitz	Vega
Chmielewski	Johnson	Olhoff	Setzepfandt	Wegener
Davies	Keefe, S.	Olson	Sieloff	Willet
Dieterich	Knaak	Omann	Solon	
Dunn	Knutson	Penny	Staples	

Messrs. Merriam and Perpich 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. 1816 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1816 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 10, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1816

A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lockups and workhouses; clarifying provisions penalizing the possession of contraband in local correctional facilities; repealing provisions concerning correctional or work farms; providing for establishing and organizing court administrative structure; budgeting and operation of court services, probation, juvenile detention and correctional facilities by counties; amending Minnesota Statutes 1978, Sections 401.02, Subdivision 3; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

April 9, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1816, 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. 1816 be further amended as follows:

Pages 1 and 2, delete section 1

Page 11, after line 31, insert:

"Sec. 18. [TEMPORARY PROVISION.] The commissioner of corrections shall amend 11 MCAR Section 2.111 (G)(1.) by striking the word "Health" and insert the word "Corrections."

Notwithstanding sections 15.0411 to 15.052, the amendment shall be effective on the date of its publication in the State Register."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "; providing"

Page 1, delete lines 8 to 10

Page 1, line 11, delete everything before the semicolon

Page 1, lines 12 and 13, delete "401.02, Subdivision 3;"

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) John T. Clawson, Gary W. Laidig, Donald M. Moe

Senate Conferees: (Signed) Sam G. Solon, Tom A. Nelson, Conrad M. Vega

Mr. Solon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1816 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. 1816: A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lock-ups and workhouses; clarifying provisions penalizing the possession of contraband in local correctional facilities; repealing provisions concerning correctional or work farms; amending Minnesota Statutes 1978, Sections 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14;

643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Engler	Lessard	Perpich	Solon
Ashbach	Frederick	Luther	Peterson	Staples
Bang	Gearty	Menning	Pillsbury	Stern
Barrette	Gunderson	Merriam	Purfeerst	Stokowski
Benedict	Hanson	Nelson	Renneke	Strand
Bernhagen	Hughes	Nichols	Rued	Stumpf
Brataas	Jensen	Ogdahl	Schaaf	Ueland, A.
Chmielewski	Johnson	Olhoft	Schmitz	Ulland, J.
Davies	Knaak	Olson	Setzepfandt	Vega
Dieterich	Knutson	Omann	Sieloff	Wegener
Dunn	Laufenburger	Penny	Sikorski	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. 1731 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1731 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 10, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1731

A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.

April 9, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1731, 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. 1731 be further amended as follows:

Page 1, delete lines 15 to 18 and insert:

"Subd. 2. When used only for display and demonstration purposes, steam farm traction engines and stationary show boilers shall be inspected every two years according to law."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Joseph T. Niehaus, Ray O. Pleasant

Senate Conferees: (Signed) Florian Chmielewski, Conrad M. Vega, George S. Pillsbury

Mr. Chmielewski moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1731 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. 1731 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 1, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Luther	Pillsbury	Stokowski
Bang	Gearty	Menning	Purfeerst	Strand
Barrette	Gunderson	Merriam	Renneke	Stumpf
Benedict	Hanson	Nelson	Rued	Ulland, A.
Bernhagen	Hughes	Nichols	Schaaf	Ulland, J.
Brataas	Jensen	Olhoff	Schmitz	Vega
Chmielewski	Johnson	Olson	Setzepfandt	Wegener
Davies	Knaak	Omann	Sieloff	Willet
Dieterich	Knutson	Penny	Solon	
Dunn	Laufenburger	Perpich	Staples	
Engler	Lessard	Peterson	Stern	

Mr. Anderson 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 refuses to concur in the Senate amendments to House File No. 2268.

H. F. No. 2268: A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota

Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.

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

Ellingson, Adams and Blatz have been appointed as such committee on the part of the House.

House File No. 2268 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 April 9, 1980

Mr. Luther moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 2268, 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. 797.

H. F. No. 797: A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.

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

Clawson, Byrne and Levi have been appointed as such committee on the part of the House.

House File No. 797 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 April 9, 1980

Mr. Anderson moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 797, 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. 1781 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1781 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 10, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1781

A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the commissioner of education, the department of education and others; aid for education of pupils of limited English proficiency; requiring the establishment of local policies to minimize chemical use problems; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 121.88, by adding a subdivision; 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.25, Subdivision 1; 122.531, by adding subdivisions; 123.11, Subdivision 7; 123.36, by adding a subdivision; 123.39, Subdivision 3; 123.932, Subdivision 9, and by adding a subdivision; 124.20; 124.214, Subdivision 2; 124.572, Subdivision 7; 126.07; 126.36, Subdivision 3; 126.52, Subdivision 5, and by adding a subdivision; 126.54, Subdivisions 5 and 6; 127.09; 127.11; 127.21; 134.03; 134.08; 275.125, Subdivisions 5 and 5a; 354.05, Subdivision 2; Chapter 124, by adding a section; Chapter 125, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 120.075, Subdivision 4, and by adding a subdivision; 121.912, Subdivision 1; 122.541, Subdivision 5; 123.35, Subdivision 15; 124.01; 124.11, Subdivisions 2a and 2b, and by adding a subdivision; 124.19, Subdivision 4; 124.212, Subdivision 7d; 124.223; 124.225; 124.245, Subdivisions 1 and 2; 124.247, Subdivisions 3 and 4; 126.54, Subdivision 1; 124.561, Subdivision 3a; 124.562, Subdivisions 2, 3 and 4; 124.5621, Subdivision 11; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivision 6; 124.566; 124.572, Subdivision 2; 275.125, Subdivisions 2a, 2b, 7a, 7b, 11a and 20; 353.01, Subdivision 2b; 354A.011, Subdivision 27; 465.72; Laws 1979, Chapter 69, Sections 2 and 5; Chapter 334, Article VI, Section 35, Subdivision 9; Article VIII, Section 29; repealing Minnesota Statutes 1978, Sections 122.531, Subdivision 3; 125.61, as amended; 126.31 to 126.35; 126.36, Subdivisions 5 and 6; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8 and 9; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6 and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6 and 7; 127.22; Minnesota Statutes, 1979 Supplement, Sections 124.222, Subdivision 3; 126.39, Subdivision 10; 126.41, Subdivision 1; 126.52, Subdivision 10; Laws 1979, Chapter 334, Article V, Section 29.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1781, 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. 1781 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE I
FOUNDATION AID

Section 1. Minnesota Statutes 1978, Section 122.531, is amended by adding a subdivision to read:

Subd. 3a. (1) For purposes of computing the levy limitation under section 275.125, subdivision 6b, and the foundation aid under section 124.212, of a district newly created through consolidation or enlarged through the dissolution of a district and its attachment to one or more existing districts, the amounts specified in this subdivision shall be used in lieu of the amounts specified in the designated clauses of section 275.125, subdivision 6b and section 124.212.

(2) In lieu of the amount specified in section 275.125, subdivision 6b, clause (2), part (b), subpart (i); section 124.212, subdivision 7c, clause (3), part (a); and section 124.212, subdivision 7d, clause (3), part (a), subpart (i), there shall be used the sum of the amounts derived by performing the following multiplication for each component district:

(a) the product in section 275.125, subdivision 6b, clause (1), part (b), computed for the component district, times

(b) the quotient obtained by dividing the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), from that component district who are enrolled in the newly created or enlarged district in the year when the consolidation or dissolution and attachment becomes effective, by the total number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), enrolled in the component district in the year preceding the year when the consolidation or dissolution and attachment becomes effective.

(3) In lieu of the quotient used in the computation in section 275.125, subdivision 6b, clause (2), part (b), subpart (ii), and in section 124.212, subdivision 7d, clause (3), part (a), subpart (ii), there shall be used the quotient obtained by dividing:

(a) the sum derived in clause (2) of this subdivision, by

(b) the sum of the amounts derived by performing the following computation for each component district:

(i) the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2) in the component district in 1979-1980, times

(ii) the quotient derived for that component district in clause (2), part (b) of this subdivision.

Sec. 2. Minnesota Statutes 1978, Section 122.531, is amended by adding a subdivision to read:

Subd. 5. (1) For purposes of computing the levy limitation under section 275.125, subdivision 6c, of a district newly created through consolidation or enlarged through the dissolution of a district and its attachment to one or more other districts, there shall be used in lieu of the amount specified in section 275.125, subdivision 6c, clause (1), part (a) (i) (A), the quotient obtained by dividing:

(a) the sum of the amounts derived by performing the following multiplication for each component district:

(i) the quotient in section 275.125, subdivision 6c, clause (1), part (a) (i) (A), computed for the component district for purposes of 1979 payable 1980 levy limitations, times

(ii) the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4), and (5), from that component district who are enrolled in the newly created or enlarged district in the year when the consolidation or dissolution and attachment becomes effective; by

(b) the total number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4), and (5), in the newly created or enlarged district in the year when the consolidation or dissolution and attachment becomes effective.

(2) For purposes of computing the district's foundation aid pursuant to section 124.212, in lieu of the amount derived in section 124.212, subdivision 7c, clause (4), part (a), there shall be used the sum derived in clause (1), part (a) of this subdivision.

Sec. 3. Minnesota Statutes 1978, Section 122.531, is amended by adding a subdivision to read:

Subd. 6. (1) For purposes of computing foundation aid under section 124.212, subdivision 7c, clauses (3) and (4), or section 124.212, subdivision 7d, clauses (3) and (4), of a district newly created through consolidation or enlarged through the dissolution of a district and its attachment to one or more other districts, in the year when the consolidation or dissolution and attachment becomes effective, there shall be used in lieu of the ratio of the district's actual levy to its permitted levy in 1979 payable 1980 or 1980 payable 1981, as applicable, pursuant to section 275.125, subdivision 6b or 6c, as applicable, the quotient obtained by dividing:

(a) the sum of the products derived for each component district by multiplying the component district's actual levy in the applicable year pursuant to the applicable subdivision, times the ratio of the amount of the adjusted assessed valuation of the property from the component district which is included in the new district to the total amount of the adjusted assessed valuation of the new district; by

(b) the sum of the products derived for each component district by multiplying the component district's permitted levy in the applicable year pursuant to the applicable subdivision, times the ratio of the amount of the adjusted assessed valuation of the property from the component district which is included in the new district to the total amount of the adjusted assessed valuation of the new district.

Sec. 4. Minnesota Statutes 1978, Section 122.531, is amended by adding a subdivision to read:

Subd. 7. For purposes of computing foundation aid under section 124.212, subdivision 7c, clause (5) or section 124.212, subdivision 7d, clause (5), of a district newly created through consolidation or through the dissolution of a district and its attachment to one or more other districts, in the year when the consolidation or dissolution and attachment becomes effective, there shall be used in lieu of the mill rate levied by the district on its adjusted assessed valuation in 1979 payable 1980 or 1980 payable 1981, as applicable, pursuant to section 275.125, subdivision 7a, the sum of the amounts derived by performing the following multiplication for each component district:

(a) the mill rate levied by the component district on its adjusted assessed valuation in 1979 payable 1980 or 1980 payable 1981, as applicable, pursuant to section 275.125, subdivision 7a; times

(b) the ratio of the amount of the adjusted assessed valuation of the property from the component district which is included in the new district to the total amount of the adjusted assessed valuation of the new district.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 124.19, Subdivision 4, is amended to read:

Subd. 4. In an elementary school where the number of instructional hours in the school day is greater than the number of instructional hours prescribed in the rules of the state board for the school day, the excess number of instructional hours for those days may be included in calculating the required number of days school is in session for purposes of fulfilling the requirements of subdivision 1, provided that the school is in session for not less than 160 days during the school year, and provided that no instructional hours are included from half-day sessions or any school day which has less instructional hours than the number of instructional hours prescribed in the rules of the state board.

Sec. 6. Minnesota Statutes 1978, Section 124.20, is amended to read:

124.20 [EDUCATION; STATE AID; SUMMER SCHOOL AND FLEXIBLE SCHOOL YEAR CLASSES.] Foundation aid for (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 at a proportionate rate for foundation aids paid for the preceding regular school year; provided that no district shall receive aid for programs under this section in an amount greater than its actual expenditures for these programs; provided further, that for purposes of computing summer school foundation aid *through 1980*, a district's foundation aid for the regular school year shall be reduced by the amount of the agricultural tax credit included in that foundation aid; *provided further, that for purposes of computing summer school foundation aid starting in 1981, foundation aid for the regular school year shall be reduced by amounts of foundation aid computed pursuant to section 124.212, subdivision 7c, clauses (2), (3), (4) and (5), and section 124.212, subdivision 7d, clauses (2), (3), (4) and (5), or their successor provisions.*

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 124.212, Subdivision 7d, is amended to read:

Subd. 7d. For the 1981-1982 school year a district shall receive in foundation aid:

(1) \$1,354 per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), less 21 mills times the 1979 adjusted assessed valuation of the district; plus

(2) the amount of the agricultural tax credit by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.132; plus

(3) an amount equal to the product obtained by multiplying the ratio of the district's actual levy to its permitted levy in 1980 payable 1981 pursuant to section 275.125, subdivision 6b, times the difference between

(a) the greater of

(i) the amount derived in subdivision 7c, clause (3), part (a),
or

(ii) the product obtained by multiplying the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2), in the district in 1980-1981, times the quotient obtained by dividing the amount derived in subdivision 7c, clause (3), part (a) by the number of pupil units identified in section 124.17, subdivision 1, clauses (1) and (2) in the district in 1979-1980, and

(b) the product obtained by multiplying the amount derived in part (a) of this clause times the lesser of

(i) one or

(ii) the ratio of the district's 1979 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5) in the district in 1980-1981, to the state average 1979 adjusted assessed valuation per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the state in 1980-1981; plus

(4) an amount equal to the ratio of the district's actual levy to

its permitted levy in 1980 payable 1981 pursuant to section 275.125, subdivision 6c, times the difference between

(a) the product obtained by multiplying

(i) the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5) in the district in 1981-1982 times

(ii) 107 percent of the quotient obtained by dividing the amount derived in subdivision 7c, clause (4), part (a), by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5) in the district in 1980-1981, and

(b) the product obtained by multiplying the ratio of the amount derived in part (a) (ii) of this clause to \$64,476, times the district's 1979 adjusted assessed valuation; plus

(5) an amount equal to the difference between

(a) the product obtained by multiplying the mill rate levied by the district on its adjusted assessed valuation in 1980 payable 1981 pursuant to section 275.125, subdivision 7a, times \$64,476, times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in 1980-1981; and

(b) the product obtained by multiplying the mill rate levied by the district on its adjusted assessed valuation in 1980 payable 1981 pursuant to section 275.125, subdivision 7a, times the district's 1979 adjusted assessed valuation.

(6) No district where the assessed valuation of agricultural land identified in section 273.13, subdivisions 4, 6 and 6a, comprises 60 percent or more of the assessed valuation of the district shall receive an amount of foundation aid pursuant to clause (1) which is less than the following difference:

(a) \$600 \$800 times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), less

(b) the sum of

(i) the amount of the agricultural tax credit by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.132, plus

(ii) the amount by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.13, subdivisions 6, 7 and 14a, plus

(iii) the amount by which 1980 payable 1981 property taxes in the district are reduced pursuant to section 273.135, plus

(iv) the amount by which 1980 payable 1981 taxes in the district are reduced pursuant to section 273.138, subdivision 6.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 124.224, Subdivision 8, is amended to read:

Subd. 8. [EXPIRATION.] This section shall expire **June 30, 1980 with the final 1980 payment pursuant to subdivision 7.**

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 2a, is amended to read:

Subd. 2a. (1) In 1979, a school district may levy for all general and special school purposes, an amount equal to the amount raised by 23 mills times the 1978 adjusted assessed valuation of the district.

(2) In 1980, a school district may levy for all general and special school purposes, an amount equal to the amount raised by 21 mills times the 1979 adjusted assessed valuation of the district.

(3) For any district levying less than 95 percent of the maximum levy allowable in clauses (1) and (2), beginning with the levy certified in 1978, payable in 1979, the foundation aid to the district for the 1979-1980 school year, and for subsequent levies, foundation aid for subsequent school years when the levy is recognized as revenue, calculated pursuant to section 124.212, subdivision 7c, clauses (1) and (6); or section 124.212, subdivision 7d, clauses (1) and (6); or their successor provisions, as applicable, shall be reduced to an amount equal to the ratio between the actual levy and the maximum levy allowable under clauses (1) and (2) times the foundation aid calculated pursuant to section 124.212, subdivision 7c, clauses (1) and (6); or 124.212, subdivision 7d, clauses (1) and (6); or their successor provisions, as applicable, to which the district is otherwise entitled for that year. For purposes of computations pursuant to this clause, the maximum levy allowable and the actual levy under clauses (1) and (2) shall be increased by any reduction of this levy which is required by section 275.125, subdivision 9 or any other law.

(4) (a) The levy authorized by clauses (1) or (2) 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. 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 by the voters of the district at a subsequent referendum.

(b) A referendum on the question of revoking the increased levy amount authorized pursuant to clause (a) of this clause 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.

The amount approved by the voters of the district pursuant to clause (a) of this clause must be levied at least once before it is subject to a referendum on its revocation for subsequent years. Only one such revocation election may be held to revoke a levy for any specific year and for years thereafter.

(c) A petition authorized by clauses (a) or (b) of this clause shall be effective if signed by a number of qualified voters in excess of 15 percent, or 10 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.

(d) 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.

(e) 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. 10. Minnesota Statutes 1979 Supplement, Section 275.125, Subdivision 2b, is amended to read:

Subd. 2b. (1) **Beginning in 1979**, In any year when the amount of the maximum levy allowed by subdivision 2a, clause (1) or (2), for any district with 950 or more pupil units under section 124.17, subdivision 1, clauses (1) and (2), exceeds the product of the district's foundation aid formula allowance under section 124.212 for the corresponding school year in which the levy is recognized as revenue times the estimated number of pupil units computed for that district under section 124.17, subdivision 1, clauses (1), (2), (4) and (5), for that school year, the levy permitted that district by subdivision 2a, clause (1) or (2) shall be limited to the greater of the dollar amount of the levy the district certified in 1977 under subdivision 2a, clause (1) or 107 percent of the sum of the following, but not to exceed the amount raised by the number of mills permitted levy limitation under subdivision 2a, clause (1) or (2):

(a) (i) the product of the district's foundation aid formula allowance under section 124.212 for the school year in which the levy is certified recognized as revenue, times the estimated number of pupil units computed for that district under section 124.17, subdivision 1, clauses (1), (2), (4) and (5), for the that school year in which the levy is certified; plus less

(ii) the estimated amount of any payments which would reduce the district's foundation aid entitlement as provided in section 124.212, subdivision 5a in the school year in which the levy is recognized as revenue; plus

(b) the district's estimated aid entitlement pursuant to section 124.20 for the summer school which begins in the school year in which the levy is certified recognized as revenue; plus

(c) that district's estimated entitlement, for the year in which

the levy is certified *recognized as revenue*, for transportation aid pursuant to section 124.225, special education aid pursuant to section 124.32, secondary vocational aid pursuant to section 124.573 and secondary vocational aid for handicapped children pursuant to section 124.574.

(2) If a district levies the full 107 percent of its entitlement under clause (1) for a school year and that amount is less than the amount to which the district would actually have been entitled under sections 124.20, 124.212, 124.225, 124.32, 124.573, and 124.574, for the year to which the levy is attributable, the district may adjust its levies in the succeeding years to make up this difference. The amount by which the district adjusts any levy in the succeeding years pursuant to this section shall be recognized as revenue in the school year when the levy which is so adjusted is recognized as revenue.

(3) If a district levies pursuant to clause (1) for school year and the amount levied is greater than the amount to which the district would actually have been entitled under sections 124.20, 124.212, 124.225, 124.32, 124.573, and 124.574, for the year to which the levy is attributable, the district shall reduce its levies in the succeeding years by the amount of this difference.

(4) However, if the amount of the difference in clause (2), when calculated as an addition to the original levy for that year, would have exceeded the amount raised by the millage limitation in subdivision 2a, clause (1) or (2) for that year, the state shall pay the amount to which the district is entitled under sections 124.20, 124.212, 124.225, 124.32, 124.573, and 124.574, for that school year, which exceeds the amount raised by that millage limitation.

(5) If the district is unable to levy the full 107 percent of its entitlement for a school year because of the millage limitation in subdivision 2a, clause (1) or (2), the state shall pay the amount under sections 124.20, 124.212, 124.225, 124.32, 124.573, or 124.574 to which the district is entitled for that school year which exceeds the amount raised by that millage limitation.

(6) (2) Prior to the certification of levies, the commissioner of education shall notify an applicable district that it is subject to the levy limitation of this subdivision and of its estimated entitlements pursuant to sections 124.20, 124.212, 124.225, 124.32, 124.573, and 124.574. The commissioner shall decide that a district is subject to this levy limitation if it appears reasonably certain that the maximum levy allowed that district pursuant to subdivision 2a, clause (1) or (2) will exceed the district's foundation aid formula allowance times the number of pupil units computed for that district under section 124.17, subdivision 1, clauses (1), (2), (4) and (5), for that corresponding year. If, upon the order of the commissioner, the district levies pursuant to this subdivision but the maximum levy allowed that district pursuant to subdivision 2a, clause (1) or (2) would not actually have exceeded the district's foundation aid formula allowance times the number of pupil units computed for that district under section 124.17, subdivision 1, clauses (1), (2), (4) and (5), for that corresponding year, the

district shall reduce its levy for the next year by the amount by which the levy certified pursuant to this subdivision exceeded the amount the district could have levied under subdivision 2a, clause ~~(1)~~ or ~~(2)~~. Also in that case, the district shall receive all aids from the state pursuant to sections ~~124.20, 124.212, 124.225, 124.32, 124.573, and 124.574~~ to which it would otherwise have been entitled if its permitted levy had not been computed pursuant to this subdivision.

~~(7)~~ (3) Any district which is required to compute its permitted levy levy limitation under this subdivision shall not be eligible to receive that amount of aid for the corresponding school year under sections ~~124.20, 124.212, 124.225, 124.32, 124.573, and 124.574~~ for the corresponding year except as authorized by this subdivision for which it is eligible to levy pursuant to this subdivision and subdivision 20. Clause (1) and this clause shall apply to aids pursuant to these sections in the following order: (a) ~~124.20~~; (b) ~~124.225~~; (c) ~~124.32~~; (d) ~~124.573~~; (e) ~~124.574~~.

~~(8)~~ (4) Nothing within the provisions of this subdivision shall be construed to affect any other levy under this section, including levies made pursuant to subdivision 2a, clause (4), to which a district is otherwise entitled.

~~(9)~~ (5) A levy made by a district pursuant to the provisions of this subdivision shall be construed to be the levy made by that district pursuant to subdivision 2a, clause (1) and (2), for purposes of statutory cross-reference.

~~(10)~~ The provisions of clauses ~~(2)~~ to ~~(9)~~ shall govern ~~1970-1980~~ aids, the adjustment of levies, and statutory cross references to the ~~1978~~ levy, for any district which levied pursuant to clause ~~(1)~~ in ~~1978~~ and which is not required to levy pursuant to clause ~~(1)~~ in ~~1979~~ or subsequent years.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 7a, is amended to read:

Subd. 7a. (1) In ~~1979~~ In ~~1980~~ each district which levies the maximum permissible amount pursuant to subdivisions ~~2a~~, clauses ~~(1)~~, ~~(2)~~, and ~~(4)~~, subdivision ~~2a~~, clause (1) or (2) and subdivision ~~6b~~, and ~~6c~~, may levy an additional amount which shall not exceed the lesser of (a) an amount equal to one half one mill times the district's ~~1978~~ 1979 adjusted assessed valuation or (b) the product obtained by multiplying ~~\$27.50~~ \$64.48 times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4), and (5), in the district in ~~1979-1980~~ the 1980-1981 school year.

(2) In ~~1980~~ 1981 and each year thereafter, each district which levies the maximum permissible amount pursuant to subdivisions ~~2a~~, clauses ~~(1)~~, ~~(2)~~ and ~~(4)~~, subdivision ~~2a~~, clause (1) or (2) and subdivision ~~6b~~, and ~~6c~~, may levy an additional amount which shall not exceed the lesser of (a) an amount equal to one mill and one-half mills times the district's adjusted assessed valuation for the preceding year or (b) the product obtained by multiplying (i) one

and one-half times (i) (ii) the ratio of the equalizing factor to 1,000, times (ii) (iii) the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4), and (5), in the district in the school year when the levy is certified.

(3) ~~By August 1 before a district certifies any levy pursuant to this subdivision in 1979, or~~ By the July 1 before a district certifies any levy pursuant to this subdivision in 1980, in any even-numbered year thereafter, or in any odd-numbered year thereafter when the district has not certified a levy pursuant to this subdivision in the preceding year, the board of the district shall hold a public hearing on the need for the proposed levy pursuant to this subdivision. At least three weeks published notice of the hearing in 10 point type, on 12 point body, 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 in dollars and mills, the *estimated* net unappropriated fund balance in the district's operating funds as of the June 30 before the levy is certified, and the tax impact of the proposed levy on homesteads with market values of \$30,000 and \$50,000. At the hearing, the district shall present its proposed revenue and expenditure budgets for the next two school years and the *estimated* net unappropriated fund balances in all district funds as of the June 30 before the levy is certified, and the board shall hear all parties requesting to give testimony for and against the proposed levy. Upon petition within 20 days after the hearing of ~~five percent~~ *the greater of (a) 50 voters, or (b) 15 percent* of the number of voters who voted in the district at the ~~preceding statewide general most recent regular school board~~ election, the board shall call a referendum on a reduction of the proposed levy. The petition shall state the number of mills on the district's adjusted assessed valuation by which it proposes to reduce the proposed levy. No petition or referendum shall provide for a reduction of a proposed levy pursuant to this subdivision to a rate less than one-half mill on the district's adjusted assessed valuation below the rate levied by the district pursuant to this subdivision in the preceding year. The referendum shall be held on a date set by the school board, but no later than ~~September 20 in 1979 or~~ the August 20 before the levy is certified in ~~subsequent years~~. The question on the ballot shall state the maximum amount of the proposed levy, the amount of the proposed reduction of the levy and the amount of the levy if the reduction is approved, in mills on the district's adjusted assessed valuation and in dollars in the first year of the proposed levy. The district may levy the amount provided by the millage proposed by the school board, reduced by any reduction in millage approved at a referendum pursuant to this clause, applied to the preceding year's adjusted assessed valuation until the next even-numbered year. The district is not required to hold a public hearing or call a referendum on a levy pursuant to this subdivision in any odd-numbered year ~~after 1979~~ which succeeds a year in which a levy is certified pursuant to this subdivision.

Sec. 12. Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 7b, is amended to read:

Subd. 7b. (1) It is the intention of the legislature that the

revenue provided by the discretionary levy authorized in subdivision 7a and by the corresponding portion of foundation aid provided in section 124.212, subdivisions 7c, clause (5), and 7d, clause (5), be used to improve instructional programs in grades kindergarten through 12 *and not be used to increase a district's balance*. If the board of any district with a reasonable general fund balance determines that all or part of this revenue is not needed for this purpose and if this determination is demonstrated by an increase in the district's general fund balance in any fiscal year starting in fiscal year 1981, the mill rate used to calculate the authorized discretionary levy and the corresponding portion of foundation aid shall be reduced as provided in this subdivision. For purposes of this subdivision, a "reasonable general fund balance" shall mean \$150 in all operating funds above \$165 per pupil unit identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5).

(2) In any district where the maximum permissible levy pursuant to subdivision 7a in 1981 or in any year thereafter is determined according to clause (2), part (a), of that subdivision, and where the net unappropriated general fund balance *in all operating funds* has increased between the second June 30 before the levy is certified and the June 30 before the levy is certified, the maximum permissible levy pursuant to subdivision 7a in that year shall be reduced by an amount equal to the product obtained by multiplying

(a) the ratio of

(i) the quotient obtained by dividing the amount of that increase in the general fund balance *in all operating funds* by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in the year when the levy is certified, to

(ii) the equalizing factor, times

(b) the district's adjusted assessed valuation for the preceding year.

No levy reduction pursuant to this clause, however, shall exceed an amount equal to the product obtained by multiplying

(a) the ratio of

(i) the difference obtained by subtracting \$150 \$165 from the quotient obtained by dividing the *total* amount of the net unappropriated general fund balance *in all operating funds* of the district as of the June 30 before the levy is certified, by the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in the year when the levy is certified, to

(ii) the equalizing factor, times

(b) the district's adjusted assessed valuation for the preceding year.

(3) In any district where the maximum permissible levy pur-

suant to subdivision 7a in 1981 or in any year thereafter is determined according to clause (2), part (b), of that subdivision, and where the net unappropriated ~~general fund~~ *balance in all operating funds* has increased between the second June 30 before the levy is certified and the June 30 before the levy is certified, the maximum permissible levy pursuant to subdivision 7a in that year shall be reduced by the *total amount of that the increase in the general fund balance in all operating funds*. No levy reduction pursuant to this clause, however, shall exceed an amount equal to the difference obtained by subtracting

(a) the product obtained by multiplying ~~\$150~~ *\$165* times the number of pupil units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5), in the district in the year when the levy is certified, from

(b) the *total amount of the net unappropriated general fund balance in all operating funds* in the district as of the June 30 before the levy is certified.

Sec. 13. Minnesota Statutes 1979 Supplement, Section 275.125, Subdivision 20, is amended to read:

Subd. 20. The computation of levy limitations pursuant to subdivisions 2b, 2c, 6c and 19 shall be based on estimates where necessary. If as a result of using estimates for these computations the amount of any levy is different from the amount which could actually have been levied if actual data had been available, levy limitations in the first year when the actual data is known shall be adjusted to reflect for this difference. The amount of any adjustment to levy limitations pursuant to this subdivision shall be recognized as revenue in the school year when the levy for which the levy limitation is so adjusted is recognized as revenue.

Sec. 14. [REPEALER.] *Minnesota Statutes 1978, Section 122.531, Subdivision 3, is repealed.*

Sec. 15. [DEFICIENCY APPROPRIATION; SUMMER SCHOOL.] *The sum of \$685,000 is appropriated from the general fund to the department of education for the fiscal year ending June 30, 1980, for the payment of a deficiency in funds available for state aid for summer school. This amount is for 1979 summer school programs and shall be added to the sum appropriated for fiscal year 1980 for summer school aid in Laws 1979, Chapter 334, Article I, Section 28, Subdivision 3.*

Sec. 16. [DEFICIENCY APPROPRIATION; SPARSITY AID.] *There is appropriated from the general fund to the department of education the sum of \$30,000 for the fiscal year ending June 30, 1980, and the sum of \$6,000 for the fiscal year ending June 30, 1981, for the payment of a deficiency in funds available for sparsity aid for 1980 pursuant to section 124.224. These appropriations shall be added to the amounts appropriated for sparsity aid in Laws 1979, Chapter 334, Article I, Section 28, Subdivision 4.*

Sec. 17. [EFFECTIVE DATE.] Sections 8, 15 and 16 are effective on the day following final enactment.

ARTICLE II

TRANSPORTATION AID

Section 1. Minnesota Statutes, 1979 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) 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 private school actually attended, but only to the extent permitted by sections 123.76 to 123.79 with respect to private school pupils;

(2) 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) 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) 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 during the school day to other buildings 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 reside at least one mile from school in order for the transportation to qualify for aid;*

(5) When necessary, board and lodging for nonresident handicapped pupils in a district maintaining special classes;

(6) 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) Transportation for residents to and from the Minnesota

school for the deaf or the Minnesota braille and sight-saving school;

(8) Services described in clauses (1) to (7) and ~~clause~~ *clauses* (9) and (10) when provided in conjunction with a state board approved summer school program;

(9) 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) 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. 2. Minnesota Statutes, 1979 Supplement, Section 124.225, is amended to read:

124.225 [TRANSPORTATION AID ENTITLEMENT.] Subdivision 1. 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) *Beginning with the 1980-1981 school year, "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) "Total authorized cost" or "total authorized expenditure" means the sum of:

(i) all expenditures for transportation for which aid is authorized in section 124.223, plus

(ii) 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- $\frac{1}{2}$ percent per year of the cost of the fleet, plus

(iii) 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- $\frac{1}{3}$ percent per year of the cost to the district of the reconditioning.

~~(e)~~ (d) "Total authorized predicted cost" means the total authorized cost predicted by a linear *multiple* regression formula determined by the department of education.

~~(d)~~ (e) *For the 1979-1980 school year, "regular and summer school authorized FTE's transported" means full time equivalent*

pupils transported under section 124.223, clause (1), during the regular school year and in conjunction with a state board approved summer school program.

(f) "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) 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) Secondary vocational center transportation is transportation services provided under section 124.223, clause (3);

(iii) Handicapped transportation is transportation services provided under section 124.223, clause (4), excluding board and lodging and excluding transportation to and from board and lodging facilities;

(iv) 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) 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) Nonpublic health, guidance and counseling transportation is transportation services provided under section 124.223, clause (10);

(g) "Pupil weighting factor" means the ratio of the actual regional average cost per FTE in a particular transportation category to the actual regional average cost per FTE in the regular transportation category.

(h) "Weighted FTE's" means the number of FTE's in each transportation category multiplied by the pupil weighting factor for that category.

(i) "Mobile unit" means a vehicle or trailer designed to provide facilities for educational programs and services, including diag-

nostic 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.

Subd. 1a. For the 1980-1981 school year and thereafter, in computing transportation aid, the department of education shall establish the pupil weighting factors for each transportation category for each region 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 had no experience during the second prior school year.

Subd. 2. For the 1979-1980 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 linear regression formula shall be determined for each planning region by the department of education, using the terms specified in subdivision 4, to maximize the amount of variance accounted for between the total actual authorized cost per FTE for the 1977-1978 school year and the total authorized predicted cost per FTE for the 1977-1978 school year. The formula determined for each region shall be used to determine a total authorized predicted cost per FTE for the 1977-1978 school year for each district in the region. The amount determined for each district shall be adjusted according to the provisions of subdivisions 5 and 7. The linear regression formulas shall be determined so that the total transportation aid for the 1979-1980 school year does not exceed the amount appropriated for transportation aid for the 1979-1980 school year.

Subd. 3. For the 1980-1981 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 linear multiple regression formula shall be determined through stepwise multiple regression analysis for each planning region by the department of education, using the terms specified in subdivision 4 4a , to maximize the amount of variance accounted for between the total actual authorized cost per weighted FTE for the 1978-1979 school year and the total authorized predicted cost per weighted FTE for the 1978-1979 school year. The formula determined for each region shall be used to determine a total authorized predicted cost per weighted FTE for the 1978-1979 school year for each district in the region. The amount determined for each district shall be adjusted according to the provisions of subdivisions 6 and 7 7a . The linear regression formulas shall be determined so that the total transportation aid for all districts for the 1980-1981 school year does not exceed the amount appropriated for transportation aid for the 1980-1981 school year.

Subd. 4. To predict the natural logarithm of the total authorized cost per FTE transported authorized by law for the 1979-1980 school year , the linear regression formula shall use the following terms and all their cross products:

(1) The natural logarithm of the quotient of 1.00 divided by the total number of authorized FTE's transported;

(2) The natural logarithm of the sum of 100 plus the difference between the average of the square roots computed for all districts in the state of the number of regular and summer school authorized FTE's transported per square mile minus the square root of the number of regular and summer school authorized FTE's transported per square mile in the district;

(3) The natural logarithm of the ratio of the number of regular and summer school authorized FTE's transported to the district's total average daily membership;

(4) The natural logarithm of the number of regular and summer school authorized FTE's transported per square mile;

(5) The natural logarithm of the district's average daily membership;

(6) The natural logarithm of the size of the district measured in square miles; and

(7) The natural logarithm of the total number of FTE's transported by the district authorized for aid pursuant to section 124.223 minus the number of regular and summer school authorized FTE's transported.

Subd. 4a. To predict the total authorized cost per weighted FTE for each district beginning in the 1980-1981 school year, each regional 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;

(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) *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) *The percentage of the district's square mile area which is classified by the state planning agency as water-covered or marshland;*

(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 state planning agency;*

(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.*

Subd. 5. The total authorized predicted cost per FTE determined for a district under subdivision 2 for 1977-1978 shall be increased by 47 27 percent.

Subd. 6. The total authorized predicted cost per *weighted* FTE determined for a district under subdivision 3 for 1978-1979 shall be increased by 47 29 percent.

Subd. 7. (1) Each district's adjusted total authorized predicted cost per FTE determined for each the 1979-1980 school year according to subdivision 5 or 6 shall be compared to the total actual expenditure per FTE for authorized transportation for that district for that year to determine the district's aid entitlement per FTE for that year.

(2) *For the 1979-1980 school year, if the adjusted total authorized predicted cost per FTE is greater than the district's actual authorized expenditure per FTE, its aid entitlement per FTE*

shall equal the adjusted predicted cost per FTE minus 10 percent of the first \$10 of difference between the adjusted total authorized predicted cost per FTE and the actual expenditure per FTE; minus 20 percent of the next \$20; minus 40 percent of the next \$20; minus 60 percent of the next \$50; and minus 75 percent of the difference which exceeds \$100.

(3) *For the 1979-1980 school year, if the adjusted total authorized predicted cost per FTE is less than the district's actual authorized expenditure per FTE, its aid entitlement per FTE shall equal the adjusted total authorized predicted cost per FTE plus 10 percent of the first \$10 of difference between the adjusted predicted cost per FTE and the actual expenditure per FTE; plus 20 percent of the next \$20; plus 40 percent of the next \$20; plus 60 percent of the next \$50; and plus 75 percent of the difference which exceeds \$100.*

(4) Notwithstanding clauses (2) and (3), for the 1979-1980 school year, no district's aid entitlement per FTE shall be less than its actual authorized expenditure per FTE minus \$20 or more than its actual authorized expenditure per FTE plus \$20.

Subd. 7a. (1) Each district's adjusted total authorized predicted cost per weighted FTE determined for the 1980-1981 school year and each year thereafter according to subdivision 6 shall be compared to the total actual expenditure per weighted FTE for authorized transportation for that district for that year to determine the district's aid entitlement 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.

Subd. 8. A district's aid pursuant to this section for each the 1979-1980 school year shall equal the district's aid entitlement per FTE determined according to subdivision 7 times the total number of authorized FTE's transported in the district in that school year, minus the amount raised by one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy attributable to that school year.

Subd. 8a. A district's aid pursuant to this section for the 1980-

1981 school year and each year thereafter shall equal the district's aid entitlement per weighted FTE determined according to subdivision 7a times the total number of authorized weighted FTE's transported in the district in that school year, minus the amount raised by one mill times the adjusted assessed valuation which is used to compute the transportation levy limitation for the levy attributable to that school year.

Subd. 8b. (a) In addition to the amount authorized in subdivision 8a, for the 1980-1981 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:

(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.

(b) This aid shall equal 80 percent of the difference between:

(1) the actual authorized expenditure per weighted handicapped and board and lodging FTE and

(2) 140 percent of the aid entitlement per weighted handicapped and board and lodging FTE.

(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.

Subd. 9. Each district shall report 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. 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 of each year, 1980, each district shall provide the department with the information for the preceding 1979-1980 school year which the department determines is necessary to compute the district's actual authorized expenditure per FTE for purposes of the computation in subdivision 7 and the district's actual total number of FTE's transported for purposes of the aid computation in subdivision 8. Before August 15, 1981, and each August 15 thereafter, 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 that the school year shall be based on these computations.

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 bus purchase transportation fund at least an amount equal to 12½ percent of the original cost of each bus or mobile unit until the original cost of each bus or mobile unit is fully amortized, plus 33⅓ 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. 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 bus purchase transportation fund.

Subd. 11. [PAYMENT SCHEDULE.] *Except as may be otherwise authorized by the commissioner to accommodate a flexible school year program, 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.*

Sec. 3. Minnesota Statutes 1978, Section 275.125, Subdivision 5, is amended to read:

Subd. 5. For school transportation services, a school district may levy an amount not to exceed the amount raised by a levy of one mill times the adjusted assessed valuation of the taxable property of the district for the preceding year. A district may levy under this subdivision for the annual each payments to be made for the purchase of buses, but only for that portion of the payments not offset by state transportation aid received on account of depreciation 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. Beginning with the levy certified in 1976, 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 year.

Sec. 4. Minnesota Statutes 1978, Section 275.125, Subdivision 5a, is amended to read:

Subd. 5a. Upon approval of the commissioner, a district may levy for increased transportation costs above the formula limitation resulting from changes in transportation patterns required by

leasing a school in another district provided that the cost increases are estimated to be a direct result of leasing that school and the increases result in costs above the formula limitation. When the transportation patterns of a district change as a result of leasing a school in another district, the district may, upon approval of the commissioner, levy for any increase in transportation cost above the cost that would occur without the leasing of the school. The commissioner shall approve a specific dollar amount which may be levied because of these increased costs. The levy authorized by this subdivision may be computed on the basis of estimated increased costs. In the first year a district makes the levy authorized by this subdivision, the commissioner may authorize a levy sufficient to pay for estimated increased costs resulting from leasing for two years. The amount provided by this levy shall not be included in the computation of the actual net operating cost per pupil transported in future years.

Sec. 5. [SCHOOL BUS ALCOHOL FUEL DEMONSTRATION.] *Subdivision 1. The commissioner of education may make grants to school districts for the purpose of converting gasoline-fueled school buses to the use of straight alcohol fuel. Each grant shall be limited to the actual cost of the conversion from gasoline fuel to alcohol fuel, but the total grant shall not exceed \$700 per bus to be converted plus reimbursement for additional costs necessary for compliance with subdivision 4. The commissioner shall provide general guidelines for districts to follow in making these conversions.*

Subd. 2. [SELECTION OF PARTICIPATING DISTRICTS.] To the extent feasible, the commissioner shall make grants pursuant to subdivision 1 so as to include one or more school districts in each of the following categories: districts with primarily urban bus routes, districts with primarily rural bus routes, districts with gravel or unpaved roads on their bus routes, and suburban school districts having a broad range of population densities.

Subd. 3. [ALCOHOL FUEL STORAGE FACILITIES.] School districts which participate in this program may apply for an additional grant to cover the costs of establishing satisfactory alcohol fuel storage facilities. These additional grants shall be limited to \$1,000 per school district or to the actual cost of the necessary storage facilities, whichever is less.

Subd. 4. [REPORT BY DISTRICTS.] On or before February 1, 1981, every school district receiving a grant pursuant to subdivision 1 shall make a report to the commissioner including the following information: (1) the fuel cost differences between using alcohol as a fuel and using gasoline as a fuel in its school buses; (2) any fuel system or drivability problems with its buses converted to alcohol; (3) any differences in maintenance costs between gasoline-fueled and alcohol-fuel buses; (4) any difficulties with the availability of alcohol fuel; and (5) any other observations the districts deems pertinent.

This reporting requirement shall not apply to any school dis-

trict which has not used any of its alcohol-fueled school buses on a regular basis before November 15, 1980.

Subd. 5. [REPORT TO LEGISLATURE.] *The commissioner shall make the information received pursuant to subdivision 4 available to the energy agency and shall report to the legislature on or before February 15, 1981, evaluating the practicality of alcohol as a fuel for school buses.*

Sec. 6. [TRANSPORTATION STUDY; COMPUTERIZED BUS ROUTING.] *Subdivision 1. Before February 1, 1981, the department of education shall report to the appropriate committees of the legislature on proposed measures for economy and cost effectiveness in school transportation and related services. The report shall include a study of the existing administration of transportation services based on a sampling of school districts of representative sizes and locations, and other data throughout the state. The report shall also include recommendations by the department on the following:*

(1) Measures by districts to reduce fuel costs, conserve fuel and increase the overall efficiency of transportation and related services;

(2) Adjustments to the transportation aid entitlement formula; and

(3) Measures by the department of education which will assist districts in reducing their costs of transportation and related services.

Subd. 2. *After February 1, 1981, the department of education shall provide technical assistance to school districts which request it for developing computer assisted bus routing plans.*

Subd. 3. *The department of education may increase the staff complement by two professional employees and one clerical employee for the purposes of subdivision 1 and 2. The department may also contract with consultants or employ necessary temporary personnel for the purposes of subdivision 1.*

Sec. 7. [REPEALER.] *Minnesota Statutes 1978, Section 123.-39, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 124.222, Subdivision 3, are repealed.*

Sec. 8. [APPROPRIATION; ALCOHOL CONVERSION.] *For grants pursuant to section 5, there is appropriated to the department of education from the general fund the sum of \$30,000 for the fiscal year ending June 30, 1981. If this appropriation amount is insufficient for the purposes indicated, the state shall not be obligated for any amount in excess of the appropriation in this section for these purposes.*

Sec. 9. [APPROPRIATION; TRANSPORTATION STUDY; COMPUTERIZED BUS ROUTING.] *There is appropriated from the general fund to the department of education the sum of \$150,000 for the purposes of section 6 of this article. This appropriation is available until June 30, 1981.*

Sec. 10. [APPROPRIATION.] *Subdivision 1. There is appropriated from the general fund to the department of education the sums indicated in this section for the fiscal years ending June 30 in the years designated.*

Subd. 2. [TRANSPORTATION AID.] For transportation aid there is appropriated:

- \$ 2,000,000 1980,
- \$13,688,300 1981.

(a) The appropriation for 1980 is for aid for fiscal year 1980 payable in fiscal year 1980.

(b) The appropriation for 1981 includes \$2,225,600 for aid for fiscal year 1980 payable in fiscal year 1981 and \$11,462,700 for aid for fiscal year 1981 payable in fiscal year 1981.

(c) The amounts appropriated in this subdivision shall be added to the amounts appropriated for transportation aid in Laws 1979, Chapter 334, Article II, Section 15, Subdivision 2.

Subd. 3. Any unexpended balance remaining from the appropriation in this section for 1980 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 appropriated amount attributable to either year for any purpose indicated is insufficient when added to the amount appropriated for the purpose in Laws 1979, Chapter 334, Article II, Section 15, Subdivision 2, the aid for that year shall be prorated among all qualifying districts. The state shall not be obligated for any amount in excess of the total appropriations in this section and in Laws 1979, Chapter 334, Article II, Section 15, Subdivision 2, for those purposes.

Sec. 11. [EFFECTIVE DATE.] *This article is effective the day after final enactment, except that the provisions of section 2 relating to mobile units are effective July 1, 1980.*

ARTICLE III

SPECIAL EDUCATION

Section 1. Minnesota Statutes 1978, Section 120.095, Subdivision 6, is amended to read:

Subd. 6. The school census shall include an enumeration of children of limited English speaking ability proficiency residing within the district by primary language, race and national origin. In making this census the school board shall seek the assistance and cooperation of agencies, organizations or community groups, public or private, which might have information about students of limited English speaking ability proficiency residing in the school district. As used in this subdivision, the following terms have the meanings given them:

(a) "Children of limited English speaking ability proficiency" means children whose primary language is other than English or

who come from home environments where the primary language is other than English and by reason thereof have difficulty reading, writing, speaking and understanding ordinary classroom instruction and have difficulty in performing ordinary classwork in the English language; and

(b) "Primary language" shall have the meanings ascribed to them in section 126.34 means a language other than English which is the language normally used by the child or the language which is spoken in the child's home environment.

Sec. 2. Minnesota Statutes 1978, Section 120.10, Subdivision 2, is amended to read:

Subd. 2. [SCHOOL.] A school, to satisfy the requirements of compulsory attendance, must be one: (1) in which all the common branches are taught in the English language, from textbooks written in the English language, and taught by teachers whose qualifications are essentially equivalent to the minimum standards for public school teachers of the same grades or subjects and (2) which is in session each school year for at least 175 days or their equivalent; provided that in a program of instruction for children of limited English speaking ability proficiency, instruction and textbooks may be in the primary language of the children of limited English speaking ability proficiency enrolled therein. Any other language may be taught as provided in section 126.07. As used in this subdivision, the terms "children of limited English speaking ability proficiency" and "primary language" shall have the meanings ascribed to them in section 126.34 15 of this article.

Sec. 3. Minnesota Statutes 1978, Section 126.07, is amended to read:

126.07 [INSTRUCTION, USE OF ENGLISH LANGUAGE.] The books used and the instruction given in public schools shall be in the English language, but any other language may be used by teachers in explaining to pupils who understand such language the meaning of English words; provided that in the case of a program for children of limited English speaking ability proficiency, instructions and books may be in the primary language of the children of limited English speaking ability proficiency. As used in this section, the terms "children of limited English speaking ability proficiency" and "primary language" shall have the meanings ascribed to them in section 126.34 15 of this article. In secondary and elementary schools other languages may be taught, when made a part of a regular or optional course of study.

Sec. 4. Minnesota Statutes 1978, Section 126.36, Subdivision 1, is amended to read:

126.36 [TEACHERS; LICENSES.] Subdivision 1. [BILINGUAL AND ENGLISH AS A SECOND LANGUAGE LICENSES.] The board of teaching, hereinafter the board, shall grant teaching licenses in bilingual education and English as a second language to persons who present satisfactory evidence that they:

(a) Possess competence and communicative skills in English and in another language;

(b) Possess a bachelor's degree or other academic degree approved by the board, ~~or~~ *and* meet such requirements as to course of study and training as the board may prescribe.

Sec. 5. Minnesota Statutes 1978, Section 126.36, Subdivision 3, is amended to read:

Subd. 3. [EMPLOYMENT OF TEACHERS.] Teachers employed in a bilingual education *or English as a second language* program established pursuant to sections ~~126.31 14 to 126.42 22~~ of *this article* shall not be employed to replace any presently employed teacher who otherwise would not be replaced.

Sec. 6. Minnesota Statutes 1978, Section 126.36, Subdivision 4, is amended to read:

Subd. 4. [TEACHER PREPARATION PROGRAMS.] For the purpose of licensing bilingual *and English as a second language* teachers, the board may approve programs at colleges or universities designed for their training subject to the approval of the state board of education.

Sec. 7. Minnesota Statutes 1978, Section 126.36, Subdivision 5, is amended to read:

Subd. 5. [PERSONS ELIGIBLE FOR EMPLOYMENT.] Any person licensed under this section shall be eligible for employment by a school board as a teacher in a bilingual education *or English as a second language* program in which the language for which he is licensed is taught or used as a medium of instruction. A school board may prescribe only those additional qualifications for teachers licensed under this section as are approved by the board of teaching. ~~Any school board upon request may be exempted from the licensure requirements of this section in the hiring of one or more bilingual education teachers for any school year in which compliance would, in the opinion of the commissioner of education, create a hardship in the district in the securing of the teachers. The commissioner shall notify the board of teaching of any exemptions granted pursuant to this subdivision.~~

Sec. 8. Minnesota Statutes 1978, Section 126.52, Subdivision 5, is amended to read:

Subd. 5. [COMMUNITY INVOLVEMENT.] The state board shall provide for the maximum involvement of the state advisory task force on American Indian language and culture education, parents of American Indian children, secondary students eligible to be served, American Indian language and culture education teachers, teachers' aides, representatives of community groups, and persons knowledgeable in the field of American Indian language and culture education, in the formulation of policy and procedures relating to the administration of sections 126.45 to 126.55. ~~The needs assessments and resource evaluations provided for in subdivisions 1 and 2 shall be undertaken on Indian reserva-~~

tions only in connection with, or with the permission of, the respective tribal governments.

Sec. 9. Minnesota Statutes 1978, Section 126.52, is amended by adding a subdivision to read:

Subd. 12. [COMPREHENSIVE STUDY; INDIAN NEEDS.] The state planning agency shall prepare a comprehensive study of the educational, economic and social needs of American Indians in Minnesota. The department of education, department of economic development, department of economic security, and the department of corrections shall provide the planning agency with the available information it requests. The commissioners of these departments shall cooperate with the director of the state planning agency in preparing the study. The study shall be presented to the education and finance committees of the senate, and to the education and appropriations committees of the house of representatives by February 1, 1981.

Sec. 10. Minnesota Statutes, 1979 Supplement, Section 126.54, Subdivision 1, is amended to read:

126.54 [CONTINUATION OF INDIAN EDUCATION PILOT PROJECT GRANTS.] Subdivision 1. [GRANTS; PROCEDURES.] For fiscal years 1978, 1979, and 1980, as part of the needs assessment effort year 1981, the state board of education shall make grants to no fewer than six school year pilot American Indian language and cultural education programs. At least three pilot programs shall be in urban areas and at least three shall be on or near reservations. The board of a local district, a participating school or a group of boards may develop a proposal for grants in support of pilot American Indian language and culture education programs. Proposals may provide for contracts for the provision of program components by nonsectarian nonpublic, community, tribal or alternative schools. The state board shall prescribe the form and manner of application for grants, and no grant shall be made for a proposal not complying with the requirements of sections 126.45 to 126.55. The state board shall submit all proposals to the state advisory task force on American Indian language and culture education programs for its recommendations concerning approval, modification, or disapproval and the amounts of grants to approved programs.

Sec. 11. Minnesota Statutes 1978, Section 126.54, Subdivision 5, is amended to read:

Subd. 5. [RECORDS.] Participating schools and school districts shall keep records and afford access to them as the commissioner finds necessary to ensure that American Indian language and culture education programs are implemented in conformity with sections 126.45 to 126.55. Each school district or participating school shall keep an accurate, detailed, and separate *revenue and expenditure accounts* account of all money received and paid out by it for pilot American Indian language and culture education programs funded under this section.

Sec. 12. Minnesota Statutes 1978, Section 126.54, Subdivision 6, is amended to read:

Subd. 6. [MONEYS FROM OTHER SOURCES.] A school district or participating school providing American Indian language and culture education programs shall be eligible to receive funds moneys for these programs from other government agencies and from private sources when the funds moneys are available.

Sec. 13. [HANDICAPPED CHILDREN; NEEDS; SERVICES.] *Subdivision 1. The legislature is concerned about the special needs of handicapped children younger than the age of four years who are not receiving special instruction and services pursuant to section 120.17.*

Subd. 2. The commissioner of education, in cooperation with the commissioner of health and the commissioner of public welfare, shall design and conduct a statewide assessment of the special education and related services needs of all children younger than four years of age who are handicapped as defined by section 120.03. The procedures for this needs assessment shall be established by the commissioners by September 1, 1980, and the needs assessment shall be completed by June 30, 1981.

Subd. 3. By January 1, 1981, every school district shall provide to the commissioner of education an estimate of the number of handicapped children, as defined by section 120.03, under four years of age in that district. The district shall also report to the commissioner the number of these children receiving special instruction and services according to section 120.17 on the date the estimate is prepared.

Subd. 4. The commissioner of education shall report to the legislature by September 1, 1981, on the information gathered pursuant to subdivisions 2 and 3.

Sec. 14. [CITATION.] Sections 14 to 22 of this article may be cited as the education for limited English proficient students act.

Sec. 15. [DEFINITIONS.] *Subdivision 1. For purposes of sections 14 to 22 of this article, the terms defined in this section shall have the meanings given them.*

Subd. 2. "Pupil of limited English proficiency" means a pupil in any of the grades of kindergarten through 12 who meets the following requirements:

(a) The pupil, as declared by his parent or guardian (1) first learned a language other than English, (2) comes from a home where the language usually spoken is other than English, or (3) usually speaks a language other than English; and

(b) The pupil's score is significantly below the average district score for pupils of the same age on a nationally normed English reading or English language arts achievement test. A pupil's score shall be considered significantly below the average district score for pupils of the same age if it is one-third of a standard deviation below that average score.

Subd. 3. "Essential instructional personnel" means the following:

(a) A teacher licensed by the state board of teaching to teach bilingual education or English as a second language;

(b) A teacher with an exemption from a teaching license requirement pursuant to section 19 of this article who is employed in a school district's English as a second language or bilingual education program;

(c) Any teacher as defined in section 125.03 who holds a valid license from the state board of teaching, if the district assures the state department of education that the teacher will obtain the preservice and inservice training the department considers necessary to enable the teacher to provide appropriate service to pupils of limited English proficiency.

Subd. 4. "English as a second language program" means a program for the instruction of pupils of limited English proficiency in the following English language skills: reading, writing, listening and speaking.

Subd. 5. "Bilingual education program" means an educational program in which instruction is given in both English and the primary language of the pupil of limited English proficiency to the extent necessary to allow the pupil to progress effectively through the educational system and to attain the basic skills of reading, writing, listening, and speaking in the English language so that the pupil will be able to perform ordinary classwork successfully in English.

Subd. 6. "Primary language" is a language other than English which is the language normally used by the child or the language which is spoken in the child's home environment.

Subd. 7. "Parent" includes a child's legal guardian.

Subd. 8. "Educational program for limited English proficient students" means an English as a second language program, bilingual education program, or both an English as a second language and a bilingual education program.

Sec. 16. [AID AUTHORIZATION.] Subdivision 1. Beginning with the 1980-1981 school year, the department of education shall pay a school district an amount not to exceed 70 percent of the salaries paid to essential instructional personnel employed by the district in its educational program for students of limited English proficiency. The department shall pay a district an amount not to exceed 70 percent of the salary of one full time equivalent teacher for each 45 pupils of limited English proficiency, or a pro rata amount thereof for fewer than 45 pupils. Notwithstanding the foregoing, the department shall pay an amount not to exceed 70 percent of the salary for one-half of a full time equivalent teacher for a district which has 22 or fewer pupils of limited English proficiency.

Subd. 2. [PARTICIPATION OF NONPUBLIC SCHOOL PUPILS.] In counting the number of pupils of limited English proficiency for purposes of this section, districts may include

pupils of limited English proficiency who attend nonpublic schools in the district. A district which counts those pupils and receives aid pursuant to this section shall offer those pupils the same programs on the same terms that it offers to pupils of limited English proficiency who attend the public school. A program provided for a nonpublic school pupil pursuant to this subdivision shall be provided at a public school or a neutral site as defined in section 123.932, subdivision 9. Nonpublic school pupils served by a district's educational program for limited English proficient students shall be counted for average daily membership pursuant to section 124.212, subdivision 9a.

Subd. 3. [APPLICATIONS.] (a) A district that wishes to receive aid pursuant to this section for programs to serve pupils enrolled before the application deadline shall apply to the commissioner of education before September 15 in each year in the manner prescribed by the commissioner. The application shall include the number of pupils to be served in the district educational program for limited English proficient students, the number of essential instructional personnel the district proposes to employ in this program and any other information deemed necessary by the commissioner to implement this section. School districts may submit joint applications for aid pursuant to this section, and districts which have fewer than 45 pupils of limited English proficiency are encouraged to submit joint applications and to share essential instructional personnel for English as a second language programs or bilingual education programs. A district that wishes to receive aid pursuant to this section for programs to serve pupils enrolled after the application deadline may apply to the commissioner of education at any time before the end of the school year in the manner prescribed by the commissioner.

(b) The commissioner shall provide procedures for districts to submit additional applications for aid pursuant to this section for additional essential instructional personnel needed to serve substantial increases in the number of limited English proficient pupils who enroll in a district's educational program for limited English proficient students after the district has received aid for that school year pursuant to this section.

Subd. 4. [NOTICE OF AID; PAYMENTS.] The department shall inform each applicant district of the amount of aid it will receive pursuant to this section by October 15 for applications received before September 15, and it shall pay this aid by December 1. For districts submitting an application after September 15, the department shall inform the applicant district of the amount of aid it will receive pursuant to this section within a month after the application is submitted, and the department shall pay the aid within 15 days after notifying the district that it will receive aid.

Subd. 5. [RECORDS; AUDIT.] A district which applies for aid pursuant to this section shall maintain records which support the information contained in all of its applications. The commissioner

of education may audit these records upon request. A district which receives aid pursuant to this section shall keep such additional records in the manner prescribed by the commissioner as the commissioner deems necessary to ensure that an educational program for limited English proficient students is implemented and operated in accordance with sections 14 to 22 of this article.

Subd. 6. [MONEY FROM OTHER SOURCES.] A school district providing a program for limited English proficient students shall be eligible to receive moneys for these programs from other government agencies and from private sources when these moneys are available.

Sec. 17. [RIGHTS OF PARENTS.] Subdivision 1. No later than ten days after the enrollment of any pupil in an instructional program for limited English proficient students, the school district in which the pupil resides shall notify the parent or guardian by mail. This notice shall:

(a) Be in writing in English and in the primary language of the pupil's parents;

(b) Inform the parents that their child has been enrolled in an instructional program for limited English proficient students;

(c) Contain a simple, nontechnical description of the purposes, method and content of the program;

(d) Inform the parents that they have the right to visit the educational program for limited English proficient students in which their child is enrolled;

(e) Inform the parents of the time and manner in which to request and receive a conference for the purpose of explaining the nature and purpose of the program; and

(f) Inform the parents of their rights to withdraw their child from an educational program for limited English proficient students and the time and manner in which to do so.

The department of education shall, at the request of the school district, prepare the notice in the primary language of the parent or guardian.

Subd. 2. Any parent whose child is enrolled in an educational program for limited English proficient students shall have the right, either at the time of the original notification of enrollment or at the close of any semester thereafter, to withdraw his child from the program by providing written notice of this intent to the principal of the school in which his child is enrolled or to the superintendent of the school district in which his child resides. Nothing herein shall preclude a parent from reenrolling a child of limited English proficiency in an educational program for limited English proficient students.

Subd. 3. A district which receives moneys pursuant to section 16 of this article 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. 18. [GENERAL REQUIREMENTS FOR PROGRAMS.] *A district which receives aid pursuant to section 16 of this article 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. 19. [EXEMPTION FROM TEACHING LICENSURE.] *Subdivision 1. The commissioner of education may grant an exemption from the licensure requirement in the hiring of teachers of English as a second language or bilingual education teachers to a school district if the commissioner finds that compliance would impose a hardship upon the district in the securing of teachers for its educational programs for limited English proficient students. The commissioner of education shall notify the board of teaching of any exemptions granted pursuant to this section.*

Subd. 2. A teacher serving under an exemption as provided in subdivision 1 shall be granted a license as soon as that teacher qualifies for it. Not more than one year of service by a teacher under an exemption shall be credited to the teacher for the purposes of section 125.12, and not more than two years shall be credited to the teacher for purposes of section 125.17; and the one or two years shall be deemed to precede immediately and be consecutive with the year in which the teacher becomes licensed.

Sec. 20. [TECHNICAL ASSISTANCE.] *The state board of education shall provide technical assistance to school districts receiving aid pursuant to section 16 of this article 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. 21. [DEPARTMENT OF EDUCATION STAFF COMPLEMENT; MONEYS FROM OTHER SOURCES.] *Subdivision 1. In order to carry out the duties imposed by sections 16, 17, 19, and 20 of this article, the department of education may add two professional positions and one clerical position with moneys appropriated to the commissioner of education for this purpose in section 27, subdivision 2 of this article. In addition,*

if the commissioner of education receives moneys for that purpose pursuant to Title IV of the Civil Rights Act of 1964 (P.L. 88-352), as amended, or Title VII of the Elementary and Secondary Education Act of 1965 (P.L. 89-10), as amended, the department may add two professional positions and one clerical position and pay the salaries for the positions from the federal moneys.

Subd. 2. The state board of education may apply for moneys which are or may become available under federal refugee assistance and other programs for administration, demonstration projects, training, technical assistance, planning, and evaluation of programs for limited English proficient students.

Sec. 22. [CONSTRUCTION.] Nothing in the provisions of sections 14 to 21 of this article shall be construed to violate the provisions of section 127.08 or Chapter 363. Programs and activities pursuant to sections 14 to 21 of this article shall be deemed to be positive action programs to combat discrimination.

Sec. 23. [OUT OF SCHOOL YOUTH PROGRAM.] Subdivision 1. The state department of education shall develop recommendations to provide for a system for identifying and serving youth who have left the educational system without appropriate learning skills, social skills and employability.

Subd. 2. The state department of education shall identify problems and alternative approaches to serving the needs of out of school youth. A report on serving out of school youth and recommendations for legislation shall be submitted to the legislature by February 2, 1981.

The state department of education shall also develop a system for facilitating cooperative action between the educational system, the employment and training system, the juvenile justice system and community service agencies.

Sec. 24. [REPEALER.] Minnesota Statutes 1978, Sections 126.31; 126.32; 126.33; 126.34; 126.35; 126.36, Subdivision 6; 126.37; 126.38; 126.39; Subdivisions 1, 2, 3, 4, 5, 6, 7, 8, and 9; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6, and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6 and 7; and Minnesota Statutes, 1979 Supplement, Sections 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; and 126.52, Subdivision 10, are repealed.

Sec. 25. [APPROPRIATION; INDIAN PILOT PROGRAMS.] The sum of \$600,000 is appropriated from the general fund to the department of education for the purpose of making the grants authorized by section 10 of this article and shall be available until June 30, 1981.

Sec. 26. [APPROPRIATIONS; INDIAN EDUCATION.] Subdivision 1. For certain Indian education programs there is appropriated:

\$398,000 1981.

This appropriation is available for expenditure with the approval

of the governor after consultation with the legislative advisory commission in the manner provided in section 3.30.

The governor shall not approve the payment of any amount to a school district pursuant to this section unless that school district is in compliance with all applicable laws of this state.

Up to the following amounts of this appropriation may be distributed to the following school districts: \$125,000 to Independent School District No. 309—Pine Point School; \$22,000 to Independent School District No. 166; \$34,000 to Independent School District No. 432; \$32,000 to Independent School District No. 435; \$96,000 to Independent School District No. 707; and \$89,000 to Independent School District No. 38. These amounts shall be expended only for the benefit of Indian students and for the purpose of meeting established state educational standards or statewide requirements.

This appropriation is available August 15, 1980, but only if there will not be available for the districts enumerated in this section for the 1980-1981 school year any operational support funds from the federal bureau of Indian affairs pursuant to the Johnson-O'Malley Act, P. L. 73-167 or 25 CFR 273.31, or equivalent money from the same or another source.

Subd. 2. Before a district can receive moneys pursuant to subdivision 1, the district must submit to the commissioner of education evidence that it has:

(a) Complied with the uniform financial accounting and reporting standards act, sections 121.90 to 121.92 and Article VII, sections 9 to 17 of this act. For the 1980-1981 school year, compliance with section 121.908, subdivision 3a shall require the school district to prepare one budget including the amount available to the district pursuant to subdivision 1 and one budget which does not include these moneys. The budget of that school district for the 1981-1982 school year prepared according to section 121.908, subdivision 3a, shall be submitted to the commissioner of education at the same time as 1980-1981 budgets and shall not include any moneys appropriated in this section;

(b) Conducted a special education needs assessment and prepared a proposed service delivery plan according to Minnesota Statutes, Sections 120.03 and 120.17; Public Law 94-142, an act of the 94th Congress of the United States cited as the "Education for All Handicapped Children Act of 1975"; and applicable state board of education rules; and

(c) Compiled accurate daily pupil attendance records.

Subd. 3. The commissioner of education, in consultation with the commissioner of finance, shall make a recommendation to the legislative advisory commission regarding the release of moneys appropriated in this section. Prior to making this recommendation, the commissioners shall review and evaluate each affected district's compliance with subdivision 2 and any other applicable laws, and each affected district's need for the moneys. Each af-

fectd district's net unappropriated fund balance in all operating funds as of June 30, 1980, shall be taken into consideration.

Subd. 4. It is the intention of the legislature that the appropriation in this section is the final appropriation to replace operational support funds from the federal bureau of Indian affairs pursuant to the Johnson-O'Malley Act, P.L. 73-167 or 25 CFR 273.31, and that no further appropriations be made for this purpose.

Sec. 27. [APPROPRIATION; LIMITED ENGLISH PROFICIENT STUDENTS PROGRAMS.] *Subdivision 1. The sums set forth in this section are appropriated from the general fund to the department of education for the purposes specified in subdivisions 2 and 3 of this section and shall be available until June 30, 1981.*

Subd. 2. For aid to educational programs for limited English proficient students as provided in section 16 of this article and for the department of education staff complement as provided in section 21 of this article, there is appropriated to the department of education for the fiscal year ending June 30, 1981 the sum of \$3,450,000. Of this amount, \$87,000 is to be used for the state paid complement as provided in section 21 of this article.

Subd. 3. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated. If the appropriation amount for aid to districts providing educational programs for limited English proficient students appropriated in this section is insufficient, the aid shall be prorated among all qualifying districts, and the state shall not be obligated for any amount in excess of the appropriation in subdivision 2 of this section for this purpose.

Sec. 28. [OUT OF SCHOOL YOUTH PROGRAMS.] *For the program authorized pursuant to section 23 of this article, there is appropriated the sum of \$33,000 to the department of education for the fiscal year ending June 30, 1981. Of this amount, \$3,000 is for statewide meetings and the establishment of a task force representing employment, training, education, juvenile justice, community service, parents and students.*

Sec. 29. [HANDICAPPED ADULTS.] *Subdivision 1. The sum of \$75,000 is appropriated to the department of education for the fiscal year ending June 30, 1981 for the council on quality education to fund programs designed for adults and handicapped adults. The appropriation in this subdivision shall be added to the amount appropriated for venture fund grants for fiscal year 1981 by Laws 1979, Chapter 334, Article VII, Section 8, Subdivision 2.*

Subd. 2. None of the amounts appropriated in this section shall be expended for a purpose other than the purpose indicated.

Sec. 30. [EFFECTIVE DATE.] *Sections 13, 23 and 28 of this article shall be effective the day following final enactment.*

ARTICLE IV
OTHER AIDS AND LEVIES

Section 1. Minnesota Statutes, 1979 Supplement, Section 3.9279, Subdivision 13, is amended to read:

Subd. 13. [SPECIAL CATEGORICAL PROGRAM GRANT.] For the programs funded pursuant to subdivision 12, there is hereby created a special categorical program grant for those programs serving economically disadvantaged persons. The council on quality education shall apportion the grant money among the eligible programs in proportion to the estimated number of low income participants in each program from families which receive aid to families with dependent children compared to the estimated number of low income participants in all the eligible programs from families which receive aid to families with dependent children. For purposes of this apportionment, the estimated number of low income participants in a program shall equal the total number of participants in the program times the percentage of elementary pupils in the area served by the program who are eligible for free type "A" lunches pursuant to section 9 of the National School Lunch Act of 1946 as amended (42 U.S.C. 1758).

Sec. 2. Minnesota Statutes 1978, Section 123.932, is amended by adding a subdivision to read:

Subd. 1e. "Individualized instructional materials" means educational materials which:

(a) Are designed primarily for individual pupil use in a particular class or program in the school the pupil regularly attends;

(b) Are secular, neutral, nonideological and not capable of diversion for religious use; and

(c) Are available and are of benefit to Minnesota public school pupils.

Subject to the requirements in clauses (a), (b) and (c), "individualized instructional materials" include the following if they do not fall within the definition of "textbook" in subdivision 1b: published materials; periodicals; documents; pamphlets; photographs; reproductions; pictorial or graphic works; film strips; prepared slides; prerecorded video programs; prerecorded tapes, cassettes and other sound recordings; manipulative materials; desk charts; games; study prints and pictures; desk maps; models; learning kits; blocks or cubes; flash cards; individualized multimedia systems; prepared instructional computer software programs; and prerecorded film cartridges.

"Individualized instructional materials" do not include the following: chemicals; wall maps; wall charts; pencils, pens or crayons; notebooks; blackboards; chalk and erasers; duplicating fluids; paper; 16 mm films; unexposed films; blank tapes, cassettes or videotape; and instructional equipment.

Sec. 3. Minnesota Statutes 1978, Section 123.933, is amended to read:

123.933 [PURCHASE OR LOAN OF TEXTBOOKS, INDIVIDUALIZED INSTRUCTIONAL MATERIALS, STANDARDIZED TESTS.] Subdivision 1. The state board of education shall promulgate rules under the provisions of chapter 15, requiring that in each school year, based upon formal requests by or on behalf of nonpublic school pupils in a nonpublic school, the local districts or intermediary service areas shall purchase or otherwise acquire textbook, *individualized instructional materials* and standardized tests and loan or provide them for use by children enrolled in that nonpublic school. These textbooks, *individualized instructional materials* and standardized tests shall be loaned or provided free to the children for the school year for which requested. The loan or provision of the textbooks, *individualized instructional materials* and standardized tests shall be subject to rules prescribed by the state board of education.

Subd. 2. The title to textbooks, *individualized instructional materials* and standardized testing materials shall remain in the servicing school district or intermediary service area, and possession or custody may be granted or charged to administrators of the nonpublic school attended by the nonpublic school pupil or pupils to whom the textbooks, *individualized instructional materials* or standardized tests are loaned or provided.

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, 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 ~~which~~. *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. 4. Minnesota Statutes, 1979 Supplement, Section 123.937, is amended to read:

123.937 [APPROPRIATION.] There is appropriated annually to the department of education from the general fund of the state treasury the sum of \$3,250,000 for the purposes of sections 123.931 to 123.937. If this amount is not sufficient to make the payments required pursuant to sections 123.931 to 123.937, the

amount necessary to make these payments is appropriated from the general fund to the department of education. *The amounts appropriated pursuant to this section for the year ending June 30, 1980 shall not cancel but shall be available for the second year of the biennium.*

Sec. 5. Minnesota Statutes 1978, Chapter 123, is amended by adding a section to read:

[123.947] [RESTRICTIONS TO PREVENT IMPROPER USE OF INDIVIDUALIZED INSTRUCTIONAL MATERIALS.]

(a) The department of education shall assure that individualized instructional materials loaned to nonpublic school pupils are secular, neutral, nonideological and that they are incapable of diversion for religious use.

(b) Individualized instructional materials shall not be used in religious courses, devotional exercises, religious training or any other religious activity.

(c) Individualized instructional materials shall be loaned only to individual pupils upon the request of a parent or guardian or the pupil on a form designated for this use by the department of education. The request forms shall provide for verification by the parent or guardian or pupil that the requested individualized instructional materials are for the use of the individual pupil in connection with a program of instruction in the pupil's elementary or secondary school.

(d) The department of education or the servicing school district or the intermediary service area shall take adequate measures to ensure an accurate and periodic inventory of all individualized instructional materials loaned to elementary and secondary school pupils attending nonpublic schools. The state board of education shall promulgate rules under the provisions of chapter 15 to terminate the eligibility of any nonpublic school pupil if the department or the servicing school district or intermediary service area determines, after notice and opportunity for hearing, that the individualized instructional materials have been used in a manner contrary to the provisions of section 2, 3 or 5 of this article or any rules promulgated by the state board of education.

(e) Nothing contained in section 2, 3 or 5 of this article shall be construed to authorize the making of any payments to a nonpublic school or its faculty, staff or administrators for religious worship or instruction or for any other purpose.

Sec. 6. **[SEVERABILITY.]** *If any provision of section 2, 3 or 5 of this article, including the loan of any particular type of individualized instructional material shall be declared invalid, the holding shall not affect the validity of a remaining provision or the loan of any other type of individualized instructional material. If a provision of section 2, 3 or 5 of this article is invalid in one or more of its applications to a person or circumstance, the validity of the application of the provision to another person or circumstance shall not be affected.*

Sec. 7. Minnesota Statutes 1978, Section 124.214, Subdivision 2, is amended to read:

Subd. 2. [ABATEMENTS.] Whenever by virtue of chapter 278, sections 270.07, 375.192, or otherwise, the assessed valuation of any school district for any taxable year is changed after the taxes for that year have been spread by the county auditor and whenever the mill rate as determined by the county auditor based upon the original assessed valuation is applied upon such changed valuations, the county auditor shall, prior to February 1 of each year, beginning in 1979, certify to the commissioner of education the amount of any resulting net revenue loss that accrued to the school district during the preceding year. In August of each year, beginning in 1979, when the district's net revenue loss during the preceding year exceeds \$1 per pupil unit in the district in the most recent school year for which data is available, the commissioner shall pay an abatement adjustment to the district in an amount calculated according to the provisions of this subdivision. This amount shall be deducted from the amount of the levy authorized by section 275.46. The amount of the abatement adjustment shall be the product of (1) the net revenue loss as certified by the county auditor, times (2) the ratio of the sum of the amounts of the district's levy limitations in the preceding October pursuant to section 275.125, subdivision 2a, clause (1) or (2), and subdivision subdivisions 5, 6c, and subdivision 13, 7a to the total amount of the district's maximum levy limitation in the preceding October pursuant to section 275.125. For purposes of this computation, the district's levy limitation pursuant to section 275.125, subdivision 5, shall not include the amounts authorized to be levied for bus purchases or because of extraordinary traffic hazards. The abatement adjustment shall be recognized as revenue in the fiscal year in which it is received.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 124.245, Subdivision 1, is amended to read:

124.245 [CAPITAL EXPENDITURE EQUALIZATION AID.] Subdivision 1. (a) *In the 1980-1981 school year, the state shall pay a school district the difference by which an amount equal to \$80 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, \$85 per pupil unit in that school year, exceeds the amount raised by ten 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 section in any year the 1980-1981 school year, a district must have levied the full ten EARC mills for use for capital expenditures in that year pursuant to section 275.125, subdivision 11a.*

(b) *In the 1981-1982 school year and each year thereafter, 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 section 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.

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 124.245, Subdivision 2, is amended to read:

Subd. 2. As used in this section, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (4), (5), (6) and (7). Beginning in the 1980-1981 school year, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (4) and (5); *provided that notwithstanding the expiration of Minnesota Statutes, 1979 Supplement, Section 124.17, Subdivision 1, Clauses (6) and (7), pupil units identified in those clauses shall also be included for purposes of the computation of capital expenditure aid for the 1980-1981 school year.*

Sec. 10. [CAPITAL EXPENDITURE LEVY LIMITATION, 1979.] *Notwithstanding the provisions of Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 11a, regarding pupil units, the computation of 1979 payable 1980 capital expenditure levy limitations by the department of education pursuant to that subdivision using pupil units identified in Minnesota Statutes, 1979 Supplement, Section 124.17, Subdivision 1, Clauses (1), (2), (4), (5), (6) and (7), and the certification of 1979 payable 1980 capital expenditure levies by districts in accordance with these levy limitations are hereby sanctioned.*

Sec. 11. [CAPITAL EXPENDITURE LEVY LIMITATION, 1980.] *Notwithstanding any law to the contrary, for any district which made its 1979 payable 1980 capital expenditure levy in an amount less than the maximum limitations computed by the department of education in order to comply with the provisions of Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 11a, regarding pupil units, the 1980 payable 1981 capital expenditure levy limitation shall be increased by the difference between the amount of the 1979 payable 1980 capital expenditure levy limitation certified by the department of education and the amount of the 1979 payable 1980 capital expenditure levy certified by the district. In order to qualify for the increased levy limitation provided by this section, the clerk of the school board of the district shall notify the commissioner in writing by September 1, 1980, stating the amount by which the district's 1979 payable 1980 capital expenditure levy was reduced, and stating the school board's desire to have its 1980 payable 1981 capital expenditure levy limitation increased accordingly.*

Sec. 12. Minnesota Statutes, 1979 Supplement, Section 124.271, Subdivision 1a, is amended to read:

Subd. 1a. In fiscal year 1980, the state shall pay the greater

of 75 cents per capita or \$5,000 to each school district which is operating a community school program in compliance with the rules promulgated by the state board and which has levied at least the lesser of \$1 per capita or the ~~maximum permissible certified~~ levy for community services pursuant to section 275.125, subdivision 8, clause (1), \$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. 13. Minnesota Statutes, 1979 Supplement, Section 124.271, Subdivision 2, is amended to read:

Subd. 2. In fiscal year 1981 and each year thereafter, the state shall pay the greater of 75 cents per capita or \$7,000 to each school district which is operating a community school program in compliance with the rules promulgated by the state board and which has levied at least the lesser of \$1 per capita or the ~~maximum permissible certified~~ levy for community services pursuant to section 275.125, subdivision 8, clause (1) \$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. 14. Minnesota Statutes 1978, Section 124.65, is amended to read:

124.65 [TYPES OF SCHOOL AID.] Appropriations made for special state aid are for the following purposes: *enumerated in this chapter.*

~~Foundation program aid; emergency aid; transportation aid; aid for special classes of handicapped children; school lunch; county tuition equalization aid; gross earnings tax refund; and vocational aid.~~

Sec. 15. Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 8, is amended to read:

Subd. 8. (1) ~~In 1979, and each year thereafter,~~ A district which has established a community school advisory council pursuant to section 121.88, may levy an amount of money raised by the greater of (A) \$2.50 per capita, or (B) *one hundred and ten percent* of the amount certified pursuant to this subdivision in 1976. These levies shall be used for community services including nonvocational adult programs, recreation and leisure time activity programs, and programs contemplated by sections 121.85 to 121.88. For purposes of computing the levy limitation pursuant to this subdivision, the amount certified pursuant to this subdivision in 1976 shall not reflect reductions pursuant to subdivision 9.

(2) A school district shall be authorized to make a levy pursuant to this subdivision only after it has filed a certificate of compliance with the commissioner of education. The certificate of compliance shall certify that the governing boards of the county, municipality and township in which the school district or any part thereof is located have been sent 15 working days written notice of a meeting and that a meeting has been held to discuss methods of increasing mutual cooperation between such bodies and the

school board. The failure of a governing board of a county, municipality or township to attend the meeting shall not affect the authority of the school district to make a levy pursuant to this subdivision.

(3) The population of the district for purposes of this subdivision is the population determined as provided in section 275.14 or as certified by the department of education from the most recent federal census.

Sec. 16. Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 9, is amended to read:

Subd. 9. (1) Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, clause (1), shall reduce the permissible levies authorized by subdivisions 3 to 14 by that portion of the previous year's payment not deducted from foundation aid on account of the payment. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies. Reductions in levies pursuant to this clause, subdivision 10 of this section, and section 273.138, shall be made prior to the reductions in clause (2).

(2) Notwithstanding any other law to the contrary, districts which received payments pursuant to sections 294.21 to 294.28 294.26; 298.23 to 298.28; ~~298.32~~; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; and any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; shall not include a portion of these aids in their permissible levies pursuant to those sections, but instead shall reduce the permissible levies authorized by this section by the greater of the following:

(a) an amount equal to 50 percent of the total dollar amount of the payments received pursuant to those sections in the previous fiscal year; or

(b) an amount equal to the total dollar amount of the payments received pursuant to those sections in the previous fiscal year less the product of the same dollar amount of payments times the ratio of the maximum levy allowed the district under subdivision 2a, to the total levy allowed the district under this section in the year in which the levy is certified.

(3) No reduction pursuant to this subdivision shall reduce the levy made by the district pursuant to subdivision 2a, clause (1) or (2), to an amount less than the amount raised by a levy of 10 mills times the adjusted assessed valuation of that district for the preceding year as determined by the equalization aid review committee. The amount of any increased levy authorized by referendum pursuant to subdivision 2a, clause (4) shall not be reduced pursuant to this subdivision. The amount of any levy authorized by subdivision 4, to make payments for bonds issued and for interest thereon, shall not be reduced pursuant to this subdivision. The amount of any levy authorized by subdivision 7a shall not be reduced pursuant to this subdivision.

(4) Before computing the reduction pursuant to this subdivision of the capital expenditure levy authorized by subdivision 11a, and the community service levy authorized by subdivision 8, the commissioner shall ascertain from each affected school district the amount it proposes to levy for capital expenditures pursuant to ~~that~~ subdivision 11a and for community services pursuant to subdivision 8. The reduction of the capital expenditure levy and the community services levy shall be computed on the basis of the amount so ascertained.

(5) Notwithstanding any law to the contrary, any amounts received by districts in any fiscal year pursuant to sections 294.21 to ~~294.28~~ 294.26; 298.23 to 298.28; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; or any law imposing a tax on severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; and not deducted from foundation aid pursuant to section 124.212, subdivision 8a, clause (2), and not applied to reduce levies pursuant to this subdivision shall be paid by the district to the commissioner of finance in the following amount on the designated date: on or before March 15 of each year, 100 percent of the amount required to be subtracted from the previous fiscal year's foundation aid pursuant to section 124.212, subdivision 8a, which is in excess of the foundation aid earned for that fiscal year. The commissioner of finance shall deposit any amounts received pursuant to this clause in the taconite property tax relief fund in the state treasury, established pursuant to section 16A.70 for purposes of paying the taconite homestead credit as provided in section 273.135.

Sec. 17. Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 11a, is amended to read:

Subd. 11a. (a) *In 1979, a school district may levy an amount not to exceed the amount equal to \$80 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, \$85 per pupil unit. For purposes of computing allowable levies under section 275.125, pupil units shall include only those units identified in section 124.17, subdivision 1, clauses (1), (2), (4), and (5). No levy under this subdivision clause in 1979 shall exceed ten mills times the adjusted assessed valuation of the taxable property in the district for the preceding year, notwithstanding the provisions of sections 272.64 and 275.49.*

(b) *In 1980 and each year thereafter, a school district may levy an amount not to exceed the amount equal to \$90 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 per pupil unit. In 1980 and each year thereafter, 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, notwithstanding the provisions of sections 272.64 and 275.49.*

(b) (c) The proceeds of the tax may be used only to acquire land, to equip and reequip buildings and permanent attached fixtures, 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 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 or eliminating barriers to or increasing 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 article VI, section 17.*

(c) (d) 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 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) (e) The board shall establish a fund in which the proceeds of this tax shall be accumulated until expended.

(e) (f) The proceeds of the tax shall not be used for custodial or other maintenance services.

Sec. 18. Minnesota Statutes 1978, Section 275.125, Subdivision 12, is amended to read:

Subd. 12. When a district finds it economically advantageous to rent or lease existing school buildings or other buildings for instructional purposes, and the proceeds of the levy permitted under section ~~124.04~~ or 275.125, subdivision 11a are insufficient for this purpose, it may apply to the commissioner for permission to make an additional capital expenditure levy for this purpose. An application for permission to levy under this clause shall contain financial justification for the proposed levy, the terms and conditions of the proposed lease, and a description of the space to be leased and its proposed use. The criteria for approval of applications to levy under this clause shall include: the reasonableness of the price, the appropriateness of the space to the

proposed activity, the feasibility of transporting pupils to the leased building, conformity of the lease to the laws and regulations of the state of Minnesota, and the appropriateness of the proposed lease to the space needs and the financial condition of the district. The commissioner shall not authorize a levy under this clause in an amount greater than the cost to the district of renting or leasing a school building or other building for approved purposes. The proceeds of this levy shall not be used for custodial or other maintenance services.

Sec. 19. [POLICY AND PROCEDURES FOR MINIMIZING STUDENT CHEMICAL USE PROBLEMS.] *Subdivision 1. [STATEMENT OF PURPOSE.] The legislature finds that the development of local policies to minimize chemical use problems among school pupils and a report to the legislature on these local policies are necessary for the legislature to determine what further legislative action is needed to assist school districts in addressing these chemical use problems. The legislature further finds that inservice training of staff is needed to assist school district staff in dealing with pupils with chemical use problems.*

Subd. 2. During the 1980-1981 school year each school board shall adopt a comprehensive policy and procedures to minimize chemical use problems among pupils in grades kindergarten through twelve and pupils enrolled in area vocational-technical institutes.

Subd. 3. To develop the policy and procedures required by subdivision 2, each school board, citizens advisory council on community schools, or citizens task force, as applicable, is encouraged to do the following:

(a) Assess the magnitude of the chemical use problem as it affects pupils in schools of the district;

(b) Identify and evaluate existing policies and programs in the schools of the district for minimizing chemical use problems;

(c) Assess the needs of pupils for additional chemical abuse prevention, intervention, and referral programs and for support programs for pupils who have or have had chemical abuse problems;

(d) Define the role of the school in minimizing chemical use problems among pupils;

(e) Identify public and private community resources available to assist schools in minimizing chemical use problems among pupils in the district;

(f) Study the feasibility of cooperative efforts among the school district and public and private agencies, including law enforcement agencies, to minimize chemical use problems among pupils;

(g) Examine research studies for assistance in formulating the policies and procedures required pursuant to subdivision 2;

(h) Assess school district staff training needs for the program to minimize chemical use problems among pupils;

(i) Evaluate the need for community chemical abuse awareness programs;

(j) Consult with health officials and providers of chemical use treatment and rehabilitation services; and

(k) Take any other action the school board deems appropriate to develop the policy and procedures required by subdivision 2.

Subd. 4. The school board is encouraged to request that the citizens advisory council for community schools established pursuant to section 121.88, subdivision 2 develop the policies and procedures required by subdivision 2. The school board may designate any other citizens task force to develop the policies and procedures.

Subd. 5. The department of education in cooperation with the department of welfare and the commissioner of health shall develop comprehensive community approaches to support school district efforts to reduce chemical use problems among pupils. The department of education shall provide technical assistance to school boards which request the assistance of the department in performing the duties imposed by this section.

Subd. 6. [REPORT.] By February 15, 1981, the department of education shall report to the education committees of the legislature on the policies and procedures developed by school districts pursuant to subdivision 2. The report shall include any other information deemed pertinent to the needs of school districts in their efforts to minimize chemical use problems among school pupils.

Sec. 20. [INSERVICE TRAINING; CHEMICAL USE PROBLEMS.] Subdivision 1. Each school district which submits a written plan describing the policies and procedures required by section 19 of this article to the department of education on or before February 1, 1981 shall be eligible to participate in an inservice training program for chemical use problems. The state shall pay the greater of \$1.00 per pupil in average daily membership, as defined in section 124.17, subdivision 2, or \$1,000 to each eligible school district for the inservice training of teachers, counselors, school nurses, school social workers and other school staff employed to work with pupils and parents in chemical use problems of pupils.

Subd. 2. The department of education shall advise eligible school districts on available options for inservice training about chemical use problems. The training shall assist teachers, counselors, school nurses, school social workers and other school staff employed to work with pupils and parents in helping pupils who may experience or who are experiencing or have experienced chemical use problems. The content of the training shall be limited to the following:

(a) Approaches to the prevention of chemical use problems;

(b) Identification of pupil behavior which indicates chemical use problems;

(c) *Intervention techniques;*

(d) *Development of support services for pupils who have completed treatment for chemical use problems;*

(e) *Options for referral of pupils for treatment of chemical use problems.*

Sec. 21. [STAFF COMPLEMENT.] *The department of education may increase its permanent staff complement by three professional positions for the purpose of providing the assistance in section 19, subdivision 5, of this article.*

Sec. 22. [INSTRUCTION TO REVISOR OF STATUTES; COMMUNITY EDUCATION TERMINOLOGY.] *In accordance with section 648.34, in the next edition of Minnesota Statutes, the revisor of statutes shall remove the reference to "community school" in sections 3.9279, subdivision 7; 120.76; 121.85; 121.86; 121.87; 121.88, subdivisions 1, 2 and 3; 124.271, subdivisions 1a, 2, 4, and 5; and 275.125, subdivision 8, and replace them with references to "community education." The revisor shall, where appropriate, delete obsolete language in these sections and make necessary grammatical corrections.*

Sec. 23. [DEFICIENCY APPROPRIATION; SCHOOL LUNCH AID.] *There is appropriated from the general fund to the department of education the sum of \$162,000 for the fiscal year ending June 30, 1980, and the sum of \$160,000 for the fiscal year ending June 30, 1981, for the payment of deficiencies in funds available for school lunch aid pursuant to section 124.646 in those years. These appropriations shall be added to the sums appropriated for fiscal years 1980 and 1981 for school lunch aid in Laws 1979, Chapter 334, Article VI, Section 35, Subdivision 8.*

Sec. 24. [APPROPRIATION; CHEMICAL DEPENDENCY PROGRAMS.] *There is appropriated from the general fund to the department of education the sum of \$1,000,000 for the biennium ending June 30, 1981. This appropriation is for aid for chemical dependency programs authorized in section 20 of this article, and for the increase in department of education complement authorized in section 21 of this article. Of this amount, \$150,000 is for the increase in the staff complement in the department of education authorized in section 21 of this article. If the appropriation amount in this section is insufficient, the aid shall be prorated among all eligible districts and the state shall not be obligated for any excess amount.*

Sec. 25. [EFFECTIVE DATE.] *Sections 1, 4, 10, 12, 17, 19, 21, 23 and 24 of this article are effective the day following final enactment.*

ARTICLE V

VOCATIONAL EDUCATION

Section 1. Minnesota Statutes, 1979 Supplement, Section 124.11, Subdivision 2a, is amended to read:

Subd. 2a. Ninety percent of the estimated post-secondary vocational instructional aid shall be paid to each district in 12 equal monthly payments on the 15th of each month beginning in July 1980. A final payment of the remainder of the post-secondary vocational instructional aid for each fiscal year shall be made to each district in September of the following fiscal year. The September 1980 payment shall be adjusted to reflect any deficit or excess in post-secondary vocational foundation aid received by a district in fiscal year 1980. The September 1981 final payment and the September final payment in each year thereafter shall be adjusted to reflect the actual average daily membership for the previous fiscal year. The final payment in September 1982 and each year thereafter shall be adjusted to reflect the actual annual student count for the previous fiscal year. For Beginning with the 1980-1981 school year, 90 percent of the estimated post-secondary vocational instructional aid shall be paid on the basis of the department of education's estimates of the current year's average daily membership adjusted in September, December, March and June to reflect any increases or decreases in enrollment. Beginning with the 1981-1982 school year, the estimated post-secondary vocational instructional aid shall be paid on the basis of the department of education's estimates of the current year's annual student count, adjusted in September, December, March and June to reflect any increases or decreases in enrollment, pursuant to section 124.5621, subdivision 11.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 124.11, Subdivision 2b, is amended to read:

Subd. 2b. Post-secondary vocational supply aid, and support services aid and equipment aid shall be paid to districts in equal installments on or before August 1, December November 1, March February 1, and June May 1 of each year. Additional post-secondary vocational supply aid, support services aid, and equipment aid may be distributed on or before March and June 1 of each year if it is apportioned at a consolidated public hearing held before February 15 of that year in the manner specified in section 124.561, subdivision 3a. Eighty percent of post-secondary vocational capital expenditure aid shall be paid to districts on or before August 1 of each year. The remaining 20 percent of post-secondary vocational capital expenditure aid shall be paid to districts on or before May 1 of each year.

Sec. 3. Minnesota Statutes 1978, Section 124.11, is amended by adding a subdivision to read:

Subd. 2c. Additional post-secondary vocational supply aid, support services aid and capital expenditure aid may be distributed on or before May 1 of each year if it is apportioned at a consolidated public hearing held before February 15 of that year pursuant to section 124.561, subdivision 3a.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 124.561, Subdivision 3a, is amended to read:

Subd. 3a. [HEARING.] The consolidated public hearing held by

the state board pursuant to ~~subdivisions~~ *subdivision 2a and 3* shall take place with at least six board members present and shall continue until all interested persons, representatives, and organizations have had an opportunity to be heard. In 1980 and each year thereafter the state board shall authorize the allocations of post-secondary vocational supply aid, support services aid and capital expenditure aid for the following fiscal year at this hearing. Notice of intention to hold the hearing shall be given at least 20 days prior to the date set for the hearing by United States mail to each district submitting a post-secondary vocational school budget, to other interested persons, representatives, and organizations who register their names with the commissioner of education for that purpose, and in the state register. The department of education shall make available at least one free copy of the proposed ~~disposition of budgets or~~ allocations of aids to the education committees of the legislature and to any person requesting it. Unless the commissioner determines that the use of an audio magnetic recording device is more appropriate, a court reporter shall keep a record at every hearing. A transcript of the hearing record shall be made available upon the request of any person, provided that the request is in writing and the cost of preparing the transcript is borne by the requesting person. After allowing written material to be submitted and added to the hearing record for five days after the public hearing ends, the commissioner of education shall proceed as promptly as possible to write a report containing the final proposed ~~final disposition of budgets or~~ allocations of aids. This report shall contain findings and conclusions based on substantial evidence from the hearing record to support the final proposed ~~final disposition or~~ allocations. The report shall be available to all affected school districts upon request for at least 15 days before the state board takes final action ~~disposing of the budgets or~~ allocating aids. Any district which is adversely affected by the final proposed ~~disposition of budgets or~~ allocations of aids may demand and shall be given an opportunity to be heard in support of modification of the proposed ~~disposition or~~ allocations of aids at the meeting at which the state board takes final action ~~disposing of the budgets or~~ allocating aids; provided, the state board may place reasonable restrictions on the length of time allowed for testimony.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 124.562, Subdivision 3, is amended to read:

Subd. 3. All ~~funds~~ *moneys*, whether state, federal, or from other sources, which may be made available to the department of education for carrying out the purposes of post-secondary vocational-technical education shall be apportioned by the state board for vocational education to the various school districts in accordance with law and shall be distributed by the state aids, statistics and research section of the state department of education. State board approval shall not be required for the adjustment of average daily membership ~~or for the adjustment of the annual student count,~~ pursuant to section 124.11, subdivisions 2 and 2a.

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 124.562, Subdivision 4, is amended to read:

Subd. 4. Each district providing post-secondary vocational-technical education programs shall establish and maintain, in accordance with section 121.908, separate revenue, expenditure, asset and liability accounts separate from all other district accounts for the receipt and disbursement of all funds related to these post-secondary vocational-technical education programs within funds separate from all other district funds. All post-secondary vocational aids, all funds moneys received pursuant to the levy authorized by section 275.125, subdivision 13 as compiled in Minnesota Statutes 1978, and all tuition authorized by section 124.565 shall be utilized solely for the purposes of post-secondary vocational-technical education programs.

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 124.5621, Subdivision 11, is amended to read:

Subd. 11. (1) "Student growth or decline factor" for the 1980-1981 school year means the following ratio, adjusted according to clause (4) (2) :

(a) The current year's average daily membership as defined in section 124.562, subdivision 2, for a particular AVTI, divided by:

(b) The second prior year's average daily membership for that AVTI.

(2) Beginning in the 1979-1980 school year, each AVTI shall take a count of all full time equivalent students in attendance on the fifteenth day of each quarter that full time post-secondary vocational programs are offered by that AVTI. These quarterly counts shall be totaled to produce an annual student count.

(3) Beginning in the 1981-1982 school year, "student growth or decline factor" means the following ratio, adjusted according to clause (4).

(a) The current year's annual student count for a particular AVTI, divided by

(b) The annual student count for the second prior year for that AVTI.

(4) (2) If the ratio in clause (1) or (3) is greater than .95 but less than 1.05, the ratio shall equal 1.0. If the ratio is .95 or less, the ratio shall be adjusted by adding .05. If the ratio is 1.05 or greater, the ratio shall be adjusted by subtracting .05.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 124.5621, is amended by adding a subdivision to read:

Subd. 13. The state board for vocational education shall promulgate rules pursuant to chapter 15 which specify appropriate minimum ratios of average daily membership to each full-time staff equivalent in each of the following subject area classifications: agriculture; distributive education; health; home economics; business and office; technical; and trade and industrial.

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 124.5624, Subdivision 6, is amended to read:

Subd. 6. Before August 1, 1980 and before August 1 of each subsequent year, the commissioner shall issue a report on the capital expenditure aid allocation to each AVTI. This report shall include recommended aid allocations for each capital expenditure category and an explanation comparing the amount of the authorized capital expenditure aid allocation to the budget submitted for each AVTI. The fund balances used by the state board in determining the capital expenditure aid allocation shall be included.

Before August 1, 1980 and before August 1 of each subsequent year the commissioner shall also report on the equipment inventory of each AVTI, including original cost, amortization schedule and current value and estimated remaining useful life.

These reports shall be transmitted to the education committees of the legislature and to the directors of the AVTI's.

Sec. 10. Minnesota Statutes, 1979 Supplement, Section 124.5625, is amended to read:

124.5625 [POST-SECONDARY VOCATIONAL CONTINGENCY FUND.] There is established a post-secondary and adult vocational contingency fund. This fund shall be used for the start-up costs of *new full time* post-secondary vocational programs, including job training programs provided at the request of industry. This fund shall also be used for short term training of employees at the request of business and industry, when that training is specialized and not available from any other source. The commissioner state board for vocational education shall establish rules for the administration of this fund. The rules shall conform, where applicable, to the rules and procedures for the approval of new post-secondary and adult vocational programs.

Sec. 11. Minnesota Statutes 1978, Chapter 124, is amended by adding a section to read:

[124.5626] [ADULT NEW JOBS FUND.] *There is established a new jobs fund. This fund shall be used for the short term training of employees at the request of business and industry, when that training is specialized and not available from any other source. The state board for vocational education shall establish rules for the administration of this fund. The rules shall conform, where applicable, to the rules and procedures for the approval of new adult vocational programs.*

Sec. 12. Minnesota Statutes, 1979 Supplement, Section 124.565, Subdivision 3, is amended to read:

Subd. 3. Tuition at a post-secondary vocational-technical school for a Minnesota resident pupil shall be \$128 per quarter for each quarter the pupil is enrolled; except that there shall be no charge for tuition for a person who, prior to July 1, 1978, entered active military service in a branch of the armed forces of the United States and who, under the laws in effect at the time of his induction into the armed forces, would be eligible to attend a post-secondary vocational-technical school without payment of tuition. A full refund shall be provided to a student who with-

draws on or before the 15th day of the quarter. No refund shall be provided for withdrawal after the 15th day of the quarter.

Sec. 13. Minnesota Statutes, 1979 Supplement, Section 124.565, Subdivision 6, is amended to read:

Subd. 6. For purposes of the tuition charges established in this section, a quarter shall consist of 60 school days. The state board for vocational education shall adopt rules providing for proportionate tuition charges for quarters which are shorter or longer than 60 days and , for pupils who enroll on a part time or extended day basis enrollment, and for programs which begin or end during a quarter. The state board shall adopt rules providing for tuition charges based on approved program lengths for programs offered on an individualized basis.

Sec. 14. Minnesota Statutes 1978, Section 124.565, is amended by adding a subdivision to read:

Subd. 7. A veteran who is a Minnesota resident shall be exempt from the tuition required by subdivision 3 until the veteran has completed the lesser of (a) 360 post-secondary vocational-technical school days, or the equivalent as determined by the state board for vocational education, or (b) one post-secondary vocational-technical school program which the veteran began after the effective date of this subdivision.

"Veteran" for the purpose of this subdivision means a person who entered active military service in any branch of the armed forces of the United States after July 1, 1961 and before July 1, 1978, was a Minnesota resident at the time of induction into the armed forces and for the six months immediately preceding induction, and has been separated or discharged from active military service under conditions other than dishonorable. This subdivision shall not apply to a veteran whose tuition is paid for by any federal or state agency.

Sec. 15. Minnesota Statutes, 1979 Supplement, Section 124.566, is amended to read:

124.566 [USE OF POST-SECONDARY VOCATIONAL AID APPROPRIATIONS.] Notwithstanding the provisions of section 16A.57 or any other law to the contrary, the state board for vocational education may expend amounts appropriated by the legislature for post-secondary vocational categorical aid to pay post-secondary vocational foundation aid for the 1979-1980 school year if the appropriation for post-secondary vocational foundation aid is insufficient because of an increase in average daily membership. Beginning with the 1980-1981 school year, the state board may expend amounts appropriated by the legislature for post-secondary vocational support services aid to pay post-secondary vocational instructional aid in the 1980-1981 school year if the appropriation for post-secondary vocational instructional aid is insufficient because of an increase in average daily membership, or in the 1981-1982 school year, and each year thereafter, when the appropriation for post-secondary vocational instructional aid is

insufficient because of an increase in the annual student count. Beginning in the 1980-1981 school year, the state board may expend amounts appropriated by the legislature for post-secondary vocational instructional aid to pay post-secondary vocational support services aid in any year when the state board determines that the appropriation for instructional aid is excessive. On the date of any expenditure pursuant to this section, the state board shall report the expenditure to the appropriate committees of the legislature.

Sec. 16. Minnesota Statutes, 1979 Supplement, Section 124.572, Subdivision 2, is amended to read:

Subd. 2. 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 18 of this article 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 received funds 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 funds 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. 17. Minnesota Statutes 1978, Section 124.572, Subdivision 7, is amended to read:

Subd. 7. Each district providing adult vocational education shall establish and maintain separate, accurate and detailed revenue and expenditure accounts for the receipt and disbursement of all funds related to these adult vocational education programs. All adult vocational education aid received by the district from any source shall be utilized solely for the purposes of adult vocational education programs.

Sec. 18. Minnesota Statutes 1978, Chapter 125, is amended by adding a section to read:

[125.031] [LICENSURE, AREA VOCATIONAL-TECHNICAL SCHOOL INSTRUCTORS TEACHING LESS THAN SIX HOURS A QUARTER.] *Notwithstanding section 125.03, subdivision 1, a person who teaches in an adult vocational-technical educational program not more than six hours per quarter is exempt from a license requirement.*

Sec. 19. Minnesota Statutes 1978, Section 275.125, is amended by adding a subdivision to read:

Subd. 14a. *A district maintaining a post-secondary area vocational technical institute may levy for its local share of the cost of construction of facilities for the post-secondary area vocational-technical institute as provided in this subdivision.*

(1) *The construction must be authorized by a specific legislative act pursuant to section 121.21, subdivision 4a, after January 1, 1980. The specific legislative act must require that 85 percent of the cost of construction for post-secondary vocational purposes shall be financed by the state and that 15 percent of the cost of construction for post-secondary vocational purposes shall be financed by the school district operating the post-secondary area vocational-technical institute.*

(2) *The district may levy an amount equal to the local share of the cost of construction for post-secondary vocational purposes, minus the amount of any unappropriated net balance in the district's post-secondary vocational-technical building construction fund. A district may levy the total amount authorized by this subdivision in one year, or a proportionate amount of the total authorized amount each year for up to three successive years.*

(3) *By the July 1 before a district certifies the first levy pursuant to this subdivision for the local share of any construction project, at least three weeks published notice of the proposed levy shall be given in the legal newspaper with the largest circulation in the district. The notice shall state the purpose of the proposed levy, the duration of the proposed levy and the amount of the proposed levy in dollars and mills. Upon petition within 20 days after the notice of the greater of (a) 50 voters, or (b) 15 percent of the number of voters who voted in the district at the most recent regular school board election, the board shall call a referendum on the proposed levy. The referendum shall be held on a date set by the school board, but no later than the August 20 before the levy is certified. The question on the ballot shall state the amount of the proposed levy in mills on the district's adjusted assessed valuation and in dollars in the first year of the proposed levy.*

(4) *For the purposes of this subdivision, "construction" includes the acquisition and betterment of land, buildings and capital improvements for post-secondary area vocational-technical institutes.*

(5) *A district may not levy for the cost of a construction project pursuant to the subdivision if it issues any bonds to finance any costs of the project.*

Sec. 20. Minnesota Statutes, 1979 Supplement, Section 353.01, Subdivision 2b, is amended to read:

Subd. 2b. [EXCLUDED EMPLOYEES.] The following persons are excluded from the meaning of "public employee":

(a) Persons employed for professional services where such service is incidental to regular professional duties.

(b) Election officers.

(c) Independent contractors and their employees.

(d) Patient and inmate help in governmental subdivision charitable, penal and correctional institutions.

(e) Members of boards, commissions, bands and others who serve the governmental subdivision intermittently.

(f) Employees who hold positions of an essentially temporary or seasonal character, provided such employment does not continue for a period in excess of 120 working days in any calendar year. Immediately following the expiration of such 120 working days if such employees continue in public service and earn in excess of \$250 in any one calendar month, the department heads must then report all such employees for membership and must cause employees contributions to be made on behalf of such employees in accordance with section 353.27, subdivision 4, and they shall remain members until termination of public service.

(g) Part-time employees other than firefighters who receive monthly compensation not exceeding \$250, and part-time employees other than firefighters and elected officials whose annual compensation is stipulated in advance to be not more than \$3,000 per year, except that members shall continue their membership until termination of public service.

(h) Persons who first occupy an elected office after March 1, 1978, the compensation for which does not exceed \$250 per month.

(i) Emergency employees who are employed by reason of work caused by fire, flood, storm or similar disaster.

(j) Employees who by virtue of their employment are required to contribute to any other pension, relief or retirement fund established for the benefit of officers and employees of a governmental subdivision, except as an act of the legislature has specifically enabled participation by employees of a designated governmental subdivision in a plan supplemental to the public employees retirement association; provided that this clause shall not prevent a person from contributing to the public employees retirement association and also belonging to or contributing to another public pension fund for other service occurring during the same period of time.

(k) Police matrons employed in a police department of any city who are transferred to the jurisdiction of a joint city and county detention and corrections authority.

(l) Chaplains and nuns who have taken a vow of poverty as members of a religious order.

(m) Full-time students who are enrolled and are regularly attending classes at an accredited school, college or university; provided, no person employed full-time by a governmental subdivision shall be exempt under this paragraph.

(n) Resident physicians, medical interns and pharmacist interns who are serving in public hospitals.

(o) Appointed or elected officers, paid entirely on a fee basis, and who were not members on June 30, 1971.

(p) Nothing in Laws 1973, Chapter 753 shall be interpreted to impair or revoke any option exercised under Laws 1963, Chapter 793.

(q) Persons employed in subsidized on-the-job training, work experience or public service employment as enrollees under the federal comprehensive employment and training act from and after March 30, 1978, unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing on forms prescribed by the executive director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive training and employment act, or the person agrees in writing on forms prescribed by the executive director to make the required employer contributions in addition to the required employee contribution.

(r) Town, city or county assessors elected or appointed pursuant to chapter 273 who do not receive compensation in excess of \$250 per month from any one employing governmental subdivision or who are employed pursuant to an employment contract which sets forth the total compensation to be paid and the length of service, not to exceed three months in duration, required for the performance of the contract and which was entered into in advance of the commencement of employment.

(s) Volunteer firefighters as defined in subdivision 34.

(t) A person holding a part time adult supplementary vocational-technical school license who renders part time teaching service in a vocational-technical school if (1) the service is incidental to the person's regular nonteaching occupation; and (2) the applicable vocational-technical school stipulates annually in advance that the part time teaching service will not exceed 300 hours in a fiscal year; and (3) the part time teaching service actually does not exceed 300 hours in a fiscal year.

(u) A person exempt from licensure pursuant to section 18 of this article.

Sec. 21. Minnesota Statutes 1978, Section 354.05, Subdivision 2. as amended by Laws 1980, Chapter 342, Section 8, is amended to read:

Subd. 2. [TEACHER.] The word "teacher" includes any person who has rendered, is rendering, or shall hereafter render, service as a teacher, supervisor, principal, superintendent, or librarian in the public schools of the state, located outside of the corporate limits of the cities of the first class, in the state universities, or in any charitable or state institution including penal and corrective institutions supported, in whole or in part, by public funds, or who has been engaged, is engaged, or shall hereafter be engaged, in educational administration in connection with the state public school system, including the state university system and state

community college system, but excluding the university of Minnesota, whether the position be a public office or an employment, not including members of any general governing or managing board or body connected with such systems, or the officers of common, independent, special, or associated school districts, or unorganized territory. The term shall also include an employee of the teachers retirement association employed subsequent to July 1, 1969, and any nurse, counselor, social worker or psychologist who has rendered, is rendering or shall hereafter render service in the public schools as defined above or in state universities. The term shall also include any person who renders teaching service on a part time basis and who also renders other services for a school district. In such cases, the teachers retirement association shall have the authority to determine whether all or none of such combined employment will be covered by the teachers retirement association. The term does not mean any person who works for such school or institution as an independent contractor. ~~The term also does not mean a person who works for a school or institution on a part time basis provided: (1) the person was not required to make contributions to the fund during the current fiscal year; (2) the person has certified that he has established and is contributing to an individual retirement account based on non-teaching employment; and (3) the certification is made annually on a form prescribed by the executive director.~~ The term shall not include any person employed in subsidized on-the-job training, work experience or public service employment as an enrollee under the federal comprehensive employment and training act from and after March 30, 1978, unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing on forms prescribed by the executive director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive training and employment act, or the person agrees in writing on forms prescribed by the executive director to make the required employer contribution in addition to the required employer contribution. *The term shall not include any person holding a part time adult supplementary vocational-technical school license who renders part time teaching service in a vocational-technical school if (1) the service is incidental to the regular nonteaching occupation of the person; and (2) the applicable vocational-technical school stipulates annually in advance that the part time teaching service will not exceed 300 hours in a fiscal year; and (3) the part time teaching service actually does not exceed 300 hours in a fiscal year. The term also shall not include a person exempt from licensure pursuant to section 18 of this article.*

Sec. 22. Minnesota Statutes, 1979 Supplement, Section 354A.011, Subdivision 27, is amended to read:

Subd. 27. [TEACHER.] "Teacher" means any person who renders service in a public school district located in the corporate

limits of one of the cities of the first class which was so classified on January 1, 1979 as any of the following:

(a) a full time employee in a position for which a valid license from the state board of education is required;

(b) an employee of the teachers retirement fund association located in the city of the first class unless the employee has exercised the option pursuant to Laws 1955, Chapter 10, Section 1, to retain membership in the Minneapolis municipal employees retirement fund established pursuant to chapter 422A;

(c) a part time employee in a position for which a valid license from the state board of education is required who also renders other non-teaching services for the school district unless the board of trustees of the teachers retirement fund association determines that the combined employment is on the whole so substantially dissimilar to teaching service that the service shall not be covered by the association.

The term shall not mean any person who renders service in the school district as any of the following:

(1) an independent contractor or the employee of an independent contractor;

(2) a part time employee who, in the calendar year, has certified that he has established and is contributing to an individual retirement account established pursuant to federal law where certification is provided annually or upon request on a form prescribed by the board of the teachers retirement fund association;

(3) for the Duluth and St. Paul teachers retirement fund associations, and for the Minneapolis teachers retirement fund association, unless the person is designated by the board of education of special school district number 1 pursuant to section 356.451 as a provisional member of the teachers retirement fund association, a person employed in subsidized on-the-job training, work experience or public service employment as an enrollee under the federal comprehensive employment and training act from and after March 30, 1978, unless the person has as of the later of March 30, 1978, or the date of employment, sufficient service credit in the teachers retirement fund association to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive employment and training act, or the person agrees in writing to make the required employer contributions, including any employer additional contributions, in addition to the required employee or member contributions;

(4) an employee who is a full time teacher covered by another teachers retirement fund association established pursuant to this chapter;

(5) *an employee holding a part time adult supplementary vocational-technical school license who renders part time teaching ser-*

vice in a vocational-technical school if (1) the service is incidental to the regular nonteaching occupation of the person; and (2) the applicable vocational-technical school stipulates annually in advance that the part time teaching service will not exceed 300 hours in a fiscal year; and (3) the part time teaching service actually does not exceed 300 hours in a fiscal year; or

(6) an employee exempt from licensure pursuant to section 18 of this article.

Sec. 23. [CONTINGENCY FUND APPROPRIATION USE.] *Notwithstanding Laws 1979, Chapter 334, Article V, Section 31, the remaining funds in the appropriation for the contingency fund are immediately available to the department of education of which \$70,000 is for the short term training of employees at the request of business and industry pursuant to section 11 of this article, and at least \$130,000 is available for start-up costs of new full time post-secondary vocational programs.*

Sec. 24. [REPEALER.] *Laws 1979, Chapter 334, Article V, Section 29, Subdivision 4, is repealed. Minnesota Statutes, Section 124.562, Subdivision 2, remains effective.*

Sec. 25. *Laws 1979, Chapter 334, Article V, Section 32, Subdivision 6, is amended to read:*

Subd. 6. [POST-SECONDARY VOCATIONAL SUPPORT SERVICES AID.] *For post-secondary vocational support services aid there is appropriated:*

~~\$19,706,800~~ ~~\$19,206,800~~ 1981.

This appropriation is based on the assumption that the state will spend for post-secondary vocational support services aid an amount equal to ~~\$6,886,400~~ \$6,386,400 in fiscal year 1981 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended.

Sec. 26. *Laws 1979, Chapter 334, Article V, Section 32, Subdivision 7, is amended to read:*

Subd. 7. [POST-SECONDARY VOCATIONAL CAPITAL EXPENDITURE AID.] *For post-secondary vocational capital expenditure aid there is appropriated:*

~~\$9,000,000~~ 1980

~~\$9,000,000~~ ~~\$8,500,000~~ . . 1981.

This appropriation is based on the assumption that the state will spend for post-secondary vocational capital expenditures an amount equal to \$500,000 in fiscal year 1981 of federal money received for vocational education programs pursuant to the Vocational Education Act of 1963, as amended.

Sec. 27. [EFFECTIVE DATE.] *Sections 4, 8, 9, 10, 11, 13, 23 and 24 of this article shall be effective the day following final enactment.*

ARTICLE VI
MISCELLANEOUS

Section 1. Minnesota Statutes, 1979 Supplement, Section 120.075, is amended by adding a subdivision to read:

Subd. 1a. Any pupil who, pursuant to section 123.39, subdivision 5, has continuously been enrolled since January 1, 1977 in a school district of which he was not a resident may continue in enrollment in that district, and that district shall be considered the pupil's district of residence.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 120.075, is amended by adding a subdivision to read:

Subd. 3a. Any child who was born on or before January 1, 1978 but who was adopted after January 1, 1978 and whose adoptive parent on January 1, 1978 owned property residence upon which would have qualified the child for enrollment pursuant to Minnesota Statutes 1976, Section 120.065, in a school district of which the child was not a resident may enroll in that district. Any child who was born on or before January 1, 1978 but who was adopted after January 1, 1978 and whose adoptive parent on January 1, 1978 owned or was a tenant upon property so as to qualify a child for enrollment pursuant to Minnesota Statutes, 1977 Supplement, Section 123.39, Subdivision 5a, in a school district of which the child was not a resident may enroll in that district.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 120.075, Subdivision 4, as amended by Laws 1980, Chapter 375, Section 1, is amended to read:

Subd. 4. Subdivisions 1, 1a, 2 and 3 and 3a shall also apply to any brother or sister of a qualified pupil who is related to that pupil by blood, adoption or marriage and to any foster child of that pupil's parents. The enrollment of any pupil pursuant to ~~this section~~ *subdivision 1, 2, 3 or 3a and of a brother or sister of that pupil or of a foster child of that pupil's parents pursuant to this subdivision* shall remain subject to the provisions of Minnesota Statutes 1976, Section 120.065 and Minnesota Statutes, 1977 Supplement, Section 123.39, Subdivision 5a, as they read on ~~either~~ *January 1, 1978, or April 5, 1978.*

Sec. 4. Minnesota Statutes 1978, Chapter 120, is amended by adding a section to read:

[120.0751] [STATE BOARD OF EDUCATION.] *Subdivision 1. [ENROLLMENT EXCEPTIONS.] The state board of education may permit a pupil who enrolls in a school district of which he is not a resident to be deemed a resident pupil of that district pursuant to this section.*

Subd. 2. The pupil or his parent or guardian shall make application to the state board, explaining the particular circumstances which make the nonresident district the appropriate district of attendance for the pupil. The application must be signed by the

pupil's parent or guardian and the superintendent of the non-resident district.

Subd. 3. In granting or denying the application the state board of education shall consider the following criteria:

(a) Whether attending school in the district of residence creates a particular hardship for the pupil; and

(b) Whether the circumstances of the pupil are similar or analogous to the exceptions permitted by section 120.075.

Subd. 4. The state board of education shall render its decision in each case within 60 days of receiving the application in subdivision 2.

Subd. 5. The department of education shall provide the forms required by subdivision 2. These forms shall be available on or before July 31, 1980. The state board shall consider any application received by it on August 1, 1980, or thereafter. The state board of education shall adopt the procedures necessary to implement this section.

Sec. 5. Minnesota Statutes 1978, Chapter 120, is amended by adding a section to read:

[120.0752] [AGREEMENTS BETWEEN SCHOOL BOARDS; ENROLLMENT EXCEPTIONS.] Subdivision 1. A pupil may enroll in a school district of which he is not a resident and be deemed a resident pupil of that district pursuant to this section.

Subd. 2. The pupil's parent or guardian must receive the approval of the school board of the nonresident district and the school board of the resident district. The approval shall be on a form provided by the department of education. The superintendent of the nonresident district shall forward a copy of this form to the department of education within ten days of its approval. If the student withdraws his enrollment from the nonresident district the superintendent of that district shall report the fact to the department of education.

Sec. 6. Minnesota Statutes 1978, Chapter 120, is amended by adding a section 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. 7. Minnesota Statutes, 1979 Supplement, Section 121.912, Subdivision 1, is amended to read:

121.912 [PERMANENT FUND TRANSFERS.] Subdivision 1. After July 1, 1977, 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, 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; provided, 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; provided, 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; provided further, the state board shall not approve the permanent transfer for any other purpose of any amount which exceeds \$150,000.

Sec. 8. Minnesota Statutes 1978, Section 121.912, is amended by adding a subdivision to read:

Subd. 3. For the purposes of this section, a permanent transfer includes creating a deficit in a nonoperating fund for a period past the end of the current fiscal year which is covered by moneys in an operating fund.

Sec. 9. Minnesota Statutes 1978, Section 122.22, Subdivision 2, is amended to read:

Subd. 2. Proceedings under this section may be instituted by:

(a) Resolution of the county board of the county containing the greatest land area of the district proposed for dissolution when such the district is dissolved pursuant to sections 122.32 to 122.52.

(b) Petition executed by a majority of the resident freeholders eligible voters, as defined in section 123.32, subdivision 1a, of the district proposed for dissolution and addressed to the county board of the county containing the greatest land area of the district.

(c) Certification by the clerk of the district proposed for dissolution to the county board of the county containing the greatest land area of the district to the effect that a majority of votes cast at an election were in favor of dissolving the district.

Sec. 10. Minnesota Statutes 1978, Section 122.22, Subdivision 4, is amended to read:

Subd. 4. Petition executed pursuant to subdivision 2(b) shall be filed with the auditor and shall contain:

(a) A statement that petitioners desire proceedings instituted leading to dissolution of the district and other provisions made for the education of the inhabitants of the territory; and that petitioners are *resident freeholders eligible voters, as defined in section 123.32, subdivision 1a*, of the district.

(b) An identification of the district.

(c) The reasons supporting the petition which may include recommendations as to disposition of territory to be dissolved. *Such* *The* recommendations are advisory in nature only and are not binding on any petitioners or county board for any purpose.

(d) The persons circulating the petition shall attach their affidavit swearing or affirming that the persons executing the petition are *resident freeholders eligible voters, as defined in section 123.32, subdivision 1a, of the district* and that they signed in the presence of one of the circulators.

(e) The auditor shall present the petition to the county board at its next meeting. At that meeting, the county board shall determine a date for a hearing not less than ten nor more than 60 days from the date of that meeting.

Sec. 11. Minnesota Statutes 1978, Section 122.23, Subdivision 9, is amended to read:

Subd. 9. If the approved plat contains land area in more than one independent district maintaining a secondary school, or common district maintaining a secondary school, and if each board entitled to act on the plat approves the plat, each *such* board shall cause notice of its action to be published at least once in its official newspaper. If five percent of the *resident freeholders eligible voters, as defined in section 123.32, subdivision 1a*, of any such district shall petition the clerk of the district, within 30 days after the publication of *such the* notice, for an election on the question, the consolidation shall not become effective until approved by a majority vote in *such the* district at an election held in the manner provided in subdivisions 11, 12 and 13.

Sec. 12. Minnesota Statutes 1978, Section 122.23, Subdivision 10, is amended to read:

Subd. 10. If an approved plat contains land area in any district not entitled to act on approval or rejection of the plat by action of its board, the plat may be approved by the residents of *such the* land area within 60 days of approval of plat by the state board in the following manner:

A petition calling upon the county auditor to call and conduct an election on the question of adoption or rejection of the plat may be circulated in *such the* land area by any person residing in *such areas the area*. Upon the filing of *such the* petition with the county auditor, executed by at least 25 percent of the *resident freeholders eligible voters, as defined in section 123.32, subdivision 1a*, in each district or part of a district contained in *such the* land area, the county auditor shall forthwith call and conduct a special

election of the electors resident in the whole land area on the question of adoption of the plat. For the purposes of this section, the term "electors resident in the whole land area" means and shall be construed to include any person or persons residing on any remaining portion of land, a part of which is included in the consolidation plat. Any freeholder eligible voter, as defined in section 123.32, subdivision 1a, owning land included in such the plat who lives upon land adjacent or contiguous to that part of his land included in such the plat shall be included and counted in computing the 25 percent of the resident freeholders eligible voters, as defined in section 123.32, subdivision 1a, necessary to sign such the petition and shall also be qualified to sign such the petition. Failure to file such the petition within 60 days of approval of the plat by the state board terminates the proceedings.

Sec. 13. Minnesota Statutes 1978, Section 122.25, Subdivision 1, is amended to read:

122.25 [COMMON DISTRICT TO INDEPENDENT DISTRICT.] Subdivision 1. If six or more resident freeholders eligible voters, as defined in section 123.32, subdivision 1a, of a common district desire to change the organization of their district to an independent district, they may call for a vote upon the question at the next annual meeting by filing a petition therefor with the clerk. In the notice for the meeting, the clerk shall include a statement that the question will be voted upon at the meeting.

Sec. 14. Minnesota Statutes, 1979 Supplement, Section 122.541, Subdivision 5, is amended to read:

Subd. 5. If compatible plans are not negotiated pursuant to subdivision 4 before the June March 1 preceding any year of the agreement permitted by subdivision 1, the cooperating districts shall be governed by the provisions of this subdivision. Insofar as possible, teachers who have acquired continuing contract rights and whose positions are discontinued as a result of the agreement shall be employed by a cooperating district or assigned to teach in a cooperating district as exchange teachers pursuant to section 125.13. If necessary, teachers whose positions are discontinued as a result of the agreement and who have acquired continuing contract rights shall be placed on unrequested leave of absence in fields in which they are licensed in the inverse order in which they were employed by a cooperating district, according to a combined seniority list of teachers in the cooperating districts.

Sec. 15. Minnesota Statutes 1978, Section 123.11, Subdivision 7, is amended to read:

Subd. 7. Upon the filing of a petition therefor, executed by five resident freeholders eligible voters, as defined in section 123.32, subdivision 1a, of the common district, specifying the business to be acted upon, or upon the adoption of a proper resolution, so specifying, signed by a majority of the members of the board, the clerk shall forthwith call a special meeting of the district upon ten

days' posted notice and one week's published notice if there be a newspaper printed in such the district and specify in such the notice the business named in such the request or resolution and the time and place of the meeting. If there be no clerk in the district or if he fails for three days after receiving such a request or resolution to give notice of such a meeting, it may be called by like notice by five freeholders qualified to vote eligible voters, as defined in section 123.32, subdivision 1a, of the district. No business except that named in the notice shall be transacted at such the meeting. If there are not five voters who are freeholders in the district eligible voters, as defined in section 123.32, subdivision 1a, or if there is not a board therein, the county superintendent auditor may call a special meeting by giving notice thereof as provided in this section. The voters at a special meeting have power to repeal or modify their proceedings.

Sec. 16. Minnesota Statutes 1978, Section 123.35, Subdivision 5, is amended to read:

Subd. 5. The board shall employ and contract with necessary qualified teachers and discharge the same for cause, but no substitute teacher shall be hired except to replace a regular teacher on leave of absence or in an emergency of less than one school year's duration. The board shall not hire a substitute teacher except:

(a) For a duration of time of less than one school year to replace a regular teacher who is absent; or

(b) For a duration of time equal to or greater than one school year to replace a regular teacher on a leave of absence.

If a substitute teacher is hired pursuant to clause (b), each full school year during which the teacher is employed by a district pursuant to that clause shall be deemed one year of the teacher's probationary period of employment pursuant to either section 125.12, subdivision 3, or section 125.17, subdivision 2. The teacher shall be eligible for continuing contract status pursuant to section 125.12, subdivision 4, or tenure status pursuant to section 125.17, subdivision 3, after completion of the applicable probationary period.

Sec. 17. Minnesota Statutes 1978, Section 123.36, Subdivision 10, is amended to read:

Subd. 10. (a) The board may lease a schoolhouse which is not needed for school purposes to any person or organization. The board may charge and collect reasonable consideration for the lease and may determine the terms and conditions of the lease.

(b) In districts with outstanding bonds, the net proceeds of the lease shall be used first pursuant to section 475.61, subdivision 3, to reduce the levy authorized for payments for bonds issued and for interest thereon pursuant to section 275.125, subdivision 4 deposited in the debt retirement fund of the district in an amount sufficient to meet when due the principal and interest payments for all outstanding bonds. Any remaining net proceeds in these

districts and all net proceeds of the lease in districts without outstanding bonds shall be used to reduce the levy authorized for general and special school purposes by section 275.125, subdivision 2a deposited in the capital expenditure fund of the district.

(c) The board may make capital improvements to a schoolhouse or a portion thereof, not exceeding in cost the replacement value of the schoolhouse, to facilitate its rental, and the lease of an improved schoolhouse shall provide for rentals which will recover the cost of the improvements over the initial term of the lease. Notwithstanding clause (b), the portion of the rentals representing the cost of the improvements shall be deposited in the capital expenditure fund of the district and the balance of the rentals shall be used as provided in clause (b).

Sec. 18. Minnesota Statutes 1978, Section 123.36, is amended by adding a subdivision to read:

Subd. 12. Proceeds of the sale or exchange of school buildings or real property of the school district shall be used as provided in this subdivision.

(1) In districts with outstanding bonds the proceeds of the sale or exchange shall first be deposited in the debt retirement fund of the district in an amount sufficient to meet when due the principal and interest payments for all outstanding bonds. Any remaining proceeds in these districts of the sale or exchange and all proceeds in districts without outstanding bonds shall be deposited in the capital expenditure fund of the district.

(2) Notwithstanding clause (1), a district with outstanding bonds which sells a building or property in order to purchase a replacement, may apply to the commissioner to place proceeds of the sale in its capital expenditure fund in an amount necessary to purchase the replacement; provided the district places an amount in its debt retirement fund sufficient to meet when due the principal and interest payments for all outstanding bonds on the particular building or property which is sold.

Sec. 19. Minnesota Statutes 1978, Section 123.51, is amended to read:

123.51 [SPECIAL SCHOOL DISTRICTS, LAWS APPLICABLE.] Special districts as now organized shall continue to operate under the special legislation and charter provisions governing them until conversion to independent districts. The provisions of Laws 1957, Chapter 947, law relating to independent districts shall apply to and govern each special district unless the special laws and charter provisions governing the special district provide for the matter, in which case the special laws and charter provisions relating to the special district shall apply and control.

Sec. 20. Minnesota Statutes 1978, Section 123.932, is amended by adding a subdivision to read:

Subd. 3a. "Nonsectarian nonpublic school" means any nonpublic school as defined in subdivision 3, which is not church re-

lated, is not controlled by a church, and does not promote a religious belief.

Sec. 21. Minnesota Statutes 1978, Section 123.932, Subdivision 9, is amended to read:

Subd. 9. "Neutral site" means a public center, a *nonsectarian nonpublic school*, a mobile unit located off the nonpublic school premises, or any other location off the nonpublic school premises which is neither physically nor educationally identified with the functions of the nonpublic school.

Sec. 22. Minnesota Statutes, 1979 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 \$30 times the number of gifted and talented students in the district. No more than 2½ 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 funds 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. 23. Minnesota Statutes, 1979 Supplement, Section 124.247, Subdivision 4, is amended to read:

Subd. 4. [ACCOUNTS.] A district which received funds moneys under this section shall, *in accordance with section 121.908, maintain a separate account for the receipt and disbursement of funds revenue and expenditure accounts which accurately reflect any state moneys* allocated to the district for the purpose of this section, and the funds moneys shall be spent only for the purpose of the program for gifted and talented students.

Sec. 24. Minnesota Statutes 1978, Section 125.12, Subdivision 2, is amended to read:

Subd. 2. [HIRING, DISMISSING.] School boards shall hire or dismiss teachers at duly called meetings. Where a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher shall be made or authorized except upon the unanimous vote of the full board. No teacher related by blood or marriage, within the fourth degree, computed by the civil law, to a board member shall be employed except by a unanimous vote of the full board. The *initial employment of the teacher in the district shall be by written contract, signed by the teacher and by the chairman and clerk. All subsequent employment of the teacher in the district shall be by written contract, signed by the teacher and by the chairman and clerk, except where there is a master agreement covering the employment of the teacher.* Contracts for teaching or supervision of teaching can be made only with qualified teachers. Such contract shall specify the wages per year and the general assignment of the teacher. A teacher shall have 10 days after receipt to consider, demand corrections, execute and return such contract, but

this period shall not be construed to be an extension of the final resignation date in subdivision 4. No teacher shall be required to reside within the employing school district as a condition to teaching employment or continued teaching employment.

Sec. 25. Minnesota Statutes 1978, Section 125.12, Subdivision 9, is amended to read:

Subd. 9. [HEARING PROCEDURES.] Any hearing held pursuant to this section shall be held upon appropriate and timely notice to the teacher, and any hearing held pursuant to subdivision 6 or 8 shall be private or public at the discretion of the teacher. A hearing held pursuant to subdivision 6b shall be public and may be consolidated by the school board. At the hearing, the board and the teacher may each be represented by counsel at its or his own expense, and such counsel may examine and cross-examine witnesses and present arguments. The board shall first present evidence to sustain the grounds for termination or discharge and then receive evidence presented by the teacher. Each party may then present rebuttal evidence. Dismissal of the teacher shall be based upon substantial and competent evidence in the record. All witnesses shall be sworn upon oath administered by the presiding officer of the board. The clerk of the board shall issue subpoenas for witnesses or the production of records pertinent to the grounds upon the request of either the board or the teacher. The board shall employ a court reporter to record the proceedings at the hearing, and either party may obtain a transcript thereof at its own expense.

Sec. 26. Minnesota Statutes 1978, Section 125.182, Subdivision 1, is amended to read:

125.182 [DEFINITIONS.] Subdivision 1. For the purpose of Laws 1973, Chapter 740 sections 125.181 to 125.185, the words, phrases and terms defined in this section shall have the meanings ascribed to them.

Sec. 27. Minnesota Statutes 1978, Section 125.60, is amended by adding a subdivision to read:

Subd. 8. [HEALTH CARE BENEFITS.] A teacher on an extended leave of absence shall receive all of the health, accident, medical, surgical and hospitalization insurance or benefits, for both the teacher and the teacher's dependents, for which the teacher would otherwise be eligible if not on an extended leave, if such coverage is available from the school district's insurer, if the teacher requests the coverage, and if the teacher either (a) reimburses the district for the full amount of the premium necessary to maintain the coverage within one month following the district's payment of the premium, or (b) if the district is wholly or partially self-insured, pays the district, according to a schedule agreed upon by the teacher and the school board, an amount determined by the school board to be the amount that would be charged for the coverage chosen by the teacher if the school board purchased all health, accident, medical, surgical and hospitalization coverage for its teachers from an insurer.

Sec. 28. Minnesota Statutes 1978, Chapter 125, is amended by adding a section to read:

[125.611] [TEACHER EARLY RETIREMENT INCENTIVE PROGRAM.] *Subdivision 1. For purposes of this section, "teacher" means a teacher as defined in section 125.03, subdivision 1, who is employed in the public elementary, secondary or area vocational-technical schools in the state, who has not less than 15 total years of full time teaching service in elementary, secondary and area vocational-technical schools, and who has or will have attained the age of 55 years but less than 65 years as of the June 30 in the school year during which an application for an early retirement incentive is made.*

Subd. 2. For purposes of this section, "retirement" means termination of services in the employing district and withdrawal from active teaching service.

Subd. 3. A teacher meeting the requirements of subdivision 1 may apply to the school board of the employing district for a contract for termination of his services, withdrawal from active teaching service, and payment of an early retirement incentive. This application shall be submitted on or before June 1 of the school year at the end of which the teacher wishes to retire, and shall be submitted on the form established by the commissioner of education for this purpose.

Subd. 4. A school board receiving an application submitted by a teacher pursuant to subdivision 3 shall approve or deny the application within 30 days after it is received by the board, and shall notify the teacher by United States mail of the board's approval or denial within seven days after the board's decision is made. The notification of approval shall state that no agreement for termination of services with an early retirement incentive shall be made unless and until the board receives authorization from the commissioner of education.

Subd. 5. 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 July 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. 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.

Subd. 6. Notwithstanding the time limitations imposed by subdivisions 4 and 5, the commissioner of education may approve applications received from school boards after the time limit

established in subdivision 5 if the teacher's application was submitted to the school board within the time limit and in the form required by subdivision 3, unless the failure of the school board to meet the time limit of subdivision 5 was caused by conduct of that teacher.

Subd. 7. A teacher whose early retirement pursuant to this section has been approved by the commissioner of education shall be offered a contract for termination of services in the employing district, withdrawal from active teaching service, and payment of an early retirement incentive by the employing school district. An offer may be accepted by the teacher by submitting a written resignation to the school board of the employing district.

Subd. 8. An eligible teacher who is or will be 55 years of age as of the end of the school year during which an application for an early retirement incentive is made and accepted shall receive an early retirement incentive in the amount of \$10,000. This amount shall be reduced by \$500 for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional \$1,500 for each year that a teacher is over the age of 60 years. The age of the teacher shall be determined as of the June 30 in the school year during which the application for the early retirement incentive is made.

Subd. 9. Notwithstanding the provisions of subdivision 8, an eligible teacher who wishes to retire at the end of the 1979-1980, 1980-1981, or 1981-1982 school year, who is employed by a school district which is implementing a desegregation plan ordered by federal court or approved by the state board, and who is offered and accepts an early retirement incentive contract pursuant to subdivision 7, shall receive an early retirement incentive in the amount of \$15,000. This amount shall be reduced by \$750 for each year that a teacher is over the age of 55 years to a maximum age of 60 years and by an additional \$2,250 for each year that a teacher is over the age of 60 years. The age of the teacher shall be determined as of the June 30 in the school year during which the application for the early retirement incentive is made.

Subd. 10. The early retirement incentive shall be paid by the employing school district at the time and in the manner mutually agreed upon by a teacher and the board. The state shall reimburse the district for 50 percent of any amount or amounts paid out as an early retirement incentive pursuant to this section. An early retirement incentive shall not be paid to any teacher who is discharged by a school district.

Subd. 11. Notwithstanding the provisions of subdivisions 2, 3 and 7, a teacher who has entered into an agreement for termination of services and withdrawal from active teaching service with an early retirement incentive may be employed as a substitute teacher after his retirement.

Subd. 12. Any amount of unemployment insurance which the teacher receives and for which the district is required to pay into the unemployment compensation fund pursuant to section

268.06, subdivision 25, at any time after the teacher has entered into an agreement pursuant to subdivision 7, may be deducted by the district from the amount of the teacher's early retirement incentive or recovered by the district from the teacher up to the amount of the early retirement incentive. The district shall pay 50 percent of any amount so deducted or recovered to the department of education, and any amount so received by the department shall be deposited in the state treasury.

Sec. 29. Minnesota Statutes 1978, Section 126.10, is amended to read:

126.10 [SPECIAL DAYS.] The following days or the school days nearest such days to them are hereby designated for special observance in the public schools of the state: September 28 as Frances Willard Day, October 9 as Leif Ericson Day, January 15 as Martin Luther King Day, and February 15 as Susan B. Anthony Day. On such these days one-half hour may be devoted in the schools may offer to instruction and appropriate exercises relative to and programs in commemoration of the life and history of the respective persons and the principles and ideals they fostered.

Sec. 30. Minnesota Statutes 1978, Section 127.09, is amended to read:

127.09 [REFUSING TO SERVE ON SCHOOL BOARD.] Any person accepting an election or appointment upon any school board and refusing or neglecting to qualify or to serve or to perform any of the duties of such the office, shall forfeit for each offense the sum of \$10 to be collected in an action before a justice of the peace, to be prosecuted in the name of the district by any school board member of the district or by any freeholder thereof eligible voter, as defined in section 123.32, subdivision 1a, of the district.

Sec. 31. Minnesota Statutes 1978, Section 127.11, is amended to read:

127.11 [DRAWING ILLEGAL ORDER.] Any school district clerk who shall illegally draw draws an order upon the treasurer, any chairman or other officer who shall attest such attests the order, and any school district treasurer who shall knowingly pay pays the same order, shall each forfeit to the district twice the amount of such the order, to be collected in an action brought in the name of the district by any freeholder thereof eligible voter, as defined in section 123.32, subdivision 1a, of the district.

Sec. 32. Minnesota Statutes 1978, Section 127.21, is amended to read:

127.21 [COMBINATION TO CONTROL PRICES.] If at any time any publisher shall enter into any understanding, agreement, or combination to control the prices or to restrict competition in the adoption or sale of school books, then the attorney general shall institute and prosecute legal proceedings for the forfeiture of

~~the bond of the publisher and for the revocation of his license to sell school books in this state, and each and every contract made by the publisher under this chapter shall thereupon become null and void at the option of the other parties thereto.~~

Sec. 33. Minnesota Statutes 1978, Section 134.03, is amended to read:

134.03 [TAX LEVY.] *Subdivision 1.* In cities of less than 2,000 inhabitants not levying a tax for public library purposes, the school board may maintain a public library for the use of all residents of the district and provide ample and suitable rooms for its use in the school buildings or the district.

Upon a library being so established in any such school district, whose library building has been erected with funds acquired by gift or donation, the school board is empowered to appoint a library board of nine members, of which each member of the school board shall be a member ex officio.

The remaining members of such library board shall be appointed by the school board, one of which remaining members shall hold office for one year, one for two years, and one for three years if the school board has only six members, from the first Saturday of September following their appointment, the term of office of each being specified in such appointment; annually thereafter, such school board shall appoint a member of the library board for the term of three years and until his successor shall qualify. Such school board may remove any member so appointed for misconduct or neglect. Vacancies in such board shall be filled by appointment for the unexpired term. Members of such board shall receive no compensation for their services as such.

Immediately after appointment, such board shall organize by electing one of its members as president and one as secretary and from time to time it may appoint such other officers and employees as it deems necessary. The secretary, before entering upon his duties, shall give bond to the school district in an amount fixed by the library board, conditioned for the faithful discharge of his official duties. The library board shall adopt such bylaws and regulations for the government of the library and reading-room and for the conduct of its business as may be expedient and conformable to law. It shall have exclusive control of the expenditures of all money collected for, or placed to the credit of, the library funds, and of the rooms and buildings provided for library purposes. All moneys received for such library fund shall be kept in the treasury of the school district, credited to the library fund, and be paid out only upon itemized vouchers approved by the library board. The library board may fix the compensation of employees and remove any of them at pleasure.

All books or other property given, granted, conveyed, donated, devised, or bequeathed to, or purchased by, such library shall vest in, and be held in the name of, such school district. Every library and reading-room established hereunder shall be free to the use of

the inhabitants of the school district, subject to such reasonable regulations as the directors may adopt.

When so established, no such library shall be abandoned without a two-thirds majority vote of the electors cast at any annual or special school meeting called for the purpose.

~~When so established, in cases where the building has been erected with funds so donated, no such library shall be abandoned without a two-thirds majority vote of the electors cast at any annual or special school meeting called for the purpose.~~

Subd. 2. Notwithstanding subdivision 1, if the library building of a library established pursuant to this section has been erected with funds acquired by gift or donation, a school board may, if authorized by the vote of a majority of all members of the school board and the vote of a majority of all members of the governing body of the city, permanently transfer the responsibility for maintaining the library to the city.

Sec. 34. Minnesota Statutes 1978, Section 134.08, is amended to read:

134.08 [WHEN ESTABLISHED BY VOTE; EXISTING LIBRARIES.] If such a library or reading-room be is not otherwise established, the governing body of the municipality, upon the petition of 50 ~~freeholders thereof eligible voters, as defined in section 200.02, subdivision 25, of the municipality,~~ shall submit the question of ~~such the~~ establishment to the voters at the next municipal election. If two-thirds of the votes cast on the question ~~be are~~ in the affirmative, the governing body shall establish the library or reading-room and levy a yearly tax for its support, within the limits fixed by section 134.07. All public libraries and reading-rooms heretofore established and now existing in cities are continued and all ordinances setting apart public property for their support are hereby confirmed. Nothing in sections 134.08 to 134.15 shall be construed as abridging any power or duty in respect to libraries conferred by any city charter.

Sec. 35. Laws 1959, Chapter 462, Section 3, as amended by Laws 1961, Chapter 562, Section 2, as amended by Laws 1963, Chapter 645, Section 3, as amended and numbered subdivision 1 by Laws 1967, Chapter 661, is amended to read:

Sec. 3. Subdivision 1. Such special independent school district shall have all the powers, privileges, duties and obligations of independent school districts as provided by the state laws as of ~~April 20, 1961,~~ except as follows or as otherwise provided by a special law or charter provision:

Sec. 36. [APPLICABILITY.] *On its effective date, section 35 applies to Special Independent School District No. 1.*

Sec. 37. Laws 1965, Chapter 705, as amended by Laws 1975, Chapter 261, Section 4, is amended to read:

Sec. 6. The school board, for the purpose of providing moneys for the payment of its severance pay obligations under a plan approved by resolution of the district, in addition to all other powers possessed by the school district and in addition to and in excess of any existing limitation upon the amount it is otherwise authorized by law to levy as taxes, is authorized to levy taxes annually not exceeding in any one year an amount equal to two-tenths of one mill upon each dollar of the assessed valuation thereof upon all taxable property within the school district which taxes as levied shall be spread upon the tax rolls, and all corrections thereof shall be held by the school district, and allocated therefor to be disbursed and expended by the school district in payment of any public school severance pay obligations and for no other purpose. Disbursements and expenditures previously authorized on behalf of the school district for payment of severance pay obligations shall not be deemed to constitute any part of the cost of the operation and maintenance of the school district within the meaning of any statutory limitation of any school district expenditures.

The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee shall not exceed ~~\$4,000~~ *the amount permitted by Minnesota Statutes, Section 465.72.*

Sec. 38. Laws 1977, Chapter 85, Section 1, as amended by Laws 1978, Chapter 764, Section 135, is amended to read:

Section 1. [INDEPENDENT SCHOOL DISTRICT NO. 625; SEVERANCE PAY.] Any employee of Independent School District 625 who resigns or retires after ~~December 26, 1974~~ *July 1, 1980*, may be paid severance pay benefits not exceeding ~~\$4,000~~ *as provided by Laws 1975, Chapter 261 the amount permitted by Minnesota Statutes, Section 465.72*, if the employee is otherwise eligible for benefits under a severance pay plan approved by the school board.

Sec. 39. Laws 1979, Chapter 69, Section 2, is amended to read:

Sec. 2. The board of Independent School District No. 275 may propose in its resolution for consolidation that the proposed new district be governed at first by the board of another pre-existing district and that one member of the board of Independent School District No. 275 serve as an additional member of the board of the new district for a specific period. These proposals shall be deemed to be part of the consolidation plat. If the plat containing the proposals is finally approved by all affected school boards and at each election held on the plat in an affected district, the new district shall be governed by the board of a pre-existing district as provided in the plat, and a member of the board of Independent School District No. 275 shall serve as an additional member of the board of the new district for the period specified in the plat. *This governing board of the new district shall be deemed to be the newly elected board of the new district for purposes of Minnesota Statutes, Sections 122.23 and 122.532.* As the terms of the members of the board of the pre-existing district expire, their

successors shall be elected by the legally qualified voters of the new district. The members of the last board of Independent School District No. 275 to exist before the consolidation shall select the member of that board who shall serve as an additional member of the board of the new district and shall also select one of their number to replace that member if before the specified period elapses the member dies, resigns, ceases to be a resident of the area formerly contained in Independent School District No. 275 or is found by resolution of the board of the new district to be unable to serve on the board for a period of 90 days or more because of illness or prolonged absence from the district.

Sec. 40. Laws 1979, Chapter 69, Section 5, is amended to read:

Sec. 5. If the effective date of the consolidation is not July 1 of an odd-numbered year and if the new district is governed by the board of a pre-existing district as provided in section 2, the contract between the board of the pre-existing district and the exclusive bargaining representative of teachers in that district shall continue in effect for the remainder of its term and shall also govern the terms and conditions of employment in the new district of the teachers previously employed by Independent School District No. 275 and, *if applicable*, any placement of those teachers on unrequested leave of absence by the new district *that board* during the school year before the consolidation becomes effective.

Sec. 41. [APPLICABILITY.] *On their effective date, sections 39 and 40 apply to Independent School District No. 275, Golden Valley.*

Sec. 42. Laws 1979, Chapter 334, Article VIII. Section 29, is amended to read:

Sec. 29. [APPROPRIATION.] To meet the state's obligation prescribed in Minnesota Statutes, Sections 125.61, *section 28 of this article*, 354.094, 354.66, 354A.091 and 354A.22, there is appropriated from the general fund to the department of education the sum of \$1,247,000 for the fiscal year ending June 30, 1980 and the sum of \$1,532,800 for the fiscal year ending June 30, 1981.

(a) Any unexpended balance remaining from the appropriation in this section for fiscal year 1980 shall not cancel but shall be available for the second year of the biennium. If the appropriation amount attributable to either year for the purposes indicated is insufficient, the state shall not be obligated for any amount in excess of the appropriation in this section for this purpose.

(b) Notwithstanding the provisions of Minnesota Statutes, Sections 354.43 and 354A.12, the state's obligations prescribed in Minnesota Statutes, Sections 354.094, 354.66, 354A.091 and 354A.22 shall not be financed out of standing appropriations for the state's obligations pursuant to Minnesota Statutes, Chapter 354 or 354A.

Sec. 43. Laws 1980, Chapter 345, Section 17, is amended to read:

Sec. 17. Nothing contained in sections 1 to 16 2 or 3 shall be construed as affecting the validity of a permanent license or certificate issued prior to August 1, ~~1979~~ 1980.

Sec. 44. *Subdivision 1. [AUTHORIZED FUND TRANSFER.] Notwithstanding section 18 of this article or any other provisions of law to the contrary, Independent School District No. 283 may transfer up to \$500,000 of any unexpended balance in the debt retirement fund of the district, after a sufficient amount of moneys has been deposited in the debt retirement fund of the district to meet when due the principal and interest payments for all outstanding obligations, to the capital expenditure fund of the district. This transfer authority is available until July 1, 1980.*

Subd. 2. [APPLICABILITY.] On its effective date, subdivision 1 applies to Independent School District No. 283.

Sec. 45. *[INDEPENDENT SCHOOL DISTRICTS NOS. 279 AND 286; TRANSFER OF TERRITORY.] Subdivision 1. All that part of Independent School District No. 286 located in the NW ¼ of section 35, township 119, range 21 lying south of a line commencing at a point on the west line of section 35, township 119, range 21, Hennepin County, where it intersects the existing center line of U.S. Highway 94, thence easterly along the existing center line of U.S. Highway 94 to a point on the north line of the southwest quarter of section 35, township 119, range 21, Hennepin County, and there terminating, is detached from Independent School District No. 286 and annexed to Independent School District No. 279.*

Subd. 2. The property described in subdivision 1 shall remain subject to taxation for all bonded indebtedness incurred by Independent School District No. 286 before the effective date of this section. It shall not be subject to taxation for any bonded indebtedness incurred by Independent School District No. 279 before the effective date of this section.

Sec. 46. *[INDEPENDENT SCHOOL DISTRICTS NOS. 279 AND 286; TRANSFER OF TERRITORY.] Subdivision 1. All that part of Independent School District No. 279 located in the SW ¼ of section 35, township 119, range 21 lying north of a line commencing at a point on the north line of the southwest quarter of section 35, township 119, range 21, Hennepin County, where it intersects with the existing center line of U.S. Highway 94, thence easterly along the existing center line of U.S. Highway 94 to a point on the east line of the southwest quarter of section 35, township 119, range 21, Hennepin County, and there terminating, is detached from Independent School District No. 279 and annexed to Independent School District No. 286.*

Subd. 2. The property described in subdivision 1 shall remain subject to taxation for all bonded indebtedness incurred by Independent School District No. 279 before the effective date of this section. It shall not be subject to taxation for any bonded indebtedness incurred by Independent School District No. 286 before the effective date of this section.

Sec. 47. [APPLICABILITY.] *Subdivision 1. On their effective dates, sections 45 and 46 apply to Independent School Districts Nos. 279 and 286.*

Subd. 2. On its effective date, sections 37 and 38 apply to Independent School District No. 625.

Sec. 48. [REPEALER.] *Minnesota Statutes 1978, Sections 122.85, Subdivision 7; 123.34, Subdivision 6; 123.65; 125.61, Subdivisions 1a and 6; and 127.22; and Minnesota Statutes, 1979 Supplement, Section 125.61, Subdivisions 1, 2, 3, 3a, 4, 4a and 4b, are repealed.*

Sec. 49. [EFFECTIVE DATE.] *Subdivision 1. Sections 1 to 4, 7 to 13, 15, 17 to 19, 25, 26, 28, 30 to 34, 36, 41 to 43, 47 and 48 of this article are effective the day following final enactment.*

Subd. 2. Section 28, subdivision 6 shall apply retroactively to teachers who submitted applications for early retirement incentives on or before June 1, 1979 and retired at the end of the 1978-79 school year.

Subd. 3. Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (a), sections 39, 40, and 44 of this article shall be effective without local approval on the day following final enactment.

Subd. 4. Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (b), section 35 shall be effective without local approval the day following final enactment.

Subd. 5. Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (b), sections 37 and 38 are effective without local approval July 1, 1980.

Subd. 6. Notwithstanding the provisions of Minnesota Statutes, Section 645.023, Subdivision 1, Clause (a), sections 45 and 46 are effective only upon approval by a majority vote of all members of the school board of Independent School District No. 286 and by a majority vote of all members of the school board of Independent School District No. 279 and upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3.

ARTICLE VII

STATEWIDE EDUCATION MANAGEMENT INFORMATION SYSTEM

Section 1. Minnesota Statutes 1978, Chapter 16, is amended by adding a section to read:

[16.931] [EDUCATION MANAGEMENT INFORMATION SYSTEMS.] *Subdivision 1. The authority of the commissioner of administration pursuant to sections 16.90 to 16.96 shall not apply to ESV-IS, but shall apply to SDE-IS and computer related services provided to the department of education by the department of administration's information services bureau. For purposes of*

this section, "ESV-IS" and "SDE-IS" shall have the meanings given them in section 9 of this article.

Subd. 2. To the extent permitted by available resources, the commissioner of administration may furnish staff and other assistance to the department, the state board, the ESV computer council and the Minnesota educational computing consortium in conjunction with their performance of the duties imposed by sections 10 to 17 of this article.

Sec. 2. Minnesota Statutes 1978, Section 121.90, is amended to read:

121.90 [DEFINITIONS.] "Receivables", "liabilities", "fund balances", "revenues" and "expenditures" have the meanings specified in the uniform financial accounting and reporting ~~system~~ *standards* for Minnesota school districts unless otherwise provided by law.

Sec. 3. Minnesota Statutes 1978, Section 121.902, Subdivision 1, is amended to read:

121.902 [COUNCIL RECOMMENDATIONS.] Subdivision 1. The council shall recommend to the state board uniform financial accounting and reporting standards for school districts. The state board shall adopt and maintain uniform financial accounting and reporting standards which are consistent with sections 121.90 to 121.92 and with generally accepted accounting principles and practices. The standards so adopted shall be known as the uniform financial accounting and reporting ~~system~~ *standards* for Minnesota school districts.

Sec. 4. Minnesota Statutes 1978, Section 121.906, Subdivision 2, is amended to read:

Subd. 2. There shall be fiscal year-end recognition of expenditures and the related offsetting liabilities recorded in each fund in accordance with the uniform financial accounting and reporting ~~system~~ *standards* for Minnesota school districts.

Sec. 5. Minnesota Statutes 1978, Section 121.908, Subdivision 1, is amended to read:

121.908 [REQUIREMENT FOR ACCOUNTING, BUDGETING AND REPORTING.] Subdivision 1. On or before June 30, 1977, each Minnesota school district shall adopt the uniform financial accounting and reporting ~~system~~ *standards* for Minnesota school districts provided for in section 121.902.

Sec. 6. Minnesota Statutes 1978, Section 121.912, Subdivision 2, is amended to read:

Subd. 2. As used in this section, "operating fund" and "nonoperating fund" shall have the meanings specified in the uniform financial accounting and reporting ~~system~~ *standards* for Minnesota school districts. Any transfer for a period in excess of one year shall be deemed to be a permanent transfer.

Sec. 7. Minnesota Statutes 1978, Section 121.914, Subdivision 1, is amended to read:

121.914 [STATUTORY OPERATING DEBT.] Subdivision 1. The "operating debt" of a school district means the net negative unappropriated fund balance in all school district funds, other than capital expenditure, building construction, debt service, trust and agency, and post-secondary vocational-technical education funds, calculated as of June 30 of each year in accordance with the uniform financial accounting and reporting system standards for Minnesota school districts.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 121.917, Subdivision 4, is amended to read:

Subd. 4. (1) If the net negative unappropriated fund balance in all the funds of a school district, other than statutory operating debt pursuant to section 121.914, capital expenditure, building construction, debt service, trust and agency, and post-secondary vocational-technical education funds, calculated in accordance with the uniform financial accounting and reporting system standards for Minnesota school districts, as of June 30, 1980, and each year thereafter, is more than 2½ percent of the year's expenditure amount, the district shall prior to September 15, submit a special operating plan to reduce the district's deficit expenditures to the commissioner of education for his approval.

Notwithstanding any other law to the contrary, a district submitting a special operating plan to the commissioner under this clause which is disapproved by the commissioner shall not receive any aid pursuant to chapter 124 until a special operating plan of the district is so approved.

(2) A district shall receive aids pending the approval of its special operating plan under clause (1). A district which complies with its approved operating plan shall receive aids as long as the district continues to comply with the approved operating plan.

Sec. 9. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.93] [STATEWIDE EDUCATION MANAGEMENT INFORMATION SYSTEM; DEFINITIONS.] Subdivision 1. For purposes of sections 9 to 17, the terms defined in this section shall have the meanings attributed to them.

Subd. 2. "District" means a school district, an educational cooperative service unit, a cooperative center for vocational education, a cooperative center for special education, an area vocational-technical institute, or an intermediate service area.

Subd. 3. "ESV-IS" or "elementary, secondary and vocational education management information system" means that component of the statewide elementary, secondary and vocational education management information system which provides administrative data processing and management information services to districts.

Subd. 4. "SDE-IS" or "state department of education information system" means that component of the statewide elementary, secondary and vocational education management information system which provides data processing and management information services to the department of education.

Subd. 5. "ESV computer council" means the advisory council to the state board of education established in section 13.

Sec. 10. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.931] [STATEWIDE EDUCATION MANAGEMENT INFORMATION SYSTEM; STATE BOARD POWERS AND DUTIES.] *Subdivision 1. [COMPONENTS; GOVERNANCE.] The statewide elementary, secondary and vocational education management information system shall consist of the ESV-IS and the SDE-IS and shall be governed by the state board according to the provisions of sections 9 to 17 of this article.*

Subd. 2. [PURPOSES.] The purposes of the statewide elementary, secondary and vocational education management information system shall be:

(a) To provide comparable and accurate educational information in a manner which is timely and economical;

(b) To provide a computerized research capability for analysis of education information;

(c) To provide school districts with an educational information system capability which will meet school district management needs; and

(d) To provide a capability for the collection and processing of educational information in order to meet the management needs of the state of Minnesota.

Subd. 3. [SYSTEMS ARCHITECTURE PLAN.] The state board, with the advice and assistance of the ESV computer council, shall develop a systems architecture plan for providing administrative data processing to school districts, the department of education, and the legislature. In developing the plan, the state board shall consider at least the following: user needs; systems design factors; telecommunication requirements; computer hardware technology; and alternative hardware purchase and lease arrangements. The plan shall be completed by December 30, 1980.

Subd. 4. [LONG RANGE PLAN.] The state board, with the advice and assistance of the ESV computer council, shall develop a long-range plan for providing administrative data processing to elementary, secondary, and vocational school districts, the department of education, and the legislature. In developing the plan, the state board shall consider at least the following: desirable major enhancements to the ESV-IS and SDE-IS; new system development proposals; new or modified approaches to provide support services to districts; the responsibility of regional management

information centers to provide reports to the department on behalf of affiliated districts; and related development and implementation time schedules. The long-range plan shall address the feasibility and practicability of utilizing microcomputers, minicomputers, and larger computer systems. The preliminary plan shall be prepared by December 31, 1980, and the plan shall be completed by July 1, 1981. The plan shall be updated by September 15 of each even-numbered year. The long-range plan shall consist of one document and shall incorporate the systems architecture plan and all relevant portions of previous documents which have been referred to as the state computing plan.

Subd. 5. [SOFTWARE DEVELOPMENT.] The state board, with the advice of the ESV computer council, shall provide for the development of applications software for ESV-IS and SDE-IS. The state board may provide state or federal funds for the development of software for an alternative management information system only if it determines that this system may have statewide applicability. Notwithstanding the foregoing, the state board may for innovative projects involving computers approve grants to districts pursuant to section 3.926, Title IV of the Elementary and Secondary Education Act of 1965 as amended, or any other appropriate statute.

Subd. 6. [DATA STANDARDS.] The state board shall adopt rules containing standards for financial, student and payroll/personnel data and any other data included in ESV-IS. For financial data, the uniform financial accounting and reporting standards adopted pursuant to section 121.902 shall satisfy the requirement of this subdivision. The state board shall consider the recommendations of the advisory task forces on uniform data standards for student reporting and payroll/personnel reporting and the ESV computer council in adopting the standards for student data and payroll/personnel data. The state board shall ensure that the standards for different types of data are consistent with each other, and for this purpose shall consider the recommendations of the advisory task forces on uniform data standards for student reporting and personnel/payroll reporting, the advisory council on uniform financial accounting and reporting standards, and the ESV computer council. The data standards for each type of data shall include:

- (a) A standard set of naming conventions for data elements;
- (b) A standard set of data element definitions; and
- (c) A standard transaction processing methodology which uses the defined data elements, specifies mathematical computations on those data elements and specifies output formats.

The state board, with the advice and assistance of the ESV computer council, shall monitor and enforce compliance with the data standards.

Subd. 7. [APPROVAL POWERS.] The state board, with the advice and assistance of the ESV computer council, shall approve

or disapprove the following, according to the criteria in section 16 and in the rules adopted pursuant to subdivision 8:

(a) The creation of regional management information centers pursuant to section 14;

(b) The transfer by a district of its affiliation from one regional management information center to another;

(c) The use by a district of an alternative management information system to ESV-IS pursuant to section 15, subdivisions 2 to 4;

(d) Annual and biennial plans and budgets submitted by regional management information centers pursuant to section 14, subdivisions 3 and 4; and

(e) Expenditures by districts for computer activities other than fees paid to regional management information centers.

Subd. 8. [RULES.] The state board shall adopt rules prescribing criteria for its decisions pursuant to subdivision 7. These rules shall include at least the criteria specified in section 16. The state board shall also adopt rules specifying the criteria and the process for determining which data and data elements are included in the data element dictionary and the annual data acquisition calendar developed pursuant to section 11, subdivisions 1 and 2. The state board shall adopt rules requiring regional management information centers to use cost accounting procedures which will account by district for resources consumed at the center for support of each ESV-IS subsystem and of any approved alternative financial management information systems. The adoption of the systems architecture plan and the long range plan pursuant to subdivisions 3 and 4 shall be exempt from the rule-making procedures specified in chapter 15.

Sec. 11. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.932] [STATEWIDE EDUCATION MANAGEMENT INFORMATION SYSTEM; DEPARTMENT DUTIES.] *Subdivision 1. [DATA ELEMENT DICTIONARY.] The department of education shall maintain a current data element dictionary defining all data elements included in the ESV-IS and the SDE-IS.*

Subd. 2. [DATA ACQUISITION CALENDAR.] The department of education shall maintain a current annual data acquisition calendar specifying the reports which districts are required to provide to the department, the reports which regional management information centers are required to provide to the department for their affiliated districts, and the dates when these reports are due.

Subd. 3. [EXEMPTION FROM CHAPTER 15.] Except as provided in section 10, subdivision 8, the development of the data element dictionary pursuant to subdivision 1, and the annual data acquisition calendar pursuant to subdivision 2, shall be exempt from the rule-making procedures specified in chapter 15.

Subd. 4. [SDE-IS.] The department shall develop and operate

the SDE-IS with the advice and assistance of the ESV computer council. The SDE-IS shall include: (a) information required by federal or state law or rule; and (b) information needed by the divisions of the department in order to disburse funds, to implement research or special projects approved by the commissioner, and to meet goals or provide information required by the state board, the governor, the legislature or the federal government. The department shall consult the advisory council on uniform financial accounting and reporting standards, the advisory task forces on student reporting and payroll/personnel reporting, and representatives of the senate and the house of representatives and of each division of the department, about needs for information from SDE-IS.

Sec. 12. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.933] [STATEWIDE MANAGEMENT INFORMATION SYSTEM; DELEGATION OF POWERS AND DUTIES.] *Subdivision 1. [PERMITTED DELEGATIONS.] The state board and the department may provide, by the delegation of powers and duties or by contract, for the implementation and technical support of ESV-IS and SDE-IS, including the development of applications software pursuant to section 10, subdivision 5, by the Minnesota educational computing consortium, by a regional management information center or by any other appropriate provider.*

Subd. 2. [PROHIBITED DELEGATIONS.] The state board and the department may not delegate to the Minnesota educational computing consortium any of their powers and duties to develop policy and to plan for ESV-IS and SDE-IS, to monitor and enforce compliance with rules and data standards, or to approve the actions of districts and regions. Powers and duties which may not be delegated include the powers and duties in section 10, subdivisions 3, 4, 6, 7, and 8 and section 11, subdivisions 1 and 2.

Sec. 13. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.934] [ESV COMPUTER COUNCIL.] *Subdivision 1. [CREATION.] An advisory council to the state board consisting of 11 members appointed by the governor is hereby established. Membership terms, compensation of members, removal of members, and the filling of membership vacancies shall be as provided in section 15.059. The governor is encouraged to solicit the suggestions of the state board, the governing boards of regional management information centers, and school boards in selecting members of the council.*

Subd. 2. [MEMBERSHIP.] The council shall be composed of:

(a) Four representatives of school districts, including one school district administrator from a rural school district, one school district administrator from an urban school district, one school

board member from a rural school district, and one school board member from an urban school district;

(b) Two representatives of regional management information center governing boards, including one member of a regional management information center board from a region which is predominantly rural and one member of a regional management information center board from a region which is predominantly urban;

(c) Two persons employed in management positions in the private sector, at least one of whom is a data processing manager or holds an equivalent position in the private sector;

(d) Two persons employed in management positions in the public sector other than elementary, secondary, or vocational education, at least one of whom is a data processing manager or holds an equivalent position in the public sector; and

(e) One person from the general public.

All the members appointed pursuant to clauses (a), (b) and (e) shall represent different regional management information centers. Members selected pursuant to clauses (c) and (d) shall not be employees or board members of local school districts or the department of education.

Subd. 3. [STATUS CHANGES.] The position of a member who leaves Minnesota or whose employment status changes to a category different from that for which he was appointed shall be deemed vacant.

Subd. 4. [OFFICERS.] The council shall elect a chairman and such other officers as it may deem necessary.

Subd. 5. [MEETINGS.] The ESV computer council shall meet regularly at such times and places as the council shall determine. Meetings shall be called by the chairman or at the written request of any six members.

Subd. 6. [STAFF AND SUPPORT SERVICES.] The state board shall employ with the concurrence of the council one professional individual, experienced in managing data processing services, who shall be in the unclassified civil service, who shall not be a member of the council, and who shall provide staff assistance to the council. The state board shall provide all necessary materials and assistance for the transaction of the business of the council. The expenses of undertaking the duties in this section shall be paid for from appropriations made to the state board of education.

Subd. 7. [ADVISORY DUTIES.] (a) Pursuant to section 10, the ESV computer council shall advise and assist the state board in:

(1) the development of the long range plan and the systems architecture plan;

(2) *the development of applications software for ESV-IS and SDE-IS;*

(3) *the approval of the creation and alteration of regional management information centers;*

(4) *the approval of the use by districts of alternative management information systems;*

(5) *the statewide applicability of alternative management information systems proposed by districts; and*

(6) *the approval of annual and biennial plans and budgets of regional management information centers; and*

(7) *the monitoring and enforcement of compliance with data standards.*

(b) *The council shall also review the data standards recommended by the council on uniform financial accounting and reporting standards and the advisory task forces on uniform standards for student reporting and personnel/payroll reporting and make recommendations to the state board concerning:*

(1) *the consistency of the standards for finance, student and personnel/payroll data with one another;*

(2) *the implications of the standards for implementation of ESV-IS and SDE-IS; and*

(3) *the consistency of the standards with the systems architecture plan and the long-range plan.*

(c) *Pursuant to section 11, the council shall advise the department in the development and operation of SDE-IS.*

Sec. 14. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.935] [REGIONAL MANAGEMENT INFORMATION CENTERS.] *Subdivision 1. [CREATION.] Any group of two or more independent, special or common school districts may with the approval of the state board pursuant to sections 10 and 16 create a regional management information center pursuant to section 123.58 or 471.59 to provide computer services to school districts. A regional management information center which is not in existence on July 1, 1979 shall not come into existence until the first July 1 of an odd-numbered year after its creation is approved by the state board or until it can be accommodated by state appropriations, whichever occurs first.*

Subd. 2. [DUTIES.] Every regional management information center shall:

(a) *Assist its affiliated districts in complying with the reporting requirements of the annual data acquisition calendar and the rules of the state board of education;*

(b) *Respond within 15 calendar days to requests from the*

department for information based on the data elements in the data element dictionary;

(c) Operate financial management information systems consistent with the uniform financial accounting and reporting standards for Minnesota school districts adopted by the state board pursuant to sections 121.90 to 121.92;

(d) Make available to districts the opportunity to participate fully in all the subsystems of ESV-IS;

(e) Before July 1, 1981, develop a plan for the provision of services during a system failure or a disaster; and

(f) Beginning in 1981, comply with the requirement in section 121.908, subdivision 2, on behalf of districts affiliated with it.

Subd. 3. [ANNUAL PLANS AND BUDGETS.] No regional management information center may expend funds for administrative or management computer activities unless it receives state board approval of an annual plan, budget and financial report for these activities pursuant to sections 10 and 16. The annual budget and financial report shall be in a common format specified by the department and approved by the department of finance for all regional management information centers and shall conform to the uniform financial accounting and reporting standards for school districts. The annual financial report shall be accompanied by a summary statement of the accounting by district of resources consumed in support of the ESV-IS subsystems and any other management information systems.

Subd. 4. [BIENNIAL BUDGET ESTIMATES.] Every regional management information center shall submit to the department by July 1 of each even-numbered year a biennial budget estimate for its administrative and management computer activities. The biennial budget estimates shall be in a program budget format and shall include all estimated and actual revenues, expenditures, and fund balances of the center for the appropriate fiscal years. Budget forms developed pursuant to section 16A.10 may be used for these estimates. The department of education shall assemble this budget information into a supplemental biennial budget summary for the statewide elementary, secondary, and vocational management information system. Copies of this supplemental biennial budget summary shall be provided to the ESV computer council and the department of finance, and shall be available to the legislature upon request.

Subd. 5. [REGIONAL SUBSIDIES.] In any year when a regional management information center's annual plan and budget are approved pursuant to subdivision 3, the center shall receive a regional reporting subsidy grant from the department of education. The subsidy grant shall be in the amount allocated by the state board in the process of approving the annual budgets of the regional management information centers pursuant to subdivision 3. The amounts of the subsidy grants and an explanation of the allocation decisions shall be filed by the state board with the

committees on education and finance of the senate and the committees on education and appropriations of the house of representatives.

For subsidy grants for fiscal year 1981 and for each fiscal year thereafter, the state board is encouraged to recognize that the diversity of regional management information centers precludes a formula-based allocation of subsidy grants, to promote equity and access to regional services in the allocation process, and to consider the following factors:

(a) The number of students in districts affiliated with the center;

(b) The number of districts affiliated with the center;

(c) Fixed and overhead costs to be incurred in operating the regional center, the finance subsystem, the payroll/personnel subsystem, and the student support subsystem;

(d) Variable costs to be incurred which differ in proportion to the number of districts served and the number of subsystems implemented for those districts;

(e) Services provided to districts which enable the districts to meet state reporting requirements;

(f) The cost of meeting the reporting requirements of subdivision 2 for districts using approved alternative management information systems; and

(g) The number of districts affiliated with a regional management information center in relation to the geographic area occupied by those districts.

Subd. 6. [FEES.] Regional management information centers may charge fees to affiliated districts. A district which submits financial transactions to the center in summary form pursuant to section 15, subdivision 1, or which uses an approved alternative financial management information system pursuant to section 15, subdivisions 2 to 4, may apply to the commissioner to set the fee if the district and the center cannot agree on a fee. The commissioner shall issue an order setting the fee, which shall be binding on both the center and the district.

Sec. 15. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.936] [SCHOOL DISTRICT MANAGEMENT INFORMATION SYSTEMS.] Subdivision 1. [MANDATORY PARTICIPATION.] (a) By July 1, 1980, every district shall perform financial accounting and reporting operations on a financial management accounting and reporting system utilizing multi-dimensional accounts and records defined in accordance with the uniform financial accounting and reporting standards adopted by the state

(b) By July 1, 1980, every school district shall be affiliated with board pursuant to sections 121.90 to 121.92.

one and only one regional management information center. This affiliation shall include at least the following components:

(1) The center shall provide reports to the department of education for the district to the extent required by the data acquisition calendar;

(2) The district shall use the ESV-IS finance subsystem through the center to process every detailed financial transaction of the district.

Notwithstanding the foregoing, a district with 3,000 or fewer pupils in average daily membership as defined in section 124.17, subdivision 2, may submit its financial transactions to the center for processing in summary form if before July 1, 1980, the planned form of the district's submission of its transactions and the conformance of the district's financial accounting and reporting system to the uniform financial accounting and reporting standards adopted by the state board pursuant to sections 121.90 to 121.92 are approved by the following team: the director of school financial management in the department of education, and the director of management information services and the coordinator for the ESV-IS finance subsystem for the Minnesota educational computing consortium.

(c) The provisions of this subdivision shall not be construed to prohibit a district from purchasing services other than those described in clause (b) from a center other than the center with which it is affiliated pursuant to clause (b).

Subd. 2. [ALTERNATIVE FINANCIAL MANAGEMENT INFORMATION SYSTEMS.] After July 1, 1980 a district may be exempted from the requirement in subdivision 1, clause (b) (2), if it receives the approval of the state board to use an alternative financial management information system. A district permitted before July 1, 1980, to submit its financial transactions in summary form to a regional management information center pursuant to subdivision 1 may continue to submit transactions in the approved form without obtaining the approval of the state board pursuant to this subdivision. Any district desiring to use an alternative system shall submit a detailed proposal to the state board, the ESV computer council and the regional management information center with which it is affiliated. The detailed proposal shall include a statement of all costs to the district, regional management information center or state for software development or operational services needed to provide data to the regional management information center pursuant to the data acquisition calendar.

Subd. 3. [ALTERNATIVE FINANCIAL MANAGEMENT INFORMATION SYSTEMS; EVALUATION.] The regional management information center shall evaluate the district proposal according to the approval criteria in section 16, subdivision 1. The regional management information center shall submit its evaluation of the district proposal to the state board and the ESV computer council for their consideration in evaluating the proposal.

The ESV computer council shall evaluate the district proposal for cost effectiveness and conformance to the systems architecture plan, the long range plan, and the uniform financial accounting and reporting standards adopted by the state board pursuant to sections 121.90 to 121.92. Upon completion of the evaluation, the ESV computer council shall recommend to the state board that it (a) approve the proposal, (b) disapprove the proposal, or (c) approve the proposal if it is modified by the district in ways which are specified by the council.

Subd. 4. [ALTERNATIVE SYSTEMS; STATE BOARD.] *Upon approval of the proposal by the state board the district may proceed in accordance with its approved proposal. Except as provided in section 10, subdivision 5, an alternative system approved pursuant to this subdivision shall be developed and purchased at the expense of the district. A district which has submitted a proposal for an alternative system which has been disapproved may not submit another proposal for that fiscal year, but it may submit a proposal for the subsequent fiscal year.*

Subd. 5. [REPORT TO LEGISLATURE.] *The department shall report to the legislature in the biennial budget on the number and status of districts which have received approval to operate alternative systems.*

Subd. 6. [APPROVED EXPENDITURES.] *A district may not expend funds for administrative or management computer activities without state board approval except for the payment of fees to regional management information centers.*

Sec. 16. *Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:*

[121.937] [CRITERIA.] *Subdivision 1. The criteria adopted by the state board for approval of the creation of a regional management information center, the transfer of a school district's affiliation from one regional management information center to another, and the approval of an alternative management information system shall include:*

(a) The provisions of the plans adopted by the state board pursuant to section 10, subdivisions 3 and 4;

(b) The cost effectiveness of the proposed center, transfer or alternative;

(c) The effect of the proposed center, transfer or alternative on existing regional management information centers; and

(d) Whichever of the following is applicable:

(i) The ability of a proposed center to comply with section 14, or the effect of a transfer on a center's ability to comply with section 14, or

(ii) The ability of a proposed alternative management information system to comply with section 15, subdivision 1, clauses (a) and (b) (1).

Subd. 2. Criteria for approval of annual plans and budgets of a regional management information center shall include:

(a) The provisions of the plans adopted by the state board pursuant to section 10, subdivisions 3 and 4;

(b) The cost effectiveness of the services provided by the center; and

(c) The ability of the center to comply with section 14.

Sec. 17. Minnesota Statutes 1978, Chapter 121, is amended by adding a section to read:

[121.938] [STUDENT AND PERSONNEL REPORTING STANDARDS.] [ADVISORY TASK FORCES.] Subdivision 1. There are created two advisory task forces, one on uniform data standards for student reporting and one on uniform data standards for personnel/payroll reporting, each composed of 9 members as follows:

(a) One employee of the state department of education appointed by the commissioner of education;

(b) One representative of the management information services division of the Minnesota educational computing consortium appointed by the board of the Minnesota educational computing consortium;

(c) One representative from the regional management information centers appointed by the state board of education;

(d) Three persons who are representatives of the various size school districts in the state and who are public school employees whose positions involve activities related to student reporting or personnel/payroll reporting, as applicable, appointed by the state board of education;

(e) One person representing the office of the governor appointed by the governor to serve ex officio;

(f) One person representing the senate appointed by the committee on committees to serve ex officio;

(g) One person representing the house of representatives appointed by the speaker of the house to serve ex officio.

Subd. 2. Each task force shall report to the legislature, by January 1, 1981, recommendations for broad policy standards for school district reporting of student data or payroll/personnel data. Each task force shall recommend to the ESV computer council and the state board specific data standards for student data or personnel/payroll data. These data standards shall be consistent with the uniform financial accounting and reporting standards adopted by the state board pursuant to sections 121.90 to 121.92.

Subd. 3. The task forces shall expire and the terms, compensa-

tion and removal of members shall be as provided in section 15.059.

Sec. 18. [REPEALER.] *Minnesota Statutes 1978, Section 121.92, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Sections 16.93; and 121.92, Subdivision 2, are repealed.*

Sec. 19. [APPROPRIATION.] *The sum of \$130,000 is appropriated from the general fund to the department of education for the biennium ending June 30, 1981.*

(a) This appropriation shall be used to pay the expenses of the ESV computer council and the advisory task forces on the payroll/personnel and student reporting and to support four additional complement positions. One of these positions shall be used to provide staff services to the ESV computer council, one position shall be used to provide staff services to the advisory task force on payroll/personnel reporting and one position shall be used to provide staff services to the advisory task force on student reporting.

(b) The department of education shall use an amount not to exceed \$200,000 from regional telecommunications aids and instructional telecommunications costs appropriated in Laws 1979, Chapter 335, Section 2, Subdivision 6, Clause (b) (1) and Clause (b) (3) for the purposes of this subdivision.

(c) \$100,000 of the funds made available by clause (b) shall be used by the department of education to hire a consultant to assist the department in implementing the recommendations in the evaluation which was performed pursuant to Laws 1979, Chapter 334, Article VI, Section 33. The employment of a consulting firm for this purpose shall not be subject to the contract approval procedures of the commissioner of administration.

(d) In addition, \$100,000 of the funds made available by clause (b) shall be used by the department of education and the Minnesota educational computing consortium to review the microcomputer finance system developed by Independent School District No. 62, Ortonville, and to develop and pilot test a finance system for microcomputers which will meet uniform financial accounting and reporting standards. The department of education shall report to the legislature by December 31, 1980 on the progress of the microcomputer finance system project, and the dates by which such a system could be released for use by school districts. Notwithstanding any provisions to the contrary, the council on quality education may continue to fund and evaluate the Ortonville innovative project on the use of a microcomputer for administrative data processing.

(e) \$1,300,000 of the amount appropriated for regional support aids to a contingent fund pursuant to Laws 1979, Chapter 335, Section 2, Subdivision 6, Clause (b) (2) is hereby released from the contingent fund and made available to the department of education for regional support aids for fiscal year 1981. No regional center shall receive an amount to support its fixed and overhead costs in 1981 which is less than the amount of state

regional support aid the region used to support its fixed and overhead costs in fiscal year 1980.

Sec. 20. [EFFECTIVE DATE.] *Sections 1 to 19 of this article shall be effective the day following final enactment.*

ARTICLE VIII

RESEARCH AND DEVELOPMENT

Section 1. [PURPOSE.] *The legislature of the state of Minnesota recognizes the long standing tradition and commitment of the people of this state to quality in education. This commitment has required a growing and unprecedented expenditure of public funds. As these expenditures continue to grow, it becomes necessary to insure that the expectations and priorities of the people of Minnesota for education continue to be met. One of the most effective means of maintaining and improving quality in public education, as in business, industry, science and medicine, is through research and development. Research and development in education makes it possible for those concerned to find answers to questions of educational importance, develop improved measures for education and create new responses to address future problems. Presently, however, only a small fraction of one percent of the total revenues spent on public education is allocated for research and development. The purpose of this article is to encourage research and development programs at the local school district level.*

Sec. 2. Subdivision 1. *For the 1980-1981 and 1981-1982 school years, the state board of education, with the approval of the governor after consultation with the legislative advisory commission in the manner provided in section 3.30, shall make up to 15 grants to school districts to engage in educational research and development. Districts are encouraged, but are not limited, to conduct educational research and development in the following areas:*

(1) Review of school district purposes and priorities for education;

(2) Programs encouraging the development of local citizen task forces on educational issues;

(3) Programs in preventive education and basic living skills;

(4) Developing programs which emphasize the purpose and results of education for the effective development of the child, including programs which focus on the importance of the home environment, the behavior of parents and family members in promoting the total development of the child, and programs which focus on the responsibility of parents as teachers and on membership in a family as a career; and

(5) Developing uses for computerized instruction, cable television and other innovations in media technology.

The research may include a review of existing national and

international research and may involve the cooperation of the private sector.

Subd. 2. Districts which wish to participate in the funded research and development shall submit a research and development proposal to the department of education no later than June 1 preceding the school year for which the research and development is proposed. Two or more districts may submit a joint proposal for cooperative research and development. A proposal may request funding for one year or two years. Districts are encouraged to establish offices of research and development with the grant funds and to coordinate the research and development grant received pursuant to this section with grants for research and development from other sources. The council on quality education shall provide technical assistance to the state board of education in evaluating proposals. Districts shall be notified of their participation in the funding no later than August 1 preceding the school year for which the research and development is proposed.

Subd. 3. The funds shall be as equally distributed as possible among districts in cities of the first class, in suburbs, and outside the seven county metropolitan area. Districts are encouraged to propose research and development which is district wide or state-wide in its implementation.

Subd. 4. The department of education shall make a report to the legislature on the research and development conducted in accordance with this section before September 15, 1982.

Sec. 3. [APPROPRIATION; RESEARCH AND DEVELOPMENT PROGRAM.] *The sum of \$250,000 is appropriated from the general fund to the department of education for the fiscal year ending June 30, 1981 for the program authorized pursuant to sections 1 and 2 of this article. This appropriation is available until June 30, 1982.*

Sec. 4. [EFFECTIVE DATE.] *This article is effective the day following final enactment."*

Delete the title in its entirety and insert:

"A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the state board of education, and others; providing aid for the education of students of limited English proficiency; providing individualized instructional materials for nonpublic school pupils; increasing the amount of severance pay available to public employees; clarifying provisions governing education management information systems; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 121.90; 121.902, Subdivision 1; 121.906, Subdivision 2; 121.908, Subdivision 1; 121.912, Subdivision 2, and by adding a subdivision; 121.914, Subdivision 1; 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.25, Subdivision 1; 122.531, by adding subdivisions; 123.11, Subdivision 7; 123.35, Subdivision 5; 123.36, Subdivision 10, and by adding a subdivision; 123.51; 123.932, Subdivision 9, and by adding subdivisions;

123.933; 124.11, by adding a subdivision; 124.20; 124.214, Subdivision 2; 124.565, by adding a subdivision; 124.572, Subdivision 7; 124.65; 125.12, Subdivisions 2 and 9; 125.182, Subdivision 1; 125.60, by adding a subdivision; 126.07; 126.10; 126.36, Subdivisions 1, 3, 4 and 5; 126.52, Subdivision 5, and by adding a subdivision; 126.54, Subdivisions 5 and 6; 127.09; 127.11; 127.21; 134.03; 134.08; 275.125, Subdivisions 5, 5a, 12, and by adding a subdivision; 354.05, Subdivision 2, as amended; Chapters 16, by adding a section; 120, by adding sections; 121, by adding sections; 123, by adding a section; 124, by adding a section; 125, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 3.9279, Subdivision 13; 120.075, Subdivision 4, as amended, and by adding subdivisions; 121.912, Subdivision 1; 121.917, Subdivision 4; 122.541, Subdivision 5; 123.937; 124.11, Subdivisions 2a and 2b; 124.19, Subdivision 4; 124.212, Subdivision 7d; 124.223; 124.224, Subdivision 8; 124.225; 124.245, Subdivisions 1 and 2; 124.247, Subdivisions 3 and 4; 124.271, Subdivisions 1a and 2; 124.561, Subdivision 3a; 124.562, Subdivisions 3 and 4; 124.5621, Subdivision 11, and by adding a subdivision; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivisions 3 and 6; 124.566; 124.572, Subdivisions 2 and 7; 126.54, Subdivision 1; 275.125, Subdivisions 2a, 2b, 7a, 7b, 8, 9, 11a and 20; 353.01, Subdivision 2b; 354A.011, Subdivision 27; Laws 1959, Chapter 462, Section 3, as amended; Laws 1965, Chapter 705, as amended; Laws 1977, Chapter 85, Section 1, as amended; Laws 1979, Chapter 69, Sections 2 and 5; Chapter 334, Article V, Section 32, Subdivisions 6 and 7; Chapter 334, Article VIII, Section 29; Laws 1980, Chapter 345, Section 17; repealing Minnesota Statutes 1978, Sections 121.92, Subdivision 1; 122.531, Subdivision 3; 122.85, Subdivision 7; 123.34, Subdivision 6; 123.39, Subdivision 3; 123.65; 125.61, Subdivisions 1a and 6; 126.31; 126.32; 126.33; 126.34; 126.35; 126.36, Subdivision 6; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8 and 9; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6 and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6 and 7; 127.22; Minnesota Statutes, 1979 Supplement, Sections 16.93; 121.92, Subdivision 2; 124.222, Subdivision 3; 125.61, Subdivisions 1, 2, 3, 3a, 4, 4a and 4b; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; and Laws 1979, Chapter 334, Article V, Section 29, Subdivision 4.”

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Bob McEachern, Carl M. Johnson, John D. Tomlinson, Connie M. Levi, David M. Jennings

Senate Conferees: (Signed) Gene Merriam, Jerald C. Anderson, Robert G. Dunn, Jerome M. Hughes, Neil Dieterich

Mr. Merriam moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1781 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. 1781 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:

Anderson	Frederick	Lessard	Perpich	Staples
Ashbach	Gearty	Luther	Peterson	Stern
Bang	Gunderson	Menning	Pillsbury	Stokowski
Barrette	Hanson	Merriam	Purfeerst	Strand
Benedict	Hughes	Moe	Renneke	Stumpf
Bernhagen	Humphrey	Nelson	Rued	Tennessee
Brataas	Jensen	Nichols	Setzpfandt	Ueland, A.
Chmielewski	Johnson	Ogdahl	Sieloff	Ulland, J.
Davies	Keefe, S.	Olhoft	Sikorski	Vega
Dieterich	Knaak	Olson	Solon	Wegener
Dunn	Knutson	Omann	Spear	Willet
Engler	Laufenburger	Penny		

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

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 507 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 507

A bill for an act relating to taxation; providing for a levy apportionment for certain jurisdictions upon an assessment level differential greater than five percent; amending Minnesota Statutes 1978, Section 270.12, Subdivision 3.

April 7, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 507, 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. 507 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. [DEFINITIONS.] *Subdivision 1. The terms defined in this section are used in sections 1 to 8 with the following meanings, respectively.*

Subd. 2. “Authority” means a regional railroad authority or-

ganized and existing as a political subdivision and local government unit pursuant to section 3.

Subd. 3. "Bonds" means any bonds, notes, or other obligations issued by an authority pursuant to section 7.

Subd. 4. "Governing body" means the board, council, or other body authorized by law to exercise the governmental powers of a municipality.

Subd. 5. "Municipality" means any county, city, or town.

Subd. 6. "Project" means any railroad facilities proposed to be acquired, constructed, improved, or refinanced by an authority in whole or part by the issuance of bonds, including any real or personal property, structures, machinery, equipment, and appurtenances determined by the authority to be useful or convenient for railroad operations and handling passengers or freight.

Subd. 7. "Real property" means lands, structures, improvements thereof, and water and riparian rights, and any and all interests and estates therein, legal or equitable, including but not limited to easements, rights of way, uses, leases, and licenses.

Subd. 8. "Regional railroad authorities act" means this act.

Sec. 2. [PURPOSE.] *The purpose of the regional railroad authorities act is to provide a means whereby counties, with state and federal aids as may be available, may provide for the preservation and improvement of local rail service for agriculture, industry, or passenger traffic when determined to be practicable and necessary for the public welfare, particularly in the case of abandonment of local rail lines.*

Sec. 3. [ORGANIZATION OF AUTHORITY.] *Subdivision 1. [ORGANIZATION RESOLUTIONS.] A regional railroad authority may be organized by resolution or joint resolution adopted by the governing body or bodies of one or more counties, providing and stating:*

(a) That the authority is organized under the regional railroad authorities act as a political subdivision and local government unit of Minnesota, to exercise thereunder part of the sovereign power of the state;

(b) The name of the authority, including the words "regional railroad authority";

(c) The county or counties adopting the organization resolution;

(d) The number of commissioners of the authority, not less than five; the number to be appointed by the governing body of each county; and the names and addresses of the first board of commissioners;

(e) The municipality in which the registered office of the authority is to be situated;

(f) That neither the state of Minnesota, the county or coun-

ties nor any other political subdivision is liable for obligations of the authority; and

(g) Any other provision for regulating the business of the authority determined by the governing body or bodies adopting the resolution.

Subd. 2. [HEARING.] Before final adoption of an organization resolution, the governing body of each county named in it shall provide for a public hearing upon notice published in the official county newspaper and mailed to the governing body of each municipality in the county, at least 30 days before the hearing. The hearing may be adjourned from time to time, to a time and place publicly announced at the hearing, or to a time and place fixed by notice published in the official county newspaper at least ten days before the adjourned session. Joint hearing sessions may be held by the governing bodies of all counties named, at any convenient public place within any of the counties. The resolution may be amended by the governing body or bodies at or after any hearing session at which the amended resolution is proposed and made available to interested citizens. It shall not become effective until adopted in identical form by the governing bodies of all counties named in the resolution.

Subd. 3. [CERTIFICATE OF INCORPORATION.] A copy of the organization resolution, certified by the recording officer of each county adopting it, shall be filed with the secretary of state, who shall issue a certificate of incorporation if the resolution conforms to the requirements of this section, stating in the certificate the name of the authority and the date of its incorporation, which shall be the date of acceptance for filing. The certificate of incorporation shall be conclusive evidence of the valid organization and existence of the authority.

Subd. 4. [AMENDMENT.] The organization resolution may be amended by resolution or joint resolution of the governing bodies of all counties named in the resolution prior to amendment and the governing body of any additional county named in the amendment. Each amendment shall be adopted at or after hearing upon notice as required for the organization resolution. No amendment releasing a county from its obligations as a party named in the resolution shall be effective unless all covenants, agreements, mortgage liens, and other security given for bonds of the authority have been discharged and satisfied by payment or otherwise in accordance with their terms. All other amendments shall take effect upon filing with the secretary of state and issuance of an amended certificate of incorporation in the same manner as provided for the organization resolution.

Subd. 5. [BOARD OF COMMISSIONERS.] All powers granted to an authority shall be exercised by its board of commissioners. Commissioners shall be appointed and vacancies in their office shall be filled by the governing body of each county named in the organization resolution, in accordance with the provisions of that resolution. The term of each commissioner shall be one year, or the remainder of the one year term for which a vacancy is filled,

and until a successor is appointed. Commissioners shall receive no compensation for services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

Subd. 6. [MEETINGS AND ACTIONS.] The board of commissioners shall by resolution establish the time and place or places of its regular meetings and the method and notice required for calling special meetings, all of which shall be open to the public. A majority of the commissioners being present at a meeting, any action may be taken by resolution or motion adopted by recorded vote of a majority of those present, unless a larger majority is required by bylaws adopted by the board.

Subd. 7. [OFFICERS AND EMPLOYEES.] The board of commissioners shall appoint a chairman, vice chairman, secretary, and treasurer from its members, each to serve for a term of one year and until a successor is appointed. The offices of secretary and treasurer may be combined, and deputies or assistants may be appointed for either office or the combined office, from members of the board or otherwise. The powers and duties of each office shall be determined by the board, which shall require and pay for a surety bond for each officer handling funds. The board shall provide for the keeping of a full and accurate record of all proceedings and of resolutions, regulations, and orders issued or adopted; the state auditor shall, as time and resources permit, annually audit the books of said regional railroad authority. The board may appoint an executive director and other officers, fix their compensation, and delegate to them the powers and duties, as it may determine. It may also employ, or authorize the executive director to employ, all other employees, consultants, and agents needed to perform its duties and exercise its powers. Minnesota Statutes, Chapter 353 shall apply to all salaried employees.

Sec. 4. [POWERS.] Subdivision 1. [GENERAL.] An authority may exercise all the powers necessary or desirable to implement the powers specifically granted in this section, and in exercising the powers is deemed to be performing an essential governmental function and exercising a part of the sovereign power of the state, and is a local government unit and political subdivision of the state. Without limiting the generality of the foregoing, the authority may:

(a) Sue and be sued, have a seal, which may but need not be affixed to documents as directed by the board, make and perform contracts, and have perpetual succession;

(b) Acquire real and personal property within or outside its taxing jurisdiction, by purchase, gift, devise, condemnation, conditional sale, lease, lease purchase, or otherwise; and

(c) Hold, manage, control, sell, convey, lease, mortgage, or otherwise dispose of real or personal property.

Subd. 2. [RAILROAD ACQUISITION AND OPERATION.] The authority may plan, establish, acquire, develop, construct, purchase, enlarge, extend, improve, maintain, equip, operate, regulate, and protect railroads and railroad facilities, including but not

limited to terminal buildings, roadways, crossings, bridges, causeways, tunnels, equipment, and rolling stock.

Subd. 3. [PERMITS.] The authority may apply to any public agency for permits, consents, authorizations, and approvals required for any project and take all actions necessary to comply with their conditions.

Subd. 4. [EMINENT DOMAIN.] The authority shall have all powers granted to a political subdivision in Minnesota Statutes, Chapter 117 for the acquisition of property for a public purpose except that it shall have no power of eminent domain with respect to property owned by another authority or political subdivision of Minnesota or any other state, or with respect to property owned or used by a railroad corporation unless the Interstate Commerce Commission, or another authority with power to make the finding, has found that the public convenience and necessity permit discontinuance of rail service on the property. All property taken for the exercise of the powers granted herein is declared to be taken for a public governmental purpose and as a matter of public necessity.

Subd. 5. [FUNDS.] The authority may establish charges and rentals for the use, sale, and availability of its property and service and may hold, use, dispose of, invest, and reinvest the income, revenues, and funds derived therefrom. Subject to any agreement with bondholders, it may invest money not required for immediate use, including bond proceeds, in the securities it shall deem prudent, notwithstanding the provisions of any other law relating to the investment of public funds.

Subd. 6. [INSURANCE AND INDEMNITY.] The authority shall be subject to tort liability to the extent provided in Minnesota Statutes, Chapter 466 and may procure insurance against the liability, and may indemnify and purchase and maintain insurance on behalf of any of its commissioners, officers, employees, or agents, in connection with any threatened, pending, or completed action, suit, or proceeding, as provided in Minnesota Statutes, Chapter 466, and to the same extent and in the same manner and with the same force and effect as provided in the case of a private corporation by Minnesota Statutes, Section 300.082. It may also procure insurance against loss of or damage to property in the amounts, by reason of the risks, and from the insurers as it deems prudent.

Subd. 7. [GRANTS.] The authority may accept, contract for, and receive and disburse federal, state, and other funds or property, public or private, made available by grant, loan, or lease, to be used in the exercise of any of its powers, and may comply with the terms and conditions of the grant or loan.

Subd. 8. [TAXATION.] Before deciding to exercise the power to tax, the authority shall give six weeks published notice in all counties in the region. If a number of voters in the region equal to five percent of those who voted for candidates for governor at the

last gubernatorial election present a petition within nine weeks of the first published notice to the secretary of state requesting that the matter be submitted to popular vote, it shall be submitted at the next general election. The question prepared shall be:

"Shall the regional rail authority have the power to impose a property tax,

Yes

No"

If a majority of those voting on the question approve or if no petition is presented within the prescribed time the authority may thereafter levy a tax at any annual rate not exceeding four mills on the assessed valuation of all taxable property situated within the county or counties named in its organization resolution. Its recording officer shall file in the office of the county auditor of each county a certified copy of the board of commissioners' resolution levying the tax, and each county auditor shall assess and extend upon the tax rolls the portion of the tax that bears the same ratio to the whole amount that the assessed valuation of taxable property in that county bears to the assessed value of taxable property in all counties named in the organization resolution. Collections of the tax shall be remitted by each county treasurer to the treasurer of the authority.

Subd. 9. [MUNICIPAL AGREEMENTS.] The authority may enter into agreements with the county or counties named in the organization agreement, or with other municipalities situated in the counties, respecting the matters referred to in section 6.

Subd. 10. [BONDS.] The authority may issue bonds in the manner and upon the conditions provided in section 7.

Subd. 11. [CONTRACTS FOR OPERATION AND USE OF FACILITIES.] The authority may enter into contracts including leases with any person, firm, or corporation, for terms the authority may determine:

(a) Providing for the operation of any facilities on behalf of the authority, at the rate of compensation as may be determined.

(b) Leasing a rail line for operation by the lessee or any facility or space therein for other commercial purposes, at rentals as may be determined, but no person may be authorized to operate a rail line other than as a common carrier;

(c) Granting the privilege, for compensation as the authority shall determine, of supplying goods, commodities, services, or facilities along rail lines or in or upon other property; and

(d) Making available services furnished by the authority or its agents, at charges, rentals, or fees which shall be reasonable and uniform for the same class of privilege or service.

Sec. 5. [TAX EXEMPTION.] The property and income of an authority shall be exempt from all taxation, except that Minnesota

Statutes, Sections 272.01, Subdivision 2, and 273.19 shall apply to any use or lease of the property, other than operation of a railroad line by a railroad company.

Sec. 6. [MUNICIPAL POWERS.] Subdivision 1. [GENERAL.] *Any county named in the organization resolution of an authority, and any other municipality situated within a named county, may exercise the powers granted in this section, in aid or in consideration of the exercise of the authority's powers in ways which are determined by the governing body of the municipality to be for the benefit and welfare of its citizens.*

Subd. 2. [LOANS AND DONATIONS.] *The municipality may lend or donate money to the authority and may levy taxes, appropriate money, and issue bonds for that purpose in the manner and within the limitations prescribed by law, including but not limited to Minnesota Statutes, Chapters 275 and 475.*

Subd. 3. [JOINT ACTION.] *The municipality may enter into an agreement with the authority respecting the joint exercise of their powers pursuant to Minnesota Statutes, Section 471.59.*

Subd. 4. [PUBLIC IMPROVEMENTS.] *The municipality may cause water, sewer, storm sewer, drainage, street, highway and sidewalk, or other public improvements to be furnished adjacent to or in connection with property of the authority; but the property shall be exempt from special assessment as in the case of highway rights of way pursuant to Minnesota Statutes, Section 435.19.*

Subd. 5. [CONVEYANCE OF PROPERTY.] *The municipality may dedicate, sell, convey, or lease to the authority its interest in any property and may grant easements, licenses, and other rights in it to the authority.*

Sec. 7. [BONDS.] Subdivision 1. [AUTHORIZATION.] *An authority may from time to time issue bonds, or other obligations however designated, in principal amounts as it shall deem necessary to fulfill its purpose and to exercise any of its powers, to provide funds for operating expenses in anticipation of revenues of the current year, or for capital expenditures in anticipation of the issuance of long term bonds or the receipt of a grant or loan of state or federal funds, to refund the principal of or interest or redemption premiums on outstanding bonds whether or not the amounts refunded have become due and payable, to establish or increase reserves to secure the payment of bonds or interest on them, and to pay costs and expenses of the issuance of the bonds.*

Subd. 2. [SECURITY.] *Bonds may be made payable exclusively from the revenues from one or more projects, or from one or more revenue producing contracts, or from the authority's revenues generally, and may be additionally secured by a pledge of any grant, subsidy, or contribution from any public agency or any income or revenues from any source. They may be secured by a mortgage or deed of trust of the whole or any part of the property of the authority. They shall be payable solely from the revenues,*

funds, and property pledged or mortgaged for their payment. No commissioner, officer, employee, agent, or trustee of the authority shall be liable personally on its bonds or be subject to any personal liability or accountability by reason of their issuance. Neither the state nor a county or other municipality except the authority may pledge its faith and credit or taxing power or shall be obligated in any manner for the payment of the bonds or interest on them; but nothing herein shall affect the obligation of the state or municipality to perform any contract made by it with the authority, and when the authority's rights under a contract with the state or a municipality are pledged by the authority for the security of its bonds, the holders or a bond trustee may enforce the rights as a third party beneficiary. All bonds shall be negotiable within the meaning and for the purposes of the uniform commercial code, subject only to any registration requirement.

Subd. 3. [BOND RESOLUTION OR INDENTURE.] Bonds of the authority shall be authorized by resolutions of its board of commissioners which may set forth, or may authorize and direct the execution of an indenture or security agreement with a corporate trustee setting forth, the terms and conditions thereof, the covenants and agreements entered into by the authority for their security, the real and personal property, if any, which is mortgaged or pledged for their further security, the rights and duties of the trustee, if any, and the manner of and conditions for adoption of amending or supplemental resolutions or indentures. Covenants may be made regarding:

(a) The custody, collection, securing, investment, reinvestment, and disbursement of bond proceeds and any revenues with respect to which the authority has any right or interest;

(b) The purposes to which the proceeds shall be applied, and the pledge of the proceeds, until so applied, to secure the payment of the bonds and interest thereon;

(c) The rentals, rates, or charges to be established for use and availability of the authority's property or service;

(d) The establishment of funds or accounts for the disbursement of proceeds, the segregation of revenues, and the debt service and reserve requirements of the bonds;

(e) The conditions for the issuance of any additional bonds and the refunding of outstanding bonds and the terms upon which additional bonds may be issued and secured;

(f) The priority of any bonds with respect to any pledge of revenues, mortgage, or security interest;

(g) The operation and maintenance of any property, the revenues of which are pledged;

(h) The custody of any of the authority's property or investments, its safekeeping, the kinds of securities in which funds may be invested and reinvested, the insurance to be carried on property and against liability, and the use and disposition of insurance proceeds;

(i) *The vesting in a corporate trustee, within or outside the state, and successors and individual cotrustees as may be provided for, of funds and properties and trust rights and powers as the authority may determine; and the limitation of the rights, powers, duties, and obligations of the trustees;*

(j) *The appointment of any paying agent within or outside the state; and*

(k) *Any other matter reasonably related to the security of the bonds.*

Subd. 4. [SALE.] *Bonds may be issued and sold in one or more series, at public and private sale, at the price, bearing the date or dates, maturing at the time or times, bearing interest at the rate or rates, in the denominations, in the form whether coupon or registered, with the privileges of conversion, exchange, and registration of transfer, having the rank or priority, to be executed on behalf of the authority by the officers and other persons, to be subject to the terms of redemption with or without premium, and to contain or be subject to the other terms the resolution, indenture, or security agreement may provide, and shall not be restricted by any other law limiting the amount, maturities, interest rates, purchase price, or other terms of obligations of public agencies or municipalities.*

Subd. 5. [RECITALS.] *The authority shall be estopped to deny the correctness of any recital in any bond or any certificate given by direction of the authority, that it has been issued pursuant to the provisions and for the purposes of the regional railroad authorities act, and that all conditions precedent to the issuance exist or have been performed.*

Subd. 6. [BONDS AS INVESTMENTS AND SECURITY FOR DEPOSITS.] *Notwithstanding any other law, the state of Minnesota and all its public officers, governmental units, agencies, and instrumentalities, all banks, trust companies, savings banks and institutions, building and loan associations, investment companies, and other persons carrying on a banking business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, money, or other funds belonging to them or within their control in any bonds or other obligations issued pursuant to this section, and the bonds or obligations may be pledged as security for any public deposits.*

Sec. 8. [EMPLOYMENT PREFERENCE.] *Individuals who have been previously employed by railroads, any part of whose property or assets are acquired pursuant to this act, shall have priority, based upon their length of service with that railroad, in employment with a purchasing carrier or other operator of a railroad incorporating that property or those assets.*

Sec. 9. [CONSTRUCTION.] *Sections 1 to 8 shall be construed liberally to effectuate their legislative intent and purpose, as com-*

plete and independent authority for the performance of every act and thing authorized, and all powers granted shall be broadly interpreted to effectuate this intent and purpose and not as a limitation of powers. In the event of any conflict or inconsistency with any other law or charter provision, the provisions of sections 1 to 8 shall prevail.

Sec. 10. Minnesota Statutes 1978, Section 270.12, Subdivision 3, is amended to read:

Subd. 3. For taxes levied in 1980 and 1981, when a taxing jurisdiction lies in two or more counties, and the sales ratio studies prepared by the department of revenue show that the average level of assessment in the several portions of the district in the different counties differs by more than ~~ten~~ 20 percent, the board may shall order that the levy of the taxing jurisdiction be apportioned among the portions in the different counties in the same proportion as the adjusted assessed value as determined by the equalization aid review committee in each portion is to the total adjusted assessed value, as determined by the equalization aid review committee, of the taxing jurisdiction; if the studies show that the level differs by more than five percent, the board may order the apportionment of the levy. For taxes levied in 1982 and thereafter, if the studies show that the level differs by more than five percent, the board shall order the apportionment of the levy.

For the purposes of this section, the average level of assessment in a taxing jurisdiction or portion thereof shall be the aggregate assessment sales ratio. Assessed values as determined by the equalization aid review committee shall be the values as determined for the year preceding the year in which the levy to be apportioned is levied.

Actions pursuant to this subdivision shall be commenced subsequent to the annual meeting on August 15 of the state board of equalization, but notice of the action shall be given to the affected jurisdiction and the appropriate county auditors by the following November 15.

Apportionment of a levy pursuant to this subdivision shall be considered as a remedy to be taken after equalization pursuant to subdivision 2, and when equalization within the jurisdiction would disturb equalization within other jurisdictions of which the several portions of the jurisdiction in question are a part.

Sec. 11. *This act is effective the day after final enactment."*

Delete the title and insert:

"A bill for an act relating to local and regional public finance; providing for regional railroad authorities; providing for property levy apportionments in certain jurisdictions; amending Minnesota Statutes 1978, Section 270.12, Subdivision 3."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) George S. Pillsbury, Gene Merriam, Bill McCutcheon

House Conferees: (Signed) Tad Jude, Joel Jacobs, Tony D. Onnen

Mr. Pillsbury moved that the foregoing recommendations and Conference Committee Report on S. F. No. 507 be now adopted, and that the bill be repassed as amended by the Conference Committee.

CALL OF THE SENATE

Mr. Penny imposed a call of the Senate for the proceedings on S. F. No. 507. The following Senators answered to their names:

Bang	Frederick	Lessard	Penny	Stokowski
Barrette	Gearty	Luther	Peterson	Strand
Benedict	Hanson	Menning	Pillsbury	Ueland, A.
Bernhagen	Hughes	Merriam	Renneke	Vega
Brataas	Jensen	Nelson	Rued	Wegener
Davies	Johnson	Ogdahl	Setzepfandt	Willet
Dieterich	Keefe, S.	Olhoft	Sieloff	
Dunn	Knaak	Olson	Staples	
Engler	Knutson	Omann	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

The question recurred on the motion of Mr. Pillsbury. The motion prevailed. So the recommendations and Conference Committee report were adopted.

S. F. No. 507 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 13, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Nelson	Purfeerst	Ueland, A.
Barrette	Johnson	Nichols	Schmitz	Vega
Benedict	Keefe, S.	Olhoft	Setzepfandt	Wegener
Chmielewski	Laufenburger	Olson	Staples	Willet
Dieterich	Lessard	Penny	Stern	
Frederick	Luther	Perpich	Stokowski	
Gearty	Menning	Peterson	Strand	
Hanson	Merriam	Pillsbury	Stumpf	

Those who voted in the negative were:

Bang	Dunn	Knaak	Renneke	Ulland, J.
Bernhagen	Engler	Knutson	Rued	
Brataas	Jensen	Omann	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. 129 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 129

A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2, 3 and 4 to provide for establishment of the boundaries of congressional and legislative districts by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

April 10, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 129, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and the bill be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people as provided by subdivisions 2 and 3.

Subd. 2. If the amendment is adopted, article IV, sections 2 and 3 will read as follows:

Sec. 2. [APPORTIONMENT OF MEMBERS.] The number of members who compose the senate and house of representatives shall be prescribed by law. The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof. A law changing the number of senators or representatives shall be effective on January 1 of the next year ending in the number one following enactment of the law and shall govern general elections held under an apportionment plan that becomes effective after that date.

Sec. 3. At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts. Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series. The legislature shall not prescribe the boundaries for the districts of senators and representatives or for the districts of representatives in the congress of the United States.

Subd. 3. If the amendment is adopted, a new article will be added to the constitution which will read as follows:

ARTICLE XV

REAPPORTIONMENT COMMISSION

Section 1. [REAPPORTIONMENT COMMISSION.] In each year ending in the number one, or when required by court order, a reapportionment commission shall be established to draw the boundaries of legislative and congressional districts.

The commission shall consist of nine members who are eligible voters of the state. One member shall be appointed by the speaker of the house and one by the members of the house representing political parties other than the party represented by the speaker. One member shall be appointed by the president of the senate and one by the members of the senate representing political parties other than the party represented by the president. Article IV, section 5 shall not apply to the appointment of these four members of the reapportionment commission. The term "political party" as used in this section shall have the meaning provided by law.

The remaining five members shall be appointed by unanimous agreement of the legislative appointees. The qualifications of these members shall be provided by law.

Members of the commission shall be appointed within the time provided by law but not later than March 15 when the commission is established in a year ending in the number one. The supreme court shall fill any vacancy caused by failure to appoint a member within the time required by law.

Sec. 2. [APPORTIONMENT STANDARDS.] The commission shall draw the boundaries of legislative and congressional districts in accordance with the requirements of this section. There shall be one district for each representative, senator and representative in congress. No state representative district shall be divided in the formation of a senate district.

All districts of the same kind shall be as equal in population as practicable. Population shall be the controlling factor in drawing the district boundaries.

The districts shall be composed of compact and contiguous territory. To the extent consistent with other standards, the boundaries of the districts shall follow the boundaries of local governmental units and, wherever practicable, natural and man-made physical boundaries. No apportionment plan shall be drawn for the purpose of favoring any person or political party.

Sec. 3. [APPORTIONMENT PLAN.] The commission shall adopt an apportionment plan within the time provided by law but not later than December 1 when the commission is established in a year ending in the number one. The plan shall set forth all of the new legislative and congressional districts. An apportionment

plan is adopted by the commission when it is approved by a vote of at least six of its members.

Sec. 4. [EFFECTIVE DATE; ELECTIONS GOVERNED BY NEW DISTRICTS.] *An apportionment plan is effective when it is adopted and any judicial proceedings under section 5 have been completed. The districts set forth in an apportionment plan shall govern elections of state senators, state representatives and representatives in congress beginning with the first general election after the plan is effective.*

Sec. 5. [JUDICIAL REVIEW; COURT DRAWN PLAN.] *The supreme court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law. If the commission fails to adopt an apportionment plan within the time provided by law the supreme court shall adopt its own plan in accordance with the requirements of section 2 of this article. If an apportionment plan for legislative districts is adopted by the supreme court later than April 1 of a general election year, the time for establishing residency for legislative candidates as set forth in article IV, section 6, is extended to either 45 days after the effective date of the plan or to the last day provided by law for filing for office at the general elections, whichever is earlier.*

Sec. 6. [IMPLEMENTATION.] *The legislature may enact the laws necessary to implement this article provided that reapportionment shall be governed by the law in effect on January 1 of the year in which a reapportionment commission is established.*

Sec. 2. The amendment shall be submitted to the people at the 1980 general election. The question proposed shall be:

“Shall the Minnesota Constitution be amended to transfer from the legislature to a bipartisan commission the power to draw the boundaries of legislative and congressional districts?”

Yes.....

No.....”

Sec. 3. [2A.01] [CITATION.] *Sections 3 to 14 may be cited as the “Reapportionment Implementation Act”.*

Sec. 4. [2A.02] [APPOINTMENT.] *Subdivision 1. For the purpose of Article XV, Section 1 of the Minnesota Constitution “political party” means the political party or political principle by which a legislator was designated on the general election ballot when the legislator was last elected.*

Subd. 2. *Not more than five members of the commission shall be residents of the metropolitan area as defined in section 473.121, subdivision 2 and not more than five shall be residents of the area consisting of the remainder of the state.*

Subd. 3. *Except for the members appointed pursuant to subdivision 5, no individual shall be appointed or shall serve as a member of the commission who:*

(a) *Holds or has held within two years prior to appointment an*

elected or appointed office in the executive, judicial or legislative branch or in an independent agency of the federal or state government;

(b) Is or has been within two years prior to appointment an officer of a campaign committee of a candidate for state or federal office or an officer of a political party other than a precinct officer:

(c) Is an employee of the legislature or congress;

(d) Is a member of the immediate family of a legislator or representative in congress. "Member of the immediate family" means father, mother, son, daughter, brother, sister, spouse, ex-spouse or member of the same household; or,

(e) Is or has been within two years prior to appointment a lobbyist as that term is defined by section 10A.01, subdivision 11.

Subd. 4. Except for members appointed pursuant to subdivision 5, no individual appointed as a member of the commission shall remain a member if he becomes a candidate for any elective state or federal office.

Subd. 5. Not later than January 15 of each year ending in the number one the secretary of state shall request the legislators who are authorized by the constitution to appoint members to serve on the commission to certify the names of their appointees. The representatives representing political parties other than the party represented by the speaker of the house and the senators representing political parties other than the party represented by the president of the senate shall convene during the ten days following the request of the secretary of state, at a time and place directed by the secretary, to appoint members of the commission. The secretary of state shall preside at these conventions. The names of all legislative appointees shall be certified to the secretary of state not later than the following February 1. If a certification is not received within the required time, the secretary of state shall notify the chief justice of the supreme court that there is a vacancy on the commission. Within ten days after notification the supreme court shall fill the vacancy and certify the name of the appointee to the secretary of state.

Subd. 6. Not later than March 15 the commission members whose appointments have been certified pursuant to subdivision 5 shall appoint the five remaining members by unanimous agreement and certify the names to the secretary of state. When a certificate is not received within the required time, the secretary of state shall notify the chief justice that there is a vacancy. Within ten days after the notification the supreme court shall appoint the necessary number of members and certify their names to the secretary of state.

Subd. 7. Vacancies other than those resulting from a failure to appoint a member within the time provided by law shall be filled by the appointing authority that made the original appointment within five days after the vacancy occurs. If the vacancy is not filled within five days the supreme court shall fill the vacancy.

Sec. 5. [2A.03] [COMMENCEMENT OF DUTIES; MEETINGS.] *Subdivision 1. The secretary of state shall select a time and place of the first meeting of the commission, which shall not be later than April 1 of the year ending in one, and shall notify the commission members of the time and place selected. Before beginning to exercise their official duties the members of the commission shall take an oath in the form required for other state officers. The secretary of state shall preside at the meeting until the election of a permanent presiding officer. The commission shall elect a presiding officer and other officers as it shall find necessary.*

Subd. 2. The commission, after notice and opportunity for public comment, may adopt and publish procedures necessary to carry out its duties. Chapter 15 does not apply to these procedures.

Subd. 3. The commission shall meet upon the call of either the presiding officer or a majority of the members of the commission. The proceedings of the commission are open to the public. The commission shall give public notice of its proceedings and shall keep minutes and audio recordings of those proceedings. All materials submitted to or developed by the commission, together with the minutes and audio record of its proceedings shall be preserved and made available for public inspection and copying. The commission may administer oaths to individuals appearing before it.

Subd. 4. A majority of the members of the commission constitutes a quorum to conduct business. At any meeting of the commission at which a quorum is present, a majority of those present may compel the attendance of absent members. The attendance of absent members may be compelled in the manner that either the senate or house of representatives provide for their members.

Sec. 6. [2A.04] [REMOVAL OF COMMISSION MEMBER.] *Any member of the commission may be removed from the commission by the supreme court upon petition filed by any eligible voter. The member may be removed after a hearing and upon a finding by the supreme court, by a preponderance of the evidence, that the member:*

- (a) Has been convicted, during his membership, of a gross misdemeanor or felony;*
- (b) Is unqualified to serve under the provisions of section 4, subdivision 3 or 4;*
- (c) Is physically or mentally incapable of serving; or*
- (d) Is unwilling to serve.*

It is prima facie evidence that a member is unwilling to serve if he fails to attend three successive meetings of the commission or fails to attend a total of six meetings of the commission. Upon removal, the position shall be filled in the manner provided for filling vacancies. An individual who is removed from the commission pursuant to this section may not be reappointed to the commission.

Sec. 7. [2A.05] [ADMINISTRATIVE SUPPORT.] *The presiding officer of the commission shall supervise the staff of the commission. The secretary of state, commissioner of administration, attorney general and revisor of statutes shall make available the personnel, facilities, technical services and other assistance requested by the commission. The commission may employ or contract for the services of other staff personnel.*

Sec. 8. [2A.06] [APPORTIONMENT PLAN.] *Subdivision 1. An apportionment plan adopted by the commission shall include:*

(a) A written description of each district drawn by the commission;

(b) A map of each district showing the name and location of each public road and each local governmental unit boundary in the district in a scale that allows precise location of the district boundaries;

(c) A map of the state showing all of the districts drawn by the commission;

(d) A statement of the deviation in population of each district from the average population of all districts of that kind;

(e) A justification of any population deviation described in clause (d) which exceeds one-half of one percent for a congressional district or five percent for legislative districts;

(f) An explanation of the standards used by the commission to draw the districts; and

(g) Any other information which the commission deems relevant to the plan.

Subd. 2. An apportionment plan shall be adopted not later than September 1 of the year in which the commission is established. When an apportionment plan adopted by the commission is remanded by the supreme court or by a federal court, the commission shall adopt an amended plan consistent with the finding of the court not later than 30 days after the original plan is remanded.

Subd. 3. The commission shall file the original or any amended plan with the secretary of state within five days of its adoption.

Subd. 4. Any commission members in the minority may prepare a minority report which shall be published with the plan adopted by the commission.

Sec. 9. [2A.07] [COURT ORDER OR CHANGE IN CONGRESSIONAL REPRESENTATION.] *Subdivision 1. When a commission is not otherwise constituted and either the number of the state's representatives in congress is changed by federal law or a federal court order requires adoption or amendment of an original apportionment plan, a commission shall be established and shall draw the congressional district boundaries or amend the plan.*

Subd. 2. The supreme court shall set a timetable for establishing

a reapportionment commission and drawing the boundaries or amending the plan. The timetable shall be consistent with the time provided for adoption of an apportionment plan pursuant to section 8, subdivision 2, as far as practicable.

Sec. 10. [2A.08] [COMPENSATION.] *Members of the commission who are not paid a salary by the state shall be compensated at the rate provided by section 15.059, subdivision 3, for members of advisory councils and committees. Members shall be compensated for their actual and necessary expenses incurred in carrying out their duties on the commission in the same manner and amount as other state employees.*

Sec. 11. [2A.09] [DISSOLUTION.] *The commission shall conclude its business and dissolve when:*

(a) 30 days have passed from the adoption of an original, unamended apportionment plan without the filing of any petition for review by the supreme court and all legal actions concerning the plan which are known at that time have been decided; or

(b) The commission has adopted an amended apportionment plan after remand by a court and has completed its duties under section 12; or

(c) The commission has failed to adopt a plan or amended plan within the time required by law.

The conclusion of business shall include preparation of the official record of the commission and a financial statement disclosing all expenditures made by the commission. The official record shall contain all information developed by the commission pursuant to carrying out its duties including records of public hearings, data collected, minutes and audio recordings of hearings and meetings, and other information of a similar nature. The official record shall be submitted to the secretary of state who shall provide for its preservation.

Sec. 12. [2A.10] [PUBLICATION OF REPORT.] *Subdivision 1. Promptly after the adoption of an apportionment plan the commission shall:*

(a) Prepare and transmit a copy of the plan to each county auditor;

(b) Prepare and transmit a summary of the plan to each newspaper of general circulation and each radio and television station in the state; and

(c) Prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

Subd. 2. *The summary shall contain:*

(a) A map showing all the new districts in the state;

(b) Separate maps showing the districts in the principal area served by the newspaper, radio or television station;

- (c) A statement of the population of each district;
- (d) A statement of the percentage variation of each district from the average population of other districts of the same kind; and
- (e) An indication of where a copy of the final report of the commission may be examined or purchased and its purchase price.

Sec. 13. [2A.11.] [JUDICIAL REVIEW.] Subdivision 1. An action to review an original or amended apportionment plan adopted by the reapportionment commission shall be commenced by petition to the supreme court within 30 days of the date the plan is filed with the secretary of state. The petition shall set forth the facts and the law on the basis of which petitioner believes the plan does not comply with the provisions of the United States Constitution, the Minnesota Constitution or other provisions of law. A copy of the petition shall be served upon the commission and upon the attorney general. The court shall hold hearings upon the petition and shall render its opinion on an original unamended plan of the commission within 60 days of the date that the petition to review the plan is filed. The court shall render its opinion on an amended plan of the commission within 30 days of the date the petition to review the amended plan is filed.

Subd. 2. If the court finds that an original, unamended plan of the reapportionment commission is invalid because it does not comply with constitutional or legal requirements, the court shall specify the reasons for its finding and immediately remand the plan to the commission for amendment. If the court retains jurisdiction of an action to review an apportionment plan when the plan is remanded to the commission, the court shall render its opinion on any amended plan within 30 days after the date the amended plan is filed with the secretary of state.

Subd. 3. If a federal court finds that an original unamended plan of the reapportionment commission is invalid because it does not comply with constitutional or legal requirements, and the court permits the commission to redraw the boundaries with consideration to the court's findings and conclusions, the plan shall be remanded to the commission for amendment.

Subd. 4. If the commission fails to adopt an apportionment plan or an amended plan within the time provided by law, or an amended plan adopted by the commission is found invalid upon review by the supreme court or by any federal court, the supreme court shall adopt its own reapportionment plan in accordance with the requirements of Article XV, Section 2, of the Minnesota Constitution. The court shall hold at least one public hearing before adopting or amending a plan. An apportionment plan adopted or amended by the supreme court shall be in the form prescribed for a plan adopted by the commission. The court shall adopt the plan or amended plan and file it with the secretary of state not later than 60 days from the date on which the amended plan was declared invalid, or the date on which the plan or amended plan was required to be adopted by the commission. The secretary of state

shall perform the duties provided in section 12 with respect to an apportionment plan adopted by the court.

Sec. 14. [2A.12] [DUTIES OF ATTORNEY GENERAL.] *The attorney general shall represent the commission and shall defend the apportionment plan adopted by the commission in any action to review the plan in the supreme court. He shall represent the state and shall defend the apportionment plan adopted pursuant to Article XV of the Minnesota Constitution and sections 3 to 14 in any action to review the plan in a federal court. In any action in federal court, the attorney general shall request the court to expedite the proceedings.*

Sec. 15. [APPROPRIATION.] Subdivision 1. *The sum of \$100,000 is appropriated from the general fund to the reapportionment commission for the purpose of implementing sections 3 to 14. The sum is available March 1, 1981, and until expended.*

Subd. 2. *The sum of \$150,000 is appropriated from the general fund to the legislative coordinating commission for the development by March 1, 1981, of data processing support for reapportionment. The coordinating commission may obtain bids and proposals from and may enter contracts and agreements with private contractors and state agencies or departments for all or portions of the data processing support in a level that the coordinating commission finds appropriate. For the purpose of this paragraph, "data processing support" includes the purchase or use of computer hardware, software, professional services, including system design consultation, and data entry services. This appropriation is available the day after final enactment and until March 1, 1981. Any amount that remains unobligated on March 1, 1981, is appropriated to the reapportionment commission for implementation of sections 3 to 14, and is available until expended.*

Sec. 16. [REPEALER.] *Minnesota Statutes 1978, Sections 2.041 to 2.712 are repealed on the effective date of this section. Minnesota Statutes 1978, Sections 2.731 to 2.811 are repealed on the date of the general election for representatives in congress following the effective date of an apportionment plan pursuant to article XV of the constitution.*

Sec. 17. [EFFECTIVE DATE.] *Sections 3 to 14 and 16 are effective on the date the constitutional amendment in section 1 is ratified as provided by the constitution.*

Sec. 18. [BALLOT QUESTIONS.] *Notwithstanding any law or rule to the contrary, the ballot question in section 2 shall immediately precede any other ballot questions placed on the ballot and submitted to the people at the 1980 general election. This section is effective the day following final enactment."*

Delete the title and insert:

"A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3, and by adding a new article; providing for establishment of the boundaries of congressional and legislative districts by a commission; limiting the power of the legislature to change

the number of senators and representatives; implementing the proposed reapportionment commission amendment by 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; repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) William P. Luther, Neil Dieterich, Gerry Sikorski, Carl A. Jensen

House Conferees: (Signed) Michael R. Sieben, Todd Otis, Douglas R. Ewald, Bill Peterson

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Gearty	Menning	Peterson	Stokowski
Bang	Hanson	Merriam	Pillsbury	Strand
Barrette	Hughes	Nelson	Purfeerst	Stumpf
Benedict	Jensen	Nichols	Renneke	Ueland, A.
Chmielewski	Johnson	Ogdahl	Rued	Ulland, J.
Davies	Knaak	Olhoft	Schmitz	Vega
Dieterich	Knutson	Olson	Setzepfandt	Wegener
Dunn	Laufenburger	Omman	Sieloff	Willet
Engler	Lessard	Penny	Staples	
Frederick	Luther	Perpich	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

Mr. Luther moved that the foregoing recommendations and Conference Committee Report on S. F. No. 129 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. 129 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 12, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Knutson	Perpich	Stern
Bang	Hanson	Laufenburger	Peterson	Stokowski
Barrette	Hughes	Lessard	Pillsbury	Strand
Benedict	Humphrey	Luther	Purfeerst	Stumpf
Bernhagen	Jensen	Menning	Rued	Tennessee
Brataas	Johnson	Moe	Schmitz	Ueland, A.
Dieterich	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Dunn	Keefe, S.	Nichols	Sikorski	Willet
Engler	Kleinbaum	Ogdahl	Solon	
Frederick	Knaak	Olhoft	Spear	
Gearty	Knoll	Penny	Staples	

Those who voted in the negative were:

Anderson	Davies	Olson	Renneke	Vega
Chmielewski	McCutcheon	Omman	Sieloff	Wegener
Coleman	Merriam			

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 Executive and Official Communications.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 10, 1980

Honorable Edward J. Gearty
President of the Senate

Dear Sir:

Accompanying this letter please find the computer list of notaries public which has just been transmitted to me by the Department of Commerce. The names on that list are hereby submitted to the Senate for confirmation pursuant to Minnesota constitutional and statutory requirements.

Sincerely yours,
Albert H. Quie, Governor

Mr. Coleman moved that the rules of the Senate be so far suspended as to allow confirmation of the appointments of the notaries public today. The motion prevailed.

Mr. Tennesen moved to confirm the appointments of the notaries public. The motion prevailed. So the appointments were confirmed.

RECESS

Mr. Coleman 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 Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Mr. Olhoff introduced—

S. F. No. 2439: A bill for an act relating to the environment; authorizing state waste management bonds for a solid waste demonstration program in Fergus Falls; appropriating money.

Referred to the Committee on Agriculture and Natural Resources.

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

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which was referred S. F. No. 2419, makes the following report:

That the above Senate File be placed on the Special Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

APPOINTMENTS

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

H. F. No. 797: Messrs. Anderson, Davies and Sikorski.

H. F. No. 2268: Messrs. Luther, Nichols and Ogdahl.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Barrette moved that the names of Messrs. Stumpf and Nelson be added as co-authors to S. F. No. 2438. The motion prevailed.

Mr. Laufenburger moved that H. F. No. 2302 be taken from the table. The motion prevailed.

H. F. No. 2302: A bill for an act relating to financial institutions; requiring all checks and drafts drawn on certain accounts to clearly display the month and year the account was opened.

Mr. Laufenburger moved to strike the Laufenburger amendment adopted by the Senate April 3, 1980. The motion prevailed. So the amendment was stricken.

Mr. Laufenburger then moved to amend H. F. No. 2302, as amended pursuant to Rule 49, adopted by the Senate March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2284.)

Page 1, line 12, after "shall" insert ", for a period of not less than 12 months,"

Page 1, line 14, delete everything after the period

Page 1, delete lines 15 to 21 and insert "This section does not apply to temporary checks, drafts, or similar negotiable or non-negotiable instruments or orders of withdrawal, or to a consumer deposit account where the applicant either demonstrates through the production of monthly statements or represents in a writing which states it is made under penalties of perjury that, for twelve months immediately preceding his application, he has had an account at the same or another financial institution. A written representation made to avoid this section is subject to section 609.48."

Amend the title as follows:

Page 1, line 5, before the period, insert "; specifying exclusions; providing a penalty"

The motion prevailed. So the amendment was adopted.

H. F. No. 2302 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 45 and nays 8, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Laufenburger	Peterson	Spear
Bang	Gerty	Lessard	Pillsbury	Staples
Barrette	Gunderson	Luther	Purfeerst	Stern
Bernhagen	Hanson	Menning	Renneke	Stokowski
Brataas	Jensen	Nelson	Rued	Strand
Chmielewski	Johnson	Nichols	Schmitz	Ueland, A.
Davies	Keefe, S.	Omann	Sieloff	Uland, J.
Dunn	Knaak	Penny	Sikorski	Vega
Engler	Knutson	Perpich	Solon	Wegener

Those who voted in the negative were:

Anderson	Dieterich	Ogdahl	Setzepfandt	Stumpf
Benedict	Merriam	Olhoft		

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

SPECIAL ORDER

H. F. No. 567: A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate for the proceedings on H. F. No. 567. The following Senators answered to their names:

Anderson	Frederick	Luther	Peterson	Staples
Bang	Gearty	Menning	Pillsbury	Stern
Barrette	Gunderson	Merriam	Purfeerst	Stokowski
Benedict	Hanson	Nelson	Renneke	Strand
Bernhagen	Hughes	Nichols	Rued	Stumpf
Chmielewski	Johnson	Ogdahl	Schmitz	Ueland, A.
Coleman	Keefe, S.	Olhoft	Setzpfandt	Ulland, J.
Dieterich	Knaak	Omann	Sieloff	Vega
Dunn	Knutson	Penny	Solon	Wegener
Engler	Lessard	Perpich	Spear	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Without objection, Mr. Tennesen was excused from voting on H. F. No. 567, pursuant to rule 22.

Mr. Strand moved to strike the amendment made to H. F. No. 567 by the Committee on Commerce, adopted by the Senate March 19, 1980.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	McCutcheon	Pillsbury	Strand
Bang	Jensen	Menning	Purfeerst	Ueland, A.
Bernhagen	Keefe, J.	Nichols	Renneke	Ulland, J.
Brataas	Kleinbaum	Olhoft	Rued	Wegener
Dunn	Knaak	Olson	Schmitz	
Engler	Knutson	Omann	Sieloff	

Those who voted in the negative were:

Anderson	Gunderson	Luther	Peterson	Stokowski
Barrette	Hanson	Merriam	Schaaf	Stumpf
Benedict	Hughes	Moe	Setzpfandt	Vega
Chmielewski	Humphrey	Nelson	Sikorski	Willet
Coleman	Johnson	Ogdahl	Spear	
Dieterich	Keefe, S.	Penny	Staples	
Gearty	Knoll	Perpich	Stern	

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

H. F. No. 567 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 35 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Lessard	Perpich	Staples
Barrette	Hanson	Luther	Peterson	Stern
Benedict	Hughes	Merriam	Purfeerst	Stokowski
Chmielewski	Humphrey	Moe	Setzpfandt	Stumpf
Coleman	Johnson	Nelson	Sikorski	Vega
Dieterich	Keefe, S.	Ogdahl	Solon	Wegener
Gearty	Knoll	Penny	Spear	Willet

Those who voted in the negative were:

Ashbach	Engler	Knaak	Olhoff	Rued
Bang	Frederick	Knutson	Olson	Schmitz
Bernhagen	Jensen	McCutcheon	Omamn	Sieloff
Brataas	Keefe, J.	Menning	Pillsbury	Ueland, A.
Dunn	Kleinbaum	Nichols	Renneke	Ulland, J.

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, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 2085: A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.111; 43.18, Subdivision 4; 43.19, Subdivision 1; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivisions 7 and 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 620.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article 1, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.

Senate File No. 2085 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 10, 1980

Mr. Coleman moved that the Senate do not concur in the amendments by the House to S. F. No. 2085 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. Coleman 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 Reports of Committees.

**REPORTS OF COMMITTEES
APPOINTMENTS**

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

S. F. No. 2085: Messrs. Coleman, Nelson, and Ashbach.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

Pursuant to Rule 21, Mr. Willet moved that the following members be excused for a Conference Committee on H. F. No. 2476 at 6:00 p.m.:

Messrs. Moe, Coleman, Willet, Spear and Ashbach. The motion prevailed.

SPECIAL ORDER

H. F. No. 1047: A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 375.18, Subdivision 3; 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.

Mr. Schaaf moved that the amendment made to H. F. No. 1047 by the Committee on Rules and Administration in the report adopted March 31, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1047 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:

Bang	Dieterich	Hanson	Knutson	Nelson
Barrette	Dunn	Humphrey	Lessard	Ogdahl
Benedict	Engler	Keefe, J.	Luther	Olhoft
Bernhagen	Frederick	Keefe, S.	McCutcheon	Penny
Brataas	Gearty	Kleinbaum	Menning	Perpich
Chmielewski	Gunderson	Knaak	Merriam	Peterson

Pillsbury	Rued	Sieloff	Stokowski	Ulland, J.
Purfeerst	Schaaf	Sikorski	Strand	Vega
Renneke	Setzepfandt	Staples	Ueland, A.	Wegener

So the bill passed and its title was agreed to.

Mr. McCutcheon moved that S. F. No. 2224, No. 11 on Special Orders, be stricken and re-referred to the Committee on Taxes and Tax Laws. The motion prevailed.

Mr. Schaaf moved that S. F. No. 1262, No. 8 on Special Orders, be stricken and re-referred to the Committee on Governmental Operations. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 9:00 o'clock a.m., Friday, April 11, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-EIGHTH DAY

St. Paul, Minnesota, Friday, April 11, 1980

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

CALL OF THE SENATE

Mr. Stern imposed a call of the Senate. The following Senators answered to their names:

Ashbach	Engler	Knaak	Pillsbury	Stokowski
Bang	Frederick	Laufenburger	Purfeerst	Strand
Barrette	Gearty	Menning	Renneke	Stumpf
Bernhagen	Hanson	Nelson	Rued	Tennessee
Brataas	Hughes	Ogdahl	Schaaf	Ueland, A.
Coleman	Johnson	Olson	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Omann	Solon	Wegener
Dunn	Kleinbaum	Penny	Stern	Willet

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Senator Emery Barrette.

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

Anderson	Gearty	Laufenburger	Penny	Spear
Ashbach	Gunderson	Lessard	Perpich	Staples
Bang	Hanson	Luther	Peterson	Stern
Barrette	Hughes	McCutcheon	Pillsbury	Stokowski
Benedict	Humphrey	Menning	Purfeerst	Strand
Bernhagen	Johnson	Merriam	Renneke	Stumpf
Brataas	Keefe, J.	Moe	Rued	Tennessee
Coleman	Keefe, S.	Nelson	Schaaf	Ueland, A.
Davies	Kirchner	Nichols	Schmitz	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dunn	Knaak	Olhoft	Sieloff	Wegener
Engler	Knoll	Olson	Sikorski	Willet
Frederick	Knutson	Omann	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

Mr. Sillers was excused from the Session of today. Mr. Kirchner was excused from the Session of today until 5:00 o'clock p.m. Mr.

Moe was excused from the Session of today from 9:00 to 9:35 o'clock a.m. Mr. Stern was excused from the Session of today from 9:30 to 10:15 o'clock a.m.

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. 2100: A bill for an act relating to trade regulations; providing limits on formaldehyde concentrations emitted from building materials and insulation; prohibiting certain transactions; enacting the uniform trade secrets act; providing remedies; prescribing penalties.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 1980

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. 129 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 129: A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2, 3 and 4 to provide for establishment of the boundaries of congressional and legislative districts by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

Senate File No. 129 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 1980

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. 507 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 507: A bill for an act relating to taxation; providing for a levy apportionment for certain jurisdictions upon an assessment level differential greater than five percent; amending Minnesota Statutes 1978, Section 270.12, Subdivision 3.

Senate File No. 507 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 1980

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. 2085: A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.111; 43.18, Subdivision 4; 43.19, Subdivision 1; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivisions 7 and 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.

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

Simoneau, Novak and Sviggum.

Senate File No. 2085 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 1980

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. 630: A bill for an act relating to commerce; providing for the licensing and regulation of mobile home dealers; imposing certain duties and prohibiting certain practices; providing penalties; amending Minnesota Statutes 1978, Sections 327.43, Subdivision 1; 327.51, Subdivision 1, and by adding subdivisions; 327.55,

Subdivisions 1 and 4; and Chapter 327, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 327.43, Subdivision 2.

Senate File No. 630 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 1980

CONCURRENCE AND REPASSAGE

Mr. Schaaf moved that the Senate concur in the amendments by the House to S. F. No. 630 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 630: A bill for an act relating to commerce; providing for the licensing and regulation of mobile home dealers; imposing certain duties and prohibiting certain practices; providing penalties; amending Minnesota Statutes 1978, Sections 327.43, Subdivision 1; 327.51, Subdivision 1, and by adding subdivisions; 327.55, Subdivisions 1 and 4; and Chapter 327, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 327.43, Subdivision 2; and 327.44.

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:

Aahbach	Frederick	Luther	Peterson	Stokowski
Bang	Gearty	Menning	Pillsbury	Strand
Barrette	Gunderson	Nelson	Purfeerst	Stumpf
Benedict	Hanson	Nichols	Renneke	Tennessee
Bernhagen	Hughes	Ogdahl	Rued	Ueland, A.
Brataas	Kleinbaum	Olhoft	Schaaf	Ulland, J.
Davies	Knaak	Olson	Schmitz	Vega
Dieterich	Knoll	Omann	Setzepfandt	Wegener
Dunn	Laufenburger	Penny	Sikorski	Willet
Engler	Lessard	Perpich	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. 251: A bill for an act relating to cooperative associations; validating elections of directors by mail voting; authorizing mail voting for directors of cooperative associations; providing for

voting by members' spouses; amending Minnesota Statutes 1978, Section 308.071; and Chapter 308, by adding a section.

Senate File No. 251 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 10, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 251 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 251 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 45 and nays 11, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Knoll	Omann	Solon
Bang	Gearty	Knutson	Penny	Spear
Barrette	Hanson	Lessard	Perpich	Stokowski
Benedict	Hughes	Luther	Peterson	Stumpf
Bernhagen	Johnson	Merriam	Pillsbury	Tennessee
Brataas	Keefe, J.	Moe	Renneke	Ueland, A.
Davies	Keefe, S.	Nelson	Schaaf	Ulland, J.
Dieterich	Kleinbaum	Ogdahl	Setzepfandt	Vega
Dunn	Knaak	Olson	Sikorski	Wegener

Those who voted in the negative were:

Engler	Menning	Olhoft	Rued	Strand
Gunderson	Nichols	Purfeerst	Schmitz	Willet
Laufenburger				

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 adopted the recommendation and report of the Conference Committee on House File No. 2040 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2040 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 10, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2040

A bill for an act relating to government data; providing definitions; classifying data as public, private, confidential, non-public,

or protected non-public; amending Minnesota Statutes 1978, Sections 15.162, by adding subdivisions; 15.165, Subdivision 3; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.163, Subdivisions 3, 5, and 9; 15.1642, Subdivisions 1 and 5; 15.166, Subdivision 4; 15.1692, Subdivision 2, and by adding a subdivision; 15.1693, by adding a subdivision; 15.1698, Subdivision 1, and by adding subdivisions; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4.

April 9, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 2040, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and H. F. No. 2040 be amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes, 1979 Supplement, Section 15.162, Subdivision 2a, is amended to read:

Subd. 2a. “Confidential data on individuals” means data which is: (a) made not public by statute or federal law applicable to the data and is inaccessible to the individual subject of that data; or (b) collected by a civil or criminal investigative agency as part of an active investigation undertaken for the purpose of the commencement of a legal action, provided that the burden of proof as to whether such investigation is active or in anticipation of a legal action is upon the agency. Confidential data on individuals does not include arrest information that is reasonably contemporaneous with an arrest or incarceration. The provision of clause (b) shall terminate and cease to have force and effect with regard to the state agencies, political subdivisions, statewide systems, covered by the ruling, upon the granting or refusal to grant a temporary classification pursuant to section 15.1642 of both criminal and civil investigative data, or on July 31, 1980 1981, whichever occurs first.

Sec. 2. Minnesota Statutes 1978, Section 15.162, Subdivision 3, is amended to read:

Subd. 3. “Data on individuals” includes all records, files and processes which contain any data means all government data in which an any individual, living or dead, is or can be identified and which are retained or intended to be retained on a permanent or temporary basis. It includes data collected, stored, or disseminated by manual, mechanical, electronic or any other means. Data on individuals are classified as public, private or confidential as

the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.

Sec. 3. Minnesota Statutes 1978, Section 15.162, is amended by adding a subdivision to read:

Subd. 3a. "Data not on individuals" means all government data which is not data on individuals.

Sec. 4. Minnesota Statutes 1978, Section 15.162, is amended by adding a subdivision to read:

Subd. 5c. "Non-public data" means data not on individuals which is made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the subject of the data.

Sec. 5. Minnesota Statutes 1978, Section 15.162, amended by adding a subdivision to read:

Subd. 5d. "Protected non-public data" means data not on individuals which is made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.

Sec. 6. Minnesota Statutes 1978, Section 15.162, is amended by adding a subdivision to read:

Subd. 5e. "Public data not on individuals" means data which is accessible to the public pursuant to section 15.1621.

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 15.1621, is amended by adding a subdivision to read:

Subd. 4. The classification of data in the possession of an agency shall change if it is required to do so to comply with either judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 15.1642, Subdivision 1, is amended to read:

15.1642 [TEMPORARY CLASSIFICATION.] Subdivision 1. [APPLICATION.] *Notwithstanding the provisions of section 15.1621, the responsible authority of a state agency, political subdivision or statewide system may apply to the commissioner for permission to classify data or types of data on individuals as private or confidential, or data not on individuals as non-public or protected non-public, for its own use and for the use of other similar agencies, political subdivisions or statewide systems on a temporary basis until a proposed statute can be acted upon by the legislature. The application for temporary classification is public.*

Upon the filing of an application for temporary classification, the data which is the subject of the application shall be deemed to be classified as set forth in the application for a period of 45 days,

or until the application is disapproved or granted by the commissioner, whichever is earlier.

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 15.1642, is amended by adding a subdivision to read:

Subd. 2a. If the commissioner determines that an application for temporary classification involves data which would reasonably be classified in the same manner by all agencies, political subdivisions, or statewide systems similar to the one which made the application, the commissioner may approve or disapprove the classification for data of the kind which is the subject of the application for the use of all agencies, political subdivisions, or statewide systems similar to the applicant. If the commissioner deems this approach advisable, he shall provide notice of his intention by publication in the state register and by notification to the intergovernmental information systems advisory council, within ten days of receiving the application. Within 30 days after publication in the state register and notification to the council, an affected agency, political subdivision, the public, or statewide system may submit comments on the commissioner's proposal. The commissioner shall consider any comments received when granting or denying a classification for data of the kind which is the subject of the application, for the use of all agencies, political subdivisions, or statewide systems similar to the applicant. Within 45 days after the close of the period for submitting comment, the commissioner shall grant or disapprove the application. Applications processed under this subdivision shall be either approved or disapproved by the commissioner within 90 days of the receipt of the application. For purposes of subdivision 1, the data which is the subject of the classification shall be deemed to be classified as set forth in the application for a period of 90 days, or until the application is disapproved or granted by the commissioner, whichever is earlier. If requested in the application, or determined to be necessary by the commissioner, the data in the application shall be so classified for all agencies, political subdivisions, or statewide systems similar to the applicant until the application is disapproved or granted by the commissioner, whichever is earlier. Proceedings after the grant or disapproval shall be governed by the provisions of subdivision 3.

Sec. 10. Minnesota Statutes, 1979 Supplement, Section 15.1642, Subdivision 5, is amended to read:

Subd. 5. [EXPIRATION OF TEMPORARY CLASSIFICATION.] Emergency classifications granted before July 1, 1979 are redesignated as temporary classifications. All temporary classifications granted under this section prior to July 1, 1979 the effective date of this act and still in effect, and all temporary classifications thereafter applied for and granted pursuant to this section shall expire on July 31, 1980 or 18 months after the classification is granted, whichever occurs later. For purposes of this section, all temporary classifications granted prior to December 1, 1979, shall be treated as if they were granted in 1979.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 15.1642, Subdivision 5a, is amended to read:

Subd. 5a. [LEGISLATIVE CONSIDERATION AND EXPIRATION OF TEMPORARY CLASSIFICATIONS.] On or before January 15 of each year, the commissioner shall submit all temporary classifications granted in the prior year in effect on January 1 in bill form for legislative consideration. Unless enacted by law, each temporary classification so submitted shall expire 18 months after being granted and may not be renewed more than once to the legislature.

Sec. 12. Minnesota Statutes 1978, Section 15.165, Subdivision 3, is amended to read:

Subd. 3. Upon request to a responsible authority, an individual shall be informed whether he is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon his further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge to him and, if he desires, shall be informed of the content and meaning of that data. After an individual has been shown the private or public data and informed of its meaning, the data need not be disclosed to him for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created. The responsible authority shall provide copies of the private or public data upon request by the individual subject of the data. The cost of providing copies shall be borne by the individual. The responsible authority may require the requesting person to pay the actual costs of making, certifying, and compiling the copies.

The responsible authority shall comply immediately, if possible, with any request made pursuant to this subdivision, or within five days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible. If he cannot comply with the request within that time, he shall so inform the individual, and may have an additional five days within which to comply with the request, excluding Saturdays, Sundays and legal holidays.

Sec. 13. Minnesota Statutes, 1979 Supplement, Section 15.166, Subdivision 4, is amended to read:

Subd. 4. In addition to the remedies provided in subdivisions 1 to 3 or any other law, any aggrieved person may bring an action in district court to compel compliance with sections 15.1611 to 15.1698 and may recover costs and disbursements, including reasonable attorney's fees, as determined by the court. If the court determines that a request for government data an action brought under this subdivision is frivolous and without merit and a basis in fact, it may award reasonable costs and attorney fees to the responsible authority. The matter shall be heard as soon as possible. In an action involving a request for government data under section 15.1621 or 15.165, the court may inspect in camera the government data in dispute, but shall conduct its hearing in public and in a manner that protects the security of data classified as not public.

Sec. 14. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1672] [EXAMINATION DATA.] *Data consisting solely of testing or examination materials, or scoring keys used solely to determine individual qualifications for appointment or promotion in public service, or used to administer a licensing examination, or academic examination, the disclosure of which would compromise the objectivity or fairness of the testing or examination process are classified as nonpublic, except pursuant to court order.*

Sec. 15. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1673] [GENERAL NONPUBLIC DATA.] *Subdivision 1. As used in this section, the following terms have the meanings given them.*

(a) "Security information" means government data the disclosure of which would be likely to substantially jeopardize the security of information, possessions, individuals or property against theft, tampering, improper use, attempted escape, illegal disclosure, trespass, or physical injury.

(b) "Trade secret information" means government data, including a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by the affected individual or organization, (2) that is the subject of efforts by the individual or organization that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

(c) "Labor relations information" means management positions on economic and non-economic items that have not been presented during the collective bargaining process or interest arbitration, including information specifically collected or created to prepare the management position.

Subd. 2. *The following government data is classified as nonpublic data with regard to data not on individuals, pursuant to section 4, and as private data with regard to data on individuals, pursuant to section 15.162, subdivision 5a: Security information, trade secret information, sealed absentee ballots prior to opening by an election judge, sealed bids prior to the opening of the bid, and labor relations information.*

Sec. 16. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1674] [DEFERRED ASSESSMENT DATA.] *Any data, collected by political subdivisions pursuant to section 435.193, which indicate the amount or location of cash or other valuables kept in the homes of applicants for deferred assessment, are private data pursuant to section 15.162, subdivision 5a.*

Sec. 17. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1675] [REVENUE DATA.] *The following data created, collected and maintained by the state department of revenue are classified as protected non-public, pursuant to section 5: criteria used in the computer processing of income tax returns to determine which returns are selected for audit; department criteria used to determine which income tax returns are selected for an in-depth audit; and department criteria and procedures for determining which accounts receivable balances below a specified amount are cancelled or written-off.*

Sec. 18. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1676] [SURPLUS LINE INSURANCE DATA.] *All data appearing on copies of surplus line insurance policies collected by the insurance division of the department of commerce pursuant to section 60A.20 are classified as private, pursuant to section 15.162, subdivision 5a.*

Sec. 19. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1677] [FEDERAL CONTRACTS DATA.] *To the extent that a federal agency requires it as a condition for contracting with a state agency or political subdivision, all government data collected and maintained by the state agency or political subdivision because that agency contracts with the federal agency are classified as either private or nonpublic depending on whether the data are data on individuals or data not on individuals.*

Sec. 20. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1678] [PROPERTY COMPLAINT DATA.] *The names of individuals who register complaints with state agencies or political subdivisions concerning violations of state laws or local ordinances concerning the use of property are classified as confidential, pursuant to section 15.162, subdivision 2a.*

Sec. 21. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1679] [LIBRARY DATA.] *Subdivision 1. All records collected, maintained, used or disseminated by a public library shall be administered in accordance with the provisions of sections 15.1611 to 15.17.*

Subd. 2. That portion of records maintained by a public library which links a library patron's name with materials requested or borrowed by the patron or which links a patron's name with a specific subject about which the patron has requested information or materials is classified as private, pursuant to section 15.162, subdivision 5a, and shall not be disclosed except pursuant to a valid court order.

Sec. 22. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1680] [INVESTIGATIVE DETENTION DATA.] *Subdivision 1. [DEFINITION.] As used in this section, "investigative detention data" means government data created, collected, used or maintained by the state reformatories, prisons and correctional facilities, municipal or county jails, lockups, work houses, work farms and other correctional and detention facilities which: (a) if revealed, would disclose the identity of an informant who provided information about suspected illegal activities, and (b) if revealed, is likely to subject the informant to physical reprisals by others.*

Subd. 2. [GENERAL.] Investigative detention data is confidential and shall not be disclosed except:

- (a) Pursuant to section 15.163 or any other statute;*
- (b) Pursuant to a valid court order; or*

(c) To a party named in a civil or criminal proceeding, whether administrative or judicial, to the extent required by the relevant rules of civil or criminal procedure.

Sec. 23. Minnesota Statutes, 1979 Supplement, Section 15.1691. Subdivision 3, is amended to read:

Subd. 3. [INVESTIGATIVE DATA.] Data on persons including data on vendors of services, which is collected, maintained, used or disseminated by the welfare system in an investigation, authorized by statute and relating to the enforcement of rules or law, is confidential pursuant to section 15.162, subdivision 2a, and shall not be disclosed except:

- (a) Pursuant to section 15.163;*
- (b) Pursuant to statute or valid court order;*

(c) To a party named in a civil or criminal proceeding, administrative or judicial, for preparation of defense.

After presentation in court, the data shall be public data on individuals to the extent reflected in court records. The data referred to in this subdivision shall be classified as public data upon its submission to a hearing examiner or court in an administrative or judicial proceeding.

Sec. 24. Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 1, is amended to read:

15.1692 [PERSONNEL DATA.] Subdivision 1. As used in this section, "personnel data" means data on individuals collected because the individual is or was an employee of or an applicant for employment by, performs services on a voluntary basis for, or acts as an independent contractor with a state agency, statewide system or political subdivision or is a member of an advisory board or commission.

Sec. 25. Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 2, is amended to read:

Subd. 2. Except for employees described in subdivision 6, the following personnel data on current and former employees, *volunteers and independent contractors* of a state agency, statewide system or political subdivision *and members of advisory boards or commissions* is public: name; actual gross salary; salary range; *contract fees*; actual gross pensions; the value and nature of employer paid fringe benefits; the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary; job title; job description; education and training background; previous work experience; date of first and last employment; the status of any complaints or charges against the employee, whether or not the complaint or charge resulted in a disciplinary action; and the final disposition of any disciplinary action and supporting documentation; *work location; a work telephone number; badge number; and, city and county of residence.*

Sec. 26. Minnesota Statutes, 1979 Supplement, Section 15.1693, Subdivision 2, is amended to read:

Subd. 2. Except as provided in subdivision 4, 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; ~~or~~

(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. 27. Minnesota Statutes, 1979 Supplement, Section 15.1698, Subdivision 1, is amended to read:

15.1698 [MEDICAL DATA.] Subdivision 1. [DEFINITION.] As used in this section, : (a) "Directory information" means name of the patient, date admitted, general condition, and date released.

(b) "*Medical data*" means data collected because an individual was or is a patient or client of a hospital, nursing home, medical center, clinic, health or nursing agency operated by a state agency or political subdivision including business and financial records, and data provided by or about relatives of the individual.

Sec. 28. Minnesota Statutes, 1979 Supplement, Section 15.1698, is amended by adding a subdivision to read:

Subd. 4. [CLASSIFICATION OF MEDICAL DATA.] *Unless*

the data is summary data or a statute specifically provides a different classification, medical data are private but are available only to the subject of the data as provided in section 144.335, and shall not be disclosed to others except;

(a) Pursuant to section 15.163;

(b) Pursuant to a valid court order;

(c) To administer federal funds or programs;

(d) To the surviving spouse or next of kin of a deceased patient or client;

(e) To communicate a patient's or client's condition to a family member or other appropriate person in accordance with acceptable medical practice, unless the patient or client directs otherwise; or

(f) As otherwise required by law.

Sec. 29. Minnesota Statutes 1978, Chapter 15, is amended by adding a section to read:

[15.1699] [EMPLOYEE ASSISTANCE DATA.] *All data created, collected or maintained by the department of administration to administer the employee assistance program are classified as private, pursuant to section 15.162, subdivision 5a.*

Sec. 30. Minnesota Statutes 1978, Section 600.23, Subdivision 3, is amended to read:

Subd. 3. [WITHDRAWAL.] *Papers and instruments so deposited shall not be made public or withdrawn from such the office except upon the written order of the person depositing the same, or his executors or administrators, or on the order of some court for the purpose of being read in such the court, and then to be returned to such the office. When so deposited, they shall be open to the examination of any person desiring the same upon payment of the fees, if any, allowed by law.*

Sec. 31. Laws 1978, Chapter 790, Section 5, Subdivision 2, is amended to read:

Subd. 2. Section 3 is effective April 1, 1980 1981.

Sec. 32. [REPEALER.] *Minnesota Statutes, 1979 Supplement, Sections 15.1692, Subdivision 4, and 15.1698, Subdivision 2, are repealed.*

Sec. 33. [EFFECTIVE DATE.] *This act is effective the day following enactment."*

Delete the title in its entirety and insert:

"A bill for an act relating to privacy; providing for the collection and dissemination of government data; classifying data as private, confidential, nonpublic or public; amending Minnesota Statutes 1978, Sections 15.162, Subdivision 3, and by adding subdivisions; 15.165, Subdivision 3; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.1621, by adding a subdivision; 15.1642,

Subdivisions 1, 5, 5a, and by adding a subdivision; 15.166, Subdivision 4; 15.1691, Subdivision 3; 15.1692, Subdivisions 1 and 2; 15.1693, Subdivision 2; and 15.1698, Subdivision 1, and by adding a subdivision; and Laws 1978, Chapter 790, Section 5, Subdivision 2; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4; and 15.1698, Subdivision 2.”

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Tom Stoa, Terry M. Dempsey, Shirley A. Hokanson

Senate Conferees: (Signed) Robert J. Tennesen, Irving M. Stern, John B. Keefe

Mr. Tennesen moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2040 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. 2040 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 2, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Luther	Purfeerst	Strand
Bang	Hanson	Menning	Renneke	Stumpf
Benedict	Hughes	Nelson	Rued	Tennesen
Bernhagen	Humphrey	Nichols	Schaaf	Ueland, A.
Brataas	Keefe, J.	Olhoft	Schmitz	Ulland, J.
Davies	Keefe, S.	Olson	Setzepfandt	Vega
Dieterich	Knaak	Omann	Sikorski	Wegener
Dunn	Knoll	Penny	Solon	Willet
Engler	Knutson	Perpich	Spear	
Frederick	Laufenburger	Peterson	Staples	
Gearty	Lessard	Pillsbury	Stokowski	

Messrs. Barrette and Merriam 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. 1453 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1453 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 10, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1453

A bill for an act relating to retirement; authorizing payment of severance pay to retiring employees; validating past payments; amending Minnesota Statutes 1978, Section 356.24; and Minnesota Statutes, 1979 Supplement, Section 465.72.

April 2, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1453, 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. 1453 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes, 1979 Supplement, Section 43.051, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of subdivision 1, any employee of the state of Minnesota in a covered classification as defined in section 352.91, who is a member of the special retirement program for correctional personnel established pursuant to sections 352.90 to 352.95, shall *may elect or be required to* retire from employment in the covered correctional position upon reaching the age of 55 years, *unless the person applies for and receives from the commissioner of corrections, or the commissioner of public welfare if the appointing authority is the Minnesota security hospital an extension beyond the conditional mandatory retirement age.*

A covered correctional employee may be employed beyond the mandatory retirement age, but not beyond the age of 65 years. A correctional employee occupying a position specified as covered by the provisions of section 352.91, desiring employment beyond the conditional mandatory retirement age shall, at least 30 days prior to the date of reaching the conditional mandatory retirement age of 55 years, and annually thereafter, request in writing to the person's appointing authority that he be authorized to continue in employment *in the covered position.* Upon receiving the request, the appointing authority shall have a medical examination made of the employee. *If the results of the medical examination, together with the determination and certification of the appointing authority as to establish the mental and physical ability of the employee to continue to fulfill the duties of his employment, he shall be continued in his employment for the following year; shall be transmitted to the commissioner of corrections or the commissioner of public welfare if the appointing authority is the Minnesota security hospital. If the determination of the appointing au-*

thority relating to an employee based upon the results of the physical examination is adverse, the disposition of the matter shall be decided by the commissioner of corrections or of public welfare, whichever is applicable, if the appointing authority is the Minnesota security hospital. Based on the information provided to him, the decision of the applicable commissioner shall be made in writing and shall be final.

Sec. 2. Minnesota Statutes 1978, Section 352.90, is amended to read:

352.90 [CORRECTIONAL EMPLOYEES.] It is the policy of the legislature to provide special retirement benefits and contributions for certain correctional employees who, because of the nature of their employment, are may be required to retire at an early age because they are unable to retain the mental or physical capacity required to maintain the safety, security, discipline and custody of inmates at state adult correctional facilities. For the purpose of chapter 356, the actuary shall make separate reports with respect to these employees. Except as otherwise provided, the provisions of this chapter, apply to covered correctional employees.

Sec. 3. Minnesota Statutes 1978, Section 352.91, Subdivision 1, is amended to read:

352.91 [COVERED CORRECTIONAL SERVICE.] Subdivision 1. Covered correctional service means: (a) services performed on, before, or after July 1, 1973, by a state employee, as defined in section 352.01, as an attendant guard, attendant guard supervisor, correctional captain, correctional counselor I, correctional counselor II, correctional counselor III, correctional counselor IV, correctional lieutenant, correctional officer, correctional sergeant, director of attendant guards and guard farmer garden, provided the employee was employed in such position on July 1, 1973 or thereafter; (b) services performed before July 1, 1973 by an employee covered under clause (a) in a position classified as a houseparent, special schools counselor, shop instructor or guard instructor; and (c) services performed before July 1, 1973 in a position listed in clause (a) and positions classified as houseparent, guard instructor and guard farmer dairy, by a person employed on July 1, 1973 in a position classified as a license plant manager, prison industry foreman (general, metal fabricating and foundry), prison industry supervisor, food service manager, prison farmer supervisor, prison farmer assistant supervisor or rehabilitation therapist employed at the Minnesota security hospital. However an employee shall not be covered hereunder if first employed after July 1, 1973 and who because of his age could not acquire ten years of sufficient service to qualify for an annuity as a correctional employee.

Sec. 4. Minnesota Statutes 1978, Section 352.91, Subdivision 2, is amended to read:

Subd. 2. Covered correctional service shall also mean service rendered at any time by state employees as special teachers, tradesmen and maintenance personnel certified by the commissioner of personnel as being regularly engaged in rehabilitation,

treatment, custody or supervision of inmates employed at the Minnesota state reformatory for men correctional facility-St. Cloud, the state prison Minnesota correctional facility-Stillwater and the Minnesota correctional institution for women facility-Shakopee on or after July 1, 1974, other than any such employees who are 62 years of age or older as of July 1, 1974, and, effective the first payroll period after June 1, 1980, shall also include those employees of the Minnesota correctional facility-Lino Lakes and the employees of any other adult state correctional facility which may be established, who perform covered correctional service after June 1, 1980. For each special teacher who on July 1, 1974 is employed at one of the foregoing institutions facilities and is a member of the teachers retirement association, the teachers retirement association shall transfer to the Minnesota state retirement system an amount equal to accumulated employee and employer contributions, including any additional employer contributions on behalf of such employee. The term special teacher shall also include the classifications of institution facility educational administrator and supervisor.

Sec. 5. Minnesota Statutes 1978, Section 352.91, is amended by adding a subdivision to read:

Subd. 4. Upon the recommendation of the commissioner of corrections or the commissioner of public welfare, whichever is the appropriate employing authority, with the approval of the legislative advisory committee and with notification to and receipt of comments from the legislative commission on pensions and retirement, the commissioner of personnel may certify additional civil service classifications at state adult correctional or security hospital facilities to the executive director of the Minnesota state retirement system as positions rendering covered correctional service.

Sec. 6. Minnesota Statutes 1978, Section 352B.08, Subdivision 2, is amended to read:

Subd. 2. The annuity shall be paid in monthly installments equal to that portion of the average monthly salary of the member multiplied by two and one-half percent for each year and pro rata for completed months of service not exceeding 20 years and two percent for each year and pro rata for completed months of service in excess of 20 years. Effective June 1, 1973, "average monthly salary" shall mean the average of the monthly salaries for the five high years of service as a member. The monthly salary for the period prior to July 2, 1969 shall be deemed to be \$600. In lieu of the life annuity herein provided, the member or former member with 10 years or more of service may elect a joint and survivor annuity, payable to the surviving spouse a designated beneficiary for life, adjusted to the actuarial equivalent value of such life annuity. The joint and survivor annuity elected by a member may also provide that the elected annuity be reinstated to the life annuity herein provided, if after drawing the elected joint and survivor annuity, the spouse designated beneficiary dies prior to the death of the member. This reinstatement shall not be retroac-

tive but shall be in effect for the first full month subsequent to the death of the ~~surviving spouse~~ *designated beneficiary*. This additional joint and survivor option with reinstatement clause shall be adjusted to the actuarial equivalent value of a regular life annuity. The member with ten or more years of service or the former member with 20 years or more of allowable service credit is deemed to have elected a 100 percent joint and survivor annuity payable to a *surviving spouse* only on or after the member's 55th birthdate.

Sec. 7. Minnesota Statutes 1978, Section 356.24, is amended to read:

356.24 [SUPPLEMENTAL PENSION OR DEFERRED COMPENSATION PLANS, RESTRICTIONS UPON GOVERNMENT UNITS.] Upon passage of this section, it shall be unlawful for a school district or other governmental subdivision or state agency to levy taxes for, or contribute public funds to a supplemental pension or deferred compensation plan which is maintained and operated in addition to a primary pension program for the benefit of the governmental subdivision employees. This section shall not apply to supplemental pension plans which are maintained and operated prior to passage of this section, except that, any changes in benefits or employer contributions after the passage of this section shall be made pursuant to legislative authorization. This section does not apply to plans that provide only for group health, hospital, disability, or death benefits, *nor to a plan which provides for the payment of severance pay as authorized by section 465.72 to a retiring or terminating employee.*

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 465.72, is amended to read:

465.72 [SEVERANCE PAY.] Except as may otherwise be provided in Laws 1959, Chapter 690, as amended, all counties, cities, townships, and school districts or *other governmental subdivisions* are hereby authorized and empowered to pay severance pay to all of its employees and to establish, prescribe and promulgate provisions, rules and regulations for the payment of such severance pay upon leaving employment *on or prior or subsequent* to the normal retirement date. *Severance pay shall also include the payment of accumulated vacation leave, accumulated sick leave or a combination thereof.* Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid in a manner mutually agreeable to the employee and employer over a period not to exceed five years from *retirement* or termination of employment. In the event that a *retired* or terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. In no event shall severance pay provided for an employee except a teacher as defined in section 179.63, subdivision 13, leaving employment exceed an amount equivalent to 100 days pay. Severance pay for a teacher as defined in section 179.63, subdivision 13, shall not exceed an amount equivalent to one year of pay.

Sec. 9. [465.721] [FUNDING.] *No county, city, township, school district or other governmental subdivision shall implement a plan for payment of severance pay pursuant to section 8 until a plan providing for full funding has been developed and approved by the governing body.*

Sec. 10. Minnesota Statutes 1978, Section 473.417, as amended by Laws 1980, Chapter 342, Section 16, is amended to read:

473.417 [ADDITIONAL EMPLOYER OBLIGATION TO AMORTIZE UNFUNDED ACCRUED LIABILITIES.] In order to amortize the additional unfunded accrued liability incurred by the Minnesota state retirement system as a result of the consolidation of the metropolitan transit commission—transit operating division employees retirement fund, and to place the metropolitan transit commission on an equivalent basis with the other employing units and agencies having employees covered by the Minnesota state retirement system, the metropolitan transit commission shall make an annual contribution to the Minnesota state retirement system in addition to the employer contribution specified in section 352.04, subdivision 3. The additional contribution shall be an amount equal to three and eight-tenths percent of the salaries of employees of the transit operating division on each payroll abstract, commencing July 1, 1978, and payable until the unfunded accrued liability amount of \$7,260,518 ~~\$7,307,545~~ plus compound interest from July 1, 1978 at the rate of six percent per annum on the average unpaid balance is amortized, as determined by the executive director of the Minnesota state retirement system.

Sec. 11. Laws 1953, Chapter 91, Section 1, Subdivision 7, as amended by Laws 1975, Chapter 408, Section 1, is amended to read:

Subd. 7. [DULUTH, CITY OF; POLICE PENSIONS.] "Spouse" means a person who was the legal husband or wife of a member at the time of the member's death, and includes a person who was the legal husband or wife of any pensioner or deferred service pensioner at the time of the member's death who was married to the member at least a total of three years one year prior to the member's retirement from the department.

Sec. 12. Laws 1955, Chapter 151, Section 1, Subdivision 5, as amended by Laws 1963, Chapter 271, Section 2, is amended to read:

Subd. 5. "~~Widow~~" "Surviving spouse" means a ~~woman~~ person who was the wife spouse of a member or a pensioner while he or she was an active member, and who, in case the deceased member was a service pensioner, deferred pensioner, or on duty or non duty disability pensioner, was married to the member at least one year before his or her retirement from the police department; but does not include a surviving wife spouse of a member or a pensioner who deserts him or her or a common law wife spouse of a member or a pensioner.

Sec. 13. Laws 1955, Chapter 151, Section 3, Subdivision 2, is amended to read:

Subd. 2. This association shall create, maintain, and administer a policemen's pension fund for the benefit of its members, their widows surviving spouses, and their children.

Sec. 14. Laws 1955, Chapter 151, Section 13, as amended by Laws 1963, Chapter 271, Section 7, and Laws 1971, Chapter 549, Section 2, is amended to read:

Sec. 13. The association shall pay a pension to the widow surviving spouse or any child under 18 years of age of any pensioned and retired member, or to the widow surviving spouse or any child under 18 years of age of any member who dies while in the service of the city police department, or to the widow surviving spouse or any child under 18 years of age of any member who, after being a member of the city police department for not less than 20 years, severs his or her connection with the department, and dies before attaining the age of 50 years. The association shall pay to any such widow surviving spouse a pension of 20 units per month. The association shall pay to any such child under 18 years of age a pension of five units per month until the child attains the age of 18 years, provided, however, that if such child is married at the time of the death of the member or marries or becomes legally adopted after the death of the member, such the child shall not be entitled to such benefits. If the widow surviving spouse and children reside together, the pension payable to the children shall be paid to the widow surviving spouse and shall be used for the support of such the children. If a widow surviving spouse remarries, her the pension immediately ceases and the association shall not make any further pension payments to her. For the purposes of this section, all provisions governing a child under 18 shall be extended to include a full time student under the age of 23.

Sec. 15. Laws 1955, Chapter 151, Section 16, is amended to read:

Sec. 16. [SURVIVING SPOUSE AND CHILD OF MEMBER CONVICTED OF FELONY.] If a member convicted of a felony is receiving a pension at the time of his conviction and his wife or her surviving spouse and any of his children under 18 years of age had no part in the commission of such the felony, in the event of the death of such the member, such widow the surviving spouse and children may receive such any pensions as they would otherwise be entitled to receive from the association.

Sec. 16. [PENSION COVERAGE FOR MOORHEAD POLICE CHIEF.] Notwithstanding Minnesota Statutes, Section 353.64, Subdivision 1, or any other general or special law to the contrary, the person employed by the city of Moorhead on the effective date of this act as chief of police shall be a member of the public employees police and fire fund established by Minnesota Statutes, Sections 353.63 to 353.68 and not of the local police relief association. Any employee contributions made to the local police relief association shall be transferred to the public employees police and

fire fund. In addition an amount which together with the amount transferred is equal to the total employer and employee contributions pursuant to Minnesota Statutes, Section 353.65, which would have been required by the public employees police and fire fund during the period between initial employment as chief of police and the effective date of this act, shall be paid by the city into the public employees police and fire fund, which shall credit the chief of police with service as a member for this period only upon receipt of the required amounts.

Sec. 17. [RETIREMENT COVERAGE FOR CERTAIN ST. LOUIS PARK POLICE OFFICERS.] *Notwithstanding any provision of Minnesota Statutes, Section 353.64, Subdivision 1, or any other general or special law to the contrary, a person who was employed by the city of St. Louis Park as a police officer during the period from September of 1967 through July of 1977 shall upon (1) reemployment as a St. Louis Park police officer and (2) repayment of employee contributions previously refunded to him plus interest on the refund amount at the rate of six percent per annum compounded annually from the date the refund was taken until the date the refund was repaid and (3) the completion of additional service sufficient to total ten years or more, be entitled to transfer all allowable service credit in the St. Louis Park police relief association to the public employees police and fire fund. Upon fulfillment of the above conditions and application by the individual, but not later than December 31, 1986, the St. Louis Park police relief association shall pay to the public employees police and fire fund an amount equal to the combined employer and employee contributions made by or on behalf of the individual plus compound interest thereon at the rate of six percent per annum from the date originally received. In calculating the amount of employer contributions made on behalf of the individual, the amounts which represent the annual pro rata share of all amounts received by the St. Louis Park police relief association, excluding interest on the accumulated assets of the relief association and member contributions, determined on basis of the number of active members each year, shall be utilized. If the amount thus paid is greater than the total of contributions which would have been required had the individual been a member of the public employees police and fire fund during the periods when the service was rendered, the amount of the excess shall be refunded to the St. Louis Park police relief association. If the amount paid is less than the required amount, the individual shall pay this amount, unless the governing body of the city of St. Louis Park elects to make the payment. No service credit in the public employees police and fire fund shall be granted until all conditions of this section have been fulfilled and all required payments have been made.*

Sec. 18. [INVESTMENT OF FUNDS.] *The funds of either the Rochester fire department relief association or the Rochester police relief association shall be invested in securities which are proper investments for funds of the Minnesota state retirement system, 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 applicable to the Minnesota state retirement system would necessitate a lesser investment. The governing board of the applicable association may select and appoint investment agencies to act for and in its behalf or may certify funds for investment by the state board of investment under the provisions of Minnesota Statutes, Section 11.21, provided that there be no limit to the amount which may be invested in the income share account described in section 11.18, subdivision 2, or in the fixed-return account described in section 11.18, subdivision 3a, and that up to 20 percent of that portion of the assets of the association invested in the Minnesota supplemental retirement fund may be invested in the growth share account described in section 11.18, subdivision 3.

Sec. 19. [PURCHASE OF PRIOR SERVICE BY CERTAIN EMPLOYEES OF THE METROPOLITAN TRANSIT COMMISSION—TRANSIT OPERATING DIVISION.] *Subdivision 1. [ELIGIBILITY.] A person who was employed continuously by the Twin City Lines bus company and by the metropolitan transit commission, its successor in interest from March 3, 1948 until October 1, 1970, who was employed from October 1, 1970 until June 26, 1978 by the management firm retained by the metropolitan transit commission to manage the transit operating division, and who was reemployed since June 26, 1978 by the metropolitan transit commission, may elect to purchase prior service credit in the Minnesota state retirement system for prior service as an employee of the management firm; not to exceed three years and 11 months of service credit.*

Subd. 2. [PAYMENT FOR PURCHASE OF PRIOR SERVICE.] To purchase the prior service credit, the person described in subdivision 1 shall make a payment equal to four percent of the salary of the person for the period of prior service to be purchased, plus interest at the rate of six percent per annum compounded annually from the date the contributions otherwise would have been made to the date payment is actually made. If the person described in subdivision 1 elects to make the purchase of prior service, the payment of the required amounts shall be made in a lump sum prior to July 1, 1981. The period of allowable service shall be credited to the person only after receipt of the necessary payment by the executive director of the Minnesota state retirement system. The person described in subdivision 1 shall supply certified documentation of prior service and the compensation received for that service. The prior service to be purchased shall be the most recent period of prior service.

Subd. 3. [ENTITLEMENT TO ANNUITY.] A person who purchases a period of prior service pursuant to subdivision 2 shall be entitled: (1) to have the period of prior service purchased considered as "allowable service" within the meaning of Minnesota Statutes, Section 352.01, Subdivision 11 and considered as continuous state service within the meaning of section 352.113, subdivision 1; (2) to have the salary for the period of prior service purchased considered as "salary" within the meaning of section 352.01, subdivision 13; and (3) to have the remaining period of prior

service as an employee of the management firm in excess of three years and 11 months considered as service in a public employee retirement system in the state of Minnesota having a like provision within the meaning of section 352.72, subdivision 1.

Sec. 20. [RETROACTIVE DISABILITY BENEFITS FOR CERTAIN MEMBERS OF THE TEACHERS RETIREMENT ASSOCIATION.] *Notwithstanding any contrary provision of Minnesota Statutes, Section 354.48, Subdivision 2, an employee of the Brainerd Community College who was totally and permanently disabled as defined in Minnesota Statutes, Section 354.05, Subdivision 14, for the period of December 18, 1976, through January 8, 1978, shall be entitled to retroactive disability benefits for the period of the disability, not to exceed one year. The retroactive disability benefits paid shall not exceed the amount of \$2,840.80.*

Sec. 21. [VALIDATION OF PRIOR PAYMENTS.] *Any payments or agreements for payments of severance pay made or authorized by a county, city, township, school district or other governmental subdivision prior to the effective date of this section which are within the limitations contained in sections 7 and 8 are hereby validated.*

Sec. 22. [REPEALER.] *Laws 1959, Chapter 131, Section 25, as amended by Laws 1969, Chapter 694, Section 7; and Laws 1969, Chapter 641, Section 5, are repealed.*

Sec. 23. [EFFECTIVE DATE.] *Sections 1, 2, 3, 4 and 5 are effective June 1, 1980. Section 6 is effective the day following final enactment and shall apply to a member or former member making application for benefits thereafter. Sections 7, 8, 9, 10, 19, 20 and 21 are effective the day following final enactment. Sections 11, 12, 13, 14, 15, 16, 17, and 18 are effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3. Section 22 is effective upon approval by the governing body of the city of Rochester and upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3."*

Delete the title and insert:

"A bill for an act relating to retirement; changing the provisions governing and the coverage of various state and local public employee retirement plans; authorizing the payment of severance pay to retiring employees; amending Minnesota Statutes 1978, Sections 352.90; 352.91, Subdivisions 1 and 2, and by adding a subdivision; 352B.08, Subdivision 2; 356.24; 473.417, as amended; and Minnesota Statutes, 1979 Supplement, Sections 43.051, Subdivision 3; and 465.72; and Laws 1953, Chapter 91, Section 1, Subdivision 7, as amended; Laws 1955, Chapter 151, Sections 1, Subdivision 5, as amended; 3, Subdivision 2; 13, as amended; and 16; and repealing Laws 1959, Chapter 131, Section 25, as amended; and Laws 1969, Chapter 641, Section 5."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Dean E. Johnson, Al Patton, Donald M. Moe.

Senate Conferees: (Signed) A.O.H. Setzepfandt, Collin C. Peterson, Harmon T. Ogdahl.

Mr. Setzepfandt moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1453 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. 1453 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:

Anderson	Gerty	Luther	Pillsbury	Strand
Ashbach	Gunderson	Menning	Purfeerst	Stumpf
Bang	Hanson	Merriam	Renneke	Tennessee
Barrette	Humphrey	Nelson	Rued	Ueland, A.
Benedict	Johnson	Nichols	Schaaf	Ulland, J.
Bernhagen	Keefe, S.	Ogdahl	Schmitz	Vega
Brataas	Kleinbaum	Olhoft	Setzepfandt	Wegener
Davies	Knaak	Olson	Sikorski	Willet
Dieterich	Knoll	Omann	Solon	
Dunn	Knutson	Penny	Spear	
Engler	Laufenburger	Perpich	Staples	
Frederick	Lessard	Peterson	Stokowski	

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 Files, herewith returned:

S. F. Nos. 1398 and 2099.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 11, 1980

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. 134: A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of illegitimate children; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1978, Sections 62A.041; 62C.14, Subdivision 5a; 64A.22, Sub-

division 1; 144.215, Subdivision 3; 257.025; 257.175; 257.28; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 259.29, Subdivision 1; and 260.231, Subdivision 3; repealing Minnesota Statutes 1978, Sections 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.29; 257.30; 257.31; and 517.19.

Senate File No. 134 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 10, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 134 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 134: A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of children; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1978, Sections 62A.041; 62C.14, Subdivision 5a; 64A.22, Subdivision 1; 144.215, Subdivision 3; 257.025; 257.175; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 260.231, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 259.29, Subdivision 1; repealing Minnesota Statutes 1978, Sections 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.28; 257.29; 257.30; 257.31; 257.32; and 517.19.

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:

Anderson	Gearty	Lessard	Peterson	Stokowski
Ashbach	Gunderson	Luther	Pillsbury	Strand
Bang	Hanson	Menning	Purfeerst	Stumpf
Barrette	Hughes	Merriam	Tenneke	Tennesen
Benedict	Humphrey	Nelson	Rued	Ueland, A.
Bernhagen	Johnson	Nichols	Schaaf	Ulland, J.
Brataas	Keefe, J.	Ogdahl	Schmitz	Vega
Davies	Keefe, S.	Olhoft	Setzepfandt	Wegener
Dieterich	Knaak	Olson	Sikorski	Willet
Dunn	Knoll	Omman	Solon	
Engler	Knutson	Penny	Spear	
Frederick	Laufenburger	Perpich	Staples	

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. 2104: A bill for an act relating to state lands; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1978, Section 92.06, Subdivision 1.

Senate File No. 2104 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned April 11, 1980

Mr. Tennessen moved that S. F. No. 2104 be laid on the table. The motion prevailed.

RECESS

Mr. Hanson moved that the Senate do now recess until 11:30 o'clock a.m. The motion prevailed.

The hour of 11:30 o'clock a.m. having arrived, the President called the Senate to order.

RECESS

Mr. Pillsbury moved that the Senate do now recess until 2:00 o'clock p.m. The motion prevailed.

The hour of 2:00 o'clock p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Menning moved that the Senate do now recess until 3:30 o'clock p.m. The motion prevailed.

The hour of 3:30 o'clock p.m. having arrived, the President called the Senate to order.

RECESS

Mr. Keefe, S. moved that the Senate do now recess until 5:30 o'clock p.m. The motion prevailed.

The hour of 5:30 o'clock p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate for the balance of today's Session. The following Senators answered to their names:

Anderson	Gunderson	Merriam	Purfeerst	Stokowski
Bang	Hanson	Moe	Rued	Strand
Barrette	Hughes	Nelson	Schmitz	Stumpf
Bernhagen	Humphrey	Nichols	Setzepfandt	Tennessen
Brataas	Johnson	Ogdahl	Sieloff	Ueland, A.
Coleman	Keefe, S.	Olhoft	Sikorski	Vega
Dunn	Kleinbaum	Olson	Solon	Wegener
Engler	Knoll	Omann	Spear	Willet
Frederick	Luther	Penny	Staples	
Gearty	McCutcheon	Peterson	Stern	

The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 2085 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 2085

A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.111; 43.18, Subdivision 4; 43.19, Subdivision 1; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivisions 7 and 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.

April 11, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2085, 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. 2085 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes, 1979 Supplement, Section 3.855, is amended to read:

3.855 [LEGISLATIVE COMMISSION ON EMPLOYEE RELATIONS.] Subdivision 1. [ESTABLISHMENT.] There is created the legislative commission on employee relations. The

commission shall consist of six members of the senate and six members of the house of representatives. The senate members shall include the majority leader of the majority caucus of the senate, the minority leader of the minority caucus of the senate, the chairman of the governmental operations committee, the chairman of the finance committee, the chairman of the tax committee on taxes and tax laws, and an additional member designated by the minority leader, or their designees of the minority caucus. The house members shall include the speaker, the minority leader of the minority caucus of the house, the chairman of the governmental operations committee, the chairman of the appropriations committee, the chairman of the tax taxes committee, and an additional member designated by the minority leader, or their designees of the minority caucus. In the event that the membership of the house is evenly divided, the house members shall be selected pursuant to the rules of the house. Any member of the commission may resign by providing notice to the chairman. In the event of a resignation by a member of the: (1) senate, a replacement shall be selected from among the members of the senate by the committee on rules; (2) house, a replacement shall be selected from among the members of the house pursuant to house rules. The commission shall elect its own officers who shall serve for terms of two years. The chairmanship of the commission shall alternate between a member of the senate and a member of the house.

Subd. 2. [STATE EMPLOYEE NEGOTIATIONS.] Prior to the commencement of collective bargaining activities with state employees, the commission shall conduct hearings at which public employees, representatives of public employees and the commissioner of personnel shall be allowed to testify as to their beginning negotiating positions. The commissioner of personnel employee relations shall regularly advise the commission on the progress of collective bargaining activities with state employees pursuant to the state public employment labor relations act. During the course of the negotiations, the commission may make recommendations to the commissioner as it deems appropriate but no recommendation shall impose any obligation or grant any right or privilege to the parties. The commissioner shall submit to the chairman of the commission any negotiated agreements or arbitration awards which the commissioner has approved within five days of the making thereof. Approved negotiated agreements shall be submitted within five days of the date of approval by the commissioner or the date of approval by the affected state employees whichever occurs later. Arbitration awards shall be submitted within five days of their receipt by the commissioner. If the commission disapproves of any agreement or award, the commission shall specify in writing to the parties those portions with which it disagrees and the reasons therefor. Upon receipt of the notice of disapproval from the commission, the commissioner of personnel will reopen the negotiations. If the commission approves of an agreement or award, it shall cause the matter to be submitted to the legislature to be accepted or rejected pursuant to section 179.74, subdivision 5. Failure of the commission to disapprove of

affected portions of an agreement or award within 30 days of its receipt shall be deemed approval. Approval or disapproval by the commission shall not be binding on the entire legislature.

After adjournment of the legislature in an odd numbered year, the commission may give interim approval to a negotiated agreement or arbitration award. It shall submit the negotiated agreement or arbitration award to the entire legislature for ratification as provided in section 179.74, subdivision 5.

Subd. 3. [OTHER DUTIES.] In addition to the duties specified in subdivision 2, the commission shall perform the following:

(a) *Review and approve, reject, or modify a plan for compensation, terms and conditions of employment prepared and submitted by the commissioner of employee relations pursuant to section 10 covering all state employees who are not represented by an exclusive bargaining representative and whose compensation is not provided for by section 43.064 or other law;*

(b) *Continually monitor the state's civil service system, as provided for in chapter 43, rules of the commissioner of employee relations and the collective bargaining process, as provided for in sections 179.61 to 179.76, as applied to state employees;*

~~(b)~~ (c) *Research and analyze the need for improvements in those statutory sections; and*

~~(e)~~ (d) *Adopt rules not inconsistent with this section relating to the scheduling and conduct of commission business and other organizational and procedural matters; and*

(e) *Perform such other related functions as are delegated to it by the legislature.*

Sec. 2. Minnesota Statutes 1978, Chapter 43, is amended by adding a section to read:

[43.0001] *The name of the department of personnel is changed to the department of employee relations. The title of the commissioner of personnel is changed to the commissioner of employee relations. Subject to applicable laws, the department of employee relations, with its commissioner and officers, shall continue to exercise all the powers and duties vested in or imposed upon the department and commissioner of personnel immediately prior to the effective date of this section.*

Sec. 3. Minnesota Statutes 1978, Section 43.001, is amended to read:

43.001 [DEPARTMENT OF EMPLOYEE RELATIONS; CREATION.] Subdivision 1. The department of ~~personnel~~ *employee relations* is hereby created under the control and supervision of a commissioner of ~~personnel~~ *employee relations*, which office is hereby established.

Subd. 2. The commissioner of ~~personnel~~ *employee relations* is appointed by the governor under the provisions of section 15.06. He shall have broad experience in a managerial position including

about five years as an executive personnel manager in one or more organizations essentially similar in complexity to state government. The commissioner shall be knowledgeable in executive personnel management and shall have background in labor relations.

Subd. 3. The commissioner may appoint one deputy commissioner and a confidential secretary, each of whom *who* shall serve at the pleasure of the commissioner in the unclassified service.

Subd. 4. Subject to the provisions of Laws 1973, Chapter 507 and to other applicable laws governing a state department or agency, the commissioner shall organize the department and employ such other officers, employees, and agents as he may deem necessary to discharge the functions of his *the* department, define the duties of such *these* officers, employees, and agents and to delegate to them any of his powers, duties, and responsibilities subject to his *the commissioner's* control and under such conditions as he *the commissioner* may prescribe. Personnel employed pursuant to this subdivision are in the classified service of the state civil service.

Subd. 5. The department of employee relations shall be organized into two divisions to be designated the division of personnel and the division of labor relations. Each division shall be under the immediate charge of a deputy commissioner.

Subd. 6. The deputy commissioners for the divisions of personnel and labor relations shall be appointed by and serve at the pleasure of the commissioner, and shall be in the unclassified service of the state. The deputy commissioner for the division of labor relations shall have extensive background in labor relations and shall have experience in dealing with contracts similar in complexity to those negotiated between the state and exclusive representatives of state employees.

Subd. 7. Each division of the department of employee relations shall be responsible for administering the duties and functions that are assigned to it by law and by the commissioner of employee relations. Insofar as the duties of the divisions are not mandated by law, the commissioner may establish and revise the assignments of either division.

Subd. 8. The division of labor relations shall perform the duties assigned to the commissioner of employee relations by sections 3.855, 43.05, subdivision 3 and chapter 179.

The deputy commissioner for the division of labor relations shall be the chief state labor negotiator for purposes of negotiating and administering agreements with exclusive representatives of state employees.

Subd. 9. The division of personnel shall perform the duties assigned to the commissioner by section 43.05, subdivision 2.

Sec. 4. Minnesota Statutes 1978, Section 43.01, Subdivision 8, is amended to read:

Subd. 8. [COMMISSIONER.] "Commissioner" means the commissioner of ~~personnel~~ employee relations.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 43.05, Subdivision 2, is amended to read:

Subd. 2. [SPECIFIED DUTIES.] The commissioner shall:

- (1) Attend all meetings of the board;
- (2) Promulgate personnel rules for the purpose of carrying out the provisions of this chapter; these rules shall provide, among other things, for current records of efficiency, and standards of performance, for all employees subject to the provisions of this chapter; the manner of completing appointments and promotions; rejection of eligible candidates; examinations; retention of examination records under the provisions of section 138.163; creation of eligible lists, with successful candidates ranked according to their ratings in the examinations; leaves of absence with and without pay; transfers, and reinstatements; layoffs, vacations, and hours of work; public notice of examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other conditions of employment. If a rule is made concerning sick leave for illness in the immediate family of an employee, the term "immediate family" shall be limited to the spouse, minor or dependent children, or parent where the parent has no other person to provide the necessary nursing care, living in the household of the employee;
- (3) Operate an information system from which data can be retrieved concerning employees in agencies under his jurisdiction showing their employment histories including the date of appointment, demotion, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, and separations from the service; and the commissioner shall have access to all public and private personnel data kept by an appointing authority, the examination of which will aid in the discharge of his duties;
- (4) Prepare, in accordance with the provisions of this chapter and the rules adopted hereunder, examinations, eligible lists, and ratings of candidates for appointment;
- (5) Make certifications for appointment within the classified service, in accordance with the provisions of this chapter;
- (6) Make investigations concerning all matters touching the enforcement and effect of the provisions of this chapter and the personnel rules prescribed hereunder;
- (7) Discharge such duties as are imposed upon him by this chapter;
- (8) Establish, publish and continually review logical career paths in the classified civil service;
- (9) Consider all requests for other than state appropriated funds from any state department or agency for personnel purposes all of which shall be submitted to him for comment before any such request is made of a federal, local, or private agency; and

(10) Prepare rules regulating the temporary designation of positions in the unclassified civil service;

(11) Review, establish or change titles for the positions in the unclassified civil service in the executive branch of state government except those established by law or by the constitution, to make titles descriptive of positions and consistent throughout the state service; and

(12) In conformance with the rule making provisions of chapter 15, promulgate a code of ethics establishing standards of conduct to be observed by state employees in the performance of their official duties.

Sec. 6. Minnesota Statutes 1978, Section 43.05, is amended by adding a subdivision to read:

Subd. 3. The commissioner, through the division of labor relations, shall:

(a) Represent the state at hearings conducted by the director of the bureau of mediation services and the public employment relations board relating to state employees;

(b) Represent the state in all collective bargaining between the state and exclusive representatives, and represent the state in mediation and arbitration of collective bargaining disputes;

(c) Report to the legislative commission on employee relations pursuant to section 3.855;

(d) Be responsible for state management interpretation of all collective bargaining agreements between the state and exclusive representatives and provide state management personnel with training in the interpretation and application of these collective bargaining agreements;

(e) Oversee the administration of all written grievances arising under collective bargaining agreements between the state and an exclusive representative. The commissioner shall establish procedures which appointing authorities shall follow to enable the commissioner to monitor the grievance procedure at all steps;

(f) Have final authority to decide if a grievance shall be submitted to arbitration or if it shall be settled without arbitration;

(g) Represent the state at all grievance arbitrations;

(h) Collect and analyze all information necessary to carry out the responsibilities of this subdivision.

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 43.067, Subdivision 1, is amended to read:

43.067 [SALARY LIMITS.] Subdivision 1. [AGENCY HEADS AND DEPUTIES.] The base salary of the head of any state department or other agency in the executive branch shall serve as the upper limit of compensation in the agency. The base salary of the chancellor of the state university system is the upper limit of

compensation of state university presidents. The base salary of the commissioner of labor and industry is the upper limit of compensation of employees in the bureau of mediation services. Within the agency, no person other than the agency head shall be paid more than the base salary that is or would be paid a deputy agency head pursuant to section 15A.081 whether or not there is a deputy agency head position for that agency.

Sec. 8. Minnesota Statutes 1978, Section 43.111, is amended to read:

43.111 [POLICY.] It is the public policy of the state of Minnesota that an efficient and well trained work force be maintained to carry out the work ordained by the legislature. It is further directed that modern methods of selection, training and salary administration be established and maintained. The standards of selection shall be of such a nature as to be based on merit and provide for the proper level of preparation and experience. Recognizing the cost of excessive employee turnover, it is directed that priority be given to the maintenance of a steady work force. To this end, training, by way of in-service programs and stipend allowances shall be encouraged. It is also established as the policy of the state of Minnesota that employees be paid a total compensation which is competitive with that paid for like positions in other private and public employment. Proper attention will also shall be given to equitable internal pay compensation relationships between related job classes and among the various levels within the same job family or department, with the understanding that the collective bargaining relationship between the state and its employees established through the provisions of chapter 179 must take precedence. Continuing analysis of pay rates and, supplementary pay practices shall be carried on, as well as and analyses of jobs to determine comparability of job content shall be carried on.

Sec. 9. Minnesota Statutes 1978, Chapter 43, is amended by adding a section to read:

[43.112] [COMPENSATION, TERMS, AND CONDITIONS OF EMPLOYMENT.] *Subdivision 1. [REPRESENTED EMPLOYEES.] To the extent they are lawfully covered by a collective bargaining agreement, the compensation, terms and conditions of employment for all state employees represented by an exclusive representative certified pursuant to chapter 179 shall be governed by the collective bargaining agreement executed by the parties and approved by the legislature.*

Subd. 2. [NON-REPRESENTED EMPLOYEES.] The compensation, terms and conditions of employment of all state employees not represented by an exclusive representative certified pursuant to chapter 179 shall be solely governed by statute, rule, or the plan developed by the commissioner and approved by the legislature pursuant to sections 3.855 and 179.74, subdivision 5, and section 10.

Subd. 3. [MERIT SYSTEM TO CONTROL.] The provisions of chapter 43 governing the recruitment, classification and selection

of state employees on the basis of their relative ability, knowledge and skills, including sections 43.111, 43.12, subdivision 1, 43.13 to 43.15, 43.17, 43.18, subdivisions 1 to 3, 43.19, subdivisions 2 and 3, 43.20, and 43.30, shall not be modified, waived or abridged by any contract executed by the state pursuant to chapter 179.

Sec. 10. Minnesota Statutes 1978, Chapter 43, is amended by adding a section to read:

[43.113] [PLAN FOR COMPENSATION, TERMS AND CONDITIONS OF EMPLOYMENT FOR NON-REPRESENTED EMPLOYEES.] *Subdivision 1. The commissioner of employee relations shall periodically submit to the legislative commission on employee relations a plan to govern the compensation, terms and conditions of employment for all state employees who are not represented by an exclusive representative certified pursuant to chapter 179 and whose compensation is not provided for by section 43.064 or other law. The commission shall review the plan and submit it to the legislature along with any recommendations it deems appropriate. The plan need not be adopted in accordance with the rulemaking provisions of chapter 15. The plan shall not take effect until approved by the legislature, provided that the legislative commission may give interim approval to a plan and subsequently submit it to the entire legislature for ratification in the same manner as provided for negotiated agreements and arbitration awards under section 179.74, subdivision 5.*

Subd. 2. In establishing and recommending compensation for any position within the plan, the commissioner of employee relations shall assure that:

(1) Compensation in the classified and unclassified service bear equitable relationships to one another;

(2) Compensation for state positions bears equitable relationships to compensation for similar positions outside state service;

(3) Compensation for management positions bears equitable relationships to compensation of represented employees managed; and

(4) Compensation for positions within the classified service bear equitable relationships among related job classes and among various levels within the same job family.

Compensations bear equitable relationships to one another within the meaning of this subdivision if compensation for positions which require comparable knowledge, abilities, duties, responsibilities and accountabilities are comparable and if compensation for positions which require differing knowledge, abilities, duties, responsibilities and accountabilities are proportional to the knowledge, abilities, duties and responsibilities required.

Sec. 11. Minnesota Statutes 1978, Section 43.18, Subdivision 4, is amended to read:

Subd. 4. [APPOINTMENT; PROBATION.] *The appointing authority shall appoint on probation, with sole reference to merit*

and fitness, one of the said candidates, whose name is certified in the manner above set forth, to fill such vacancy, except as provided in section 43.23. Seniority in length of service shall *may* also be one of the factors in an appointment in the manner as provided by personnel rule. The provisions of this section shall not apply when the employment situation is among those listed in section 43.20, for which competitive examinations are not required.

Sec. 12. Minnesota Statutes, 1979 Supplement, Section 43.19, Subdivision 1, is amended to read:

43.19 [VACANCIES; PROMOTIONS; DISMISSALS.] Subdivision 1. [VACANCIES FILLED BY PROMOTION.] (1) Vacancies in positions shall be filled, so far as practicable, by promotion from among persons holding positions in the executive branch of the state civil service, or the legislative branch of state civil service, and classified positions on the staff of the legislative auditor, Minnesota state retirement system and teachers retirement association and, subject to such *those* exceptions as the commissioner may provide, from the lower class and in accordance with section 43.18 and personnel rules. Except as provided in clause (2), promotions shall be based upon merit and fitness, to be ascertained by competitive examinations in which the employee's efficiency and job-related conduct shall constitute a factor. For positions defined by personnel rule as "non-managerial" seniority shall *may* also constitute a factor.

(2) The commissioner may authorize the appointing authority of any state agency to promote any employee in that agency to a higher class provided his position has been reallocated as the result of gradual changes in the job which have occurred over a period of time and he has performed satisfactorily in the position.

(3) *On or before January 1, 1981, the commissioner shall submit a report to the legislative commission on employee relations recommending methods of improving the state's efforts to insure equal employment opportunity pursuant to section 43.15. The report shall include recommendations with respect to both hiring and promotions along with an analysis of the effects of seniority requirements on promotional practices.*

Sec. 13. Minnesota Statutes 1978, Section 43.245, is amended to read:

43.245 [PERFORMANCE APPRAISAL SYSTEM.] The commissioner shall design and implement an employee performance appraisal system for the classified *and unclassified service services*. This system shall be based on uniform position description and results oriented performance standards formats. The commissioner, in consultation with the departments, shall develop criteria and content as necessary so long as the system is uniform for all departments. The commissioner shall establish and enforce rules with respect to the utilization of the results of this performance appraisal system in all decisions relating to the status of employees. The commissioner may further by rule prescribe the extent to which these reports shall be open to inspection by the

public and by the affected employee. Each employee in the classified and unclassified service in the executive branch shall be evaluated and counseled at least once a year on his work performance. Individual pay increases for all state employees not represented by an exclusive representative certified pursuant to chapter 179 shall be based on such the evaluation and other factors the commissioner includes, and the legislature approves, in the plan developed pursuant to section 10. Collective bargaining agreements entered into pursuant to chapter 179 may, and are encouraged to, provide for pay increases based on employee performance.

Sec. 14. Minnesota Statutes 1978, Section 43.321, is amended to read:

43.321 [GRIEVANCE PROCEDURE.] The commissioner shall promulgate by personnel rule procedures relating to grievances of any state officer or employee in the executive branch and provide the circumstances under which the grievance procedure is available, except that no state employee may avail himself of more than one grievance procedure on any one complaint or use the procedure set forth in the rule if he is a member of a bargaining unit that has a collective bargaining agreement entered into pursuant to chapter 179 which provides for methods and procedures to resolve that type of grievance.

Sec. 15. Minnesota Statutes 1978, Section 43.45, is amended to read:

43.45 [CONTRACTING AUTHORITY.] Subdivision 1. The commissioner is authorized to request bids from carriers or to negotiate with carriers and to enter into contracts with carriers which in the sole judgment of the commissioner are best qualified to underwrite and service the benefit plans. The commissioner shall consider such factors such as the cost and conversion options relating to the contracts as well as the service capabilities, character, financial position, and reputation with respect to such of the carriers and any other factors which the commissioner may deem deems appropriate. Each such benefit contract shall be for a uniform term of at least one year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. Effective October 1, 1980, the commissioner shall, to the extent feasible, make basic hospital and medical benefits available from at least three carriers at least one each of whom shall be licensed to do business pursuant to chapters 62A, 62C and 62D. The commissioner need not provide health maintenance services to an employee who resides in an area which is not served by a licensed carrier. The commissioner may elect not to offer all three types of carriers if there are no bids or no acceptable bids by that type of carrier or if the offering of additional carriers would result in excessive additional administrative costs. Any carrier licensed pursuant to chapter 62A shall be exempt from the tax imposed by section 60A.15 on premiums paid to it by the state.

Subd. 2. Each contract under sections 43.42 to 43.49 shall contain a detailed statement of benefits offered and shall include such any maximums, limitations, exclusions, and other definitions of

benefits as the commissioner may deem necessary or desirable. Each contract shall provide benefits at least equal to those required by section 62E.06, subdivision 2.

Subd. 3. The commissioner shall make available, through such any carriers as it the commissioner may authorize, as many optional coverages as it deems deemed feasible and advantageous to eligible state employees and their dependents which said the employees may pay for at their own expense to be paid for through payroll deductions.

Subd. 4. The commissioner shall appoint and serve as chairman of an insurance advisory council consisting of eleven members. Two members shall be selected from names submitted by exclusive representatives of state employees. One member shall be selected from names submitted by exclusive representatives of employees of the university of Minnesota. One member shall be selected from names submitted by organizations representing retired state employees. One member shall be selected from names submitted by the regents of the university of Minnesota. The commissioners of administration, insurance, health and finance, and the deputy commissioner for labor relations or their designees, shall serve as the other members. Except as provided in this section, the provisions of section 15.059 shall apply to the members of the council. The council shall advise the commissioner in the selection of carriers and the implementation of collective bargaining agreements. Evidence of discussions, recommendations or decisions by the council shall not be submitted to any court or arbitrator in any matter involving state or university of Minnesota employees.

Sec. 16. Minnesota Statutes 1978, Section 43.46, is amended to read:

43.46 [CONTRIBUTIONS BY STATE.] Subdivision 1. The total contribution by the state for each state employee under sections 43.42 to 43.49 and for dependents of state employees shall be otherwise prescribed by law and which, rule, a plan prepared pursuant to section 10, or a collective bargaining agreement. The contribution shall be applied to provide basic hospital benefits, basic medical benefits, basic dental benefits, an annual health evaluation and screening program and basic life insurance of such in amounts as may be determined from time to time by the commissioner or in a collective bargaining agreement.

Subd. 2. [EMPLOYEE COVERAGE.] The amount of premium paid by the state for represented employees for state employees' basic hospital benefits, basic medical benefits and basic dental benefits coverage shall be negotiated between the state and exclusive representatives of state employees. Except as provided in this subdivision, the amount paid for each state employee's coverage shall be uniform for all employees in the same bargaining unit. Employees who select a carrier whose premium is in excess of the state payment shall be required to pay the difference. Employees who select a carrier whose premium is less than the state payment shall be paid the difference as additional compensation.

Subd. 3. [DEPENDENT COVERAGE.] The amount of premium paid by the state for state employees' dependents' basic hospital benefits, basic medical benefits and basic dental benefits coverage shall be negotiated between the state and exclusive representatives of state employees. Except as provided in this subdivision, the amount paid for each state employee's dependent coverage shall be uniform for all employees in the same bargaining unit. Employees who select a carrier whose premium is in excess of the state payment shall be required to pay the difference. Employees who select a carrier whose premium is less than the state payment shall be paid the difference as additional compensation.

Subd. 4. [UNREPRESENTED EMPLOYEES.] The commissioner shall establish the level of state payment of premiums paid by the state for all state employees who do not have an exclusive representative and for their dependents. The levels of payment shall be included in the plan prepared pursuant to section 10. Payments shall be made in the manner provided for in subdivisions 2 and 3.

Sec. 17. Minnesota Statutes, 1979 Supplement, Section 43.50, Subdivision 1, is amended to read:

43.50 [PAYMENT OF PREMIUMS.] Subdivision 1. Each department of the state government shall pay the amounts due for basic life insurance, basic dental insurance, and basic health hospital benefits and basic medical benefits coverage authorized for eligible state employees as provided by pursuant to this chapter. Effective July 1, 1979, each department of the state government shall contribute up to \$64 per year toward the cost of the approved annual health evaluation and screening program for each eligible employee who elects to participate and who elects health insurance coverage under Blue Cross and Blue Shield of Minnesota. Eligible employees who elect coverage under a health maintenance organization shall only be eligible to receive this benefit if the health maintenance organization in which the employee is enrolled does not make available without additional cost, on an annual basis, the tests performed for state employees by the approved program.

Additionally, and notwithstanding any law to the contrary, effective the first day of the first payroll period commencing on or after July 1, 1979, each department of the state government shall contribute up to \$60 per month or 90 percent of the cost, whichever is greater, toward the cost of dependent hospital medical insurance coverage premiums for their eligible employees who have eligible dependents. Each department shall also contribute one-half the difference between single and family dental coverage per month for all eligible employees carrying dependent dental insurance coverage. To enable employees to receive benefit from this provision, open enrollment periods from August 15 through September 30, 1979 and from August 15 through September 30, 1980, are established. During open enrollment periods employees may enroll their dependents in dental coverage and hospital medical coverage without proof of insurability. Effective January 1,

1981, The ~~changed~~ benefits provided in this section shall apply to eligible members of the legislature and their eligible dependents *when they become eligible for the benefits*. Each of the departments shall pay ~~such~~ *the* amounts from accounts and funds from which the department receives its revenues, including appropriations from the general fund and from any other fund, now or hereafter existing for the payment of salaries and in the same proportion as it pays therefrom the amounts of salaries. In order to enable the commissioner of finance to maintain proper records covering the appropriations pursuant to this section, he may require certifications in connection therewith as he may deem necessary from any state agency, the Minnesota historical society, or the University of Minnesota whose employees receive benefits pursuant to this chapter. The accounts and funds referred to from which departments receive appropriations under the terms of this section are hereby declared to be a source of revenue for the purposes of any other law or statutory enactment.

Sec. 18. Minnesota Statutes, 1979 Supplement, Section 62D.22, Subdivision 7, is amended to read:

Subd. 7. A licensed health maintenance organization shall be deemed to be a prepaid group practice plan for the purposes of chapter 43 and shall be allowed to participate as a carrier for state employees subject to any ~~negotiated labor agreement collective bargaining agreement entered into pursuant to chapter 179 and~~ reasonable restrictions applied to all carriers. *The commissioner of employee relations may refuse to allow a health maintenance organization to continue as a carrier if it was selected by less than 200 employees in the preceding benefit year.*

Sec. 19. Minnesota Statutes 1978, Section 179.63, Subdivision 7, is amended to read:

Subd. 7. "Public employee" or "employee" means any person appointed or employed by a public employer except:

- (a) elected public officials;
- (b) election officers;
- (c) commissioned or enlisted personnel of the Minnesota national guard;
- (d) emergency employees who are employed for emergency work caused by natural disaster;
- (e) part time employees whose service does not exceed the lesser of 14 hours per week or 35 percent of the normal work week in the employee's bargaining unit;
- (f) employees who hold positions of a basically temporary or seasonal character for a period not in excess of 100 working days in any calendar year;

The exclusions of clauses (e) and (f) of this subdivision shall not apply to:

- (1) *an employee hired by a school district to replace an absent teacher who at the time of his absence is a "public employee" not*

within the other exclusions of this subdivision where the replacement employee is employed more than 30 working days as a replacement for that teacher; and

(2) an employee hired by a school district for a teaching position created by increased enrollment, curriculum expansion, courses which are a part of the curriculum whether offered annually or not, or other appropriate reasons.

Employees included as "public employees" pursuant to clauses (1) and (2) shall not be included under master contracts expiring June 30, 1981, for purposes of salary or fringe benefits;

(g) employees of charitable hospitals as defined by section 179.35, subdivision 3;

(h) full time undergraduate students employed by the school which they attend under a work study program or in connection with the receipt of any financial aid, irrespective of number of hours of service per week.

Sec. 20. Minnesota Statutes 1978, Section 179.63, Subdivision 8, is amended to read:

Subd. 8. "Confidential employee" means any employee who works in the personnel offices of a public employer or who has access to information subject to use by the public employer in meeting and negotiating or who actively participates in the meeting and negotiating on behalf of the public employer. *Provided that when the reference is to executive branch employees of the state of Minnesota or employees of the regents of the University of Minnesota, "confidential employee" means any employee who has access to information subject to use by the public employer in collective bargaining or who actively participates in collective bargaining on behalf of the public employer.*

Sec. 21. Minnesota Statutes, 1979 Supplement, Section 179.63, Subdivision 11, is amended to read:

Subd. 11. "Essential employee" means ~~firefighters, police peace officers subject to licensure pursuant to sections 626.84 to 626.855, highway patrolmen, guards at correctional institutions facilities, and employees of hospitals other than state hospitals and registered nurses, as defined in section 148.171, engaged in the practice of professional nursing and employed in a state hospital or state nursing home; provided that (1) with respect to state employees, "essential employee" means all employees in the law enforcement, health care professional, correctional guards, and supervisory collective bargaining units, irrespective of severance, and no other employees, and (2) with respect to university of Minnesota employees, "essential employee" means all employees in the law enforcement, nursing professional and supervisory units, irrespective of severance, and no other employees. The term "firefighters" means salaried employees of a fire department whose duties include, directly or indirectly, controlling, extinguishing, preventing, detecting, or investigating fires.~~

Sec. 22. Minnesota Statutes 1978, Section 179.64, Subdivision 1, is amended to read:

179.64 [STRIKES AUTHORIZED: NON-TEACHERS.] Subdivision 1. No person holding a position by appointment or employment in the government of the state of Minnesota, or in the government of any one or more of the political subdivisions thereof, or in the service of the public schools, or of the state university, or in the service of any authority, commission or board or any other branch of the public service, whether included or excepted from this act may engage in a strike, nor shall any such person or organization of such persons or its officials or agents cause, condone, instigate, encourage, or cooperate, in a strike except as may be provided in subdivision 7. Except as otherwise provided by subdivision 1a and section 32, public employees, other than confidential, essential, managerial and supervisory employees and other than principals and assistant principals, may strike only under the following circumstances:

(1) (a) *The collective bargaining agreement between their exclusive representative and their employer has expired or, if there is no agreement, impasse under section 32 has occurred; and*

(b) *The exclusive representative and the employer have participated in mediation over a period of at least 45 days, provided that the mediation period established by section 32 shall govern negotiations pursuant to that section. For the purposes of this sub-clause the mediation period commences on the day following receipt by the director of a request for mediation; and*

(c) *Written notification of intent to strike was served on the employer and the director by the exclusive representative on or after the expiration date of the collective bargaining agreement or, if there is no agreement, on or after the date impasse under section 32 has occurred and at least ten days prior to the commencement of the strike, provided that if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification; or*

(2) *The requirements of clause (1) have been satisfied and a request for binding arbitration has been rejected pursuant to section 179.69; or*

(3) *The employer violates section 179.68, subdivision 2, clause (9); or*

(4) *In the case of state employees,*

(a) *The legislative commission on employee relations has not given approval during a legislative interim to a negotiated agreement or arbitration award pursuant to section 179.74, subdivision 5, within 30 days after its receipt; or*

(b) *The entire legislature rejects or fails to ratify a negotiated agreement or arbitration award, which has been approved during a legislative interim by the legislative commission on employee relations, at a special legislative session called to consider it, or at its next regular legislative session, whichever occurs first.*

Written notification of intent to strike, under clauses (3) or (4), shall be served on the employer and the director by the exclusive

representative at least ten days prior to the commencement of the strike, provided that if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification.

Subd. 1a. [STRIKES AUTHORIZED: TEACHERS.] Except as otherwise provided by section 31, teachers employed by a local school district, other than principals and assistant principals, may strike only under the following circumstances:

(1)(a) The collective bargaining agreement between their exclusive representative and their employer has expired, or if there is no agreement, impasse under section 31 has occurred; and

(b) The exclusive representative and the employer have participated in mediation over a period of at least 60 days, 30 days of which have occurred after the expiration date of the collective bargaining agreement, provided that the mediation period established by section 31 shall govern negotiations pursuant to that section. For the purposes of this sub-clause the mediation period commences on the day following receipt by the director of a request for mediation; and

(c) Written notification of intent to strike was served on the employer and the director by the exclusive representative on or after the expiration date of the collective bargaining agreement or, if there is no agreement, on or after the date impasse under section 31 has occurred and at least ten days prior to the commencement of the strike, provided that if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification; and

(d) A request for binding arbitration has been rejected pursuant to section 179.69; or

(2) 45 days after impasse pursuant to section 30 neither party has requested arbitration; or

(3) The employer violates section 179.68, subdivision 2, clause (9).

Written notification of intent to strike under clauses (2) and (3) shall be served on the employer and the director by the exclusive representative at least ten days prior to the commencement of the strike, provided that if more than 30 days have expired after service of a notification of intent to strike, no strike may commence until ten days after service of a new written notification, and further provided that notice of intent to strike under clause (2) shall be given no earlier than the last day of the period provided in clause (2).

Subd. 1b. Except as authorized in this section, all strikes by public employees shall be illegal. Except as provided in this section, no unfair labor practice or violation of sections 179.61 to 179.76 by a public employer shall give public employees a right to strike. Those factors may be considered, however, by the court in mitigation of or retraction of any penalties provided by this section.

During the period after contract expiration and prior to the date when the right to strike matures, and for additional time if agreed, the terms of an existing contract shall continue in effect and shall be enforceable upon both parties.

Sec. 23. Minnesota Statutes 1978, Section 179.64, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding any other provision of law, any public employee who violates *strikes in violation of* the provisions of this section may have his appointment or employment terminated by the employer effective the date the violation first occurs. ~~Such~~ *The* termination shall be effective upon made by serving written notice served upon the employee. Service may be made by certified mail.

Sec. 24. Minnesota Statutes 1978, Section 179.64, Subdivision 3, is amended to read:

Subd. 3. For purposes of this subdivision an employee who is absent from any portion of his work assignment without permission, or who abstains wholly or in part from the full performance of his duties without permission from his employer on the date or dates when a strike *not authorized by this section* occurs is prima facie presumed to have engaged in a *an illegal strike on such the* date or dates *involved*.

Sec. 25. Minnesota Statutes 1978, Section 179.64, Subdivision 4, is amended to read:

Subd. 4. A public employee who knowingly violates *participates in a strike in violation of* the provisions of this section and whose employment has been terminated pursuant to this section, may, ~~subsequent to such violation, subsequently~~ be appointed or reappointed, employed or reemployed, but the employee shall be on probation for two years with respect to ~~such the~~ *the* civil service status, tenure of employment, or contract of employment, ~~as to which he may have therefore been was previously~~ entitled.

No employee shall be entitled to any daily pay, wages, *reimbursement of expenses*, or per diem for the days on which he engaged in a strike.

Sec. 26. Minnesota Statutes 1978, Section 179.64, Subdivision 5, is amended to read:

Subd. 5. Any public employee, upon request, shall be entitled, ~~as hereinafter provided, to request the opportunity~~ to establish that he did not violate the provisions of this section. ~~Such~~ *The* request ~~must shall~~ be filed in writing with the officer or body having the power to remove ~~such the~~ *the* employee, within ten days after notice of termination is served upon him; whereupon ~~such~~ *The* employing officer, or body, shall within ten days commence a proceeding at which ~~such person the~~ *the* employee shall be entitled to be heard for the purpose of determining whether the provisions of this section have been violated by ~~such the~~ *the* public employee, and. If there ~~be are~~ *are* contractual grievance procedures, laws and regula-

tions or rules establishing proceedings to remove such the public employee, the hearing shall be conducted in accordance therewith with whichever procedure the employee elects provided that the election shall be binding and shall terminate any right to the alternative procedures. The same proceedings proceeding may upon application to the court by an employer, an employee, or employee organization and the issuance of an appropriate order by the court include more than one employee's employment status if the employees' defenses are identical, analogous or reasonably similar. Such The proceedings shall be undertaken without unnecessary delay. Any person whose termination is sustained in the administrative or grievance proceeding may secure a review of his removal by serving a notice so requesting of appeal upon the employer removing him within 20 days after the results of the hearing referred to herein have been announced. This notice, with proof of service thereof, shall be filed within ten days after service, with the clerk of the district court in the county where the employer has its principal office or in the county where the employee last was employed by the employer. The district court shall thereupon have jurisdiction to review the matter in the same manner as on appeal from administrative orders and decisions. This hearing shall take precedence over all matters before the court and may be held upon ten days written notice by either party. The court shall make such order in the premises as is it deems proper ; and . An employer may obtain review of a decision to reinstate an employee in the same manner as provided for appeals by employees in this subdivision. An appeal may be taken therefrom from the district court order to the supreme court.

Sec. 27. Minnesota Statutes, 1979 Supplement, Section 179.65, Subdivision 6, is amended to read:

Subd. 6. Except for confidential employees excluded from bargaining pursuant to section 179.74, subdivision 4, and section 40, supervisory and confidential employees, principals and assistant principals may form their own organizations. An employer shall extend exclusive recognition to a representative of or an organization of supervisory or confidential employees, or principals and assistant principals, for the purpose of negotiating terms or conditions of employment, in accordance with all other provisions of sections 179.61 to 179.76, as though they were essential employees. Units of Supervisory or confidential employees employee organizations shall not participate in any capacity in any joint negotiations which involve the participation of units of employees other than supervisory or confidential employees. Affiliation of a supervisory or confidential employee with another employee organization which has as its members non-supervisory employees or non-confidential employees is permitted. A supervisory or confidential employee organization which is affiliated, either directly or indirectly, with another employee organization which is the exclusive representative of non-supervisory or non-confidential employees of the same public employer or with a federation or other joint body of employee organizations, any one of whose affiliates is the exclusive representative of non-supervisory or non-confidential employees of the same public employer, shall not be

certified as, or act as, an exclusive representative pursuant to sections 179.61 to 179.76 or section 41, except in the case of organizations of non-state, non-university of Minnesota essential supervisory employees as defined in section 179.63, subdivision 11.

Sec. 28. Minnesota Statutes 1978, Section 179.67, Subdivision 4, is amended to read:

Subd. 4. Any employee organization may obtain a certification election upon petition to the director wherein it is stated that at least 30 percent of the employees of a proposed employee unit wish to be represented by the petitioner or that the certified representative no longer represents the majority of employees in the unit. Any employee organization may obtain a representation election upon petition to the director wherein it is stated that the currently certified representative no longer represents the majority of employees in an established unit and that at least 30 percent of the employees in the established unit wish to be represented by the petitioner rather than by the currently certified representative. An individual employee or group of employees in a unit may obtain a decertification election upon petition to the director wherein it is stated that the certified representative no longer represents the majority of the employees in an established unit and that at least 30 percent of the employees wish to be unrepresented.

Sec. 29. Minnesota Statutes 1978, Section 179.69, Subdivision 1, is amended to read:

179.69 [PROCEDURES.] Subdivision 1. [MEDIATION PETITION.] When any employees or representative of employees shall desire to meet and negotiate an agreement establishing terms and conditions of employment, they shall give written notice to the employer and the director, and it shall thereupon be the duty of the employer to recognize the employee representative for purposes of reaching agreement on terms and conditions of employment of the employees or the employer shall within ten days of receipt of the written notice object or refuse to recognize the employees' representative or the employees as an appropriate unit. The employer or employees' representative may thereupon petition the director to take jurisdiction of the matter whereupon the director shall then be authorized and shall perform those duties as provided in section 179.71, subdivision 2 (a) and (b).

Upon the certified exclusive representative and the employer reaching agreement on terms and conditions of employment or receiving a valid arbitration award, they shall execute a written contract or memorandum of contract containing the terms of such the negotiated agreement or arbitration award. The contracts or memoranda shall in every instance be subject to the provisions of section 179.70.

A petition by an employer shall be signed by him or his duly authorized officer or agent; and a petition by an exclusive representative shall be signed by its authorized officer. In either case the petition shall be served by delivering it to the director in person or

by sending it by certified mail addressed to him at his office. The petition shall state briefly the nature of the disagreement of the parties. Upon receipt of a petition, the director, ~~or by September 1, whichever date is earlier~~ shall fix a time and place for a conference with the parties to ~~negotiate the matter upon the issues involved not agreed upon~~ in the matter, and he shall then take whatever steps he deems most expedient to bring about a settlement of the matter, including assisting in negotiating and drafting an agreement. It shall be the duty of all parties to respond to the summons of the director for joint or several conferences with him and to continue in such conference until excused by the director. *However, for other than essential employees, mediation conferences following the expiration date of a collective bargaining agreement, or in the case of teachers following mediation over a period of 60 days after the expiration date of a collective bargaining agreement, shall continue only for durations agreeable to both parties.*

Sec. 30. Minnesota Statutes 1978, Section 179.69, Subdivision 3, is amended to read:

Subd. 3. [BINDING ARBITRATION PETITIONS FOR NON-ESSENTIAL EMPLOYEES.] *For all public employees except those specified in subdivision 3a, the director shall certify a matter to the board for binding arbitration pursuant to section 179.72 if:*

(a) the director has determined that further mediation efforts under subdivision 1 would serve no purpose and has certified an impasse, or impasse has occurred by reason of the fact that the exclusive representative and the employer have participated in mediation for the period required in section 22 and the collective bargaining agreement has expired, and,

(b) within 15 days of a request by one party for binding arbitration the other party has accepted the request. A request for arbitration is deemed rejected if the other party has not responded within 15 days of the request.

Subd. 3a. [BINDING ARBITRATION PETITIONS FOR ESSENTIAL EMPLOYEES.] *For all public employees defined as essential pursuant to section 179.73, subdivision 11, or treated as though they were essential pursuant to section 179.65, subdivision 6, the director shall only certify a matter to the board for binding arbitration pursuant to section 179.72 when either or both parties, except for essential employees, petition for binding arbitration stating that an impasse has been reached and the director has determined that further mediation efforts under subdivision 1 would serve no purpose. Upon such petition and determination by the mediator, the parties shall each submit their respective final positions on matters not agreed upon. If the employer has petitioned for binding arbitration and the director has determined that an impasse has been reached said proceedings shall begin within 15 days thereof and be binding on both parties. The director shall determine the matters not agreed upon based upon his efforts to mediate the dispute. If the employee representative has petitioned for binding arbitration the employer shall have 15 days*

after the director of mediation has determined that an impasse has been reached to reject the request or agree to submit matters not agreed upon to binding arbitration. If the employer does not respond within 15 days it shall be regarded as a rejection and said rejection shall be a refusal by the employer within the meaning of section 179.64, subdivision 7. Under a petition by either party the parties may stipulate those agreed upon items to be excluded from arbitration.

Subd. 3b. [PROCEDURE.] When the director has certified a matter to the board for binding arbitration pursuant to subdivision 3 or 3a, within 15 days the parties shall each submit their respective final positions on matters not agreed upon. The director shall determine the matters not agreed upon based on the positions submitted by the parties and his efforts to mediate the dispute. Under a petition by either party the parties may stipulate those agreed upon items to be excluded from arbitration.

Sec. 31. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.691] [NEW EXCLUSIVE REPRESENTATIVE; TEACHERS.] *If a new or different exclusive representative of teachers employed by a local school district is certified by the director at any time other than the period between 120 days before the termination date of a contract and the termination date of the contract, or if on July 1 of any odd-numbered year a representation proceeding involving the employer and the employer's teachers is before the director, the provisions of clause (1) of section 22 shall apply. In those cases, however, the employer and the exclusive representative of the teachers shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 60 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative of the teachers fail to execute a contract by 60 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated in mediation sessions called pursuant to section 179.69 over a period of no less than 60 days.*

Sec. 32. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.692] [NEW EXCLUSIVE REPRESENTATIVE: NON-TEACHERS.] *If a new or different exclusive representative of employees other than teachers employed by a local school district is certified by the director, or if on the expiration date of an existing contract a representation proceeding is before the director, the provisions of clause (1) of section 22 shall apply. In those cases, however, the employer and the exclusive representative of the employees shall execute a written contract or memo-*

randum of contract as provided in section 179.70 no later than 45 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative fail to execute a contract by 45 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated for a period of no less than 45 days in mediation sessions called pursuant to section 179.69.

Sec. 33. Minnesota Statutes 1978, Section 179.71, Subdivision 3, is amended to read:

Subd. 3. The director shall determine appropriate units, *except where appropriate units are defined by section 40.* In determining the appropriate unit he shall take into consideration, along with other relevant factors, the principles and the coverage of uniform comprehensive position classification and compensation plans of the employees, involvement of professions and skilled crafts and other occupational classifications, relevant administrative and supervisory levels of authority, geographical location, and the recommendation of the parties, and shall place particular importance upon the history and extent of organization and the desires of the petitioning employee representatives.

In addition, with regard to the inclusion or exclusion of supervisory employees, the director must find that an employee may perform or effectively recommend a majority of those functions referred to in section 179.63, subdivisions 9 or 9a, before an employee may be excluded as supervisory. However, in every case the administrative head, and his assistant, of a municipality, municipal utility, police or fire department shall be considered a supervisory employee.

He shall not designate an appropriate unit which includes employees subject to section 179.63, subdivision 11, with employees not included in section 179.63, subdivision 11.

Sec. 34. Minnesota Statutes 1978, Section 179.71, Subdivision 5, is amended to read:

Subd. 5. In addition to all other duties imposed by 179.77;

(a) ~~retain provide~~ mediation jurisdiction ~~over services as requested by the parties for purposes of this subdivision until such time as the parties reach agreement; provided, however, he may continue to assist parties after the parties have submitted their final positions as provided or required under section 179.72, subdivision 6; or section 179.69, subdivision 6;~~

(b) issue notices, subpoenas and orders as may be required by law to carry out his duties under sections 179.61 to 179.77. Issuance of orders shall include those orders of the Minnesota public employment relations board;

(c) certify to the Minnesota public employment relations board those items of dispute between parties to be subject to the action of the Minnesota public employment relations board under section 179.69, subdivision 3;

(d) assist the parties in formulating petitions, notices, and other papers required to be filed with the director or the board;

(e) certify the final results of any election or other voting procedure conducted pursuant to sections 179.61 to 179.77;

~~(f) furnish clerical and administrative services to the Minnesota public employment relations board as may be required;~~

~~(g) (f) adopt reasonable and proper rules and regulations relative to and regulating the forms of petitions, notices, orders and the conduct of hearings and elections subject to final approval of the Minnesota public employment relations board. Such The rules and regulations shall be printed and made available to the public and a copy delivered with each notice of hearing; provided, that every such any rule or regulation shall be filed with the secretary of state, and any change therein or additions thereto shall not take effect until 20 days after such the filing;~~

~~(h) (g) receive, catalogue and file in a logical manner all orders and decisions of the Minnesota public employment relations board and all arbitration panels authorized by sections 179.61 to 179.77 as well as all grievance arbitration decisions and the director's own orders and decisions. All orders and decisions catalogued and filed shall be made readily available to the public;~~

~~(i) (h) promulgate a grievance procedure to effectuate the purposes of section 179.70, subdivision 1. Such The grievance procedures procedure shall not provide for the services of the bureau of mediation services. The exercise of authority granted by this clause shall be subject to the provisions of chapter 15, said. The grievance procedure to shall be available to any public employee employed in a unit not covered by a negotiated contractual grievance procedure as contained in section 179.70, subdivision 1;~~

~~(j) (i) conduct elections;~~

(j) assign state employee classifications and university of Minnesota employee classifications to the appropriate units provided in section 40, when the classifications have not been assigned pursuant to section 40, or have been significantly modified in occupational content subsequent to assignment pursuant to section 40, and assign supervisory employees to the appropriate units provided in section 40 when the positions have not been assigned pursuant to section 40 or have been significantly modified in occupational content. The assignment of the classes shall be made on the basis of the community of interest of the majority of employees in these classes with the employees within the statutory units, and all the employees in the class, excluding supervisory and confidential employees, shall be assigned to a single appropriate unit.

Sec. 35. Minnesota Statutes 1978, Section 179.72, Subdivision 6, is amended to read:

Subd. 6. When final positions are certified to the board as provided in section 179.69, subdivision 3, or submitted to the board as provided in section 179.69, subdivision 5, the board shall constitute an arbitration panel as follows:

The parties shall, under the direction of the chairman of the board, alternately strike names from a list of seven arbitrators until only three names remain, which three members shall be members of the panel; provided, however, that if either party requests the parties shall select a single arbitrator to hear the dispute. If the parties are unable to agree on who shall strike the first name, the question shall be decided by the flip of a coin. In submitting names of arbitrators to the parties the board shall endeavor whenever possible to include names of persons from the general geographical area in which the public employer is located. The panel shall assume and have jurisdiction over the items of dispute certified to the board for which the panel was constituted. The panel's orders shall be issued upon a majority vote of members considering a given dispute. The members of the panel shall be paid their actual and necessary traveling and other expenses incurred in the performance of their duties plus a per diem allowance of \$180 for each day or part thereof while engaged in the consideration of a dispute. All fees, expenses and costs of the panel shall be shared and assessed equally to the parties to the dispute. In those cases where a single arbitrator is hearing a dispute, the fees, expenses and costs of the arbitrator shall also be shared and assessed equally by the parties to the dispute.

Sec. 36. Minnesota Statutes 1978, Section 179.74, Subdivision 2, is amended to read:

Subd. 2. The employer of state employees shall be, for purposes of sections 179.61 to ~~179.77~~ 179.76, the commissioner of ~~personnel~~ *personnel employee relations* or his representative.

Sec. 37. Minnesota Statutes 1978, Section 179.74, Subdivision 3, is amended to read:

Subd. 3. In all negotiations between the state and exclusive representatives the state shall be represented by the commissioner of ~~personnel~~ *personnel employee relations* or his representative. The attorney general, and each appointing authority shall cooperate with the commissioner of ~~personnel~~ *personnel employee relations* in conducting negotiations and shall make available ~~such~~ *any* personnel and other resources as are necessary to enable the commissioner to conduct effective negotiations.

Sec. 38. Minnesota Statutes, 1979 Supplement, Section 179.74, Subdivision 4, is amended to read:

Subd. 4. The commissioner of ~~personnel~~ *personnel employee relations* shall meet and negotiate with the exclusive representative of ~~appropriate~~ *each of the units specified in section 40, subdivision 1*, in the manner prescribed by sections 179.61 to ~~179.77~~; provided, how-

ever, that the director of mediation services shall define appropriate units of state employees as all the employees under the same appointing authority except where professional, geographical or other considerations affecting employment relations clearly require appropriate units of some other composition 179.76. *The appropriate units provided for in section 40 shall be the only appropriate units for executive branch state employees.* The positions and classes of positions in the classified and unclassified services defined as managerial by the commissioner of personnel *employee relations* in accordance with the provisions of section 43.326 and so designated in the official state compensation schedules, all unclassified positions in the state university system and the community college system defined as managerial by their respective boards, *all positions of physician employees compensated pursuant to section 43.126, the positions of all unclassified employees appointed by the governor, lieutenant governor, secretary of state, attorney general, treasurer and auditor, all positions in the bureau of mediation services and the public employment relations board, all hearing examiners examiner positions in the office of hearing examiners, and the positions of all confidential employees who work in the personnel offices of an appointing authority in the executive branch and who have access to information subject to use by the appointing authority in meeting and negotiating or who actively participate in the meeting and negotiating on behalf of the state, shall be excluded from any appropriate unit. Regardless of unit determination, The governor may upon the unanimous written request of exclusive representatives of units and appointing authorities the commissioner direct that negotiations be conducted for one or more appointing authorities units in a common proceeding or that supplemental negotiations be conducted for portions of a unit or units defined on the basis of appointing authority or geography.*

Sec. 39. Minnesota Statutes, 1979 Supplement, Section 179.74, Subdivision 5, is amended to read:

Subd. 5. The commissioner of personnel *employee relations* is authorized to and may enter into agreements with exclusive representatives of the units specified in section 40, subdivision 1. The provisions of the negotiated agreements and arbitration awards shall be submitted to the legislature to be accepted or rejected in accordance with this section and section 3.855. A state employee whose exclusive representative, as defined by section 179.63, subdivision 6, has not reached a proposed agreement with the state which has been submitted by the commissioner to the legislative commission on employee relations on or before April 15 of an odd numbered year, shall not receive the wage and economic fringe benefit increases provided pursuant to an agreement executed and approved under this subdivision. Disapproval by the legislative commission on employee relations pursuant to section 3.855 or failure of the legislature to approve a negotiated agreement or arbitration award with respect to wages and economic fringe benefits by the time of adjournment of the regular legislative session in an odd numbered year shall be a defense to a violation of section 179.64. *In the event that a proposed agreement or arbitration*

award is rejected or is not approved by the legislature prior to its adjournment in an odd numbered year, the legislative commission on employee relations is authorized to give interim approval to a proposed agreement or arbitration award. The proposed agreement or arbitration award shall be implemented upon its approval by the commission and state employees covered by the proposed agreement or arbitration award shall not have the right to strike while the interim approval is in effect. The commission shall submit the agreement or arbitration award to the legislature for ratification at a special legislative session called to consider it or at its next regular legislative session. Wages and economic fringe benefit increases provided for in the agreement or arbitration award which were paid pursuant to the interim approval by the commission shall not be affected but such wages and benefit increases shall cease to be paid or provided effective upon the rejection of the agreement or arbitration award or upon adjournment by the legislature without acting upon the agreement or arbitration award.

Sec. 40. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.741] [STATE AND UNIVERSITY OF MINNESOTA EMPLOYEES; APPROPRIATE UNITS.] Subdivision 1. [STATE EMPLOYEES.] Subject to the provisions of section 41, subdivision 5, all appropriate units of state employees certified as of the effective date of this subdivision are abolished. The following shall be the appropriate units of executive branch state employees for the purposes of sections 179.61 to 179.76. All units shall exclude employees excluded by section 38 and supervisory employees shall only be assigned to units 12 and 16. Unclassified employees, unless otherwise excluded, are included within the units which include the classifications to which they are assigned for purposes of compensation. No additional units of executive branch state employees shall be recognized for the purpose of meeting and negotiating.

(1) Law enforcement unit. This unit shall consist of all sworn highway patrol personnel, all uniformed conservation officers, and all criminal apprehension agents.

(2) Craft, maintenance, and labor unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(3) Service unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(4) Health care non-professional unit. This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(5) Health care professional unit. This unit shall consist of all positions which are required to be filled by registered nurses.

(6) *Clerical and office unit.* This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(7) *Technical unit.* This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(8) *Correctional Guards unit.* This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(9) *State university instructional unit.* This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(10) *Community college instructional unit.* This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(11) *State university administrative unit.* This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(12) *Professional engineering supervisory unit.* This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(13) *Health treatment unit.* This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(14) *General professional unit.* This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(15) *Professional state residential instructional unit.* This unit shall consist of those classifications assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

(16) *Supervisory employees unit.* This unit shall consist of those positions assigned to this unit in the unit composition schedule adopted by the legislative commission on employee relations on March 24, 1980.

Subd. 2. [STATE EMPLOYEE SEVERANCE.] Each of the following groups of employees shall have the right, as specified in this subdivision, to separate from the general professional, health treatment or general supervisory units provided for in subdivision

1: attorneys, physicians, professional employees of the higher education coordinating board who are compensated pursuant to section 43.064, highway patrol-supervisors, and criminal apprehension investigative-supervisors. This right shall be exercised by petition during the period commencing on the effective date of this section and concluding thirty days after that date or, after January 1, 1981, during the sixty day period commencing 270 days prior to the termination of a contract covering the units. If one of these groups of employees exercises the right to separate from the units they shall have no right to meet and negotiate, but shall retain the right to meet and confer with the commissioner of employee relations and with the appropriate appointing authority on any matter of concern to them. The manner of exercise of their right to separate shall be as follows: An employee organization or group of employees claiming that a majority of any one of these groups of employees on a state-wide basis wish to separate from their units may petition the director for an election during the petitioning period. If the petition is supported by a showing of at least 30 percent support for the petitioner from the employees, the director shall hold an election to ascertain the wishes of the majority with respect to the issue of remaining within or severing from the units provided in subdivision 1. This election shall be conducted within 30 days of the close of the petition period. If a majority of votes cast endorse severance from the unit in favor of separate meet and confer status for any one of these groups of employees, the director shall certify that result. This election shall, where not inconsistent with other provisions of this section, be governed by section 179.67. If a group of employees elects to sever they may rejoin that unit by following the same procedures specified above for severance, but may only do so during the periods provided for severance.

Subd. 3. [UNIVERSITY OF MINNESOTA.] Subject to the provisions of section 41, subdivision 5 all appropriate units of university of Minnesota employees certified as of the effective date of this section are abolished. The following shall be the appropriate units of university of Minnesota employees for the purposes of sections 179.61 to 179.76. All units shall exclude managerial and confidential employees and supervisory employees shall only be assigned to unit 12. No additional units of university of Minnesota employees shall be recognized for the purpose of meeting and negotiating.

(1) Law enforcement unit. This unit shall consist of the positions of all employees with the power of arrest.

(2) Craft and trades unit. This unit shall consist of the positions of all employees whose work requires specialized manual skills and knowledge acquired through formal training or apprenticeship or equivalent on-the-job training or experience.

(3) Service, maintenance and labor unit. This unit shall consist of the positions of all employees whose work is typically that of maintenance, service or labor and which does not require extensive previous training or experience, except as provided in unit 4.

(4) *Health care non-professional and service unit.* This unit shall consist of the positions of all non-professional employees of the university of Minnesota hospitals, dental school and health service whose work is unique to those settings, excluding labor and maintenance employees as defined in unit 3.

(5) *Nursing professional unit.* This unit shall consist of all positions which are required to be filled by registered nurses.

(6) *Clerical and office unit.* This unit shall consist of the positions of all employees whose work is typically clerical or secretarial, including non-technical data recording and retrieval and general office work, except as provided in unit 4.

(7) *Technical unit.* This unit shall consist of the positions of all employees whose work is not typically manual and which requires specialized knowledge or skills acquired through two year academic programs or equivalent experience or on-the-job training, except as provided in unit 4.

(8) *Twin Cities instructional unit.* This unit shall consist of the positions of all instructional employees with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, located on the Twin Cities campuses.

(9) *Outstate instructional unit.* This unit shall consist of the positions of all instructional employees with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, located at the Duluth campus, provided that the positions of instructional employees of the same ranks at the Morris, Crookston or Waseca campuses shall be included within this unit if a majority of the eligible employees voting at a campus so vote during an election conducted by the director, provided that such an election shall not be held unless and until the Duluth campus has voted in favor of representation. The election shall be held when an employee organization or group of employees petitions the director stating that a majority of the eligible employees at one of these campuses wishes to join the unit and this petition is supported by a showing of at least 30 percent support from eligible employees at that campus and is filed within 60 days of the effective date of this section or, after January 1, 1981, during the period between September 1 and November 1.

(10) *Graduate assistant unit.* This unit shall consist of the positions of all graduate assistants who are enrolled in the graduate school and who hold the rank of research assistant, teaching assistant, teaching associate I or II, project assistant, or administrative fellow I or II.

(11) *Non-instructional professional unit.* This unit shall consist of the positions of all employees meeting the requirements of either clause (a) or (b) of section 179.63, subdivision 10, which are not defined as included within the instructional unit.

(12) *Supervisory employees unit.* This unit shall consist of the positions of all supervisory employees.

The employer shall petition the director within 90 days of the effective date of this subdivision indicating his position with respect to the allocation of all positions to the units provided in this subdivision. The employer shall serve a copy of the petition on the exclusive representatives of the affected employees. When the employer's position with respect to the positions to be included within a unit established by this subdivision is challenged by an employee organization petitioning under section 179.67, the director shall make a determination as to the allocation of the challenged positions under the language of subdivision 3. His determination shall be made within 60 days of receipt of the petitioning organization's challenge and may be appealed only to the supreme court which shall hear the matter on an expedited basis. Should both units 8 and 9 each elect exclusive bargaining representatives those representatives shall jointly negotiate a contract with the regents.

Subd. 4. [UNIVERSITY OF MINNESOTA EMPLOYEE SEVERANCE.] *Each of the following groups of university of Minnesota employees shall have the right, as specified in this subdivision, to separate from the instructional and supervisory units provided for in subdivision 3: (1) health sciences instructional employees at all campuses with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, (2) instructional employees of the law school with the rank of professor, associate professor, assistant professor, including research associate, or instructor, including research fellow, (3) instructional supervisors, and (4) non-instructional professional supervisors. This right shall be exercised by petition during the period commencing on the effective date of this section and concluding 60 days after that date or, after January 1, 1981, during the period between September 1 and November 1. If one of these groups of employees exercises the right to separate from their unit they shall have no right to meet and negotiate, but shall retain the right to meet and confer with the appropriate officials on any matter of concern to them. The manner of exercise of the right to separate shall be as follows: An employee organization or group of employees claiming that a majority of any one of these groups of employees on a state-wide basis wish to separate from their unit may petition the director for an election during the petitioning period. If the petition is supported by a showing of at least 30 percent support for the petitioner from the employees, the director shall hold an election to ascertain the wishes of the majority with respect to the issue of remaining within or severing from their unit provided in subdivision 3. This election shall be conducted within 30 days of the close of the petition period. If a majority of votes cast endorse severance from their unit in favor of meet and confer status for any one of these groups of employees, the director shall certify that result. This election shall, where not inconsistent with other provisions of this section, be governed by section 179.67. If a group of employees elects to sever they may rejoin that unit by following the same procedures specified above for severance, but may only do so during the periods provided for severance.*

Sec. 41. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.742] [TRANSITION TO NEW BARGAINING UNIT STRUCTURE FOR STATE AND UNIVERSITY OF MINNESOTA EMPLOYEES.] *Subdivision 1. [APPLICATION OF SECTION.] Notwithstanding section 179.65, subdivision 2, or any other law, this section shall govern, where contrary to other law, the initial certification and decertification, if any, of exclusive representatives for the appropriate units of state employees and university of Minnesota employees established by section 40. Subsequent to the initial certification and decertification, if any, pursuant to this section, the provisions of this section shall not apply.*

Subd. 2. [EXISTING MAJORITY.] The director shall certify an employee organization as exclusive representative for an appropriate unit established by section 40 upon a petition filed with the director by the organization within 30 days of the effective date of this section for state employees and within 180 days of the effective date of this section for university of Minnesota employees stating that the petitioner is certified pursuant to section 179.67 as the exclusive representative of a majority of the employees included within the unit established by section 40 on the effective date of this section. Two or more employee organizations which represent the employees in a unit established by section 40, may petition jointly pursuant to this subdivision, provided that any organization may withdraw from a joint certification in favor of the remaining organization or organizations on 30 days notice to the remaining organization or organizations, the employer, and the director without effect upon the rights and obligations of the remaining organization or organizations or the employer. The director shall make a determination on a timely petition within 45 days of its receipt.

Subd. 3. [NO EXISTING MAJORITY.] (1) If no exclusive representative is certified under subdivision 2, the director shall certify an employee organization as exclusive representative for an appropriate unit established by section 40 upon a petition filed by the organization within the time period provided in subdivision 2, stating that the petitioner is certified pursuant to section 179.67 as the exclusive representative of fewer than a majority of the employees included within the unit established by section 40, where no other employee organization so certified has filed a petition within the time period provided in subdivision 2 so long as a majority of the employees in the unit established by section 40 are represented by employee organizations pursuant to section 179.67 on the effective date of this section. Two or more employee organizations, each of which represents employees included in the unit established by section 40 may petition jointly pursuant to this clause, provided that any organization may withdraw from a joint certification in favor of the remaining organization or organizations on 30 days notice to the remaining organization or organizations, the employer, and the director without effect upon the rights and obligations of the remaining organization or organizations or the employer. The

director shall make a determination on a timely petition within 45 days of its receipt.

(2) If no exclusive representative is certified under subdivision 2 or subdivision 3, clause (1), and an employee organization petitions the director within 45 days of the effective date of this section for state employees and within 195 days of the effective date of this section for university of Minnesota employees stating that at least 30 percent of the employees included within a unit established by section 40 wish to be represented by the petitioner, where this 30 percent is evidenced by current dues deduction rights, signed statements plainly indicating that the signatories wish to be represented for collective bargaining purposes by the petitioner rather than by any other organization, or a combination thereof, the director shall conduct a secret ballot election to determine the wishes of the majority. The election shall be conducted within 75 days of the effective date of this section for state employees and within 225 days of the effective date of this section for university of Minnesota employees and shall, where not inconsistent with other provisions of this section, be governed by section 179.67.

Subd. 4. [DECERTIFICATION.] Prior to January 1, 1981 the director shall consider a petition for decertification of an exclusive representative certified under this section only when the petition is filed within 60 days of the initial certification and only when the certification was made pursuant to subdivisions 2 or 3 (1). The petition shall be considered under the provisions of section 179.67 except where they are inconsistent with this subdivision.

Subd. 5. [CONTRACT AND REPRESENTATION RESPONSIBILITIES.] Notwithstanding the provisions of section 40, the exclusive representatives of units of state employees and university of Minnesota employees certified prior to the effective date of this section shall remain responsible for administration of their contracts and for all other contractual duties and shall enjoy the right to dues and fair share fee deduction and all other contractual privileges and rights until June 30, 1981. Exclusive representatives of state employees and university of Minnesota employees certified after the effective date of this section shall immediately upon certification have the responsibility of bargaining on behalf of employees within the unit. They shall also have the responsibility of administering grievances arising under previous contracts covering employees included within the unit which remain unresolved on June 30, 1981. Where the employer does not object, these responsibilities may be varied by agreement between the outgoing and incoming exclusive representatives. All other rights and duties of representation shall commence on July 1, 1981, except that exclusive representatives certified after the effective date of this section shall immediately upon certification have the right to all employer information and all forms of access to employees within the bargaining unit which would be permitted to the current contract-holder. This section shall in no way affect any existing collective bargaining contract. Should an exclusive bargaining agent not be certified for the unit provided for in

section 40, subdivision 3, clause (2), the employees assigned to that unit shall continue to be compensated pursuant to the appropriate university of Minnesota civil service rules, or by the terms of any master or uniform contract of their particular trade which exists between associations of employers in their local area representing all or substantially all of the employees of that trade.

Nothing in sections 1 to 42 shall prevent an exclusive representative certified after the effective date of sections 1 to 42 from assessing fair share or dues deductions immediately upon certification for employees in a unit established under section 40 if the employees were unrepresented for collective bargaining purposes prior to that certification.

Sec. 42. Minnesota Statutes 1978, Chapter 179, is amended by adding a section to read:

[179.743] [STATE EMPLOYEES.] *When no prior determination has been made with respect to the supervisory status of a state employee or his predecessor and no agreement can be reached between the employer and petitioning employee organizations, the commissioner of employee relations may petition the director for a determination. When no agreement can be reached between the employer and petitioning employee organizations on the confidential status of a state employee, the commissioner of employee relations may petition the director for a determination. The commissioner shall serve a copy of the petition on the exclusive representatives of the affected employees. The director shall not exclude any supervisory or confidential employee from an appropriate unit of nonsupervisory or nonconfidential state employees on the basis of a petition filed later than 30 days after the effective date of this section, except as provided in section 34. The director shall make all determinations under this subdivision within 60 days of receipt of a timely petition. The director shall have full discretion in his determination of the application of sections 179.63, subdivisions 8, 9, and 9a, and 179.71, subdivision 3, paragraph 2 in all cases arising under this subdivision. Notwithstanding any other law, his decision shall be final and no appeal whatsoever shall be heard. For the purposes of the certification of a bargaining agent for units provided in subdivision 1 of section 40 employees sought to be excluded by a timely and valid petition as supervisory or confidential shall be counted or shall vote separately in a fashion which shall permit them to be individually excluded or included after a determination as to their status. When a certification is dependent upon challenged employees, the director shall determine the status of the challenged employees prior to deciding the cases of challenged employees whose status need not be determined for a certification. In the latter situation the certification of a bargaining agent shall proceed irrespective of pending challenges.*

Sec. 43. Laws 1979, Chapter 332, Article I, Section 114, is amended to read:

Sec. 114. [REPEALER.] *Effective July 1, 1981, Minnesota Statutes 1978, Sections 43.03; 43.06; 43.062; 43.063; 43.064; 43.065;*

43.067; 43.068; 43.069; 43.07; 43.09; 43.111; 43.12, subdivisions 2 to 27; 43.121; 43.122; 43.126; 43.127; 43.128; 43.13; 43.14; 43.162; 43.17; 43.18; 43.19; 43.20; 43.21; 43.22; 43.222; 43.223; 43.224; 43.23; 43.24; 43.246; 43.321; 43.322; 43.323; 43.324; 43.326; 43.327; 43.33; 43.44; 43.45; 43.46; 43.48; and 43.49; 43.50; and 43.51 are repealed.

Sec. 44. Laws 1979, Chapter 332, Article I, Section 116, 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, but shall apply to all arbitration proceedings which are to determine contractual provisions for the next contract period.* The provisions of sections 63, 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. 45. [REPEALER.] *Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7, are repealed.*

Sec. 46. [APPROPRIATION.] *Subdivision 1. The amount of \$285,000 is appropriated for the period ending June 30, 1981 to the department of employee relations. The approved complement of the department of employee relations is increased by 5 persons.*

Subd. 2. The amount of \$100,500 is appropriated for the period ending June 30, 1981 to the bureau of mediation services for the purpose of implementing sections 19 to 40.

Sec. 47. [INSTRUCTIONS TO REVISOR.] *In the next and all subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute the term "department of employee relations" for "department of personnel" in every place where the latter is used. The revisor of statutes shall substitute the term "commissioner of employee relations" for "commissioner of personnel" in every place where the latter term is used.*

Sec. 48. [EFFECTIVE DATE.] *Section 16 shall be effective on July 1, 1981. Sections 22, 30, 31 and 32 are effective July 1, 1980. The remaining provisions of this act are effective the day following final enactment but shall not alter the terms of any existing collective bargaining agreement before it expires. Any impermissible affiliation of an exclusive representative, under the provisions of section 27, existing on the effective date of section 27 may continue until the termination of any labor agreement in effect on the effective date of this section."*

Amend the title as follows:

Page 1, lines 16 and 17, delete "43.19, Subdivision 1;"

Page 1, line 18, before "2" insert "1,"

Page 1, line 31, delete " 179.64, Subdivision 1; "

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Nicholas D. Coleman, Tom Nelson, Robert O. Ashbach

House Conferees: (Signed) Wayne Simoneau, Steven Novak, Steve Swiggum

Mr. Coleman moved that the foregoing recommendations and Conference Committee Report on S. F. No. 2085 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. 2085 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Luther	Penny	Staples
Ashbach	Gunderson	McCutcheon	Peterson	Stern
Bang	Hanson	Menning	Purfeerst	Stokowski
Barrette	Hughes	Merriam	Rued	Strand
Bernhagen	Humphrey	Moe	Schaaf	Stumpf
Brataas	Johnson	Nelson	Schmitz	Tennessee
Coleman	Keefe, S.	Nichols	Setzpfandt	Ueland, A.
Dieterich	Kleinbaum	Ogdahl	Sieloff	Vega
Dunn	Knoll	Olhoff	Sikorski	Wegener
Engler	Laufenburger	Olson	Solon	Willet
Frederick	Lessard	Omann	Spear	

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

NOTICE OF RECONSIDERATION

Mr. Dieterich gave notice of intention to move for reconsideration of S. F. No. 2085.

RECONSIDERATION

Mr. Coleman moved that the vote whereby S. F. No. 2085 was passed by the Senate on April 11, 1980, be now reconsidered.

The question was taken on the adoption of the motion.

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

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

Those who voted in the negative were:

Anderson	Hanson	McCutcheon	Purfeerst	Stokowski
Ashbach	Hughes	Menning	Renneke	Strand
Barrette	Humphrey	Merriam	Rued	Stumpf
Bernhagen	Johnson	Moe	Schaaf	Tennessee
Brataas	Keefe, S.	Nelson	Schmitz	Ueland, A.
Coleman	Kleinbaum	Ogdahl	Setzepfandt	Ulland, J.
Dieterich	Knoll	Olhoft	Sikorski	Vega
Engler	Knutson	Olson	Solon	Wegener
Frederick	Laufenburger	Omann	Spear	Willet
Gearty	Lessard	Penny	Staples	
Gunderson	Luther	Peterson	Stern	

The motion did not prevail.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Ashbach offered the following and moved that it be printed in the Journal:

Having been excused, the following members were absent, but would have voted aye on S. F. No. 2085:

Mrs. Knaak; Messrs. Knutson; Renneke; Ulland, J. and Keefe, J.

The motion prevailed.

Mr. Tennessee moved that S. F. No. 2104 be taken from the table. The motion prevailed.

S. F. No. 2104: A bill for an act relating to state lands; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1978, Section 92.06, Subdivision 1.

Mr. Tennessee moved that the Senate do not concur in the amendments by the House to S. F. No. 2104 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. Strand moved that the Senate do now recess until 9:15 o'clock p.m. The motion prevailed.

The hour of 9:15 o'clock p.m. having arrived, 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. 1121 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1121 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 11, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1121

A bill for an act relating to taxation; updating the definition of gross income for income tax purposes for individuals, trusts and estates with certain modifications; providing for exempt-interest dividends for certain mutual funds; extending the political contribution credit to congressional and local candidates; clarifying certain definitions; providing a tax credit for energy conservation expenditures; clarifying the renewable energy source credit; increasing the dependent care credit; extending investment tax credits to family corporations; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a ten year carryback of product liability losses; providing for deferral of certain gains recognized in the disposition of broadcasting property; reducing certain property tax classification ratios; increasing homestead credits; changing the property tax status of certain mobile homes; providing for delayed assessments for certain improvements; increasing homestead base value; providing a classification for neighborhood real estate trusts; adjusting levy limits and providing for certain special levies; providing for certain hearings and appeals on special assessments; clarifying property tax settlements; clarifying certain property tax refund filing due dates; extending eligibility for property tax refunds to certain claimants; providing for adjustment of property tax refunds due to abatements; providing state reimbursement for certain property; authorizing heat applied tax stamping machines; increasing the sales tax on retail sales from vending machines; providing a sales tax exemption for certain arts admissions; fixing maximum interest rates on public obligations; excepting certain debt obligations from public sale requirement; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 2; 168.012, Subdivision 9; 273.13, Subdivisions 3 and 17b, and by adding a subdivision; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5; 276.04; 276.09; 276.10; 276.11; 290.01, by adding a subdivision; 290.09, Subdivisions 2, 24 and 28; 290.095, by adding a subdivision; 290.13, by adding a subdivision; 290.26, Subdivision 2; 290.49, Subdivision 10; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3 and 5; 290A.06; 290A.11, by adding a subdivision; 290A.17; 290A.18; 290A.19; 297.03, Subdivision 6; 297A.02; 297A.25, Subdivision 1; 375.192, Subdivision 1; 429.061, Sub-

divisions 1 and 2; 429.081; 474.06; 475.55; 475.60, Subdivision 2; Chapters 273, by adding sections; and 298, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 273.122; 273.13, Subdivisions 4, 5a, 6, 7, 14a and 19; 275.50, Subdivision 5; 290.01, Subdivision 20; 290.06, Subdivisions 11 and 14; 290.067, Subdivisions 1 and 2; 290.09, Subdivision 3; 290.091; 290.095, Subdivision 1; 290.14; 290.17, Subdivision 1; 290.37, Subdivision 1; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Section 290.971, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 290.23, Subdivision 16.

April 10, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1121, 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. 1121 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE I
INCOME TAX

Section 1. Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20, 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, 1979*.

For each of the taxable years beginning after December 31, 1960 and prior to January 1, 1971, the term "gross income" in its application to individuals, estates, and trusts, shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through December 31, 1970 for the applicable taxable year, with the modifications specified in this section.

For each of the taxable years beginning after December 31, 1970, the term "gross income" in its application to individuals, estates,

and trusts shall mean the adjusted gross income as computed for federal income tax purposes 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 section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1970, shall be in effect for taxable years beginning after December 31, 1970 and prior to January 1, 1973.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1972, shall be in effect for taxable years beginning after December 31, 1972.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1973, shall be in effect for taxable years beginning after December 31, 1973.

(iv) 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.

(v) 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 amendments made to sections 210(e) (3) and 220(e) (4) (extending the time for which a taxpayer is deemed to have made a contribution to an individual retirement account for the taxable year) by section 157(a) of P.L. 95-600 shall be effective for taxable years beginning after December 31, 1977.~~

The provisions of section 4 of P.L. 95-458, and sections 131, 133, 134, 141, 152, 156, 157, and 405 of P.L. 95-600 (relating to pensions, individual retirement accounts, deferred compensation plans, and to the sale of a residence) shall be effective at the same time that these provisions became effective for federal income tax purposes.

(vi) *The Internal Revenue Code of 1954, as amended through December 31, 1979, shall be in effect for taxable years beginning after December 31, 1979.*

For taxable years beginning after December 31, 1980 and before January 1, 1983, 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, shall apply.

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 such other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(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 such *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 such *the* previous taxable year.

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 or separate Minnesota income tax returns. In the case of 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 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) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1976, to the extent of the credit under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1976, that was previously allowed as a

deduction either under section 290.01, subdivision 20 (b) (7) or under section 290.09, subdivision 24;

(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 realized *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, as amended through December 31, 1976, if the nonprofit corporation is domiciled outside of Minnesota; and

(14) Exempt-interest dividends, as defined in section 852(b) (5) (A) of the Internal Revenue Code of 1954, as amended through December 31, 1976, not included in federal adjusted gross income pursuant to section 852(b) (5) (B) of the Internal Revenue Code of 1954, as amended through December 31, 1976, except for that portion of such 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 realized *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) An amount equal to one-sixth of any gain from the sale or other disposition of property deducted under sections 1202(a) and 1202(c) (1) of the Internal Revenue Code of 1954;

(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 50 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); and

(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.

(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 50 per centum of ~~such~~ *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 ~~such~~ *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 resulting from ~~such~~ *the* losses;

(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 ~~such~~ *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, ~~as amended through December 31, 1977~~. The maximum amount of this subtraction shall be ~~\$10,000~~ *\$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 \$10,000 \$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) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1976, 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 realized *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 after December 31, 1977 and before January 1, 1982 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The amount of gain on the sale of the taxpayer's residence excluded from the federal gross income of the taxpayer pursuant to section 121 of the Internal Revenue Code of 1954, as amended through December 31, 1978 provided that a taxpayer who elects under that section shall not, for the purpose of this subdivision, also take an exclusion according to the provisions of section 121 of the Internal Revenue Code, as amended through December 31, 1976;

(12) (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); and*

(13) (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);*

(14) *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 produc-*

tion 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; and

(18) Minnesota exempt-interest dividends as provided by section 2.

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from such the corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of such stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and said the corporation is liquidated or the individual shareholder disposes of his the stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, such the shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 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 such

the reserve is distributed to shareholders ~~such~~ *the* distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that ~~such~~ *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 ~~such~~ *the* amounts resulted in a reduction of the tax imposed by this act, and (2) 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 act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1(2) in computing Minnesota inheritance tax liability shall not be allowed as a deduction in computing the taxable income of the estate 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 ~~such~~ *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 1978, Section 290.01, is amended by adding a subdivision 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 described in subdivision 20, clause (b) (1), or section 290.08, subdivision 8, determined without regard to section 290.08, subdivision 13, 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, clause (5) 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 that would be excludable from gross income under section 290.08, subdivision 8 determined without regard to section 290.08, subdivision 13, 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 described in section 290.08, subdivision 8, determined without regard to section 290.08, subdivision 13, 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 section 290.08, subdivision 8, subject to section 290.08, subdivision 13. 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, 1979 Supplement, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] In lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under this chapter of 50 percent but not more than \$50 of his contributions to a political party and candidate, candidates for elective state or federal public office and to any political party. The maximum

credit for an individual shall not exceed \$50 and, for a married couple, filing jointly, may take a similar credit of shall not more than exceed \$100. No credit shall be allowed under this subdivision for a contribution to any candidate, other than a candidate for elective judicial office or federal office, who has not signed an agreement to limit his campaign expenditures as provided in section 10A.32, subdivision 3b. The commissioner of revenue shall provide in the tax instruction booklet language understandable to a person of average intelligence which states that the taxpayer may only claim a credit against his tax due for contributions to candidates for (a) judicial office or (b) statewide or legislative office who have agreed to limit their expenditures. For purposes of this subdivision, "candidate" means a candidate as defined in section 10A.01, subdivision 5 other than a county court, probate court or county municipal court judgeship. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this subdivision For purposes of this subdivision, a political party means a major political party as defined by section 10A.01, subdivision 12.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 3c, is amended to read:

Subd. 3c. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a for taxable years which begin after December 31, 1978 and before January 1, 1980, the taxes due under the computation in accordance with section 290.06 shall be credited with the following amounts:

(1) In the case of an unmarried individual and in the case of the estate of a decedent, \$55, and in the case of a trust, \$5;

(2) In the case of a married individual, living with a spouse, \$110. If the spouses file separate, combined or joint returns the personal credits may be taken by either or divided between them;

(3) In the case of an individual, \$55 for each person (other than a spouse) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. A payment to a divorced or separated spouse, other than a payment for support of minor children under a temporary order or final decree of dissolution or legal separation, shall not be considered a payment by the other spouse for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional \$55;

(b) In the case of an unmarried individual who is blind at the close of the taxable year, an additional \$55;

(c) In the case of a married individual, living with a spouse, an additional \$55 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an addi-

tional \$55 for each spouse who is blind at the close of the individual's taxable year. If such husband and wife make separate, combined or joint returns, these credits may be taken by either or divided between them;

(d) In the case of an individual, another \$55 for each person, other than a spouse, who is blind and dependent upon and receiving his chief support from the taxpayer;

(e) For the purposes of sub-paragraphs (b), (c) and (d) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(f) In the case of an unmarried individual who is deaf at the close of the taxable year, an additional \$55.

(g) In the case of a married individual, an additional \$55 for each spouse who is deaf at the close of the taxable year. If the spouses file separate, combined or joint returns, these credits may be taken by either or divided between them.

(h) In the case of an individual, an additional \$55 for each person (other than a spouse) who is deaf and dependent upon and receiving his chief support from the taxpayer.

(i) For the purposes of subparagraphs (f), (g) and (h) of paragraph (4), an individual is deaf if the average loss in the speech frequencies (500-2000 Hertz) in the better ear, unaided, is 92 decibels, American National Standards Institute, or worse.

(5) (a) In the case of an unmarried individual who is a quadriplegic at the close of the taxable year, an additional \$55;

(b) In the case of a married individual, living with a spouse, an additional \$55 for each spouse who is a quadriplegic at the close of the taxable year. *If the spouses file separate, combined or joint returns, these credits may be taken by either or divided between them ; and*

(c) In the case of an individual, another \$55 for each person, other than a spouse, who is *quadriplegic and* dependent upon and receiving his chief support from the taxpayer ; *and who is a quadriplegic at the close of the taxable year and*

(d) *For the purposes of subparagraphs (a), (b) and (c) of paragraph (5), "quadriplegic" means an individual who has a congenital or traumatic partial or total loss of all four limbs or who has a disability that substantially impairs the functioning of all four limbs.*

(6) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended;

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3, 4 and 5 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 3d, is amended to read:

Subd. 3d. [LOW INCOME ALTERNATIVE TAX.] *The taxes due as computed in accordance with section 290.06, subdivisions 2e, 3e, and 3e shall be credited with the following amounts A claimant as defined in 290.012 may pay a tax computed under this subdivision in lieu of the tax computed under sections 290.06, subdivisions 2c, 3e, 3f, 9, 9a, 11, 14 and 290.081 without the provisions of section 290.012 and this subdivision :*

(1) For taxable years beginning after December 31, 1978, A credit equal to his tax liability in the case of 1979, the alternative tax shall be zero for the following claimants :

(a) An unmarried claimant with an income of \$5,500 \$5,800 or less;

(b) A claimant with one dependent, with an income of \$7,000 \$7,400 or less;

(c) A claimant with two dependents, with an income of \$8,000 \$8,800 or less;

(d) A claimant with three dependents, with an income of \$8,900 \$10,000 or less;

(e) A claimant with four dependents, with an income of \$9,600 \$10,500 or less; and

(f) A claimant with five or more dependents, with an income of \$10,000 \$11,000 or less.

(2) In the case of a claimant with an income in excess of that set forth in the appropriate category of clause (1), he may pay a tax equal to 15 percent of that portion of his income that is in excess of the amount set forth in the appropriate category of clause (1), or his tax obligation as it would have been in the absence of section 290.012 and this subdivision, whichever is less.

(3) The total income of the claimant and his spouse, if any, shall be the figure employed for the purposes of this subdivision. No individual dependent upon and receiving his chief support from any other individual may be a claimant under section 290.012 and this subdivision. The commissioner of revenue shall prescribe the additional forms or alterations in existing forms as necessary to comply with the provisions of section 290.012 and this subdivision. All claimants shall submit their returns on these forms.

The commissioner of revenue shall provide alternative tax tables which will include these credits.

(4) For taxable years beginning after December 31, 1980, the commissioner of revenue shall determine and announce by October

1 of 1981 and each subsequent year, the percentage increase from August, 1980 to, in 1981, August, 1981, and, in subsequent years, from August of the preceding year to August of the current year in the revised all urban consumer price index for the Minneapolis-St. Paul metropolitan area prepared by the United States department of labor with 1967 as a base year. Each year, the income exclusion amounts contained in clause (1) shall be increased by the determined percentage, rounded to the nearest dollar to produce the inflation adjusted exclusion amounts for the taxable year.

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 3f, is amended to read:

Subd. 3f. [CREDITS AGAINST TAX.] Notwithstanding the provisions of subdivision 3a, and subject to the provisions of subdivision 3g for taxable years which begin after December 31, 1979, the taxes due under the computation in accordance with this section shall be credited with the following amounts:

(1) In the case of an unmarried individual and in the case of the estate of a decedent, \$60, and in the case of a trust, \$5;

(2) In the case of a married individual, living with a spouse, \$120. If the spouses file separate, combined or joint returns the personal credits may be taken by either or divided between them;

(3) In the case of an individual, \$60 for each person (other than a spouse) dependent upon and receiving his chief support from the taxpayer. One taxpayer only shall be allowed this credit with respect to any given dependent. A payment to a divorced or separated spouse, other than a payment for support of minor children under a temporary order or final decree of dissolution or legal separation, shall not be considered a payment by the other spouse for the support of any dependent.

(4) (a) In the case of an unmarried individual who has attained the age of 65 before the close of his taxable year, an additional \$60;

(b) In the case of an unmarried individual who is blind at the close of the taxable year, an additional \$60;

(c) In the case of a married individual, living with a spouse, an additional \$60 for each spouse who has attained the age of 65 before the close of the individual's taxable year, and an additional \$60 for each spouse who is blind at the close of the individual's taxable year. If the spouses file separate, combined or joint returns, these credits may be taken by either or divided between them;

(d) In the case of an individual, another \$60 for each person, other than a spouse, who is blind and dependent upon and receiving his chief support from the taxpayer;

(e) For the purposes of sub-paragraphs (b), (c) and (d) of paragraph (4), an individual is blind if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied

by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(f) In the case of an unmarried individual who is deaf at the close of the taxable year, an additional \$60.

(g) In the case of a married individual, an additional \$60 for each spouse who is deaf at the close of the taxable year. If the spouses file separate, combined or joint returns, these credits may be taken by either or divided between them.

(h) In the case of an individual, an additional \$60 for each person (other than a spouse) who is deaf and dependent upon and receiving his chief support from the taxpayer.

(i) For the purposes of subparagraphs (f), (g) and (h) of paragraph (4), an individual is deaf if the average loss in the speech frequencies (500-2000 Hertz) in the better ear, unaided, is 92 decibels, American National Standards Institute, or worse.

(5) (a) In the case of an unmarried individual who is a quadriplegic at the close of the taxable year, an additional \$60;

(b) In the case of a married individual, living with a spouse, an additional \$60 for each spouse who is a quadriplegic at the close of the taxable year. *If the spouses file separate, combined or joint returns, these credits may be taken by either or divided between them; and*

(c) In the case of an individual, another \$60 for each person, other than a spouse, who is *quadriplegic and dependent upon and receiving his chief support from the taxpayer, and who is a quadriplegic at the close of the taxable year; and*

(d) *For the purposes of subparagraphs (a), (b) and (c) of paragraph 5, "quadriplegic" means an individual who has a congenital or traumatic partial or total loss of all four limbs or who has a disability that substantially impairs the functioning of all four limbs.*

(6) In the case of an insurance company, it shall receive a credit on the tax computed as above equal in amount to any taxes based on premiums paid by it during the period for which the tax under Extra Session Laws 1967, Chapter 32, is imposed by virtue of any law of this state, other than the surcharge on premiums imposed by Extra Session Laws 1933, Chapter 53, as amended.

(7) In the case of a non-resident individual, credits under paragraphs 1, 2, 3, 4 and 5 shall be apportioned in the proportion of the gross income from sources in Minnesota to the gross income from all sources, and in any event a minimum credit of \$5 shall be allowed.

Sec. 7. Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 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, 1978, and any regulations promulgated pursuant thereto, *provided that, after December 31, 1980, any solar collector included in the claimed expenditure is certified by the energy agency. 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 wall 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 unit *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 de-

signed to store heat collected from solar radiation.

A passive system may include:

(1) Control and distribution element, including fans, louvers, and air ducts; and/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 promulgated by the commissioner of revenue in cooperation with the director of the energy agency. 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.

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 clause ~~(a)~~ section 44C (d) of the Internal Revenue Code of 1954, as amended through December 31, 1979. "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), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto.

The commissioner of revenue in cooperation with the director of the energy agency shall promulgate rules establishing additional qualifications and definitions for the credits provided in clauses ~~(a)~~ to ~~(d)~~ this subdivision.

Notwithstanding section 290.61, the commissioner of revenue may request the energy agency 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 energy agency who receive information furnished by a taxpayer for purposes of claiming this credit.

The director of the energy agency shall promulgate 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 director of the energy agency may promulgate 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.

Sec. 8. Minnesota Statutes 1978, Section 290.08, Subdivision 24, is amended to read:

Subd. 24. [FAMILY FARM SECURITY LOAN INTEREST.] Gross income shall not include interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of property on a family farm security loan executed after December 31, 1977 and before January 1, 1982 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60.

Sec. 9. Minnesota Statutes, 1979 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 a resident estate or resident trust, any income, or if it is a corporation, 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. 10. Minnesota Statutes 1978, 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 the entire amount expended for meals and lodging) 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) Campaign expenditures in an amount not to exceed the limits set out in section 210A.22, 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:

[No duction shall be allowed under this clause for any contribution or gift which would be allowable as a credit under section 290.21 were it not for the percentage limitations set forth in such section);

(d) All expense money paid by the legislature to legislators;

(e) 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, 1976 1979, shall be applicable in determining the availability of any deduction under this subdivision.

(f) *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. 11. Minnesota Statutes, 1979 Supplement, Section 290.067, Subdivision 1, is amended to read:

290.067 [DEPENDENT CARE CREDIT.] 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 50 percent of 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, 1978 1979, subject to the limitations provided in subdivision 2.

Sec. 12. Minnesota Statutes 1978, Section 290.067, Subdivision 2, is amended to read:

Subd. 2. [LIMITATIONS.] The credit for expenses incurred for the care of each dependent shall not exceed ~~\$150~~ \$400 in any taxable year, and the total credit for all dependents of a claimant shall not exceed ~~\$300~~ \$800 in a taxable year. The total credit shall be reduced by five percent of the amount by which the combined federal adjusted gross income of the claimant and his spouse, if any, exceeds ~~\$12,000~~ \$15,000. A married claimant shall file his income tax return for the year for which he claims the credit either jointly or separately on one form with his spouse. In the case of a married claimant only one spouse may claim the credit. No expense for which a medical expense deduction is claimed pursuant to section 290.09, subdivision 10, shall be claimed as a dependent care expense.

Sec. 13. Minnesota Statutes, 1979 Supplement, Section 290.09, Subdivision 3, is amended to read:

Subd. 3. [INTEREST.] (a) All interest paid or accrued within the taxable year on indebtedness, except as hereinafter provided.

(b) Interest paid or accrued within the taxable year on indebtedness incurred or continued to purchase or carry obligations or securities the income from which is excludable from gross income under section 290.08, or shares of a regulated investment company which during the taxable year of the holder thereof distributes Minnesota exempt-interest dividends as defined in section 2, or on indebtedness incurred or continued in connection with the purchasing or carrying of a single premium life insurance, annuity, or endowment contract, shall not be allowed as a deduction. (For purposes of this paragraph, a contract shall be treated as a single premium contract if substantially all the premiums on the contract are paid within a period of four years from the date on which the contract is purchased, or if an amount is deposited after January 1, 1955 with the insurer for payment of a substantial number of future premiums on the contract.)

(c) If personal property or educational services are purchased under a contract which provides that payment of part or all of the purchase price is to be made in installments, and in which carrying charges are separately stated but the interest charge cannot be ascertained, then the payments made during the taxable year under the contract shall be treated for purposes of this paragraph as if they included interest equal to six percent of the average unpaid balance under the contract during the taxable year, and such interest shall be allowed as a deduction. For purposes of the preceding sentence, the average unpaid balance is the sum of the unpaid balance outstanding on the first day of each month beginning during the taxable year, divided by 12. In the case of any contract to which this paragraph applies, the amount treated as interest for any taxable year shall not exceed the aggregate carrying charges which are properly attributable to such taxable year.

For purposes of this subdivision the term "educational services" means any service including lodging which is purchased from an

educational institution (as defined in section 151(e) (4) of the Internal Revenue Code of 1954, as amended through December 31, 1976) and which is provided for a student of such institution.

(d) A cash basis taxpayer may elect to deduct interest as it accrues on a reverse mortgage loan as defined in section 47.58, subdivision 1, rather than when it is actually paid. This election must be made, if at all, in the first taxable year in which it is available to the cash basis taxpayer and, if made, shall be binding on the taxpayer for each subsequent taxable year until maturity of the loan.

Sec. 14. Minnesota Statutes 1978, Section 290.09, Subdivision 28, is amended to read:

Subd. 28. [REAL ESTATE INVESTMENT TRUSTS; DEDUCTIBLE DIVIDENDS.] A "real estate investment trust," as defined in section 856 of the Internal Revenue Code of 1954, as amended through December 31, 1976 1979, and to which sections 856 to 858 860 of the Code apply for the taxable year, may deduct its dividends paid to the extent permitted by section 857(b) (2) (C) 857(b) (2) (B) of the Code, and its capital gains dividends paid as defined and limited by section 857(b) (3) (C) of the Code. Such a trust and its shareholders and beneficiaries shall be subject to all of the provisions of sections 857 and 858 of the Code which are applicable under this chapter, in determining their respective taxable net incomes, provided that the excess amount determined and subjected to available for the alternative tax under section 857(b) (3) (A) (ii) of the Code shall be included in gross income subject to the deduction provided by section 290.16, subdivision 4.

Sec. 15. Minnesota Statutes, 1979 Supplement, Section 290.091, is amended to read:

290.091 [MINIMUM TAX ON PREFERENCE ITEMS.] (a) In addition to all other taxes imposed by this chapter there is hereby imposed, a tax which, in the case of a resident individual, estate or trust, 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 56 55 to 58 and 443(d) of the Internal Revenue Code of 1954 as amended through December 31, 1976 1979 except that for purposes of the tax imposed by this section, excess itemized deductions as defined in section 57(b) shall not include any deduction taken for Minnesota income tax paid and 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 taxpayer other than a corporation, an amount equal to one-half of the net capital gain for the taxable year shall be used as the definition of capital gain in place of the*

deduction determined under section 1202 of the Internal Revenue Code. In the case of a resident individual, estate or trust 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, subdivision 1, to 290.20, and the denominator of which is the taxpayer's total preference item income for federal purposes.

(b) In the case of a resident individual, estate or trust having preference items in taxable years beginning after December 31, 1976, and before January 1, 1978, which are not allocable to Minnesota under the provisions of sections 290.17 to 290.20 in effect for such years, the tax shall equal 40 percent of the taxpayer's federal minimum tax liability, multiplied by a fraction the numerator of which is the amount of the taxpayer's preference items allocable to Minnesota under the provisions of sections 290.17 to 290.20 in effect for such *those* years and the denominator of which is the taxpayer's total preference items for federal purposes.

(c) ~~The preference items for taxable years beginning after December 31, 1978 shall not include the portion of the sale of residence excluded under section 121 of the Internal Revenue Code of 1954 as amended through December 31, 1978.~~

Sec. 16. Minnesota Statutes, 1979 Supplement, Section 290.095, Subdivision 1, is amended to read:

290.095 [OPERATING LOSS DEDUCTION.] Subdivision 1. [ALLOWANCE OF DEDUCTION.] (a) There shall be allowed as a deduction for the taxable year the amount of any net operating loss deduction as defined in subdivision 2, clause (b); provided, however, that the modifications specified in subdivision 4 shall be made in computing the taxable net income for the taxable year before the net operating loss deduction shall be allowed.

(b) A net operating loss deduction shall be available under this section only to corporate taxpayers except as provided in subdivisions 6, 7 and 9 hereof, and, with respect to individuals, estates and ~~trusts~~, no deduction shall be allowed for or with respect to losses which constitute tax preference items as set forth in section 290.17, subdivision 1.

Sec. 17. Minnesota Statutes 1978, Section 290.095, is amended by adding a subdivision to read:

Subd. 10. [PRODUCT LIABILITY LOSS CARRYBACK.] In the case of a taxpayer which has a product liability loss, as defined in section 172(i) of the Internal Revenue Code of 1954 as amended through December 31, 1979, for a taxable year beginning after September 30, 1979 (referred to as "loss year"), the product liability loss shall be a net operating loss carryback to each of the 10 taxable years preceding the loss year.

Sec. 18. Minnesota Statutes 1978, Section 290.13, is amended by adding a subdivision to read:

Subd. 5a. [GAIN OR LOSS FROM SALE OR EXCHANGE TO EFFECTUATE POLICIES OF F.C.C.] *If the sale or exchange of property, including stock in a corporation, is certified by the Federal Communications Commission to be necessary or appropriate to effectuate a change in a policy of, or the adoption of a new policy by the commission with respect to the ownership and control of radio broadcasting stations, the sale or exchange shall, if the taxpayer so elects, be treated as an involuntary conversion of the property within the meaning of subdivision 5. For purposes of this subdivision, "radio broadcasting" includes telecasting.*

For purposes of subdivision 5 as made applicable by the provisions of this subdivision, stock of a corporation operating a radio broadcasting station located in Minnesota, whether or not representing control of the corporation, shall be treated as property similar or related in service or use to the property so converted. The part of the gain, if any, on the sale or exchange to which subdivision 5 is not applied shall nevertheless not be recognized, if the taxpayer so elects, to the extent that it is applied to reduce the basis for determining gain or loss on sale or exchange of property of a character subject to the allowance for depreciation under section 290.09, subdivision 7, remaining in the hands of the taxpayer immediately after the sale or exchange, or acquired in the same taxable year and with its situs in the state of Minnesota. The manner and amount of the reduction shall be determined under regulations prescribed by the commissioner. Any election made by the taxpayer under this subdivision shall be made by a statement to that effect in his return for the taxable year in which the sale or exchange takes place, and the election shall be binding for that taxable year and all subsequent taxable years.

The basis of property acquired on a sale or exchange treated as an involuntary conversion under this subdivision shall be determined pursuant to the provisions of subdivision 5.

Sec. 19. Minnesota Statutes, 1979 Supplement, Section 290.14, is amended to read:

290.14 [GAIN OR LOSS ON DISPOSITION OF PROPERTY, BASIS.] 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 such 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 ~~such~~ *the* person, be the fair market value of the property at the date of decedent's death.

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 tax purposes. In ~~such~~ *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 ~~such~~ *the* property before the death of the decedent. ~~Such~~ *The* basis shall be applicable to the property commencing on the death of the decedent. This paragraph shall not apply to annuities described in section 290.08; 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. Nor shall it apply to restricted stock options described in section 290.078 which the employee has not exercised at death.

(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, de-

creased 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 such *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 such *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 such *the* property over the sale price of such *the* stock or securities, or decreased by the excess of the sale price of such *the* stock or securities over the repurchase price of such *the* property;

(7) If the property was acquired after December 31, 1932, as the result of a compulsory or involuntary conversion described in section 290.13, subdivision 5, the basis shall be the same as in the case of the property so converted, decreased in the amount of any money received by the taxpayer which was not expended in accordance with the provisions of law applicable to the year in which such conversion was made, determining the taxable status of the gain or loss upon such conversion, and increased in the amount of gain or decreased in the amount of loss to the taxpayer recognized upon such conversion under the law applicable to the year in which such conversion was made.

(8) Neither the basis nor the adjusted basis of any portion of real property shall, in the case of a lessor of such *the* property, be increased or diminished on account of income derived by the lessor in respect of such *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 such *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 such *the* property shall be properly adjusted for the amount so included in gross income.

(9) 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.

(10) 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. 20. Minnesota Statutes, 1979 Supplement, Section 290.17, Subdivision 1, is amended to read:

290.17 [GROSS INCOME, ALLOCATION TO STATE.] Subdivision 1. [INCOME OF RESIDENT INDIVIDUALS, ESTATES AND TRUSTS.] The gross income of individuals during the period of time when they are residents of Minnesota and the gross income of resident estates and trusts shall be their gross income as defined in section 290.01, subdivision 20, except that the amount of otherwise deductible losses incurred in connection with income derived from sources outside the state shall be reduced by the sum of the taxpayer's items of tax preference as defined in section 57 of the Internal Revenue Code of 1954, as amended through December 31, 1978, which are attributable to losses incurred in connection with sources of income outside the state.

Sec. 21. Minnesota Statutes 1978, Section 290.17, is amended by adding a subdivision to read:

Subd. 1a. [SUBSEQUENT ADJUSTMENT.] When a loss has been reduced by the amount of tax preference items pursuant to subdivision 1, and the taxpayer subsequently sells or otherwise disposes of an asset in relation to which arose an item of tax preference which caused the reduction of the loss, the taxpayer may increase the basis of the asset by the amount of the tax preference item that was used to reduce the loss. If the asset is a depletable asset, the taxpayer may elect to so increase its basis upon disposition or to reduce the amount of otherwise taxable income subsequently produced by that asset by the amount of the tax preference item.

Sec. 22. Minnesota Statutes 1978, Section 290.26, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYER CONTRIBUTIONS.] Contributions of an employer to an employee's trust or annuity plan and compensation under a deferred-payment plan or to a simplified employee pension shall be allowed as a deduction in accordance with the provisions of Section Sections 404 or 408(k) of the Internal Revenue Code of 1954, as amended through December 31, 1976 1979 as adapted to the provisions of this act chapter under regulations rules issued by the commissioner of revenue.

Sec. 23. Minnesota Statutes, 1979 Supplement, Section 290.37, Subdivision 1, is amended to read:

290.37 [FILING REQUIREMENTS FOR INDIVIDUALS.] Subdivision 1. [PERSONS MAKING RETURNS.] The commis-

sioner 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.

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 with respect to its taxable net income if in excess of \$500, or if its gross income exceeds \$5,000. 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 (or, if the taxpayer is a corporation, if the taxable net income exceeds \$500), or if such taxpayer's gross income exceeds \$5,000.

Such return shall (a) 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) shall contain a confession of judgment for the amount of the tax shown due thereon to the extent not timely paid.

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, 1976, modified and adjusted in accordance with the provisions of sections 290.01, subdivision 20, clauses (b) (6) and (b) (11), 290.08, and 290.17 and 290.65.

Sec. 24. Minnesota Statutes 1978, Chapter 290, is amended by adding a section to read:

[290.431] [NON-GAME WILDLIFE CHECKOFF.] *Effective with returns filed for taxable years beginning after December 31, 1979, every person who files an income tax return or property tax refund claim form may designate that \$1 or more shall be deducted from the refund that would otherwise be payable to that person and paid into a fund 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 refund shall be paid into the non-game wildlife management fund. The sum of the amounts so designated to be paid shall be annually appropriated from the general fund to the commissioner of natural resources and credited to the non-game wildlife management fund for use by the non-game section of the division of wildlife in the department of natural resources.*

Sec. 25. Minnesota Statutes 1978, Section 290.49, Subdivision 10, is amended to read:

Subd. 10. [INCORRECT DETERMINATION OF FEDERAL ADJUSTED GROSS INCOME.] Notwithstanding any other provision of this chapter, if a taxpayer whose gross income is determined under section 290.01, subdivision 20, omits from income such an amount as will under the Internal Revenue Code of 1954, as amended through December 31, 1976 extend the statute of limitations for the assessment of federal income taxes; or otherwise incorrectly determines his federal adjusted gross income resulting in adjustments by the Internal Revenue Service then the period of assessment and determination of tax shall be the same as that under the Internal Revenue Code of 1954, as amended through December 31, 1976. *When a change is made to federal income during the extended time provided under this subdivision, the provisions under section 290.56 regarding additional extensions apply.*

Sec. 26. Minnesota Statutes 1978, Section 290.971, Subdivision 1, is amended to read:

290.971 [ELECTION OF CERTAIN SMALL BUSINESS CORPORATIONS AS TO TAXABLE STATUS; DEFINITIONS.] Subdivision 1. [SMALL BUSINESS CORPORATION.] For purposes of this chapter, the term "small business corporation" means a domestic corporation of the United States which is not a member of an affiliated group (as defined in section 1504 of the Internal Revenue Code of 1954, as amended through December 31, 1976 1979) and which does not

(1) have ~~(except as provided in subdivision 5)~~ more than ten 15 shareholders;

(2) have as a shareholder a person (other than an estate and other than a trust described in subdivision 6) who is not an individual;

(3) have a nonresident alien as a shareholder; and

(4) have more than one class of stock, and has elected under the provisions of section 1372(a) of the Internal Revenue Code of 1954, as amended through December 31, 1976 1979 to be taxed as a small business corporation under the provisions of said Internal Revenue Code of 1954, as amended through December 31, 1976 1979 .

Sec. 27. Minnesota Statutes 1978, Section 290.971, Subdivision 3, is amended to read:

Subd. 3. [STOCK OWNED BY HUSBAND AND WIFE.] For purposes of subdivision 1 (1) ~~stock which~~

~~(1) is community property of a husband and wife (or the income from which is community income) under the applicable community property law of a state, or~~

~~(2) is held by a husband and wife as joint tenants, tenants by the entirety, or tenants in common, or~~

(3) was, on the date of death of a spouse, stock described in paragraph (1) or (2), and is, by reason of such death, held by the estate of the deceased spouse and the surviving spouse, or by the estates of both spouses (by reason of their deaths on the same date), in the same proportion as held by the spouses before such death, or

(4) was, on the date of the death of a surviving spouse, stock described in paragraph (3), and is, by reason of such death, held by the estates of both spouses in the same proportion as held by the spouses before their deaths, shall be treated as owned by one shareholder a husband and wife (and their estates) shall be treated as one shareholder.

Sec. 28. Minnesota Statutes 1978, Section 290.971, Subdivision 6, is amended to read:

Subd. 6. [CERTAIN TRUSTS PERMITTED AS SHAREHOLDERS.] For purposes of subdivision 1, the following trusts may be shareholders:

(1) (a) A trust all of which is treated as owned by the grantor (who is an individual who is a citizen or resident of the United States) under sections 671 to 679 of the Internal Revenue Code of 1954, as amended through December 31, 1976 1979.

(b) A trust which was described in subparagraph (a) immediately before the death of the grantor and which continues in existence after such death, but only for the 60-day period beginning on the day of the grantor's death. If a trust is described in the preceding sentence and if the entire corpus of the trust is includable in the gross estate of the grantor, the preceding sentence shall be applied by substituting "2-year period" for "60-day period."

(2) A trust created primarily to exercise the voting power of stock transferred to it.

(3) Any trust with respect to stock transferred to it pursuant to the terms of a will, but only for the 60 day period beginning on the day on which such the stock is transferred to it.

In the case of a trust described in paragraph (1), the grantor shall be treated as the shareholder.

In the case of a trust described in paragraph (2), each beneficiary of the trust shall, for the purposes of subdivision 1, paragraph (i), be treated as a shareholder.

Sec. 29. Minnesota Statutes 1978, Section 290.972, Subdivision 1, is amended to read:

290.972 [ELECTION BY SMALL BUSINESS CORPORATION.] Subdivision 1. [ELIGIBILITY.] Except as provided in subdivision 6 any small business corporation subject to the laws imposed by this chapter, and its shareholders may, in accordance with the provisions of this section, elect to have said the corporation and its shareholders taxed as though said the corporation were a partnership. Such The election shall be valid only if all

persons who are shareholders in such *the* corporation on the day on which the election is made

(1) on the first day of the first taxable year for which such election is effective, if such election is made on or before such first day, or

(2) on the day on which the election is made, if the election is made after such first day,

consent to such *the* election.

Sec. 30. Minnesota Statutes 1978, Section 290.972, Subdivision 3, is amended to read:

Subd. 3. [WHERE AND HOW MADE.] (1) [IN GENERAL.] An election under subdivision 1 may be made by a small business corporation for any taxable year at any time during the first month of such preceding taxable year, or at any time during the month preceding such first month first 75 days of the taxable year. Such *The* election shall be made in such a manner as the commissioner shall prescribe by regulation rule.

(2) [TREATMENT OF CERTAIN LATE ELECTIONS.] *If*

(a) a small business corporation makes an election under subdivision 1 for any taxable year, and

(b) such election is made after the first 75 days of the taxable year and on or before the last day of such taxable year,

then such election shall be treated as made for the following taxable year.

(3) In case of sickness, absence, or other disability, or when in the judgment of the commissioner good cause exists, he may upon application extend the time for making the election under subdivision 1 for not more than twelve months following the close of the taxable year for which the election is sought ; provided, however, that an application for an extension of time with respect to taxable years beginning after December 31, 1960 and prior to December 31, 1963 may be filed not later than December 31, 1965 .

Sec. 31. Minnesota Statutes 1978, Section 290.972, Subdivision 5, is amended to read:

Subd. 5. [TERMINATION.] (1) [NEW SHAREOLDERS.] (A) An election under subdivision 1 made by a small business corporation shall terminate if any person who was not a shareholder in such *the* corporation

(i) on the first day of the first taxable year of the corporation for which the election is effective, if such election is made on or before such first day, or

(ii) on the day on which the election is made , if such election is made after such first day ,

becomes a shareholder in such *the* corporation and affirmatively

refuses to consent to *such the* election on or before the 60th day after the day on which he acquires the stock.

(B) If the person acquiring the stock is the estate of a decedent, the period under subparagraph (A) for affirmatively refusing to consent to the election shall expire on the 60th day after whichever of the following is the earlier:

(i) The day on which the executor or administrator of the estate qualifies; or

(ii) The last day of the taxable year of the corporation in which the decedent died.

(C) Any termination of an election under subparagraph (A) by reason of the affirmative refusal of any person to consent to *such the* election shall be effective for the taxable year of the corporation in which *such the* person becomes a shareholder in the corporation and for all succeeding taxable years of the corporation or, if later, the first taxable year for which the election would otherwise have been effective, and for all succeeding taxable years of the corporation.

(2) [REVOCAATION.] An election under subdivision 1 made by a small business corporation may be revoked by it for any taxable year of the corporation after the first taxable year for which the election is effective. An election may be revoked only if all persons who are shareholders in the corporation on the day on which the revocation is made consent to the revocation. A revocation under this paragraph shall be effective

(A) for the taxable year in which made, if made before the close of the first month of *such the* taxable year,

(B) for the taxable year following the taxable year in which made, if made after the close of *such the* first month,

and for all succeeding taxable years of the corporation. *Such The* revocation shall be made in *such a* manner as the commissioner shall prescribe by *regulation rule*.

(3) [CEASES TO BE SMALL BUSINESS CORPORATION.] An election under subdivision 1 made by a small business corporation shall terminate if at any time

(A) after the first day of the first taxable year of the corporation for which the election is effective, if such election is made on or before such first day, or

(B) after the day on which the election is made, if such election is made after such first day,

the corporation ceases to be a small business corporation (as defined in section 290.971, subdivision 1). Such termination shall be effective for the taxable year of the corporation in which the corporation ceases to be a small business corporation and for all succeeding taxable years of the corporation.

(4) [FOREIGN INCOME.] An election under subdivision 1 made by a small business corporation shall terminate if for any taxable year of the corporation for which the election is in effect, such corporation derives more than 80 percent of its gross receipts from sources outside the United States. Such termination shall be effective for the taxable year of the corporation in which it derives more than 80 percent of its gross receipts from sources outside the United States, and for all succeeding taxable years of the corporation.

(5) [PASSIVE INVESTMENT INCOME.] (A) Except as provided in subparagraph (B), an election under subdivision 1 made by a small business corporation shall terminate if, for any taxable year of the corporation for which the election is in effect, such corporation has gross receipts more than 20 percent of which is passive investment income. Such termination shall be effective for the taxable year of the corporation in which it has gross receipts of such amount, and for all succeeding taxable years of the corporation.

(B) Subparagraph (A) shall not apply with respect to a taxable year in which a small business corporation has gross receipts more than 20 percent of which is passive investment income, if

(i) such taxable year is the first taxable year in which the corporation commenced the active conduct of any trade or business or the next succeeding taxable year; and

(ii) the amount of passive investment income for such taxable year is less than \$3,000.

(C) For purposes of this paragraph, the term "passive investment income" means gross receipts derived from royalties, rents, dividends, interest, annuities, and sales or exchanges of stock or securities (gross receipts from such sales or exchanges being taken into account for purposes of this paragraph only to the extent of gains therefrom). Gross receipts derived from sales or exchanges of stock or securities for purposes of this paragraph shall not include amounts received by an electing small business corporation which are treated under section 331 of the Internal Revenue Code of 1954, as amended through December 31, 1976 1979 (relating to corporate liquidations), as payments in exchange for stock where the electing small business corporation owned more than 50 percent of each class of the stock of the liquidating corporation.

Sec. 32. [DIRECTION TO REVISOR.] *In the next and subsequent editions of Minnesota Statutes the revisor of statutes shall substitute the words "Internal Revenue Code of 1954, as amended through December 31, 1979" for the words "Internal Revenue Code of 1954, as amended through December 31, 1976" or "Internal Revenue Code of 1954, as amended through December 31, 1977" or "Internal Revenue Code of 1954, as amended through December 31, 1978" wherever such words occur in chapter 290, except section 290.01, subdivision 20.*

Sec. 33. [REPEALER.] *Minnesota Statutes 1978, Section*

290.971, *Subdivision 5, and Minnesota Statutes, 1979 Supplement, Section 290.23, Subdivision 16 are repealed.*

Sec. 34. [EFFECTIVE DATE.] *Except as otherwise provided, section 1, clause (b)(13) is effective for taxable years beginning after December 31, 1976, and section 1, clauses (a)(12), (a)(17), (a)(18), (b)(6) (but only in regard to the changes relating to lump sum distributions), (b)(8), (b)(11), (b)(12), (b)(14), (b)(16), and (b)(17) are effective for taxable years beginning after December 31, 1978. For purposes of allowable carrybacks, section 1, clauses (b)(13) and (b)(14) are effective at the same time the carrybacks were allowable for federal income tax purposes. For taxable years beginning before January 1, 1980, section 1, clauses (b)(13) and (b)(14) are effective only if the taxpayer also applies the provision disallowing a portion of wages as required under section 280C of the Internal Revenue Code of 1954 for that taxable year. Section 7 is effective for expenditures made during taxable years beginning after December 31, 1978 and before January 1, 1983, except as otherwise specifically provided. Section 1, clause (b)(10) and section 8 are effective for interest received during taxable years beginning after December 31, 1977 on loans executed before January 1, 1982. Sections 11 and 12 are effective for taxable years beginning after December 31, 1980. Section 18 is effective for sales and exchanges occurring after December 31, 1975. Sections 16, 20, 22, 23 and 26 through 31, and 33 are effective for taxable years beginning after December 31, 1978. Section 25 is effective July 1, 1980.*

The rest of this article is effective for taxable years beginning after December 31, 1979, except as otherwise provided.

ARTICLE II PROPERTY TAX

Section 1. Minnesota Statutes 1978, Section 168.012, Subdivision 9, is amended to read:

Subd. 9. Mobile homes shall not be taxed as motor vehicles using the public streets and highways and shall be exempt from the motor vehicle tax provisions of this chapter. *Except as provided in section 273.13, mobile homes shall be taxed as personal property. The provisions of Minnesota Statutes 1957, Section 272.02 or any other act providing for tax exemption shall be inapplicable to mobile homes, except such mobile homes as are held by a licensed dealer and exempted as inventory. House trailers not used on the highway during any calendar year shall be taxed as mobile homes if occupied as human dwelling places.*

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 256.82, is amended to read:

256.82 [PAYMENTS BY STATE.] Based upon estimates submitted by the county agency to the state agency, which shall state the estimated required expenditures for the succeeding month, upon the direction of the state agency payment shall be made monthly in advance by the state to the counties of all federal funds available for that purpose for such succeeding

month, together with an amount of state funds equal to 70 percent of the difference between the total estimated cost and the federal funds so available for payments made after December 31, 1979 and before January 1, 1981, and 80 85 percent of the difference for payments made after December 31, 1980. Adjustment of any overestimate or underestimate made by any county shall be made upon the direction of the state agency in any succeeding month.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 256D.03, Subdivision 2, is amended to read:

Subd. 2. After December 31, 1979, and before January 1, 1981, state aid shall be paid to local agencies for 60 percent and, after December 31, 1980, for 70 75 percent of all general assistance grants up to the standards of section 256D.01, subdivision 1, according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance at a standard higher than that established by the commissioner, without reference to the standards of section 256D.01, subdivision 1.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 256D.36, Subdivision 1, is amended to read:

256D.36 [1973 CATEGORICAL AID RECIPIENTS; PROVISIONS FOR SUPPLEMENTAL AID.] Subdivision 1. Commencing January 1, 1974, the commissioner shall certify to each local agency the names of all county residents who were eligible for and did receive aid during December, 1973 pursuant to a categorical aid program of old age assistance, aid to the blind, or aid to the disabled. From and after January 1, 1980, until January 1, 1981, the state shall pay 70 percent and the county shall pay 30 percent of the supplemental aid calculated for each county resident certified under this section who is an applicant for or recipient of supplemental security income. After December 31, 1980, the state shall pay 80 85 percent and the county shall pay 20 15 percent of the aid. The amount of supplemental aid for each individual eligible under this section shall be calculated pursuant to the formula prescribed in Title II, Section 212 (a) (3) of Public Law 93-66, as amended.

Sec. 5. Minnesota Statutes 1978, Section 272.01, Subdivision 2, is amended to read:

Subd. 2. (a) When any real or personal property which for any reason is exempt from ad valorem taxes, and taxes in lieu thereof, is leased, loaned, or otherwise made available and used by a private individual, association or corporation in connection with a business conducted for profit; ~~except where such use is by way of a concession in or relative to the use in whole or part of a public park, market, fair grounds, airport, port authority, municipal auditorium, municipal museum or municipal stadium,~~ there shall be imposed a tax, for the privilege of so using or possessing such real or personal property, in the same amount and to the same extent as though the lessee or user was the owner of such property.

(b) *The tax imposed by this subdivision shall not apply to (1)*

property leased or used by way of a concession in or relative to the use in whole or part of a public park, market, fair grounds, port authority, municipal auditorium, municipal museum or municipal stadium or (2) property constituting or used as a public pedestrian ramp, concourse, passenger check-in area or ticket sale counter, boarding area or luggage claim area in connection with a public airport.

(c) Taxes imposed by this subdivision shall be due and payable as in the case of personal property taxes and such taxes shall be assessed to such lessees or users of real or personal property in the same manner as taxes assessed to owners of real or personal property, except that such taxes shall not become a lien against the property. When due, ~~such~~ *the* taxes shall constitute a debt due from the lessee or user to the state, township, city, county and school district for which the taxes were assessed and shall be collected in the same manner as personal property taxes. *If property subject to the tax imposed by this subdivision is leased or used jointly by two or more persons, each lessee or user shall be jointly and severally liable for payment of the tax.*

Sec. 6. Minnesota Statutes, 1979 Supplement, Section 272.02, Subdivision 1, is amended to read:

272.02 [EXEMPT PROPERTY.] 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 Minnesota, 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 (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 lawful, 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.

Sec. 7. Minnesota Statutes 1978, Section 273.13, Subdivision 3, is amended to read:

Subd. 3. [CLASS 2a; MOBILE HOMES; SECTIONAL STRUCTURES.] *(a) Except as provided in this subdivision all mobile homes, as defined in section 168.011, subdivision 8, shall constitute class 2a and shall be valued and assessed at 40 28 percent of the market value thereof. The valuation of class 2a property shall be subject to review and the taxes payable thereon in the manner provided in Laws 1975, Chapter 376 section 274.19. For purposes of this section, a "mobile home" means a structure transportable in one or more sections, which is built on a permanent chassis, designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and contains the plumbing, heating, air-conditioning, and electrical systems therein, including any accessory structure which is an addition or supplement to the mobile home and, when installed, becomes a part of the mobile home.*

(b) A mobile home which meets each of the following criteria

shall be valued and assessed as an improvement to real property, the appropriate real property classification shall apply, and the valuation shall be subject to review and the taxes payable in the manner provided for real property:

(i) The owner of the unit holds title to the land upon which it is situated;

(ii) The unit is affixed to the land by a permanent foundation or is installed at its location in accordance with the mobile homes building code contained in sections 327.31 to 327.34, and the rules adopted thereto, or is affixed to the land in a manner comparable to other real property in the taxing district; and

(iii) The unit is connected to public utilities, has a well and septic tank system, or is serviced by water and sewer facilities comparable to other real property in the taxing district.

(c) A mobile home which meets each of the following criteria shall be assessed at the rate provided by the appropriate real property classification but shall be classified as 2a property, and the valuation shall be subject to review and the taxes payable thereon in the manner provided in section 274.19:

(i) The owner of the unit is a lessee of the land pursuant to the terms of a lease;

(ii) The unit is affixed to the land by a permanent foundation or is installed at its location in accordance with the mobile homes building code contained in sections 327.31 to 327.34, and the rules adopted thereto, or is affixed to the land in a manner comparable to other real property in the taxing district; and

(iii) The unit is connected to public utilities, has a well and septic tank system, or is serviced by water and sewer facilities comparable to other real property in the taxing district.

(d) Sectional structures shall be valued and assessed as an improvement to real property provided the owner of the structure holds title to the land upon which it is located or is a qualifying lessee of the land under the provisions of section 273.19. For purposes of this clause "sectional structure" means a building or structural unit which has been in whole or substantial part manufactured or constructed at an off site location to be wholly or partially assembled on site alone or with other units and attached to a permanent foundation.

(e) The commissioner of revenue may promulgate rules pursuant to the administrative procedure act for the purpose of establishing additional criteria for the classification of mobile homes and sectional structures pursuant to the provisions of this subdivision.

Sec. 8. Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 4, is amended to read:

Subd. 4. [CLASS 3.] (a) Tools, implements and machinery 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, which are fixtures, all agricultural land, except as provided by classes 1, 3b, 3e, all buildings and structures assessed as personal property and situated upon land of the state of Minnesota or the United States government which is rural in character and devoted or adaptable to rural but not necessarily agricultural use shall constitute class 3 and shall be valued and assessed at 33½ percent of the market value thereof, except as provided in clause (b). Except as provided in subdivision 5a, all real property devoted to temporary and seasonal residential occupancy for recreational purposes, and which is not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, shall be class 3 property and assessed accordingly. For this purpose, property is devoted to commercial use on a specific day if it is used, or offered for use, and a fee is charged for such use.

(b) For taxes assessed in ~~1979 1980~~, payable in ~~1980 1981~~ and thereafter, agricultural land and real property devoted to temporary and seasonal residential occupancy for recreation purposes which is classified as class 3 shall be assessed at 25 19 percent of its market value, and for taxes assessed in ~~1980~~, payable in ~~1981~~ and thereafter, it shall be assessed at 22 percent of its market value. For taxes assessed in ~~1980~~, payable in ~~1981~~ and thereafter, real property devoted to temporary and seasonal residential occupancy for recreation purposes which is classified as class 3 shall be assessed at 21 percent of its market value.

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 5a, is amended to read:

Subd. 5a. [CLASS 3A.] Class 3a shall constitute commercial use real property which abuts a lakeshore line and is devoted to temporary and seasonal residential occupancy for recreational purposes but not devoted to commercial purposes for more than 200 days in the year preceding the year of assessment, which includes a portion used as a homestead by the owner, with the following limitations: the area of the property which shall be included in class 3a shall not exceed 100 feet of lakeshore footage for each cabin or *campsite* located on the property, up to a total of 800 feet, and 500 feet in depth measured away from the lakeshore. Class 3a shall be assessed at 12 percent of the market value thereof in ~~1979 1980~~, for taxes payable in ~~1980 1981~~, and thereafter. The remainder of the parcel shall be classified and assessed according to the provisions of subdivision 4.

Sec. 10. Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 6, is amended to read:

Subd. 6. [CLASS 3B.] Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead shall constitute class 3b and shall be valued and assessed at 12 percent of its market value in ~~1979~~, for taxes payable in ~~1980 1981~~

and thereafter as follows: the first \$50,000 of market value shall be valued and assessed at 14 percent; the remaining market value shall be valued and assessed at 19 percent. The property tax to be paid on class 3b property as otherwise determined by law less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, shall be reduced by 50 58 percent of the tax for taxes payable in 1980 1981, and 55 percent thereafter; provided that the amount of said reduction shall not exceed \$550 for taxes payable in 1980, and \$600 thereafter \$650. Valuation subject to relief shall be limited to 240 acres of land, most contiguous surrounding, bordering, or closest to the house occupied by the owner as his dwelling place, and such other structures as may be included thereon utilized by the owner in an agricultural pursuit, provided that noncontiguous land shall constitute class 3b only if the homestead is classified as class 3b and the detached land is located in the same township or city or not farther than two townships or cities or combination thereof from the homestead. If the market value is in excess of the homestead base value, the amount in excess of that sum shall be valued and assessed at 25 percent of its market value in 1979, for taxes payable in 1980, and at 22 percent thereafter. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 273.132, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Effective for the 1981 assessment and in subsequent years, the assessor shall determine and list separately on his records the market value of the homestead dwelling and the one acre of land on which that dwelling is located. If any farm buildings or structures are located on this homesteaded acre of land, their market value shall not be included in this separate determination.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 7, is amended to read:

Subd. 7. [CLASS 3C, 3CC.] All other real estate and class 2a property, except as provided by classes 1 and 3cc, which is used for the purposes of a homestead, shall constitute class 3c, and shall be valued and assessed at 18 percent of the market value thereof in 1979, for taxes payable in 1980 1981 and at 17 percent thereafter as follows: the first \$25,000 of market value shall be valued and assessed at 16 percent; the next \$25,000 of market value shall be

valued and assessed at 22 percent; and the remaining market value shall be valued and assessed at 28 percent. The property tax to be paid on class 3c property as otherwise determined by law, less any reduction received pursuant to section 273.135, regardless of whether or not the market value is in excess of the homestead base value, shall be reduced by 50 58 percent of the amount of such tax for taxes payable in 1980 1981, and 55 percent thereafter; provided that the amount of said reduction shall not exceed \$650 \$550 for taxes payable in 1980, and \$600 thereafter. If the market value is in excess of the sum of the homestead base value, the amount in excess of that sum shall be valued and assessed at 30 percent of market value in 1979, for taxes payable in 1980 and at 28 percent thereafter. The first \$12,000 market value of each tract of such real estate used for the purposes of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law. Class 3cc property shall include only real estate which is or mobile homes used for the purposes of a homestead by (a) any blind person, if such blind person is the owner thereof or if such blind person and his or her spouse are the sole owners thereof; or (b) any person (hereinafter referred to as veteran) who: (1) served in the active military or naval service of the United States and (2) is entitled to compensation under the laws and regulations of the United States for permanent and total service-connected disability due to the loss, or loss of use, by reason of amputation, ankylosis, progressive muscular dystrophies, or paralysis, of both lower extremities, such as to preclude motion without the aid of braces, crutches, canes, or a wheelchair, and (3) with assistance by the administration of veterans affairs has acquired a special housing unit with special fixtures or movable facilities made necessary by the nature of the veteran's disability, or the surviving spouse of such a deceased veteran for as long as the surviving spouse retains the special housing unit as his or her homestead; or (c) any person who: (1) is permanently and totally disabled and (2) is receiving (i) aid from any state as a result of that disability, or (ii) supplemental security income for the disabled, or (iii) workers' compensation based on a finding of total and permanent disability, or (iv) social security disability, or (v) aid under the Federal Railroad Retirement Act of 1937, 45 United States Code Annotated, Section 228b(a)5; which aid is at least 90 percent of the total income of such disabled person from all sources. Class 3cc property shall be valued and assessed at five percent of the market value thereof for taxes payable in 1981 and thereafter as follows: in the case of agricultural land, including a mobile home, used for a homestead, the first \$33,000 of market value shall be valued and assessed at five percent, the next \$17,000 of market value shall be valued and assessed at 14 percent, and the remaining market value shall be valued and assessed at 19 percent; and in the case of all other real estate and mobile homes, the first \$33,000 of market value shall be valued and assessed at five percent, the next \$17,000 of market value shall be valued and assessed at 22 percent, and the remaining market value shall be valued and assessed at 28 percent. Permanently and totally disabled for the purpose of this subdivision means

a condition which is permanent in nature and totally incapacitates the person from working at an occupation which brings him an income. The property tax to be paid on class 3cc property as otherwise determined by law, less any reduction received pursuant to section 273.135, ~~regardless of whether or not the market value is in excess of the homestead base value,~~ for all purposes shall be reduced by ~~50~~ 58 percent of the amount of such tax for taxes payable in 1980, 1981 and 55 percent thereafter; provided that the amount of said reduction shall not exceed \$650 ~~\$550~~ for taxes payable in 1980, and \$600 thereafter. If the market value is in excess of the sum of \$28,000, the amount in excess of that sum shall be valued and assessed at 25 percent in 1979 for taxes payable in 1980 and 22 percent thereafter, in the case of agricultural land used for a homestead and 30 percent in the case of all other real estate used for a homestead for taxes payable in 1980 and 28 percent for taxes payable in subsequent years .

Sec. 12. Minnesota Statutes 1978, Section 273.13, Subdivision 8a, is amended to read:

Subd. 8a. [CLASS 3E.] Real estate, rural in character, and used exclusively for the purpose of growing trees for timber, lumber, wood and wood products shall constitute class 3e, and shall be valued and assessed at ~~20~~ 19 percent of the market value thereof.

Sec. 13. Minnesota Statutes 1978, Section 273.13, Subdivision 9, is amended to read:

Subd. 9. [CLASS 4a AND 4b.] All property not included in the preceding classes shall constitute class 4 *4a* and shall be valued and assessed at 43 percent of the market value thereof, *except that 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.*

Sec. 14. Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 14a, is amended to read:

Subd. 14a. [BUILDINGS AND APPURTENANCES ON LAND NOT OWNED BY OCCUPANT.] The property tax to be paid in respect of the value of all buildings and appurtenances thereto owned and used by the occupant as a permanent residence, which are located upon land subject to property taxes and the title to which is vested in a person or entity other than the occupant, for all purposes shall be reduced by ~~50~~ 58 percent of the amount of the tax in respect of said value as otherwise determined by law for taxes payable in 1980 1981, and 55 percent thereafter, but not by more than \$550 for taxes payable in 1980, and \$600 thereafter ~~\$650~~.

Sec. 15. Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 19, is amended to read:

Subd. 19. [CLASS 3D, 3DD.] Residential real estate containing four or more units, other than seasonal residential, recreational and homesteads shall be classified as class 3d property and

shall have a taxable value equal to 40 38 percent of market value. Residential real estate containing three or less units, other than seasonal residential, recreational and homesteads, shall be classified as class 3dd property and shall have a taxable value equal to 32 28 percent of market value.

Residential real estate as used in this subdivision means real property used or held for use by the owner thereof, or by his tenants or lessees as a residence for rental periods of 30 days or more, but shall not include homesteads, or real estate devoted to temporary or seasonal residential occupancy for recreational purposes. Where a portion of a parcel of property qualified for class 3d or 3dd and a portion does not qualify for class 3d or 3dd the valuation shall be apportioned according to the respective uses.

Residential real estate containing less than three units when entitled to homestead classification for one or more units shall be classed as 3b, 3c or 3cc according to the provisions of subdivisions 6 and 7.

Sec. 16. Minnesota Statutes 1978, Section 273.19, Subdivision 1, is amended to read:

273.19 [LESSEES AND EQUITABLE OWNERS.] Subdivision 1. Except as provided in subdivision 3, property held under a lease for a term of three or more years, and not taxable under section 272.01, subdivision 2, *clause (b) (1)*, or under a contract for the purchase thereof, when the property belongs to the United States, to the state, or to any religious, scientific, or benevolent society or institution, incorporated or unincorporated, or to any railroad company or other corporation whose property is not taxed in the same manner as other property, or when the property is school or other state lands, shall be considered, for all purposes of taxation, as the property of the person so holding the same.

Sec. 17. Minnesota Statutes 1978, Section 275.11, Subdivision 2, is amended to read:

Subd. 2. In any city or statutory city, except those organized according to Chapter 8, Laws of 1895, ~~in addition to the levy limitation provided for in subdivision 1, an additional levy may be made for general fund purposes as herein provided shall be adjusted as follows:~~

If the Revised Consumer Price Index, as published by the United States Department of Labor, Bureau of Labor Statistics, for the city of Minneapolis (or if no such index is published for the city of Minneapolis, for the nearest city to Minneapolis for which such index is published), as of December 15 of any year (or for the date nearest to December 15 if no such index is published as of December 15), shall be above 102 (using the average for the years 1947-1949 as a base), the maximum levy limit shall, subject to the restrictions of this subdivision, be increased by 3 1/2 percent for each of the first 6 points that said index may be increased and by one percent for each additional point increased above 6. A fractional point increase shall be disregarded if less than one-half point and treated as one point if one-half point, or more. In any

city where more than 25 percent of the assessed valuation consists of iron ore and in any statutory city, the levy permitted by this paragraph shall be in addition to any statutory or charter limitations. In any other city, the levy authorized by this paragraph shall be made within charter limitations.

Sec. 18. Minnesota Statutes 1978, Section 275.28, Subdivision 3, is amended to read:

Subd. 3. [DESIGNATION OF YEAR OF TAX.] Beginning with property taxes payable in 1964 1980, taxes on real and personal property shall continue to be related to the year in which assessed but shall be *and* designated by the year in which they become payable but the liens shall relate back to the assessment date preceding except as otherwise provided, and further provided that such designation shall not be deemed to change the date or period to which such property taxes relate.

Sec. 19. Minnesota Statutes, 1979 Supplement, Section 275.50, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding any other law to the contrary for taxes levied in 1979 payable in 1980 and thereafter, "special levies" means those portions of ad valorem taxes levied by governmental subdivisions to:

(a) satisfy judgments rendered against the governmental subdivision by a court of competent jurisdiction in any tort action, or to pay the costs of settlements out of court against the governmental subdivision in a tort action when substantiated by a stipulation for the dismissal of the action filed with the court of competent jurisdiction and signed by both the plaintiff and the legal representative of the governmental subdivision, but only to the extent of the increase in levy for such judgment and out of court settlements over levy year 1970, taxes payable in 1971;

(b) pay the costs of complying with any written lawful order initially issued prior to January 1, 1977 by the state of Minnesota, or the United States, or any agency or subdivision thereof, which is authorized by law, statute, special act or ordinance and is enforceable in a court of competent jurisdiction, or any stipulation agreement or permit for treatment works or disposal system for pollution abatement in lieu of a lawful order signed by the governmental subdivision and the state of Minnesota, or the United States, or any agency or subdivision thereof which is enforceable in a court of competent jurisdiction. The commissioner of revenue shall in consultation with other state departments and agencies, develop a suggested form for use by the state of Minnesota, its agencies and subdivisions in issuing orders pursuant to this subdivision;

(c) pay the costs to a governmental subdivision for their minimum required share of any program otherwise authorized by law, including the administrative costs of social services but not administrative costs of public assistance programs or of county welfare systems, for which matching funds have been appro-

priated by the state of Minnesota or the United States, but only to the extent that the costs to the governmental subdivision for the program exceed those expended in calendar year 1970, subject to rules promulgated by the commissioner of revenue pursuant to the administrative procedures act. Amounts levied pursuant to this clause which are in excess of the amount necessary to meet the minimum required share of a program shall be deducted from the general levy made in the following year;

(d) pay the costs not reimbursed by the state or federal government, of payments made to or on behalf of recipients of aid under any public assistance program authorized by law;

(e) pay the costs of principal and interest on bonded indebtedness, or, effective for taxes levied in 1973 and years thereafter, to reimburse for the amount of liquor store revenues used to pay the principal and interest due in the year preceding the year for which the levy limit is calculated on municipal liquor store bonds;

(f) pay the costs of principal and interest on certificates of indebtedness, except tax anticipation or aid anticipation certificates of indebtedness, issued for any corporate purpose except current expenses or funding an insufficiency in receipts from taxes or other sources or funding extraordinary expenditures resulting from a public emergency;

(g) fund the payments made to the Minnesota state armory building commission pursuant to section 193.145, subdivision 2, to retire the principal and interest on armory construction bonds;

(h) provide for the bonded indebtedness portion of payments made to another political subdivision of the state of Minnesota;

(i) pay the amounts required to compensate for a decrease in revenues from public service enterprises, municipal liquor stores, licenses, permits, fines and forfeits and no other, to the extent that the aggregate of revenues from these sources in the calendar year preceding the year of levy are less than the *inflation adjusted* aggregate of revenues from these sources in calendar year 1971. "Revenues" from a public service enterprise or a municipal liquor store shall mean the net income or loss of such public service enterprise or municipal liquor store, determined by subtracting total expenses from total revenues, and before any contribution to or from the governmental subdivision. "Fines" for a municipal court means the net amount remaining after subtracting total municipal court expenses from total collections of municipal court fines. *The "inflation adjusted aggregate of revenues in calendar year 1971" shall be the sum of (a) the aggregate of revenues received in calendar year 1971 multiplied by the total percentage increase in the consumer price index for the Minneapolis-St. Paul area from the calendar year 1971 to June of the levy year plus (b) the aggregate of revenues received in calendar year 1971. The commissioner of revenue shall calculate and notify the governmental subdivisions of the inflation adjustment by September of the levy year. A governmental subdivision shall qualify for this special levy only if the decrease*

in aggregate revenues as computed herein and divided by the population of the governmental subdivision in the preceding levy year is equal to or greater than two percent of the per capital levy limitation for the preceding levy year;

(j) pay the amounts required to compensate for a decrease in mobile homes property tax receipts to the extent that the governmental subdivision's portion of the total levy in the current levy year, pursuant to section 273.13, subdivision 3, as amended, is less than the distribution of the mobile homes tax to the governmental subdivision pursuant to section 273.13, subdivision 3, in calendar year 1971;

(k) pay the amounts required, in accordance with section 275.075, to correct for a county auditor's error of omission in levy year 1971 or a subsequent levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(l) pay amounts required to correct for an error of omission in the levy certified to the appropriate county auditor or auditors by the governing body of a city or town with statutory city powers in a levy year, but only to the extent that when added to the preceding year's levy it is not in excess of an applicable statutory, special law or charter limitation, or the limitation imposed on the governmental subdivision by sections 275.50 to 275.56 in the preceding levy year;

(m) pay the increased cost of municipal services as the result of an annexation or consolidation ordered by the Minnesota municipal board in levy year 1971 or a subsequent levy year, but only to the extent and for the levy years as provided by the board in its order pursuant to section 414.01, subdivision 15. Special levies authorized by the board shall not exceed 50 percent of the levy limit base of the governmental subdivision and may not be in effect for more than three years after the board's order;

(n) pay the increased costs of municipal services provided to new private industrial and nonresidential commercial development, to the extent that the extension of such services are not paid for through bonded indebtedness or special assessments, and not to exceed the amount determined as follows. The governmental subdivision may calculate the aggregate of:

(1) The increased expenditures necessary in preparation for the delivering of municipal services to new private industrial and nonresidential commercial development, but limited to one year's expenditures one time for each such development;

(2) The amount determined by dividing the overall levy limitation established pursuant to sections 275.50 to 275.56, and exclusive of special levies and special assessments, by the total taxable value of the governmental subdivision, and then multiplying this quotient times the total increase in assessed value of private industrial and nonresidential commercial development

within the governmental subdivision. For the purpose of this clause, the increase in the assessed value of private industrial and nonresidential commercial development is calculated as the increase in assessed value over the assessed value of the real estate parcels subject to such private development as most recently determined before the building permit was issued. In the fourth levy year subsequent to the levy year in which the building permit was issued, the increase in assessed value of the real estate parcels subject to such private development shall no longer be included in determining the special levy.

The aggregate of the foregoing amounts, less any costs of extending municipal services to new private industrial and nonresidential commercial development which are paid by bonded indebtedness or special assessments, equals the maximum amount that may be levied as a "special levy" for the increased costs of municipal services provided to new private industrial and nonresidential commercial development. In the levy year following the levy year in which the special levy made pursuant to this clause is discontinued, one-half of the amount of that special levy made in the preceding year shall be added to the permanent levy base of the governmental subdivision;

(o) recover a loss or refunds in tax receipts incurred in non-special levy funds resulting from abatements or court action in the previous year pursuant to section 275.48;

(p) pay amounts required by law to be paid to reduce unfunded accrued liability of public pension funds, including interest thereon, in accordance with the actuarial standards and guidelines specified in sections 69.71 to 69.776 and 356.215 reduced for levy year 1977 and subsequent years by 106 percent of the amount levied for that purpose in 1976, payable in 1977. For the purpose of this special levy, the estimated receipts expected from the state of Minnesota pursuant to sections 69.011 to 69.031 or any other state aid expressly intended for the support of public pension funds shall be considered as a deduction in determining the required levy for the normal costs of the public pension funds. No amount of these aids shall be considered as a deduction in determining the governmental subdivision's required levy for the reduction of the unfunded accrued liability of public pension funds;

(q) the amounts allowed under section 174.27 to establish and administer a commuter van program;

(r) pay the costs of financial assistance to local governmental units and certain administrative, engineering, and legal expenses pursuant to Laws 1979, Chapter 253, Section 3, ;

(s) compensate for revenue lost as a result of abatements or court action pursuant to sections 270.07, 270.17 or 278.01 due to a reassessment ordered by the commissioner of revenue pursuant to section 270.16.

Sec. 20. Minnesota Statutes 1978, Section 275.52, Subdivision 2, is amended to read:

Subd. 2. The levy limit base, as adjusted for previous increases pursuant to this section, may be increased each year by the governing body of the governmental subdivision affected thereby in the amount not to exceed , *in the case of a home rule charter or statutory city other than a city of the first class or a county not containing a city of the first class, eight percent, or in the case of any other governmental subdivision, six percent of the previous year's levy limit base.*

Sec. 21. Minnesota Statutes 1978, Section 275.52, Subdivision 5, is amended to read:

Subd. 5. For taxes levied in ~~1977 1980~~ payable in ~~1978 or for taxes levied in 1978 payable in 1979 1981 and subsequent~~ years a city other than a city of the first class, town, or county not containing a city of the first class which, in the preceding levy year, levied at least 98 percent of its total limited levy amount, may determine to levy in excess of the limitation provided in sections 275.50 to 275.56 by not to exceed 10 percent of its levy limit base by passing a resolution setting forth the amount by which the levy limit is proposed to be exceeded. The resolution shall be published for four successive weeks in the official newspaper of the governmental subdivision or if there is no official newspaper, in a newspaper of general circulation therein, together with a notice fixing a date for a public hearing on the proposed increase which hearing shall be held not less than four weeks nor more than six weeks after the first publication of the resolution. Following the public hearing, the governing body may determine to take no further action, or in the alternative, adopt a resolution authorizing the levy as originally proposed, or adopt a resolution approving a levy in such lesser amount as it so determines. The resolution shall be published in the official newspaper of the governmental subdivision or if there is no official newspaper, in a newspaper of general circulation therein. If within 30 days thereafter, a petition signed by voters equal in number to five percent of the votes cast in the governmental subdivision in the last general election or 2,000 voters, whichever is less, requesting a referendum on the proposed resolution is filed with the clerk or recorder of the governmental subdivision if the governmental subdivision is a city or town, or with the county auditor if the governmental subdivision is a county, the resolution shall not be effective until it has been submitted to the voters at a general or special election and a majority of votes cast on the question of approving the resolution are in the affirmative. The commissioner of revenue shall prepare a suggested form of question to be presented at any such referendum. A levy increased pursuant to this subdivision, whether not challenged or approved at a referendum held at a special or general election held prior to October 1 in any levy year, increases the allowable levy in that same levy year and provides a permanent adjustment to the levy limit base of the governmental subdivision for future levy years. There shall be no reduction in distributions of formula aids to the governmental subdivision as a result of the additional levy.

The excess levy authorized by this subdivision is a one-time levy

adjustment to the levy limit base. If an adjustment was made after June 3, 1977, pursuant to this subdivision, in an amount less than ten percent of the base, calculated at the time of the adjustment, an additional adjustment to the current levy limit base is authorized in an amount equal to ten percent less the percent by which it was previously adjusted.

Sec. 22. *By February 15, 1981, each county assessor shall report to the commissioner of revenue on the range of average rental values of tillable agricultural land located in each township in the county and the estimated market values established in those townships in 1981.*

Sec. 23. *The 1979 adjusted assessed values determined under the provisions of section 124.212 shall be computed using the classification ratios which were in effect for taxes payable in 1980.*

Sec. 24. [REPEALER.] *Minnesota Statutes, 1979 Supplement, Section 273.122, is repealed.*

Sec. 25. [EFFECTIVE DATE.] *Sections 1 and 5 through 17, 19, 20 and 24 are effective for taxes levied in 1980 and subsequent years, payable in 1981 and subsequent years.*

ARTICLE III

PROPERTY TAX REFUND

Section 1. *Minnesota Statutes, 1979 Supplement, Section 290A.03, Subdivision 3, is amended to read:*

Subd. 3. [INCOME.] *"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, 1976 1979; 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) (2), (a) (3), (a) ~~(4)~~ (9), (a) (14), and (a) (15);*

(ii) *all nontaxable income;*

(iii) *recognized net long term capital gains;*

(iv) *dividends 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 payments received under the federal social security act, supplemental security income, and veterans disability pensions), 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. "Income" does not include

(a) amounts excluded pursuant to the Internal Revenue Code, Sections 101(a), 102, 117, and 121 as amended through December 31, 1978;

(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 273.012, subdivision 2 or 290A.01 to 290A.21; or

(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.

Sec. 2. Minnesota Statutes 1978, Section 290A.04, is amended by adding a subdivision to read:

Subd. 2c. If the net property taxes payable on a homestead in 1981 increase more than ten percent over the net property taxes payable in 1980 on the same property, a claimant who is a homeowner shall be allowed an additional refund equal to 50 percent of the amount by which the increase exceeds ten percent. This subdivision shall not apply to any increase in the net property taxes payable attributable to improvements made to the homestead. The refund shall not exceed \$300.

For purposes of this subdivision, "net property taxes payable" means property taxes payable after reductions made pursuant to sections 273.13, subdivisions 6, 7 and 14a; and 273.115, subdivision 1; and Laws 1980, Chapter 432, Section 7; and after the deduction of tax refund amounts for which the claimant qualifies pursuant to subdivisions 2, 2a, and 2b.

In addition to proofs required pursuant to chapter 290A, each claimant under this subdivision shall file with the property tax refund return a copy of the property tax statement for taxes payable in the preceding year or other documents required by the commissioner.

Sec. 3. Minnesota Statutes 1978, Section 290A.06, is amended to read:

290A.06 [FILING TIME LIMIT, LATE FILING.] Any claim for property taxes payable shall be filed with the department of revenue on or before August 31 of the year in which the property taxes are due and payable. *Any claim for rent constituting property taxes shall be filed with the department of revenue on or before August 31 of the year following the year in which the rent was paid.* The commissioner may extend the time for filing these claims for a period not to exceed six months in the case of sickness, absence, or other disability, or when in his judgment other good cause exists.

A claim filed after the original or extended due date shall be allowed, but the amount of credit shall be reduced by five percent of the amount otherwise allowable, plus an additional five percent for each month of delinquency, not exceeding a total reduction of 25 percent which may be cancelled or reduced by the commissioner in the case of sickness, absence, or other disability, or when in his judgment other good cause exists. In any event no claim shall be allowed if the *initial* claim is filed two years after the original due date for filing the claim.

The time limit on redetermination of claims for refund and examination of records shall be governed by sections 290.49, 290.50, and 290.56.

Sec. 4. Minnesota Statutes 1978, Section 290A.11, is amended by adding a subdivision to read:

Subd. 1a. If the commissioner is notified pursuant to section 375.192, subdivision 1, that a reduction in assessed value was granted and the claimant's property taxes were decreased, 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.

Sec. 5. Minnesota Statutes 1978, Section 290A.17, is amended to read:

290A.17 [PUBLISHING OR RELEASING INFORMATION ON CLAIMS.] The provisions of section 290.61 relating to the confidential nature of income tax returns shall be applicable to claims filed pursuant to the provisions of chapter 290A. *When it is necessary to adjust or audit a claim that is required to include or recognize the income of another person, or information furnished by that person, the commissioner is authorized to disclose the income and other information of all people involved, to each person involved, so that a proper claim may be allowed.*

Nothing herein shall be construed to prohibit the commissioner from publishing or releasing the information concerning amounts of property tax accrued and the relief granted to taxpayers without including information which would identify individual taxpayers. The commissioner may examine income tax returns as he deems necessary and may utilize the information in legal and administrative proceedings to insure proper administration of sections 290A.01 to 290A.21, notwithstanding section 290.61.

Sec. 6. Minnesota Statutes 1978, Section 290A.18, is amended to read:

290A.18 [RIGHT TO FILE CLAIM.] If a person entitled to relief under sections 290A.01 to ~~290A.21~~ 290A.23 dies prior to filing a claim or receiving relief, the surviving spouse or dependent or personal representative of the person shall be entitled to file the claim and receive relief. ~~If there is no surviving spouse or dependent, the right to the credit shall lapse.~~

Sec. 7. Minnesota Statutes 1978, Section 290A.19, is amended to read:

290A.19 [OWNER OR MANAGING AGENT TO FURNISH RENT CERTIFICATE; PENALTY.] The owner or managing agent of any property for which rent is paid for occupancy as a homestead shall furnish a certificate of rent paid to each person who is a renter on December 31, in the form prescribed by the commissioner. If the renter moves prior to December 31, the obligation of the owner or managing agent shall be to at his option either provide the certificate to the renter at the time he moves, upon the renter's request, or to mail the certificate to the forwarding address if an address has been provided by the renter. The certificate shall be made available to the renter not later than February 15 of the year following the year in which the rent was paid. Any owner or managing agent who willfully fails to furnish a certificate as provided herein shall be liable to the commissioner for a penalty of \$20 for each act or failure to act. The penalty shall be assessed and collected in the manner provided in chapter 290 for the assessment and collection of income tax.

Sec. 8. Minnesota Statutes 1978, Section 375.192, Subdivision 1, is amended to read:

375.192 [REDUCTIONS IN ASSESSED VALUATION OF REAL PROPERTY.] Subdivision 1. Notwithstanding section 270.07, upon written application by the owner of the property, the county board of each county shall have power to grant such reduction, for the current year, of the assessed valuation of any real property in that county which erroneously has been classified, for tax purposes, as non-homestead property, as is necessary to give it the assessed valuation which it would have received if it had been classified correctly. The application shall be made on a form prescribed by the commissioner of revenue. It shall include the social security number of the applicant and a statement of facts of ownership and occupancy, and shall be sworn to by the owner of the property before an officer authorized to take acknowledgements. Before it is acted upon by the county board,

the application shall be referred to the county assessor, or if the property is located in a city of the first class having a city assessor, to such assessor, who shall investigate the facts and attach his report of such investigation to the application.

With respect to abatements relating to the current year's tax processed through June 30, the county auditor shall notify the commissioner of revenue on or before July 31 of that same year of all applications granted pursuant to this subdivision. Subsequently, with respect to abatements relating to the current year's tax processed after June 30 through the balance of the year, the county auditor shall notify the commissioner of revenue on or before the following January 31 of all such applications granted pursuant to this subdivision. The form submitted by the county auditor shall be prescribed by the commissioner of revenue and shall contain the information which the commissioner deems necessary.

Sec. 9. [EFFECTIVE DATE.] *Sections 1, 6 and 7 are effective for claims based on rent paid in 1979 and subsequent years and property taxes payable in 1980 and subsequent years. Section 3 is effective for claims based on rent paid in 1975 and subsequent years and property taxes payable in 1976 and subsequent years. Section 5 is effective the day after final enactment.*

ARTICLE IV

STATE REIMBURSEMENTS

Section 1. Minnesota Statutes 1978, Section 124.212, Subdivision 2, is amended to read:

Subd. 2. Except as may otherwise be provided in this section, the following words and phrases when used in this section shall have the meanings herein ascribed to them.

(1) "Adjusted maintenance cost" means the state and local current expense for pupils in elementary and secondary schools, exclusive of transportation, veterans training program, community services, and after reduction for receipts from the sale of authorized items sold to the individual pupil by the school such as lunches, items of personal use, or other items specifically authorized by law or under the procedures set forth in sections 120.71 to 120.76, and after reduction for receipts from quasi-school activities when the school board has assumed direction and control of same. For purposes of determining the adjusted maintenance costs, the state department of education shall use only figures from the annual financial reports of the districts for the prior year and any supplementary documents received by it on or before August 1 of the current year. For any district which has not transmitted to the department of education before August 1, its annual financial report for the prior year, the figures from the most recent financial report of that district received on or before August 1, shall be used for purposes of calculating its certified levy and foundation aid.

(2) "Adjusted assessed valuation" shall mean the assessed valuation of the taxable property notwithstanding the provisions of

section 275.49 of the school district as adjusted by the equalization aid review committee. *In determining adjusted assessed valuation, property which qualifies for the reimbursement specified in section 3, subdivision 1, shall be treated as if it were classified as 3b or 3c in the case of homestead property, or as 3d in the case of nonhomestead property.*

Sec. 2. The 1979 adjusted assessed values for taxes payable in 1981 determined under the provisions of section 124.212 shall be adjusted so that property which qualifies for the reimbursement specified in section 3, subdivision 1, shall be treated as if it were classified as 3b or 3c in the case of homestead property, or as 3d in the case of nonhomestead property.

Sec. 3. Minnesota Statutes 1978, Chapter 273, is amended by adding a section to read:

[273.139] [REIMBURSEMENT.] Subdivision 1. (a) Each taxing jurisdiction shall receive reimbursement in 1981 and subsequent years for the difference between the tax determined pursuant to clause (b) and the tax actually payable by the owner of property which qualifies for the assessment categories described by section 273.13, subdivisions 17 and 17b, and on property that qualifies as class 3cc pursuant to section 273.13, subdivision 7.

(b) The county auditor shall calculate the tax on the property described in clause (a) in the same manner as the property would be assessed, if it were classified as 3b or 3c in the case of homestead property, or as 3d in the case of nonhomestead property.

(c) The difference between the amount calculated pursuant to clause (b) and the amount of tax actually payable by the owner on property described in clause (a) shall be certified by the county auditor and reported to the commissioner of revenue as part of the 1981 and subsequent years abstracts of tax lists required to be filed with the commissioner by section 275.29. The commissioner shall make payments on July 15 of 1981 and subsequent years to the taxing jurisdictions containing the property in the same proportion that the ad valorem tax was distributed.

Subd. 2. When computing mill rates pursuant to sections 275.08 and 275.09, the county auditor shall regard property described in subdivision 1, clause (a) as if it were valued as class 3b or 3c in the case of homestead property, or class 3d in the case of nonhomestead property.

Sec. 4. Minnesota Statutes 1978, Section 273.13, Subdivision 17b, is amended to read:

Subd. 17b. [VALUATION OF FARMERS HOME ADMINISTRATION PROPERTY IN MUNICIPALITIES OF UNDER 10,000.] Notwithstanding any other provision of law, any structure

(a) situated on real property that is used for housing for the

elderly or for low and moderate income families as defined by the farmers home administration,

(b) located in a municipality of less than 10,000 population,

(c) financed by a direct loan or insured loan from the farmers home administration, and

(d) which qualifies under subdivision 17a, shall, for 15 years from the date of the completion of the original construction or for the original term of the loan, be assessed at five percent of the adjusted market value thereof, provided that the fair market value as determined by the assessor is based on the normal approach to value using normal unrestricted rents.

Sec. 5. Minnesota Statutes 1978, Section 275.51, is amended by adding a subdivision to read:

Subd. 5. [LEVY LIMITATION ADJUSTMENT.] For taxes payable in 1982 and subsequent years, the reduced assessment reimbursement pursuant to section 3, subdivision 1, shall be considered as part of the property tax levy subject to the limitation provided by sections 275.50 through 275.59.

Sec. 6. Minnesota Statutes 1978, Section 276.04, is amended to read:

276.04 [NOTICE OF RATES; PROPERTY TAX STATEMENTS.] On receiving the tax lists from the county auditor, the county treasurer shall, if directed by the county board, give three weeks' published notice in a newspaper specifying the rates of taxation for all general purposes and the amounts raised for each specific purpose. He shall, whether or not directed by the county board, cause to be printed on all tax statements, or on an attachment, a tabulated statement of the dollar amount due to each taxing authority and the amount to be paid to the state of Minnesota from the parcel of real property for which a particular tax statement is prepared. The dollar amounts due the state, county, township or municipality and school district shall be separately stated but the amounts due other taxing districts, if any, may be aggregated. The property tax statements for class 2a property shall contain the same information that is required on the tax statements for real property. The county treasurer shall mail to taxpayers statement of their personal property taxes due, such statements to be mailed not later than February 15 (except in the case of Class 2a property), statements of the real property taxes due shall be mailed not later than January 31; provided, that the validity of the tax shall not be affected by failure of the treasurer to mail such statement. Such real and personal property tax statements shall contain the market value, as defined in section 272.03, subdivision 8, used in determining the tax. The statement shall also include the base tax as defined in section 273.011, subdivision 4, for qualified property as defined in section 273.011 for which the credit provided for in section 273.012 is claimed. The statement shall show the amount attributable to section 273.132 as "state paid agricultural credit" and the amount attributable to section 273.13, subdivisions 6 and 7 as "state paid homestead credit". The

commissioner of revenue shall provide each county auditor with the names of those persons in the assessor's district who have filed and qualified for the property tax credit pursuant to sections 273.011 and 273.012 and shall inform the assessor of the base tax of those persons. *The statement shall show the reduction attributable to the aid given pursuant to section 3 and shall indicate that the reduction is paid by the state of Minnesota.* If so directed by the county board, the treasurer shall visit places in the county as he deems expedient for the purpose of receiving taxes and the county board is authorized to pay the expenses of such visits and of preparing duplicate tax lists.

Sec. 7. [APPROPRIATION.] *There is annually appropriated from the general fund to the commissioner of revenue an amount necessary to make the payments required by section 3.*

Sec. 8. *This article is effective the day following final enactment.*

ARTICLE V SALES TAX

Section 1. Minnesota Statutes 1978, Section 297A.01, Subdivision 4, is amended to read:

Subd. 4. A "retail sale" or "sale at retail" means a sale for any purpose other than resale in the regular course of business. Property utilized by the owner only by leasing such property to others or by holding it in an effort to so lease it, and which is put to no use by the owner other than resale after such lease or effort to lease, shall be considered property purchased for resale. Sales of building materials, supplies and equipment to owners, contractors, subcontractors or builders for the erection of buildings or the alteration, repair or improvement of real property are "retail sales" or "sales at retail" in whatever quantity sold and whether or not for purpose of resale in the form of real property or otherwise. *Aircraft and parts for the repair thereof purchased by a non-profit, incorporated flying club or association utilized solely by the corporation by leasing such aircraft to shareholders of the corporation shall not be considered property purchased for resale. The leasing of the aircraft to the shareholders by the flying club or association shall not be considered a sale notwithstanding subdivision 3 of section 297A.01 if the tax imposed by this chapter was paid on the initial purchase as provided by this subdivision.*

Aircraft utilized by the owner only for the purpose of being leased to others, whether or not the lessee utilizes the aircraft for flight instruction or charter service, or by holding the aircraft in an effort to lease it, and which is put to no use by the owner other than resale after the lease, shall be considered aircraft purchased for resale.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1, is amended to read:

297A.25 [EXEMPTIONS.] 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;

(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, therapeutic 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 water, 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 of 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 prop-

erty 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 cigarettes.

(s) 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.

(t) 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.

(u) 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.

(v) 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.

(w) 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.

(x) 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.

(y) *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).*

(z) *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.*

Sec. 3. Minnesota Statutes 1978, Section 297A.211, Subdivision 1, is amended to read:

297A.211 [COMMON CARRIERS AS RETAILERS.] Subdivision 1. Every person, as defined in this chapter, who is engaged in interstate for-hire transportation of tangible personal property or passengers by motor vehicle may at their option, under rules and regulations prescribed by the commissioner, register as retailers and pay the taxes imposed by this chapter in accordance with this section. Persons referred to herein are: (1) persons possessing a certificate or permit authorizing for-hire transportation of property or passengers from the interstate commerce commission or the Minnesota public service commission; or (2) persons transporting commodities defined as "exempt" in for-hire transportation in interstate commerce; or (3) persons who, pursuant to contracts with persons described in clauses (1) or (2) above, transport tangible personal property in interstate commerce. Persons qualifying under clauses (2) and (3) must main-

tain on a current basis the same type of mileage records that are required by persons specified in clause (1) by the interstate commerce commission. *Persons who in the course of their business are transporting solely their own goods in interstate commerce may also register as retailers pursuant to rules prescribed by the commissioner and pay the taxes imposed by this chapter in accordance with this section.*

Sec. 4. [LOCAL ADMISSIONS AND AMUSEMENT TAXES; EXEMPTION FOR ARTS ORGANIZATIONS.] *No tax imposed by a local unit of government or imposed on sales taking place in a single named local unit of government on sales of admissions or amusements under a law enacted prior or subsequent to the enactment of this provision, other than a general sales tax law, shall apply to amounts charged for admission to the premises of or events sponsored by a nonprofit arts organization.*

Sec. 5. [EFFECTIVE DATE.] *The provisions of section 1 relating to purchases by flying clubs or associations is effective for sales after June 30, 1980. The provisions of section 1 relating to aircraft exclusively used for leasing are effective November 1, 1979. Section 2, clause (y) and section 4 are effective for tickets sold or admissions charged after July 31, 1980. Section 2, clause (z) is effective for sales made after June 30, 1980.*

ARTICLE VI

TAX INCREMENT FINANCING

Section 1. Minnesota Statutes, 1979 Supplement, Section 273.73, Subdivision 7, is amended to read:

Subd. 7. [ORIGINAL ASSESSED VALUE.] "Original assessed value" means the assessed value of all taxable real property within a tax increment financing district as most recently certified by the commissioner of revenue as of the date of the request by an authority for certification by the county auditor, together with subsequent adjustments as set forth in section 273.76, subdivisions 1 and 4; provided, however, that in determining the original assessed value the assessed value of real property exempt from taxation at the time of the request shall be zero except for real property which is tax exempt by reason of public ownership by the requesting authority and which has been publicly owned for less than one year prior to the date of the request for certification, in which event the assessed value of the property shall be the assessed value as most recently determined by the commissioner of revenue. For purposes of this subdivision, "real property" shall include any property normally taxable as personal property by reason of its location on or over *publicly-owned* property owned by a tax exempt entity.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 273.73, Subdivision 8, is amended to read:

Subd. 8. [PROJECT.] "Project" means a project as defined in section 362A.01; an industrial development district as defined in section 458.191, subdivision 1; a redevelopment project as defined

in section 462.421, subdivision 14; a development district as defined in section 472A.02, subdivision 3 chapter 472A or any special law; or a project as defined in section 474.02, subdivisions 1, 1a or 1b.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 273.73, Subdivision 10, is amended to read:

Subd. 10. [REDEVELOPMENT DISTRICT.] (a) "Redevelopment project 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 project district, exists:

(1) The land is predominantly 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) The land is predominantly 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) The land is not predominantly occupied by buildings, streets, utilities or other improvements, but at least 80 percent of the total acreage of such land has a fair market value upon inclusion in the project redevelopment district which, when added to the estimated cost of preparing the land for use, including utilities, if any, exceeds its anticipated fair market value after completion of said preparation; or

(4) The property consists of underutilized air rights existing over a public street, highway or right-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.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 273.73, Subdivision 11, is amended to read:

Subd. 11. [HOUSING DISTRICT.] "Housing project district" means a type of tax increment financing district which consists of

a project, or that part of a portion of a project, intended for occupancy, in part, by persons or families of low and moderate income, as defined in chapter 462A, Title II of the National Housing Act of 1934, the National Housing Act of 1959, the United States Housing Act of 1937, as amended, Title V of the Housing Act of 1949, as amended, any other similar present or future federal, state, or municipal legislation, or the regulations promulgated under any of those acts.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 273.73, Subdivision 12, is amended to read:

Subd. 12. [ECONOMIC DEVELOPMENT DISTRICT.] "Economic development ~~project district~~" means a type of tax increment financing district which consists of any project, or portions of a project, not meeting the requirements found in the definition of redevelopment ~~project district~~ or housing ~~project district~~, but which the authority finds to be in the public interest because:

(a) It will discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) It will result in increased employment in the municipality; or

(c) It will result in preservation and enhancement of the tax base of the municipality.

Sec. 6. Minnesota Statutes, 1979 Supplement, 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 ~~project 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:

(a) That the ~~project comprising~~ the proposed tax increment financing district is a redevelopment ~~project district~~, a housing ~~project district~~ or an economic development ~~project district~~ and the specific bases for such determination.

(b) That the proposed development or redevelopment, in the

opinion of the municipality, would not occur solely through private investment within the reasonably foreseeable 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 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. 7. Minnesota Statutes, 1979 Supplement, Section 273.75, Subdivision 1, is amended to read:

273.75 [LIMITATIONS.] Subdivision 1. **[DURATION OF TAX INCREMENT FINANCING DISTRICTS.]** Subject to the limitations contained elsewhere in this subdivision any tax increment financing district as to which bonds are outstanding, payment for which the tax increment and other revenues have been pledged, shall remain in existence at least as long as any such bonds continue to be outstanding; provided, however, the tax increment pledged to the payment of bonds and interest thereon may be discharged and the tax increment financing district may be terminated if sufficient funds have been irrevocably deposited in the debt service fund or other escrow account held in trust for all outstanding bonds to provide for the payment of the bonds at maturity or date of redemption and interest thereon to such maturity or redemption date, provided that for bonds issued pursuant to section 273.77, clauses (a) and (b) the full faith and credit and any taxing powers of the municipality or authority shall continue to be pledged to the payment of the bonds until the principal of and interest on the bonds has been paid in full; provided, further, that no tax increment shall be paid to an authority for a tax increment financing district after three years from the date of certification of the original assessed value of the taxable real property in the district by the county auditor or three years from August 1, 1979, for tax increment financing districts authorized prior to August 1, 1979, unless within the three year period

(a) bonds have been issued pursuant to section 273.77, or in aid of a project pursuant to any other law, except revenue bonds issued pursuant to chapter 474, prior to August 1, 1979, or (b) the authority has acquired property within the district, or (c) the authority has constructed or caused to be constructed public improvements within the district; and provided, further, that no tax increment shall in any event be paid to the authority from a redevelopment project district after 25 years from date of receipt by the authority of the first tax increment, after 25 years from the date of the receipt for a housing project district and after eight years from the date of the receipt, or 10 years from approval of the tax increment financing plan, whichever is less, for an economic development project district.

For tax increment financing districts created prior to August 1, 1979, no tax increment shall be paid to the authority after 30 years from August 1, 1979.

Modification of a tax increment financing plan pursuant to section 273.74, subdivision 4, shall not extend the durational limitations of this subdivision.

Sec. 8. Minnesota Statutes, 1979 Supplement, 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 (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 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. 9. Minnesota Statutes, 1979 Supplement, 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 redevelopment project district, or ten percent, by acreage, of the property to be acquired within a housing or economic development project 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. 10. Minnesota Statutes, 1979 Supplement, Section 273.75, Subdivision 6, is amended to read:

Subd. 6. [LIMITATION ON INCREMENT.] If, after five 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 *property parcel* but not installation of utility service, has been commenced on a *property parcel* located within a tax increment financing district by the authority or by the owner of the *property parcel* in accordance with the tax increment financing plan, no additional tax increment may be taken from that *property parcel*, and the original assessed value of that *property parcel* shall be excluded from the original assessed value of the tax increment financing district. If the authority or the owner of the *property parcel* subsequently commences demolition, rehabilitation or renovation or other site preparation on that *property parcel* including improvement of a street adjacent to that *property parcel*, in accordance with the tax increment financing plan, the authority shall certify to the county auditor that the activity has commenced, and the *property* may be added into the tax increment financing district. The county auditor shall certify the most recently assessed value of that *property* 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 as a single unit for purposes of assessment.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 273.76, Subdivision 1, is amended to read:

273.76 [COMPUTATION OF TAX INCREMENT.] 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 as of the date of title 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. 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, the original assessed value of the district shall be reduced by that amount 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. 12. Minnesota Statutes, 1979 Supplement, Section 273.76, Subdivision 2, is amended to read:

Subd. 2. [CAPTURED ASSESSED VALUE.] The county auditor shall certify the amount of the captured assessed value to the authority each year, together with the proportion that the captured assessed value bears to the total assessed value of the real property within the tax increment financing district for that year.

(a) An authority may choose to retain any part or all of the captured assessed value for purposes of tax increment financing according to one of the two following options:

(1) If the plan provides that all the captured assessed value is necessary to finance or otherwise make permissible expenditures under section 273.75, subdivision 5 4, the authority may retain the full captured assessed value.

(2) If the plan provides that only a portion of the captured assessed value is necessary to finance or otherwise make permissible expenditures under section 273.75, subdivision 5 4, only that portion shall be set aside and the remainder shall be distributed among the affected taxing districts by the county auditor.

(b) The portion of captured assessed value that an authority intends to use for purposes of tax increment financing must be clearly stated in the tax increment financing plan.

Sec. 13. Minnesota Statutes, 1979 Supplement, Section 273.76, Subdivision 3, is amended to read:

Subd. 3. [TAX INCREMENT, RELATIONSHIP TO CHAPTER 473F.] (a) Unless the governing body elects pursuant to clause (b) the following method of computation shall apply:

(1) The original assessed value shall include any portion thereof which is subject to the area-wide tax imposed by section 473F.08, subdivision 6; in the levy and assessment of taxes in the year the district is certified and the current assessed value shall not be

reduced to any extent to reflect the contribution of the municipality to the area-wide tax base pursuant to section 473F.08, subdivision 2, clause (e).

(2) In each subsequent year, the county auditor shall compute assessed valuations, mill rates and the tax increment as follows:

(i) If the authority retains the full captured assessed value, the county auditor shall include no more than the original assessed value of the real property in the tax increment financing district for purpose of determining assessed value for local mill rates. The county auditor shall compute the mill rates of all taxes levied by the state, the county, the municipality or town, the school district and every other taxing district in which the district is located in whole or in part of the aforementioned assessed value. The county auditor shall extend all mill rates against the current assessed value, including the captured assessed value, except for that portion of the current assessed value which is subject to the area-wide tax rate determined pursuant to section 473F.08, subdivision 5. In each year for which the current assessed value exceeds the original assessed value, the county treasurer shall remit to the authority that portion of all taxes paid that year on real property in the district, including taxes paid as a result of the application of the area-wide tax determined pursuant to section 473F.08, subdivision 5, which exceeds the taxes attributable to the application of local mill rates to the original assessed value. The amount so remitted each year is referred to in this section as the tax increment for that year.

(ii) If the authority retains only a portion of the captured assessed value for its use and returns the remaining portion to the tax rolls of all affected taxing districts, the county auditor shall include the original assessed value which is shared with all the affected taxing districts in determining the assessed value for computing mill rates. He shall compute the mill rates of all taxes levied by the state, county, municipality, school district, and every other taxing district in which the district is located in whole or in part on this assessed value. He shall extend all mill rates against the total current assessed value including that portion of the captured assessed value which the authority is retaining for its use only, except for that portion of the current assessed value which is subject to the area-wide tax rate determined pursuant to section 473F.08, subdivision 5. In each year for which the current assessed value exceeds the original assessed value, the county treasurer shall remit to the authority that portion of all taxes paid on real property in the district, including taxes paid as a result of the area-wide tax rate determined pursuant to section 473F.08, subdivision 5, that exceeds the taxes attributable to the application of local mill rates to the original assessed value and to that portion of the captured assessed value which is shared with all the affected taxing districts. The amount so remitted each year is referred to as the tax increment.

(3) In any year in which the current assessed value of the tax increment financing district is less than the original assessed

value, thereby creating a tax increment deficit, the county auditor shall compute and extend taxes against the current assessed value, except for that portion of the current assessed value which is subject to the area-wide tax rate determined pursuant to sections 473F.08, subdivision 5. Taxes, including taxes paid as a result of the application of the area-wide tax rate determined pursuant to section 473F.08, subdivision 5, shall be distributed from the affected property to each of the taxing jurisdictions as determined by the current levy and there will be no tax increment. In any year subsequent to a year in which there exists a tax increment deficit, the tax increment shall be computed without regard to said deficit.

(1) *The original assessed value and the current assessed value shall be determined before the application of the fiscal disparity provisions of chapter 473F. Where the original assessed value is equal to or greater than the current assessed value, there is no captured assessed value and no tax increment determination. Where the original assessed value is less than the current assessed value, the difference between the original assessed value and the current assessed value is the captured assessed value. This amount less any portion thereof which the authority has designated, in its tax increment financing plan, to share with the local taxing districts is the retained captured assessed value of the authority.*

(2) *The county auditor shall exclude the retained captured assessed value of the authority from the taxable value of the local taxing districts in determining local taxing district mill rates. The mill rates so determined are to be extended against the retained captured assessed value of the authority as well as the taxable value of the local taxing districts. The tax generated by the extension of the local taxing district mill rates to the retained captured assessed value of the authority is the tax increment of the authority.*

(b) Notwithstanding clause (a), the governing body may, by resolution approving the tax increment financing plan pursuant to section 273.74, subdivision 3, elect the following method of computation:

(1) *The original assessed value shall not include any portion thereof which is subject to the area-wide tax imposed by section 473F.08, subdivision 6, in the levy and assessment of taxes in the year the district is certified and the current assessed value shall not include the portion thereof which is subject to the area-wide tax imposed by section 473F.08, subdivision 6, but shall not otherwise be reduced by the amount of the contribution of the municipality to the area-wide tax base pursuant to section 473F.08, subdivision 2, clause (a).*

(2) *In each subsequent year, the county auditor shall compute assessed valuation, mill rates and tax increments as follows:*

(i) *If the authority retains the full captured assessed value, the county auditor shall include no more than the original assessed value of the real property in the tax increment financing district for purposes of determining assessed value for local mill rates. The*

county auditor shall compute the mill rates of all taxes levied by the state, the county, the municipality or town, the school district and every other taxing district in which the district is located in whole or in part on the aforementioned assessed value. The county auditor shall extend all mill rates against the current assessed value, including the captured assessed value. In each year for which the current assessed value exceeds the original assessed value, the county treasurer shall remit to the authority that proportion of all taxes paid that year on real property in the district which the captured assessed value bears to the current assessed value. The amount so remitted each year is referred to in this section as the tax increment for that year.

(ii) If the authority retains only a portion of the captured assessed value for its use and returns the remaining portion to the tax rolls of all affected taxing districts, the county auditor shall include the original assessed value and that portion of the captured assessed value which is shared with all the affected taxing districts in determining the assessed value for computing mill rates. He shall compute the mill rates of all taxes levied by the state, county, municipality, school district, and every other taxing district in which the district is located in whole or in part on this aforementioned assessed value. He shall extend all mill rates against the total current assessed value including that portion of the captured assessed value which the authority is retaining for its use only. In each year for which the current assessed value exceeds the original assessed value, the county treasurer shall remit to the authority that portion of all taxes paid on real property in the district that the retained captured assessed value bears to the total current assessed value in the district. The amount so remitted each year is referred to as the tax increment.

(3) In any year in which the current assessed value of the tax increment financing district is less than the original assessed value, thereby creating a tax increment deficit, the county auditor shall compute and extend taxes against the current assessed value. Taxes shall be distributed from the affected property to each of the taxing jurisdictions as determined by the current levy and there is no tax increment. In any year subsequent to a year in which there exists a tax increment deficit, tax increments shall be computed without regard to the deficit.

(1) *The original assessed value shall be determined before the application of the fiscal disparity provisions of chapter 473F. The current assessed value shall exclude any fiscal disparity commercial-industrial assessed value increase between the original year and the current year multiplied by the fiscal disparity ratio determined pursuant to section 473F.08, subdivision 6. Where the original assessed value is equal to or greater than the current assessed value, there is no captured assessed value and no tax increment determination. Where the original assessed value is less than the current assessed value, the difference between the original assessed value and the current assessed value is the captured assessed value. This amount less any portion thereof which the authority has designated, in its tax increment financing plan,*

to share with the local taxing districts is the retained captured assessed value of the authority.

(2) The county auditor shall exclude the retained captured assessed value of the authority from the taxable value of the local taxing districts in determining local taxing district mill rates. The mill rates so determined are to be extended against the retained captured assessed value of the authority as well as the taxable value of the local taxing districts. The tax generated by the extension of the local taxing district mill rates to the retained captured assessed value of the authority is the tax increment of the authority.

(4) (3) An election by the governing body pursuant to part (b) shall be submitted to the county auditor by the authority at the time of the request for certification pursuant to subdivision 1.

(c) The method of computation of tax increment applied to a district pursuant to clause (a) or (b), once established, shall remain the same for the duration of the district.

Sec. 14. Minnesota Statutes, 1979 Supplement, Section 273.76, is amended by adding a subdivision to read:

Subd. 6. A request for certification of a new tax increment financing district pursuant to subdivision 1 or of a modification to an existing tax increment financing district pursuant to section 273.74, subdivision 4, received by the county auditor on or before October 10 of the calendar year shall be recognized by the county auditor in determining mill rates for the current and subsequent levy years. Such requests received by the county auditor after October 10 of the calendar year shall not be recognized by the county auditor in determining mill rates for the current levy year but shall be recognized by the county auditor in determining mill rates for subsequent levy years.

Sec. 15. Minnesota Statutes, 1979 Supplement, Section 273.76, is amended by adding a subdivision to read:

Subd. 7. [PROPERTY CLASSIFICATION CHANGES.] In the event that any law governing the classification of real property and thereby determining the percentage of market value to be assessed for ad valorem taxation purposes is amended after August 1, 1979, the increase or decrease in assessed valuation resulting therefrom shall be applied proportionately to original assessed value and captured assessed value of any tax increment financing district in each year thereafter, whether created pursuant to the Minnesota Tax Increment Financing Act or any prior tax increment law.

Sec. 16. Minnesota Statutes, 1979 Supplement, Section 273.76, is amended by adding a subdivision to read:

Subd. 8. [ASSESSMENT AGREEMENTS.] An authority may, upon entering into a development or redevelopment agreement pursuant to section 273.75, subdivision 5, enter into a written assessment agreement in recordable form with the developer or redeveloper of property within the tax increment financing district

which establishes a minimum market value of the land and completed improvements to be constructed thereon until a specified termination date, which date shall be not later than the date upon which tax increment will no longer be remitted to the authority pursuant to section 273.75, subdivision 1. The assessment agreement shall be presented to the county assessor, or city assessor having the powers of the county assessor, of the jurisdiction in which the tax increment financing district is located. The assessor shall review the plans and specifications for the improvements to be constructed, review the market value previously assigned to the land upon which the improvements are to be constructed and, so long as the minimum market value contained in the assessment agreement appears, in the judgment of the assessor, to be a reasonable estimate, shall execute the following certification upon such agreement:

The undersigned assessor, being legally responsible for the assessment of the above described property upon completion of the improvements to be constructed thereon, hereby certifies that the market value assigned to such land and improvements upon completion shall not be less than \$

Upon transfer of title of the land to be developed or redeveloped from the authority to the developer or redeveloper, such assessment agreement, together with a copy of this subdivision, shall be filed for record and recorded in the office of the county recorder or filed in the office of the registrar of titles of the county where the real estate or any part thereof is situated. Upon completion of the improvements by the developer or redeveloper, the assessor shall value the property pursuant to section 273.11, except that the market value assigned thereto shall not be less than the minimum market value contained in the assessment agreement. Nothing herein shall limit the discretion of the assessor to assign a market value to the property in excess of the minimum market value contained in the assessment agreement nor prohibit the developer or redeveloper from seeking, through the exercise of administrative and legal remedies, a reduction in market value for property tax purposes; provided, however, that the developer or redeveloper shall not seek, nor shall the city assessor, the county assessor, the county auditor, any board of review, any board of equalization, the commissioner of revenue or any court of this state grant a reduction of the market value below the minimum market value contained in the assessment agreement during the term of the agreement filed of record regardless of actual market values which may result from incomplete construction of improvements, destruction or diminution by any cause, insured or uninsured, except in the case of acquisition or reacquisition of the property by a public entity. Recording or filing of an assessment agreement complying with the terms of this subdivision shall constitute notice of the agreement to any subsequent purchaser or encumbrancer of the land or any part thereof, whether voluntary or involuntary, and shall be binding upon them.

Sec. 17. Minnesota Statutes, 1979 Supplement, 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 5 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 5 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 5 4. Said bonds of the authority shall be authorized by its resolution, 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, 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 shall be conclusively deemed to have been issued for such purpose, and the district 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 5 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 shall be conclusively deemed to have been issued for such purpose, and the district 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 covenants 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.

Sec. 18. Minnesota Statutes, 1979 Supplement, Section 273.78, is amended to read:

273.78 [EXISTING PROJECTS.] The provisions of sections 273.71 to 273.77 shall not affect any project for which tax increment certification was requested pursuant to law prior to August 1, 1979, or any project carried on by an authority pursuant to section 462.545, subdivision 5 with respect to which the governing body has by resolution designated properties for inclusion in the project *district* prior to August 1, 1979, except:

(a) As otherwise expressly provided in sections 273.71 to 273.77; or

(b) As an authority may elect to proceed with an existing project *district*, under the provisions of sections 273.71 to 273.77; or

(c) That any enlargements of the geographic area of an existing tax increment financing district subsequent to August 1, 1979, shall be accomplished in accordance with and shall subject the property added as a result of the enlargement to the terms and conditions of sections 273.71 to 273.77; or

(d) That commencing with taxes payable in 1980, section 273.76, subdivision 3, clause (b) shall apply to all development districts created pursuant to chapter 472A, or any special law, prior to August 1, 1979.

Sec. 19. Minnesota Statutes, 1979 Supplement, Section 273.86, Subdivision 4, is amended to read:

Subd. 4. [EXCEPTIONS.] The provisions of this section shall not apply to any property purchased from an authority which acquired such property with tax increment or bonds issued pursuant to Laws 1979, Chapter 322, Sections 10 to 12 Section 7.

Sec. 20. Minnesota Statutes, 1979 Supplement, Section 473F.08, Subdivision 6, is amended to read:

Subd. 6. The rate of taxation determined in accordance with

subdivision 5 shall apply in the taxation of each item of commercial-industrial property subject to taxation within a municipality, including property located within any tax increment financing district, as defined in section 273.73, subdivision 9, to that portion of the assessed valuation of the item which bears the same proportion to its total assessed valuation as 40 percent of the amount determined pursuant to section 473F.06 in respect to the municipality in which the property is taxable bears to: ~~(a) the amount determined pursuant to section 473F.05 minus (b) the entire portion thereof located within any tax increment financing district, as defined in section 273.73, subdivision 9 for which tax increment is computed in accordance with section 273.76, subdivision 3, clause (a) (2), regardless of the extent to which it is or is not included in determining assessed value for purposes of computing local mill rates under section 273.76, subdivision 3, clause (a) (2).~~ The rate of taxation determined in accordance with subdivision 4 shall apply in the taxation of the remainder of the assessed valuation of the item.

Sec. 21. Minnesota Statutes 1978, Section 472A.02, is amended by adding a subdivision to read:

Subd. 11. A "development district" is a specific area within the corporate limits of a municipality which has been so designated and separately numbered by the governing body.

Sec. 22. [EFFECTIVE DATE.] *This article shall be effective the day following final enactment.*

ARTICLE VII TACONITE TAX

Section 1. Minnesota Statutes 1978, Section 273.135, Subdivision 2, is amended to read:

Subd. 2. The amount of the reduction authorized by subdivision 1 shall be

(a) in the case of property located within the boundaries of a municipality which meets the qualifications prescribed in section 273.134, 66 percent of the amount of such tax, provided that the amount of said reduction shall not exceed the maximum amount specified in clause ~~(e)~~ (c) .

(b) in the case of property located within the boundaries of a school district which qualifies as a tax relief area but which is outside the boundaries of a municipality which meets the qualifications prescribed in section 273.134, 57 percent of the amount of such tax, provided that the amount of said reduction shall not exceed the maximum amount specified in clause ~~(e)~~ (c) .

(c) in the case of property located within a school district which does not meet the qualifications of section 273.134 as a tax relief area, but which is located in a county with a population of less than 100,000 in which taconite is mined or quarried and wherein a school district is located which does meet the qualifications of a tax relief area, and provided that at least 90 percent of the area of the school district which does not meet the qualifications of section

273.134 lies within such county, 57 percent of the amount of the tax on qualified property located in the school district that does not meet the qualifications of section 273.134, provided that the amount of said reduction shall not exceed the maximum amount specified in clause (e). The reduction provided by this clause shall only be applicable to property located within the boundaries of the county described therein.

(d) in the case of property located within school district which does not meet the qualifications of section 273.134 as a tax relief area, but which is located in a school district in a county containing a city of the first class and a qualifying municipality, but not in a school district containing a city of the first class or adjacent to a school district containing a city of the first class unless the school district so adjacent contains a qualifying municipality, 57 percent of the amount of the tax, but not to exceed the maximum specified in clause (e).

(e) The maximum reduction for property described in clause (a) shall be \$385 and for property described in clauses clause (b), (c) and (d), \$330 for taxes payable in 1978. These maximum amounts shall increase by \$15 per year for taxes payable in 1979 and subsequent years.

Sec. 2. Minnesota Statutes 1978, Section 298.17, is amended to read:

298.17 [OCCUPATION TAXES TO BE APPORTIONED.] All occupation taxes which shall become due and payable on May 1, 1924, and subsequent thereto, from persons, copartnerships, companies, joint stock companies, corporations, and associations, however or for whatever purpose organized, engaged in the business of mining or producing iron ore or other ores, when collected shall be apportioned and distributed in accordance with the Constitution of the state of Minnesota, Article 10, Section 3, in the manner following: 90 percent shall be deposited in the state treasury and credited to the general fund of which four-ninths shall be used for the support of elementary and secondary schools; and ten percent of the proceeds of the tax imposed by this section shall be deposited in the state treasury and credited to the general fund for the general support of the university. *Of the moneys apportioned to the general fund by this section there is annually appropriated and credited to the iron range resources and rehabilitation board account in the special revenue fund an amount equal to that which would have been generated by a 1 cent tax imposed by section 298.24 on each taxable ton produced in the preceding calendar year, to be expended for the purposes of section 298.22. The moneys appropriated pursuant to this section shall be used to provide environmental development grants to local governments located within any county in region 3 as defined in governor's executive order number 68, issued on June 12, 1970, which does not contain a municipality qualifying pursuant to section 273.134. Payment to the iron range resources and rehabilitation board account shall be made by May 15 annually, beginning in 1981.*

Sec. 3. Minnesota Statutes 1978, Section 298.22, Subdivision 2, is amended to read:

Subd. 2. There is hereby created the iron range resources and rehabilitation board, consisting of eleven members, five of whom shall be state senators appointed by the subcommittee on committees of the rules committee of the senate, and five of whom shall be representatives, appointed by the speaker of the house of representatives, their terms of office to commence on May 1, 1943, and continue until January 3rd, 1945, or until their successors are appointed and qualified. Their successors shall be appointed each two years in the same manner as the original members were appointed, in January of every second year, commencing in January, 1945. The eleventh member of said board shall be the commissioner of natural resources of the state of Minnesota. Vacancies on the board shall be filled in the same manner as the original members were chosen. *At least a majority of the legislative members of the board shall be elected from state senatorial or legislative districts in which over 50 percent of the residents reside within a tax relief area as defined in Minnesota Statutes, Section 273.134.* All expenditures and projects made by the commissioner of iron range resources and rehabilitation shall first be submitted to said iron range resources and rehabilitation board which shall recommend approval or disapproval or modification of expenditures and projects for rehabilitation purposes as provided by this section, and the method, manner, and time of payment of all said funds proposed to be disbursed shall be first approved or disapproved by said board. The board shall biennially make its report to the governor and the legislature on or before November 15 of each even numbered year. The expenses of said board shall be paid by the state of Minnesota from the funds raised pursuant to this section.

Sec. 4. Minnesota Statutes 1978, Section 298.223, is amended to read:

298.223 [TACONITE AREA ENVIRONMENTAL PROTECTION FUND.] A fund called the taconite environmental protection fund is created for the purpose of reclaiming, restoring and enhancing those areas of northeast Minnesota *located within a tax relief area defined in section 273.134 that are adversely affected by the environmentally damaging operations involved in mining taconite and iron ore and producing iron ore concentrate and for the purpose of promoting the economic development of northeast Minnesota.* The taconite environmental protection fund shall be used for the following purposes:

(a) to initiate investigations into matters the Iron Range Resources and Rehabilitation Board determines are in need of study and which will determine the environmental problems requiring remedial action;

(b) reclamation, restoration or reforestation of minelands not otherwise provided for by state law;

(c) local economic development projects including construction

of sewer and water systems, and other public works located within a tax relief area defined in section 273.134 ;

(d) monitoring of mineral industry related health problems among mining employees.

The taconite environmental protection fund shall be administered by the commissioner of the Iron Range Resources and Rehabilitation Board. The commissioner shall by September 1 of each year prepare a list of projects to be funded from the taconite environmental protection fund, with such supporting information including description of the projects, plans, and cost estimates as may be necessary. Upon recommendation of the Iron Range Resources and Rehabilitation Board, this list shall be submitted to the legislative advisory commission for its review. This list with the recommendation of the legislative advisory commission shall then be transmitted to the governor by November 1 of each year. By December 1 of each year, the governor shall approve or disapprove, or return for further consideration, each individual project. Funds for a project may be expended only upon approval of the project by the governor.

~~Notwithstanding the above, in 1977 the commissioner, with the recommendation of the board, shall submit a list of projects to the legislative advisory commission by June 15. This list shall by July 1 be transmitted to the governor for approval. Funds may be expended upon approval by the governor.~~

There is hereby annually appropriated to the commissioner of the Iron Range Resources and Rehabilitation Board such funds as are necessary to carry out the projects approved and such funds as are necessary for administration of this section. Annual administrative costs, not including detailed engineering expenses for the projects, shall not exceed five percent of the amount annually expended from the fund.

Funds for the purposes of this section are provided by section 298.28, subdivision 1, clause (9) relating to the taconite environmental protection fund.

Sec. 5. Minnesota Statutes 1978, Section 298.28, Subdivision 1, is amended to read:

298.28 [DIVISION AND DISTRIBUTION OF PROCEEDS.] Subdivision 1. 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 to school districts to be distributed as follows:

(a) 6 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 (c), 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 ~~or in which is located property which is entitled to the reduction of tax pursuant to section 273.135, subdivision 2, clause (e)~~. The 23 cents, less any amount distributed under part (c), shall be distributed 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 2a, clause (4).

(c) 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) 4 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) 1 cent per taxable ton to the state *for the cost of administering the tax imposed by section 298.24.*

(7) 3 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. *Of this amount, one cent per taxable ton is to be used to provide environmental development grants to local governments located within any county in region 3 as defined in governor's executive order number 60 issued on June 12, 1970, which does not contain a municipality qualifying pursuant to 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), and ~~(c)~~ 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 1978, 1979, 1980, 1981, and 1982, two-thirds to the taconite environmental protection fund and one-third to the northeast Minnesota economic protection fund; in 1983 and thereafter, one-half to each 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.

~~(c)~~ 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. 6. Minnesota Statutes 1978, Chapter 477A, is amended by adding a section to read:

[477A.15] [TACONITE AID REIMBURSEMENT.] Any school district in which is located property which had been entitled to a reduction of tax pursuant to Minnesota Statutes 1978, Section 273.135, Subdivision 2, clause (c), shall receive in 1981 and subsequent years an amount equal to the amount it received in 1980 pursuant to Minnesota Statutes 1978, Section 298.28, Subdivision 1, clause (3)(b). Payments shall be made pursuant to this section by the commissioner of revenue to the taxing jurisdictions on July 15 of 1981 and each year thereafter.

Sec. 7. Minnesota Statutes 1978, Chapter 273, is amended by adding a section to read:

[273.139] [SUPPLEMENTARY HOMESTEAD PROPERTY TAX RELIEF.] Subdivision 1. The property tax to be paid in respect to property taxable within a tax relief area described in subdivision 2 on class 3b property not exceeding 240 acres, on class 3c property, and on class 3cc property, as otherwise determined by law and regardless of the market value of the property, for all purposes shall be reduced in the amount prescribed by subdivision 2, subject to the limitations contained therein.

Subd. 2. The amount of the reduction authorized by subdivision 1 shall be:

(a) In the case of property located within a school district which does not meet the qualifications of section 273.134 as a tax relief area, but which is located in a county with a population of less than 100,000 in which taconite is mined or quarried and wherein a school district is located which does not meet the qualifications of a tax relief area, and provided that at least 90 percent of the area of the school district which does not meet the qualifications of section 273.134 lies within such county, 57 percent of the amount of the tax on qualified property located in the school district that does not meet the qualifications of section 273.134, provided that the amount of said reduction shall not exceed the maximum amount specified in clause (c). The reduction provided by this clause shall only be applicable to property located within the boundaries of the county described therein.

(b) In the case of property located within a school district which does not meet the qualifications of section 273.134 as a tax relief area, but which is located in a school district in a county containing a city of the first class and a qualifying municipality, but not in a school district containing a city of the first class or adjacent to a school district containing a city of the first class unless the school district so adjacent contains a qualifying municipality, 57 percent of the amount of the tax, but not to exceed the maximum specified in clause (c).

(c) The maximum reduction shall be \$375 for taxes payable in 1981. These maximum amounts shall increase by \$15 per year for taxes payable in 1982 and subsequent years.

Subd. 3. Not later than December 1 of each year, commencing in 1980, each county auditor having jurisdiction over one or more tax relief areas defined in subdivision 2 shall certify to the com-

missioner of revenue his estimate of the total amount of the reduction, determined under subdivision 2, in taxes payable the next succeeding year with respect to all tax relief areas in his county.

Subd. 4. For the purposes of this section, the amount of property tax to be paid shall be determined before the allowance of any reduction prescribed by section 273.13, and the reduction prescribed by this section shall be in addition to that prescribed by section 273.13.

Sec. 8. Minnesota Statutes 1978, Section 124.212, Subdivision 8a, is amended to read:

Subd. 8a. (1) Notwithstanding any provisions of any other law to the contrary, the adjusted assessed valuation used in calculating foundation aid shall include only that property which is currently taxable in the district. For districts which received payments under sections 124.215, subdivision 2a; 124.25; 124.28; 124.30; 473.633 and 473.635; the foundation aid shall be reduced by: The previous year's payment to the district pursuant to said sections times the ratio of the maximum levy allowed the district under section 275.125, subdivision 2a, to the total levy allowed by section 275.125, but not to exceed 50 percent of the previous year's payment.

(2) For districts which received payments under sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; section 6; any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; the foundation aid shall be reduced in the October adjustment payment by the difference between the dollar amount of the payments received pursuant to those sections in the fiscal year to which the October adjustment is attributable and the amount which was calculated, pursuant to section 275.125, subdivision 9, as a reduction of the levy attributable to the fiscal year to which the October adjustment is attributable. If the October adjustment of a district's foundation aid for a fiscal year is a negative amount because of this clause, the next fiscal year's foundation aid to that district shall be reduced by this negative amount in the following manner: there shall be withheld from each monthly scheduled foundation aid payment due the district in such fiscal year, 15 percent of the total negative amount, until the total negative amount has been withheld. The amount reduced from foundation aid pursuant to this clause shall be recognized as revenue in the fiscal year to which the October adjustment payment is attributable.

Sec. 9. Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 9, is amended to read:

Subd. 9. (1) Districts which receive payments which result in deductions from foundation aid pursuant to section 124.212, subdivision 8a, clause (1), shall reduce the permissible levies authorized by subdivisions 3 to 14 by that portion of the previous year's payment not deducted from foundation aid on account of

the payment. The levy reductions shall be made in the proportions that each permissible levy bears to the sum of the permissible levies. Reductions in levies pursuant to this clause, subdivision 10 of this section, and section 273.138, shall be made prior to the reductions in clause (2).

(2) Notwithstanding any other law to the contrary, districts which received payments pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.32; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; section 6; and any law imposing a tax upon severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; shall not include a portion of these aids in their permissible levies pursuant to those sections, but instead shall reduce the permissible levies authorized by this section by the greater of the following:

(a) an amount equal to 50 percent of the total dollar amount of the payments received pursuant to those sections in the previous fiscal year; or

(b) an amount equal to the total dollar amount of the payments received pursuant to those sections in the previous fiscal year less the product of the same dollar amount of payments times the ratio of the maximum levy allowed the district under subdivision 2a, to the total levy allowed the district under this section in the year in which the levy is certified.

(3) No reduction pursuant to this subdivision shall reduce the levy made by the district pursuant to subdivision 2a, clause 1 or 2, to an amount less than the amount raised by a levy of 10 mills times the adjusted assessed valuation of that district for the preceding year as determined by the equalization aid review committee. The amount of any increased levy authorized by referendum pursuant to subdivision 2a, clause (4) shall not be reduced pursuant to this subdivision. The amount of any levy authorized by subdivision 4, to make payments for bonds issued and for interest thereon, shall not be reduced pursuant to this subdivision. The amount of any levy authorized by subdivision 7a shall not be reduced pursuant to this subdivision.

(4) Before computing the reduction pursuant to this subdivision of the capital expenditure levy authorized by subdivision 11a, the commissioner shall ascertain from each affected school district the amount it proposes to levy for capital expenditures pursuant to that subdivision. The reduction of the capital expenditure levy shall be computed on the basis of the amount so ascertained.

(5) Notwithstanding any law to the contrary, any amounts received by districts in any fiscal year pursuant to sections 294.21 to 294.28; 298.23 to 298.28; 298.34 to 298.39; 298.391 to 298.396; 298.405; 298.51 to 298.67; or any law imposing a tax on severed mineral values, or under any other law distributing proceeds in lieu of ad valorem tax assessments on copper or nickel properties; and not deducted from foundation aid pursuant to section 124.212, subdivision 8a, clause (2), and not applied to reduce levies pur-

suant to this subdivision shall be paid by the district to the commissioner of finance in the following amount on the designated date: on or before March 15 of each year, 100 percent of the amount required to be subtracted from the previous fiscal year's foundation aid pursuant to section 124.212, subdivision 8a, which is in excess of the foundation aid earned for that fiscal year. The commissioner of finance shall deposit any amounts received pursuant to this clause in the taconite property tax relief fund in the state treasury, established pursuant to section 16A.70 for purposes of paying the taconite homestead credit as provided in section 273.135.

Sec. 10. Minnesota Statutes 1978, Chapter 298, is amended by adding a section to read:

[298.401] [APPORTIONMENT OF INCOME.] *All imputed income determined pursuant to section 298.40, subdivision 1, clause (b) is and shall be apportioned to Minnesota.*

Sec. 11. [APPROPRIATION.] *A sum sufficient to make the payments required by sections 6 and 7 is annually appropriated from the general fund to the commissioner of revenue for the purpose of funding those sections.*

Sec. 12. [EFFECTIVE DATE.] *Sections 1 and 7 are effective for taxes levied in 1980, payable in 1981 and thereafter. Sections 4 and 5 are effective for distributions made after December 31, 1980. Section 10 is effective the day following final enactment as a restatement of the intent of Minnesota Statutes, Section 298.40, as originally enacted.*

ARTICLE VIII

MUNICIPAL BONDS INTEREST RATES

Section 1. Minnesota Statutes 1978, 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.

Sec. 2. Minnesota Statutes 1978, Section 475.55, is amended to read:

475.55 [EXECUTION; NEGOTIABILITY; INTEREST RATES.] Subdivision 1. 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 shall not exceed the rate of 12 percent per annum, payable half yearly.* Interest thereon on obligations authorized thereafter shall not exceed the rate of seven nine percent per annum, payable half yearly. 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. The provisions of subdivision 1 shall supersede all provisions of any law or charter fixing a 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 restrict the power of the issuer to fix limit the interest on any obligation in accordance with the issued pursuant to a law or charter authorizing its issuance the issuer to determine the rate or rates of interest.

Subd. 3. 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 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.

Sec. 3. Minnesota Statutes 1978, 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 \$100,000 \$200,000 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. Section 1 of this article is effective December 31, 1982. The other sections are effective the day after final enactment.

ARTICLE IX

CORPORATE INCOME TAX

Section 1. Minnesota Statutes 1978, Section 290.06, Subdivision 1, is amended to read:

290.06 [RATES OF TAX; CREDITS AGAINST TAX.] Subdivision 1. [COMPUTATION, CORPORATIONS.] The privilege and income taxes imposed by this chapter upon corporations shall be computed by applying to their taxable net income in excess of the applicable credits allowed under section 290.21 the rate of 12 percent. ~~The amount of tax payable by a corporation required to file a return shall not be less than \$100.~~

Sec. 2. [REPEALER.] *Minnesota Statutes 1978, Section 290.21, Subdivision 2, is repealed.*

Sec. 3. [EFFECTIVE DATE.] *Sections 1 and 2 are effective for taxable years beginning after December 31, 1980.*

ARTICLE X

UTILITY PROPERTY

Section 1. Minnesota Statutes 1978, Section 273.36, is amended to read:

273.36 [ELECTRIC LIGHT AND POWER COMPANIES.] Personal property of electric light and power companies having a fixed situs in any city in this state shall be listed and assessed where situated, without regard to where the principal or other place of business of the company is located. *Transmission lines having a voltage of 69 kv and above, all attachments and appurtenances thereto, having a fixed situs in this state, other than in an unorganized township, shall be listed and assessed where situated, without regard to where the principal or other place of business of the company is located.*

Sec. 2. Minnesota Statutes 1978, Section 273.37, Subdivision 2, is amended to read:

Subd. 2. All Transmission lines of less than 69 kv, transmission lines of 69 kv and above located in an unorganized township, and distribution lines, and equipment attached thereto, having a fixed situs outside the corporate limits of cities except distribution lines taxed as provided in sections 273.40 and 273.41, shall be listed with and assessed by the commissioner of revenue in the county where situated. The commissioner shall assess such property at the percentage of market value fixed by law; and, on or before the fifteenth day of November, shall certify to the auditor of each county in which such property is located the amount of the assessment made against each company and person owning such property.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 273.42, 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 percent to the general revenue fund of the county, 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, after deducting the amount required for the property tax credit as provided in subdivision 2. 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 a payment to a town exceeds ten percent of the town's levy for the preceding year, the excess amount shall be paid to the county.

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 county city, 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, township or unorganized township pursuant to this section section 273.36. 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 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.

Sec. 4. Minnesota Statutes, 1979 Supplement, Section 275.51, Subdivision 3d, is amended to read:

Subd. 3d. The property tax levy limitation for governmental subdivisions in 1977 payable in 1978 and subsequent years shall be calculated as follows:

(a) The sum of the following amounts shall be computed: (1) the property tax permitted to be levied in 1976 payable 1977 computed pursuant to Minnesota Statutes 1976, Section 275.51, Subdivision 3c, plus

(2) the amount of any state aids the governmental subdivision was entitled to receive in calendar year 1977 pursuant to sections 477A.01; 298.26; 298.28, subdivisions 1 and 1a; 298.281, subdivision 1; 298.282; and 294.26, plus

(3) the amount levied in 1976 payable 1977 pursuant to Minnesota Statutes 1976, Section 275.50, Subdivision 5, Clauses (a), (c), (d), (e), and (f), except for levies made to pay tort judgments and make settlements of tort claims or to pay the salaries and benefits of municipal and probate court judges, plus

(4) the amount levied in 1976 payable 1977 pursuant to Minnesota Statutes 1976, Section 275.50, Subdivision 5, Clause (g) for the administrative costs of public assistance programs or county welfare systems, plus

(5) one-half of the amount of the special levy authorized under section 275.50, subdivision 5, clause (n) shall be added to the permanent levy limit base of the governmental subdivision in the year following the year in which it has been discontinued as a special levy pursuant to the provisions of section 275.50, subdivision 5, clause (n).

(b) The sum computed in clause (a) shall be increased annually

in the manner provided in section 275.52 to derive the levy limit base for successive years.

(c) For taxes levied in 1978 payable in 1979 and subsequent years, the levy limit base is the levy limit base which was computed for the immediately preceding year under the provisions of this section increased according to the provisions of section 275.52. To determine the levy limit base for taxes levied in 1979 payable 1980 and subsequent years, (a) the levy limit base used for taxes levied in 1979 payable in 1980 shall be increased by the excess of the amount levied in 1979 for refuse collection and street maintenance over the amount levied in 1978 payable 1979 for those purposes; and (b) in the case of a city of the first class located within the metropolitan area defined in section 473.121, subdivision 2, for the purpose of calculating the levy limit base to be used for taxes levied in 1979, payable 1980, the levy limit base used for taxes levied in 1978, payable 1979, shall be reduced by an amount sufficient to reduce the levy limitation for taxes levied in 1978 payable 1979 by 15 percent. *To determine the levy limit base used for taxes levied in 1981 payable in 1982 and subsequent years, the levy limit base used for taxes levied in 1981 payable in 1982 shall be increased by the revenue derived by the governmental subdivision for taxes levied in 1980 payable in 1981 from transmission lines of 69 kv or greater assessed under Minnesota Statutes 1978, Section 273.37.* Any amount levied in 1976 payable 1977 under the provisions of section 275.50, subdivision 5, clauses (a), (c), (d), (e) or (f) to meet the costs of programs, services or legal requirements which cease to exist in a subsequent year shall be subtracted from the levy limit base in the year in which the programs, services or legal requirements for which the levy was made cease to exist.

(d) The levy limit base shall be reduced by the total amount of state formula aids pursuant to section 477A.01 and taconite taxes and aids pursuant to sections 294.26; 298.26; 298.28, subdivision 1; 298.282 and state reimbursements for wetlands property tax exemptions provided in section 272.02, subdivision 1, clause (16); and the payments in lieu of taxes to a county pursuant to section 477A.12 which are required to be used to provide property tax levy reduction, to be paid in the calendar year in which property taxes are payable. As provided in section 298.28, subdivision 1, for taxes payable in 1978 and 1979, two cents per taxable ton, and for taxes payable in 1980 and thereafter, one cent per taxable ton of the amount distributed under section 298.28, subdivision 1, clause (4)(c) shall not be deducted from the levy limit base of the counties that receive that aid. The resulting figure is the amount of property taxes which a governmental subdivision may levy for all purposes other than those for which special levies and special assessments are made.

Sec. 5. Laws 1979, Chapter 303, Article II, Section 39, is amended to read:

Sec. 39. [EFFECTIVE DATE.] Sections 5, 8, 18, 19 and 24,

except as otherwise provided and 38, subdivision 2 1, are effective for taxes levied in 1980 payable in 1981 and thereafter.

Sections 6, 16 and 17 are effective for taxes levied in 1979 payable 1980 and thereafter.

Sections 20, 21 and 38, subdivision 2, are effective for 1981 payable 1982 and thereafter.

Sections 28 to 34 are effective for claims based on property taxes payable in 1980 and rent constituting property taxes in 1979 and subsequent years, except that section 28, subdivision 3, clause (f) is effective for property tax refund claims based on rent paid in 1976 and property taxes payable in 1977 and subsequent years.

Sec. 6. [EFFECTIVE DATE.] *Sections 1 to 3 are effective for taxes levied in 1981 and thereafter, and payable in 1982 and thereafter.*

ARTICLE XI

SPECIAL ASSESSMENT APPEALS

Section 1. Minnesota Statutes 1978, Section 429.061, Subdivision 1, is amended to read:

429.061 [ASSESSMENT PROCEDURE.] Subdivision 1. [CALCULATION, NOTICE.] At any time after a contract is let or the work ordered by day labor, the expense incurred or to be incurred in its making an improvement shall be calculated under the direction of the council, the council shall then determine by resolution the amount of the total expense the municipality will pay, other than the amount, if any, which it will pay as a property owner, and the amount to be assessed. Thereupon the clerk, with the assistance of the engineer or other qualified person selected by the council, shall calculate the proper amount to be specially assessed for the improvement against every assessable lot, piece or parcel of land, without regard to cash valuation, in accordance with the provisions of section 429.051. The proposed assessment roll shall be filed with the clerk and be open to public inspection. The clerk shall thereupon, under the council's direction, publish notice that the council will meet to consider the proposed assessment. Such notice shall be published in the newspaper at least once and shall be mailed to the owner of each parcel described in the assessment roll. For the purpose of giving mailed notice under this subdivision, owners shall be those shown to be such on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. Such publication and mailing shall be no less than two weeks prior to such meeting of the council. Except as to the owners of tax exempt property or property taxes on a gross earnings basis, every property owner whose name does not appear on the records of the county auditor or the county treasurer shall be deemed to have waived such mailed notice unless he has requested in writing that the county auditor or county treasurer, as the case may be, include his name on the records for such purpose. Such

notice shall state the date, time, and place of such meeting, the general nature of the improvement, the area proposed to be assessed, that the proposed assessment roll is on the file with the clerk, and that written or oral objections thereto by any property owner will be considered. *No appeal may be taken as to the amount of any assessment adopted pursuant to subdivision 2, unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing.* The notice shall also state that an owner may appeal an assessment to district court pursuant to section 429.081 by serving notice of the appeal upon the mayor or clerk of the municipality within 20 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk. The notice shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality.

Sec. 2. Minnesota Statutes 1978, Section 429.061, Subdivision 2, is amended to read:

Subd. 2. [ADOPTION; INTEREST.] At such meeting or at any adjournment thereof the council shall hear and pass upon all objections to the proposed assessment, whether presented orally or in writing. The council may amend the proposed assessment as to any parcel and by resolution adopt the same as the special assessment against the lands named in the assessment roll. Notice of any adjournment of the hearing shall be adequate if the minutes of the meeting so adjourned show the time and place when and where the hearing is to be continued, or if three days notice thereof be published in the newspaper.

The council may consider any objection to the amount of a proposed assessment as to a specific parcel of land at an adjourned hearing upon further notice to the affected property owner as it deems advisable. At the adjourned hearing the council or a committee of it may hear further written or oral testimony on behalf of the objecting property owner and may consider further written or oral testimony from appropriate city officials and other witnesses as to the amount of the assessment. The council or committee shall prepare a record of the proceedings at the adjourned hearing and written findings as to the amount of the assessment. The amount of the assessment as finally determined by the council shall become a part of the adopted assessment roll. All objections to the assessments not received at the assessment hearing in the manner prescribed by this section are waived, unless the failure to object at the assessment hearing is due to a reasonable cause.

The assessment, with accruing interest, shall be a lien upon all private and public property included therein, from the date of the resolution adopting the assessment, concurrent with general taxes; but the lien shall not be enforceable against public property as long as it is publicly owned, and during such period the assessment shall be recoverable from the owner of such property only in the manner and to the extent provided in section 435.19. Except as provided

below, all assessments shall be payable in equal annual installments extending over such period, not exceeding 30 years, as the resolution determines, payable on the first Monday in January in each year, but the number of installments need not be uniform for all assessments included in a single assessment roll if a uniform criterion for determining the number of installments is provided by the resolution. The first installment of each assessment shall be included in the first tax rolls completed after its adoption and shall be payable in the same year as the taxes contained therein; except that the payment of the first installment of any assessment levied upon unimproved property may be deferred until a designated future year, or until the platting of the property or the construction of improvements thereon, upon such terms and conditions and based upon such standards and criteria as may be provided by resolution of the council. In any event, every assessment the payment of which is so deferred, when it becomes payable, shall be divided into a number of installments such that the last installment thereof will be payable not more than 30 years after the levy of the assessment. All assessments shall bear interest at such rate as the resolution determines, not exceeding eight percent per annum, except that the rate may in any event equal the average annual interest rate on bonds issued to finance the improvement for which the assessments are levied. To the first installment of each assessment shall be added interest on the entire assessment from a date specified in the resolution levying the assessment, not earlier than the date of the resolution, until December 31 of the year in which the first installment is payable, and to each subsequent installment shall be added interest for one year on all unpaid installments; or alternatively, any assessment may be made payable in equal annual installments including principal and interest, each in the amount annually required to pay the principal over such period with interest at such rate as the resolution determines, not exceeding the maximum period and rate specified above. In the latter event no prepayment shall be accepted under subdivision 3 without payment of all installments due to and including December 31 of the year of prepayment, together with the original principal amount reduced only by the amounts of principal included in such installments, computed on an annual amortization basis. When payment of an assessment is deferred, as authorized in this subdivision, interest thereon for the period of deferment may be made payable annually at the same times as the principal installments of the assessment would have been payable if not deferred; or interest for this period may be added to the principal amount of the assessment when it becomes payable; or, if so provided in the resolution levying the assessment, interest thereon to December 31 of the year before the first installment is payable may be forgiven.

Sec. 3. Minnesota Statutes 1978, Section 429.081, is amended to read:

429.081 [APPEAL TO DISTRICT COURT.] Within 30 days after the adoption of the assessment, any person aggrieved, *who is not precluded by failure to object prior to or at the assessment hearing, or whose failure to so object is due to a reasonable cause,*

may appeal to the district court by serving a notice upon the mayor or clerk of the municipality. The notice shall be filed with the clerk of the district court within ten days after its service. The municipal clerk shall furnish appellant a certified copy of objections filed in the assessment proceedings, the assessment roll or part complained of, and all papers necessary to present the appeal. The appeal shall be placed upon the calendar of the next general term commencing more than five days after the date of serving the notice and shall be tried as other appeals in such cases. The court shall either affirm the assessment or set it aside and order a reassessment as provided in section 429.071, subdivision 2. If appellant does not prevail upon the appeal, the costs incurred shall be taxed by the court and judgment entered therefor. All objections to the assessment shall be deemed waived unless presented on such appeal. This section provides the exclusive method of appeal from a special assessment levied pursuant to this chapter.

ARTICLE XII

REVENUE RECAPTURE ACT

Section 1. [CITATION.] *This article may be cited as the "revenue recapture act".*

Sec. 2. [PURPOSE.] *The purpose of this article is to establish a system of collecting debts owed to state government by applying any of the debtor's tax refunds to the amount of his debt. To further this purpose a policy of cooperation is established between the department of revenue and claimant agencies in identifying individuals who both owe a claimant agency money and qualify for a tax refund.*

Sec. 3. [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 14, the terms defined in this section have the meanings given them.*

Subd. 2. "Claimant agency" means any state agency, as defined by Minnesota Statutes, Section 15.0411, Subdivision 2, and public agency responsible for child support enforcement.

Subd. 3. "Commissioner" means the commissioner of revenue.

Subd. 4. "Debtor" means a natural person obligated on a debt to a claimant agency.

Subd. 5. "Debt" means a legal obligation of a natural person to pay a fixed and certain amount of money, which equals or exceeds \$25 and which is due and payable to a claimant agency. A debt may arise under a contractual or statutory obligation, a court order, or other legal obligation, but need not have been reduced to judgment. A debt does not include any legal obligation of a current recipient of assistance which is based on overpayment of an assistance grant.

Subd. 6. "Department" means the department of revenue.

Subd. 7. "Refund" means an individual income tax refund,

pursuant to Minnesota Statutes, Chapter 290, or a property tax credit or refund, pursuant to chapter 290A.

Sec. 4. [AGENCY PARTICIPATION.] *Subdivision 1. The collection remedy under this section is in addition to and not in substitution for any other remedy available by law.*

Subd. 2. Any debt owed to a claimant agency shall be submitted by the agency for collection under the procedure established by sections 1 to 14 unless (a) an alternative means of collection is pending and believed to be adequate, (b) the collection attempt would result in a loss of federal funds, or (c) the agency is unable to supply the department with the necessary identifying information required by subdivision 3 or rules promulgated by the commissioner.

Subd. 3. For each debt submitted, the claimant agency shall provide the commissioner with the name and social security number of the debtor and any other identifying information required by rules promulgated by the commissioner.

Subd. 4. Whenever possible, a claimant agency shall obtain the identifying information required by subdivision 3 from any individual for whom the agency provides any service or transacts any business and who the claimant agency can foresee may become a debtor of the claimant agency.

Sec. 5. [MINIMUM SUM COLLECTIBLE.] *The minimum sum which a claimant agency may collect through use of the set-off procedure is \$25.*

Sec. 6. [COLLECTION OF DEBTS THROUGH SET-OFF.] *Subject to the limitations of sections 1 to 14 the department shall, upon request by a claimant agency, render assistance in the collection of any debt owing to the agency. This assistance shall be provided by use of a procedure in which the sum of the refund due the debtor is applied to the amount due and owing from the debtor to the claimant agency.*

Sec. 7. [PROCEDURE FOR SET-OFF COLLECTION.] *Subdivision 1. [NOTIFICATION REQUIREMENT.] On or before December 15 any claimant agency, seeking collection of a debt through set-off against a refund due in the succeeding year, shall submit to the commissioner information indicating the amount of each debt and information identifying the debtor, as required by section 4, subdivision 3. Subject to the notification deadline specified above, the notification shall be effective only to initiate set-off for claims against refunds that would be made in the calendar year subsequent to the year in which notification is made to the commissioner.*

Subd. 2. [SET-OFF PROCEDURES.] (a) The commissioner, upon receipt of notification, shall initiate procedures to detect any refunds otherwise payable to the editor. When the commissioner determines that a refund is due to a debtor whose debt was submitted by a claimant agency, the commissioner shall

remit the refund or the amount claimed, whichever is less, to the agency. In transferring or remitting moneys to the claimant agency, the commissioner shall provide information indicating the amount applied against each debtor's obligation and the debtor's address listed on the tax return.

(b) The commissioner shall remit to the debtor the amount of any refund due in excess of the debt submitted for set-off by the claimant agency. Notice of the amount set-off and address of the claimant agency shall accompany any disbursement to the debtor of the balance of a refund.

Subd. 3. [DEPOSIT OF FUNDS.] *Any amounts remitted or transferred to state agencies shall be deposited as provided in Minnesota Statutes, Section 16A.72.*

Subd. 4. [EFFECT OF TRANSFER OR PAYMENT.] *Transfer or remittance of funds to a claimant agency pursuant to this section constitutes payment of the department's obligation to refund the sums as overpayments of taxes or property tax credits or refunds. Any action for the set-off funds shall be made against the claimant agency pursuant to section 9.*

Subd. 5. [INTEREST ON REFUNDS.] *Any refund wrongfully or incorrectly applied to a debt and transferred to a claimant agency shall be paid by the agency to the debtor. The sum wrongfully or incorrectly withheld shall bear interest at six percent per year, computed from the date when the refund would begin to bear interest under Minnesota Statutes, Section 290.92, Subdivision 13, Clause (1), regardless of whether the refund is payable under Minnesota Statutes, Chapter 290 or 290A. If the claimant agency is a state agency, the payment shall be made out of the agency's appropriation.*

Sec. 8. [NOTICE AND HEARING REQUIRED.] *Subdivision 1. Not later than five days after the claimant agency has sent notification to the department pursuant to section 7, subdivision 1, the claimant agency shall send a written notification to the debtor asserting the right of the claimant agency to the refund or any part thereof.*

Subd. 2. (a) This written notice shall clearly set forth the basis for the claim to the refund and, further, shall advise the debtor of the claimant agency's intention to request set-off of the refund against the debt.

(b) The notice will also advise the debtor of his right to contest the validity of the claim at a hearing. The debtor must assert this right by written request to the claimant agency, which request the agency must receive within 45 days of the mailing date of the original notice, as required by subdivision 1.

Sec. 9. [CONTESTED CLAIMS PROCEDURE.] *Subdivision 1. If a claimant agency, except for a public agency responsible for child support enforcement, receives written notice of a debtor's intention to contest at hearing the claim upon which the intended set-off is based, it shall initiate a hearing according to contested*

case procedures established in the state administrative procedure act not later than 30 days after receipt of the debtor's request for a hearing. The public agency responsible for child support enforcement shall provide for hearing in the manner prescribed by Minnesota Statutes, Section 256.045.

Subd. 2. No issue may be raised at the hearing which has been previously litigated. If a debt is based on a court judgment or court order, the hearing required by subdivision 1 need not, but may be granted at the sole discretion of the commissioner of the claimant agency.

Sec. 10. [PRIORITY OF CLAIMS.] If two or more debts, in a total amount exceeding the debtor's refund, are submitted for set-off, the priority of payment shall be as follows: First, any delinquent tax obligations of the debtor which are owed to the department shall be satisfied. Secondly, the refund shall be applied to the remaining debts based on the order in time in which the commissioner received the debts.

Sec. 11. [DATA PRIVACY.] Notwithstanding Minnesota Statutes, Sections 290.61 and 290A.17, private and confidential data on individuals may be exchanged among the department, the claimant agency, and the debtor as necessary to accomplish and effectuate the intent of sections 1 to 14, as provided by Minnesota Statutes, Section 15.163, Subdivision 4, Clause (b). The department may disclose to the claimant agency only the debtor's name, address, social security number and the amount of the refund. Any person employed by, or formerly employed by, a claimant agency who discloses any such information for any other purpose, shall be subject to the civil and criminal penalties of Minnesota Statutes, Sections 15.167 and 290.61.

Sec. 12. [RULES.] The commissioner is authorized to develop and to require the use of any necessary forms. The commissioner or a claimant agency is authorized to make any rules necessary to effectuate the purposes of sections 1 to 14. Pursuant to this authority, temporary rules may be adopted pursuant to Minnesota Statutes, Section 15.0412, Subdivision 5.

Sec. 13. [APPROPRIATION.] A sum sufficient is appropriated from the general fund to the commissioner of revenue for the purpose of administering this article. This appropriation shall be available until June 30, 1981.

Sec. 14. [EFFECTIVE DATE.] Sections 1 to 14 are effective for tax refunds payable after December 31, 1980.

ARTICLE XIII TRANSPORTATION

Section 1. Minnesota Statutes, 1979 Supplement, Section 473.446, Subdivision 1, is amended to read:

473.446 [TRANSIT TAX LEVIES.] Subdivision 1. [AMOUNT.] For the purposes of sections 473.401 to 473.451

and the metropolitan transit system, the metropolitan transit commission shall levy each year upon all taxable property within the metropolitan transit taxing district, defined herein in this section, a transit tax consisting of:

(a) An amount equal to ~~1.72~~ not to exceed 2.0 mills times the assessed value of all such property, the proceeds of which shall be used for payment of the expenses of operating regular route bus service;

(b) An additional amount, if any, as the commission determines to be necessary to provide for the full and timely payment of its certificates of indebtedness and other obligations outstanding on July 1, 1977, to which property taxes under this section have been pledged; and

(c) An additional amount necessary to provide full and timely payment of certificates of indebtedness, bonds, or other obligations issued pursuant to section 473.436 for purposes of acquisition and betterment of property and other improvements of a capital nature and to which the commission has specifically pledged tax levies under this clause.

Sec. 2. [JOINT COMMUTER RAIL STUDY COMMISSION.]
Subdivision 1. A joint commuter rail study commission is established for the purpose of conducting a feasibility study for the development of commuter rail transit service between the St. Cloud metropolitan area and the Minneapolis-St. Paul metropolitan area.

Subd. 2. The commission consists of eleven members as follows:

(a) *one member of the St. Cloud transit commission appointed by that commission;*

(b) *one member of the St. Cloud area planning organization appointed by the chairperson of that organization;*

(c) *two members of the metropolitan council appointed by that council;*

(d) *two members of region 7W;*

(e) *two members of the house of representatives whose districts will contain a portion of the affected corridor, to be appointed by the speaker of the house;*

(f) *two members of the senate whose districts will contain a portion of the affected corridor, to be appointed by the president of the senate;*

(g) *the commissioner of the department of transportation or his designee, who shall be chairman of the commission.*

Subd. 3. The joint commission shall report its findings and recommendations to the legislature on or before January 1, 1982. The report shall cover, but not be limited to, the issues of available corridors and rights-of-way, define necessary physical improvements, make potential ridership projections, and make recommendations for funding of capital and operating costs.

Subd. 4. The sum of \$50,000 is appropriated to the department of transportation from the general fund for the purposes of this section. The sum is available the day after final enactment and until January 1, 1982.

Subd. 5. This section is repealed January 1, 1982.

Sec. 3. [FEASIBILITY STUDY OF LIGHT RAIL TRANSIT IN METROPOLITAN AREA.] *The sum of \$150,000 is appropriated from the general fund to the metropolitan council established by Minnesota Statutes, Section 473.123. The council shall conduct a feasibility study of the use of light rail transit in the metropolitan area. The sum is available the day after final enactment and until June 1, 1981.*

The study shall:

(a) define major operational characteristics of a light rail transit system in selected corridors;

(b) quantify capital and operating costs;

(c) evaluate the interface of the light rail transit system with other transit systems;

(d) evaluate the impact of the light rail transit system on land-use and urban development;

(e) evaluate the impact of the light rail transit system on energy and the environment;

(f) compare light rail transit with diesel and electric driven buses and multipassenger alternatives;

(g) identify available sources of funds from federal, state, local, private and other sources; and,

(h) identify the conditions necessary for light rail transit to be feasible in the metropolitan area.

Findings and recommendations shall be presented to the seventy-second session of the legislature.

Sec. 4. [EFFECTIVE DATE.] *Section 1 is effective for taxes levied in 1980 and thereafter, payable in 1981 and thereafter. Sections 2 and 3 are effective the day after final enactment.*

ARTICLE XIV

STATE INVESTMENT BOARD

Section 1. [11A.01] [STATEMENT OF PURPOSE.] *The purpose of sections 1 to 23 is to establish standards which will insure that state and pension assets subject to this legislation will be responsibly invested to maximize the total rate of return without incurring undue risk.*

Sec. 2. [11A.02] [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 23, the terms defined in this section shall have the meanings given them.*

Subd. 2. "State board" means the Minnesota state board of investment created by Article XI, Section 8 of the constitution of the state of Minnesota for the purpose of administering and directing the investment of all state funds and pension funds.

Subd. 3. "Council" means the investment advisory council created by section 6.

Subd. 4. "Fund" means any of the individual funds, including but not limited to the permanent school fund, general fund of the state, retirement funds and other funds and accounts for which the state board has responsibilities.

Subd. 5. "Director" means the executive director of the state board.

Subd. 6. "Management" means the performance or delegation of general management duties relating to any fund established pursuant to this chapter.

Sec. 3. [11A.03] [STATE BOARD; MEMBERSHIP; ORGANIZATION.] Pursuant to Article XI, Section 8, of the constitution of the state of Minnesota, the state board shall be composed of the governor, state auditor, state treasurer, secretary of state and attorney general. The governor shall serve as *ex officio* chairman of the state board.

Sec. 4. [11A.04] [DUTIES AND POWERS.] The state board shall:

(1) Act as trustees for each fund for which it invests or manages moneys in accordance with the standard of care set forth in section 7.

(2) Formulate policies and procedures deemed necessary and appropriate to carry out its functions. Procedures adopted by the board shall allow fund beneficiaries and members of the public to become informed of proposed board actions. Procedures and policies of the board shall not be subject to the administrative procedure act.

(3) Employ an executive director as provided in section 5.

(4) Employ investment advisors and consultants as it deems necessary.

(5) Prescribe policies concerning personal investments of all employees of the board to prevent conflicts of interest.

(6) Maintain a record of its proceedings.

(7) As it deems necessary, establish advisory committees subject to the provisions of Minnesota Statutes, Section 15.059 to assist the board in carrying out its duties.

(8) Not permit state funds to be used for the underwriting or direct purchase of municipal securities from the issuer or his agent.

(9) Direct the state treasurer to sell property other than money

which has escheated to the state when the board determines that sale of the property is in the best interest of the state. Escheated property shall be sold to the highest bidder in the manner and upon terms and conditions prescribed by the board.

(10) Undertake any other activities necessary to implement the duties and powers set forth in this section.

(11) Establish a formula or formulas to measure management performance and return on investment. All public pension funds in the state shall utilize the formula or formulas developed by the state board.

Sec. 5. [11A.07] [EXECUTIVE DIRECTOR.] Subdivision 1. [SELECTION.] *The state board shall select an executive director.*

Subd. 2. [QUALIFICATIONS.] *The director of the state board shall be well qualified by training to administer and invest the money available for investment and possess experience in the management of institutional investment portfolios. The director shall be in the unclassified state service and serve at the pleasure of the state board.*

Subd. 3. [CONFIRMATION.] *The employment of the director shall be subject to the advice and consent of the senate in the same manner as the appointment of executive officers is confirmed by the senate.*

Subd. 4. [DUTIES AND POWERS.] *The director, at the direction of the state board, shall:*

(1) Plan, direct, coordinate and execute administrative and investment functions in conformity with the policies and directives of the state board.

(2) Employ such professional and clerical staff as is necessary within the complement limits established by the legislature. These employees shall be in the unclassified service of the state.

(3) Report to the state board on all operations under his control and supervision.

(4) Maintain accurate and complete records of securities transactions and official activities.

(5) Purchase and sell all securities on the basis of competitive offerings or bids received from at least two firms known to specialize in the securities being traded and likely to position these securities in relevant quantities. Competitive bidding shall not be required when the securities to be traded are: listed or traded on a major United States exchange, bound by underwriting restrictions or classified as private placements and offered only to a limited number of institutional investors.

(6) Cause all securities acquired to be kept in the custody of the state treasurer or such other depositories as the state board deems appropriate.

(7) Prepare and file with the director of the legislative reference

library on or before November 15 of each year, a report summarizing the activities of the state board, the council and the director during the preceding fiscal year. The report shall be prepared so as to provide the legislature and the people of the state with a clear, comprehensive summary of the portfolio composition, the transactions, the total annual rate of return and the yield to the state treasury and to each of the funds whose assets are invested by the state board, and the recipients of business placed or commissions allocated among the various commercial banks, investment bankers and brokerage organizations. This report shall contain financial statements for funds managed by the board prepared in accordance with generally accepted accounting principles.

(8) Require state officials from any department or agency to produce and provide access to any financial documents the state board deems necessary in the conduct of their investment activities.

(9) Receive and expend legislative appropriations.

(10) Undertake any other activities necessary to implement the duties and powers set forth in this subdivision.

Sec. 6. [11A.08] [INVESTMENT ADVISORY COUNCIL.] Subdivision 1. [MEMBERSHIP.] There is created an investment advisory council consisting of ten members who are experienced in general investment matters and who shall be appointed by the state board, the commissioner of finance and the executive directors of each of the following: the Minnesota state retirement system, the public employees retirement association, the teachers retirement association and the Minneapolis municipal employees retirement fund.

Subd. 2. [DUTIES AND POWERS.] The council shall:

(1) Advise the state board and the director on general policy matters relating to investments;

(2) Advise the state board and the director on methods to improve the rate of return on invested money while insuring adequate security for that money;

(3) Advise the state board and the director on the form and content of the report required by section 5, subdivision 4, clause (7), so that the report clearly and objectively discloses the investment activities of the state board and the director;

(4) Perform other tasks of an advisory nature as requested by the state board.

Subd. 3. [OFFICERS; MEETINGS.] The council shall annually elect a chairman and vice chairman from among its members, and may elect other officers as necessary. The council shall meet at least every other month and upon the call of the chairman of the council or the chairman of the state board.

Subd. 4. [TERMS; COMPENSATION; REMOVAL; VACANCIES.] The membership terms, compensation and removal

of members appointed by the state board, and filling of vacancies of such members shall be as provided in Minnesota Statutes, Section 15.059 except that council members shall not receive a per diem.

Subd. 5. [LIABILITY; INDEMNIFICATION.] A member of the council shall be indemnified and held harmless by the state for any reasonable costs or expenses incurred as a result of any actual or threatened litigation or administrative proceedings arising out of the performance of the member's duties except an action brought by the state or agency thereof arising from the failure of a council member to perform duties in the manner prescribed in section 7.

Subd. 6. [CONFLICT OF INTEREST; ECONOMIC INTEREST STATEMENT.] No member of the council may participate in deliberations or vote on any matter before the council which will or is likely to result in direct, measurable economic gain to the member. Additionally, no member of the council appointed by the state board may participate in deliberations or vote on any matter before the council which will or is likely to result in direct, measurable economic gain to his employer. Members of the council shall file with the board of ethical practices an economic interest statement in a manner as prescribed by Minnesota Statutes, Section 10A.09, Subdivisions 5 and 6.

Sec. 7. [11A.09] [STANDARD OF CARE.] In the discharge of their respective duties, the members of the state board, director, board staff, members of the council and any other person charged with the responsibility of investing money pursuant to the standards set forth in sections 1 to 23 shall act in good faith and shall exercise that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived therefrom.

Sec. 8. [11A.10] [DUTIES OF OTHER OFFICIALS.] Subdivision 1. [CUSTODY OF SECURITIES.] The state treasurer and other custodians of securities belonging to the various funds shall provide in the appropriate cases the state board and its delegates with reasonable access thereto. Each security shall be held as an asset of the fund from which the investment expenditure was made.

Subd. 2. [ESCHEATED PROPERTY.] The commissioner of finance shall report immediately to the state board all personal property other than money received by the state of Minnesota as escheated property. If the state board elects to sell escheated property, all moneys received from the sale shall be credited to the general fund of the state.

Subd. 3. [AUDITS.] State audits of the activities of the state board and its delegates shall be conducted by the legislative auditor.

Subd. 4. [OFFICE SPACE.] The commissioner of administration shall provide the director and staff with suitable office and storage space in the state capitol complex as near as practicable to the office of the state treasurer.

Sec. 9. [11A.11] [INVESTMENT AND EXPENSE APPROPRIATION.] *There is appropriated to the state board annually, and from time to time, the various moneys as are available for investment in the various funds subject to their supervision and control, for the purposes of the purchase, sale, exchange and lending of securities, reinvestment activities, payment of the execution expenses of securities transactions, amortization of premiums or accumulation of discounts, and contribution and redemption of participation in the funds.*

Sec. 10. [11A.12] [GAINS AND LOSSES; DISPOSITION.] *All interest and profit accruing from and all losses incurred by investment activity shall be credited to or borne by the fund from which the investment was made.*

Sec. 11. [11A.13] [ASSETS AND DOCUMENTATION.] Subdivision 1. [LEGAL TITLE TO FUND ASSETS.] *Legal title to the assets of state funds to be invested by the state board shall be in the state of Minnesota, or its nominees. Legal title to pension funds to be invested by the state board shall be in the state board, or its nominees, as trustees for any person having a beneficial interest in the applicable fund subject to the rights of the particular funds maintaining shares, investment participation or units in the accounts to their credit.*

Subd. 2. [RIGHTS OF EMPLOYEES; VALIDITY OF DOCUMENTATION.] *The rights of any public employee to any assets in the retirement funds shall be as fixed by the law or laws authorizing or requiring a retirement fund to purchase or order the redemption of investment participations or units on behalf of the public employee. The state board may rely on the documents, forms and applications of the various retirement funds which accompany money for investment or orders to redeem assets as being made in concert with the applicable law and with the rights of the public employees concerned. Accordingly, the state board need not inquire into the legality or validity of any documents, forms and applications.*

Sec. 12. [11A.14] [MINNESOTA COMBINED INVESTMENT FUND.] Subdivision 1. [ESTABLISHMENT.] *There is hereby established a Minnesota combined investment fund for the purpose of providing an investment vehicle for assets of the participating funds. The combined fund shall consist of the following investment accounts: a cash management account and an equity account.*

Subd. 2. [ASSETS.] *The assets of the combined investment fund shall consist of the moneys certified to and received by the state board from participating retirement plans and funds which shall be used to purchase investment shares in the appropriate investment accounts. Each participating fund shall own an undi-*

vided participation in all the assets of the combined fund. As of any date, the total claim of a participating fund on the assets in each account shall be equal to the ratio of units owned by a fund in each account to the total issued units then outstanding.

Subd. 3. [MANAGEMENT.] The combined investment fund shall be managed by the state board.

Subd. 4. [INVESTMENTS.] The assets of the combined investment fund shall be invested by the state board subject to the provisions of section 22 with the following exceptions:

(a) The cash management account shall be invested in fixed-income obligations with maturities of less than three years.

(b) The equity account may be completely invested in corporate stocks.

Subd. 5. [PARTICIPATING PUBLIC RETIREMENT PLANS OR FUNDS.] The following public retirement plans and funds shall participate in the Minnesota combined investment fund:

(1) State employees retirement fund established pursuant to Minnesota Statutes, Chapter 352;

(2) Correctional employees retirement plan established pursuant to Minnesota Statutes, Chapter 352;

(3) Highway patrol retirement fund established pursuant to Minnesota Statutes, Chapter 352B;

(4) Public employees retirement fund established pursuant to Minnesota Statutes, Chapter 353;

(5) Public employees police and fire fund established pursuant to Minnesota Statutes, Chapter 353;

(6) Teachers retirement fund established pursuant to Minnesota Statutes, Chapter 354;

(7) Judges retirement fund established pursuant to Minnesota Statutes, Chapter 490; and

(8) Any other fund required by law to participate.

Subd. 6. [INITIAL TRANSFER OF ASSETS.] As of July 1, 1980, or a later date as determined by the state board, the participating funds shall transfer to the combined investment fund all appropriate securities then held together with cash necessary for the purchase of even units in the combined fund accounts.

Subd. 7. [INITIAL VALUATION OF ASSETS AND UNITS.] All assets transferred to the Minnesota combined investment fund shall be valued at their current market value as determined by the state board, including accrued interest. The initial value of each account unit shall be \$1,000 with each participating fund allocated units in the various accounts of the Minnesota combined investment fund in the same proportion as their assets are to the total assets in each account.

Subd. 8. [UNREALIZED APPRECIATION (DEPRECIATION) ACCOUNT.] Any unrealized gains or losses in the value of investments incurred by a transferring fund shall be recorded in an unrealized appreciation (depreciation) account which is hereby created. Any future unrealized gains or losses shall also be recorded in this account at the close of each fiscal year.

Subd. 9. [VALUATION OF UNITS.] (1) Valuation of units for the equity account in the Minnesota combined investment fund shall be performed as of the last business day of each month, or more frequently should the state board determine that additional valuation dates are necessary. Valuation of units for the cash management account in the Minnesota combined investment fund shall be performed daily for every business day.

(2) The value of a unit for each account shall be determined by the following procedure:

(a) As of the close of business on the valuation date the state board shall determine the fair market value of each asset in each account, using the references, pricing services, consultants, or other methods as the state board deems appropriate.

(b) The sum total of the market value of all securities plus cash, less the value of undistributed income in each account, shall be divided by the number of units issued and outstanding for the account to determine the value per account unit.

Subd. 10. [PURCHASE AND REDEMPTION OF UNITS.] Purchase and redemption of units shall be on the first business day following the valuation date. All transactions shall be at the unit value as established on the immediately preceding valuation date. Except for the initial purchase of units by an authorized participant, all purchases and redemptions shall be made in cash unless the state board determines that an exception is necessary.

Subd. 11. [EARNINGS DEFINED.] Investment earnings shall be the sum total of the following of each account:

(1) Dividends receivable on securities trading ex-dividend up to and including the valuation date.

(2) Cash dividends received to and including the valuation date that were not accounted for on a previous valuation date.

(3) Accrued interest to and including the valuation date.

(4) Interest received which had not been accrued and accounted for on a prior valuation date.

(5) Income from the sale of options, rights, warrants, or security lending.

(6) Other income received to and including the valuation date.

Subd. 12. [DISTRIBUTION OF EARNINGS.] At least once each month the state board shall distribute to each participant net earnings determined proportionately in accordance with their average unit holdings in each account during the period. Unless

otherwise directed by the participating fund, any distributions shall be used to purchase additional units in the accounts.

Subd. 13. [RECORDS REQUIRED.] *The executive director of the state board shall keep accounting records. The records shall reflect the number of units in the Minnesota combined investment fund owned by each participating fund. No certificates or other evidence of ownership shall be required.*

Subd. 14. [REPORTS REQUIRED.] *As of each valuation date, or as often as the state board determines, each participant shall be informed of the number of units owned and the current value of the units. Annually, the state board shall provide to each participant, financial statements prepared in accordance with generally accepted accounting principles.*

Sec. 13. [11A.15] [STATE BOND FUND.] Subdivision 1. [ESTABLISHMENT.] *Pursuant to Article XI, Section 7, of the constitution of the state of Minnesota, there is hereby established a state bond fund for the purpose of the timely payment of principal and interest on bonds for which the full faith and credit of the state has been pledged. The state bond fund shall be a continuation of the state bond fund in existence on January 1, 1980.*

Subd. 2. [ASSETS.] *Any money appropriated to the state bond fund, any income arising from the invested assets of the state bond fund which is not immediately required to pay the principal or interest on state bonds and any proceeds arising from the sale of any securities in the state bond fund shall constitute the assets of the state bond fund.*

Subd. 3. [MANAGEMENT.] *The state bond fund shall be managed by the state treasurer who shall, from time to time, certify to the state board those portions of the state bond fund which in the judgment of the state treasurer are not required for immediate use.*

Subd. 4. [INVESTMENT.] *The state board shall invest assets of the state bond fund subject to the provisions of section 23.*

Subd. 5. [WITHDRAWAL OF ASSETS.] *Securities sufficient to equal the amount of money certified by the state treasurer as necessary to pay the principal of interest due on state bonds in excess of any cash on hand shall be sold at the request of the state treasurer and the certified amount of money shall be transferred to the state treasurer.*

Subd. 6. [CREDIT OF INCOME TOWARDS SUBSEQUENT APPROPRIATIONS.] *Notwithstanding provisions of section 10, the net income of the state bond fund after the recovery of any losses from the sale of securities shall be deducted from the amount of any subsequent appropriations for the payment of principal and interest of state bonds.*

Sec. 14. [11A.16] [PERMANENT SCHOOL FUND.] Subdivision 1. [ESTABLISHMENT.] *Pursuant to Article XI, Section 8, of the constitution of the state of Minnesota, there is hereby estab-*

lished a permanent school fund which shall be a continuation of the permanent school fund in existence on January 1, 1980.

Subd. 2. [ASSETS.] The permanent school fund shall consist of the proceeds derived from the school lands, the swamp lands and the internal improvement lands granted to the state and all cash and investments credited to the permanent school fund, to the swamp land fund and to the internal improvement land fund.

Subd. 3. [MANAGEMENT.] The permanent school fund shall be managed by the commissioner of finance.

Subd. 4. [INVESTMENTS.] The permanent school fund shall be invested by the state board in the following securities as directed by Article XI, Section 8 of the constitution of the state of Minnesota:

(a) Interest bearing fixed income securities of the United States and its agencies, including securities fully guaranteed by the United States, bonds of Minnesota or its political subdivisions or agencies, or of other states but not more than 50 percent of any issue by a political subdivision;

(b) Stocks of corporations with cash dividends paid from earnings for the five consecutive years prior to purchase, but not more than 20 percent of the fund shall be invested therein nor more than one percent in stock of any one corporation, nor more than five percent of the voting stock of any one corporation shall be owned;

(c) Bonds of corporations whose earnings have been at least three times the interest requirements on outstanding bonds for five consecutive years or longer immediately prior to purchase, but not more than 40 percent of the fund shall be so invested;

(d) The percentages referred to above shall be computed using the cost price of the stocks or bonds.

Subd. 5. [CALCULATION OF INCOME.] As of the end of each fiscal year, the state board shall calculate the investment income earned by the permanent school fund. The investment income earned by the fund shall equal the amount of interest on debt securities and dividends on equity securities. If the sale of securities results in a net loss during a fiscal year, the net loss shall be recovered from interest and dividend income in equal installments over a period equal to (a) the average period prior to maturity remaining on the debt securities which were sold if the sale of debt securities resulted in the loss, or (b) over a period of five years if the sale of equity securities resulted in the loss unless there is a net gain in the sale of securities sufficient to eliminate the amount of the loss prior to the end of the period. In any fiscal year in which gains on the sale of securities exceed the losses on the sales of securities, the excess shall be added to the principal of the fund.

Subd. 6. [DISPOSITION OF INCOME.] Notwithstanding provisions of section 10, the income of the permanent school fund as

calculated pursuant to subdivision 5, shall be credited to the permanent school fund, and transferred to the school endowment fund as needed for payments made pursuant to Minnesota Statutes, Section 124.08.

Sec. 15. [11A.17] [MINNESOTA SUPPLEMENTAL RETIREMENT INVESTMENT FUND.] *Subdivision 1. [ESTABLISHMENT.] There is hereby established a supplemental retirement investment fund for the purpose of providing an investment vehicle for the assets of various public retirement plans and funds. This fund shall consist of three investment accounts: an income share account, a growth share account, and a fixed-return account. The supplemental retirement investment fund shall be a continuation of the supplemental retirement fund in existence on January 1, 1980.*

Subd. 2. [ASSETS.] The assets of the supplemental retirement investment fund shall consist of the moneys certified and transmitted to the state board from the participating public retirement plans and funds and shall be used to purchase investment shares in the investment accounts specified by the plan or fund.

Subd. 3. [MANAGEMENT.] The supplemental retirement investment fund shall be managed by the state board.

Subd. 4. [INVESTMENT.] The assets of the supplemental retirement investment fund shall be invested by the state board subject to the provisions of section 22; provided, however, that the fixed-return account shall be invested entirely in debt obligations and the growth share account shall be invested as follows:

(a) Up to 100 percent of the book value may be invested in corporate stocks;

(b) Up to six percent of the book value may be invested in the stock of any one corporation;

(c) Up to ten percent of the book value may be invested in corporate stocks which do not conform with the dividend standard provided for in section 22.

Subd. 5. [PARTICIPATING PUBLIC RETIREMENT PLANS OR FUNDS.] *Any public retirement plan or fund authorized or required by law to invest its assets in the supplemental retirement investment fund may from time to time as provided by law certify moneys to the state board for the purchase of investment shares in the investment accounts of the supplemental retirement investment account. The state board shall credit each purchase of investment shares to the appropriate participating public retirement plan or fund and shall confirm each purchase in writing to the appropriate plan or fund. Each participating public retirement plan or fund shall maintain adequate records to account for moneys certified to the supplemental retirement investment fund.*

Subd. 6. [PARTICIPATING IN FUND.] Each public retirement plan or fund which has certified moneys to the state board

for investment in the supplemental retirement investment fund shall have a participation in each investment account of the fund in which it has moneys invested. The participation shall be determined by the ratio of the number of shares credited to the public retirement plan or fund to the total number of shares in that account.

Subd. 7. [PURCHASE OF SHARES.] The state board shall allocate shares in the investment account or accounts at least monthly following the receipt of the funds for purchase of shares from the public retirement plan or fund as specified in the certification. The purchase price for shares shall be determined using the procedure specified in subdivision 9.

Subd. 8. [REDEMPTION OF SHARES.] The state board shall redeem shares in the investment account or accounts on the first business day after the valuation date next following the receipt of the request for redemption of shares from the public retirement plan or fund. The redemption value for shares shall be determined using the procedure specified in subdivision 9. Moneys representing the value of the redeemed shares shall be transmitted to the public retirement plan or fund making the request.

Subd. 9. [VALUATION OF INVESTMENT SHARES.] The value of investment shares in the income share investment account or in the growth share investment account shall be determined by dividing the total market value of the securities constituting the respective account by the total number of shares then outstanding in the investment account. Whenever the value of investment shares of an investment account has exceeded \$10 per share for a period of six consecutive months, each investment share in the investment account may be split at the direction of the board on a two new shares for one prior share basis. The value of investment shares in the fixed-return investment account shall be \$5 per share; provided, however, if the fixed-return investment account shares are redeemed by a public retirement fund where the shares are not attributable to the individual account of any person prior to the expiration of the multi-year period set by the board for the payment of the applicable assumed rate, the value of the investment shares shall be at market value. Terms as to withdrawal schedules will be agreed upon by the public retirement fund and the state board. Notwithstanding the provisions of section 10, the investment income earned by the fixed-return investment account shall be used to purchase additional shares on behalf of each participating public retirement plan or fund.

Subd. 10. [CERTIFICATIONS FOR INVESTMENT AND REQUESTS FOR REDEMPTION.] The state board may specify the required forms for certifications of moneys for investment and requests for redemption of investment shares and may require the filing of any other documents which it deems necessary.

Subd. 11. [PROSPECTUS.] Annually, on or before July 1, the state board shall prepare and shall issue a prospectus for the supplemental retirement investment fund with separate exhibits

for each investment account. The exhibit for each account shall list for each security representing the current assets of the account the following items, whichever are applicable:

- (1) The purchase price of the security;
- (2) The current market value of the security;
- (3) The current dividend or interest rate of the security;
- (4) The rating of a debt security issued by a nationally recognized rating agency if it is other than a security issued or guaranteed by the United States government.

The prospectus shall set forth the statutory provisions governing the supplemental retirement investment account.

Sufficient copies of the prospectus shall be transmitted to each public retirement plan or fund participating in the supplemental retirement investment account to meet the plan or fund's distribution requirements. Ten copies of the prospectus shall be filed with the director of the legislative reference library.

Subd. 12. [RATE OF INTEREST FOR FIXED RETURN.] At the beginning of each fiscal year, the state board shall set an assumed interest rate for moneys invested in the account during that year, with the rate applicable to all sums invested during that 12 month period. At the end of the 12 months, the state board may determine the period over which the an assumed rate is to apply to funds so invested, depending on the average yield and maturity of the securities purchased. Any earnings accrued to the account above the rate earlier indicated may be used to purchase additional shares on behalf of each participating public retirement plan or fund at fiscal year end after necessary reserves are established.

Sec. 16. [11A.18] [MINNESOTA POST-RETIREMENT INVESTMENT FUND.] Subdivision 1. [ESTABLISHMENT.] There is hereby established a post-retirement investment fund for the purpose of providing an investment vehicle for the reserves for various retirement annuities and benefits payable by the participating retirement funds and plans. The post-retirement investment fund shall be a continuation of the Minnesota adjustable fixed benefit fund in existence on January 1, 1980.

Subd. 2. [ASSETS.] The assets of the post-retirement investment fund shall consist of the moneys representing the reserves for various retirement annuities and benefits payable by participating retirement funds and plans which have been certified to and received by the state board from the participating public retirement funds and plans.

Subd. 3. [MANAGEMENT.] The post-retirement investment fund shall be managed by the state board.

Subd. 4. [INVESTMENT.] The assets of the post-retirement

investment fund shall be invested by the state board subject to the provisions of section 22.

Subd. 5. [DEFERRED YIELD ADJUSTMENT ACCOUNT.] There is hereby established a deferred yield adjustment account which shall be increased by the sale or disposition of any debt securities at less than book value and shall be decreased by the sale or disposition of debt securities at more than book value. At the end of each fiscal year, a portion of the balance of this account shall be offset against the investment income for that year. The annual portion of the balance to be offset shall be proportional to the reciprocal of the average remaining life of the bonds sold, unless the amounts are offset by gains on the future sales of these securities. The amount of this account shall be included in the recognized value of assets other than corporate stocks and all other equity investments. In any fiscal year in which the gains on the sales of debt securities exceed the discounts realized on the sales of such securities, the excess shall be used to reduce the balance of the account.

Subd. 6. [PARTICIPATING PUBLIC RETIREMENT FUNDS OR PLANS.] Any public retirement fund or plan authorized by law to participate in the post-retirement investment fund shall no later than the commencement of a benefit payment from the post-retirement investment fund, certify and transfer to the state board moneys equal to the actuarially determined reserves required for those retirement annuities and benefits which are payable by the public retirement fund or plan and which are specified in law to be included in the participation in the fund. The state board shall confirm in writing each certification and transfer of moneys made by a participating public retirement fund or plan. Each participating public retirement fund or plan shall maintain adequate records to account for moneys transferred to the post-retirement investment fund.

Subd. 7. [PARTICIPATION IN FUND.] Each participating public retirement fund or plan which has transferred moneys to the state board for investment in the post-retirement investment fund shall have an undivided participation in the fund. The participation on any valuation date shall be determined by adding to the participation on the prior valuation date: (a) funds transferred in accordance with subdivision 6, (b) the amount of required investment income on its participation as defined in subdivision 9, clause (1)(c) and (c) the reserves for any benefit adjustment made as of the current valuation date with the result adjusted for any mortality gains or losses determined pursuant to subdivision 11.

Subd. 8. [WITHDRAWAL OF MONEYS.] Upon certification by the applicable executive director that a portion of the certified moneys representing the required reserves for various retirement annuities or benefits payable from the participating public retirement fund or plan are required for the payment of a retirement annuity or benefit, the state board shall sell sufficient securities or transfer sufficient available cash to equal the amount of money certified as required and shall order the transfer of that amount to the appropriate executive director.

Subd. 9. [CALCULATION OF POST-RETIREMENT ADJUSTMENT.] Annually, following June 30, the state board shall determine whether a post-retirement adjustment shall be payable and shall determine the amount of any post-retirement adjustment which shall be payable.

(1) The state board shall determine whether a post-retirement adjustment shall be payable using the following procedure:

(a) The state board shall determine the amount of dividends, interest, accruals and realized equity capital gains or losses applicable to the most recent fiscal year ending June 30;

(b) The participating public pension funds or plans shall determine the amount of reserves required for every annuitant and benefit recipient as of the current June 30. Every annuitant or benefit recipient who has been receiving an annuity or benefit for at least one year as of the current June 30 shall be eligible to receive a post-retirement adjustment. Each fund shall report separately the amount of the reserves for those annuitants and benefit recipients who are eligible to receive a post-retirement benefit adjustment and those annuitants and benefit recipients who are not eligible to receive a post-retirement adjustment. The amount of the required reserves shall be certified to the board as soon as is practical following the current June 30;

(c) The state board shall determine the amount of investment income required to equal five percent of the required reserves as of the preceding June 30 adjusted by five percent of each transfer in or transfer out multiplied by the fraction of a year from the date of transfer to the current June 30. This amount of required investment income shall be subtracted from the actual amount of investment income determined pursuant to clause (1)(a), to determine the amount of excess investment income. If this amount is positive, then a post-retirement adjustment may be paid.

(2) The state board shall determine the amount of any post-retirement adjustment which is payable using the following procedure:

(a) The state board shall determine the amount of excess investment income by the method indicated in clause (1);

(b) The participating public pension funds and plans shall certify to the state board the total required reserves as of the first of January next following the end of the fiscal year for the annuitants and benefit recipients eligible to receive the post-retirement adjustment as determined by clause (1) (b);

(c) If the state board determines that the book value of the assets of the fund is less than an amount equal to 100 percent of the current June 30 required reserves, with the book value to be determined after the adjustments provided for in subdivision 11, then the board shall allocate 25 percent of the excess investment income as an asset of the fund. The remaining 75 percent will be termed available for distribution. The book value of assets on any

given date shall be the cost of equity investments and the amortized cost of fixed income investments.

(d) The resulting total amount available for distribution shall be increased by two and one-half percent, and the result shall be stated as a percentage of the total required reserves pursuant to clause (2) (b), and if the percentage is equal to or greater than one percent, the amount shall be certified to each participating public pension fund or plan as the amount of the post-retirement adjustment. If the percentage is less than one percent, the amount shall be credited to a separate reserve established for this purpose. The reserve shall be invested in the same manner as all other assets of the fund and shall be credited with any investment income as specified in clause (1) (a). Amounts credited to the reserve shall be utilized in determining a post-retirement adjustment in the subsequent year. The amount certified shall be carried to five decimal places and stated as a percentage.

Subd. 10. [PAYMENT OF POST-RETIREMENT ADJUSTMENT.] Upon receiving the certification of the amount of the post-retirement adjustment from the state board, each participating public pension fund or plan shall determine the amount of the post-retirement adjustment payable to each eligible annuitant and benefit recipient. The dollar amount of the post-retirement adjustment payable to each annuitant or benefit recipient shall be calculated by applying the certified post-retirement adjustment percentage to the amount of the monthly annuity or benefit payable to each eligible annuitant or benefit recipient. The post-retirement adjustment shall commence to be paid on January 1 following the calculations required pursuant to this section and shall thereafter be included in the monthly annuity or benefit paid to the recipient. Notwithstanding Minnesota Statutes, Section 356.18, any adjustment pursuant to this section shall be paid automatically unless the intended recipient files a written notice with the applicable participating public pension fund or plan requesting that the adjustment not be paid.

Subd. 11. [ADJUSTMENT FOR MORTALITY GAINS AND LOSSES.] As of June 30 annually, the actuary of each participating public pension fund or plan shall calculate the amount of required reserves representing any mortality gains and any mortality losses incurred by the fund or plan during the fiscal year. The actuary shall report separately the amount of the reserves for annuitants and benefit recipients who are eligible for a post-retirement benefit adjustment and the amount of reserves for annuitants and benefit recipients who are not eligible for a post-retirement benefit adjustment. If the net amount of required reserves represents a mortality gain, the participating public pension fund or plan shall certify that amount to the state board, which shall sell sufficient securities or transfer sufficient available cash to equal the amount of money certified. If the amount of required reserves represents a mortality loss, the participating public pension fund or plan shall transfer to the state board an amount equal to the amount of the net mortality loss. The amount of the transfers shall be determined before any post-retirement benefit adjust-

ments have been made. All book values of the assets of the fund for the purposes of subdivision 9 shall be determined only after all adjustments for mortality gains and losses for the fiscal year have been made.

Subd. 12. [APPROPRIATION OF REQUIRED AMOUNTS.] All moneys necessary to meet the requirements of the certification of withdrawals and all moneys necessary to pay post-retirement adjustments pursuant to this section are hereby and from time to time appropriated from the post-retirement investment fund to the state board.

Sec. 17. [11A.19] [VARIABLE ANNUITY INVESTMENT FUND.] Subdivision 1. [ESTABLISHMENT.] There is hereby established a variable annuity investment fund for the purpose of providing an investment vehicle for the assets of the variable annuity program of the teachers retirement association. The variable annuity investment fund shall be a continuation of the variable annuity fund in existence on January 1, 1980.

Subd. 2. [ASSETS.] The assets of the variable annuity investment fund shall consist of all cash and investments credited to the variable annuity program of the teachers retirement association.

Subd. 3. [MANAGEMENT.] The variable annuity investment fund shall be managed by the state board.

Subd. 4. [INVESTMENT.] The assets of the variable annuity investment fund shall be invested by the state board subject to the provisions of section 22 except that:

- (a) Up to 100 percent of the book value may be invested in corporate stocks;
- (b) Up to six percent of the book value may be invested in the stock of any one corporation;
- (c) Up to ten percent of the book value may be invested in corporate stocks which do not conform with the dividend standard provided for in section 22, subdivision 5.

Subd. 5. [VALUATION OF FUND.] The variable annuity investment fund shall be valued by the state board bimonthly, using the closing market prices of the last business days of August, October, December, February, April and June of each fiscal year. The ratio of the total market value of investments to the admitted value of investments at the end of the preceding fiscal year, plus the cost of investments acquired, less the net receipts from investments sold during the fiscal year, shall be determined for each valuation date. The admitted value of the investments of the variable annuity investment fund at the end of each fiscal year shall be the book value of all investments held at that date multiplied by the average of the ratios at the 12 bimonthly valuation dates for the fiscal year and the immediately preceding fiscal year. The book value of investments during any fiscal year shall be the admitted value at the end of the preceding fiscal year or the cost of the investments if acquired during the fiscal year.

Subd. 6. [ACCOUNTING PROCEDURES.] *Notwithstanding provisions of section 10, the following procedures shall be employed by the state board:*

(1) The earnings from the investments of the variable annuity investment fund shall consist of dividends, interest and all other income derived from the investments and shall be determined on an accrual basis as of each bimonthly valuation date. The income shall be attributed to those funds in the account at the beginning of the bimonthly period. Earnings from investments shall not include changes in the admitted values of the investments.

(2) Any realized gain or loss shall be recorded in a realized appreciation account, and shall consist of the amount received on sale less the cost of the security. Unrealized gains or losses for any fiscal year shall be determined as provided in subdivision 5.

Subd. 7. [TOTAL ANNUAL INCREMENT OR DECREMENT.] *The total annual increment or decrement for any one year shall be the sum of (a) the six bimonthly computations of earnings as computed under subdivision 6, clause (1); (b) total realized gains or losses for the fiscal year as computed under subdivision 6, clause (2), after adjusting for the approximate unrealized gain or loss evidenced for such securities in the admitted value; and (c) total unrealized gains or losses for the fiscal year as computed under subdivision 6, clause (2).*

Subd. 8. [RATE OF RETURN.] *The total annual increment or decrement divided by the admitted value of the assets of the Minnesota variable annuity fund, as computed pursuant to subdivision 5, shall be defined as the rate of return for the fiscal year. The rate of return is to be used as the percentage of increase or decrease which shall be credited to the individual member's account balances at the end of the fiscal year.*

Sec. 18. [11A.20] [INVESTMENT OF STATE TREASURY FUNDS NOT CURRENTLY NEEDED.] *Subdivision 1. [CERTIFICATION OF STATE TREASURY FUNDS NOT CURRENTLY NEEDED.] The state treasurer shall make a report to the commissioner of finance daily or at other times as the commissioner of finance shall determine of the funds in the state treasury together with any other information which the commissioner may prescribe. When there are funds in the state treasury over and above the amount that the commissioner of finance has advised the treasurer is currently needed, the state treasurer shall certify to the state board the amount thereof.*

Subd. 2. [INVESTMENT.] *The certified amount of state treasury funds not currently needed shall be invested by the state board subject to the provisions of section 23.*

Subd. 3. [CREDITING OF INVESTMENT INCOME.] *Notwithstanding provisions of section 10, all investment income and all investment losses attributable to the investment of state treasury funds not currently needed shall be credited to the general fund.*

Sec. 19. [11A.21] [INVESTMENT OF HIGHWAY FUNDS.]
Subdivision 1. [CERTIFICATION OF HIGHWAY FUNDS.] *The commissioner of transportation shall certify to the state board those portions of the trunk highway fund established pursuant to Article XIV, Section 6 of the constitution of the state of Minnesota, the county state-aid highway fund established pursuant to Article XIV, Section 7 of the constitution of the state of Minnesota and the municipal state-aid street fund established pursuant to Article XIV, Section 8 of the constitution of the state of Minnesota which in the judgment of the commissioner are not required for immediate use.*

Subd. 2. [INVESTMENT.] *The certified amount of highway funds not currently needed shall be invested by the state board subject to the provisions of section 23.*

Sec. 20. [11A.22] [STATE ZOOLOGICAL GARDEN OPERATING RECEIPTS INVESTMENT ACCOUNT.]
Subdivision 1. [ESTABLISHMENT.] *There is hereby established a zoological garden operating receipts investment account for the purpose of investing funds not required for immediate use.*

Subd. 2. [CERTIFICATION OF RECEIPTS.] *The state zoological garden board shall, from time to time, certify to the state board the amount of funds available for investment.*

Subd. 3. [INVESTMENT.] *Amounts certified to the state zoological garden operating receipts investment account shall be invested by the state board subject to the provisions of section 23.*

Subd. 4. [CREDITING OF INVESTMENT INCOME.] *Notwithstanding provisions of section 10, all investment income and all investment losses attributable to the investment of the account shall be credited to or borne by the state zoological garden general account.*

Subd. 5. [WITHDRAWAL OF FUNDS.] *Upon certification by the state zoological garden board that moneys in the state zoological garden operating receipts investment account are needed for current purposes, the state board shall sell sufficient securities to equal the amount of moneys certified as needed and shall order the transfer of the moneys to the state zoological garden general account.*

Sec. 21. [11A.23] [INVESTMENT OF RETIREMENT FUNDS AND PLANS.]
Subdivision 1. [CERTIFICATION OF ASSETS NOT NEEDED FOR IMMEDIATE USE.] *Each executive director administering a retirement fund or plan enumerated in subdivision 4 shall, from time to time, certify to the state board for investment those portions of the assets of the retirement fund or plan which in the judgment of the executive director are not required for immediate use. Assets of the fund or plan required for participation in the Minnesota post-retirement adjustment fund, the combined investment fund, the supplemental retirement investment fund or the variable annuity investment fund shall be transferred to those funds as provided by sections 1 to 23.*

Subd. 2. [INVESTMENT.] *Retirement fund assets certified to the state board pursuant to subdivision 1 shall be invested by the state board subject to the provisions of section 22. Retirement fund assets transferred to the Minnesota post-retirement adjustment fund, the combined investment fund, the supplemental retirement investment fund or the variable annuity investment fund shall be invested by the state board as part of those funds.*

Subd. 3. [WITHDRAWAL OF ASSETS.] *When an executive director administering a retirement fund or plan enumerated in subdivision 4, certifies to the state board that invested assets of the fund or plan are required for immediate use, the state board shall sell securities to equal the amount of assets certified as required and shall order the transfer of the assets to the appropriate executive director.*

Subd. 4. [COVERED RETIREMENT FUNDS AND PLANS.] *The provisions of this section shall apply to the following retirement funds and plans:*

(1) *State university and state community college supplemental retirement plan established pursuant to Minnesota Statutes, Sections 136.80 to 136.87;*

(2) *State employees retirement fund established pursuant to Minnesota Statutes, Chapter 352;*

(3) *Correctional employees retirement plan established pursuant to Minnesota Statutes, Chapter 352;*

(4) *Highway patrol retirement fund established pursuant to Minnesota Statutes, Chapter 352B;*

(5) *Unclassified employees retirement plan established pursuant to Minnesota Statutes, Chapter 352D;*

(6) *Public employees retirement fund established pursuant to Minnesota Statutes, Chapter 353;*

(7) *Public employees police and fire fund established pursuant to Minnesota Statutes, Chapter 353;*

(8) *Teachers' retirement fund established pursuant to Minnesota Statutes, Chapter 354;*

(9) *Judges' retirement fund established pursuant to Minnesota Statutes, Chapter 490; and*

(10) *Any other funds required by law to be invested by the board.*

Sec. 22. [11A.24] [AUTHORIZED INVESTMENTS.] *Subdivision 1. [SECURITIES GENERALLY.] The state board shall have the authority to purchase, sell, lend or exchange the following securities for funds or accounts specifically made subject to this section including the writing of covered call options.*

Subd. 2. [GOVERNMENT OBLIGATIONS.] *The state board may invest funds in governmental bonds, notes, bills, mortgages and other fixed obligations, including guaranteed or insured issues*

of (a) the United States, its agencies or its instrumentalities, including financial contracts traded upon a contract market designated and regulated by a federal agency; (b) Canada and its provinces, provided the principal and interest is payable in United States dollars; (c) the states and their municipalities, political subdivisions, agencies or instrumentalities, where backed by the state's full faith and credit or if the issuer has not been in default in payments of principal or interest within the past ten years or in the case of revenue bonds the obligor has been completely self-supporting for the five prior years; (d) the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, or any other United States Government sponsored organization of which the United States is a member, provided the principal and interest is payable in United States dollars and the issues are rated in the highest quality category by a nationally recognized rating agency.

Subd. 3. [CORPORATE OBLIGATIONS.] The state board may invest funds in bonds, notes, debentures, transportation equipment obligations, or any other longer term evidences of indebtedness issued or guaranteed by a corporation organized under the laws of the United States or any state thereof, or the Dominion of Canada or any province thereof if they conform to the following provisions:

(a) The principal and interest of obligations of corporations incorporated or organized under the laws of the Dominion of Canada or any province thereof shall be payable in United States dollars;

(b) The consolidated net pretax earnings of corporations other than finance corporations shall have been on average for the preceding five years at least 1.5 times the annual interest charges on total funded debt applicable to that period;

(c) The consolidated net pretax earnings of banks and finance corporations shall have been on average for the preceding five years at least 1.2 times the annual interest charges on total funded debt applicable to that period;

(d) Obligations shall be rated among the top three quality categories by a nationally recognized rating agency or if unrated, then the corporation shall have other comparably secured issues similarly rated or the consolidated net pretax earnings of the corporation shall have been on average for the preceding five fiscal years at least twice the ratios required in clauses (b) and (c).

Subd. 4. [OTHER OBLIGATIONS.] The state board may invest funds in bankers acceptances, certificates of deposit, commercial paper, mortgage participation certificates and pools, repurchase agreements and reverse repurchase agreements and savings accounts if they conform to the following provisions:

(a) Bankers acceptances of United States banks shall be limited to those eligible for purchase by the Federal Reserve System;

(b) Certificates of deposit shall be limited to those issued by banks and savings institutions that meet the collateral require-

ments established in Minnesota Statutes, Section 9.031, unless sufficient volume is unavailable at competitive interest rates. In that event, noncollateralized certificates of deposit may be purchased from United States banks and savings institutions that are rated in the highest quality category by a nationally recognized rating agency;

(c) Commercial paper shall be limited to those issued by United States corporations or their Canadian subsidiaries, shall be of the highest quality and mature in 270 days or less;

(d) Mortgage participation certificates and pools secured by first mortgages or trust deeds on improved real estate located in the United States where there is a guarantee of replacement by a note or bond of comparable value and security in the event of a default, and where the loan to value ratio for each loan does not exceed 80 percent for fully amortizable residential properties and in all other respects meets the requirements of section 61A.28, subdivision 3.

(e) Repurchase agreements and reverse repurchase agreements shall be limited to the securities described in subdivision 2, clause (a);

(f) Savings accounts shall be limited to those fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

Subd. 5. [CORPORATE STOCKS.] The state board may invest funds in stocks or convertible issues of any corporation organized under the laws of the United States or the states thereof, the Dominion of Canada or its provinces, or any corporation listed on the New York Stock Exchange or the American Stock Exchange, if they conform to the following provisions:

(a) The aggregate value of corporate stock investments, as adjusted for realized profits and losses, shall not exceed 50 percent of the book value of a fund;

(b) Investments in any one corporation shall not exceed three percent of the book value of a fund;

(c) Investments shall not exceed five percent of the total outstanding shares of any one corporation;

(d) Cash dividends on corporate stock investments shall have been earned and paid for the preceding five years;

(e) Investments which do not conform to the dividend standard contained in clause (d) may be held but the total amount of these securities shall not exceed five percent of the book value of a fund.

Sec. 23. [11A.25] [ADDITIONAL INVESTMENT PROVISIONS.] When investing assets of any funds or accounts specifically made subject to this section or not otherwise referred to in sections 1 to 23, all securities shall be debt obligations maturing within three years of the date of purchase and shall conform to the applicable provisions of section 22.

Sec. 24. *By January 1, 1981, the executive director shall prepare and submit to the state board and the legislature a report analyzing whether or not increased portions of the funds under the investment control of the state board could be invested in ways directly beneficial to all Minnesotans and be consistent with the investment standard of care set forth in statute for the board. The report shall assess the policy desirability of these increased investments. If the director concludes that such investments are desirable and can be accomplished consistent with the investment standard of care, he shall identify any statutory amendments needed to permit this increased investment. In preparing this report the director shall consult with representatives of fund beneficiaries and other persons interested in the investment of public moneys.*

Sec. 25. Minnesota Statutes, 1979 Supplement, Section 15A.081, Subdivision 1, is amended to read:

15A.081 [SALARIES AND SALARY RANGES FOR CERTAIN EMPLOYEES.] 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	Effective July 1, 1980
Administration, department of commissioner	\$44,000	\$47,000
Agriculture, department of commissioner	38,000	40,000
Commerce, department of commissioner of banks	34,000	36,500
commissioner of insurance	34,000	36,500
commissioner of securities	34,000	36,500
director of consumer services	28,000	30,000
Community college system chancellor	44,000	46,000
Corrections, department of commissioner	42,000	45,000
ombudsman	33,000	35,000
Crime control planning board, executive director	33,000	35,000
Economic development, department of commissioner	34,000	36,000
Economic security, department of commissioner	43,000	45,000
Education, department of commissioner	43,000	45,000
Energy agency director	38,000	40,000
Finance, department of commissioner	48,000	50,000

	Salary or Range	
	Effective July 1, 1979	Effective July 1, 1980
	\$	\$
Health, department of commissioner	47,000	49,000
Hearing examiners office chief hearing examiner	38,000	40,000
Higher education coordinating board executive director	40,000	42,000
Housing finance agency executive director	39,000	41,000
Human rights, department of commissioner	31,000	33,000
Indian affairs board executive director	27,000	29,000
Investment, board of executive secretary	42,000	44,000
Iron range resources and rehabilitation board commissioner	30,000	31,000
Labor and industry, department of commissioner	38,000	40,000
judge of the workers' compensation court of appeals	38,000	40,000
Mediation services, bureau of director	36,000	38,000
Natural resources, department of commissioner	44,000	47,000
Personnel, department of commissioner	44,000	47,000
Planning agency director	43,000	45,000
Pollution control agency director	38,000	40,000
Public safety, department of commissioner	38,000	41,000
Public service, department of commissioner, public service commission director	34,000 34,000	36,000 36,000
Public welfare, department of commissioner	44,000	48,000
Revenue, department of commissioner	44,000	47,000

State university system chancellor	44,000	46,000
Transportation, department of commissioner	44,000	48,000
Veterans affairs, department of commissioner	31,000	33,000

Sec. 26. Minnesota Statutes, 1979 Supplement, Section 43.064, is amended to read:

43.064 [OTHER SALARIES SET BY COMMISSIONER OF PERSONNEL.] Notwithstanding any other law to the contrary, compensation for all unclassified positions in the executive branch not enumerated in the listing described in section 15A.081, shall be established by the commissioner except for the following: (1) positions listed in section 299D.03; (2) employees in the office of the governor whose salaries shall be determined by the governor; (3) employees in the office of the attorney general; (4) *employees of the state board of investment*; (5) positions in the state university system, the community college system, and in the higher education coordinating board whose primary duties consist of instructing and counseling students, directing academic programs of schools, divisions or departments of colleges and community colleges, or conducting research on academic subjects, or conducting academic support programs; and the positions of state university and community college presidents. Individual salaries for positions enumerated in clauses (3) and, (4) and (5) and for classified hearing examiners in the office of hearing examiners shall be determined by the attorney general, *the state board of investment*, the state university board, the state board for community colleges, the higher education coordinating board, and the chief hearing examiner, respectively, within the limits of salary plans which shall have been approved by the commissioner before becoming effective.

No provision of any subsequent law relating to salaries of state employees shall be construed as inconsistent with this section unless it is expressly provided in ~~such~~ the subsequent act that the provisions of this section shall not be applicable or shall be superseded, amended, or repealed.

Sec. 27. Minnesota Statutes 1978, Section 69.77, Subdivision 2, as amended by Laws 1980, Chapter 341, Section 1, is amended to read:

Subd. 2. Subdivision 1 does not apply to an association enumerated in subdivision 1a under the following circumstances:

(1) Each member of the association pays into the retirement funds of the association during his term of covered employment from and after January 1, 1981, a contribution for retirement and survivorship benefits of not less than eight percent of the maximum rate of salary from which retirement and survivorship credits and amounts of benefits are determined, and that ~~such~~ the contributions of a member are deducted from his salary by his governmental employer, transmitted to the association, and deposited to

the credit of the proper fund thereof, 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, but the increase in rate of contribution in each year commencing in 1981 shall not be less than one percent until the appropriate levels of required employee contributions have been reached. This paragraph shall not apply to members who are volunteer firefighters, provided that the local governing body shall have given their approval to the exemption following consideration of the most recent actuarial survey.

(2) The officers of the association determine on or before the date established by the municipality, which shall not be later than September 1 and shall not be earlier than August 1, of each year the financial requirements and minimum obligation of the association for the following calendar year in accordance with the following requirements:

The financial requirements shall be based on the most recent actuarial survey prepared in accordance with sections 356.215, subdivision 4 and 356.216.

The normal level cost expressed as a percent of covered payroll determined from the actuarial survey shall be applied to the estimated covered payroll of the membership for the following year to determine the dollar amount of normal cost for said following year.

To the dollar amount of normal cost thus determined shall be added the amount of one year's interest at five percent on the amount of the (deficit) unfunded liability found by the actuarial survey of the fund.

The total of these two amounts represents the financial requirements of the association for the following year.

Except as otherwise provided in this paragraph, the minimum obligation of the governmental subdivision shall be the financial requirements of the association less member contributions herein provided from covered salary and less one year's estimated receipts expected from the state of Minnesota through state collected insurance premium taxes or other state aids. The minimum obligation may, by vote of the governing body of the governmental subdivision, be reduced to the amount levied in the preceding year for purposes of the association, plus the following percentage of the difference between that levy and the amount of the minimum obligation determined without benefit of this sentence: for the levy made in 1971, 10 percent; in 1972, 20 percent; in 1973, 30 percent; in 1974, 40 percent; in 1975, 50 percent; in 1976, 60 percent; in 1977, 70 percent; in 1978, 80 percent; and in 1979, 90 percent. Commencing with the levy made in 1980, there shall be no reduction in the minimum obligation pursuant to this paragraph.

(3) The foregoing determination of the obligation of a governmental subdivision shall be submitted to its governing body not

later than September 1 of each year so that it may ascertain if it has been prepared in accordance with law.

(4) The governmental subdivision shall provide and pay as promptly as funds are available to the association at least the amount of the minimum obligation each year. Any portion of this amount not paid to the association at the end of any calendar year shall be increased at the rate of six percent per annum until so paid. On September 1 of any year the unpaid amount subject to interest shall be added to the obligation of the governmental subdivision.

(5) The governmental subdivision shall provide in its annual budget at least its minimum obligation and may levy taxes for the payment thereof without 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 any fund of the association has attained a specified level; the levy of such taxes shall not cause the amount of other taxes levied or to be levied by the governmental subdivision, which are subject to any such limitation, to be reduced in any amount whatsoever. If the governmental subdivision does not include the full amount of the minimum obligation in its levy for any year, the officers of the association shall certify that amount to the county auditor, who shall spread a levy in the amount of such *the* obligation.

(6) Moneys paid by the governmental subdivision to the association in excess of the minimum amount so required shall be applied to the reduction in the unfunded liabilities of the association.

(7) The funds of the association shall be invested in securities which are proper investments for funds of the Minnesota state retirement system pursuant to section 22, 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 applicable to the Minnesota state retirement system specified in section 22, 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 of investment under the provisions of section ~~11-21~~ 15, provided that there be no limit to the amount which may be invested in the income share account described in section 11-18, subdivision 2, or in the fixed-return account described in section 11-18, subdivision 3a, and that up to 20 percent of that portion of the assets of the association invested in the Minnesota supplemental retirement investment fund may be invested in the growth share account described in section 11-18, subdivision 3.

(8) The association shall procure an actuarial survey showing the condition of its fund pursuant to section 356.216 as of December 31, 1978, and shall procure an actuarial survey every two

years thereafter. The association shall also procure a quadrennial experience study pursuant to section 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. 28. Minnesota Statutes 1978, Section 69.775, is amended to read:

69.775 [INVESTMENTS.] The special fund assets of the relief associations governed by sections 69.771 to 69.776 shall be invested in securities which are proper investments for funds of the Minnesota state retirement system pursuant to section 22, except that up to five percent of the special fund assets, or a minimum of \$10,000, may be invested in the stock of any one corporation. Securities held by the associations before January 1, 1972, which do not meet the requirements of this section may be retained after that date if they were proper investments for the association on May 14, 1971. 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 of investment under the provisions of section ~~11.21~~ 15, provided that there be no limit to the amount which may be invested in the income share account described in section ~~11.18~~, subdivision 2, or in the fixed-return account described in section ~~11.18~~, subdivision 3a, and that up to 20 percent of that portion of the assets of the association invested in the Minnesota supplemental retirement fund may be invested in the growth share account described in section ~~11.18~~, subdivision 3.

Sec. 29. Minnesota Statutes 1978, Section 124.46, Subdivision 4, is amended to read:

Subd. 4. Bonds shall be issued pursuant to this section only when authorized by a law specifying the purpose thereof and the maximum amount of the proceeds authorized to be expended for such that purpose. Any act authorizing the issuance of bonds in the manner provided in this section shall, together with this section, constitute complete authority for such the issue, and such the bonds shall not be subject to the restrictions or limitations contained in any other law. Bonds issued pursuant hereto may be purchased by the state board of investment for the permanent school fund, swamp land fund, internal improvement land fund, or any other fund for which investments may be made by the state board of investment or may be sold elsewhere at public or private sale and shall be deemed "authorized securities" within the provisions of section 50.14 and acts amendatory thereof or supplemental thereto.

Sec. 30. Minnesota Statutes 1978, Section 167.42, is amended to read:

167.42 [PLEDGE OF FULL FAITH AND CREDIT.] The full

faith and credit of the state of Minnesota is hereby irrevocably pledged to the payment of the principal of and the interest on the bonds authorized by sections 167.39 to 167.45. ~~Such~~ *The* bonds shall be issued and sold on competitive bids after reasonable notice, ~~or direct to the state board of investment without bids and that board is hereby authorized to invest any funds under its control or discretion in any of these bonds, notwithstanding any limitations imposed by section 11.10 or any other provisions of law.~~ *The* bonds shall be issued and sold by the state auditor under ~~such~~ rules and regulations and in ~~such~~ *the* form and denominations as he shall determine and shall be attested by the secretary of state. ~~Such~~ *The* rules may provide for the maturity, registration, conversion and exchange of the bonds so issued; all bonds maturing more than three years after their date may be made redeemable at par at the expiration of ~~such~~ *the* three years and on each interest payment date thereafter upon ~~such~~ notice as ~~such~~ *the* rules, made prior to the issuance of the bonds, may provide. All expenses incident to the printing and the sale of the bonds, including actual and necessary traveling expenses of state officers and employees for ~~such~~ *the* purpose, shall be paid from the trunk highway fund and the amounts therefor are hereby appropriated from ~~said~~ *that* fund. The provisions of sections 15.041 to 15.044 shall not apply to the rules and regulations promulgated pursuant hereto. The state auditor shall keep a record showing the number, date of issue and date of maturity of each ~~such~~ bond.

Sec. 31. Minnesota Statutes 1978, Section 167.50, Subdivision 2, is amended to read:

Subd. 2. ~~Said~~ *The* bonds shall be issued and sold upon sealed bids after two weeks' published notice, ~~or they may be sold directly to the state board of investment without bids.~~ They shall mature serially over a term not exceeding 20 years from their respective dates of issue, shall not be sold for less than par and accrued interest, and shall not bear interest at a greater rate than five percent per annum. Subject to the foregoing limitations, and subject to any other limitations stated in the acts authorizing ~~such~~ *the* bonds and appropriating the proceeds thereof, but not subject to the provisions of sections 15.0411 to 15.0422, ~~such~~ *the* bonds shall be issued and sold in ~~such~~ *the* number of series, at ~~such~~ times, in ~~such~~ *the* form and denominations, bearing interest at ~~such~~ *the* rate or rates, maturing on ~~such~~ dates, either without option of prior redemption or subject to prepayment upon ~~such~~ notice and at ~~such~~ *the* times and prices, payable at ~~such~~ *the* bank or banks, within or without the state, with ~~such~~ provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale and delivery of definitive bonds, and in accordance with such further regulations, as the commissioner of finance may determine. The bonds shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signature of one of these officers on the face of any bond, and their seals, and the signatures of both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, or engraved thereon.

Sec. 32. Minnesota Statutes 1978, Section 193.146, Subdivision 4, is amended to read:

Subd. 4. [SALE.] *Such The* bonds shall be sold by *such the* corporation under *such* notice and upon *such the* terms and at *such* times as the corporation shall deem best. *Such The* bonds shall not be deemed or construed to be debts of the state of Minnesota or of the county or municipality in which *such the* armory is situated, nor to impose any personal liability upon any member of *such the* corporation, but shall be payable solely out of the income to be received by *such the* corporation as specified herein. Bonds legally issued pursuant hereto may be purchased by the state board of investment for the permanent school fund, permanent university fund, swamp land fund, internal improvement land fund, or any other trust fund of the state of Minnesota, or for any other fund administered by *such* board, and shall be deemed authorized securities within the provisions of section 50.14, and laws supplemental thereto, and shall be proper for the investment of capital, surplus, or deposits of any savings bank or trust company, and for the investment of funds of any insurance company, and for the investment of any sinking funds held by any public or municipal corporation, and may be pledged by any bank or trust company as security for the deposit of public moneys therein in lieu of surety bonds. *Such The* bonds shall be deemed and treated as instrumentalities of a public governmental agency, and as such shall be exempt from taxation.

Sec. 33. Minnesota Statutes 1978, Section 352.115, Subdivision 8, is amended to read:

Subd. 8. [ACCRUAL OF ANNUITY.] State employees shall make application for an annuity but such application shall not be made *more than 60 days* prior to the time the employee is eligible to retire by reason of both age and service requirements. If the director determines an applicant for annuity has fulfilled all the requirements of the law to entitle him to an annuity, he shall authorize payment thereof in accordance with the provisions of this chapter and payment shall be made pursuant to this authorization. An annuity shall begin to accrue no earlier than 60 days prior to the date the application is filed with the director except that if an optional annuity as provided in section 352.116, subdivision 3 is selected the annuity shall begin to accrue 30 days after the application is filed with the director but in no event prior to the day following the termination of state service or *prior to the day the employee is eligible to retire by reason of both age and service requirements*. The retirement annuity shall cease with the last payment which had accrued to the retired employee during his lifetime unless he elected an optional annuity provided in section 352.116, subdivision 3, and he had become entitled to payment thereof. The joint and last survivor annuity shall cease with the last payment received by the survivor in his or her lifetime. If a retired employee had not selected an optional annuity, or a survivor annuity is not payable under the option, and a spouse survives, such spouse shall be entitled only to the annuity for the calendar month in which the retired employee died. If an optional

annuity is payable after the death of the retired employee, the survivor shall be entitled to the annuity for the calendar month in which the retired employee died. If an employee who has filed an application for annuity prior to the termination of his state service dies before an annuity becomes payable to him, refundment of his accumulated contributions shall be made as provided in section 352.12, subdivision 1.

Sec. 34. Minnesota Statutes 1978, Section 352.23, is amended to read:

352.23 [TERMINATION OF RIGHTS.] When any employee accepts a ~~refundment~~ *refund* as provided in section 352.22, all existing service credits and all rights and benefits to which the employee was entitled prior to the acceptance of such ~~refundment~~ *refund* shall terminate and shall not again be restored until the former employee acquires not less than one year's allowable service credit subsequent to taking his last ~~refundment~~ *refund*. In that event, he may ~~repay all refundments~~ *refunds* which he had taken from the retirement fund. Repayment of ~~refundments~~ *refunds* will entitle the employee only to credit for service covered by (a) salary deductions, (b) payments made in lieu of salary deductions, and (c) payments made to obtain credit for service as permitted by laws in effect at the time payment was made. If an employee before taking one or more ~~refundments~~ *refunds* had credit for prior service or for military service without payment in either case, he may obtain credit for such forfeited service prior to July 1, 1929, and for such forfeited military service by making payments at a contribution rate of three percent of his average salary upon which deductions for the retirement fund were based, for the three year period immediately preceding repayment of ~~refundment~~ *refund* for service credit prior to July 1, 1929, and on the salary received by him at the time of entering military service to restore his military service credit. All such payments and repayment of ~~refundments~~ *refunds* are to be paid with interest at six percent per annum compounded annually *and may be paid in a lump sum or by payroll deduction in the manner provided in section 352.04.*

Sec. 35. Minnesota Statutes 1978, Section 352.75, Subdivision 3, is amended to read:

Subd. 3. [EXISTING RETIRED MEMBERS AND BENEFIT RECIPIENTS.] As of the effective date of Laws 1978, Chapter 538, the liability for all retirement annuities, disability benefits, survivorship annuities and survivor of deceased active employee benefits paid or payable by the metropolitan transit commission—transit operating division employees retirement fund shall be transferred to the Minnesota state retirement system, and shall no longer be the liability of the metropolitan transit commission—transit operating division employees retirement fund. The required reserves for retirement annuities, disability benefits and optional joint and survivor annuities in effect on the day prior to the effective date of Laws 1978, Chapter 538 and the required reserves for the increase in annuities and benefits provided pursuant to subdivision 6 shall be determined using a five percent

interest assumption and the applicable Minnesota state retirement system mortality table and shall be transferred by the Minnesota state retirement system to the Minnesota adjustable fixed benefit fund on the effective date of Laws 1978, Chapter 538 but shall be considered transferred as of June 30, 1978. The annuity or benefit amount in effect on the effective date of Laws 1978, Chapter 538, including the increase pursuant to subdivision 6, shall be considered the "originally determined benefit" for purposes of any adjustments made pursuant to section 11.25. If an adjustment from the Minnesota adjustable fixed benefit fund pursuant to section 11.25 is payable as of January 1, 1979, any annuitant or benefit recipient receiving an annuity or benefit from the Minnesota adjustable fixed benefit fund pursuant to this section shall be entitled to receive the adjustment if the annuitant or recipient began receiving the annuity or benefit from the metropolitan transit commission transit operating division employees retirement fund on or before June 30, 1977, but that adjustment shall not include in the base for calculation the amount of any increase granted pursuant to subdivision 6. If an adjustment from the Minnesota adjustable fixed benefit fund pursuant to section 11.25 is payable as of January 1, 1979, the required reserves for the increase determined using a five percent interest assumption and the applicable Minnesota state retirement system mortality table shall be transferred by the Minnesota state retirement system to the Minnesota adjustable fixed benefit fund on January 1, 1979 16. For persons receiving benefits as survivors of deceased former retirement annuitants, the benefits shall be considered as having commenced on the date on which the retirement annuitant began receiving the retirement annuity.

Sec. 36. Minnesota Statutes 1978, Section 352B.26, Subdivision 3, is amended to read:

Subd. 3. [VALUATION OF ASSETS; ADJUSTMENT OF BENEFITS.] (1) As of June 30, 1969, the present value of all annuities, including joint and survivor annuities and qualified recipients of surviving spouse benefits, in force as of June 30, 1969, and as amended in accordance with Laws 1969, Chapter 977, shall be determined in accordance with the United States Life Tables, 1959-61, white males and white females, calculated with an interest assumption of three and one-half percent and assets representing the required reserves for these annuities shall be transferred to the Minnesota adjustable fixed benefit fund, during a period of one year in accordance with procedures specified in *Minnesota Statutes 1969*, Section 11.25. The provisions of this clause apply to all annuities which are payable under this chapter.

(2) Effective July 1, 1969, for those employees commencing to receive annuities and qualified recipients of surviving spouse benefits, or joint and survivor annuities, pursuant to this chapter, and acts amendatory thereof, the required reserves as determined in accordance with this section shall be transferred to the Minnesota adjustable fixed benefit fund as of the date benefits begin to accrue after June 30, 1969.

(3) Annuity payments shall be adjusted in accordance with the provisions of section 11.25, subdivisions 12 and 13.

(4) Notwithstanding section 356.18, increases in annuity payments pursuant to this section shall be made automatically unless written notice is filed by the annuitant with the executive director of the Minnesota state retirement system requesting that the increase shall not be made.

Sec. 37. Minnesota Statutes, 1979 Supplement, Section 352D.02, Subdivision 1, is amended to read:

352D.02 [COVERAGE.] Subdivision 1. The following employees in the unclassified service of the state who are eligible for coverage under the Minnesota state retirement system shall participate in the unclassified program unless such employee gives notice to the executive director of the state retirement system within one year following June 5, 1975 or the commencement of his employment, whichever is later, that he desires coverage under the regular employee plan. For the purposes of this chapter, an employee who does not file such notice with the executive director shall be deemed to have exercised his option to participate in the unclassified plan. The employee and applicable employer contributions for those employees covered by the regular plan on June 5, 1975, who after such date participate in the unclassified plan, shall be transferred to the supplemental fund in accordance with subdivision 4 and section 352D.03 as though the employee had elected to participate when first eligible to make such election. This subdivision shall also be applicable to any person who was an employee in an eligible position on or after January 1, 1975, has terminated service before June 5, 1975 with less than ten years of allowable service, and has not taken a refund of his contributions.

(1) Any employee in the office of the governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, reviser of statutes or the state board of investment,

(2) *The head of any department, division, or agency head, the assistant department head or deputy created by statute, an acting department head subsequently appointed to the position, or any employee enumerated in sections 15A.081, subdivision 1 or 15A.083, subdivisions 4 and 4a,*

(3) Any permanent, fulltime unclassified employee of the legislature or any commission or agency of the legislature or a parttime temporary legislative employee having shares in the supplemental retirement fund as a result of former employment covered by this chapter, whether or not eligible for coverage under the Minnesota state retirement system,

(4) Any person employed in a position established pursuant to section 43.09, subdivision 2a or in a position authorized under a statute creating or establishing a department or agency of the state, which is at the deputy or assistant head of department or agency or director level,

(5) The chairman, chief administrator, and not to exceed nine

positions at the division director or administrative deputy level of the metropolitan waste control commission as designated by the commission, and the chairman, executive director, and not to exceed nine positions at the division director or administrative deputy level of the metropolitan council as designated by the council; provided that upon initial designation of all positions provided for in this clause, no further designations or redesignations shall be made without approval of the board of directors of the Minnesota state retirement system, and

(6) The executive director, associate executive director, and not to exceed nine positions of the higher education coordinating board in the unclassified service, as designated by the higher education coordinating board; provided that upon initial designation of all positions provided for in this clause, no further designations or redesignations shall be made without approval of the board of directors of the Minnesota state retirement system.

~~The eligibility to participate of those employees specified in clauses (4) and (5) employed in such positions on April 21, 1976, shall be retroactive to their date of appointment to such positions.~~

~~The eligibility to participate of those employees specified in clause (6) employed in such positions on July 1, 1977, shall be retroactive to their date of appointment to such positions.~~

Sec. 38. Minnesota Statutes 1978, Section 352D.04, Subdivision 2, is amended to read:

Subd. 2. The moneys used to purchase shares under this section shall be the employee and employer contributions as provided in section 352.04, subdivisions 2 and 3 ; ~~clause (1).~~ Except as authorized by section 352D.10, ~~the additional amount provided in section 352.04, subdivision 3, clause (2) shall remain in the regular fund .~~

Sec. 39. Minnesota Statutes 1978, Section 352D.05, Subdivision 3, is amended to read:

Subd. 3. *Upon Thirty days after termination of covered employment or at any time thereafter a participant shall be entitled upon application, to withdraw the cash value of his total shares or may leave such shares on deposit with the supplemental retirement fund. Shares not withdrawn shall remain on deposit with the supplemental retirement fund until the former participant attains the age of at least 58 years, and applies for an annuity as provided in section 352D.06, subdivision 1.*

Sec. 40. Minnesota Statutes 1978, Section 352D.05, Subdivision 4, is amended to read:

Subd. 4. *No person shall be permitted to repay the value of shares withdrawn from the unclassified program, but A participant in the unclassified program may repay regular refunds taken pursuant to section 352.22, as provided in section 352.23. A participant in the unclassified program or an employee covered by the general plan who has withdrawn the value of the total shares may repay the refund taken and thereupon restore the service credit,*

rights and benefits forfeited by paying into the fund the greater of (1) the amount refunded plus interest at 6-½ percent per annum compounded annually from the date that the refund was taken until the date that the refund is repaid, or (2) an amount equal to the total of the employee and employer matching and additional contributions for the forfeited employment period less the administrative fee provided in section 352D.09, subdivision 7, plus interest at the rate of 6-½ percent per annum compounded annually from the date of the start of the forfeited employment period until the date that the refund is paid. If the participant had withdrawn only the employee shares as permitted under prior laws, repayment shall be pro rata. Payment shall be made in a lump sum.

Sec. 41. Minnesota Statutes, 1979 Supplement, Section 353.023, is amended to read:

353.023 [TRANSFER OF PENSION COVERAGE OF MINNEAPOLIS MUNICIPAL EMPLOYEES RETIREMENT FUND COORDINATED PROGRAM.] Notwithstanding any provisions of law to the contrary, as of July 1, 1979, all active members of the coordinated program of the Minneapolis municipal employees retirement fund established pursuant to Minnesota Statutes 1978, Sections 422A.30 to 422A.39, shall cease to be members of the program of that fund and shall cease to have any accrual of service credit, rights, or benefits under the benefit plan of that program. From and after July 1, 1979, all active members of the coordinated program will have their retirement coverage transferred to the coordinated program of the public employees retirement association. The accrued liability for retirement coverage of these members to date shall be transferred to the coordinated program of the public employees retirement association and shall no longer be the liability of the Minneapolis municipal employees retirement fund. Within 30 days of July 1, 1979, the board of trustees of the Minneapolis municipal employees retirement fund shall transfer the entire assets attributable to the coordinated program of the Minneapolis municipal employees retirement fund to the coordinated program of the public employees retirement association. The assets transferred shall be an amount equal in value to the amount of employee contributions made by coordinated program members since July 1, 1978, the amount of employer matching contributions made by an employing unit on behalf of a coordinated program member since July 1, 1978, an amount equal to the employer additional contribution for the members of the coordinated program, and an amount equal to the investment income earned by the fund on the invested assets of the program since July 1, 1978. The assets transferred to the public employees retirement fund shall only include securities which are proper investments pursuant to section 41-16 22. Within 30 days of July 1, 1979, the board of trustees and the actuary of the Minneapolis municipal employees retirement fund shall transfer to the public employees retirement association original copies of all records and documents which are in their possession relating to the coordinated program of the Minneapolis municipal em-

ployees retirement fund and any of its members and shall provide from time to time whatever additional relevant information which the board of trustees of the public employees retirement association may request. Upon the transfer of the assets, liabilities and records of the coordinated program of the Minneapolis municipal employees retirement fund to the coordinated program of the public employees retirement association, the coordinated program of the Minneapolis municipal employees retirement fund shall terminate and shall cease to exist.

Sec. 42. Minnesota Statutes 1978, Section 353.661, Subdivision 3, is amended to read:

Subd. 3. [TRANSFER OF EXISTING RECIPIENTS OF PENSION AND OTHER RETIREMENT BENEFITS.] As of July 1, 1978, the accrued liability for all retirement annuities, disability benefits, survivorship annuities and survivor of deceased active employee benefits paid or payable by the university of Minnesota police department retirement plan and fund shall be transferred to the public employees police and fire fund and shall no longer be the liability of the university of Minnesota police department retirement plan and fund. The required reserves for retirement annuities in effect as of June 30, 1978, including future automatic survivor benefits for survivors of deceased former retirement annuitants attributable to those annuities, and the required reserves for benefits of survivor of deceased former retirement annuitants in effect as of June 30, 1978 shall be determined using a five percent interest assumption and the applicable public employees police and fire fund mortality table and shall be transferred by the public employees police and fire fund to the Minnesota adjustable fixed benefit fund on July 1, 1978 but shall be considered transferred as of June 30, 1978. The annuity or benefit amount on July 1, 1978 shall be considered the "originally determined benefit" for purposes of further adjustments pursuant to section 11.25. If an adjustment from the Minnesota adjustable fixed benefit fund pursuant to section 11.25 is payable as of January 1, 1979, any annuitant or benefit recipient receiving an annuity or benefit from the Minnesota adjustable fixed benefit fund pursuant to this section shall be entitled to receive the adjustment if the annuitant or recipient began receiving the annuity or benefit from the university of Minnesota police department retirement plan and fund on or before June 30, 1977. If an adjustment from the Minnesota adjustable fixed benefit fund pursuant to section 11.25 is payable as of January 1, 1979, the required reserves for the increase determined using a five percent interest assumption and the applicable public employees police and fire fund mortality table shall be transferred by the public employees police and fire fund to the Minnesota adjustable fixed benefit fund on January 1, 1979. For persons receiving benefits as survivors of deceased former retirement annuitants, the benefit shall be considered as having commenced on the date on which the retirement annuitant began receiving the retirement annuity.

Sec. 43. Minnesota Statutes 1978, Section 462.631, Subdivision 1, is amended to read:

462.631 [APPROVED MORTGAGES, BOND ISSUE; LIMITATIONS, PROVISIONS.] Subdivision 1. Any redevelopment company, subject to the approval of the state housing commission, may borrow funds and secure the repayment thereof by bond and mortgage or by an issue of bonds under a trust indenture. Each mortgage or issue of bonds of a redevelopment company shall relate only to a single specified project and to no other, and those bonds shall be secured by mortgage upon all of the real property of which ~~such~~ *the* project consists. First lien bonds of a redevelopment company, when secured by a mortgage not exceeding 80 percent of the estimated cost prior to the completion of the project, or 80 percent of the appraised value or actual cost, but in no event in excess of 80 percent of the actual cost, after that completion, as certified by the state housing commission, are hereby declared securities in which all public officers and bodies of the state and of its municipal subdivisions, *including the state board of investment if the bonds meet the requirements of section 22, subdivision 2*, all insurance companies and associations, all savings banks and savings institutions, including savings, building and loan associations, executors, administrators, guardians, trustees, and all other fiduciaries in the state may properly and legally invest the funds within their control. The bonds so issued and secured and the mortgage or trust indenture relating thereto may create a first or senior lien and a second or junior lien upon the real property embraced in any project; provided, however, that the total mortgage liens shall not exceed 80 percent of the estimated cost prior to the completion of the project, or 80 percent of the appraised value or actual cost, but in no event in excess of 80 percent of the actual cost after that completion, as certified by the state housing commission; and provided further that, where there are first and second mortgage liens upon the property embraced in a project, only the first or senior lien thereon shall be deemed a security in which ~~such~~ *the* officers, bodies, corporations, associations, and fiduciaries may invest the funds within their control. ~~Such~~ *The* bonds and mortgages may contain ~~such~~ other clauses and provisions as shall be approved by the state housing commission, including the right to assignment of rents and entry into possession in case of default; but the operation of the housing project in the event of such entry by mortgagee or receiver shall be subject to regulations promulgated by the state housing commission. Provisions for the amortization of the bonded indebtedness of companies formed under sections 462.415 to 462.711 shall be subject to the approval of the state housing commission. So long as funds made available by the federal government or any instrumentality thereof or any mortgage or mortgage bonds insured by the federal housing administrator or any other instrumentality of the federal government are used in financing, in whole or in part, any project under sections 462.415 to 462.711, the capital structure of a redevelopment company undertaking such project and the proportionate amount of the cost of the lands and improvements to be represented by mortgages or bonds shall be entirely in the discretion of the housing commission; and all restrictions as to the amounts to be represented by mortgages, mortgage bonds,

income debenture, or stock shall be inapplicable to ~~such~~ *the* projects or to redevelopment companies undertaking ~~such~~ *the* projects, except that the bonds, mortgages, debentures, and stock covering any project shall not exceed the total actual final cost of ~~such~~ *the* project as defined in section 462.635, clause 2.

Interest rates on mortgage indebtedness shall not exceed five percent per annum.

Sec. 44. Minnesota Statutes 1978, Section 475.73, Subdivision 1, is amended to read:

475.73 [STATE BOARD OF INVESTMENT.] Subdivision 1. Obligations sold under the provisions of section 475.60 may be purchased by the state board of investment *if the obligations meet the requirements of section 22, subdivision 2*, upon the approval of the Attorney General as to form and execution of the application therefor, and under ~~such rules and regulations~~ as the board may specify, and the state board of investment shall have authority to purchase the same to an amount not exceeding 15 percent of the assessed valuation of the taxable property of ~~such~~ *the* municipality, according to the last preceding assessment. ~~Such~~ *The* obligations shall not run for a shorter period than one year, nor for a longer period than 30 years and shall bear interest at a rate to be ~~fixed by the state board of investment~~ but not less than two percent per annum. Forthwith upon the delivery to the state of Minnesota of any obligations issued by virtue thereof, the commissioner of finance shall certify to the respective auditors of the various counties wherein are situated the municipalities issuing the same, the number, denomination, amount, rate of interest and date of maturity of each ~~such~~ obligation.

Sec. 45. [INSTRUCTIONS TO THE REVISOR.] *Subdivision 1. In the next and subsequent edition of Minnesota Statutes, the revisor of statutes shall substitute the term "executive director" for the term "executive secretary" wherever that term appears in reference to the state board of investment, shall substitute the term "Minnesota supplemental retirement investment fund" for the term "Minnesota supplemental retirement fund" wherever that term appears, and shall substitute the term "Minnesota variable annuity investment fund" for the term "Minnesota variable annuity fund" wherever that term appears.*

Subd. 2. In the next and subsequent edition of the Minnesota Statutes, the revisor of statutes shall substitute wherever the term "Minnesota adjustable fixed benefit fund" appears in reference to the state board of investment, the term "Minnesota post-retirement investment fund".

Sec. 46. [INSTRUCTION TO REVISOR.] *In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall in each section referred to in column A, strike the reference referred to in column B and insert the reference set forth in column C:*

<i>column A</i>	<i>column B</i>	<i>column C</i>
<i>Minnesota Statutes 1978</i>	<i>Minnesota Statutes 1978</i>	
<i>Section 3A.11, Subdivisions 1 and 2</i>	<i>Section 11.25</i>	<i>Section 11A.18</i>
<i>Section 60B.25(16) Section 82.34, Subdivision 5 Section 137.022</i>	<i>Chapter 11 Section 11.16</i>	<i>Section 11A.24 Section 11A.24</i>
<i>Section 137.022</i>	<i>Section 11.25, Subdivision 2</i>	<i>Section 11A.18</i>
<i>Section 137.022</i>	<i>Section 11.015, Subdivision 7</i>	<i>Section 11A.16, Subdivision 5</i>
<i>Section 137.022</i>	<i>Section 11.16, Subdivision 17</i>	<i>Section 11A.12, Subdivision 2</i>
<i>Section 137.025 Section 161.04, Subdivision 2 Section 162.16 Section 198.265 Section 222.59 Section 352.04, Subdivision 12 Section 352.061 Section 352.061 Section 352.119, Subdivision 2(2)</i>	<i>Section 11.10 Chapter 11</i>	<i>Section 11A.25 Section 11A.21</i>
	<i>Chapter 11 Section 11.17 Section 11.10 Section 11.25</i>	<i>Section 11A.21 Section 11A.21 Section 11A.25 Section 11A.18</i>
	<i>Section 11.25 Chapter 11 Section 11.25, Subdivisions 12 and 13</i>	<i>Section 11A.18 Section 11A.24 Section 11A.18</i>
<i>Section 352.93, Subdivision 3 Section 352.96, Subdivision 2(a) Section 352B.26, Subdivision 3(3)</i>	<i>Section 11.25</i>	<i>Section 11A.18</i>
	<i>Section 11.18</i>	<i>Section 11A.17</i>
	<i>Section 11.25, Subdivisions 12 and 13</i>	<i>Section 11A.18</i>
<i>Section 352D.015, Subdivision 3 Section 352D.03 Section 353.06 Section 353.271, Subdivision 2(2)</i>	<i>Sections 11.18 to 11.24 Section 11.18 Section 11.25 Section 11.25, Subdivisions 12 and 13</i>	<i>Section 11A.17 Section 11A.17 Section 11A.18 Section 11A.18</i>
<i>Section 354.05, Subdivision 23 Section 354.05, Subdivision 26</i>	<i>Section 11.26 Section 11.25, Subdivision 12</i>	<i>Section 11A.19 Section 11A.18</i>

<i>column A</i>	<i>column B</i>	<i>column C</i>
<i>Minnesota Statutes 1978</i>	<i>Minnesota Statutes 1978</i>	
<i>Section 354.62, Subdivision 4(3)</i>	<i>Section 11.26, Subdivision 7</i>	<i>Section 11A.19, Subdivision 8</i>
<i>Section 354.63, Subdivision 2(2)</i>	<i>Section 11.25, Subdivisions 12 and 13</i>	<i>Section 11A.18</i>
<i>Section 356.39</i>	<i>Section 11.25</i>	<i>Section 11A.18</i>
<i>Section 360.017, Subdivision 2</i>	<i>Section 11.01</i>	<i>Section 11A.25</i>
<i>Section 422A.18, Subdivision 2</i>	<i>Section 11.25, Subdivision 12</i>	<i>Section 11A.18</i>
<i>Section 422A.23, Subdivision 10</i>	<i>Section 11.25, Subdivision 12</i>	<i>Section 11A.18</i>
<i>Section 490.123, Subdivision 3</i>	<i>Section 11.25</i>	<i>Section 11A.18</i>
<i>Section 490.123, Subdivision 3</i>	<i>Chapter 11</i>	<i>Section 11A.24</i>
<i>Section 525.161</i>	<i>Section 11.08</i>	<i>Section 11A.04 (9)</i>
<i>Section 525.841</i>	<i>Section 11.08</i>	<i>Sections 11A.04 (9) and 11A.10, Subdivision 2</i>
<i>Minnesota Statutes, 1979 Supplement</i>	<i>Minnesota Statutes 1978</i>	
<i>Section 299B.17, Subdivision 7</i>	<i>Section 11.10</i>	<i>Section 11A.25</i>

Sec. 47. [TEMPORARY PROVISION.] *Portfolio securities held by the state board of investment which met statutory criteria at the time of purchase but which became nonconforming as a result of the passage of sections 1 to 23 may be retained.*

Sec. 48. [REPEALER.] *Minnesota Statutes 1978, Sections 11.01; 11.015; 11.04; 11.05; 11.06; 11.08; 11.10; 11.11; 11.115; 11.117, Subdivisions 1, 2, 3, 5, and 7; 11.12; 11.13; 11.14; 11.15; 11.16; 11.17; 11.18; 11.19; 11.20; 11.21; 11.22; 11.23; 11.24; 11.25; 11.26; 11.27; 11.28; 360.303; 458.53; and Minnesota Statutes, 1979 Supplement, Sections 11.117, Subdivisions 4 and 6; 11.118; and 11.145 are repealed.*

Sec. 49. [EFFECTIVE DATE.] *This article is effective the day following enactment.*

ARTICLE XV

POLICE, FIRE AND JUDGES RETIREMENT

Section 1. [LEGISLATIVE INTENT AND PURPOSE.] *It is the intent and purpose of sections 1 to 11 to provide:*

(a) A means by which municipalities may establish an orderly phase-out of local police and salaried firefighters relief associations governed by Minnesota Statutes, Section 69.77, by allowing municipalities to provide that all newly hired police officers and salaried firefighters shall be covered by the public employees police and fire fund established by Minnesota Statutes, Sections 353.63 to 353.68;

(b) Assistance to municipalities and local police and salaried firefighters relief associations by establishing a local police and salaried firefighters relief association amortization state aid program; and

(c) An increase in retirement benefits to members of local police and salaried firefighters relief associations under certain conditions while not diminishing or impairing any retirement benefits of any persons who are members of local police and salaried firefighters relief associations, either active or retired.

Sec. 2. Minnesota Statutes 1978, Section 69.77, Subdivision 2, as amended by Laws 1980, Chapter 341, Section 1, is amended to read:

Subd. 2. Subdivision 1 does not apply to an association enumerated in subdivision 1a under the following circumstances:

(1) Each member of the association pays into the retirement funds of the association during his term of covered employment from and after January 1, 1981, a contribution for retirement and survivorship benefits of not less than eight percent of the maximum rate of salary from which retirement and survivorship credits and amounts of benefits are determined, and that such contributions of a member are deducted from his salary by his governmental employer, transmitted to the association, and deposited to the credit of the proper fund thereof, 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, but the increase in rate of contribution in each year commencing in 1981 shall not be less than one percent until the appropriate levels of required employee contributions have been reached. This paragraph shall not apply to members who are volunteer firefighters, provided that the local governing body shall have given their approval to the exemption following consideration of the most recent actuarial survey.

(2) The officers of the association determine on or before the date established by the municipality, which shall not be later than September 1 and shall not be earlier than August 1, of each year the financial requirements and minimum obligation of the association for the following calendar year in accordance with the following requirements:

The financial requirements shall be based on the most recent actuarial survey prepared in accordance with sections 356.215, subdivision 4 and 356.216.

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.

(a) The normal level cost expressed as a percent of covered payroll determined from the actuarial survey shall be applied to the estimated covered payroll of the membership for the following year to determine the dollar amount of normal cost for said following year.

To the dollar amount of normal cost thus determined shall be added the amount of one year's interest at five percent on the amount of the ~~(deficit)~~ unfunded liability found by the actuarial survey of the fund.

The total of these two amounts represents the financial requirements of the association 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 sufficient to amortize the unfunded accrued liability by December 31, 2010, as determined from the actuarial survey of the fund.

Except as otherwise provided in this paragraph, the minimum obligation of the governmental subdivision shall be the financial requirements of the association less the estimated amount of member contributions herein provided from covered salary anticipated for the following calendar year and less one year's estimated receipts expected from the applicable state of Minnesota through state collected insurance premium taxes or other state aids aid program established pursuant to sections 69.011 to 69.051, and from the local police and salaried firefighters' relief association amortization aid program established pursuant to section 5. The minimum obligation may, by vote of the governing body of the governmental subdivision, be reduced to the amount levied in the preceding year for purposes of the association, plus the following percentage of the difference between that levy and the amount of the minimum obligation determined without benefit of this sentence: for the levy made in 1971, 10 percent; in 1972, 20 percent; in 1973, 30 percent; in 1974, 40 percent; in 1975, 50 percent; in 1976, 60 percent; in 1977, 70 percent; in 1978, 80 percent; and in 1979, 90 percent. Commencing with the levy made in 1980, there shall be no reduction in the minimum obligation pursuant to this paragraph.

(3) The foregoing determination of the obligation of a governmental subdivision shall be submitted to its 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 so that it may ascertain if it has been prepared in accordance with law.

(4) The governmental subdivision shall provide and pay as promptly as funds are available to the association at least the amount of the minimum obligation each year. Any portion of this amount not paid to the association at the end of any calendar year shall be increased at the rate of six percent per annum until so paid. On September 1 of any year the unpaid amount subject to interest shall be added to the obligation of the governmental subdivision.

(5) The governmental subdivision shall provide in its annual budget at least its minimum obligation and may levy taxes for the payment thereof without 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 any fund of the association has attained a specified level; the levy of such taxes shall not cause the amount of other taxes levied or to be levied by the governmental subdivision, which are subject to any such limitation, to be reduced in any amount whatsoever. If the governmental subdivision does not include the full amount of the minimum obligation in its levy for any year, the officers of the association shall certify that amount to the county auditor, who shall spread a levy in the amount of such obligation.

(6) Moneys paid by the governmental subdivision to the association in excess of the minimum amount so required shall be applied to the reduction in the unfunded liabilities of the association.

(7) The funds of the association shall be invested in securities which are proper investments for funds of the Minnesota state retirement system, 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 applicable to the Minnesota state retirement system 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 of investment under the provisions of section 11.21, provided that there be no share account described in section 11.18, subdivision 2, or in the fixed-return account described in section 11.18, subdivision 3a, and that up to 20 percent of that portion of the assets of the association invested in the Minnesota supplemental retirement fund may be invested in the growth share account described in section 11.18, subdivision 3.

(8) The association shall procure an actuarial survey showing the condition of its fund pursuant to section 356.216 as of December 31, 1978, and shall procure an actuarial survey every two years thereafter. The association shall also procure a quadrennial experience study pursuant to section 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 1978, Section 353.657, Subdivision 3, is amended to read:

Subd. 3. Each dependent child, until the child reaches the age of 18 years, shall receive a monthly benefit equal to ten percent of the member's average monthly salary earned as a police officer or fire fighter on which employee contributions were paid over the last full six months of allowable service preceding death. Payments for the benefit of any qualified dependent child under the age of 18 years shall be made to the surviving parent, or if there be none, to the legal guardian of such the child. The maximum monthly benefit for any one family shall not exceed \$450 an amount equal to 50 percent of the member's specified average monthly salary, and the minimum benefit per family shall not be less than 30 percent of the member's said specified average monthly salary, subject to the aforementioned maximum.

Sec. 4. [POLICE AND SALARIED FIREFIGHTER'S RELIEF ASSOCIATIONS.] *Subdivision 1. [MEMBERSHIP OF NEW POLICE AND SALARIED FIREFIGHTERS IN THE PUBLIC EMPLOYEES POLICE AND FIRE FUND.] Notwithstanding any law to the contrary, all persons first employed by any municipality as police officers or police officer trainees, salaried firefighters or firefighter trainees or public safety officers or public safety officer trainees after the effective date of this section shall be members of the public employees police and fire fund established by sections 353.63 to 353.68, and shall not be members of any local police or paid firefighter's relief association established or maintained by the municipality, unless the municipality elects to retain the local relief association by the adoption of a municipal resolution approved by a majority of the governing body of the municipality following the holding of a public meeting at which the views of the public are considered and a copy of the municipal resolution is filed with the secretary of state, the commissioner of finance, the commissioner of insurance and the executive secretary of the legislative commission on pensions and retirement on or before August 15, 1980.*

Subd. 2. [OPERATION OF LOCAL RELIEF ASSOCIATION UPON MODIFICATION OF RETIREMENT COVERAGE FOR NEWLY HIRED POLICE OFFICERS AND FIREFIGHTERS.] 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 Minnesota Statutes, 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.

The contribution rate of members of the local relief association shall be governed by Minnesota Statutes, 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 Minnesota Statutes, Section 353.65.

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 all obligations of the trust fund are paid.

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 Minnesota Statutes, Sections 69.77, 356.215 and 356.216 until the unfunded accrued liability of the trust fund is fully amortized in accordance with this act. 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 Minnesota Statutes, Section 356.20, Subdivision 4, Clause (1) (a), if the difference between those two figures is a positive number.

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 ap-

licable position used in calculations is provided by the relief association or by the public employees police and fire fund.

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 Minnesota Statutes, 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) 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) to apply the total fire state aid toward the employer contribution of the municipality to the public employees police and fire fund pursuant to Minnesota Statutes, Section 353.65, Subdivision 3; or (3) 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.

Subd. 3. [BENEFIT INCREASE FOR CERTAIN RELIEF ASSOCIATION MEMBERS.] *Notwithstanding any law to the contrary, any member of a local police or salaried firefighters' relief association located in a municipality which has not adopted a municipal resolution retaining the local relief association pursuant to subdivision 1, except the city of Minneapolis, shall be entitled to receive, after the effective date for the modification of pension coverage for newly employed personnel, a retirement annuity in addition to the service pension to which the member may be eligible upon retirement. The additional retirement annuity shall be payable for the life of the retired member. The additional retirement annuity shall be equal to one-half of one percent of the salary upon which the service pension is calculated payable on the date of termination of active service per year of service credit acquired in excess of 25 years of service credit. The retirement annuity under this subdivision shall not be subject to any post retirement increases granted pursuant to increases in the salary payable to a certain employment category or in the salaries payable to active members or be in any other manner escalated or increased after retirement.*

Subd. 4. [AUTOMATIC POST RETIREMENT ADJUSTMENTS FOR CERTAIN NEWLY EMPLOYED, ACTIVE AND RETIRED MEMBERS.] *(1) Notwithstanding any provision of law, municipal charter, municipal ordinance or resolution, or relief association articles of incorporation or bylaws to the contrary, any person who meets one of the following requirements for entitlement shall be entitled to an annual automatic post retirement adjustment in the amount of the service pension calculated pursuant to clause (2). A person meets the requirements for entitlement if:*

(a) the person is a member of a covered local police or salaried firefighters' relief association enumerated in clause (3) unless the municipality has adopted a municipal resolution retaining the local relief association pursuant to subdivision 1, if applicable, commences receiving a service pension at an age no earlier than attaining the age of 55 years, and has met all applicable requirements for entitlement to a service pension specified in the applicable laws and relief association articles of incorporation or bylaws governing the local relief association;

(b) the person is a retired member of a covered local police or salaried firefighters' relief association enumerated in clause (3) unless the municipality has adopted a municipal resolution retaining the local relief association pursuant to subdivision 1, if applicable, retired on a service pension after the effective date of this section and after attaining the age of at least 50 years but prior to attaining the age of 55 years and attains the age of 55 years subsequent to retirement; or

(c) the person was a retired member on the effective date of this section of a covered local police or salaried firefighters' relief association or retirement trust fund enumerated in clause 3, unless the municipality has adopted a municipal resolution retaining the local relief association pursuant to subdivision 1, if applicable, on the effective date of this section, is receiving a service pension, and has attained the age of at least 55 years.

(2) Any person who meets the requirements specified in clause (1) (a) or (1) (b) shall be entitled to receive the annual automatic post retirement adjustment on the January 1 next following the date upon which the requirements for entitlement are met but in no event prior to the date upon which the person attains the age of 55 years. Any person who meets the requirements specified in clause (1) (c) shall be entitled to receive the annual automatic post retirement adjustment on the January 1 next following the effective date of the approval of the benefit modification by the municipality as provided for in clause (3) or the date upon which the person attains the age of 55 years; whichever occurs later. The amount of the annual automatic post retirement adjustment shall be determined by the board of trustees of the local relief association on or before December 1 annually and the annual automatic post retirement adjustment shall accrue each year as of January 1 next following the determination date. The annual automatic post retirement adjustment shall be first payable with the service pension payment made for January. Each annual automatic post retirement adjustment in the amount of the service pension shall be equal to the dollar amount determined by applying the percentage by which the salary payable by the municipality to a top grade patrol officer or a top grade firefighter, whichever is applicable, has increased during the year subject to the limitation provided for in this clause to the amount of service pension payable to the person for the month immediately prior to the month in which the determination is made. The maximum percentage increase shall not exceed three and one-half percent in any year and any increase in the salary level of the applicable position used to govern the determination of annual automatic post retirement adjust-

ments in excess of three and one-half percent in any year shall not carry over to or be used to calculate the rate of salary increase for any succeeding year in which the increase in the salary of the applicable position does not exceed three and one-half percent.

(3) The provisions of this subdivision shall apply to the active members and retired members of a local police or salaried firefighters' relief association or to the retired members of a retirement trust fund contained in the following enumeration of covered relief associations if the governing body of the applicable municipality approves the modification in the benefit plan of the relief association specified in this subdivision following consideration of an actuarial valuation which is, or actuarial estimate based on the most recent actuarial valuation which was, prepared in accordance with Minnesota Statutes, Sections 356.215 and 356.216, based on the benefit plan of the applicable local relief association or retirement trust fund including the modification provided for in this subdivision, does not adopt a municipal resolution retaining the local relief association pursuant to subdivision 1, and files a resolution indicating approval of the modification in the benefit plan with the secretary of state, the commissioner of insurance and the executive secretary of the legislative commission on pensions and retirement on or before the first day of the tenth month following the effective date of this section:

- (a) Buhl police relief association;*
- (b) Crookston firefighters relief association;*
- (c) Crookston police relief association;*
- (d) Eveleth joint retired police and firefighters retirement trust fund;*
- (e) Moorhead firefighters relief association;*
- (f) Moorhead police relief association;*
- (g) Thief River Falls police retirement trust fund;*
- (h) Virginia firefighters relief association;*
- (i) West St. Paul police relief association.*

Sec. 5. [LOCAL POLICE AND FIREFIGHTERS' RELIEF ASSOCIATION AMORTIZATION STATE AID.] *Any municipality in which is located a local police or salaried firefighters' relief association to which the provisions of Minnesota Statutes, Section 69.77, apply, unless the municipality has adopted a municipal resolution retaining the local relief association pursuant to section 4, subdivision 1, shall be entitled upon annual application on or before the date specified by the commissioner of finance to receive local police and salaried firefighters' relief association amortization state aid if the municipality and the appropriate relief association both comply with the applicable provisions of Minnesota Statutes, Sections 69.031, Subdivision 5, 69.051, Subdivisions 1 and 3, and 69.77. The amount of local police and salaried firefighters' relief association amortization state aid to which a municipality is entitled annually shall be an amount equal*

to the level annual dollar amount required to amortize, by December 31, 2010, the unfunded accrued liability of the special fund of the appropriate relief association as reported in the most recent actuarial valuation of the relief association prepared pursuant to Minnesota Statutes 1978, Sections 356.215 and 356.216, and filed with the commissioner of insurance on the date of final enactment of this act, reduced by the dollar amount required to pay the interest on the unfunded accrued liability of the special fund of the relief association for the calendar year next following the date of final enactment of this act set at the rate specified in Minnesota Statutes 1978, Section 356.215, Subdivision 4, Clause (4). Payment of local police and salaried firefighters' relief association amortization state aid to municipalities shall be made directly to the municipalities involved in four equal installments on March 15, July 15, September 15 and November 15 annually. Upon receipt of the local police and salaried firefighters' relief association amortization state aid, the municipal treasurer shall transmit the aid amount to the treasurer of the local relief association for immediate deposit in the special fund of the relief association. The commissioner of finance shall prescribe and periodically revise the form for and content of the annual application for the local police and salaried firefighters' relief association amortization state aid. The amounts required to pay the local police and salaried firefighters' relief association amortization state aid are hereby annually appropriated from the general fund to the commissioner of finance.

Sec. 6. [TEMPORARY PROVISION; APPLICATION TO CERTAIN MUNICIPALITIES.] Any municipality in which is located a local police or salaried firefighters' relief association which is governed by Minnesota Statutes, Section 69.77, and in which all newly hired police officers or firefighters, whichever is applicable, after a certain date are required by special law to have their retirement coverage provided by the public employees police and fire fund established pursuant to Minnesota Statutes, Chapter 353, and not by the local police or firefighters' relief association, may have made applicable any other provisions of section 4, by adopting by majority vote of the governing body, a resolution implementing those provisions of section 4 which are not present in or which are in substantial conflict with the applicable special law modifying retirement coverage for new police officers or firefighters, whichever is applicable, other than the date of the modification in retirement coverage. Prior to becoming effective, a copy of the municipal resolution shall be filed with the secretary of state, the commissioner of finance, the commissioner of insurance and the executive secretary of the legislative commission on pensions and retirement. To be deemed an implementing municipal resolution within the meaning of this section, the municipal resolution shall either refer to this section and the applicable subdivisions of section 4 or shall describe in summary form the modifications to be implemented.

Sec. 7. [ALTERNATIVE BENEFIT INCREASE.] Notwithstanding any provision of law to the contrary, and in lieu of the benefit increase provided for in section 4, subdivision 3, the

governing body of a participating municipality, except the city of Minneapolis, is authorized by resolution approved by a majority of the members of the governing body, following consideration of an actuarial analysis of the effect of any change, to increase the service pension or retirement benefits provided by or modify any provision of the benefit plan of either a police relief association or a salaried firefighters relief association unless the municipality elects to retain the local relief association by the adoption of a municipal resolution pursuant to section 4, subdivision 1. The total cost of any increase or modification, including amortization by the applicable date to amortize specified in any prior applicable special legislation, shall not exceed 1.26 percent of covered payroll.

Sec. 8. [MINNEAPOLIS POLICE AND FIREFIGHTERS RELIEF ASSOCIATIONS: MINIMUM MEMBER CONTRIBUTION.] *Notwithstanding any provision of Minnesota Statutes, Section 69.77, or any other law to the contrary, the minimum employee contribution to the special fund of the relief association for retirement and survivorship benefits by each member of the Minneapolis police relief association or the Minneapolis firefighters relief association, during the remaining term of covered employment by the member shall be seven percent of the maximum salary from which retirement and survivorship credits and amounts of benefits are determined, effective July 1, 1980, and eight percent effective January 1, 1981.*

Sec. 9. [HEALTH AND WELFARE BENEFIT.] *Notwithstanding any law to the contrary, any person who, after July 1, 1980, retires on a service pension or a disability benefit from the Minneapolis police relief association or the Minneapolis firefighters relief association shall be entitled on January 1, 1981, or upon the date of retirement, whichever occurs later, to receive a monthly health and welfare benefit unless the city of Minneapolis elects to retain the local relief association by the adoption of a municipal resolution pursuant to section 4, subdivision 1. The monthly health and welfare benefit shall be an amount equal to one unit as defined pursuant to Laws 1963, Chapter 315, Section 1, Subdivision 3, for the Minneapolis police relief association, or Minnesota Statutes, Section 69.45, for the Minneapolis firefighters relief association, whichever is applicable. The monthly health and welfare benefit shall be paid to the retired member unless the retired member designates in writing that the amount be paid to an insurance carrier to defray the cost of any health or welfare related insurance coverage.*

Sec. 10. [DETERMINATION OF FINANCIAL REQUIREMENTS OF RELIEF ASSOCIATION AND MINIMUM MUNICIPAL OBLIGATION.] *The officers of the Minneapolis police relief association and the Minneapolis firefighters relief association shall include in their determinations of the financial requirements of the relief association and the minimum obligation of the governmental subdivision submitted to the city of Minneapolis on or before September 1, 1980, pursuant to Minnesota Statutes, Section 69.77, Subdivision 2, Clauses (2) and (3), the cost of the health and welfare benefit as estimated by the actuary*

of the respective relief association based on the most recent actuarial valuation of the relief association prepared pursuant to Minnesota Statutes, Sections 69.77, 356.215 and 356.216. The city of Minneapolis shall provide sufficient financial support to each relief association to meet the minimum obligation of the governmental subdivision including the cost of the health and welfare benefit, effective January 1, 1981.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 424A.02, is amended by adding a subdivision to read:

Subd. 9a. [POST RETIREMENT INCREASES.] Notwithstanding any provision of general or special law to the contrary, a volunteer firefighters' relief association may, from time to time, with municipal approval pursuant to subdivision 10 and section 69.772, subdivision 6, or section 69.773, subdivision 6, whichever is applicable, provide a post retirement increase to retired members and other retirement benefit recipients of the relief association. The post retirement increase may only be granted pursuant to an amendment to the bylaws of the relief association and shall be applicable only to retired members and other retirement benefit recipients receiving a service pension or retirement benefit as of the effective date of the bylaw amendment. The authority to provide a post retirement increase to retired members and other retirement benefit recipients of a relief association contained in this subdivision shall supersede any prior special law authorization relating to the provision of post retirement increases.

Sec. 12. Minnesota Statutes, 1979 Supplement, Section 424A.04, is amended to read:

424A.04 [VOLUNTEER RELIEF ASSOCIATIONS; BOARD OF TRUSTEES.] Every volunteer firefighters' relief association shall be managed by a board of trustees consisting of nine members. Six trustees shall be elected from the membership of the relief association and three trustees shall be drawn from the officials of the municipality which has a fire department to which the relief association is directly associated or the municipality which contracts or the municipalities which contract with the independent nonprofit firefighting corporation of which the relief association is a subsidiary. *The bylaws of a volunteer firefighters' association may provide that one of the six trustees required to be elected from the membership of the relief association may be a retired member of the relief association receiving a monthly pension elected by the membership of the fire department.* The ex officio trustees, if the relief association is directly associated with the fire department of a municipality, shall be the mayor, the clerk or clerk-treasurer, and the chief of the municipal fire department. The ex officio trustees, if the relief association is a subsidiary of an independent nonprofit firefighting relief corporation, shall be three elected officials of the contracting municipality designated by the governing body of the municipality if only one municipality contracts with the independent nonprofit firefighting corporation, two elected officials of the largest municipality in population and one elected official of the next largest municipality in population designated by the governing bodies of the applicable municipalities if

two municipalities contract with the independent nonprofit fire-fighting corporation, or one elected official of each of the three largest municipalities in population designated by the governing bodies of the applicable municipalities if three or more municipalities contract with the independent nonprofit fire-fighting corporation. An ex officio trustee shall have all of the rights and duties accorded to any other trustee except the right to be an officer of the board of trustees. A board shall have at least three officers, which shall be a president, a secretary and a treasurer. These officers shall be elected from among the elected trustees by either the full board of trustees or by the membership, as specified in the bylaws, and in no event shall any trustee hold more than one officer position at any one time. The terms of the elected trustees and of the officers of the board shall be specified in the bylaws of the relief association but shall not exceed three years. If the term of the elected trustees exceeds one year, the election of the various trustees elected from the membership shall initially and shall thereafter continue to be staggered on as equal a basis as is practicable.

It shall be the duty of the board of trustees to faithfully administer any provisions of statute or special law applicable to the relief association without prejudice and consistent with the expressed intent of the legislature. The members of the board shall act as trustees with a fiduciary obligation to the state of Minnesota which authorized the creation of the relief association, the taxpayers who aid in its financing and the firefighters who are its beneficiaries.

Sec. 13. [HIBBING; AUTHORIZATION FOR SEPARATE RELIEF ASSOCIATIONS FOR SALARIED AND VOLUNTEER FIREFIGHTERS.] *Subdivision 1. Notwithstanding any provisions of any law to the contrary, the city of Hibbing may establish and maintain or continue to maintain two separate relief associations for firefighters employed by or serving with the Hibbing municipal fire department. One relief association shall provide retirement benefit coverage for regular salaried firefighters employed by the Hibbing municipal fire department and the other relief association shall provide retirement benefit coverage for volunteer firefighters serving with the Hibbing municipal fire department. Any fire state aid amounts received by the city of Hibbing pursuant to Minnesota Statutes, Sections 69.011 to 69.051, shall be allocated proportionately between the two relief associations on the basis of the assessed property value, excluding mineral values, and the population pursuant to the most recent federal census, of the areas which are predominantly served by the members of each relief association, as determined by the governing body of the city of Hibbing and certified to the commissioner of insurance and the county auditor.*

Subd. 2. No person who is employed by the city of Hibbing as a regular salaried firefighter, and who is a member of the Hibbing salaried firefighters relief association to which Minnesota Statutes, Section 69.77, applies, shall be entitled while so employed after the effective date of this section to be a member of or to

accrue any service credit in the relief association which provides retirement benefit coverage for volunteer firefighters serving with the Hibbing municipal fire department and to which Minnesota Statutes, Sections 69.771 to 69.776, apply.

Subd. 3. Any person who is prohibited from further membership in or from accruing further service credit in the volunteer firefighters' relief association which is established or maintained by the city of Hibbing and to which Minnesota Statutes, Sections 69.771 to 69.776 apply and who has not as of the effective date of this section received credit for sufficient years of service with the Hibbing municipal fire department or membership with the Hibbing volunteer firefighters' relief association to be entitled to a service pension without the benefit of this section shall be entitled when otherwise qualified to receive a proportionate service pension based on the number of completed years of service rounded to the nearest full years of service.

Sec. 14. [EVELETH POLICE OFFICERS AND FIREFIGHTERS.] *Notwithstanding any general or specific law to the contrary, retirement benefits payable to retired police officers and firefighters by the Eveleth police and fire trust fund may be increased by \$50 per month. Survivor benefits payable to a surviving spouse or surviving dependent child may be increased by \$25 per month. Increases shall be retroactive to January 1, 1980.*

Sec. 15. Any volunteer firefighters' relief association which had prior special legislative authorization to grant a post retirement increase and which approved a post retirement increase prior to the effective date of Laws 1979, Chapter 201, may grant the post retirement increase, pursuant to section 11 of this article, effective retroactively to January 1, 1980.

Sec. 16. Minnesota Statutes 1978, Section 490.123, Subdivision 1, is amended to read:

490.123 [JUDGES' RETIREMENT FUND.] **Subdivision 1. [CREATION; CONTRIBUTIONS.]** *There is hereby created a special fund known as the "judges' retirement fund". The fund shall be credited with all contributions, all interest and all other income authorized by law. From this fund there are appropriated the payments authorized by sections 490.121 to 490.132 in the amounts and at times provided herein, including the expenses of administering the fund. Except as provided in section 490.128, subdivision 2, each judge shall contribute to the fund from each salary payment a sum equal to one-half of one percent of salary, plus a sum equal to the salary multiplied by the rate of employee tax under the Federal Insurance Contributions Act as defined in section 355.01, subdivision 9, but in aggregate not less than seven percent of salary. The balance of all money necessary for administering sections 490.121 to 490.132 and the judges' retirement fund, including payment of retirement compensation and other benefits under sections 490.121 to 490.132, shall be contributed to the fund by the state. The amount required therefor is hereby annually appropriated from the general fund to the judges' retirement fund.*

Sec. 17. Minnesota Statutes 1978, Section 490.124, Subdivision 1, is amended to read:

490.124 [MATURITY OF BENEFITS; RETIREMENT AND SURVIVORS' ANNUITIES.] Subdivision 1. [BASIC RETIREMENT ANNUITY.] Except as qualified hereinafter from and after mandatory retirement date, normal retirement date, early retirement date, or two years from the disability retirement date, as the case may be, a retirement annuity shall be payable to a retiring judge from the judges' retirement fund in an amount equal to: (1) two and one-half percent of the judge's final average compensation multiplied by the number of years and fractions of years of service rendered, prior to July 1, 1980; plus (2) three percent of the judge's final compensation multiplied by the number of years and fractions of years of service rendered after June 30, 1980; provided that such annuity shall not exceed 60 65 percent of the judge's annual salary for the year immediately preceding his retirement.

Sec. 18. Laws 1979, Chapter 293, Section 10, Subdivision 1, is amended to read:

Sec. 10. [POST RETIREMENT ADJUSTMENT; LUMP SUM PAYMENTS.] Subdivision 1. [ENTITLEMENT.] Any person who, on or before July 1, 1979, has attained the age of 65 years and who is receiving a retirement annuity from, or any person who is receiving a disability benefit or a surviving spouse's annuity or benefit from a retirement fund specified in subdivision 4, clauses (1) to (5) which was computed under the laws in effect prior to June 1, 1973, if the person is receiving an annuity or benefit from the retirement fund specified in subdivision 4, clause (4), or prior to July 1, 1973, if the person is receiving an annuity or benefit from a retirement fund specified in subdivision 4, clause (1), (2), (3) or (5), and any person who, on or before July 1, 1979, has attained the age of 65 and who is receiving a "\$2 bill and annuity" annuity from the retirement fund specified in subdivision 4, clause (6), shall be entitled to receive a post retirement adjustment from the applicable retirement fund in the amount specified in subdivision 3.

Sec. 19. Laws 1979, Chapter 293, Section 10, is amended by adding a subdivision to read:

Subd. 6. [TRANSFER OF APPROPRIATION; TERMINAL AUDIT.] *From the amounts appropriated and apportioned pursuant to subdivision 5, there is transferred to the commissioner of finance for purposes of redistribution the specified amount from each fund indicated, as follows:*

<i>highway patrol retirement fund</i>	<i>\$ 11,971</i>
<i>state employees retirement fund</i>	<i>263,100</i>
<i>public employees retirement fund</i>	<i>238,155</i>
<i>public employees police and fire fund</i>	<i>45,471</i>

From the total amount transferred to the commissioner of finance for redistribution, the commissioner shall transfer the specified amount to each fund indicated as follows:

<i>Minneapolis municipal employees</i>	
<i>retirement fund</i>	\$ 25,780
<i>teachers retirement fund</i>	173,711

The remaining balance of the appropriation transferred to the commissioner of finance following redistribution shall cancel and shall be returned to the general fund.

Each covered retirement fund as specified in subdivision 4 shall, as soon as is practical following the payment of the December 1, 1980, post retirement adjustment, calculate the amount of any appropriation apportioned to it which is in excess of the amounts required to pay the December 1, 1979, and December 1, 1980, post retirement adjustments and the post retirement adjustments provided for in this article. In addition, the executive secretary of the state board of investment, for covered retirement funds specified in subdivision 4, clauses (1) to (5), and the executive secretary of the Minneapolis municipal employees retirement fund, for that fund, shall calculate the amount which represents for each applicable covered retirement fund the investment income which the fund received on its portion of the appropriation calculated on the basis of the actual annual rate of investment return received on the assets of the retirement fund. The calculations required by this paragraph shall be reported to and verified by the commissioner of finance and amounts equal to these reported excess appropriation and investment income amounts shall be returned to the general fund.

The commissioner of finance is not authorized to adjust or modify any appropriation made pursuant to Laws 1979, Chapter 293, Section 10 or any amounts transferred pursuant to this act except in accordance with this subdivision.

Sec. 20. [RETROACTIVE APPLICATION.] *Any person who was not entitled to receive a lump sum post retirement adjustment on December 1, 1979, pursuant to Laws 1979, Chapter 293, Section 10, solely by virtue of not having attained the age of 65 years on or before July 1, 1979 shall be entitled to receive the lump sum post retirement adjustment which that person would have received on December 1, 1979. The adjustment shall be payable on the first day of the second month following the effective date of this section and may be included with the annuity or benefit payable on that date.*

Sec. 21. [RETIREMENT COVERAGE FOR MINNEAPOLIS CHIEF OF POLICE.] *Notwithstanding any provision of law to the contrary, the chief of the police department of the city of Minneapolis shall be excluded from either membership in the Minneapolis police relief association or the public employees police and fire fund, unless the person at the time of appointment is either a member of the Minneapolis police relief association or the public employees police and fire fund, whereupon the person may elect by irrevocable written application within 30 days of the person's appointment as chief of police to continue membership in the applicable pension fund. If the person is excluded from membership in the Minneapolis police relief association or the public*

employees police and fire fund by operation of this section, the city of Minneapolis may pay to the person compensation in addition to the salary allowed under any limitations imposed by law on the salaries of public employees, on the condition that the person agrees that the additional compensation shall be deposited by the city in a deferred compensation program. The additional compensation shall be a dollar amount equal to the employer contribution to meet the normal cost obligation of the Minneapolis police relief association as specified in the most recent actuarial valuation of the relief association prepared and reported pursuant to Minnesota Statutes, Sections 69.77 and 356.215, applied to the salary payable to a first grade patrol officer.

Sec. 22. [SPECIAL RETIREMENT COVERAGE FOR MILITARY AFFAIRS DEPARTMENT PERSONNEL.] Subdivision 1. [ELIGIBILITY; RETIREMENT ANNUITY.] An employee of the department of military affairs who is covered by the Minnesota state retirement system, who is ordered to active duty pursuant to Minnesota Statutes, Section 190.08, Subdivision 3, and who is required to retire from federal military status at the age of 60 years by applicable federal laws or regulations shall be entitled upon application, to a retirement annuity commencing at the age of 60 computed in accordance with Minnesota Statutes, Section 352.115, Subdivisions 2 and 3, without reduction pursuant to Minnesota Statutes, Section 352.116, Subdivision 1.

Subd. 2. [DISABILITY BENEFIT.] An employee described in subdivision 1, who is less than 60 years of age and who shall become disabled and physically or mentally unfit to perform his duties due to injury, sickness or other disability, and who shall be found disqualified for retention on active duty as a result of a physical examination required by applicable federal laws or regulations, shall be entitled upon application to disability benefits computed in the same manner as specified in Minnesota Statutes, Section 352.113. Disability benefits shall be otherwise governed by Minnesota Statutes, Section 352.113, except that the age for the termination of the disability benefit shall be 60 years.

Subd. 3. [ADDITIONAL CONTRIBUTIONS.] The special retirement annuities and disability benefits authorized by this section shall be financed by an employee contribution of one percent and an employer contribution of one percent, which contributions shall be in addition to the contributions required by Minnesota Statutes, Section 352.04, Subdivisions 2 and 3, and shall be made in the manner provided for in Minnesota Statutes, Section 352.04, Subdivisions 4, 5 and 6.

Subd. 4. [ELECTION OF COVERAGE.] To be covered by the provisions of this act, any employee of the department of military affairs, described in subdivision 1, who is employed on July 1, 1980, or is first employed in such position after July 1, 1980, shall by August 1, 1980, or within 30 days of their employment, whichever is later, file a notice with the executive director of the Minnesota state retirement system on a form prescribed by the executive director stating whether or not the employee elects to be covered.

Elections shall be irrevocable during any period of covered employment.

Subd. 5. [RESTRICTION ON COVERAGE.] Nothing in this section shall be construed to apply to the adjutant general.

Sec. 23. [PRIOR MODIFICATIONS IN RETIREMENT COVERAGE APPLICABLE TO CERTAIN LOCAL POLICE AND SALARIED FIREFIGHTERS RELIEF ASSOCIATIONS.] *Any actions of the city of Richfield or the city of Crystal providing by ordinance for the membership of newly employed police officers or police officer trainees, or firefighters or firefighter trainees in the public employees police and fire fund which occurred prior to the date of final enactment of this act are ratified and confirmed.*

Sec. 24. [REPEALER.] *Laws 1979, Chapter 293, Section 10, Subdivision 2, is repealed effective retroactively to July 1, 1979.*

Sec. 25. [EFFECTIVE DATE.] *Sections 1, 2, 6, 11, 12, 15, 19 and 20 are effective the day following final enactment. Sections 3 and 17 are effective July 1, 1980. Section 4 is effective June 15, 1980. Section 16 is effective for the first pay period ending after July 1, 1980. Section 5 is effective January 1, 1981. Section 18 is effective retroactively to November 30, 1979. Sections 8, 9, 10, 13, 14 and 21 are effective on the day of compliance with Minnesota Statutes, Section 645.021, Subdivision 3. Any benefit change pursuant to section 7 is effective upon approval by the governing body of the applicable municipality and upon compliance with Minnesota Statutes, Section 645.021. Section 22 is effective July 1, 1980. Section 23 is effective the day following final enactment.*

ARTICLE XVI

MINNEAPOLIS MUNICIPAL EMPLOYEES RETIREMENT FUND

Section 1. Minnesota Statutes 1978, Section 422A.02, is amended to read:

422A.02 [RETIREMENT BOARD; MEMBERS.] A retirement board of seven members is hereby constituted which shall consist of the following:

- (1) Mayor;
- (2) The city ~~comptroller or corresponding official comptroller-treasurer;~~
- (3) One member of the city council selected by the council; and
- (4) Four legally qualified voters of the city, residents thereof ~~for the preceding five years,~~ to be chosen by the employees as defined in sections 422A.01 to 422A.25 who are contributors to the retirement fund created by sections 422A.01 to 422A.25. The employees may form an association for that purpose and the employing authorities are authorized to make payroll deductions for the payment of dues to said the association. The persons selected shall serve for staggered terms of two years from the first of the next

succeeding January after their election, and until their successors are duly elected. ~~Such~~ *The* selection shall be made by the employees during the first week of December of each year. Vacancies occurring by death, resignation, or removal of ~~such~~ representatives shall be filled by representatives chosen by the employees.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 422A.03, Subdivision 1, is amended to read:

422A.03 [MEETINGS; EMPLOYEES; RULES AND REGULATIONS.] Subdivision 1. The retirement board shall meet on the third Tuesday of each calendar month of each year and may adjourn from time to time. Special meetings may be held upon the call of the president. The board shall, by a four-sevenths vote of all members of the board, appoint an executive ~~secretary~~ *director*, who shall have charge of the performance of the duties required by the provisions of sections 422A.01 to 422A.25, and shall appoint other necessary clerical ~~help~~ *employees*. If at the time of his appointment as executive ~~secretary~~ *director* the appointee holds a position subject to the civil service rules and regulations of the city he shall be deemed to be on leave of absence from ~~such~~ *the* civil service position during his tenure as executive secretary, and upon termination of ~~such~~ service shall be returned to his permanent civil service classification. If no vacancy is available in his permanent civil service classified position, seniority shall prevail, and the person most recently certified to ~~such~~ *the* position shall be returned to the permanent civil service classification held by him prior to such certification.

Sec. 3. Minnesota Statutes, 1979 Supplement, Section 422A.03, Subdivision 2, is amended to read:

Subd. 2. The executive ~~secretary~~ *director* may be removed by a four-sevenths vote of all members of the board at a meeting called for ~~such~~ *that* purpose. Before exercising the power of removal, 15 days written notice shall be given to the executive ~~secretary~~ *director* setting forth the cause for removal and stating the time and place where ~~such~~ *the* charges will be heard. The hearing shall be open to the public. Other employees under the supervision of the board and employees appointed hereafter shall be subject to applicable civil service laws and rules of the city ~~unless the board determines that they should be unclassified~~. The compensation of the executive ~~secretary~~ *director* and the other employees under the supervision of the board shall be fixed by ~~such~~ *the* board.

Sec. 4. Minnesota Statutes 1978, Section 422A.03, Subdivision 3, is amended to read:

Subd. 3. At the regular meeting in January each year, the board shall elect ~~one of~~ *from among* its members as a president, ~~one member~~ *as a* vice president, and ~~one member~~ *as* recording a secretary, who shall hold office for one year or until successors have been elected and qualified. *The city comptroller-treasurer shall serve as treasurer of the board.* The president shall preside at all meetings at which he is present. In the absence of the president the vice president shall preside and have all the powers of the president while acting as such. The recording secretary shall keep

a record of all proceedings of the board, which shall be open to public inspection. At least one of the officers of the board shall be one of the representatives elected by the employees of the city to the board.

Sec. 5. Minnesota Statutes 1978, Section 422A.03, Subdivision 5, is amended to read:

Subd. 5. For the purpose of administration, except as otherwise herein provided, the executive secretary *director*, under the direction of the board, shall perform any and all acts and make such regulations as may be necessary and proper for the purpose of carrying out the provisions of sections 422A.01 to 422A.25.

Sec. 6. Minnesota Statutes 1978, Section 422A.05, Subdivision 1, is amended to read:

422A.05 [TRUSTEE OF FUNDS.] Subdivision 1. Except as otherwise provided by law the members of the retirement board shall be the trustees and custodians of the several funds created by sections 422A.01 to 422A.25 and shall have exclusive control and management of these funds, and power to invest the same, subject to all the terms, conditions, limitations, and restrictions imposed by law upon savings banks in the making and disposing of their investments, except convertible bonds which may be purchased as to rating but subject to the eligibility limits imposed below for common or preferred stock. Subject to like terms, conditions, limitations, and restrictions, these trustees shall have full power *them and* to hold, purchase, sell, assign, transfer, or dispose of any of the securities and investments in which any of the funds created by sections 422A.01 to 422A.25 shall have been invested as well as the proceeds of the investments, and of the money belonging to these funds.

Sec. 7. Minnesota Statutes 1978, Section 422A.05, is amended by adding a subdivision to read:

Subd. 2a. [STANDARD OF CARE.] *In the discharge of their respective duties, the members of the board, the executive director, the board staff and any other person charged with the responsibility of investing money pursuant to the standards set forth in chapter 422A shall act in good faith and shall exercise that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived therefrom.*

Sec. 8. Minnesota Statutes 1978, Section 422A.05, is amended by adding a subdivision to read:

Subd. 2b. [CONFLICT OF INTEREST.] *No member of the board may participate in the deliberations or the voting on any matter before the board which will or is likely to result in direct, measurable personal gain to the member.*

Sec. 9. Minnesota Statutes 1978, Section 422A.05, is amended by adding a subdivision to read:

Subd. 2c. The board may invest funds in corporate stocks or corporate obligations of any corporation organized under the laws of the United States or of any state of the United States or the Dominion of Canada or any province thereof and other corporations traded on the New York or American Stock Exchanges if they conform to the following provisions:

(a) On corporate stocks:

(1) The market value of these investments shall not exceed 50 percent of the market value of the funds.

(2) Investments in any one corporation shall not exceed five percent of the market value of the funds or five percent of the total shares outstanding of any one corporation.

(3) Cash dividends on these investments shall have been earned and paid for the preceding five years.

(4) Investments which do not conform to the dividend standard contained in clause (3) may be held, but the total amount of these securities shall not exceed five percent of the total market value of the funds.

(b) On corporate obligations:

(1) The consolidated net pretax earnings of corporations other than finance corporations shall have been an average for the preceding five years at least 1.5 times the annual interest charge on total funded debt applicable to that period.

(2) The consolidated net pretax earnings of banks and finance corporations shall have been an average for the preceding five years at least 1.2 times the annual interest charges on total funded debt applicable to that period.

(3) Obligations shall be rated among the top three quality categories by a nationally recognized rating agency; or if unrated, the corporation shall have other comparably secured issues similarly rated; or the consolidated net pretax earnings of the corporation shall have been an average for the preceding five years at least twice the ratios required in clauses (a) and (b).

Sec. 10. Minnesota Statutes 1978, Section 422A.05, Subdivision 3, is amended to read:

Subd. 3. The board shall have authority:

(1) To make such loans and advances of credits and purchases of obligations, representing loans and advances of credit, as are insured by the federal housing administration, and to obtain such insurance;

(2) To make such loans secured by mortgages on real property, which the federal housing administrator has insured or made a commitment to insure, and to obtain such insurance; (1) To invest in mortgage participation certificates and pools secured by first mortgages or trust deeds on improved real estate located in the United States where there is a guarantee of replacement by a

note or bond of comparable value and security in the event of a default, and where the loan to value ratio for each loan does not exceed 80 percent for fully amortizable residential properties and in all other respects meets the requirements of section 61A.28, subdivision 3.

~~(3) (2) To enter into any and all agency agreements necessary to enable it to invest its funds in loans, advances of credit, and obligations insured by the federal housing administrator, or which he has made a commitment to insure and to enter into any agreement or arrangement with any other of the pension and retirement systems of the city for the joint handling of these securities;~~

~~(4) To provide for the prorating of part or all of the cost of making, handling or foreclosing of such mortgages against the earnings of such mortgages and to establish reserve accounts from such earnings to liquidate losses or future losses on such mortgages;~~

~~(5) (3) To employ and dismiss agents, attorneys, appraisers, and others necessary for the proper handling or and servicing of such mortgages investments and to fix their compensation or fee on such the basis as it may see fit for such services rendered in connection with such mortgages the investments; and~~

~~(6) (4) To do any and all things necessary to carry out the provisions of sections 422A.01 to 422A.25 in the best interest of the funds.~~

Sec. 11. Minnesota Statutes 1978, Section 422A.05, Subdivision 5, is amended to read:

Subd. 5. All payments from the funds created by sections 422A.-01 to 422A.25 shall be made *signed* by the treasurer of the city only upon warrant signed by the, executive secretary director, or employee or other person appointed by the retirement board, and no warrant payment shall be drawn made except by order of the board duly entered in the record of its proceedings, except that the board may create a revolving fund in such an amount as may be necessary to be used for the purpose of withdrawals from the fund of excess contributions; refunds to employees upon their separation from the service and for such other purposes as may be determined by the board. The revolving fund herein provided for shall be periodically reimbursed by warrant drawn and signed as set forth herein. It shall be kept in the same bank or trust company as the city treasurer keeps other retirement funds. It shall be subject to withdrawal upon check signed by the executive secretary director, or employee or other person appointed by the board. The revolving fund shall be considered funds of the city insofar as it is necessary to bring them within any bond or security furnished by such bank or trust company to protect the city against loss.

Sec. 12. Minnesota Statutes 1978, Section 422A.06, Subdivision 1, is amended to read:

422A.06 [RETIREMENT FUND.] Subdivision 1. [CREATION; DIVISIONS OF FUND.] For the purposes of sections 422A.01 to 422A.25 there shall be a ~~city municipal~~ *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 adjustable fixed-benefit fund, (3) a survivor benefit fund, and (4) a disability benefit fund. Expense of administration of the retirement fund shall be paid from the deposit accumulation fund, ~~less such~~ *the* amount as the retirement board may charge against income from investments as the cost of handling the investments of the retirement fund.

Sec. 13. Minnesota Statutes 1978, 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 such 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, and by income from investments. There shall be paid from ~~such the~~ *the* fund the amounts required to be transferred to the Minnesota adjustable fixed-benefit fund or the disability benefit fund, refunds of contributions, death benefits payable on death before retirement not payable from the survivors' benefit fund, retirement allowances granted pursuant to Laws 1965, Chapter 688, Laws 1969, Chapter 859, and expenses of administration.

Sec. 14. Minnesota Statutes 1978, Section 422A.06, Subdivision 5, is amended to read:

Subd. 5. [VALUATION OF ASSETS; ADJUSTMENTS OF BENEFITS.] (a) For those members retiring pursuant to sections 422A.01 to 422A.25, assets equal to the required reserves as determined in accordance with a mortality table appropriate to the fund with an interest assumption of five percent, shall be transferred to the Minnesota adjustable fixed-benefit fund or the disability benefit funds as provided in subdivision 7, ~~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, 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 will be made automatically unless written notice on a form prescribed by the board is filed with the retirement board requesting that the increase shall not be made.

(d) All annuities payable from the Minnesota adjustable fixed-

benefit fund which are in effect on June 30, 1973 shall be increased in the same ratio that the actuarially computed reserve for such annuities determined by using an interest assumption of 3½ percent bears to the actuarially computed reserve for such annuities determined by using an interest assumption of five percent. The reserves upon which such increases shall be based shall be the actuarially determined reserves for all Minnesota adjustable fixed-benefit fund annuities which were in effect on December 31, 1972, in accordance with the mortality assumptions then in effect and at interest assumptions of 3½ percent and five percent. ~~Such~~ *The* ratio of increase computed to the last full 1/100 of one percent shall be applied to all annuities payable from the Minnesota adjustable fixed-benefit fund which are in effect on June 30, 1973. Any additional annuity shall begin to accrue on July 1, 1973 and shall be considered as part of the base amount to be used in determining any increase which may become effective on January 1, 1974 under the provisions of section 11.25, subdivisions 12 and 13.

(e) All assets in the annuity stabilization reserve and suspense account shall be credited proportionately to the individual retirement funds' participation in the Minnesota adjustable fixed-benefit fund. Effective January 1, 1974 each participating fund in the Minnesota adjustable fixed-benefit fund, except the municipal employees retirement fund, shall increase the benefits in effect on June 30, 1973 by an amount that when added to the increase granted to such benefits effective July 1, 1973, equals 20 percent. The increase shall apply to accrual of benefits commencing January 1, 1974 and shall be in lieu of the adjustment provided by *Minnesota Statutes, 1973 Supplement*, Section 11.25, Subdivisions 12 and 13 scheduled to take effect January 1, 1974. 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 as amended by Laws 1973, Chapter 7.

(f) The actuary for each participating fund shall calculate the reserve required to support the benefits in effect on June 30, 1973 as increase July 1, 1973 and herein. As of December 31, 1973, each participating fund shall transfer to or from the Minnesota adjustable fixed-benefit fund assets so that its participation equals the total of such 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 considered the "originally determined benefits" for the purpose of future adjustments.

Sec. 15. Minnesota Statutes, 1979 Supplement, Section 422A.08, Subdivision 2, is amended to read:

Subd. 2. Prior to August 31 of each year the retirement board shall prepare an itemized statement of its financial requirements from tax revenue for the succeeding fiscal year. A copy of the statement shall be submitted to the board of estimate and taxation and to the city council prior to September 15 of each year. This statement shall include:

(1) An estimate of the administrative expense of the board less:

(a) Such amount as the board may charge against the interest income account of the fund as cost of handling the investment securities of the fund.

(b) The cost of handling the retirement benefits of any city-owned public utility, improvement project, or other municipal activities supported in whole or in part by revenues other than taxes.

(c) The cost of handling the retirement benefits of any public corporation and its employees who have availed themselves of the provisions of sections 422A.01 to 422A.25.

(2) An estimated amount not to exceed $7\frac{1}{4}$ percent of the salaries and wages of all employees covered by the retirement fund less any amounts contributed for current cost of future retirement benefits by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(3) The estimated amount to meet the requirements of section 422A.06, subdivision 3, less any amounts contributed for this purpose by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(4) The cost of all monthly survivor's benefits provided in section 422A.23 as an obligation of the city and any of its boards, departments, commission or public corporations as therein provided, less any amounts contributed for this purpose by any city-owned public utility, improvement project, other municipal activities supported in whole or in part by revenues other than taxes, or any public corporation.

(5) Such other levies and financing as are required by law.

(6) The total of items 1, 2, and 3 above shall be increased or decreased as the case may be by any deficiency or excess of the amount of tax revenue actually collected within the preceding fiscal year under or over the amount actually determined to meet the financial requirements of the fund for such year. In no event shall the amount requested for levy exceed the total of entry age normal cost, less the amounts contributed by the employees, plus administrative expense, plus an amount necessary to amortize on a level annual dollar basis the principal amount of the actuarial deficit by the year 2017 using an interest rate of five percent, compounded annually, plus interest upon any deficiency from the previous year's levy at the rate of ~~four~~ six percent per annum. This limit does not apply to the requirements for survivors benefits provided in section 422A.23 nor to any levy which is administered by the retirement board pursuant to special act.

Sec. 16. Minnesota Statutes, 1979 Supplement, Section 422A.09, Subdivision 3, is amended to read:

Subd. 3. The exempt class shall consist of:

(1) Employees who are members of any other organization or association of the city on behalf of which a tax is levied by the city for the purpose of paying retirement allowances to disabled or superannuated employees.

(2) Persons filling elective position. Provided that any elective officer holding an elective city office, excepting judges of a municipal court, shall, upon written application to the retirement board, be entitled to become a member of the contributing class of the fund, and after becoming a contributor to the fund be entitled to all benefits conferred upon employees of the contributing class except retirement on a service allowance, which shall be granted only upon completion of ten or more years of service and attaining at least age 60.

All retirement allowances shall be computed and determined as provided herein, except that in determining the number of years of service, credit shall be given for time served as an elective officer or employee, or member of an executive board or commission or any combination thereof. Persons who have served in elective positions which qualified them for membership in the fund prior to July 1, 1967, and who immediately thereafter hold elective office, first being appointed to that elective office in Hennepin county in which they served as an elected official, may retain or resume membership in the fund as an elective officer of the county. The county shall collect and pay to the retirement fund the employee contribution. The employer cost of allowances and benefits credited to an elected officer as set forth above shall be paid from the county revenue fund by the proper county officials upon certification of such costs by the retirement board in the same manner as prescribed in section 422A.08 for the payment of costs by public corporations. A tax shall be levied by Hennepin county to defray the cost of such retirement allowances which may be in addition to all other taxes levied by the county. Before receiving a retirement allowance, or any other benefit, any person who claims credit for service under this section shall contribute to the fund an amount equal to the amount of contributions to the fund which such person would have made had he been a contributor to the fund since the date he first became eligible for membership in the fund, in accordance with the method of contribution herein provided for, plus ~~four~~ six percent compound interest.

(3) Persons serving without pay.

(4) Persons employed on a temporary basis, as doorkeepers, ticket takers, and attendants at the municipal auditorium, park recreation facilities, or like activities, employed less than 1000 hours, or its equivalent if employed on any other basis than an hourly basis, in any calendar year from January 1 to December 31, inclusive, provided that employees who are contributing members of the fund on July 1, 1959 shall not be affected by the exclusions contained in this section.

(5) A person who is exempted from the contributing class by Minnesota Statutes 1974, Section 422A.09, Subdivision 3, Clauses (4) and (5), but who is employed by and paid, in whole or in part,

by the city or any of its boards, departments, or commissions, operated as a department of the city government or independently, if financed in whole or in part by city funds, including any person employed by a public corporation as herein defined, and including any person employed by the Minneapolis school district, each of whom is not a member of any other retirement system, who later becomes a contributing member of the fund may elect to qualify such time for credit by paying into the fund an amount equal to the amount of contributions to the fund which such person would have made had he been a contributor to the fund since the date he first qualified as an exempt member of the contributing class, in accordance with the method of contribution herein provided, plus four percent compound interest.

(6) Any person who is employed by the city or any of its boards, departments, commissions or a public corporation, as herein outlined, and is excluded from participation in the fund by paragraph (4) shall be separated from the service upon reaching the age of 70 regardless of the provisions of the veterans preference act.

(7) Any person who is employed in subsidized on-the-job training, work experience or public service employment as an enrollee under the federal comprehensive employment and training act from and after March 30, 1978, unless the city council of the city of Minneapolis specifies that the person is to be considered as a provisional member of the retirement fund pursuant to section 356.451 or unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement fund to meet the minimum vesting requirements for a deferred retirement annuity, or the employer agrees in writing to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive training and employment act, or the person agrees in writing to make the required employer contribution in addition to the required employee contribution.

Sec. 17. [INSTRUCTIONS TO THE REVISOR.] *Subdivision 1. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute the term "executive director" for the term "executive secretary" wherever that term appears in reference to the state board of investment, shall substitute the term "Minnesota supplemental retirement investment fund" for the term "Minnesota supplemental retirement fund" wherever that term appears, and shall substitute the term "Minnesota variable annuity investment fund" for the term "Minnesota variable annuity fund" wherever that term appears.*

Subd. 2. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute wherever the amount "four percent interest" appears in reference to the Minneapolis employees retirement fund the amount "six percent interest."

Subd. 3. In the next and subsequent editions of Minnesota Statutes, the revisor of statutes shall substitute "director" or

“executive director” for “secretary” or “executive secretary” in chapter 422A.

Sec. 18. [TEMPORARY PROVISION.] *Portfolio securities held by the retirement board of the Minneapolis employees retirement fund which met statutory criteria at the time of purchase but which became nonconforming as a result of the passage of this act may be retained.*

Sec. 19. [REPEALER.] *Minnesota Statutes 1978, Sections 422A.05, Subdivisions 2 and 4; and 422A.07 are repealed.*

Sec. 20. [EFFECTIVE DATE.] *This article is effective upon compliance with Minnesota Statutes, Section 645.021, Subdivision 3.*

ARTICLE XVII

BALLOT QUESTIONS

Section 1. Minnesota Statutes 1978, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. “Contribution” means a transfer of funds or a donation in kind.

Contribution includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, which loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

A contribution made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Contribution does not include services provided without compensation by an individual volunteering his time on behalf of a candidate, ballot question, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Sec. 2. Minnesota Statutes 1978, Section 10A.01, Subdivision 7a, is amended to read:

Subd. 7a. “Transfer of funds” or “transfer” means 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.

Sec. 3. Minnesota Statutes 1978, 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.

Sec. 4. Minnesota Statutes 1978, Section 10A.01, Subdivision 10, is amended to read:

Subd. 10. "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or for the purpose of promoting or defeating a ballot question.

An expenditure is considered to be made in the year in which the goods or services for which it was made are used or consumed.

An expenditure made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Except as provided in clause (a), expenditure includes the dollar value of a donation in kind.

Expenditure does not include:

- (a) Noncampaign disbursements as defined in subdivision 10c;
- (b) Transfers as defined in subdivision 7a;
- (c) Services provided without compensation by an individual volunteering his time on behalf of a candidate, ballot question, political committee, or political fund; or
- (d) The publishing or broadcasting of news items or editorial comments by the news media.

Sec. 5. Minnesota Statutes 1978, Section 10A.01, Subdivision 10c, is amended to read:

Subd. 10c. "Non campaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, by a political committee, political fund, or principal campaign committee for any purpose other than to influence the nomination or election of a candidate or to promote or defeat a ballot question.

Noncampaign disbursement includes:

- (a) Payment for accounting and legal services;
- (b) Return of a contribution to the source;
- (c) Repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) Return of moneys from the state elections campaign fund;
- (e) Payment for food and beverages consumed at a fundraising event;

(f) Services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to adjournment sine die of the legislature in the election year for the office held; and

(g) A donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f). The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

Sec. 6. Minnesota Statutes 1978, Section 10A.01, Subdivision 15, is amended to read:

Subd. 15. "Political committee" means any association as defined in subdivision 3 whose major purpose is to influence the nomination or election of a candidate or to promote or defeat a ballot question.

"Political committee" includes a major political party as defined in subdivision 12, a minor political party as defined in subdivision 13, and any principal campaign committee formed pursuant to section 10A.19.

Sec. 7. Minnesota Statutes, 1978, Section 10A.01, Subdivision 16, is amended to read:

Subd. 16. "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the nomination or election of a candidate or for the purpose of promoting or defeating a ballot question.

Sec. 8. Minnesota Statutes 1978, Section 10A.01, is amended by adding a subdivision to read:

Subd. 23. "Ballot question" means a question or proposition which is placed on the ballot and which may be voted on by all voters of the state. "Promoting or defeating a ballot question" includes activities related to qualifying the question for placement on the ballot.

Sec. 9. Minnesota Statutes 1978, Section 10A.12, Subdivision 1, is amended to read:

10A.12 [POLITICAL FUNDS.] Subdivision 1. No association other than a political committee shall transfer more than \$100 in aggregate in any one year to candidates or political committees or make any approved or independent expenditure or expenditure to promote or defeat a ballot question unless the transfer or expenditure is made from a political fund.

Sec. 10. Minnesota Statutes 1978, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or occupation if self-employed, of each individual, political committee or political fund who within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$50 for legislative candidates or \$100 for statewide candidates or ballot questions, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign manager of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made;

(e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (d);

(f) The sum of all receipts of the political committee or political fund during the reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, *identification of the ballot question which the expenditure is intended to promote or defeat*, and, in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(i) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(j) The name and address of each political committee, political

fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(k) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(l) For principal campaign committees only, the sum of non-campaign disbursements made in each category listed in section 10 of this act 10A.01, subdivision 10c during the reporting period; and

(m) The sum of all noncampaign disbursements made by the political committee, political fund, or principal campaign committee during the reporting period.

Sec. 11. Minnesota Statutes 1978, Section 10A.20, Subdivision 6, is amended to read:

Subd. 6. Every candidate who does not designate and cause to be formed a principal campaign committee, and any individual who makes independent expenditures or expenditures expressly advocating the approval or defeat of a ballot question in aggregate in excess of \$100 in any year, shall file with the board a report containing the information required by subdivision 3. Reports required by this subdivision shall be filed on the dates on which reports by committees and funds are filed.

Sec. 12. Minnesota Statutes 1978, Section 10A.32, Subdivision 3, is amended to read:

Subd. 3. As a condition of receiving any moneys money from the state elections campaign fund, a candidate shall agree by stating in writing to the board that (a) his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) he shall not accept contributions or allow approved expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. The agreement, insofar as it relates to the expenditure limits set forth in section 10A.25, remains effective until the dissolution of the principal campaign committee of the candidate or the opening of filings for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first. Beginning in 1980, Money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought shall be considered contributions accepted by that candidate in that year for the purposes of this subdivision. Notwithstanding the effective date of this section, for 1978, the period for determining the aggregate contribution and approved expenditure limit agreed to pursuant to this subdivision shall begin January 1, 1978. That amount of all

contributions accepted by a candidate in an election year which equals the amount of noncampaign disbursements *and contributions and expenditures to promote or defeat a ballot question which are made by that candidate in that year, and the amount of contributions received and approved expenditures made between January 1, 1978, and February 28, 1978 which equals the amount of expenditures made between January 1, 1978, and February 28, 1978, for goods consumed and services used before February 28, 1978, shall not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision. Any amount by which his aggregate contributions and approved expenditures agreed to under clause (b) exceed the difference shall be returned to the state treasurer in the manner provided in subdivision 2. In no case shall the amount returned exceed the amount received from the state elections campaign fund.*

The candidate may submit his signed agreement to the filing officer on the day he files his affidavit of candidacy or petition to appear on the ballot, or he may submit the agreement to the board no later than September 1.

The board prior to the first day of filing for office shall forward forms for the agreement to all filing officers. The filing officer shall without delay forward signed agreements to the board. An agreement may not be rescinded after September 1.

For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than his share of the estimate, and his contributions thereby exceed the difference, the agreement shall not be considered violated.

Sec. 13. Minnesota Statutes 1978, Section 210A.26, Subdivision 3, is amended to read:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election:

(a) When the committee is organized to support a candidate for a federal office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a judicial district or county office with the auditor of the county in which such committee has its headquarters;

(c) ~~When the committee is organized to support or oppose any constitutional amendment with the secretary of state;~~

(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.

Sec. 14. Minnesota Statutes 1978, Section 210A.26, is amended by adding a subdivision to read:

Subd. 6. [BALLOT QUESTIONS.] Any individual, political committee, association or corporation that makes any contribution or expenditure to promote or defeat a ballot question shall file reports as required by this subdivision. Reports shall be filed at the times required for filing financial statements under subdivision 1. Reports shall be filed with the official responsible for placing the question on the ballot. Each report shall show the following information, covering the period from the last report to seven days before the filing date:

(a) The name and address of each committee, individual, or other person to whom aggregate contributions or expenditures in excess of \$100 have been made to promote or defeat a ballot question, together with the amount, date and purpose of the contribution or expenditure;

(b) The total amount of contributions and expenditures made to promote or defeat a ballot question; and

(c) Identification of the ballot question which the individual, political committee, association or corporation seeks to promote or defeat.

The secretary of state shall prescribe the form for reports required under this subdivision and may do so without adopting rules pursuant to chapter 15.

For the purpose of this subdivision:

(1) "Ballot question" means a question or proposition, other than a ballot question as defined in section 10A.01, subdivision 23, which is placed on the ballot and which may be voted on by the voters of one or more political subdivisions of the state; and

(2) A contribution or expenditure for activities related to qualifying a question for placement on the ballot is a contribution or expenditure to promote or defeat the ballot question.

Sec. 15. Minnesota Statutes 1978, Section 210A.34, Subdivision 1, is amended to read:

210A.34 [CORPORATIONS NOT TO CONTRIBUTE TO POLITICAL CAMPAIGN; PERMITTED ACTIVITIES; REPORTS; PENALTIES.] Subdivision 1. It shall be unlawful for any corporation doing business in this state to pay or contribute or make any contribution or to offer, consent or agree to pay or contribute make any contribution, directly or indirectly, of any money, property, free service of its officers or employees or thing of value to any political party, organization, committee or individual for any political purpose whatsoever, or to promote or defeat the candidacy of any person for nomination, election, or appointment to

any political office. *For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of any candidate to any political office which is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, his principal campaign committee or his agent.*

Sec. 16. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1a. It shall be unlawful for any corporation doing business in this state to make any independent expenditure or to offer, consent or agree to make any independent expenditure to promote or defeat the candidacy of any person for nomination, election or appointment to any political office. For the purpose of this subdivision, "independent expenditure" means an expenditure which is not made with the authorization or expressed or implied consent of, or in cooperation or concert with, or at the request or suggestion of, a candidate, his principal campaign committee or his agent.

Sec. 17. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1b. A corporation doing business in this state may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot, or to express its views on issues of public concern. But no such contribution shall be made to any candidate for nomination, election or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate.

Sec. 18. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1c. Nothing in this section shall be construed to prohibit publication or broadcasting of news items or editorial comments by the news media.

Sec. 19. [EFFECTIVE DATE.] *This article is effective the day following final enactment.*

ARTICLE XVIII

GASOHOL

Section 1. Minnesota Statutes 1978, Section 296.01, is amended by adding a subdivision to read:

Subd. 24. "Agricultural alcohol gasoline" means a gasoline blend at least ten percent of which is agricultural ethyl alcohol of at least 190 proof.

Sec. 2. Minnesota Statutes 1978, Section 296.02, is amended by adding a subdivision to read:

Subd. 7. The tax on gasoline imposed by subdivision 1 shall be reduced by four cents per gallon for gasoline which is agricultural alcohol gasoline as defined in section 1, which is blended by a

distributor with alcohol distilled in this state from agricultural products produced in this state, and which is used in producing and generating power for propelling motor vehicles used on the public highways of this state. The tax imposed by this subdivision shall be payable at the same time, and collected in the same manner, as the tax imposed by subdivision 1. The reduction in gasoline taxes imposed by this subdivision shall expire on December 31, 1984.

Sec. 3. [EFFECTIVE DATE.] *This article is effective May 1, 1980.*

ARTICLE XIX

MISCELLANEOUS

Section 1. Minnesota Statutes 1978, Section 10.39, Subdivision 1, is amended to read:

10.39 [LOANS, DUES; DEDUCTIONS FROM SALARIES.] Subdivision 1. The heads of the various departments of the government of the state of Minnesota are hereby authorized, by and with the written consent of any employee of any state department, to deduct from the salary of such employee such sum or sums as may be agreed to by such employee for the payment of any moneys to any state employees' credit union, or the *Minnesota Benefit Association* or to any organization contemplated by the provisions of section 179.65, of which the employee is a member; provided, that where an employee is a member of more than one such credit union or more than one such organization, only one credit union and one organization may be paid money by payroll deduction from the employee's salary; and provided further, that no deduction shall be made from the salary of any state employee for payment to any credit union or organization hereinbefore referred to unless there are at least 100 state employees who have deductions made from their salaries for payment to such credit union or organization. Provided however, that the above noted numerical requirement shall not apply to present and prospective members of credit unions and organizations which received authorized payroll deduction payments on the effective date of this act.

Sec. 2. Minnesota Statutes 1978, Section 117.155, is amended to read:

117.155 [PAYMENTS; PARTIAL PAYMENT PENDING APPEAL.] Except as otherwise provided herein payment of damages awarded may be made or tendered at any time after the filing of the report; and the duty of the petitioner to pay the amount of any award or final judgment upon appeal shall, for all purposes, be held and construed to be full and just compensation to the respective owners or the persons interested in the lands. If either the petitioner or any respondent appeals from an award, the respondent or respondents, if there is more than one, except encumbrancers having an interest in the award which has been appealed, may demand of the petitioner a partial payment of the award pending the final determination thereof, and it shall be the duty of the petitioner to comply with such demand and to

promptly pay the amount demanded but not in excess of an amount equal to three-fourths of the award of damages for the parcel which has been appealed, less any payments made by petitioner pursuant to section 117.042; provided, however, that the petitioner may by motion after due notice to all interested parties request, and the court may order, reduction in the amount of the partial payment for cause shown. If an appeal is taken from an award the petitioner may, but it cannot be compelled to, pay the entire amount of the award pending the final determination thereof. If any respondent or respondents having an interest in the award refuses to accept such payment the petitioner may pay the amount thereof to the clerk of district court to be paid out under direction of the court. A partial or full payment as herein provided shall not draw interest from the condemnor from the date of payment or deposit, and upon final determination of any appeal the total award of damages shall be reduced by the amount of the partial or full payment. If any partial or full payment exceeds the amount of the award of compensation as finally determined, the petitioner shall have a claim against the respondents receiving such payment for the amount thereof, to be recoverable in the same manner as in any civil action.

Sec. 3. Minnesota Statutes 1978, Section 296.14, is amended by adding a subdivision to read:

Subd. 4. Notwithstanding the provisions of this section, the producer of ethyl alcohol which is produced for personal use and not for sale in the usual course of business shall report and pay the tax on all ethyl alcohol delivered into the supply tank of a licensed motor vehicle during the preceding calendar year. The tax shall be reported and paid together with the income tax return of the taxpayer. The commissioner of revenue shall transfer the amount collected in each calendar year to the highway user tax distribution fund by March 30 of the following taxable year. Any producer, qualifying under this subdivision, shall be exempt from the licensing requirements contained in section 296.01, subdivision 1.

Sec. 4. Minnesota Statutes 1978, Section 297.03, Subdivision 6, is amended to read:

Subd. 6. [TAX METER MACHINES.] (1) The commissioner may authorize any person licensed as a distributor to stamp packages with a tax meter machine, approved by him, which shall be provided by the distributor. He may provide for the use of such a machine by the distributor, supervise and check its operation, provide for the payment of the tax on any package so stamped, subject to the discount provided in subdivision 5, and in that connection require the furnishing of a corporate surety bond in a suitable amount to guarantee the payment of the tax.

(2) *The commissioner may authorize any person licensed as a distributor to stamp packages with a heat-applied tax stamping machine, approved by him, which shall be provided by the distributor. The commissioner shall supervise and check the operation of the machines and shall provide for the payment of the tax on any package so stamped, subject to the discount provided in*

subdivision 5. The commissioner may sell heat-applied stamps on a credit basis under conditions prescribed by him, and in that connection require the furnishing of a corporate surety bond in an amount suitable to guarantee payment of the tax stamps so purchased by a distributor. The stamps shall be sold by the commissioner at a price which includes the tax after giving effect to the discount provided in subdivision 5.

Sec. 5. Minnesota Statutes 1978, Chapter 298, is amended by adding a section to read:

[298.75] [GRAVEL REMOVAL; PRODUCTION TAX.] Subdivision 1. A county may impose upon every person, firm, corporation or association, hereafter referred to as "operator," engaged in the business of removing gravel for sale from gravel pits or deposits, a production tax in an amount not to exceed ten cents per cubic yard of gravel removed.

Subd. 2. On October 1, 1980, and thereafter on the first day of each calendar quarter in each county in which a tax is imposed pursuant to this section, every operator shall make and file with the county auditor of the county in which the gravel 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 removed during the preceding calendar quarter. The report shall be accompanied by a remittance of the amount of tax due.

Subd. 3. If any operator fails to make the report required by subdivision 2 or files an erroneous report, the county auditor shall 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 Minnesota Statutes, Chapter 278, and shall be governed by sections 278.02 to 278.13.

Subd. 4. Failure to file the report shall result in a penalty of \$5 for each of the first 30 days, beginning on the fourteenth day after the date when the county auditor has sent notice to the taxpayer as provided in subdivision 3, 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 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 who is required to file the report is guilty of a misdemeanor.

Subd. 5. It is a misdemeanor for any operator to remove gravel from a pit or deposit unless all taxes due under this section have been paid or objections thereto have been filed pursuant to subdivision 3.

Subd. 6. 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;

(b) Thirty percent to the town road and bridge fund, for expenditure for maintenance, construction and reconstruction of roads traveled by vehicles hauling gravel, in a manner determined by the county; and

(c) Ten percent to a special reserve fund which is hereby established, for expenditure for the restoration of abandoned gravel pits or deposits upon lands to which the county holds title or upon tax forfeited lands within the county.

Sec. 6. Minnesota Statutes 1978, Chapter 298, is amended by adding a section to read:

[298.76] Section 5 shall not supersede any local law.

Sec. 7. [FARM WINERY LICENSES.] Subdivision 1. For purposes of this section and of section 8:

(a) "Farm winery" means a winery operated by the owner of a Minnesota farm and producing table or sparkling wines from grapes, grape juice, other fruit bases or honey with a majority of the ingredients grown or produced in Minnesota.

(b) "Table or sparkling wines" means a beverage made without rectification or fortification and containing not more than 25 percent of alcohol by volume and made by the fermentation of grapes, grape juice, other fruits or honey.

Subd. 2. The commissioner of public safety may issue a farm winery license to the owner or operator of a farm winery located within the state and producing table or sparkling wines. Licenses shall be issued and renewed on an annual basis upon payment of a fee of \$25, which shall be in lieu of all other license fees required by Minnesota Statutes, Chapter 340.

Subd. 3. A license shall authorize the sale on the farm winery premises of table or sparkling wines produced by that farm winery at on-sale or off-sale in retail or wholesale lots, in total quantities not in excess of 50,000 gallons in any calendar year, glassware, wine literature and accessories, and the dispensing of free samples of the wines offered for sale. Sales at on-sale and off-sale may be made on Sundays between 12 o'clock noon and 12 o'clock midnight. Labels for each type or brand produced shall be registered with the commissioner, without fee, prior to the sale thereof.

Subd. 4. Except as otherwise specified in this section, all provisions of Minnesota Statutes, Chapter 340 shall govern the production, sale, possession and consumption of table or sparkling wines produced by a farm winery.

Subd. 5. If Minnesota produced or grown grapes, grape juice,

other fruit bases or honey is not available in quantities sufficient to constitute a majority of the table or sparkling wine produced by a farm winery, the holder of the farm winery license may file an affidavit stating this fact with the commissioner of public safety. If the commissioner determines, after consultation with the commissioner of agriculture, this to be true, the farm winery may use imported products and shall continue to be governed by the provisions of this section and section 8. The affidavit is effective for a period of one year, after which time the farm winery shall use the required amount of Minnesota products as provided by subdivision 1 unless the farm winery holder files a new affidavit with the commissioner.

Sec. 8. [TAXATION.] In lieu of all taxes imposed by Minnesota Statutes, Section 340.47, there shall be levied and collected on all table or sparkling wines manufactured or produced by a Minnesota farm winery, the following excise tax:

(a) Wines containing 14 percent or less of alcohol by volume, the sum of 4 cents per liter;

(b) Wines containing more than 14 percent of alcohol by volume, the sum of 13 cents per liter.

Payment and collection of taxes imposed by this section shall be governed by Minnesota Statutes, Chapter 340.

Sec. 9. Minnesota Statutes 1978, Section 340.47, Subdivision 1, is amended to read:

340.47 [EXCISE TAX.] Subdivision 1. [ON INTOXICATING LIQUORS.] There shall be levied and collected on all intoxicating liquors manufactured, imported, sold or in possession of any person in this state, except as herein provided by sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use the following excise tax:

(1) On all table wine containing 14 percent or less of alcohol by volume, the sum of 27 cents per gallon;

(2) On all wines containing more than 14 percent and not exceeding 21 percent of alcohol by volume, the sum of 79 cents per gallon;

(3) On all wines containing more than 21 percent and not exceeding 24 percent of alcohol by volume, the sum of \$1.58 per gallon;

(4) On all wines containing more than 24 percent of alcohol by volume, the sum of \$3.08 per gallon;

(5) On all natural and artificial sparkling wines containing alcohol, the sum of ~~\$3.00~~ \$1.50 per gallon;

(6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialties regardless of alcoholic content, the sum of \$4.39 per gallon, but not including ethyl alcohol; provided, that in computing the tax on any package of spirits a proportional tax at a like rate on all fractional parts of a gallon

shall be paid except that all fractional parts of a gallon less than one-sixteenth shall be taxed at the same rate as shall be taxed for one-sixteenth of a gallon; provided, however, that the contents of miniatures containing two fluid ounces or less shall be taxed 12 cents.

Sec. 10. Minnesota Statutes 1978, Section 340.47, Subdivision 1a, is amended to read:

Subd. 1a. [METRIC CONTAINERS.] In lieu of the tax imposed by subdivision 1, there shall be levied and collected on all intoxicating liquors manufactured, imported, sold or in possession of any person in this state when packaged in containers where the net contents is stated in metric units of measure, except as herein provided by sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use the following excise tax:

(1) On all table wine containing 14 percent or less of alcohol by volume, the sum of seven cents per liter;

(2) On all wines containing more than 14 percent and not exceeding 21 percent of alcohol by volume, the sum of 21 cents per liter;

(3) On all wines containing more than 21 percent and not exceeding 24 percent of alcohol by volume, the sum of 42 cents per liter;

(4) On all wines containing more than 24 percent of alcohol by volume, the sum of 81 cents per liter;

(5) On all natural and artificial sparkling wines containing alcohol, the sum of ~~81~~ 40 cents per liter;

(6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialties regardless of alcoholic content, the sum of \$1.16 per liter, but not including ethyl alcohol; provided, that in computing the tax on any package of intoxicating liquors where the net contents is stated in metric units of measure, a proportional tax at a like rate on all fractional or multiple parts of a liter shall be paid, provided, however, that the contents of miniatures containing 50 milliliters or less shall be taxed 12 cents.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 471.665, Subdivision 1, is amended to read:

471.665 [MILEAGE ALLOWANCES.] Subdivision 1. The maximum amount which shall be paid by any county, home rule charter or statutory city, town, or school district, to any officer or employee as compensation or reimbursement for the use by the officer or employee of his own automobile in the performance of his duties shall be set by the town board or other governing body of the unit in an amount not exceeding that provided to be determined by the commissioner of personnel for state officers and employees the governing body.

Sec. 12. Minnesota Statutes 1978, Section 471.665, Subdivision 3, is amended to read:

Subd. 3. *In lieu of the mileage allowance provided in subdivision 1, the governing body or town board of any city, county, town, or school district may pay any officer or employee thereof as compensation or reimbursement for the use by such the officer or employee of his own automobile in the performance of his official duties such mileage allowances as the governing body or town board may prescribe and may provide a monthly or periodic allowance in lieu of mileage; but no such allowance in lieu of mileage shall be paid to the members of such the governing body or town board except as otherwise provided by special law or home rule charter.*

Sec. 13. [REPEALER.] *Minnesota Statutes, 1979 Supplement, Section 340.47, Subdivision 1b, is repealed.*

Sec. 14. [APPROPRIATION.] *The sum of \$30,000 is appropriated annually from the general fund in the state treasury to the commissioner of revenue for the purchase of heat-applied stamps.*

Sec. 15. [EFFECTIVE DATE.] *Section 2 applies to all partial payments on deposit with the court on its effective date and to partial payments deposited thereafter. Sections 5 and 6 are effective for gravel removed from pits or deposits after June 30, 1980.*

ARTICLE XX

DEPARTMENT APPROPRIATIONS

Section 1. [APPROPRIATION.] *There is appropriated from the general fund to the commissioner of revenue for the purpose of funding the study of railroad gross earnings taxes, the amount of \$150,000 for fiscal year 1980. This amount shall be reduced by any amount otherwise appropriated for this purpose during this legislative session.*

Sec. 2. [APPROPRIATION.] *There is appropriated from the general fund to the commissioner of revenue for the purpose of implementing tax changes in Laws 1979, Chapter 303, the amount of \$92,600 for fiscal year 1980 and \$92,600 for fiscal year 1981. This amount shall be reduced by any amount otherwise appropriated for this purpose during this legislative session.*

Sec. 3. [APPROPRIATION.] *There is appropriated from the general fund to the commissioner of revenue the amount of \$100,000 to be available through June 30, 1981. This appropriation is for the purpose of implementing the sales ratio study design recommendations made in the 1980 legislative report entitled "Property Tax Equalization in Minnesota: A Review of the Sales Ratio Study."*

Notwithstanding any law to the contrary, the commissioner of revenue may negotiate with private consultants for the development of the sales ratio study system.

The recommended design changes shall be used in computing the 1980 adjusted assessed valuations as provided in Minnesota Statutes 1978, Section 124.212, Subdivision 10, Clause (a) and they shall be completed by March 15, 1981. The revenue depart-

ment shall also compute the 1980 adjusted assessed valuations using the same methodology as had been used for the previous year's valuations and shall report them to the legislature by March 15, 1981. The commissioner of revenue shall report his progress to the legislature in the development of this sales ratio system by July 1, 1980; October 1, 1980; and January 15, 1981. This appropriation shall be reduced by any amount otherwise appropriated for this purpose during this legislative session."

Delete the title and insert:

"A bill for an act relating to the operation and financing of state and local government; adopting certain federal income tax changes; allowing a subtraction of certain interest and dividend income; increasing the pension exclusion; adopting technical and conforming amendments to income tax and property tax refund provisions; providing an income tax credit for contributions to candidates for federal offices; providing a definition of "quadriplegic"; increasing low income credit amounts, eliminating indexing of that credit, and allowing it to be taken as an alternative tax; modifying provisions of the renewable energy source credit; authorizing deduction of certain interest; increasing the dependent care credit; allowing involuntary conversion treatment of divestitures required by the F.C.C.; authorizing a non-game wildlife income tax refund checkoff; providing for treatment of small business corporations; providing for taxation of mobile homes; increasing the state share of certain income maintenance payments; providing for taxation of airport concessions; eliminating certain property tax exemptions; adjusting property tax classifications and assessment ratios; increasing the homestead credit; allowing homestead of surviving spouse to retain 3cc classification; adjusting levy limitations; requiring study of agricultural land valuations; modifying the administration of the property tax refund; providing relief for substantial homestead net property tax increases in 1981; requiring state reimbursement of local taxing districts for reduced property tax revenue due to reduced assessment properties; providing certain state and local sales tax exemptions; authorizing certain carriers to be treated as common carriers; providing technical and conforming amendments to tax increment financing provisions; providing for adjustments to captured assessed values and original assessed values; authorizing assessment agreements; restricting use of proceeds of taconite production tax to the taconite relief area; providing for membership of IRRRB; altering source and distribution of certain payments related to taconite taxes; restating apportionment of imputed income under occupation tax provisions; adjusting maximum interest rates on industrial revenue bonds and municipal bonds; increasing limit on issues requiring public sales; eliminating minimum tax on corporations and specific exemption for corporations; providing for taxation of utility property on situs basis; adjusting computation of credit paid to owners of rights of way; restricting procedure for appeals of special assessments; requiring collection of certain debts owed to the state by taking tax refunds; increasing the metropolitan transit levy authorization;

creating a joint commuter rail study commission; providing for a study of light rail transit; recodifying the laws governing the state board of investment; altering standards for the investment of state and pension assets; modifying public employee pension provisions and funding mechanisms; making certain changes in the Minneapolis employees retirement fund; authorizing contributions by corporations in relation to ballot questions; allowing deductions from state employees salaries for the Minnesota benefit association; restricting interest related to condemnation actions; providing for taxation of ethyl alcohol; reducing the excise tax on gasohol; authorizing heat-applied cigarette tax stamps; providing county option to impose gravel tax, authorizing licensure of farm wineries and providing for excise tax on wine produced on farm wineries; making reduction of excise tax on sparkling wines permanent; allowing local government to set mileage reimbursement rates; appropriating funds; providing penalties; amending Minnesota Statutes 1978, Section 10.39, Subdivision 1; 10A.01, Subdivisions 7, 7a, 7b, 10, 10c, 15, 16, and by adding a subdivision; 10A.12, Subdivision 1; 10A.20, Subdivisions 3 and 6; 10A.32, Subdivision 3; 69.77, Subdivision 2, as amended; 69.775; 117.155; 124.212, Subdivisions 2 and 8a; 124.46, Subdivision 4; 167.42; 167.50, Subdivision 2; 168.012, Subdivision 9; 193.146, Subdivision 4; 210A.26, Subdivision 3, and by adding a subdivision; 210A.34, Subdivision 1, and by adding subdivisions; 272.01, Subdivision 2; 273.13, Subdivision 3, 8a, 9, and 17b; 273.135, Subdivision 2; 273.19, Subdivision 1; 273.36; 273.37, Subdivision 2; 275.11, Subdivision 2; 275.28, Subdivision 3; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5; 276.04; 290.01, by adding a subdivision; 290.06, Subdivision 1; 290.067, Subdivision 2; 290.08, Subdivision 24; 290.09, Subdivisions 2 and 28; 290.095, by adding a subdivision; 290.13, by adding a subdivision; 290.17, by adding a subdivision; 290.26, Subdivision 2; 290.49, Subdivision 10; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3 and 5; 290A.04, by adding a subdivision; 290A.06; 290A.11, by adding a subdivision; 290A.17; 290A.18; 290A.19; 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.14, by adding a subdivision; 297.03, Subdivision 6; 297A.01, Subdivision 4; 297A.211, Subdivision 1; 298.17; 298.22, Subdivision 2; 298.223; 298.28, Subdivision 1; 340.47, Subdivisions 1 and 1a; 352.115, Subdivision 8; 352.23; 352.75, Subdivision 3; 352B.26, Subdivision 3; 352D.04, Subdivision 2; 352D.05, Subdivisions 3 and 4; 353.657, Subdivision 3; 353.661, Subdivision 3; 375.192, Subdivision 1; 422A.02; 422A.03, Subdivisions 3 and 5; 422A.05, Subdivisions 1, 3 and 5, and by adding subdivisions; 422A.06, Subdivisions 1, 3, and 5; 429.061, Subdivisions 1 and 2; 429.081; 462.631, Subdivision 1; 471.665, Subdivision 3; 472A.02, by adding a subdivision; 474.06; 475.55; 475.60, Subdivision 2; 475.73, Subdivision 1; 490.123, Subdivision 1; 490.124, Subdivision 1; and Chapters 273; 290; 298; and 477A, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 1; 43.064; 256.82; 256D.03, Subdivision 2; 256D.36, Subdivision 1; 272.02, Subdivision 1; 273.13, Subdivisions 4, 5a, 6, 7, 14a and 19; 273.42; 273.73, Subdivisions 7, 8, 10, 11 and 12; 273.74, Subdivision 3; 273.75, Subdivisions 1, 2, 5 and 6; 273.76,

Subdivisions 1, 2, 3, and by adding subdivisions; 273.77; 273.78; 273.86, Subdivision 4; 275.125, Subdivision 9; 275.50, Subdivision 5; 275.51, Subdivision 3d; 290.01, Subdivision 20; 290.06, Subdivisions 11, 3c, 3d, 3f, and 14; 290.067; Subdivision 1; 290.081; 290.09, Subdivision 3; 290.091; 290.095, Subdivision 1; 290.14; 290.17, Subdivision 1; 290.37, Subdivision 1; 290A.03, Subdivision 3; 297A.25, Subdivision 1; 352D.02, Subdivision 1; 353.023; 422A.03, Subdivisions 1 and 2; 422A.08, Subdivision 2; 422A.09, Subdivision 3; 424A.02, by adding a subdivision; 424A.04; 471.665, Subdivision 1; 473.446, Subdivision 1; and 473F.08, Subdivision 6; and Laws 1979, Chapter 293, Section 10, Subdivision 1, and by adding a subdivision; and Chapter 303, Article II, Section 39; and repealing Minnesota Statutes 1978, Sections 11.01; 11.015; 11.04; 11.05; 11.06; 11.08; 11.10; 11.11; 11.115; 11.117, Subdivisions 1, 2, 3, 5 and 7; 11.12; 11.13; 11.14; 11.15; 11.16; 11.17; 11.18; 11.19; 11.20; 11.21; 11.22; 11.23; 11.24; 11.25; 11.26; 11.27; 11.28; 290.21, Subdivision 2; 290.971, Subdivision 5; 360.303; 422A.05, Subdivisions 2 and 4; 422A.07; 458.53; Minnesota Statutes, 1979 Supplement, Sections 11.117, Subdivisions 4 and 6; 11.118; 11.145; 273.122; 290.23, Subdivision 16; 340.47, Subdivision 1b; and Laws 1979, Chapter 293, Section 10, Subdivision 2."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Harry Sieben, Jr., James R. Casserly, James C. Pehler, Willis R. Eken, William Schreiber

Senate Conferees: (Signed) Bill McCutcheon, Marvin B. Hanson, Douglas J. Johnson, Collin C. Peterson, Otto T. Bang, Jr.

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1121 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. 1121 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	Gunderson	Luther	Purfeerst	Stokowski
Bang	Hanson	McCutcheon	Renneke	Strand
Barrette	Hughes	Menning	Rued	Stumpf
Bernhagen	Humphrey	Merriam	Schaaf	Tennessee
Brataas	Johnson	Moe	Schmitz	Ueland, A.
Coleman	Keefe, J.	Nelson	Setzepfandt	Ulland, J.
Davies	Keefe, S.	Nichols	Sieloff	Vega
Dieterich	Knaak	Ogdahl	Sikorski	Wegener
Dunn	Knoll	Olson	Solon	Willet
Engler	Knutson	Omann	Spear	
Frederick	Laufenburger	Penny	Staples	
Gearty	Lessard	Peterson	Stern	

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. 2268 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2268 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted April 11, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2268

A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.

April 10, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 2268, report that we have agreed upon the items in dispute and recommend as follows:

The Senate recede from its amendments and that H. F. No. 2268 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes, 1979 Supplement, Section 46.04, is amended to read:

46.04 [COMMISSIONER; POWERS.] *Subdivision 1.* The commissioner of banks, referred to in Minnesota Statutes, Chapters 46 to 59, as the commissioner, is vested with all the powers, authority, and privileges which, prior to the enactment of Laws 1909, Chapter 201, were conferred by law upon the public examiner, and he shall take over all duties in relation to state banks, savings banks, trust companies, savings associations, and other financial institutions within the state which, prior to the enactment of chapter 201, were imposed upon the public examiner. The commissioner of banks shall exercise a constant supervision, either personally or through the examiners herein provided for, over the books and affairs of all state banks, savings banks, trust companies, savings associations, and other financial institutions doing business within this state; and shall, through examiners, examine at least once in every 18 month period the state banks and savings

banks as are also subject to annual examinations by the federal deposit insurance corporation or the federal reserve bank. If any state bank or savings bank is not examined by one of these federal agencies annually, the commissioner shall examine the bank or savings bank, so that the bank or savings bank is examined at least once annually by either one of these federal agencies or the commissioner. Trust companies, savings associations, credit unions, industrial loan and thrift companies and other financial institutions shall be examined once a year. With the exception of industrial loan and thrift companies which do not have deposit liabilities and small loan companies, it shall be the principal purpose of these examinations to inspect and verify the assets and liabilities of each and so far investigate the character and value of the assets of each such institution as to determine with reasonable certainty that the values are correctly carried on its books. Assets and liabilities shall be verified in accordance with methods of procedure which the commissioner may determine to be adequate to carry out the intentions of this section. None of the above provisions shall limit limits the commissioner in making additional examinations as he deems necessary or advisable. He shall investigate the methods of operation and conduct of these institutions and their systems of accounting, to ascertain whether these methods and systems are in accordance with law and sound banking principles. He may make such requirements as to records as he deems necessary to facilitate the carrying out of his duties and to properly protect the public interest. He may examine, or cause to be examined by these examiners, on oath, any officer, director, trustee, owner, agent, clerk, customer, or depositor of any such financial institution touching the affairs and business thereof, and may issue, or cause to be issued by the examiners, subpoenas, and administer, or cause to be administered by the examiners, oaths. In case of any refusal to obey any subpoena issued by him or under his direction, the refusal may at once be reported to the district court of the district in which the bank or other financial institution is located, and this court shall enforce obedience to these subpoenas in the manner provided by law for enforcing obedience to subpoenas of the court. In all matters relating to his official duties, the commissioner of banks has the power possessed by courts of law to issue subpoenas and cause them to be served and enforced, and all officers, directors, trustees, and employees of state banks, savings banks, trust companies, savings associations, and other financial institutions within the state, and all persons having dealings with or knowledge of the affairs or methods of these institutions, shall afford reasonable facilities for these examinations, make such returns and reports to the commissioner of banks as he may require; attend and answer, under oath, his lawful inquiries; produce and exhibit such any books, accounts, documents, and property as he may desire to inspect, and in all things aid him in the performance of his duties.

Subd. 2. With respect to specific transactions between a bank holding company and a state bank affiliate, the commissioner of banks shall have the authority to examine the records of such holding company that directly pertain to such transactions to the

same extent such holding company were a state bank or trust company. For purposes of this subdivision, a bank holding company is defined as a company registered as such with the Federal Reserve System pursuant to the Bank Holding Company Act of 1956, as amended.

Sec. 2. Minnesota Statutes 1978, Section 46.24, is amended to read:

46.24 [CEASE AND DESIST PROCEEDINGS; INJUNCTIVE RELIEF.] Subdivision 1. **[NOTICE OF CHARGES, ISSUANCE, CONTENTS; HEARING; CEASE AND DESIST ORDER, ISSUANCE, SERVICE, CONTENTS.]** If in the opinion of the commissioner any institution or a director, officer, employee, agent or other person participating in the conduct of the affairs of the institution is engaging, or has engaged, or the commissioner has reasonable cause to believe that the institution is about to engage, in an unsafe or unsound practice in conducting the business of such institution or is violating, has violated, or the commissioner has reasonable cause to believe that the institution or a director, officer, employee, agent or other person participating in the conduct of the affairs of the institution is about to violate a law or rule, or a condition imposed in writing by the commissioner in connection with the granting of any application or other request by the institution or any written agreement entered into with the commissioner, the commissioner may issue and serve upon the institution or director, officer, employee, agent or other person, a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged unsafe or unsound practice or violation, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the institution or a director, officer, employee, agent or other person participating in the conduct of the affairs of the institution. The hearing shall be not earlier than 10 days nor later than 30 days after service of the notice unless an earlier or a later date is set by the commissioner at the request of the institution any party so served. Unless the institution appears party or parties so served appear at the hearing by a duly authorized representative, it they shall be are deemed to have consented to the issuance of the cease and desist order. In the event of such consent, or if upon the record made at any such hearing the commissioner finds that any unsafe or unsound practice or violation specified in the notice of charges has been established, the commissioner may issue and serve upon the institution or a director, officer, employee, agent or other person participating in the conduct of the affairs of the institution an order to cease and desist from any such the practice or violation. By provisions which may be mandatory or otherwise, the order may require the institution and or its directors, trustees, officers, employees and, agents and other persons participating in the conduct of the affairs of the institution to cease and desist from the same and to take affirmative action to correct the conditions resulting from any such the practice or violation.

Subd. 2. **[EFFECTIVE DATE.]** A cease and desist order shall become is effective at the expiration of 30 days after the service of

the order upon the institution or other person concerned, except in the case of an order issued upon consent which shall become effective at the time specified therein, and shall remain remains effective and enforceable as provided therein, except to the extent it is stayed, modified, terminated or set aside by the action of the commissioner or a reviewing court.

Subd. 3. [TEMPORARY CEASE AND DESIST ORDERS.]

(1) Whenever the commissioner of banks determines that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the institution or a director, officer, employee, agent, or other person participating in the conduct of the affairs of the institution pursuant to subdivision 1, or the continuation thereof, is likely to cause insolvency or substantial dissipation of assets or earnings of the institution, or is likely to seriously weaken the condition of the institution or otherwise seriously prejudice the interests of the institution's depositors prior to the completion of the proceedings conducted pursuant to subdivision 1, the commissioner may issue a temporary order requiring the institution or a director, officer, employee, agent, or other person to cease and desist from the violation or practice and to take affirmative action to prevent insolvency, dissipation, condition, or prejudice pending completion of the proceedings. The order becomes effective upon service upon the institution or a director, officer, employee, agent, or other person participating in the conduct of the affairs of the institution and, unless set aside, limited, or suspended by a court in proceedings authorized by clause (2), remains effective and enforceable pending the completion of the administrative proceedings pursuant to the notice and until the time the commissioner dismisses the charges specified in the notice, or if a cease and desist order is issued against the institution or a director, officer, employee, agent or other person, until the effective date of the order.

(2) Within ten days after the institution concerned or a director, officer, employee, agent, or other person participating in the conduct of the affairs of the institution has been served with a temporary cease and desist order, the institution or a director, officer, employee, agent, or other person may apply to the appropriate district court for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of the order pending the completion of the administrative proceedings pursuant to the notice of charges served upon the institution or a director, officer, employee, agent, or other person under subdivision 1, and the court has jurisdiction to issue an injunction.

Sec. 3. Minnesota Statutes 1978, Chapter 47, is amended by adding a section to read:

[47.202] [COMMISSIONER'S REPORT ON FEDERAL PRE-EMPTION.] *The commissioner shall, in his next annual report to the legislature, as required by section 47.20, subdivision 12, include an analysis of the effect of the provisions of P. L. 96-211, Title V, Part A on real estate lending in Minnesota.*

Sec. 4. Minnesota Statutes 1978, Chapter 47, is amended by adding a section to read:

[47.203] [FEDERAL PREEMPTION OVERRIDE.] *The provisions of P. L. 96-211, Title V, Part A, Section 501 (a) (1), do not apply with respect to a loan, mortgage, credit sale or advance made in this state after the effective date of this section, nor with respect to a loan, mortgage, credit sale or advance secured by real property located in this state and made after the effective date of this section.*

Sec. 5. [EFFECTIVE DATE.] *Section 4 is effective December 31, 1981.*"

Delete the title and insert:

"A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; requiring commissioner to report on federal usury preemption; amending Minnesota Statutes 1978, Section 46.24; Chapter 47, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 46.04."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Robert L. Ellingson, Kathleen A. Blatz

Senate Conferees: (Signed) William P. Luther, Jim Nichols, Harmon T. Ogdahl

Mr. Luther moved that H. F. No. 2268 and the Conference Committee report be laid on the table. The motion prevailed.

RECESS

Mr. Coleman 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 Reports of Committees.

REPORTS OF COMMITTEES

APPOINTMENTS

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

S. F. No. 2104: Messrs. Tennessen; Ulland, J. and Lessard.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

SPECIAL ORDER

H. F. No. 1507: A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1978, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; and 638.08; repealing Minnesota Statutes 1978, Section 7.07.

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	Hanson	Luther	Purfeerst	Stokowski
Barrette	Hughes	Menning	Renneke	Strand
Bernhagen	Humphrey	Merriam	Rued	Stumpf
Brataas	Johnson	Moe	Schaaf	Tenneesen
Davies	Kirchner	Nelson	Schmitz	Ueland, A.
Dieterich	Kleinbaum	Nichols	Setzepfandt	Ulland, J.
Dunn	Knaak	Olhoff	Sieloff	Vega
Engler	Knoll	Olson	Sikoraki	Wegener
Frederick	Knutson	Omann	Spear	Willet
Gearty	Laufenburger	Penny	Staples	
Gunderson	Lessard	Peterson	Stern	

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 that the House has adopted the recommendation and report of the Conference Committee on House File No. 1813 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1813 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 11, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1813

A bill for an act relating to public finance; authorizing the issuance of Minnesota state railroad assistance bonds; appropriating money; amending Minnesota Statutes 1978, Chapter 222, by adding a section.

April 9, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1813, 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. 1813 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [RAILROAD ASSISTANCE; APPROPRIATION.] The sum of \$13,500,000 is appropriated from the state building fund to the rail service improvement account in the special revenue fund, to be expended by the commissioner of transportation for the purposes specified in Minnesota Statutes, Sections 222.49 to 222.62.

Sec. 2. [BOND SALE; DEBT SERVICE.] Subdivision 1. To provide the money appropriated in this act from the state building fund the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$13,500,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, Sections 16A.63 to 16A.67 and by the Constitution, Article XI, Sections 4 to 7."

Delete the title and insert:

"A bill for an act relating to transportation; appropriating money for rail service improvement; authorizing issuance of state bonds."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Bruce Anderson, Steve A. Sviggum, Gordon O. Voss

Senate Conferees: (Signed) Timothy J. Penny, Franklin J. Knoll, Emery Barrette

Mr. Penny moved that the foregoing recommendations and Conference Committee Report on H. F. No. 1813 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. 1813 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 2, as follows:

Those who voted in the affirmative were:

Ashbach	Gunderson	Lessard	Peterson	Staples
Bang	Hanson	Luther	Purfeerst	Stern
Barrette	Humphrey	Menning	Renneke	Stokowski
Bernhagen	Johnson	Merriam	Rued	Strand
Davies	Keefe, J.	Nelson	Schaaf	Tennessee
Dieterich	Keefe, S.	Nichols	Schmitz	Ueland, A.
Dunn	Kirchner	Olhoff	Setzepfandt	Ulland, J.
Engler	Kleinbaum	Olson	Sieloff	Vega
Frederick	Knaak	Omann	Sikorski	Wegener
Gearty	Knoll	Penny	Spear	Willet

Mrs. Brataas and Mr. Knutson 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

Mr. Luther moved that H. F. No. 2268 and the Conference Committee report be taken from the table. The motion prevailed.

H. F. No. 2268: A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; requiring commissioner to report on federal usury preemption; amending Minnesota Statutes 1978, Section 46.24; Chapter 47, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 46.04.

Mr. Luther moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2268 be now adopted, and that the bill be repassed as amended by the Conference Committee.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 30 and nays 24, as follows:

Those who voted in the affirmative were:

Barrette	Humphrey	Merriam	Penny	Stokowski
Coleman	Johnson	Moe	Peterson	Strand
Davies	Keefe, S.	Nelson	Sikorski	Stumpf
Gearty	Knoll	Nichols	Spear	Tennessee
Hanson	Luther	Ogdahl	Staples	Vega
Hughes	Menning	Olhoft	Stern	Willet

Those who voted in the negative were:

Ashbach	Frederick	Knutson	Purfeerst	Solon
Bernhagen	Gunderson	Laufenburger	Renneke	Ueland, A.
Brataas	Kirchner	Lessard	Rued	Ulland, J.
Dunn	Kleinbaum	Olson	Schmitz	Wegener
Engler	Knaak	Omann	Setzepfandt	

The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2268 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 38 and nays 23, as follows:

Those who voted in the affirmative were:

Bang	Humphrey	Merriam	Peterson	Stokowski
Barrette	Johnson	Moe	Schaaf	Strand
Coleman	Keefe, S.	Nelson	Sieloff	Stumpf
Davies	Knoll	Nichols	Sikorski	Tennessee
Dieterich	Lessard	Ogdahl	Solon	Vega
Gearty	Luther	Olhoft	Spear	Willet
Hanson	McCutcheon	Penny	Staples	
Hughes	Menning	Perpich	Stern	

Those who voted in the negative were:

Aahbach	Frederick	Knaak	Purfeerst	Ueland, A.
Bernhagen	Gunderson	Knutson	Renneke	Ulland, J.
Brataas	Keefe, J.	Laufenburger	Rued	Wegener
Dunn	Kirchner	Olson	Schmitz	
Engler	Kleinbaum	Omann	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. 1302 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1302 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 11, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1302

A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.

April 11, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 1302, 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. 1302 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 48.19, Subdivision 1, is amended to read:

48.19 [LOANS ON REAL ESTATE RESTRICTED.] Subdivision 1. [RESTRICTIONS; EXCEPTION.] No bank or trust company shall make any loan upon the security of real estate unless it is a first lien thereon, except that a bank or trust company may take a junior lien: (a) upon real estate to secure a loan previously contracted; or (b) upon farm real estate to secure a loan made to a farmer who resides in a county which due to weather conditions is a declared federal disaster area at the time the loan contract is signed; or (c) upon real estate to secure a loan if the total unpaid

aggregate of all outstanding liens against the same real estate does not exceed 80 percent of its appraised value. Before any such loans are made the value of the real estate shall be determined by an appraisal made by a committee appointed by the board of directors, which appraisal shall be made a matter of record; except that the board may accept an appraisal made by or for an agency of the United States government when such agency is guaranteeing or insuring the loan or any part thereof.

A bank may take additional liens on the same security and these shall be considered to be part of the same mortgage lien thereon providing it has been established that there are no intervening liens.

Loans in which the small business administration cooperates through agreements to participate on an immediate or deferred basis under the federal small business act or loans or obligations secured or guaranteed by the United States or any department, bureau, board, commission, or establishment of the United States, including any corporation wholly owned directly or indirectly by the United States, shall not be subject to the restrictions or limitations of this section imposed upon loans secured by real estate.

Sec. 2. Minnesota Statutes 1978, Section 50.17, Subdivision 5, is amended to read:

Subd. 5. (1) Class four shall be:

(a) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate, whether in fee or in a leasehold of a duration not less than ten years beyond the maturity of the loan, in any state of the United States, worth at least twice the amount loaned thereon;

(b) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) where *such the* notes or bonds do not exceed 80 percent of the appraised value of the security for the same, provided that *such the* notes or bonds are payable in installments aggregating not less than five percent of the original principal *per annum a year* in addition to the interest; or, are payable on a regular amortization basis in equal installments including principal and interest, *such these* instalments to be payable monthly in *such* amounts that the debt will be fully paid in not to exceed 30 years if the security is non-agricultural real estate, and *such these* instalments to be payable annually or semi-annually in *such* amounts that the debt will be fully paid in not to exceed 25 years if the security is agricultural real estate. A construction loan *shall be is* deemed amortized as required by this clause if the first instalment thereon *shall be is* payable not later than 18 months after the date of the first advance in the case of residential construction or not later than 36 months after the date of the first advance in the case of nonresidential construction; and

(c) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) which are in an original principal amount of \$100,000 or more and which do not

exceed 95 percent of the appraised value of the security for the same which may be payable in such *the* manner as the trustees of the bank shall prescribe, provided that construction loans made by a savings bank pursuant to this clause (1) (c) shall do not exceed in the aggregate five percent of the assets of the savings bank.

(2) Class four investments shall be made only on report of a committee directed to investigate the same and report its value, according to the judgment of its members, and its report shall be preserved among the bank's records.

(3) Notwithstanding anything to the contrary in clause (1) (b), a mutual savings bank organized under the laws of this state may invest in notes or bonds secured by mortgages or trust deed where such *the* notes or bonds do not exceed 95 percent of the appraised value of the security for the same. Except as modified herein, the other provisions of clause (1) (b) shall apply.

(4) For purposes of this subdivision, real estate shall be is deemed unencumbered if the only existing mortgage or lien against the real estate is a first mortgage lien in favor of the savings bank making a second mortgage loan or if *the total unpaid aggregate of all outstanding liens against the same real estate does not exceed 80 percent of its appraised value.*

Sec. 3. Minnesota Statutes 1978, Chapter 47, is amended by adding a section to read:

[47.202] [COMMISSIONER'S REPORT ON FEDERAL PRE-EMPTION.] *The commissioner of banks shall, in his next annual report to the legislature, as required by section 47.20, subdivision 12, include an analysis of the effect of the provisions of P. L. 96-211, Title V, Part A on real estate lending in Minnesota.*

Sec. 4. Minnesota Statutes 1978, Chapter 47, is amended by adding a section to read:

[47.203] [FEDERAL PREEMPTION OVERRIDE.] *The provisions of Pub. L. 96-211, Title V, Part A, Section 501 (a) (1), do not apply with respect to a loan, mortgage, credit sale or advance made in this state after the effective date of this section, nor with respect to a loan, mortgage, credit sale or advance secured by real property located in this state and made after the effective date of this section.*

Sec. 5. Minnesota Statutes 1978, Section 168.72, is amended to read:

168.72 [TIME PRICE DIFFERENTIALS.] *Subdivision 1. [MOTOR VEHICLES.] (a) The time price differential authorized by sections 168.66 to 168.77 in a retail installment sale shall not exceed the following rates:*

Class 1. Any motor vehicle designated by the manufacturer by a year model of the same or not more than one year prior to the year in which the sale is made — \$8 per \$100 per year.

Class 2. Any motor vehicle designated by the manufacturer by a

year model of two or three years prior to the year in which the sale is made — \$11 per \$100 per year.

Class 3. Any motor vehicle not in Class 1 or Class 2 — \$13 per \$100 per year plus a flat charge of \$3 for each such retail installment sale.

(b) ~~Such~~ *The* time price differential shall be computed on the principal balance as determined under section 168.71(b) and shall be computed at the rate indicated on contracts payable in successive monthly installment payments substantially equal in amount extending for a period of one year. On contracts providing for installment payments extending for a period less than or greater than one year, the time price differential shall be computed proportionately.

(c) When a retail installment contract provides for unequal or irregular installment payments, the time price differential shall be ~~is~~ at the effective rate provided in subsection (a) hereof, having due regard for the irregular schedule of payment.

(d) The time price differential ~~shall be~~ *is* inclusive of all charges incident to investigating and making the contract, and for the extension of the credit provided for in the contract and no fee, commission, expense or other charge whatsoever shall be taken, received, reserved or contracted for except as provided in sections 168.66 to 168.77.

Subd. 2. [MOBILE HOMES.] (a) Notwithstanding any other law to the contrary the time price differential authorized by sections 168.66 to 168.77 in a retail installment sale of a mobile home, as defined in section 168.011, subdivision 8, shall not exceed 12 percent per year or at a rate of not more than 4-½ percent in excess of the discount rate on 90 day commercial paper in effect at the Federal Reserve bank in the Federal Reserve district encompassing Minnesota, whichever is greater.

(b) This subdivision supersedes the provisions of subdivision 3 for purposes of determining the lawful time price differential in a retail installment sale of a mobile home if the sale is made between the effective date of this subdivision and July 31, 1983.

Subd. 3. A sale of a mobile home made after July 31, 1983, is governed by the provisions of subdivision 1 for purposes of determining the lawful time price differential rate. A retail installment sale of a mobile home that imposes a time price differential rate that is greater than the rate permitted by this subdivision is lawful and enforceable in accordance with its terms until the indebtedness is fully satisfied if the rate was lawful when the sale was made.

Sec. 6. Minnesota Statutes 1978, Section 550.37, is amended by adding a subdivision to read:

Subd. 21. Rights of action for injuries to the person of the debtor or of a relative whether or not resulting in death.

Sec. 7. Minnesota Statutes 1978, Section 550.37, is amended by adding a subdivision to read:

Subd. 22. The debtor's aggregate interest not to exceed in value \$4,000 in any accrued dividend or interest under or loan value of any unmaturing life insurance contract owned by the debtor under which the insured is the debtor or an individual of whom the debtor is a dependent.

Sec. 8. Minnesota Statutes 1978, Section 550.37, is amended by adding a subdivision to read:

Subd. 23. The debtor's right to receive a payment under a stock bonus, pension, profit sharing, annuity, or similar plan or contract on account of illness, disability, death, age, or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor.

Sec. 9. [REPEALER.] *Minnesota Statutes, 1979 Supplement, Section 48.185, Subdivision 2, is repealed.*

Sec. 10. [REPEALER.] *Section 5, subdivision 2 is repealed effective July 31, 1983.*

Sec. 11. [EFFECTIVE DATES.] *Sections 1, 2, 3, 5, subdivisions 1 and 3, 6, 7, 8 and 9 are effective the day following final enactment. Section 4 is effective December 31, 1981."*

Delete the title and insert:

"A bill for an act relating to commerce; permitting banks, trust companies and mutual savings banks to take junior liens under certain circumstances; requiring availability of bank ownership information; requiring the commissioner of banks to report on federal usury preemption; providing a federal preemption override; establishing certain time price differentials on retail installment sales of mobile homes; exempting certain insurance contracts, employee benefits and rights of action from garnishment or attachment; amending Minnesota Statutes 1978, Sections 48.19, Subdivision 1; 50.14, Subdivision 5; and 168.72; 550.37, by adding subdivisions; and Chapter 47, by adding sections; repealing Minnesota Statutes, 1979 Supplement, Section 48.185, Subdivision 2."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Robert L. Ellingson, Ann Wynia, Kathleen A. Blatz

Senate Conferees: (Signed) Otto T. Bang Jr., Roger Laufenberger, Douglas J. Johnson

Mr. Bang moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1302 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. 1302 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 0, as follows:

Those who voted in the affirmative were:

Bang	Hughes	Luther	Renneke	Stumpf
Barrette	Humphrey	Menning	Rued	Tennessee
Bernhagen	Johnson	Merriam	Schaaf	Ueland, A.
Brataas	Keefe, J.	Moe	Schmitz	Ulland, J.
Coleman	Kirchner	Olhoft	Setzepfandt	Vega
Davies	Kleinbaum	Olson	Sieloff	Wegener
Dieterich	Knaak	Omann	Solon	Willet
Dunn	Knoll	Penny	Staples	
Frederick	Knutson	Perpich	Stern	
Gearty	Laufenburger	Peterson	Stokowski	
Hanson	Lessard	Purfeerst	Strand	

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 Senate File No. 2085 and repassed said bill in accordance with the report of the Committee, so adopted.

S. F. No. 2085: A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.111; 43.18, Subdivision 4; 43.19, Subdivision 1; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivisions 7 and 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.

Senate File No. 2085 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 1980

MOTIONS AND RESOLUTIONS—CONTINUED

S. F. No. 74 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S. F. NO. 74

A bill for an act relating to elections; allowing post-election challenges to absent voters; permitting certain challenges of voters in an election contest; establishing conditions for compelling voters to disclose the manner in which they voted; clarifying and simplifying the procedures for instituting an election contest; extending the deadline for instituting an election contest after a general election; amending Minnesota Statutes 1978, Sections 204A.32, Subdivision 4; 209.02, Subdivisions 3, 4 and 4a; 209.06, Subdivision 2; and Chapter 209, by adding a section.

April 11, 1980

The Honorable Edward J. Gearty
President of the Senate

The Honorable Fred C. Norton
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 74, report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and the bill be further amended as follows:

Delete everything after the enacting clause and insert:

“ARTICLE I

Section 1. Minnesota Statutes 1978, Section 204A.32, Subdivision 4, is amended to read:

Subd. 4. [CHALLENGE OF VOTER; DISPOSITION OF BALLOTS.] At any time before the ballots of any voter are deposited in the ballot boxes, the judges or, any person who was not present at the time the voter procured the ballots, but not otherwise, authorized challenger or other voter may challenge the qualifications of that voter and the deposit of any received absentee ballots in the ballot boxes. The judges shall determine the qualifications of any voter who is present in the polling place in the manner provided in section 204A.39, and if the voter is found to be disqualified, shall place the ballots of that voter unopened among the spoiled ballots. The judges shall determine whether to receive or reject the ballots of an absent voter and whether to deposit received absentee ballots in the ballot boxes in the manner provided in sections 207.11, 207.24 and 207.25, and shall dispose of any absentee ballots not received or deposited in the manner provided in section 207.11.

Sec. 2. Minnesota Statutes 1978, Section 209.02, Subdivision 3, is amended to read:

Subd. 3. [NOTICE OF CONTEST, FILING, SERVICE.] The notice of contest shall be filed within seven *ten* days after the

canvass is completed, except that if the contest relates to a primary election, the time for filing the notice of contest shall be limited to five days. Within the same period copies thereof ~~the contestant shall be served~~ *serve one copy of the notice* upon the candidate whose election is ~~contested~~ *contestee* and, *if the contestee is a candidate*, upon the official authorized to issue the candidate's notice of nomination or certificate of election. *When the contest relates to the nomination or election of a candidate, that candidate shall be designated the contestee.* When the contest relates to a constitutional amendment or other question to be voted for statewide or to a question to be voted for in more than one county, the secretary of state shall be designated the contestee, and a copy of the notice of contest shall be served upon him within seven days, or five days in the case of a primary, after the canvass is completed. When the contest relates to a question that affects a single county or a single municipality, the county auditor or the clerk of the municipality, as the case may be, shall be designated the contestee, and a copy of the notice of contest shall be served upon him within seven days, or five days in the case of a primary, after the canvass is completed. In all cases where the contest relates to an irregularity in the conduct of the election or canvass of votes a copy of the notice of contest shall also be served within seven *ten* days, or five days in the case of a primary, after the canvass is completed upon the county auditor of the county in which the irregularity is *said alleged* to have existed.

Sec. 3. Minnesota Statutes 1978, Section 209.02, Subdivision 4, is amended to read:

Subd. 4. [NOTICE OF CONTEST, HOW SERVED.] Service of the notice of contest shall be made in the same manner as provided for the service of summons in civil actions. ~~In all cases two copies of the notice shall be furnished the official authorized to issue the certificate of election to the time of service upon him, and the official shall send one copy thereof by certified mail to the contestee at his last known address.~~ *If the sheriff contestant is unable to make personal or substituted service upon the contestee, then the contestant's affidavit of the sheriff to that effect and the an affidavit of the official authorized to issue the certificate of election that he sent a copy to the contestee by certified mail to his the contestee's last known address shall be sufficient to confer jurisdiction upon the proper court to hear and determine the contest. The affidavits shall be made and filed with the court within the period for filing the notice of contest as provided in subdivision 3.*

Sec. 4. Minnesota Statutes 1978, Section 209.02, Subdivision 4a, is amended to read:

Subd. 4a. [NOTICE OF CONTEST, CERTAIN LEGISLATIVE CONTESTS, HOW SERVED.] In legislative contests, notice of contest shall be filed and served as provided in subdivisions 2 to 4, ~~except that the clerk of district court with whom the notice, and answer, if any, has been filed.~~ *In addition, but not as a jurisdictional requirement, the contestant shall, within three*

days of receipt of each filing the notice, submit by certified mail one copy thereof to the chief justice of the supreme court. Upon receipt of the notice of contest, the chief justice shall, within five days, submit to the parties a list of all the district judges in the state, having stricken any judges involved in a trial with which serving as judge in the election contest would interfere and having stricken the name of any judge whose health precludes service as judge in the election contest. The parties shall within two days after receiving the list of judges meet together and, in cases where an unfair campaign practice is alleged, by alternating strikes remove the names of all judges until but one remains who shall then proceed to hear the contest in the manner provided in section 209.10. In cases where no unfair campaign practice is alleged, the parties shall follow the same procedure using only the names of judges of the judicial district or districts covering the area served by the contested office. The judge shall, within 15 days after notice has been filed, convene at an appropriate place within the county, or, if the district includes all or portions of more than one county, a county within the legislative district and hear testimony of the parties, under the ordinary rules of evidence for civil actions. If the contestant does not proceed within the time provided for herein his action shall be dismissed and the judge shall transmit a copy of his order for dismissal to the chief clerk of the house of representatives or the secretary of the senate, as appropriate.

Sec. 5. Minnesota Statutes 1978, Chapter 209, is amended by adding a section to read:

[209.055] [CHALLENGE OF BALLOT BASED ON VOTER'S ACTS; VOTER'S PRIVILEGE TO SECRECY OF BALLOT.]
A party to a contest of an election may challenge the counting of any ballot cast at that election on the grounds that the voter who cast the ballot was not eligible to vote or that the voter did not comply with a provision of law requisite to the casting or counting of the ballot. If a challenge on these grounds is sustained, the voter shall not be compelled to reveal how he voted in the contested election unless the party seeking to compel the testimony shows that the voter:

(a) Cast the ballot knowing that he was not an eligible voter or knowing that he was not a resident of the precinct in which he voted; or

(b) Knowingly violated a provision of law requisite to the casting or counting of the ballot.

A voter may waive the right not to disclose how he voted.

Sec. 6. Minnesota Statutes 1978, Section 209.06, Subdivision 2, is amended to read:

Subd. 2. [RECOUNT, BOND, TAXING OF COSTS.] The party applying for the inspection shall file with the clerk of district court a bond, *cash or surety* in the sum of \$250 if the contest be within a single county; otherwise the bond shall be in a sum to be fixed by the court in its discretion, with such sureties as shall

be approved by the court, and conditioned that he will pay the costs and expenses of such in case he fails to maintain his contest. If the contestee succeeds, costs of the contest shall be taxed against the contestant. If the contestant succeeds, costs of the contest shall be taxed against the contestee, except that if the contestee loses because of an error in the counting of ballots or canvass of the returns or by reason of any other irregularity in the election procedure, costs shall be taxed, in the discretion of the judge, upon those municipalities responsible for errors which resulted in the reversal of the prior results of the election.

ARTICLE II

Section 1. Minnesota Statutes 1978, Chapter 205, is amended by adding a section to read:

[205.201] [FIRST CLASS CITIES; ELECTION DAY.] *The regular election of all elected officers of a city of the first class, including city council members, the mayor, elected members of city boards and commissions, and the board members of any school district principally situated in a city of the first class, shall be held on the first Tuesday after the first Monday in November in odd-numbered years. A primary election shall be held six weeks before the regular election day. No primary shall be held to select candidates for any nonpartisan office when only two persons file for nomination for that office, or when not more than twice the number of persons to be elected file for nomination for that office. The time for the filing of any affidavit, application, petition or other document required to place the name of any person on the ballot for election to any office to be filled as provided in this section shall commence 14 weeks before the day of the regular election and shall conclude 12 weeks before that day. Any general or special law or home rule charter provision inconsistent with the provisions of this section is superseded to the extent that it is inconsistent with those provisions.*

Sec. 2. Minnesota Statutes 1978, Section 123.51, is amended to read:

123.51 [SPECIAL SCHOOL DISTRICTS, LAWS APPLICABLE.] *Special districts as now organized shall continue to operate under the special legislation and charter provisions governing them until conversion to independent districts. The provisions of Laws 1957, Chapter 947, relating to independent districts shall apply to and govern each special district unless the special laws and charter provisions governing the special district provide for the matter, in which case the special laws and charter provisions relating to the special district shall apply and control. The provisions of article II, section 1 shall control and shall supersede inconsistent provisions of special laws or charters in the matter of school district elections in special districts principally situated in cities of the first class.*

Sec. 3. Minnesota Statutes 1978, Section 410.21, is amended to read:

410.21 [APPLICATION OF GENERAL ELECTION LAWS.] *Except as provided otherwise in article II, section 1, the provisions of any charter of any such city adopted pursuant to this chapter shall be valid and shall control as to nominations, primary elections, and elections for municipal offices, notwithstanding that such charter provisions may be inconsistent with any general law relating thereto, and such general laws shall apply only in so far as consistent with such charter.*

Sec. 4. Notwithstanding any provisions of law to the contrary, article II, sections 1 and 2 apply to the city of South St. Paul and to the special school district principally situated in South St. Paul. This section is effective upon approval by the city council of South St. Paul and the school board of the special school district in South St. Paul and upon compliance with Minnesota Statutes 1978, Section 645.021.

Sec. 5. [ADJUSTMENT OF TERMS; CITY OF SAINT PAUL; REFERENDUM.] *The city councils of the cities of St. Paul and South St. Paul by ordinance may extend the terms of all officers of those cities who will be elected at the regular city election in 1980 to the first business day in January of 1984. If adopted, the ordinance shall be placed on the city ballot at the regular city election in 1980 and shall be effective upon approval by a majority of those voting on the question at that election. The terms of all officers of the school district principally situated in the city of St. Paul and the school district principally situated in the city of South St. Paul who are elected at the regular city election in 1980 shall be extended in the same manner as the terms of city officers if an ordinance concerning the terms of city officers is adopted and approved by the respective cities as provided in this subdivision. If an ordinance is adopted and approved as provided in this subdivision, all regular St. Paul and South St. Paul city elections beginning in 1983 shall be held as provided in article II, section 1. If an ordinance is not adopted and approved as provided in this subdivision, the terms of all officers described in article II, section 1 who are elected at the regular city election in 1980, including the officers of the school district principally situated in the city of St. Paul and the school district principally situated in the city of South St. Paul, shall be on the first business day in January of 1982, and the regular St. Paul and South St. Paul city elections beginning in 1981 shall be held as provided in article II, section 1.*

ARTICLE III

Section 1. *Minnesota Statutes 1978, Chapter 210A, is amended by adding a section to read:*

[210A.192] [CAMPAIGN FUNDS; MISUSE.] *Subdivision 1. [DEFINITION.] Campaign funds are property entrusted to a person or put in that person's charge to be used to influence an election or elections or to influence public opinion on a public issue or issues.*

Subd. 2. [PROHIBITED USES OF CAMPAIGN FUNDS.] *The use of campaign funds is prohibited except:*

- (1) For political purposes permitted by section 210A.16;
- (2) For influencing public opinion on a public issue or issues;
- (3) For expenses incurred in connection with an election contest brought pursuant to chapter 209;
- (4) For returning funds to the persons from whom they were received; or
- (5) For expenses to assist a candidate who is elected to office to carry out the duties of that office, including services to constituents.

Subd. 3. [RESTITUTION.] A person who violates subdivision 2 shall make restitution to the general account established by section 10A.30, subdivision 2, in an amount equal to the amount of campaign funds involved in the violation of that subdivision.

Subd. 4. [COMMINGLING OF CAMPAIGN FUNDS PROHIBITED.] Campaign funds shall not be commingled with other funds. Campaign funds intentionally commingled or which remain commingled for longer than 30 days, whether or not intentionally commingled, forfeit to the general account established by section 10A.30, subdivision 2.

Subd. 5. [FUNDS NOT SPENT FORFEITED.] Campaign funds not expended, determined by first in-first out accounting, within six years from December 31 of the year received forfeit to the general account established by section 10A.30, subdivision 2.

Sec. 2. Minnesota Statutes 1978, Section 210A.19, Subdivision 1, is amended to read:

210A.19 [UNLAWFUL EXPENDITURES; PENALTY.] Subdivision 1. [TREATING BY CANDIDATES PROHIBITED.] Every person or candidate for nomination or election to a public office, who, either by himself or by any other person, directly or indirectly, gives, provides, or pays wholly or in part, or promises to pay wholly or in part, the expenses of giving or providing any meat, drink, or other entertainment or provisions, clothing, liquors, cigars or tobacco to or for any person for the purpose of or with the intent to influence that person or any other person to give or refrain from giving his vote at the primary or election to or for any candidate or measure before the people shall be guilty of a misdemeanor. This subdivision shall not be construed to prohibit the payment of any compensation, either monetary or in kind, for personal services rendered to a candidate to influence the election of that candidate.

ARTICLE IV

Section 1. Minnesota Statutes 1978, Section 10A.25, Subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expendi-

tures and approved expenditures result in an aggregate amount in excess of the following:

(a) For governor and lieutenant governor, running together, 12½ cents per capita or \$600,000 whichever is greater;

(b) For attorney general, 2½ cents per capita or \$100,000 whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1¼ cents per capita or \$50,000 whichever is greater;

(d) For state senator, 20 cents per capita or \$15,000 \$20,000, whichever is greater;

(e) For state representative, 20 cents per capita or \$7,500 \$10,000, whichever is greater.

Sec. 2. Article IV, section 1 is effective the day following its final enactment."

Amend the title by deleting it in its entirety and inserting:

"A bill for an act relating to elections; allowing post-election challenges to absent voters; permitting certain challenges of voters in an election contest; establishing conditions for compelling voters to disclose the manner in which they voted; clarifying and simplifying the procedures for instituting an election contest; extending the deadline for instituting an election contest after a general election; providing for the election days of certain first class cities and school districts principally situated in those cities; providing the city and school district election day for South St. Paul and the school district located in South St. Paul; providing for extension or reduction of the terms of certain elected officials; 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; regulating campaign financing; increasing certain expenditure limits; amending Minnesota Statutes 1978, Sections 10A.25, Subdivision 2; 123.51; 204A.32, Subdivision 4; 209.02, Subdivisions 3, 4 and 4a; 209.06, Subdivision 2; 210A.19, Subdivision 1; 410.21; and Chapters 205; 209; and 210A, by adding sections."

We request adoption of this report and repassage of the bill.

Senate Conferees: (Signed) Jack Davies, Steve Keefe

House Conferees: (Signed) C. Thomas Osthoff, Paul McCarron

Mr. Davies moved that the foregoing recommendations and Conference Committee Report on S. F. No. 74 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Mr. Coleman moved that the recommendations and Conference Committee Report on S. F. No. 74 be rejected and that the bill be re-referred to the Conference Committee as formerly constituted for further consideration.

The question was taken on the adoption of the motion of Mr. Coleman.

The roll was called, and there were yeas 40 and nays 18, as follows:

Those who voted in the affirmative were:

Ashbach	Gearty	Knaak	Olson	Setzepfandt
Bang	Hanson	Knutson	Omann	Sieloff
Barrette	Hughes	Laufenburger	Perpich	Solon
Bernhagen	Humphrey	Lessard	Peterson	Staples
Brataas	Johnson	McCutcheon	Purfeerst	Stokowski
Coleman	Keefe, J.	Moe	Renneke	Ueland, A.
Engler	Kirchner	Nelson	Rued	Ulland, J.
Frederick	Kleinbaum	Ogdahl	Schmits	Wegener

Those who voted in the negative were:

Anderson	Keefe, S.	Merriam	Sikorski	Vega
Davies	Knoll	Olhoff	Stern	Willet
Dieterich	Luther	Penny	Strand	
Gunderson	Menning	Schaaf	Tennessee	

The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

SUSPENSION OF RULES

Mr. Coleman moved that the rules of the Senate be so far suspended as to withdraw H. F. No. 2046 from the Subcommittee on Bill Scheduling and place H. F. No. 2046 on the Special Orders Calendar. The motion prevailed.

SPECIAL ORDER

H. F. No. 2046: A bill for an act establishing the Minnesota small business conference; providing for its organization, meetings and procedures; appropriating money.

Mr. Peterson moved that the amendment made to H. F. No. 2046 by the Committee on Rules and Administration in the report adopted April 1, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2046 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:

Anderson	Frederick	Laufenburger	Peterson	Strand
Ashbach	Gearty	Lessard	Renneke	Stumpf
Bang	Gunderson	Luther	Rued	Tennessee
Barrette	Hanson	Menning	Schaaf	Ueland, A.
Bernhagen	Humphrey	Merriam	Setzepfandt	Ulland, J.
Brataas	Johnson	Moe	Sieloff	Vega
Coleman	Keefe, J.	Olhoff	Sikorski	Wegener
Davies	Kirchner	Olson	Solon	Willet
Dieterich	Knaak	Omann	Staples	
Dunn	Knoll	Penny	Stern	
Engler	Knutson	Perpich	Stokowski	

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Mrs. Brataas was excused from the Session of today at 11:30 o'clock a.m. Mr. Spear was excused from the Session of today from 10:45 o'clock a.m. to 2:30 o'clock p.m. Mrs. Staples was excused from the Session of today from 9:00 to 9:45 o'clock a.m. Mr. Humphrey was excused from the Session of today from 9:00 to 9:45 o'clock a.m. Mr. Olhoft was excused from the Session of today from 6:15 to 10:00 o'clock p.m. Mr. Chmielewski was excused from the Session of today. Mr. Benedict was excused from the Session of today at 12:00 o'clock noon. Mr. Perpich was excused from the early part of today's Session and from 5:40 to 11:00 o'clock p.m. Mr. Jensen was excused from the Session of today. Messrs. Knutson; Renneke; Keefe, J.; Ulland, J. and Mrs. Knaak were excused from the Session of today from 5:30 to 6:15 o'clock p.m.

RECESS

Mr. Coleman 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.

SPECIAL ORDER

S. F. No. 2419: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; amending Minnesota Statutes, 1979 Supplement, Section 204A.23; Laws 1980, Chapters 341, Section 8; 345, Section 17; 357, Section 21; 358, Section 2; 361, Section 6; and 373, by adding a section; amending laws enacted at the 1980 regular session styled as S. F. No. 1865, by adding a section; S. F. No. 2117, Sections 1 and 2; H. F. No. 1710, Section 15; H. F. No. 1878, Section 8; and H. F. No. 1942, Section 3.

Mr. Davies moved to amend S. F. No 2419 as follows:

Page 1, after line 16, insert:

"Section 1. Minnesota Statutes 1978, Section 118.01, Subdivision 1, as amended by a law styled as S.F. No. 1132 enacted at the 1980 regular session is amended to read:

118.01 [DEPOSITORY BONDS.] Subdivision 1. Any bank, trust company or thrift institution authorized to do business in this state, designated as a depository of funds of a municipality, as provided by law may, in lieu of the corporate or personal surety bond required to be furnished to secure the funds, deposit with the custodian of the funds, the bonds or other interest bearing obligations, ~~except bonds secured by real estate, and obligations issued pursuant to chapter 474, as which~~ are legally authorized investments for savings banks under section 50.14, ~~except as otherwise provided by this subdivision.~~ or Notes secured by first mortgages of future maturity, upon which interest is not past due, on im-

proved real estate free from delinquent taxes, within the county wherein the depository is located, or within counties immediately adjoining the county in the state of Minnesota *may also be deposited with the custodian of the funds in lieu of the corporate or personal surety bond required to be furnished to secure the funds. Industrial revenue bonds or notes issued pursuant to chapter 474 or similar bonds or notes of other states, territories, or their municipal subdivisions or bonds secured by real estate may not be deposited with the custodian of the funds in fulfilling the requirement of this subdivision.*"

Page 3, after line 12, insert:

"Sec. 4. Minnesota Statutes, 1979 Supplement, Section 354.094, Subdivision 3, as amended by Laws 1980, Chapter 454, Section 4, is amended to read:

Subd. 3. A member on extended leave of absence pursuant to section 125.60 or section 1 who does not pay employee contributions into the fund in any year shall be deemed to cease to render teaching services beginning in that year for purposes of this chapter and may not pay employee contributions into the fund in any subsequent year of the leave. Nonpayment of employee contributions into the fund shall not affect the rights or obligations of the member or his employer under section 125.60 or section 1.

Sec. 5. Minnesota Statutes, 1979 Supplement, Section 354.66, Subdivision 2, as amended by Laws 1980, Chapter 454, Section 9, is amended to read:

Subd. 2. A teacher in the public elementary, secondary or area vocational-technical schools, in the community college system or the state university system of the state who has 20 years or more of allowable service or 20 years or more of full time teaching service in Minnesota public elementary, secondary and or area vocational-technical schools, *in the community college system or the state university system* may, by agreement with the board of the employing district, be assigned to teaching service within the district in a part time teaching position. "

Page 8, line 23, delete the quotation mark

Page 8, after line 23, insert:

"Sec. 12. Laws 1980, Chapter 485, Section 2, is amended to read:

[169.871] [CIVIL PENALTY.] Subdivision 1. The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed under sections 169.83 to 169.87 or a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit imposed under sections 169.83 to 169.87 is liable for a civil penalty as follows:

(a) If the total gross excess weight is not more than 2,000 pounds, one cent per pound for each pound in excess of the legal limit;

(b) If the total gross excess weight is more than 2,000 pounds but not more than 3,000 pounds, five cents per pound for each pound in excess of the legal limit;

(c) If the total gross excess weight is more than 3,000 pounds but not more than 5,000 pounds, 15 cents per pound for each pound in excess of the legal limit; or

(d) If the total gross excess weight is *more than* 5,000 pounds *or more*, 30 cents per pound for each pound in excess of the legal limit.

Any penalty imposed and fines collected pursuant to this subdivision shall be disposed of as provided in section 299D.03, subdivision 5, with the following exceptions:

(a) If the violation occurs in the county, the remaining five-eighths shall be credited to the highway user tax distribution fund.

(b) If the violation occurs within the municipality, and the city attorney prosecutes the offense, and a plea of not guilty is entered, the remaining one-third shall be paid to the highway user tax distribution fund."

Page 14, line 21, after the period, insert "*Unless otherwise provided within the section, each section of this act is effective on the effective date of the act amended by that section.*"

Page 14, after line 19, insert:

"Sec. 18. A law enacted at the 1980 regular session styled as H. F. No. 2028, Section 1, is amended in the second paragraph by deleting "another" and inserting "any".

Sec. 19. A law enacted at the 1980 regular session styled as H. F. No. 2045, Section 3, Subdivision 6, Clause (a), is amended in the first sentence by deleting "loan or business" and inserting "*or business loan*".

Sec. 20. A law enacted at the 1980 regular session styled as H. F. No. 1896 is amended by deleting section 1 and inserting:

Section 1. Minnesota Statutes 1978, Section 245.802, Subdivision 1 is amended to read:

245.802 [RULES; REGULATIONS.] Subdivision 1. The commissioner shall develop and promulgate rules and regulations pursuant to chapter 15 for the operation and maintenance of day care and residential facilities and agencies, and for granting, suspending, revoking, and making licenses probationary. In developing rules and regulations, he shall consult with:

(1) Other appropriate state agencies including, but not limited to, the state commissioner of health, the state board of education, and the fire marshal. Any agency consulted is directed to cooperate with and assist the commissioner in developing appropriate rules and regulations for the licensing of day care and residential facilities and agencies;

(2) Persons and the relatives of the persons who use the service;

(3) Advocacy groups;

(4) Representatives of those who operate daycare or residential facilities or agencies;

(5) Experts in relevant professional fields.

Rules promulgated under this section establishing the maximum number of children permitted to reside in group foster homes shall require that children in the group foster parents' natural family be counted in the number of children actually residing in the group foster home, and the application of the rules providing the maximum number and manner of counting residents shall not be waived.

Sec. 21. Laws 1978, Chapter 723, Article I, Section 19, as amended by Laws 1980, Chapter 417, Section 16, is amended to read:

Sec. 19. [REPEALER.] Minnesota Statutes 1976, Sections 246.43, as amended by Laws 1977; Chapter 130, Section 1; 609.115; and 609.16 are repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "Statutes" insert "1978, Section 118.01, Subdivision 1, as amended at the 1980 regular session by S. F. No. 1132; Minnesota Statutes"

Page 1, line 7, delete "Section" and insert "Sections" and after the semicolon, insert "354.094, Subdivision 3, as amended; Laws 1978, Chapter 723, Article I, Section 19, as amended;"

Page 1, line 9, delete "and" and after "section;" insert "and 485, Section 2;"

Page 1, line 13, delete "and"

Page 1, line 14, after "3" insert "; H. F. No. 2028, Section 1; H. F. No. 2045, Section 3, Subdivision 6; H. F. No. 1896, Section 1, and the title thereof by deleting from the title "241.021" and inserting "245.802" "

The motion prevailed. So the amendment was adopted.

Mr. Davies then moved to amend S.F. No. 2419 as follows:

Page 3, delete section 4

Page 14, after line 19, insert:

"Sec. 22. Laws 1980, Chapter 471, Section 1, is amended to read:

Section 1. Minnesota Statutes 1978, Section 331.02, Subdivision 1, is amended to read:

331.02 [LEGAL NEWSPAPER.] Subdivision 1. [QUALIFICATIONS.] In order to be qualified as a medium of official and legal publication, a newspaper shall:

(1) Be printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 1200 square inches;

(2) If a weekly, be distributed at least once each week for 50 weeks each year, or if a daily, at least five days each week; but in any week in which a legal holiday is included, not more than four issues of a daily paper are necessary;

(3) In at least half of its issues each year, have an average of no more than 75 percent of its printed space comprised of advertising material and paid legal notices; and in all of its issues each year, have 25 percent if published more often than weekly or 50 percent, if weekly, of its news columns devoted to news of local interest to the community which it purports to serve, but not more than 25 percent of its total nonadvertising column inches in any issue may wholly duplicate any other publication unless the duplicated material is from recognized general news services;

(4) Be circulated in and near the municipality which it purports to serve, and have at least 500 copies regularly delivered to paying subscribers and have entry as second-class matter in its local post office, or have at least 500 copies regularly distributed without charge to local residents;

(5) Have its known office of issue established in the county in which lies, in whole or in part, the municipality which the newspaper purports to serve;

(6) File a copy of each issue immediately with the state historical society;

(6a) Be made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment, or be distributed without charge to local residents;

(7) Have complied with all the foregoing conditions of this subdivision for at least one year last past;

(8) The newspaper must annually publish and submit to the secretary of state a sworn United States Post Office second-class statement of ownership and circulation or in the absence of a permit must annually publish and submit a statement of ownership and circulation verified by a recognized independent circulation auditing agency.

Sec. 23. A law enacted at the 1980 regular session styled as H.F. No. 1662 is amended in section 5, subdivision 3, as follows:

Subd. 3. Employees in shared positions shall be eligible for the following benefits and subject to the following obligations:

(1) Membership in the Minnesota state retirement system, the teachers retirement association, or the highway patrol retirement fund, whichever is appropriate, except that employees who are members of the Minnesota state retirement system or the highway patrol retirement fund shall have allowable service for purposes of Minnesota Statutes, Section 352.01, Subdivisions 11 and 16,

credited on a fractional basis either weekly or annually based upon the relationship that the number of hours of service bears to either 40 hours per week or 2,080 hours per year, with any salary paid for the fractional service credited on the basis of the rate of salary applicable for a full-time week or a full-time year;

(2) Vacation and sick leave accrual at the rate of the appropriate shared-time percent of the entitlement of comparable full-time employees;

(3) Employee dental, medical and hospital benefits coverage shall be available of the same type and coverage afforded to comparable full-time employees. Employees in shared positions who elect such coverage shall pay, by payroll deduction, the difference between the actual cost to the employer and the appropriate shared-time percent of the actual cost. The remaining percent shall be paid by the employer. Employee life insurance coverage shall be available to employees in shared positions on the same terms as for comparable full-time employees;

(4) Dependent life insurance coverage shall be available to employees in shared positions on the same terms as for comparable full-time employees. Dependent medical, hospital and dental benefits coverage shall be available to employees in shared positions of the same type and coverage afforded to comparable full-time employees, except that the employer shall contribute the appropriate shared-time percent of the dollar amount contributed for comparable full-time employees electing the same program, the remainder to be paid by payroll deduction by the employee electing such coverage;

(5) Employees in shared positions shall be entitled to the appropriate shared-time percent of the holiday pay to which comparable full-time employees are entitled for holidays observed by the full-time employees whenever the employee in a shared position would otherwise be scheduled to work on that day. The employee may be allowed to reschedule working hours to avoid any loss in pay due to the prorating of holiday pay. When an employee in a shared position is not scheduled to work on an observed holiday the next scheduled working day shall be treated as the holiday;

(6) Employees in shared positions shall accrue seniority time in every relevant category at the same rate accorded to comparable full-time employees. No full-time employee accepting a shared position shall suffer any loss of or gap in seniority time in the relevant categories applicable to the full-time employment, but shall be treated as though on leave of absence from that full-time employment; and

(7) Any other benefits of employment for employees in shared positions shall be prorated at a rate of the appropriate shared-time percent of those available to comparable full-time employees, whenever the benefits are divisible. Contributions by the employer toward the benefits, if any, shall be equal to the appropriate share time percent of the full-time benefits. When not divisible, the cost

of the full-time benefits normally allocable to the employer shall be allocated, the appropriate shared-time percent to the employee in a shared position, by payroll deduction, and the remaining percent to the employer.

Sec. 24. A law passed at the 1980 regular session styled as H. F. No. 1942, Section 3, is amended by adding a sentence at the end thereof to read: "*The approved complement of the department of public welfare is increased by two positions.*"

Sec. 25. A law enacted at the 1980 regular session styled as H. F. No. 1842, Section 6, is amended by adding at the end thereof a paragraph to read:

"This appropriation is available until June 30, 1981."

Sec. 26. Laws 1979, Chapter 300, Section 4, Subdivision 2, is amended to read:

Subd. 2. [STATE DAM.] The sum of \$325,000 is appropriated from the state building fund to the commissioner of natural resources for reconstruction of the state owned dam at Cold Spring, Stearns County, to be available until expended. *In the event the engineering and construction costs exceed \$325,000, the commissioner of natural resources may expend an additional amount not to exceed \$25,000 from funds appropriated by Laws 1979, Chapter 300, Section 4, Subdivision 1."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, after the semicolon, insert "Laws 1979, Chapter 300, Section 4, Subdivision 2;

Page 1, line 8, delete "345, Section 17;"

Page 1, line 9, after "section;" insert "Chapter 471, Section 1;"

Page 1, line 14, before the period, insert "H. F. No. 1662, Section 5; H. F. No. 1942, Section 3; H. F. No. 1842, Section 6"

The motion prevailed. So the amendment was adopted.

Mr. Davies then moved to amend S. F. No. 2419 as follows:

Page 14, after line 19, insert:

"Sec. 27. A law enacted at the 1980 regular session styled as H. F. No. 874, Section 1, Subdivision 2, unnumbered sentence 2, is amended to read: "The jurisdiction of the commission shall include all rules as defined in section 15.0411, subdivision 3 and all rules promulgated by agencies specified in section 15.0411, subdivision 2, ~~clauses (e) through (i)~~ rules promulgated by the department of military affairs."

This amendment is effective notwithstanding that House File No. 874 may be approved or effective at a later time than this section."

Amend the title as follows:

Page 1, line 14, before the period, insert “; H. F. No. 874, Section 1”

The motion prevailed. So the amendment was adopted.

Mr. Davies then moved to amend S. F. No. 2419 as follows:

Page 14, after line 19 insert:

“Sec. 27. A law enacted at the 1980 regular session styled as H. F. No. 2040, Section 2, is amended in the first sentence by deleting “, *living or dead*.””

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 13, delete “and”

Page 1, line 14, after “Section 3” insert “; and H. F. No. 2040, Section 2”

The motion prevailed. So the amendment was adopted.

S. F. No. 2419: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; amending Minnesota Statutes 1978, Section 118.01, Subdivision 1, as amended at the 1980 regular session by S. F. No. 1132; Minnesota Statutes, 1979 Supplement, Sections 204A.23; 354.094, Subdivision 3, as amended; Laws 1978, Chapter 723, Article I, Section 19, as amended; Laws 1979, Chapter 300, Section 4, Subdivision 2; Laws 1980, Chapters 341, Section 8; 357, Section 21; 358, Section 2; 361, Section 6; 471, Section 1; and 485, Section 2; amending laws enacted at the 1980 regular session styled as S. F. No. 1865, by adding a section; S. F. No. 2117, Sections 1 and 2; H. F. No. 1710, Section 15; H. F. No. 1878, Section 8; H. F. No. 1942, Section 3; H. F. No. 1662, Section 5; H. F. No. 1942, Section 3; H. F. No. 874, Section 1; H. F. No. 2040, Section 2; H. F. No. 1842, Section 6; H. F. No. 2028, Section 1; H. F. No. 2045, Section 3, Subdivision 6; H. F. No. 1896, Section 1, and the title thereof by deleting from the title “241.021” and inserting “245.802”.

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

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

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

Those who voted in the affirmative were:

Anderson	Coleman	Gearty	Keefe, J.	Knutson
Ashbach	Davies	Gunderson	Keefe, S.	Laufenburger
Bang	Dieterich	Hanson	Kirchner	Lessard
Barrette	Dunn	Hughes	Kleinbaum	Luther
Bernhagen	Engler	Humphrey	Knaak	Menning
Brataas	Frederick	Johnson	Knoll	Merriam

Moe	Perpich	Schmitz	Staples	Ueland, A.
Nelson	Peterson	Setzepfandt	Stern	Ulland, J.
Olhoff	Purfeerst	Sieloff	Stokowski	Vega
Olson	Renneke	Sikoraki	Strand	Wegener
Omann	Rued	Solon	Stumpf	Willet
Penny	Schaaf	Spears	Tenneessen	

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 adopted the recommendation and report of the Conference Committee on House File No. 2476 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2476 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 11, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2476

A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 15.0597, Subdivisions 3, 4, 5, 6 and 7; 15.50, Subdivision 1; 16.854, Subdivision 1; 16A.131, by adding a subdivision; 16A.67, Subdivision 1; 16A.721; 43.005, by adding a subdivision; 43.05, Subdivision 2; 43.062, Subdivisions 1, 2 and 3; 43.065; 43.067, Subdivision 2; 43.068; 43.323, Subdivisions 1 and 2; 43.35; 62D, by adding a subdivision; 82.34; 90.195; 94.10, Subdivision 1; 94.16; 121.90; 121.902, Subdivision 1; 121.906, Subdivision 2; 121.908; 121.912, Subdivision 2; 121.914, Subdivision 1; 136.81, Subdivision 1; 145.913, Subdivision 3; 214.06, Subdivision 1; 216.16; 216A.01; 216A.03, Subdivision 3, and by adding a subdivision; 216A.04, Subdivisions 1 and 3, and by adding a subdivision; 216A.05, Subdivisions 4 and 5; 216A.07; 216B.17, Subdivision 1; 216B.19; 216B.54; 216B.62, Subdivisions 2 and 3; 216B.64; 237.02; 237.12; 237.295, Subdivisions 1 and 2; 246.014; 352.01, Subdivision 2B; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 355.46, Subdivision 3; 355.50; 403.11, Subdivision 3; 473.408, Subdivision 3; 490.123, Subdivision 1; and Chapters 16, by adding sections; 16A, by adding sections; 97, by adding a section; 121, by adding sections; 216A, by adding a section; 246, by adding a section; 253A, by adding a section; 256, by adding a section; 259, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 3.3005, Subdivision 4; 15A.083,

Subdivision 4; 16A.126; 174.28, Subdivision 2; 43.09, Subdivision 2a; 43.24; 82.81, Subdivision 1; 121.917, Subdivision 4; 354A.12, Subdivision 2; 422A.101, Subdivision 3; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5; 301, Section 3 by adding a subdivision; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 43.03; 43.06; 121.92, Subdivision 1; 216B.62, Subdivision 1; 352.73, Subdivision 4; 354.43, Subdivision 2; 490.025, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 16.93; 16.965; 121.92, Subdivision 2; and Laws 1979, Chapter 217, Section 11.

April 11, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 2476, 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. 2476 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. [STATE GOVERNMENT; APPROPRIATIONS.]

The sums set forth in the columns designated “APPROPRIATIONS” are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures “1980” and “1981”, wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1980, or June 30, 1981, respectively.

SUMMARY BY FUND

	1980	1981	TOTAL
General	\$22,100,700	\$19,923,600	\$42,024,300
Game and Fish	704,500	959,300	1,663,800
TOTAL	\$22,805,200	\$20,882,900	\$43,688,100

APPROPRIATIONS
Available for the Year
Ending June 30
1980 1981

Sec. 2. CONTINGENT ACCOUNTS

(a) Fuel and Utilities	\$ 704,500	\$ 5,000,000
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This appropriation is added to the appropriation in Laws 1979, Chapter 333, Section 8, Subdivision 6. \$704,500 the first year is from the game and fish fund.

1980

1981

(b) Grain Inspection

1,000,000

This appropriation is added to the appropriation in Laws 1979, Chapter 333, Section 8, Subdivision 7.

Sec. 3. LEGISLATURE

(a) Legislative Reference Library

40,900

60,900

This appropriation is added to the appropriation in Laws 1979, Chapter 333, Section 2, Subdivision 4, for the Legislative Reference Library.

(b) Revisor of Statutes

75,000

This appropriation is available only to match money from the National Historical Publications and Records Commission for the unpublished laws project.

Sec. 4. GOVERNOR

Washington Office

32,000

This appropriation is added to the appropriation for executive operations in Laws 1979, Chapter 333, Section 9.

Sec. 5. SECRETARY OF STATE . . .

25,000

Approved Complement—add 1

This appropriation is for the open appointments program.

This appropriation is available until June 30, 1981. Funds which were to expire March 30, 1980 are available until June 30, 1980.

Sec. 6. STATE PLANNING AGENCY

The appropriation for population estimates made in Laws 1979, Chapter 303, Article II, Section 37, is available until June 30, 1981.

Sec. 7. ADMINISTRATION

Approved Complement

General—Add 1

(a) Small Business Set Aside

25,000

This appropriation is contingent on the passage in 1980 of a law expanding the small business and minority set aside.

1980

1981

(b) Surplus Property Revolving Fund

Any unexpended balance of the \$61,500 appropriated in Laws 1979, Chapter 333, Section 18, for the reduction of obligations shall remain available for expenditure as provided in that section through June 30, 1981. If the surplus property revolving fund is abolished prior to June 30, 1981, any portion of the \$61,500 that is outstanding shall be immediately returned to the general fund.

(c) Micrographics Acceleration 100,000

This sum is appropriated to the commissioner of administration for purposes of establishing a micrographics acceleration account. The commissioner may expend money from this account to promote and initiate new applications of micrographics, to microfilm permanent records stored in the state records center, to microfilm state agency records having permanent value but which have been damaged due to disasters, to microfilm state agency records having permanent value when the agencies cease to exist, and to microfilm state agency records having permanent value when the agencies must move to new quarters or reorganize their space due to new programs and for whom no microfilming moneys have been appropriated.

A work program shall be presented to the chairman of the house appropriations committee and the chairman of the senate finance committee for review and comment prior to the expenditure of money appropriated by this paragraph.

This appropriation is available until June 30, 1981.

(d) The requirement made in Laws 1978, Chapter 791, Section 2, Clause (q) that all of lot Q shall be made available to the visiting public is deleted.

(e) The appropriation made in Laws 1978, Chapter 791, Section 2, Clause (r) is also available to meter other spaces in the capitol complex and to convert the

1980 1981

parking time limits of existing meters in the capitol complex.

(f) County Litigation Expense 150,000

The commissioner of administration shall reimburse any county for up to 50 percent of the legal expenses incurred by it in litigation concerning state and county jurisdiction over Indians, Indian hunting and fishing rights, and other issues relating to Indians.

Sec. 8. CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD ... 28,000

This appropriation is added to the appropriation in Laws 1979, Chapter 333, Section 19. This appropriation is available until June 30, 1981.

Sec. 9. FINANCE

Approved Complement—Add 3

(a) Payroll and Personnel Information System 221,300 250,400

(b) Advance Inflation Adjustment 959,200

Sec. 10. PERSONNEL

Approved Complement

General—Add 2

(a) Affirmative Action for Veterans ... 6,000

This appropriation is added to the appropriation for Human Resource Improvement in Laws 1979, Chapter 333, Section 21.

(b) Internship and Summer Youth Work Experience Programs 40,000

The commissioner of personnel shall evaluate the accomplishments of these programs and present recommendations for their future operation to the legislature by January 1, 1981. Unless extended by the legislature, these programs expire June 30, 1981.

Sec. 11. REVENUE

(a) Railroad Gross Earnings 150,000

(b) Implement Tax Changes of 1979 ... 92,600 92,600

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Sec. 12. AGRICULTURE

Agricultural Research and Promotion . .

125,000

This appropriation is added to the appropriation in Laws 1979, Chapter 333, Section 24 for Development and Protection of Agricultural Resources.

Sec. 13. NATURAL RESOURCES

Approved Complement

General—Add 9

Game and Fish—Add 9

(a) Ditch Assessments

85,000

This appropriation is added to the appropriation for Administrative Management Services in Laws 1979, Chapter 333, Section 26, to be available until June 30, 1981.

(b) Big Marine Lake Pilot Study

73,500

The commissioner of natural resources shall conduct a pilot study project, which could be applied in similar geohydrologic circumstances statewide, to determine the effectiveness of utilizing Little Carnelian Lake as an outlet through infiltration and seepage for surplus waters of Big Marine and Big Carnelian Lakes, Washington County.

(c) All money that has in the past been appropriated to the commissioner of natural resources for forest management purposes from the iron range resources and rehabilitation account will in the future be appropriated from the general fund, if the iron range resources and rehabilitation board funds the iron range information system and the heavy metals release study in the department of natural resources in the amount of \$100,000 for the remainder of this biennium.

(d) Boundary Waters Canoe Area Forestry Intensification

3,000,000

The money appropriated by Laws 1979, Chapter 333, Section 26, for implementation of the federal Boundary Waters Canoe Area legislation during fiscal year 1981 is increased by this appropriation

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from the general fund in order to provide a total of \$3,750,000 to qualify for \$3,000,000 in federal reimbursements on the basis of 80 percent federal, 20 percent state. If by January 1, 1981 the federal program has not been appropriated, the unexpended balance of this appropriation of \$3,750,000 will cancel. Said \$3,750,000 is available for expenditure for the period October 1, 1980 to September 30, 1981, provided that no more than \$250,000 may be expended prior to the appropriation of federal funds. All such federal reimbursements are deposited to the general fund. The existing 26 complement positions approved by the legislative advisory commission on July 31, 1979 are continued in the federal complement.

The money appropriated by Laws 1979, Chapter 333, Section 26 for implementation of the federal Boundary Waters Canoe Area legislation during fiscal year 1980 shall not lapse on June 30, 1980, but shall continue through September 30, 1980.

(e) St. Croix Wild River State Park ...	131,200
(f) Tettegouche State Park	24,000
(g) Inflation Expenses at State Parks ..	150,000
(h) The appropriations in (e), (f) and (g) are added to the appropriation for Park and Recreation Management in Laws 1979, Chapter 333, Section 26.	
(i) Conservation Officers	445,700

To assist the department in reducing the number of violations and providing a quicker response to public complaints.

\$267,400 of this appropriation is from the game and fish fund and the entire appropriation is added to the appropriation for Enforcement of Natural Resources Laws and Rules in Laws 1979, Chapter 333, Section 26.

(j) Geological Test Drilling	194,000
(k) Soil and Water Conservation Board .	25,000

This appropriation is added to the ap-

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appropriation for the Soil and Water Conservation Board made in Laws 1979, Chapter 333, Section 26.

(1) The amount of the appropriation made in Laws 1979, Chapter 333, Section 26, for the fiscal year 1981 from the general fund is changed from \$33,741,000 to \$33,049,100 and the amount from the game and fish fund is changed from \$16,103,100 to \$16,795,000 to provide 100 percent of regional game and fish administration, 29 percent of field services support, and 60 percent of regional enforcement financing from the game and fish fund. These percentages shall be used in preparing future budget requests.

Sec. 14. MINNESOTA ZOOLOGICAL GARDEN

The appropriation made in Laws 1979, Chapter 333, Section 27, shall stand.

During consideration of the zoological garden's transportation system legislation, the legislature was consistently and unequivocally assured that the only post enactment responsibility of the legislature would be to appropriate the receipts of the transportation system for the purpose of effecting the installment payments of the system. Accordingly, authorization for the acquisition by installment purchase agreement of the transportation system at the Minnesota zoological garden pursuant to Minnesota Statutes, Section 85A.02, Subdivision 16 was made on the understanding that the system would produce revenues sufficient to meet all operating costs and installment payments. This authorization did not constitute a direct or indirect obligation of the state for the acquisition of the system beyond net revenues generated by the system.

This section is intended to make clear to all potential investors in state and local bonds and to financial institutions that the state is not and never has been responsible otherwise for the financing of the zoo ride. The legislature's action regarding appropriations for installment purchase payments for the zoo ride is

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intended to have no effect on the security of bonds for which the state's full faith credit, and taxing power are pledged, or bonds of the Minnesota housing finance agency secured in the manner provided by Minnesota Statutes, Section 462A.22, Subdivision 8. This section is further intended to forestall any attempt by any person to cause damage to the credit rating of the state in order to force the state to assume an obligation for which it is neither legally nor morally responsible.

Sec. 15. POLLUTION CONTROL

Appropriations made in Laws 1979, Chapter 333, Section 29, for functions relating to the Reserve Mining project and for preparation of environmental impact statements are available for either year of the biennium.

Sec. 16. NATURAL RESOURCES ACCELERATION

(a) In Laws 1979, Chapter 333, Section 31, Subdivision 4, Clause (b), the appropriation condition "through March, 1980" is changed to "through June 30, 1981".

(b) In Laws 1979, Chapter 333, Section 31, Subdivision 3, Clause (l), the approved complement is changed to 6, the reference to paragraphs (g) and (h) is changed to paragraphs (j) and (k) and \$313,000 is changed to \$338,000.

(c) \$75,000 of the unexpended balance of money appropriated by Laws 1975, Chapter 204, Section 55, and reappropriated by Laws 1977, Chapter 455, Section 28, for construction and repair of dams and channel excavation to manage water levels on Heron Lake in Jackson County is reappropriated and shall remain available until expended for a water management study of Heron Lake in Jackson County, to be conducted by the Middle Des Moines Watershed District and the DNR. Of this money, \$32,500 may be expended for salaries, supplies, and expenses for one additional unclas-

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sified position in the department of natural resources.

The money reappropriated above may not be expended until local money in the amount of \$50,000 is made available for the water management study.

The remainder of the appropriation is cancelled.

Sec. 17. BOARD OF ELECTRICITY

200,000

300,000

This appropriation is added to the appropriation in Laws 1979, Chapter 333, Section 33, Subdivision 7.

Sec. 18. ECONOMIC DEVELOPMENT

Approved Complement

General—Add 1

Federal—Subtract 1

(a) Small Business Assistance Center..

25,200

This appropriation is added to the appropriation for Small Business Development in Laws 1979, Chapter 333, Section 38.

(b) Duluth Port Authority

210,500

This appropriation is added to the appropriation for the same purpose in Laws 1979, Chapter 333, Section 38.

(c) Development Resources

40,000

This appropriation is added to the appropriation for Economic Development Assistance in Laws 1979, Chapter 333, Section 38, and is available only to match federal money on the basis of \$1 state for \$3 federal.

Sec. 19. VETERANS AFFAIRS

Approved Complement—Add 8.5

(a) Veterans Home—Minneapolis

21,000

126,000

This appropriation is added to the appropriation for the same purpose in Laws 1979, Chapter 333, Section 40.

(b) In Laws 1979, Chapter 333, Section 40, the appropriation language relative to nondedicated receipts for the veterans

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home is changed from "\$3,546,000" to "\$3,369,500".

(c) Educational Benefits for Soldiers and their children

15,000

Sec. 20. PUBLIC SAFETY

(a) State Patrol Overtime During Independent Truckers Protest

343,300

(b) \$135,000 of the appropriation by Laws 1979, Chapter 333, Section 41, for the investigation of cross jurisdictional criminal activity for fiscal 1980 shall not cancel and is available for fiscal 1981.

Sec. 21. CRIME CONTROL PLANNING BOARD

\$486,000 is appropriated to the crime control planning board from the crime control planning board contingency account for Fiscal Year 1981 program levels specified in this section.

(a) Planning, Research and Evaluation.

284,900

(b) Administration

201,100

The executive director of the crime control planning board, with the approval of the commissioner of finance, may transfer unencumbered balances not specified for a particular purpose between the program levels of administration and criminal justice planning, research, and evaluation. The transfer shall occur only after obtaining advice from the chairmen of the house appropriations committee and the senate finance committee. The advice is advisory only. Failure by the chairman to provide advice within 15 days is to be considered positive assent.

The complement as specified in Laws 1979, Chapter 333, Section 42, for the crime control planning board stands. For accounting purposes, the crime control planning board may treat these positions as all state funded.

(c) Law Enforcement Assistance

90,000

This appropriation is for grants for youth intervention programs.

The appropriations in (a), (b), and (c)

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are added to the appropriations for the same purposes in Laws 1979, Chapter 333, Section 42.

(d) Automated Fingerprint Identification System—Evaluation

30,000

The board shall evaluate the need for expanding the Minnesota automated fingerprint identification system throughout the state and the adequacy of technology currently available to operate the expanded system. The board shall report to the legislature by January 1, 1981, the results of the evaluation, including a recommendation on expanding the system based upon projected costs and benefits.

(e) Automated Fingerprint Identification System—Upgrading

169,000

This appropriation is for a grant to the St. Paul police department to upgrade the Minnesota automated fingerprint identification system.

Sec. 22. COUNCIL ON BLACK MINNESOTANS

40,000

Sec. 23. HOUSING FINANCE AGENCY

(a) Indian Housing

3,000,000

This appropriation is for transfer to the housing development fund created in Minnesota Statutes, Section 462A.20.

\$2,000,000 is for the American Indian revolving fund created in Minnesota Statutes, Section 462A.21, Subdivision 4c, for distribution in the amount of \$1,830,000 to the Minnesota Chippewa Tribe and \$170,000 to the Sioux Communities.

\$1,000,000 is for the urban American Indian revolving fund created in Minnesota Statutes, Section 462A.21, Subdivision 4d.

(b) Temporary Shelter Residential Housing

100,000

This appropriation is for transfer to the housing development fund, created in

1980

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section 462A.20, for the purposes of section 462A.05, as amended by this act, and for the payment of necessary and incidental costs and expenses.

Sec. 24. EDUCATION

(a) Vocational Student Organization Center

191,200

(b) Vocational Curriculum Services....

455,000

This appropriation is for a consolidation of the two programs formerly known as the Minnesota Instructional Materials Center and the Curriculum Articulation Center.

(c) Vocational Agricultural Coordinators

220,700

(d) The amounts in (a), (b), and (c) shall be spent pursuant to agreements between the state board of education and the recipients. The agreements are not subject to the contract approval procedures of the commissioner of administration.

Until June 30, 1981, the recipient may charge fees to users of these services designed to cover the cost to the recipient of duplication and distribution, plus ten percent.

Sec. 25. HIGHER EDUCATION COORDINATION BOARD

(a) Scholarship and Grant-in-Aid Data Processing System.....

230,600

This appropriation is available until June 30, 1981.

\$160,600 of this appropriation is available after a feasibility study of the system is completed and may be expended only with the approval of the governor after consultation with the legislative advisory commission.

(b) Study of Area Vocational-Technical Institutes

28,000

In view of future enrollment trends, the higher education coordinating board, in cooperation with the state board for vocational education, shall conduct a study of the area vocational-technical insti-

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1981

tutes and make recommendations in regard to:

- (1) The mission of the area vocational-technical institutes and their relationship to other systems and institutions;
- (2) The instructional programs and community services to be offered by the area vocational-technical institutes;
- (3) The governance and structure of the area vocational-technical institutes;
- (4) The financing policies and procedures of the area vocational-technical institutes;
- (5) Other appropriate issues as necessary.

The board shall submit its report and recommendations to the legislature by February 1, 1981.

Sec. 26. STATE UNIVERSITY BOARD

175,000

This appropriation is for a grant to Northern Minnesota Public Television, Incorporated, for the purchase of studio and production equipment and is available until June 30, 1981.

Sec. 27. TRANSPORTATION

(a) Transportation Finance Study Commission

60,000

(b) Transit Assistance Grants

14,658,000

2,273,100

\$11,500,000 the first year is for performance funding payments to the metropolitan transit commission for its regular route bus service program.

\$1,850,000 the first year is for a social fare reimbursement grant to the metropolitan transit commission, of which no more than \$25,000 may be used by the commission for administrative expenses. \$245,300 the first year and \$264,500 the second year is for subsidies to private operators within the metropolitan area.

\$1,062,700 the first year and \$2,008,600 the second year is for public transit sub-

	1980	1981
sidity grants outside the Twin Cities metropolitan area.		
These appropriations are added to the appropriations for Transit Assistance Grants in Laws 1979, Extra Session, Chapter 1, Section 4.		
(c) Amtrack Rail Subsidy—Duluth-Twin Cities	475,000	
The appropriations in (a), (b), and (c) above are available until June 30, 1981.		
Sec. 28. CORRECTIONS		
(a) Minnesota Corrections Board		298,200
Approved Complement—Add 9.5		
(b) Crime Victim Services		39,000
(c) Notwithstanding the provisions of Minnesota Statutes, Chapter 401, effective January 1, 1981 no county or group of counties participating in the Community Corrections Act shall be charged any per diem cost of confinement for adults sentenced to the commissioner of corrections for crimes committed on or after January 1, 1981.		
Sec. 29. PUBLIC WELFARE		
(a) Computer Costs	100,000	200,000
If the appropriation for either year is insufficient, the appropriation for the other year is available, upon the advance approval of the commissioner of finance.		
The commissioner of public welfare shall continue to operate the state hospital billing and accounts receivable system.		
(b) Costs to Move Income Maintenance Bureau	238,000	
This appropriation is available until June 30, 1981.		
(c) American Indian Chemical Dependency Program	500,000	
This appropriation is available until June 30, 1981.		
(d) Hearing Impaired Program		50,000
This appropriation is for a grant to Ram-		

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sey county for the St. Paul Ramsey mental health center for a statewide program including evaluation, consultation, training, care, and treatment for hearing impaired persons and their families, and training and consultation to staff members and others to increase skills and knowledge. This is a final and non-recurring appropriation.

(e) State Hospital Complement

4,200,000

This appropriation provides funds to increase the approved state complement of the several state hospitals serving mentally retarded residents by 250 positions. All new positions herein granted shall be to serve the mentally retarded residents and shall be direct patient care positions, including, but not limited to, the classifications of human services technician, recreation aide, social work case aide and dental assistant. No new supervisor positions shall be added as a result of this appropriation. As the number of mentally retarded residents declines, the 1 to 8 staff to resident ratio shall be maintained. "Staff" as used here means the direct care state complement, on duty in the residential units. The authority granted in Laws 1979, Chapter 336, Section 2, Subdivision 5 for 120 human services technician positions above the approved complement is changed to 50 positions effective July 1, 1980.

(f) Notwithstanding the provisions of section 256.01, subdivision 2, clause (13), the commissioner of public welfare has the authority to operate the work equity program through December 1981.

(g) Family Subsidy Program

100,000

This appropriation provides for participation by up to 35 additional families in the mentally retarded family subsidy program.

This appropriation is available until June 30, 1981.

(h) State Adoption Exchange

15,000

This appropriation provides money to

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administer a photographic state adoption exchange.

This appropriation is available until June 30, 1981.

(i) Notwithstanding the provisions of Minnesota Statutes, Chapter 256E, a county board may delegate to a county welfare board established pursuant to Chapter 393, authority to provide, or approve contracts for the purchase of, the kinds of community social services that were provided or contracted for by county welfare boards prior to the enactment of Laws 1979, Chapter 324. Designation of the method for providing citizen participation in the planning process, final approval of the community social services plan and the distribution of community social services money shall be the responsibility of the county board.

(j) Services to Brain-Injured Persons . .

24,000

The commissioner of public welfare shall contract with an approved vendor to pay the costs of services provided to brain-injured persons. The commissioner shall contract with a neurosurgeon who is independent of the approved vendor to evaluate, initially and on or about March 1, 1981, each person for whom services are provided under this appropriation to ascertain the person's current stage of neurological development and prognosis for improvement. The neurosurgeon shall send a written report of each evaluation to the commissioner. For the purposes of this appropriation, "approved vendor" means the Institutes for the Achievement of Human Potential. The commissioner shall report to the legislature by April 1, 1981 on the implementation of this provision.

Sec. 30. HEALTH

(a) The appropriation in Laws 1978, Chapter 793, Section 28, Subdivision 4, relating to contaminated wells in St. Louis Park, is available until June 30, 1981.

(b) Grants under Laws 1979, Chapter 336, Section 7, for converting hos-

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pitals to nursing homes shall also be made to a publicly owned or nonproprietary organization or person if the facility was used as a licensed hospital at any time during the last three years and if it meets all other requirements for a grant.

\$40,000 of the appropriation in Laws 1979, Chapter 336, Section 7 for conversion of hospitals is transferred to the commissioner of public welfare to provide a grant for the establishment of a branch mental health clinic.

(c) Special Grants for Home Based Services for Elderly and Adult Physically Impaired Persons

500,000

This appropriation shall be spent in accordance with this act. None of this appropriation may be used by the commissioner of health for administration of these special grants.

(d) THC Therapeutic Research Act...

100,000

Not more than \$10,000 of this appropriation may be used by the commissioner for administrative expenses. This appropriation is available until June 30, 1981.

Sec. 31. ECONOMIC SECURITY

Notwithstanding the provisions of Laws 1979, Chapter 336, Section 3, the sum therein appropriated to the department for matching federal funds for the establishment of comprehensive services for independent living, is hereby made available to the department for the fiscal year beginning July 1, 1980, provided there is assurance of a minimum of 25 percent federal participation in the program. Any unexpended balance remaining in the first year for comprehensive services for independent living shall not cancel, but shall be available for the second year of the biennium. The division of vocational rehabilitation shall submit to the governor and the legislature by January 1, 1981 a report regarding comprehensive services for independent living in Minnesota.

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Sec. 32. MINNESOTA HISTORICAL SOCIETY

Analysis of State Records 40,500

This appropriation is added to the appropriation in Laws 1979, Chapter 337, Section 4, Subdivision 1, Paragraph (a).

Sec. 33. BOARD OF THE ARTS 500,000

This appropriation is for a grant to West Central Minnesota Educational Television Company to build or purchase office, studio and transmission facilities and to purchase production, transmission and tower equipment. This appropriation is available only to match a federal grant from the National Telecommunications and Information Administration sufficient to cover 75 percent of the total projects costs, and the state share is limited to 15 percent of total project costs, but local and private money may cover 10 percent or greater share of project costs. This appropriation is available until December 1, 1981.

Sec. 34. [RETIREMENT CONTRIBUTIONS.]

Subdivision 1. EXECUTIVE DIRECTOR OF THE MINNESOTA STATE RETIREMENT SYSTEM

(a) Legislators' and their Surviving Spouses and Dependents, per Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; and 3A.11 1,100,000

(b) Supplemental Benefits for Former State Employees per Section 352.73 65,000

(c) Constitutional Officers, Commissioners, and their Spouses and Dependent Children Benefits, per Section 352C.04, Subdivision 3; and 352C.09, Subdivision 2 85,700

(d) Judges' Retirement State Contributions, per Section 490.123, Subdivision 1 2,110,000

Subd. 2. BOARD OF TRUSTEES OF THE TEACHERS RETIREMENT FUND

1980 1981

(a) State University and Community College Supplemental Retirement, per Section 136.81, Subdivision 1; and Teachers Supplemental Benefits, per Section 354.55, Subdivision 5.....	1,352,500
(b) Employer Contributions Statewide, per Section 354.43.....	78,297,000

Subd. 3. COMMISSIONER OF FINANCE

(a) Employer Contributions Duluth Teachers Retirement Fund Association, per Section 354A.12, Subdivision 2.....	1,337,000
(b) Employer Contributions Minneapolis Teachers Retirement Fund Association, per Section 354A.12, Subdivision 2.....	8,878,925
(c) Employer Contributions St. Paul Teachers Retirement Fund Association, per Section 354A.12, Subdivision 2.....	6,600,000
(d) Municipal Employees Retirement Fund per Minnesota Statutes, Section 422A.101, Subdivision 3.....	4,500,000

Subd. 4. COMMISSIONER OF PERSONNEL

Social Security Contributions for Educational Employees of Political Subdivisions, per Section 355.46.....	65,101,000
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Subd. 5. PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

Supplemental Benefits for Section 353.83	61,400
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Sec. 35. Minnesota Statutes, 1979 Supplement, Section 3.3005, Subdivision 4, is amended to read:

Subd. 4. If federal money becomes available to the state for expenditure while the legislature is not in session, and the availability of money from that source or for that purpose or in that fiscal year could not reasonably have been anticipated and included in the governor's budget request, and an urgency requires that all or a portion of the money be allotted before the legislature reconvenes, all or a portion of the amount of money subject to the urgency may be allotted to a state agency after it has submitted to the legislative advisory commission a request in the manner of a budget request and has received the commission's recommendation on it. Failure or refusal of the commission to make a recommendation within 30 days is deemed a negative recommendation.

Sec. 36. [FEDERAL MONEY REQUESTS, 1980 SESSION.]

Requests to spend federal money or to add federal complement submitted to the 1980 session of the legislature that were previously submitted to the legislative advisory commission are approved. Those not previously submitted to the legislative advisory commission are referred to the legislative advisory commission for review at its next meeting.

Sec. 37. Minnesota Statutes 1978, Section 3A.03, Subdivision 2, is amended to read:

Subd. 2. [REFUNDMENT.] (1) Any person who has made contributions pursuant to subdivision 1 who is no longer a member of the legislature and has less than eight years service as a member of the legislature and is not receiving, has not received, or is not entitled to receive any allowance or benefit under sections 3A.01 to 3A.10 is entitled to receive upon application to the director a refundment of all contributions credited to his account without interest thereon. ~~The moneys required for such refundments are appropriated annually to the director from the general fund in the state treasury.~~

(2) The refundment of contributions as provided in clause (1) above terminates all rights of a former member of the legislature or his survivors under sections 3A.01 to 3A.10. Should the former member of the legislature again be a member of the legislature after having taken a refundment as provided above, he shall be considered a new member. However, such new member may reinstate the rights and credit for service forfeited, provided the new member repays all refundments taken plus interest thereon at six percent per annum compounded annually.

(3) No person shall be required to apply for or accept a refundment.

Sec. 38. Minnesota Statutes 1978, Section 3A.04, Subdivision 3, is amended to read:

Subd. 3. [PAYMENT.] ~~The surviving spouse's and dependent children's survivor benefits payable under this section are appropriated annually to the director from the general fund in the state treasury, and shall be paid by him the director monthly in the same manner as retirement allowances are authorized to be paid by sections 3A.01 to 3A.10.~~

Sec. 39. Minnesota Statutes 1978, Section 3A.04, Subdivision 4, is amended to read:

Subd. 4. [REFUNDS TO ESTATE.] Upon the death of a member of the legislature without a surviving spouse and without any dependents, a refundment of contributions of such deceased member of the legislature shall be paid to the estate of the member upon application of the representative thereof. Such moneys as may be necessary to carry out the terms of this provision are ~~appropriated annually to the director from the general fund in the state treasury.~~

This subdivision is applicable to an application for refundment covering contributions of a deceased member, regardless of when his death occurred.

Sec. 40. Minnesota Statutes 1978, Section 10A.01, Subdivision 10c, is amended to read:

Subd. 10c. "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, by a political committee, political fund, or principal campaign committee for any purpose other than to influence the nomination or election of a candidate.

Noncampaign disbursement includes:

- (a) Payment for accounting and legal services;
- (b) Return of a contribution to the source;
- (c) Repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) Return of moneys from the state elections campaign fund;
- (e) Payment for food and beverages consumed at a fundraising event;
- (f) Services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to *60 days after* adjournment sine die of the legislature in the election year for the office held; and
- (g) A donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f). The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

Sec. 41. Minnesota Statutes 1978, Section 11.15, Subdivision 4, is amended to read:

Subd. 4. ~~All interest and profit accruing from any investment of the state bond fund shall be credited to and be a part of the state bond fund. and all loss from the sale thereof and all necessary expenses of investment and reinvestment shall be charged to that fund.~~

Notwithstanding any other law to the contrary and unless otherwise required by covenants made for the security of bonds outstanding on the date of enactment and payable from the state bond fund, all interest and profit accruing after January 1, 1980, from any investment of the state bond fund is appropriated and shall be credited to and be a part of the general fund. All necessary expenses of investment and reinvestment of the state bond fund shall be charged to the state bond fund.

Sec. 42. Minnesota Statutes 1978, Section 15.0597, Subdivision 3, is amended to read:

Subd. 3. [PUBLICATION OF AGENCY DATA.] The secretary of state shall provide for *periodic annual* updating of the required

data and shall annually arrange for the publication in the state register of the compiled data from all agencies on or about November 15 of each year. Beginning in 1970, the compilation may be published together with the agency descriptions required by section 15.0412, subdivision 2. Copies of the compilation shall be delivered to the governor and the legislature. Copies of the compilation shall be made available by the secretary to any interested person at cost, and copies shall be available for viewing by interested persons and for sale. The chairman of an agency who does not submit data required by this section or section 15.0412, subdivision 2, or who does not notify the secretary of a vacancy in his agency, shall not be eligible for a per diem or expenses in connection with agency service until December 1 of the following year.

Sec. 43. Minnesota Statutes 1978, Section 15.0597, Subdivision 4, is amended to read:

Subd. 4. [NOTICE OF VACANCIES.] The chairman of an existing agency, in respect to vacancies in existing agencies, or the appointing authority, in respect to newly created agency positions, shall notify the secretary of a vacancy within 15 days after the occurrence of the vacancy. Every 15 days the secretary shall prepare a list of all vacancies in state agencies, together with a list of the vacancies scheduled to occur within the next 45 days as a result of the expiration of membership terms or the creation of new agency positions. This listing shall be published in the next available issue of the state register, and scheduled to occur in the agency as a result of the expiration of membership terms at least 45 days before the vacancy occurs. The chairman of an existing agency shall give written notification to the secretary of each vacancy occurring as a result of newly created agency positions and of every other vacancy occurring for any reason other than the expiration of membership terms as soon as possible upon learning of the vacancy and in any case within 15 days after the occurrence of the vacancy. The appointing authority for newly created agencies shall give written notification to the secretary of all vacancies in the new agency within 15 days after the creation of the agency. Every 21 days, the secretary shall publish in the state register a list of all vacancies of which the secretary has been so notified. Only one notice of a vacancy shall be so published, unless the appointing authority rejects all applicants and requests the secretary to republish the notice of vacancy. One copy of the listing shall be made available at the office of the secretary to any interested person. The secretary shall distribute by mail copies of the listings to requesting persons. The listing for all vacancies scheduled to occur in the month of January shall be published in the state register together with the compilation of agency data required to be published pursuant to subdivision 3.

Sec. 44. Minnesota Statutes 1978, Section 15.0597, Subdivision 5, is amended to read:

Subd. 5. [NOMINATIONS FOR VACANCIES.] Any person may nominate himself to be appointed to an agency vacancy by

completing an application on a form prepared and distributed by the secretary. Any person or group of persons may, on a *similar the prescribed* application form, nominate another person to be appointed to a vacancy so long as the person so nominated consents in writing on the application form to the nomination. The application form shall specify the nominee's name, mailing address, telephone number, preferred agency position sought, a statement that the nominee satisfies any legally prescribed qualifications, and any other information the nominating person feels would be helpful to the appointing authority. The application form shall permit the nominating person at his discretion to indicate the nominee's sex, political party preference or lack thereof, race and national origin. If a person submits an application at the behest of or upon the suggestion of an appointing authority, the person shall so indicate on the application form. ~~The secretary shall, upon 15 Twenty-one days after publication of a vacancy in the state register or upon 15 days prior to a scheduled vacancy, whichever date occurs first, pursuant to subdivision 4, the secretary shall submit copies of all applications received for a position to the appointing authority charged with filling the vacancy. If no applications have been received by the secretary for the vacant position by the date he is required to submit copies to the appointing authority, he shall so inform the appointing authority. Applications received by the secretary shall be deemed to have expired one year after receipt of the application or upon appointment and, if required, advice and consent by the senate to a vacancy, whichever occurs first. An application for a particular agency position shall be deemed to be an application for all vacancies in that agency occurring prior to the expiration of the application and shall be public information.~~

Sec. 45. Minnesota Statutes 1978, Section 15.0597, Subdivision 6, is amended to read:

Subd. 6. [APPOINTMENTS.] In making an appointment to a vacant agency position, the appointing authority shall consider applications for positions in that agency supplied by the secretary. No appointing authority may appoint someone to a vacant agency position until (1) ten days after receipt of the applications for positions in that agency from the secretary or (2) receipt of notice from the secretary that no applications have been received for vacant positions in that agency. *At least five days before the date of appointment*, the appointing authority shall issue a public announcement and inform the secretary *in writing* of the name of the person the appointing authority intends to appoint to fill the agency vacancy *at least five days before the date of appointment and the expiration date of that person's term*. If the appointing authority intends to appoint a person other than one for whom an application was submitted pursuant to this section, the appointing authority shall complete an application form on behalf of the appointee and submit it to the secretary *indicating on the application that it is submitted by the appointing authority*. If the appointment requires the advice and consent of the senate, the secretary shall, prior to consideration by the senate of the

appointment, supply the president of the senate with a copy of the application, together with a copy of any documents which the appointee is required by virtue of his appointment to submit to the ethical practices board. With respect to the ethical practices board, the secretary shall also submit a copy of the application and documents to the speaker of the house of representatives prior to consideration of the appointment by the house of representatives.

Sec. 46. Minnesota Statutes 1978, Section 15.0597, Subdivision 7, is amended to read:

Subd. 7. [REPORT.] Together with the compilation required in subdivision 3, the secretary shall annually deliver to the governor and the legislature a report containing the following information:

(a) *The number of vacancies occurring in the preceding year;*

(b) *The number of vacancies occurring as a result of scheduled ends of terms, unscheduled vacancies and the creation of new positions;*

(c) *Breakdowns by county, legislative district and, if known, the sex, political party preference or lack thereof, race and national origin, for members whose agency membership terminated during the year and appointees to the vacant positions; and*

(d) *The number of vacancies filled from applications submitted by (1) the appointing authorities for the positions filled, (2) nominating persons and self-nominees who submitted applications at the behest of or upon the suggestion of appointing authorities, and (3) all others.*

Sec. 47. Minnesota Statutes 1978, Section 15.50, Subdivision 1, is amended to read:

15.50 [CAPITOL AREA ARCHITECTURAL AND PLANNING BOARD.] Subdivision 1. (a) *The legislature finds that the purposes of the board are to (1) preserve and enhance the dignity, beauty and architectural integrity of the capitol, the buildings immediately adjacent to it and, the capitol grounds, and the capitol area; (2) protect, enhance, and increase the open spaces within the capitol area when deemed necessary and desirable for the improvement of the public enjoyment thereof; (3) develop proper approaches to the capitol area for pedestrian movement, the highway system, and mass transit system so that the area achieves its maximum importance and accessibility; and (4) establish a flexible framework for growth of the capitol buildings which will be in keeping with the spirit of the original design.*

(b) *A The capitol area architectural and planning board, herein referred to as the board, consisting consists of seven ten members is hereby created. The lieutenant governor shall be a member of the board. Three members shall be appointed by the governor by and with the advice and consent of the senate; three members, one of whom shall be a resident of the district planning council area containing the capitol area, shall be appointed by the mayor of the*

city of Saint Paul, with the advice and consent of the city council. *The speaker of the house shall appoint a member of the house of representatives and the president of the senate shall appoint one senator to be members of the board.* Each person appointed to the board shall qualify by taking the oath of office. *Effective following the end of terms of members expiring June 30, 1975, the number of members to be appointed by the governor shall increase to four and the number of members to be appointed by the mayor of the city of Saint Paul shall decrease to two.*

(c) The lieutenant governor is the chairman of the board. The attorney general is the legal advisor to the board. The board may elect a vice-chairman who may preside at meetings in the absence of the lieutenant governor and such other officers as it may deem necessary to carry out its duties.

(d) The board shall select an executive secretary to serve the board. It may employ such other officers and employees as it may deem necessary all of whom shall be in the classified service of the state civil service. The board may contract for professional and other similar service on such terms as it may deem desirable.

Sec. 48. Minnesota Statutes 1978, Section 15.50, Subdivision 2, is amended to read:

Subd. 2. (a) The board shall prepare, prescribe, and from time to time amend a comprehensive use plan for the capitol area, herein called the area which shall initially consist of that portion of the city of Saint Paul comprehended within the following boundaries: Beginning at the point of intersection of the centerline of the Arch-Pennsylvania freeway and the centerline of Marion Street, thence southerly along the centerline of Marion Street to the north line of the right-of-way of Interstate Highway 94, thence easterly along the said north line to the centerline of Cedar Avenue, thence southeasterly along the centerline of Cedar Avenue to the centerline of Tenth Street, thence northeasterly along the centerline of Tenth Street to the centerline of Minnesota Street, thence Northwesterly along the centerline of Minnesota Street to the centerline of Eleventh Street, thence northeasterly along the centerline of Eleventh Street to the centerline of Jackson Street, thence northwesterly along the centerline of Jackson Street to the centerline of the Arch-Pennsylvania freeway extended, thence westerly along the centerline of the Arch-Pennsylvania freeway extended and Marion Street to the point of origin. Pursuant to the comprehensive plan, or any portion thereof, the board may regulate, by means of zoning regulations adopted pursuant to the administrative ~~procedures~~ *procedure act*, the kind, character, height, and location, of buildings and other structures constructed or used, the size of yards and open spaces, the percentage of lots that may be occupied, and the uses of land, buildings and other structures, within the area. *To protect and enhance the dignity, beauty and architectural integrity of the capitol area, the board is further empowered to include in its zoning rules design review procedures and standards with respect to any proposed construction activities in the capitol area signifi-*

cantly affecting the dignity, beauty and architectural integrity of the area. No person shall undertake these construction activities as defined in the board's rules in the capitol area unless he has first submitted construction plans to the board, obtained a zoning permit from the board and received a written certification from the board specifying that he has complied with all design review procedures and standards. The Violation of such the zoning regulations shall be is a misdemeanor. The board may, at its option, proceed to abate any such violation by injunction. The board and the city of St. Paul shall cooperate in assuring that the area adjacent to the capitol area is developed in a manner that is in keeping with the purpose of the board and the provisions of the comprehensive plan.

(b) The commissioner of administration shall act as a consultant to the board with regard to the physical structural needs of the state. He shall make studies and report the results to the board when they request him to do so for their planning purpose.

(c) No public building, street, parking lot, or monument, or other construction shall be built or altered on any public lands within the area unless the plans for the same conforms to the comprehensive use plan as specified in clause (d) and to the requirement for competitive plans as specified in clause (e). No alteration substantially changing the external appearance of any existing public building approved in the comprehensive plan or the exterior or interior design of any proposed new public building the plans for which were secured by competition under clause (e), may be made without the prior consent of the board. The commissioner of administration shall consult with the board regarding internal changes having the effect of substantially altering the architecture of the interior of any proposed building.

(d) The comprehensive plan shall show the existing land uses and recommend future uses including: areas for public taking and use; zoning for private land and criteria for development of public land, including building areas and open spaces; vehicular and pedestrian circulation; utilities systems; vehicular storage; elements of landscape architecture. No substantial alteration or improvement shall be made to public lands or buildings in the area save with the written approval of the board.

(e) The board shall secure by competitions, plans for any new public building. Plans for any comprehensive plan, landscaping scheme, street plan, or property acquisition, which may be proposed, or for any proposed alteration of any existing public building, landscaping scheme or street plan may be secured by a similar competition. Such competition shall be conducted under rules prescribed by the board and may be of any type which meets the competition standards of the American Institute of Architects. Designs selected shall become the property of the state of Minnesota and the board may award one or more premiums in each such competition and may pay such costs and fees as may be required for the conduct thereof. At the option of the board, plans for projects estimated to cost less than \$500,000 \$1,000,000 may be

approved without competition provided such plans have been considered by the *architectural advisory committee* described in clause (f). Plans for projects estimated to cost less than \$200,000 \$400,000 and for construction of streets need not be considered by the *architectural advisory committee* if in conformity with the comprehensive plan.

(f) The board shall not adopt any plan under clause (e) hereof unless it shall first receive *receives* the comments and criticism of *a an advisory committee* of three *architects persons*, each of whom is either an architect or a planner, who have been selected and appointed as follows: one by the board of the arts, one by the board, and one by the Minnesota Society of the American Institute of Architects. Members of *such the* committee shall not be contestants under clause (e) hereof. *Such The* comments and criticism shall be a matter of public information. *Such The* committee shall advise the board on all architectural and planning matters. For that purpose:

(1) *Such The* committee shall be kept currently informed concerning, and have access to, all data, including all plans, studies, reports and proposals, relating to the area as the same are developed or in the process of preparation whether by the commissioner of administration, the state planning director, the metropolitan council, the city of Saint Paul, or by any architect, planner, agency or organization, public or private, retained by the board or not retained and engaged in any work or planning relating to the area. A copy of any such data prepared by any public employee or agency shall be filed with the board promptly upon completion;

(2) The board may employ such stenographic or technical help as may be reasonable to assist *such the* committee to perform its duties;

(3) When so directed by the board; *such , the* committee may serve as, and any member or members thereof may serve on, the jury or as professional advisor for any architectural competition. The board shall select the architectural advisor and jurors for any competition with the advice of the committee *and*

(4) *The city of St. Paul shall advise the board.*

(g) The comprehensive plan for the area shall be developed and maintained in close cooperation with the state planning agency and the planning department and the council for the city of Saint Paul and the board of the arts, and no such plan or amendment thereof shall be effective without 90 days' notice to the planning department of the city of Saint Paul and the board of the arts.

(h) The board and the commissioner of administration jointly, shall prepare, prescribe, and from time to time revise standards and policies governing the repair, alteration, furnishing, appearance and cleanliness of the public and ceremonial areas of the state capitol building. Pursuant to this power, the board shall consult with the director of the Minnesota state historical society and receive his advice regarding the historic fidelity of plans for

the capitol building. The standards and policies developed as herein provided shall be binding upon the commissioner of administration. The provisions of sections 15.0411 to 15.0426 shall not apply to this clause.

(i) The board in consultation with the commissioner of administration shall prepare and submit to the legislature and the governor no later than October 1 of each even-numbered year a report on the status of implementation of the comprehensive plan together with a program for capital improvements and site development, and the commissioner of administration shall provide the necessary cost estimates for such a *the* program.

(j) The state shall, by the attorney general upon the recommendation of the board and within appropriations available for that purpose, acquire by gift, purchase or eminent domain proceedings any real property situated in the area described in this section and it shall also have the power to acquire an interest less than a fee simple interest in the property, if it finds that it is needed for future expansion or beautification of the area.

(k) The board is the successor of the state veterans' service building commission, and as such may adopt regulations and may reenact the regulations adopted by its predecessor under Laws 1945, Chapter 315, and acts amendatory thereof.

(l) The board shall meet at the call of the chairman and at such other times as it may prescribe.

(m) The commissioner of administration is authorized to and shall assign quarters in the state veterans service building to (1) the department of veterans affairs of which such part as the commissioner of administration and commissioner of veterans affairs may mutually determine shall be on the first floor above the ground and (2) the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Military Order of the Purple Heart, United Spanish War Veterans, and Veterans of World War I, and their auxiliaries, incorporated, or when incorporated, under the laws of the state, and (3) as space becomes available to such other state departments and agencies as he may deem desirable.

Sec. 49. Minnesota Statutes, 1979 Supplement, 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 personnel board *state court administrator* has been consulted in advance and its *his* approval obtained. Any salary increase that would adjust an employee's rate of pay beyond the midpoint of the range pre-

scribed for the position must be approved in advance by the personnel board *state court administrator*.

	Salary or Range	
	Effective July 1, 1979	Effective July 1, 1980
Public defender	\$37,500	\$40,000
District administrator	27,000-37,500	28,500-40,000
County attorneys council executive director	22,000-32,000	23,500-34,000
Board on judicial standards executive director	36,000	38,000
State court administrator	44,500	47,000

Sec. 50. Minnesota Statutes 1978, Section 16.02, Subdivision 10, is amended to read:

Subd. 10. To rent land and other premises when necessary for state purposes. ~~No such land or premises shall be rented for a term exceeding two years at a time; except that, with the approval of the legislative advisory commission;~~ The commissioner may lease land or premises for a term not exceeding five years, subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use; provided further that the rental of non-state owned land and buildings, or substantial portions thereof, by the commissioner within the capitol area as defined in section 15.50 shall not take place unless the commissioner first consults with the capitol area architectural and planning board. Lands needed by the department of transportation for storage of vehicles or road materials may be rented for a term not exceeding five years ~~without the approval of the legislative advisory commission,~~ such leases for terms over two years being subject to cancellation upon 30 days written notice by the state for any reason except rental of other land or premises for the same use.

Sec. 51. Minnesota Statutes 1978, Chapter 16, is amended by adding a section to read:

[16.095] [CONTRACTS-VENDORS RECORDS SUBJECT TO EXAMINATION.] *A contract made by or under the supervision of the commissioner of administration, any state department or agency, or any county or unit of local government shall include an audit clause that provides that the books, records, documents, and accounting procedures and practices of the contractor relevant to the contract are subject to examination by the contracting department or agency, and either the legislative auditor or the state auditor as appropriate.*

Sec. 52. Minnesota Statutes 1978, Chapter 16, is amended by adding a section to read:

[16.955] [COMPUTER ACTIVITIES; EVALUATION; APPROVAL; SYSTEM DEVELOPMENT METHODOLOGY.] *Subdivision 1. [DEFINITIONS.] For the purposes of this section the following terms have the meaning given them.*

(a) "Computer activity" means the development or acquisition of a data processing device or system.

(b) "Data processing device or system" means any equipment or computer programs, including but not limited to computer hardware, firmware, software, and communication protocol, used in connection with the processing of information via electronic data processing means, and includes data communication devices used in connection with computer facilities for the transmission of data.

(c) "State agency" means any state officer, employee, board, commission, authority, department or other agency of the executive branch of state government, but not including the University of Minnesota.

Subd. 2. [EVALUATION PROCEDURE.] By January 1, 1981, the commissioner of administration shall establish and, as necessary, update and modify procedures to evaluate computer activities proposed by state agencies. The procedures shall evaluate the necessity, design and plan for development, ability to meet user requirements, feasibility, and flexibility, of the proposed data processing device or system, its relationship to other state data processing devices or systems, and its costs and benefits when considered by itself and when compared with alternative solutions.

Subd. 3. [EVALUATION AND APPROVAL REQUIREMENTS.] A state agency shall not undertake a computer activity until the activity has been evaluated according to the procedures developed pursuant to subdivision 2 and the commissioners of administration and finance have given written approval of the proposed activity. If a proposed computer activity is not approved, the commissioner of finance shall cancel the unencumbered balance of any appropriation allotted for the activity. The commissioners of administration and finance may delegate their respective approval powers regarding computer activities to the head of another agency including the agency seeking approval where delegation is deemed appropriate.

Subd. 4. [REPORT TO LEGISLATURE.] If a proposed computer activity is approved, the commissioners of administration and finance shall submit to the legislature a concise narrative explanation of the computer activity and a request for any additional appropriation necessary to complete the activity.

Subd. 5. [SYSTEM DEVELOPMENT METHODOLOGY.] By January 1, 1981, the commissioner of administration shall establish and, as necessary, update and modify a methodology for the development of approved data processing systems by state agencies. The development methodology shall be used to define the design, programming, and implementation of approved data processing systems. The development methodology shall also en-

able and require a data processing system to be defined in terms of its computer programs, input requirements, output formats, administrative procedures, and processing frequencies.

Subd. 6. [SYSTEM DEVELOPMENT METHODOLOGY REQUIREMENTS.] A state agency shall not develop, improve or modify of a data processing system using any methodology other than that established by the commissioner of administration.

Sec. 53. Minnesota Statutes 1978, Section 16.854, Subdivision 1, is amended to read:

16.854 [STATE BUILDING INSPECTOR.] Subdivision 1. [APPOINTMENT.] *As soon after July 1, 1971, as is possible* The commissioner shall appoint a state building inspector who under the direction and supervision of the commissioner shall administer the code. ~~The state building inspector shall serve at the pleasure of the commissioner within the department of administration and shall be in the unclassified service of the state.~~

Sec. 54. Minnesota Statutes 1978, Chapter 16A, is amended by adding a section to read:

[16A.065] [ADVANCE PAYMENTS AND DEPOSITS.] *Notwithstanding any other law to the contrary, the commissioner of finance may allow advance deposits or payments by any department for the procurement of software or software maintenance services for state-owned or leased electronic data processing equipment.*

Sec. 55. Minnesota Statutes, 1979 Supplement, Section 16A.126, is amended to read:

16A.126 [COMMISSIONER TO APPROVE BILLING RATES FOR REVOLVING FUNDS.] The commissioner of finance shall approve the rates at which services are billed state departments or agencies by any revolving fund. In order to reduce revolving fund reserves maintained for unforeseen needs and thereby reduce the rates which using agencies must pay, the commissioner may transfer moneys not otherwise appropriated in the general fund to a revolving fund if, in the commissioner's judgment, a bona fide, immediate expenditure is necessary and if there are insufficient moneys in the revolving fund to meet the expenditure. *Any money so transferred for the purchase of equipment shall be repaid to the general fund in installments over its useful life on a schedule established by the commissioner of finance. Other moneys so transferred shall be repaid to the general fund on a schedule established by the commissioner of finance but within a period not to exceed five years.*

Sec. 56. Minnesota Statutes 1978, Section 16A.131, is amended to read:

16A.131 [SALARY DEDUCTIONS, AUTHORIZATION.] *Subdivision 1.* Every officer and employee of the state may purchase and pay for bonds, stamps, and other securities issued by the federal government by directing in writing to the appropriate officer of the department where he is employed that deductions of

the amount specified by him be made from his salary. The head of each department of the state is hereby required to cause such deduction to be made from the salary of each said persons on every payroll abstract and to approve one voucher payable to the state treasurer for the aggregate amount so deducted from the salaries covered by said payroll abstract, provided that deductions from salaries of officers or employees paid direct by any institution or agency of the state shall be made by the officer or employee authorized by law to pay such salaries, and remitted by him to the director by check payable to the state treasurer with a statement showing the amount of each of such deductions and the names of the officers and employees on whose account the same have been made. The money so deposited with the state treasurer shall be paid out on authorization of the governor by state warrant payable to the proper federal authority or to the officer or employee from whose salary the money was deducted, as the case may require.

Subd. 2. The commissioner of finance, with the written consent of a state employee, may deduct from the salary of the employee a sum agreed to by the employee for the purchase of mass transit ridership cards. The commissioner of finance shall deposit all money resulting from these payroll deductions in the special account authorized by section 16.72, subdivision 7.

Sec. 57. Minnesota Statutes 1978, Chapter 16A, is amended by adding a section to read:

[16A.19] [RETIREMENT APPROPRIATIONS; DEFICIENCIES.] *In the event that a direct appropriation for retirement contributions, benefits, or administrative expenses, or for social security contributions pursuant to section 355.46, is insufficient to meet the state's obligation under the program for which it is made for the fiscal year for which it is made, the agency to whom the appropriation was made shall certify to the committee on finance of the senate, the committee on appropriations of the house of representatives, and the commissioner of finance the amount necessary to meet the deficiency. Upon this certification, the commissioner of finance shall transfer the necessary amounts to the appropriate accounts. The amount necessary to make the transfer is appropriated from the general fund in the state treasury to the agency to whom the transfer is made.*

Sec. 58. Minnesota Statutes 1978, Section 16A.67, Subdivision 1, is amended to read:

16A.67 [CERTIFICATES OF INDEBTEDNESS.] *Subdivision 1. For the purpose of supplying deficiencies in the general fund certificates of indebtedness of the state may be issued in accordance with the provisions of Article 11, Section 6, of the Constitution and the further provisions of this section. No such deficiency is deemed to exist by reason of the fact that expenditures pursuant to appropriation and allotment for a particular purpose may at any time exceed the cash receipts from any source of special revenue appropriated to the fund for such purpose, notwithstanding that a "fund" may have been created by law for such*

purpose and may have been established by the commissioner of finance as a bookkeeping account in the general books of account of the state for the purpose of reflecting the revenues deposited and expenditures appropriated for such purpose in accordance with the provisions of section 16A.53. A deficiency shall be deemed to exist only when the total amount of outstanding warrants drawn on such *the general fund*, pursuant to appropriation and allotment for all purposes and accounts of the fund, exceeds the cash balance in the fund. In this event a deficiency shall be deemed to exist in the general fund, notwithstanding that there may then be a balance of cash or investments on hand in one or more special or dedicated funds created by the Constitution or required to be created and maintained as separate funds by federal law or by rules or regulations promulgated by federal authority pursuant thereto; and this section does not authorize a transfer of money from any of *those special or dedicated fund funds* to the general fund, except by the issuance and sale of certificates of indebtedness as herein provided.

Sec. 59. Minnesota Statutes 1978, Section 16A.721, is amended to read:

16A.721 [FEES FROM SEMINARS AND WORKSHOPS.] The commissioner of finance may adopt rules for charging fees for seminars and workshops conducted by state agencies. The commissioner may establish an account for deposit of seminar and workshop fee receipts generated, which are appropriated for payment of expenses relating to the workshops and seminars. The commissioner shall not allow the unobligated balance of this account to exceed \$10,000. This provision applies to fiscal year 1979.

Sec. 60. [PERSONNEL BOARD ABOLISHED; TRANSITION.] *The personnel board is abolished. Its duties and functions are transferred as provided for in this act. All employees of the board shall be reassigned to the department of personnel without loss of seniority, salary, benefits or other rights.*

Sec. 61. Minnesota Statutes 1978, Section 43.05, Subdivision 2, is amended to read:

Subd. 2. [SPECIFIED DUTIES.] The commissioner shall:

(1) Attend all meetings of the board;

(2)(1) Promulgate personnel rules for the purpose of carrying out the provisions of this chapter; these rules shall provide, among other things, for current records of efficiency, and standards of performance, for all employees subject to the provisions of this chapter; the manner of completing appointments and promotions; rejection of eligible candidates; examinations; retention of examination records under the provisions of section 138.163; creation of eligible lists, with successful candidates ranked according to their ratings in the examinations; leaves of absence with and without pay; transfers, reinstatements, layoffs, vacations, and hours of work; public notice of examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other con-

ditions of employment. If a rule is made concerning sick leave for illness in the immediate family of an employee, the term "immediate family" shall be limited to the spouse, minor or dependent children, or parent where the parent has no other person to provide the necessary nursing care, living in the household of the employee;

~~(3)~~(2) Operate an information system from which data can be retrieved concerning employees in agencies under his jurisdiction showing their employment histories including the date of appointment, demotion, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, and separations from the service; and the commissioner shall have access to all public and private personnel data kept by an appointing authority, the examination of which will aid in the discharge of his duties;

~~(4)~~(3) Prepare, in accordance with the provisions of this chapter and the rules adopted hereunder, examinations, eligible lists, and ratings of candidates for appointment;

~~(5)~~(4) Make certifications for appointment within the classified service, in accordance with the provisions of this chapter;

~~(6)~~(5) Make investigations concerning all matters touching the enforcement and effect of the provisions of this chapter and the personnel rules prescribed hereunder;

~~(7)~~(6) Discharge such duties as are imposed upon him by this chapter;

~~(8)~~(7) Establish, publish and continually review logical career paths in the classified civil service;

~~(9)~~(8) Consider all requests for other than state appropriated funds from any state department or agency for personnel purposes of all which shall be submitted to him for comment before any such request is made of a federal, local, or private agency; and

~~(10)~~(9) Prepare rules regulating the temporary designation of positions in the unclassified civil service;

~~(11)~~(10) Review, establish or change titles for the positions in the unclassified civil service in the executive branch of state government except those established by law or by the constitution, to make titles descriptive of positions and consistent throughout the state service; and

~~(12)~~(11) In conformance with the rule making provisions of chapter 15, promulgate a code of ethics establishing standards of conduct to be observed by state employees in the performance of their official duties.

Sec. 62. Minnesota Statutes 1978, Section 43.062, Subdivision 1, is amended to read:

43.062 [SALARY SETTING AUTHORITY.] Subdivision 1. [SALARY LISTING.] The personnel board *governor* shall, on or

before ~~November 15~~ *January 15* of each ~~even~~ *odd* numbered year, submit to the ~~commissioner of personnel legislature~~ a listing of salaries for the positions listed in sections 15A.081 and 15A.083 and for members of the legislature. The ~~board~~ *governor* may also recommend adding or deleting of positions from this list.

Sec. 63. Minnesota Statutes 1978, Section 43.062, Subdivision 2, is amended to read:

Subd. 2. [COMMITTEE TO CONSIDER ADVICE.] Before submitting the salary listing prescribed in subdivision 1 ~~to the commissioner of personnel~~, the ~~personnel board~~ *governor* shall consult with the ~~governor~~, the commissioner of administration, the commissioner of finance, and the commissioner of personnel concerning the salary listing and shall give due consideration to the advice of these officers. Before submitting ~~to the commissioner of personnel~~ a salary listing prescribed in subdivision 1 for an employee in the office of a constitutional officer, the ~~personnel board~~ *governor* shall consult with the constitutional officer concerning the salary listing and shall give due consideration to the advice of the officer.

Sec. 64. Minnesota Statutes, 1979 Supplement, Section 43.062, Subdivision 3, is amended to read:

Subd. 3. [BASE SALARIES.] Except for positions for which salary ranges have been established, the salary listing shall contain a specific salary for each position defined in subdivision 1.

The ~~board~~ *governor* shall determine only a fixed salary for the positions of the constitutional officers, executive secretary of the board of investment, the judge of the workers' compensation court of appeals and the commissioner of public service.

Sec. 65. Minnesota Statutes 1978, Section 43.065, is amended to read:

43.065 [SALARY REVIEW.] Subdivision 1. [SALARIES TO BE EQUITABLE.] When determining or recommending salaries for any position, the ~~personnel board and the governor and the commissioner of personnel~~ shall assure that:

(1) Salaries in the classified and unclassified service bear equitable relationship to one another;

(2) Salaries among the various positions listed in section 15A.081, bear equitable relationships to one another; and

(3) Salaries for state positions bear equitable relationships to salaries for similar positions outside state service.

Salaries bear equitable relationships to one another within the meaning of this section if salaries for positions which require comparable knowledge, abilities, duties, responsibilities and accountabilities are comparable and if salaries for positions which require differing knowledge, abilities, duties, responsibilities and accountabilities are directly proportional to the knowledge, abilities, duties, and responsibilities required.

Subd. 2. [METHOD OF REVIEW.] In recommending the salary listing described in section 15A.081, the ~~board~~ *governor* shall consider only those criteria established by subdivision 1 and shall not take into account personal performance of individual incumbents. The ~~board~~ *governor* shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities and accountabilities and in determining salary listings rate each position according to this system.

Subd. 3. [INFORMATION, CONSULTANTS.] Each department shall furnish the ~~board~~ *commissioner* with any information which the ~~board~~ *commissioner* may request to aid in the performance of its duties. Subject to appropriations, the ~~board~~ *commissioner* may engage expert consultants.

Sec. 66. Minnesota Statutes 1978, Section 43.067, Subdivision 2, is amended to read:

Subd. 2. [DISCRETIONARY EXEMPTIONS.] The ~~personnel board~~ *commissioner* may grant exemptions from the provisions of subdivision 1 in the case of individual persons. A salary increase authorized by other law by reason of seniority or cost of living adjustments shall not be sufficient reason to grant an exemption. The ~~board~~ *commissioner* may grant an exemption upon application of the appointing authority, but only if the ~~board~~ *commissioner* determines that the position requires special expertise necessitating a higher salary in order to attract or retain qualified persons. In no event may a salary exempted pursuant to this subdivision exceed 120 percent of the base salary of the position in respect to which the exemption was requested.

Sec. 67. Minnesota Statutes 1978, Section 43.068, is amended to read:

43.068 [GOVERNOR MAY FIX CERTAIN SALARIES.] The initial salary of a department head and any deputy of a department head occupying a position in the unclassified service hereafter established whose salary is not specifically prescribed by law shall be fixed by the governor, after consultation with the ~~personnel board~~ *commissioner*, whose recommendation shall be advisory only, in an amount comparable to the salary of a department head or a deputy of a department head having similar duties and responsibilities.

Sec. 68. Minnesota Statutes, 1979 Supplement, Section 43.09, Subdivision 2a, is amended to read:

Subd. 2a. [ADDITIONAL UNCLASSIFIED POSITIONS.] Notwithstanding any other law to the contrary, the ~~personnel board~~ *commissioner*, upon the request of the governor, is hereby authorized to establish permanent unclassified positions, or to unclassify previously classified positions, provided that:

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is

required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause (4).

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under applicable provisions of rules and laws governing classified state employees. An incumbent of a position that is declassified pursuant to this subdivision, if he so requests within 120 days after being removed from that position, shall be appointed to a classified position comparable to the position that was declassified, or if such a position is unavailable, to a position comparable to that which he held immediately prior to being appointed to the position that was declassified. If a position is declassified and the incumbent at the time the position was declassified had no classified status immediately prior to the appointment to the position that was declassified, he shall, if he so requests within 120 days after being removed from that position, be appointed to a comparable or lower classified position within two salary ranges of the position that was declassified.

(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive classified civil service status and, upon his request, shall be reappointed to a classified position comparable to that which he held immediately prior to being appointed to the unclassified position.

(4) Positions so established are limited in number to six in the departments of administration, corrections, economic security, finance, transportation, natural resources, public safety, public welfare, and revenue; to five in the departments of commerce, education, health, labor and industry, personnel and the housing finance agency; to four in the departments of agriculture, and economic development; to three in the department of public service, the planning agency, and the pollution control agency; and to two in the departments of human rights, the crime control planning board and veterans affairs. Departments or agencies not enumerated in this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision.

(5) Funds are available.

Sec. 69. Minnesota Statutes, 1979 Supplement, Section 43.15, Subdivision 1, is amended to read:

43.15 [AFFIRMATIVE ACTION; DISCRIMINATION FORBIDDEN.] Subdivision 1. [STATEWIDE AFFIRMATIVE ACTION PROGRAM.] In order to assure that positions in the state civil service are equally accessible to all qualified persons, and in order to eliminate the underutilization of qualified members of protected groups, the commissioner of personnel shall adopt and periodically revise as necessary a statewide affirmative action program covering all agencies in the executive branch. The commissioner shall designate a state director of equal employment opportunity to serve in the unclassified service and to whom may be

delegated the preparation, revision and implementation of the program. The statewide program and any revisions thereto shall be adopted as rules and individual agency affirmative action plans adopted pursuant to the statewide program shall be in accordance with adopted rules. As used in this section, "protected group" means a group consisting of females, handicapped persons, and until 1989 veterans who served in the military service of this country during the period ~~July 1 from August 5, 1964, to December 31, 1976~~ *May 7, 1975*, and separated under honorable conditions from any branch of the armed forces of the United States: (a) after having served on active duty for 181 consecutive days or (b) by reason of disability incurred while serving on active duty, and who are permanent residents of the state of Minnesota, or members of the following minorities: Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan native.

Sec. 70. Minnesota Statutes, 1979 Supplement, Section 43.24, is amended to read:

43.24 [REMOVAL.] Subdivision 1. [WRITTEN STATEMENT.] No permanent employee in the classified service, under the provisions of this chapter or the rules made pursuant thereto, shall be removed, discharged, suspended without pay for more than 30 days, or reduced in pay or position, except for just cause. In case of any disciplinary action, as enumerated in this section, the employee shall, before the action is taken, be furnished with a statement, in writing, setting forth the reasons for the disciplinary action, be permitted five days time to reply thereto, in writing, or upon his request, to appear personally and reply to the head of the department. A copy of the statement and the employee's reply, if any, shall be filed with the commissioner prior to the effective date thereof. Any permanent employee in the classified service who is removed, discharged, suspended without pay for more than 30 days, or reduced in pay or position, shall be notified no later than the effective date of the action of his right to appeal the action to the ~~board~~ *chief hearing examiner of the state office of administrative hearings who shall assign a hearing examiner to hear the matter.*

Subd. 1a. [JUST CAUSE.] For the purposes of this section, "just cause" includes, but is not limited to, consistent failure to perform assigned duties, substandard performance, insubordination, and serious violation of written policies and procedures, provided the policies and procedures are applied in a uniform, non-discriminatory manner. "Just cause" excludes the religious beliefs, political beliefs, race, sex, disability status and age of the employee, subject however to mandatory retirement ages specified by law and excludes discharge for mere whim or caprice.

Subd. 2. [APPEAL TO BOARD; PUBLIC HEARINGS, FINDINGS, HEARING CONFERENCE.] Any permanent employee who is removed, discharged, suspended without pay for more than 30 days, or reduced in pay or position and who has not elected to proceed pursuant to a grievance procedure, if ~~such~~ *the* procedure is available, pursuant to sections 179.61 to 179.77, may appeal to the ~~board~~ *chief hearing examiner of the state office of administra-*

tive hearings who shall assign a hearing examiner to hear the matter within 30 days after the effective date of such the removal, discharge, suspension or reduction in pay or position. In no event may an employee avail himself of both the procedure under this section and the grievance procedure under sections 179.61 to 179.77. Upon such appeal, both the appealing employee and the appointing authority or their representatives shall meet with the hearing officer, at a place and on such a date as set by him for the purpose of determining the facts at issue. Prior to the hearing conference, both parties may stipulate on mutually agreed matters relevant to the dismissal or other disciplinary action referred to in this subdivision. If the hearing officer is successful in reaching a mutually agreed settlement between both parties, such agreement shall be certified to the board chief hearing examiner, with copies furnished to both parties, and such the agreement, if approved by the board chief hearing examiner, shall become binding on both parties. The hearing conference shall be conducted in such manner and follow such procedures as prescribed by the board contested case provisions of chapter 15. The issues and facts on which agreement has not been reached will be decided during the hearing at which hearing technical rules of evidence shall not apply. If the board hearing examiner finds that the action complained of was not taken by the appointing authority for just cause, the employee shall be reinstated to his position, or an equal position in another department or division, without loss of pay. If the board hearing examiner finds that there exist sufficient grounds for institution of dismissal but extenuating circumstances are brought out in testimony and evidence, it he may in its his discretion reinstate the employee, with full, partial, or no pay, or it may modify the appointing authority's action by substituting a lesser disciplinary action. The hearing officer shall recommend to the board chief hearing examiner an appropriate disposition of the case. If no exceptions are made, the hearing officer's recommended disposition shall, at the option of the board chief hearing examiner, become final. If exceptions are taken, the board chief hearing examiner, upon a review of the record, may accept the officer's recommendations with or without additional oral or written evidence from the parties, may remand the case to the officer for further hearing, adopt the hearing officer's report with any changes warranted by the record, or issue its own report of findings and orders. In those cases in which the board chief hearing examiner finds just cause for dismissal, the findings and recommendations of the board chief hearing examiner shall be submitted to and considered by the appointing authority, who may, not later than 30 days after receipt of such the findings and recommendations, reinstate the employee with or without pay for the period of suspension, or otherwise modify his original decision of suspension, demotion, or discharge. When any permanent employee is dismissed and not reinstated after appeal, the board chief hearing examiner may direct that his name be placed on an appropriate reemployment list, for employment in any similar position other than the one from which he has been removed, which direction shall be enforced by the commissioner. If the chief hearing examiner supports the agency decision, or if the agency refuses to

accept the chief hearing examiner's recommendations, the employee may appeal as though from a contested case decision pursuant to chapter 15.

Subd. 3. [REQUEST FOR WRITTEN STATEMENT.] When any such permanent employee shall be suspended without pay, he shall, within 30 days time after being notified of such disciplinary action, be furnished with a statement in writing specifically setting forth the reasons for the disciplinary action, and a copy of such statement shall then also be filed with the commissioner.

Sec. 71. Minnesota Statutes 1978, Section 43.323, Subdivision 1, is amended to read:

43.323 [PERSONNEL RULE; PROCEDURE.] Subdivision 1. When so authorized by law, the commissioner of personnel shall issue, *personnel rules or revisions* in conformance with the requirements of chapter 15, *personnel rules, or changes thereof, and shall submit such proposed rules, or changes to existing rules, to the personnel board, for its opinion which shall be advisory only.*

Within three weeks after receipt of such proposed rules or changes to existing rules, the personnel board shall file its opinion on the proposed rule or rule change with the commissioner.

After receipt of the board's advisory opinion on the proposed rule or change of rule, the commissioner shall within seven days promulgate or withdraw the proposed rule or proposed change of rule. A provision of an agreement entered into by the commissioner pursuant to section 179.74, subdivision 5 shall supersede the provisions of any rule or portion thereof which is inconsistent therewith.

Sec. 72. Minnesota Statutes 1978, Section 43.324, Subdivision 2, is amended to read:

Subd. 2. The recommendation of the commissioner as required by subdivision 1 shall include the recommendations of the personnel board concerning salaries in the unclassified service or any modifications thereof which he has made. *But no modification of the personnel board's recommendations shall be made by the commissioner without a written explanation therefor, and in no event may the commissioner make any changes in the recommendations of the personnel board concerning positions in the legislative and judicial branches.*

Sec. 73. Minnesota Statutes 1978, Section 43.35, is amended to read:

43.35 [VIOLATIONS; PENALTIES.] Any personnel board member, the commissioner, or examiner or any other person,

(1) who wilfully or corruptly, by himself or in cooperation with one or more persons, defeats, deceives, or obstructs any person with respect to his rights of examination or application according to this chapter, or to any rules or regulations prescribed pursuant thereto, or

(2) who wilfully or corruptly falsely marks, grades, estimates, or reports upon the examination or proper standing of any person examined, registered, certified, employed, or promoted pursuant to the provisions of these sections, or aids in so doing, or who wilfully destroys any examination questions, answers, or records thereon of any applicant for civil service within a period of one year after any examination has been completed, or

(3) who wilfully or corruptly makes or files any false representations concerning the persons examined, registered, certified, appointed, employed, or promoted, or

(4) who wilfully or corruptly furnishes any person with any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered, or certified, being appointed, employed, or promoted, or

(5) who personates any other person, or permits or aids in any manner any other person to personate him in connection with any examination or registration, or application or request to be examined or registered, or

(6) who wilfully or corruptly shall appoint to a position in the classified service, or dismisses, suspends, reduces in rank or pay any officer or employee from any position in the classified service otherwise than in compliance with, and in conformity to, the provisions of this chapter and the rules and regulations of the commissioner of personnel adopted pursuant thereto, or

(7) who wilfully or corruptly refuses or neglects otherwise to comply with, or conform to, the provisions of this chapter and the rules and regulations made pursuant thereto, or violates any of these provisions, shall be deemed guilty of a misdemeanor and punished accordingly.

Any conviction under this section shall render the public officer or position held by the person so convicted vacant, and such person shall be ineligible to hold public office for a period of five years from the date of the conviction.

Sec. 74. Minnesota Statutes 1978, Section 62D.12, is amended by adding a subdivision to read:

Subd. 12. No health maintenance contract issued or renewed on or after July 1, 1980 shall contain any provision denying or reducing benefits because services are rendered to an insured or dependent who is eligible for or receiving medical assistance pursuant to chapter 256B or services pursuant to sections 252.27; 260.251, subdivision 1a; 261. 27; or 393.07, subdivisions 1 or 2.

Sec. 75. Minnesota Statutes, 1979 Supplement, Section 82.21, Subdivision 1, is amended to read:

82.21 [FEES.] Subdivision 1. [AMOUNTS.] The following fees shall be paid to the commissioner:

(a) A fee of \$50 for each initial individual broker's license, and a fee of \$25 for each annual renewal thereof;

(b) A fee of \$25 for each initial salesperson's license, and a fee of \$10 for each annual renewal thereof;

(c) A fee of \$50 for each initial corporate or partnership license, and a fee of \$25 for each annual renewal thereof;

(d) A fee not to exceed ~~\$20~~ \$40 per year for payment to the education, research and recovery fund in accordance with section 82.34;

(e) A fee of \$10 for each transfer.

Sec. 76. Minnesota Statutes 1978, Section 82.34, is amended to read:

82.34 [REAL ESTATE EDUCATION, RESEARCH AND RECOVERY FUND.] Subdivision 1. There is established a "real estate education, research and recovery fund" to be administered by the commissioner of securities. The state treasurer shall be the custodian of the fund and shall operate under the direction of the commissioner.

Subd. 2. There is hereby created in the state treasury a real estate education, research and recovery fund which shall be administered by the commissioner in the manner and for the purposes prescribed in this section.

Subd. 3. Each real estate broker and real estate salesperson entitled under this chapter to renew his license, when renewing for the first time after July 1, 1973, shall pay in addition to the appropriate renewal fee a further fee of \$20 which shall be credited to the real estate education, research and recovery fund. Any person who receives a new real estate broker's or real estate salesperson's license after July 1, 1973 shall pay said fee of \$20 in addition to all other fees payable, provided that in no case shall any real estate broker or real estate salesperson be required under this subdivision to pay said fee of \$20 more than once. *The one time fee shall increase to \$40 for any person who receives a new real estate broker's or real estate salesperson's license after July 1, 1980. In addition each real estate broker or real estate salesperson when renewing his license after July 1, 1980, shall each time pay a fee of \$5 to be credited to the real estate education, research and recovery fund.*

Subd. 4. If at the end of any fiscal year prior to calendar year 1981 following the establishment of the real estate education, research and recovery fund, the amount remaining in the fund is less than \$200,000, every licensed real estate broker and real estate salesperson, when renewing his license, shall pay in addition to the annual renewal fee, a sum not to exceed \$20 said sum having been determined by the commissioner to be sufficient to restore the balance in the fund to at least \$200,000.

Commencing with calendar year 1981, not to exceed \$400,000 of the fund shall be available for recovery purposes to satisfy all claims authorized for payment each calendar year. This shall be designated as the recovery portion of the fund. Commencing in calendar year 1981, if the amount remaining in the fund after pay-

ment of all amounts authorized during the preceding calendar year for payment to claimants is less than \$400,000 plus the amount appropriated pursuant to subdivision 6, every licensed real estate broker and real estate salesperson, when renewing his license, shall pay, in addition to the annual renewal fee and the \$5 fee set forth in subdivision 3, a sum not to exceed \$35, said sum having been reasonably determined by the commissioner to be necessary to restore the balance in the fund.

Subd. 5. Any funds in excess of \$200,000 shall, upon request of the commissioner, be invested by the state board of investment in the class of securities specified in section 11.16 and acts amendatory thereto. All interest and profits from such investments shall be credited to the real estate education, research and recovery fund. The state treasurer shall be the custodian of securities purchased under the provisions of this section.

Subd. 6. The commissioner, in his discretion may use any funds in excess of \$200,000 may expend monies as appropriated for the following purposes:

(a) To promote the advancement of education and research in the field of real estate for the benefit of those licensed under this chapter;

(b) To underwrite educational seminars and other forms of educational projects for the benefit of real estate licensees;

(c) To establish a real estate chair or courses at Minnesota state institutions of higher learning for the purpose of making such courses available to licensees and the general public;

(d) To contract for a particular educational or research project in the field of real estate to further the purposes of this chapter. ;

(e) To pay the costs of the real estate advisory council established under section 82.30; and

(f) To pay any reasonable costs and disbursements, excluding attorney's fees, incurred in defending actions against the real estate education, research and recovery fund including the cost of mailing or publication of notice pursuant to subdivision 12 and subdivision 14.

Subd. 7. When any aggrieved person obtains a final judgment in any court of competent jurisdiction against any person licensed under this chapter, on grounds of fraudulent, deceptive or dishonest practices, or conversion of trust funds arising directly out of any transaction when the judgment debtor was licensed and performed acts for which a license is required under this chapter, and which cause of action occurred on or after July 1, 1973, the aggrieved person may, upon the judgment becoming final, and upon termination of all proceedings, including reviews and appeals, file a verified application in the court in which the judgment was entered for an order directing payment out of the real estate education, research and recovery portion of the fund of the amount of actual and direct out of pocket loss in such transaction,

but excluding interest on the loss and on any judgment obtained as a result of such loss, up to the sum of \$20,000 of the amount unpaid upon the judgment, provided that nothing in this chapter shall be construed to obligate the fund for more than \$20,000 per transaction, subject to the limitations set forth in subdivisions 12 and 14, regardless of the number of persons aggrieved or parcels of real estate involved in such transaction. A copy of the verified application shall be served upon the commissioner and upon the judgment debtor, and a certificate or affidavit of such service filed with the court.

Subd. 8. The court shall conduct a hearing upon such application 30 days after service of the application upon the commissioner. Upon petition of the commissioner, the court shall continue the hearing up to 60 days further; and upon a showing of good cause may continue the hearing for such further period as the court deems appropriate. At the hearing the aggrieved person shall be required to show that:

(a) He is not a spouse of debtor, or the personal representative of such spouse;

(b) He has complied with all the requirements of this section;

(c) He has obtained a judgment as set out in subdivision 7, stating the amount thereof and the amount owing thereon at the date of the application;

(d) He has made all reasonable searches and inquiries to ascertain whether the judgment debtor is possessed of real or personal property or other assets, liable to be sold or applied in satisfaction of the judgment;

(e) By such search he has discovered no personal or real property or other assets liable to be sold or applied, or that he has discovered certain of them, describing them, owned by the judgment debtor and liable to be so applied, and that he has taken all necessary action and proceedings for the realization thereof, and that the amount thereby realized was insufficient to satisfy the judgment, stating the amount so realized and the balance remaining due on the judgment after application of the amount realized;

(f) He has diligently pursued his remedies against all the judgment debtors and all other persons liable to him in the transaction for which he seeks recovery from the real estate education, research and recovery fund;

(g) He is making said application no more than one year after the judgment becomes final, or no more than one year after the termination of any review or appeal of the judgment.

Subd. 9. Whenever the court proceeds upon an application as set forth in subdivision 7, it shall order payment out of the real estate education, research and recovery portion of the fund only upon a determination that the aggrieved party has a valid cause of action within the purview of subdivision 7 and has complied with the provisions of subdivision 8. The judgment shall be only prima

facie evidence of such cause of action and for the purposes of this section shall not be conclusive. The commissioner may defend any such action on behalf of the fund and shall have recourse to all appropriate means of defense and review including examination of witnesses. The commissioner may move the court at any time to dismiss the application when it appears there are no triable issues and the petition is without merit. The motion may be supported by affidavit of any person or persons having knowledge of the facts, and may be made on the basis that the petition, and the judgment referred to therein, does not form the basis for a meritorious recovery claim within the purview of subdivision 7; provided, however, the commissioner shall give written notice at least ten days before such motion. The commissioner may, subject to court approval, compromise a claim based upon the application of an aggrieved party. He shall not be bound by any prior compromise or stipulation of the judgment debtor.

Subd. 10. The commissioner may defend any such action on behalf of the fund and shall have recourse to all appropriate means of defense and review, including examination of witnesses. The judgment debtor may defend any such action on his own behalf and shall have recourse to all appropriate means of defense and review, including examination of witnesses. Whenever an applicant's judgment is by default, stipulation, or consent, or whenever the action against the licensee was defended by a trustee in bankruptcy, the applicant shall have the burden of proving his cause of action for fraudulent, deceptive or dishonest practices, or conversion of trust funds. Otherwise, the judgment shall create a rebuttable presumption of the fraudulent, deceptive or dishonest practices, or conversion of trust funds. This presumption is a presumption affecting the burden of producing evidence.

Subd. 11. If the court finds after the hearing that said claim should be levied against the *recovery* portion of the fund ~~allocated for the purpose of carrying out the provisions of this section~~, the court shall enter an order directed to the commissioner requiring payment from the ~~real estate education, research and recovery~~ *portion of the fund* of whatever sum it shall find to be payable upon the claim pursuant to the provisions of and in accordance with the limitations contained in this section.

Subd. 12. (a) Notwithstanding any other provision of this section, the liability of ~~that the recovery portion of the real estate education, research and recovery fund allocated for the purposes of this section to all persons for all losses~~ shall not exceed ~~\$20,000~~ \$25,000 for any one licensee;

(b) If the ~~\$20,000~~ \$25,000 liability of the ~~real estate education, research and recovery portion of the fund~~ is insufficient to pay in full the valid claims of all aggrieved persons by whom claims have been filed against any one licensee, such ~~\$20,000~~ \$25,000 shall be distributed among them in the ratio that their respective claims bear to the aggregate of such valid claims or in such other manner as the court deems equitable. Distribution of such moneys shall be

among the persons entitled to share therein, without regard to the order of priority in which their respective judgments may have been obtained or their claims have been filed. Upon petition of the commissioner, the court may require all claimants and prospective claimants against one licensee to be joined in one action, to the end that the respective rights of all such claimants to the real estate education, research and recovery portion of the fund may be equitably adjudicated and settled.

Subd. 13. Should the commissioner pay from the real estate education, research and recovery portion of the fund any amount in settlement of a claim or toward satisfaction of a judgment against a licensed broker or salesperson, the license of the broker or salesperson shall be automatically suspended upon the effective date of an order by the court as set forth herein authorizing payment from the real estate education, research and recovery portion of the fund. No such broker or salesperson shall be granted reinstatement until he has repaid in full, plus interest at the rate of four 12 percent a year, twice the amount paid from the real estate education, research and recovery portion of the fund on his account, and has obtained a surety bond issued by an insurer authorized to transact business in this state in the amount of \$40,000. The bond shall be filed with the commissioner, with the state of Minnesota as obligee, conditioned for the prompt payment to any aggrieved person entitled thereto, of any amounts received by the real estate broker or salesperson or to protect any aggrieved person from loss resulting from fraudulent, deceptive or dishonest practices or conversion of trust funds arising out of any transaction when the real estate broker or salesperson was licensed and performed acts for which a license is required under this chapter. The bond shall remain operative for as long as that real estate broker or salesperson is licensed. No payment shall be made from the recovery portion of the fund based upon claims against any broker or salesperson who is granted reinstatement pursuant to this subdivision. A discharge in bankruptcy shall not relieve a person from the penalties and disabilities provided in this section.

Subd. 14. If, at any time, the money deposited in the real estate education, research and recovery fund and allocated for purposes other than real estate education and research is insufficient to satisfy any duly authorized claim or portion thereof, the commissioner shall, when sufficient money has been deposited in the real estate education, research and recovery fund, satisfy such unpaid claims or portions thereof, in the order that such claims or portions thereof were originally filed, plus accumulated interest at the rate of four percent a year. The commissioner shall satisfy all claims against licensees for which an order pursuant to subdivision 11 directing payment from the recovery portion of the fund has become final during the calendar year. Each claim shall be satisfied by the commissioner in not less than 30 and not more than 90 days following the end of the calendar year in which the order directing payment of the claim becomes final, commencing with calendar year 1981. If, at the end of any calendar year, the com-

missioner determines that the courts have issued orders that have become final during the year directing payment out of the recovery portion of the fund in a total amount in excess of \$400,000, the commissioner shall allocate the \$400,000 available for recovery purposes among all claimants in the ratio that the amount ordered paid to each claimant bears to the aggregate of all amounts ordered paid. The commissioner shall mail notice of the allocation to all claimants not less than 45 days following the end of the calendar year. Any claimant who objects to the plan of allocation shall file a petition in the district court of Ramsey or Hennepin County within 20 days of the mailing of notice setting forth the grounds for objection. Upon motion of the commissioner the court shall summarily dismiss the petition and order distribution in accordance with the proposed plan of allocation unless it finds substantial reason to believe that the distribution would be in violation of the provisions of this section. If a petition is filed, no distribution shall be made except in accordance with a final order of the court. In the event no petition is filed within 20 days of the mailing of notice, the commissioner shall make a distribution in accordance with the plan of allocation. Any distribution made by the commissioner in accordance with this subdivision shall be deemed to satisfy and extinguish the claims of any claimant receiving a distribution against the recovery portion of the fund.

Subd. 15. Any sums received by the commissioner pursuant to any provisions of this section shall be deposited in the state treasury, and credited to the real estate education, research and recovery fund, and said sums shall be allocated exclusively for the purposes provided in this section. All moneys in the fund are appropriated annually to the commissioner for the purposes of this section.

Subd. 16. It shall be unlawful for any person or the agent of any person to knowingly file with the commissioner any notice, statement, or other document required under the provisions of this section which is false or untrue or contains any material misstatement of fact. Such conduct shall constitute a gross misdemeanor.

Subd. 17. When, upon the order of the court, the commissioner has paid from the real estate education, research and recovery portion of the fund any sum to the judgment creditor, the commissioner shall be subrogated to all of the rights of the judgment creditor to the extent of the amount so paid and the judgment creditor shall assign all his right, title and interest in the judgment to the extent of the amount so paid to the commissioner and any amount and interest so recovered by the commissioner on the judgment shall be deposited to the fund.

Subd. 18. Nothing contained in this section shall limit the authority of the commissioner to take disciplinary action against any licensee under other provisions of this chapter; nor shall the repayment in full of all obligations to the real estate education, research and recovery portion of the fund by any licensee nullify or modify the effect of any other disciplinary proceeding brought pursuant to the provisions of this chapter.

Subd. 19. The commissioner shall include in the annual report of the commerce commission pursuant to section 45.033, a report on the activities of the real estate education, research and recovery fund; noting the amount of money received by the fund, the amount of money expended and the purposes therefor.

Subd. 20. *Claims for which orders for payment have become final prior to January 1, 1981 shall be paid in accordance with Minnesota Statutes 1978, Section 82.34, but shall be subject to the limitations set forth in subdivisions 7 and 12. If at any time the amount deposited in the recovery portion of the fund is insufficient to satisfy any duly authorized claim or portion thereof for which an order directing payment has become final prior to January 1, 1981, the commissioner shall treat the unpaid claims or portions thereof as if entered pursuant to orders which become final in the calendar year 1981. Those claims shall be paid in accordance with the procedure set forth in subdivision 14 and shall be subject to the limitations set forth in subdivisions 4 and 14.*

Sec. 77. [APPROPRIATION.] *Subdivision 1. The sum of \$158,900 is appropriated from the real estate education, research, and recovery fund to the commissioner of securities for the purpose of section 82.34, subdivision 6, as amended by this act. This appropriation is available until June 30, 1981.*

The approved complement for the department of commerce — securities division is increased by three positions upon termination of the university of Minnesota contract for real estate education activities.

Subd. 2. *If the position of St. Cloud State University chair of real estate has not been filled by August 1, 1980, all further contractual obligations of the state are void and \$25,000 of this appropriation shall cancel and revert to the real estate education research and recovery fund. In this event, an additional \$25,000 within this appropriation is earmarked for repayment of any bona fide contractual expenses incurred by St. Cloud State University during the life of the contract.*

Sec. 78. Minnesota Statutes 1978, Section 90.195, is amended to read:

90.195 [SPECIAL USE PERMIT.] *The commissioner, for a \$5 fee, may issue a permit to salvage or cut not to exceed 25 cords of fuelwood per year for personal use from either or both of the following sources: (1) Dead, down, and diseased trees; (2) other trees that are of negative value under good forest management practices. Such The permits may be issued for a period not to exceed one year. The commissioner shall charge a fee, not less than \$5, in an amount up to the stumpage current market value of fuelwood of similar species, grade, and volume that is being sold in the area where the salvage or cutting is authorized under the permit.*

Sec. 79. Minnesota Statutes 1978, Section 94.10, Subdivision 1, is amended to read:

94.10 [SURVEYS, APPRAISALS AND SALE.] Subdivision

1. Before offering any surplus state owned lands for sale, the commissioner of administration may survey such lands, and if the value thereof is estimated to be ~~\$5,000~~ \$20,000 or less, may have such lands appraised. He shall have the lands appraised if the estimated value is in excess of ~~\$5,000~~ \$20,000. The appraisal shall be made by not less than three appraisers, at least two of whom shall be residents of the county in which the lands are situated. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any of the lands to be appraised or the timber or improvements thereon or in the purchase thereof and has entered into no agreement or combination to purchase the same or any part thereof, which oath shall be attached to the report of such appraisal. Before offering such surplus state owned lands for public sale, such lands shall first be offered to the city, county, town, school district, or other public body corporate or politic in which the lands are situated for public purposes and they may be sold for such public purposes for not less than the appraised value thereof. To determine whether a public body desires to purchase the surplus land, the commissioner of administration shall publish notice describing the land on the same day of at least two successive weeks in a newspaper of general circulation in the county in which the land is located; however, the commissioner shall give a written notice to the governing body of each political subdivision whose jurisdictional boundaries include or are adjacent to the surplus land. If a public body desires to purchase the surplus land it shall submit a written offer to the commissioner not later than two weeks after the last published notice setting forth in detail its reasons for desiring to acquire and its intended use of the land. In the event that more than one public body tenders an offer, the commissioner shall determine which party shall receive the property, and he shall submit written findings regarding his decision. If lands are offered for sale for such public purposes, and if a public body notifies the commissioner of administration of its desire to acquire such lands, the public body may have not to exceed two years from the date of the accepted offer to commence payment for the lands in the manner provided by law.

Sec. 80. Minnesota Statutes 1978, Section 94.16, is amended to read:

94.16 [FUNDS, HOW DISPOSED OF.] All moneys received from the sale of such lands or lots shall be credited to the general fund of the state, *except that a portion of the proceeds from the sale equal in amount to the survey, appraisal, legal, advertising, and other expenses incurred by the commissioner of administration or other state official in rendering the property saleable shall be remitted to the account from which the expenses were paid, and are appropriated and immediately available for expenditure in the same manner as other money in the account.*

Sec. 81. Minnesota Statutes 1978, Section 97.431, Subdivision 4, is amended to read:

Subd. 4. [COMMISSIONER'S POWERS AND DUTIES.] Notwithstanding the provisions of any other law to the contrary, the commissioner of natural resources, on behalf of the state of Minnesota, shall take all actions, by order or otherwise, which are necessary to carry out the duties and obligations of the state of Minnesota arising from the agreement entered into by the parties to the settlement agreement. These actions include but are not limited to the following:

(a) The implementation of the exemption of members of the band and other members of the Minnesota Chippewa tribe from state laws relating to hunting, fishing, trapping, the taking of minnows and other bait, and the gathering of wild rice while within the reservation, together with exemption from related possession and transportation laws, to the extent necessary to effectuate the terms of the settlement agreement;

(b) The establishment of a system of special licenses and related license fees for persons who are not members of the Minnesota Chippewa tribe for the privilege of hunting, fishing, trapping, or taking minnows and other bait, within the reservation. All money collected by the commissioner for special licenses shall be deposited in the state treasury and credited to the Leech Lake Band and White Earth Band special license account, which is hereby created. All money in the state treasury credited to the Leech Lake Band and White Earth Band special license account, less any deductions for administrative costs authorized by the terms of the settlement agreement, is appropriated to the commissioner who shall remit the money to the committee pursuant to the terms of the settlement agreement;

(c) To the extent necessary to effectuate the terms of the settlement agreement, the promulgation of regulations for the harvesting of wild rice within the reservation by non-Indians;

(d) To the extent necessary to effectuate the terms of the settlement agreement, the establishment of policies and procedures for the enforcement by conservation officers of the conservation code adopted by the band; and

(e) The arbitration of disputes arising under the terms of the settlement agreement.

Sec. 82. Minnesota Statutes 1978, Section 97.432, is amended to read:

97.432 [AMENDMENT TO LEECH LAKE SETTLEMENT AGREEMENT.] The commissioner may enter into an agreement with the reservation business committee of the Leech Lake Indian Reservation to amend the settlement agreement adopted in section 97.431 by providing that in lieu of collecting any additional fee in connection with the state waterfowl stamp for the privilege of hunting waterfowl on the Leech Lake Indian Reservation *an amount equal to five percent of the proceeds from the sale of said stamp shall be credited to the Leech Lake Band and White Earth Band special license account established by section 97.431 and shall be remitted to the Leech Lake reservation business com-*

mittee in the manner and subject to the terms and conditions provided in section 97.431.

Sec. 83. Minnesota Statutes 1978, Chapter 97, is amended by adding a section to read:

[97.433] [AGREEMENTS WITH THE LEECH LAKE AND WHITE EARTH BANDS OF CHIPPEWA INDIANS RELATING TO HUNTING AND FISHING LICENSES AND FEES.] *Subdivision 1. [AGREEMENT WITH THE WHITE EARTH BAND OF CHIPPEWA INDIANS.] The commissioner may enter into an agreement with authorized representatives of the White Earth Band of Chippewa Indians on substantially the same terms as the agreement adopted by section 97.431 and amended pursuant to section 97.432; except that in lieu of the system described in section 97.431, subdivision 4, clause (b), of special licenses and related license fees for persons who are not members of the Minnesota Chippewa tribe, for the privilege of hunting, fishing, trapping, or taking minnows and other bait within the reservation, the agreement shall provide that an amount equal to two and one-half percent of the proceeds from the sale of all licenses sold in the state of Minnesota for hunting, fishing, trapping, or taking of minnows or other bait shall be credited to the special license account established by section 97.431, and shall be remitted to the White Earth Band in the manner and subject to the terms and conditions that may be mutually agreed upon. An agreement negotiated pursuant to this subdivision shall be for a term of at least four years following the date of its execution.*

Subd. 2. [AMENDMENT TO THE LEECH LAKE SETTLEMENT AGREEMENT.] The commissioner may enter into an agreement with authorized representatives of the Leech Lake Band of Chippewa Indians to amend the settlement agreement adopted by section 97.431 and previously amended pursuant to section 97.432 by providing that in lieu of the system of special licenses and license fees for persons who are not members of the Minnesota Chippewa tribe for the privilege of hunting, fishing, trapping, or taking minnows and other bait within the reservation, an amount equal to five percent of the proceeds from the sale of all licenses sold in the state of Minnesota for hunting, fishing, trapping, or taking minnows and other bait shall be credited to the special license account established by section 97.431 and shall be remitted to the Leech Lake Band in the manner and subject to the terms and conditions that may be mutually agreed upon.

Subd. 3. [SOURCE OF PAYMENTS.] Money to make payments to the Leech Lake Band and White Earth Band special license account pursuant to sections 80 and 81 is annually appropriated for that purpose in a ratio of 60 percent from the game and fish fund and 40 percent from the general fund.

Sec. 84. Minnesota Statutes 1978, Section 106.471, is amended by adding a subdivision to read:

Subd. 9. Where the cost of the repair of a ditch system exceeds the benefits determined in the original proceedings for the estab-

ishment of the ditch, the requirements of section 106.501 for improvements of ditch systems shall apply when the following conditions are present:

(a) The repair will result in the drainage of 100 or more acres of public waters in Anoka County;

(b) The public waters have existed for 15 or more years;

(c) The ditch system has not been substantially repaired for more than 25 years; and

(d) The physical repair has not commenced prior to the effective date of this subdivision.

Sec. 85. Minnesota Statutes 1978, Chapter 112, is amended by adding a section to read:

[112.431] [DRAINAGE IMPROVEMENTS.] *Subdivision 1. [FINDINGS.] The legislature finds that because of urban growth and development in the metropolitan area problems arise for the improvement and repair of drainage systems which were originally established for the benefit of land used for agricultural purposes and that the procedure for the improvement and repair of drainage systems now in the metropolitan area should be simplified to more adequately and economically improve and repair drainage systems.*

Subd. 2. [DEFINITIONS.] (a) For the purpose of this section the terms defined in this subdivision have the meanings ascribed to them.

(b) "Drainage system" means a ditch as defined by Minnesota Statutes, Section 106.011, Subdivision 17.

(c) "Watershed district" means any watershed district established pursuant to the provisions of Minnesota Statutes, Chapter 112, wholly or partially in a metropolitan county.

(d) "Metropolitan county" means any one of the following counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott or Washington.

(e) "Metropolitan area" means the combined area of the metropolitan counties.

Subd. 3. [DRAINAGE IMPROVEMENTS.] With the concurrence of the governing bodies of the home rule charter or statutory cities and the town board of the towns where the drainage system is located, the board of managers of a watershed district in which there exists a drainage system shall have the power to improve and repair any drainage system transferred to the watershed district pursuant to Minnesota Statutes, Section 112.65 by conforming to Minnesota Statutes, Sections 429.031; 429.041, Subdivisions 1 and 2; 429.051; 429.061 and 429.071.

Subd. 4. [ALTERNATIVE POWER.] With the concurrence of the governing bodies of the home rule charter or statutory cities and the town boards of the towns where the drainage system is located, the managers in their discretion may improve and repair

a drainage system under the power granted to them elsewhere in Minnesota Statutes, Chapter 112.

Subd. 5. [APPEAL.] Any person aggrieved by an order for improvement or repair by the managers or by an assessment may appeal as provided in Minnesota Statutes, Sections 112.801 and 112.82.

Sec. 86. [NINE MILE CREEK, RILEY-PURGATORY CREEK AND RED LAKE WATERSHED DISTRICTS; TAX LEVY; ANNUAL ADMINISTRATIVE FUND LEVY.] Notwithstanding any other law to the contrary, the Nine Mile Creek Watershed District in Hennepin County, the Riley-Purgatory Creek Watershed District in Hennepin and Carver counties and the Red Lake Watershed District in Polk, Beltrami, Marshall, Clearwater, Pennington, Red Lake, Koochiching, Mahnomen and Roseau counties are each authorized, in addition to all powers each now possesses, to establish an administrative fund. This fund shall be maintained by an annual ad valorem tax levy on each dollar of assessed valuation of all taxable property within the respective districts sufficient to raise an amount each year of up to, but not to exceed, an amount of \$125,000 in each district. This levy is in lieu of, not in addition to, the administrative levy contained in Minnesota Statutes 1978, Section 112.61, Subdivision 3. The funds shall be used for general administrative expenses and for the construction and maintenance of projects of benefit to the district. The managers may make an annual levy for this fund as provided in Minnesota Statutes, Section 112.611.

Sec. 87. Minnesota Statutes 1978, Section 116C.63, Subdivision 4, is amended to read:

Subd. 4. When private real property defined as class 3, 3b, 3c, 3cc, 3d, or 3f pursuant to section 273.13 is proposed to be acquired for the construction of a site or route by eminent domain proceedings, the property fee owner, or when applicable, the fee owner with the written consent of the contract for deed vendee, or the contract for deed vendee with the written consent of the fee owner, shall have the option to require the utility to condemn a fee interest in any amount of contiguous, commercially viable land which he wholly owns or has contracted to own in undivided fee and elects in writing to transfer to the utility within 60 days after his receipt of the notice of the objects of the petition filed pursuant to section 117.055. Commercial viability shall be determined without regard to the presence of the utility route or site. The owner or, when applicable, the contract vendee shall have only one such option and may not expand or otherwise modify his election without the consent of the utility. The required acquisition of land contiguous to, but outside the designated right-of-way of a route or the boundary of a site, pursuant to this subdivision shall be considered an acquisition for a public purpose and for use in the utility's business, for purposes of chapter 117 and section 500.24, respectively; provided that a utility shall divest itself completely of all such lands used for farming or capable of being used for farming within five years after the date of acquisition, or such

land shall be sold at a public sale in the manner prescribed by law for the foreclosure of a mortgage by action not later than the time it can receive the market value paid at the time of acquisition of lands less any diminution in value by reason of the presence of the utility route or site. Upon the owner's election made under this subdivision, the easement interest over and adjacent to the lands designated by the owner to be acquired in fee, sought in the condemnation petition for a high voltage transmission line right-of-way shall automatically be converted into a fee taking .

Sec. 88. Minnesota Statutes 1978, Section 116D.04, is amended by adding a subdivision to read:

Subd. 10. No attempt need be made to tabulate, analyze or otherwise evaluate the potential impact of elections made pursuant to section 116C.63, subdivision 4, in environmental impact statements done for large electric power facilities. It is sufficient for purposes of this chapter that such statements note the existence of section 116C.63, subdivision 4.

Sec. 89. Minnesota Statutes 1978, Section 136.81, Subdivision 1, is amended to read:

136.81 [SALARY DEDUCTIONS, MATCHING FUNDS.] Subdivision 1. Beginning July 1, 1967, there shall be deducted from the salary of each person described in section 136.80, subdivision 1, a sum equal to five percent of the portion of such person's annual salary paid between \$6,000 and \$15,000. Such deduction is to be made in the same manner as other retirement deductions are made from the salary of such a person only after the first \$6,000 has been paid in a fiscal year. The moneys so deducted, together with an equal sum contributed by the state, shall be deposited to the credit of the supplemental retirement account of the teachers retirement fund, which account is hereby established as an account separate and distinct from other funds, accounts, or assets of the teachers retirement fund. The moneys required from time to time to match the person's salary deductions as provided in this subdivision are appropriated *shall be contributed* to the board of trustees of the teachers retirement fund ~~from the general fund by the state.~~

Any deductions taken from the salary of a person for the supplemental retirement fund in error shall upon discovery and verification be refunded to the employee. The retirement board shall establish an account which will reflect any gains or losses due to the purchasing and redemption of shares made in error. The balance of such account shall be disposed of annually to the account established for the purpose of prorating among employees share accounts the cancellations of the previous 12 months.

If any payroll deductions are not made from an employee's salary as provided in this section, such deductions shall be remitted to the supplemental retirement account of the teachers retirement association within one year from the end of the fiscal year in which the deductions were due, and at the time of the

receipt of such amount an equal amount shall be appropriated contributed to the board of trustees of the teachers retirement fund from the general fund by the state.

Sec. 90. Minnesota Statutes 1978, Chapter 138, is amended by adding a section to read:

[138.93] [GRANT-IN-AID ASSISTANCE; NON-STATE OWNED HISTORICAL INTERPRETIVE CENTERS.] *Subdivision 1. [STATE ASSISTANCE.] The state may pay part of the cost of construction of non-state owned historical interpretive center projects. The state's share may not exceed 50 percent of the cost of any project. In regions 3, 4, 9, 10, and 11, expenditures from appropriations by the 1977, 1978, and 1979 legislature shall be considered a part of the state share of the project cost for the purposes of this section. No more than ten percent of the state's share of future appropriations pursuant to this section may be used for professional services. Development regions are the regions designated pursuant to section 462.385. There shall not be more than one state assisted project in each region.*

Subd. 2. [SELECTION PROCESS.] Each regional planning commission, except in regions 3, 4, 9, 10 and 11, may request designation of a non-state owned historical interpretive center. Applications shall be received by the commission for 180 days thereafter. Applications shall be in the form prescribed by the Minnesota historical society and include a master plan in accordance with the Minnesota outdoor recreation act of 1975. The regional planning commission may establish an advisory committee of 20 members from the region to make recommendations.

Subd. 3. [DESIGNATION.] After receipt of the regional planning commission's recommendation and review of the master plan in accordance with subdivision 5, the Minnesota historical society shall designate the center and notify the owner applicant and the regional planning commission of the designation; however, in region 4, the Red River Valley Center at Moorhead is designated; in region 10, the Mississippi Interpretive Center at Winona is designated; in region 9, the Agricultural Interpretive Center at Waseca is designated; in region 3, the Lake Superior Museum of Transportation and Industry is designated; in region 11, the historic Washington County Courthouse at Stillwater is designated.

Subd. 4. [MASTER PLANS.] The owner shall prepare and submit to the regional planning commission a master plan for the development and management of the center, in a format and detail appropriate for the project. The regional planning commission shall choose a project and report its choice to the Minnesota historical society. The Minnesota historical society shall make the master plan available for review and comment by the public and other state agencies for at least 30 days. Copies of the master plan shall be submitted to the state planning agency for review and comment.

Subd. 5. [MASTER PLAN REVIEW AND APPROVAL.] The

Minnesota historical society shall review the master plan to determine whether it:

(a) Provides for development of the center in a manner consistent with the purposes of this section;

(b) Recognizes historical values and resources that relate to the area involved;

(c) Provides an historical program based on sound historical research; and,

(d) Meets the requirement of section 138.92. Within 60 days after receipt of a master plan, the Minnesota historical society shall notify the owner that the plan has been reviewed, and forward its recommendations for any changes it might suggest. The owner shall review the recommendations and notify the Minnesota historical society of the disposition made of them. The plan may be approved by the society only after all conditions of this section have been met. The society shall forward all approved master plans to the appropriate regional planning commission and the owner. If the society rejects a project chosen by a regional planning commission the commission may again request applications in accordance with subdivision 2 in the subsequent fiscal year.

Subd. 6. [APPROPRIATION REQUESTS.] The Minnesota historical society may seek appropriations for grant-in-aid assistance pursuant to this section and sections 16A.10 and 16A.11.

Sec. 91. [SPECIAL GRANTS FOR HOME BASED SERVICES FOR ELDERLY AND ADULT PHYSICALLY IMPAIRED PERSONS.] *Subdivision 1. The commissioner of health may make special grants to local boards of health and to the county board of any county that has not organized a local board of health to provide pre-institutional or post-institutional community based health programs designed to assist elderly and adult physically impaired persons in maintaining an optimal level of functioning and in remaining capable of residing in a family setting or home community. The commissioners of health and public welfare shall collaborate to maximize state and federal money for nursing home pre-admission screening programs. Applicants shall submit for approval an application and budget for the use of the funds in the form specified by the commissioner of health.*

As used in his section, "elderly" means persons aged 60 or over.

Subd. 2. The range of services and programs established by these special grants shall be designed to:

(a) Support families and individuals to avoid premature or inappropriate admission to an institutional care setting;

(b) Provide respite for families and responsible caretakers from continuous care and supervision of elderly and adult physically impaired persons, and to assist caretakers in providing appropriate services;

(c) Maintain or restore elderly and adult physically impaired

persons to optimal functional potential and to retard physical and emotional deterioration;

(d) Provide for support and follow up services to persons residing in their own or a family member's home; and

(e) Facilitate appropriate release of elderly and adult physically impaired persons from acute and long term care facilities to family care or to other community based programs.

Subd. 3. Local boards of health and county boards shall not use special grants to replace or substitute for services or programs otherwise funded from other local, state, or federal sources, but shall use special grants only to expand health and health-related supportive social service programs existing on the effective date of this section, or to add programs.

Subd. 4. The commissioner of health shall report and make recommendations to the legislature by January 15, 1981 concerning the implementation of these special grants and the advisability of the integration of the special grant program into the community services subsidy program.

Subd. 5. This section expires July 1, 1981.

Sec. 92. Minnesota Statutes 1978, Section 145.913, Subdivision 3, is amended to read:

Subd. 3. [ADVISORY COMMITTEE.] In each case where a board of health has been assigned the responsibilities of sections 145.911 to 145.922 a single local community health services advisory committee shall be established by the participating county boards or city councils to advise, consult with, or make recommendations to the board of health on matters relating to the development, maintenance, funding, and evaluation of community health services. The committee shall consist of not less than nine members and no more than 21 members. The membership of the advisory committee shall be as follows: at least one-third providers of health services, including at least three licensed health professionals; and at least one-third consumers selected to represent consumers organizations or constituencies within the community, provided, however, that the advisory committee to a county board of health for a county with 300,000 or more persons shall be as follows: at least 51 percent local government officials and the remainder divided equally between providers of health services and consumers. Continuity of membership of each advisory committee shall be assured by having an approximately equal number of terms expire each year. First appointments may be for less than two years, thereafter all terms shall be two years and no member shall serve more than three consecutive terms. Notwithstanding any law to the contrary, members may receive a per diem and be reimbursed for travel and other necessary expenses while engaged in their official duties, as determined by the appointing authority. The committee shall elect officers including a chairman and vice-chairman with terms of one year. The committee shall meet at least ~~six~~ three times a year and at the call of the chairman or a majority of the members.

Sec. 93. Minnesota Statutes 1978, Chapter 152, is amended by adding a section to read:

[152.21] [THC THERAPEUTIC RESEARCH ACT.] *Subdivision 1. [FINDINGS AND PURPOSE.] The legislature finds that scientific literature indicates promise for delta-9 tetrahydrocannabinol (THC), the active component of marijuana, in alleviating certain side effects of cancer chemotherapy under strictly controlled medical circumstances.*

The legislature also finds that further research and strictly controlled experimentation regarding the therapeutic use of THC is necessary and desirable. The intent of this section is to establish an extensive research program to investigate and report on the therapeutic effects of THC under strictly controlled circumstances in compliance with all federal laws and regulations promulgated by the federal food and drug administration, the national institute on drug abuse and the drug enforcement administration. The intent of the legislature is to allow this research program the greatest possible access to qualified cancer patients residing in Minnesota who meet protocol requirements. The establishment of this research program is not intended in any manner whatsoever to condone or promote the illicit recreational use of marijuana.

Subd. 2. [DEFINITIONS.] For purposes of this section, the following terms shall have the meanings given.

(a) "Commissioner" means the commissioner of health.

(b) "Marijuana" means marijuana as defined in Minnesota Statutes, Section 152.01, Subdivision 9, and delta-9-tetrahydrocannabinol (THC), tetrahydrocannabinols or a chemical derivative of tetrahydrocannabinols, and all species of the genus *Cannabis*.

(c) "Principal investigator" means the individual responsible for the medical and scientific aspects of the research, development of protocol, and contacting and qualifying the clinical investigators in the state.

(d) "Clinical investigators" means those individuals who conduct the clinical trials.

(e) "Sponsor" means that individual or organization who, acting on behalf of the state, has the total responsibility for the state program.

Subd. 3. [RESEARCH GRANT.] The commissioner of health shall grant funds to the principal investigator selected by the commissioner pursuant to subdivision 4 for the purpose of conducting a research program under a protocol approved by the FDA regarding the therapeutic use of oral THC and other dosage forms, if available, according to the guidelines and requirements of the federal food and drug administration, the drug enforcement administration and the national institute on drug abuse. The commissioner shall ensure that the research principal investigator complies with the requirements of subdivision 5. The commissioner may designate the principal investigator as the sponsor.

The commissioner shall report to the legislature on January 1 of each odd-numbered year on the number of oncologists and patients involved in the program and the results available at that date regarding the effects of therapeutic use of THC on patients involved in the program. The commissioner shall also report on the current status of THC under the federal Food, Drug and Cosmetic Act and the federal Controlled Substances Act.

Subd. 4. [PRINCIPAL INVESTIGATOR.] Within three months of the effective date of this section, the commissioner shall, in consultation with a representative chosen by the state board of pharmacy and a representative chosen by the state board of medical examiners, select a person or research organization to be the principal investigator of the research program.

Subd. 5. [DUTIES.] The principal investigator shall:

(1) Apply to the Food and Drug Administration for a notice of "Claimed Investigational Exemption for a New Drug (IND)" pursuant to the Federal Food, Drug and Cosmetic Act, 21 U.S.C., Section 301, et seq., and shall comply with all applicable laws and regulations of the federal food and drug administration, the drug enforcement administration, and the national institute on drug abuse in establishing the program;

(2) Notify every oncologist in the state of the program, explain the purposes and requirements of the program to them, provide on request each of them with a copy of the approved protocol which shall include summaries of current papers in medical journals reporting on research concerning the safety, efficacy and appropriate use of THC in alleviating the nausea and emetic effects of cancer chemotherapy, and provide on request each of them with a bibliography of other articles published in medical journals;

(3) Allow each oncologist (clinical investigator) in the state who meets or agrees to meet all applicable federal requirements for investigational new drug research and who so requests to be included in the research program as a clinical investigator to conduct the clinical trials;

(4) Provide explanatory information and assistance to each clinical investigator in understanding the nature of therapeutic use of THC within program requirements, including the Informed Consent Document contained in the protocol, informing and counseling patients involved in the program regarding the appropriate use and the effects of therapeutic use of THC;

(5) Apply to contract with the national institute on drug abuse for receipt of dosage forms of THC, fully characterized as to contents and delivery to the human system, pursuant to regulations promulgated by the national institute on drug abuse, and the federal food and drug administration. The principal investigator shall ensure delivery of the THC dosages to clinical investigators as needed for participation in the program;

(6) Conduct the research program in compliance with federal

laws and regulations promulgated by the federal food and drug administration, the drug enforcement administration, the national institute on drug abuse, and the purposes and provisions of this section;

(7) Submit periodic reports as determined by the commissioner on the numbers of oncologists and patients involved in the program and the results of the program;

(8) Submit reports on intermediate or final research results, as appropriate, to the major scientific journals in the United States; and

(9) Otherwise comply with the provisions of this section.

Subd. 6. [EXEMPTION FROM CRIMINAL SANCTIONS.] For the purposes of this section, the following are not violations listed in sections 152.09 or 152.15:

(1) Use or possession of THC, or both, by a patient in the research program;

(2) Possession, prescribing use of, administering, or dispensing THC, or any combination of these actions, by the principal investigator or by any clinical investigator;

(3) Possession or distribution of THC, or both, by a pharmacy registered to handle Schedule I substances which stores THC on behalf of the principal investigator or a clinical investigator.

THC obtained and distributed pursuant to this section is not subject to forfeiture under Minnesota Statutes, Section 152.19.

For the purposes of this section, THC is removed from Schedule I contained in Minnesota Statutes, Section 152.02, Subdivision 2, and inserted in Schedule II contained in Minnesota Statutes, Section 152.02, Subdivision 3.

Subd. 7. [CITATION.] This section may be cited as the "THC Therapeutic Research Act."

Sec. 94. Minnesota Statutes 1978, Section 155.14, is amended to read:

155.14 [PRACTITIONERS FROM OTHER STATES.] Subdivision 1. The board may dispense with and waive the examination for license upon the application of any person who is able to furnish documentary evidence and proof of having lawfully practiced in another state, territory, District of Columbia or foreign country for a period of at least two years prior to the time of such application for license in Minnesota, upon the payment of the fee as set by the board for license as provided in this chapter.

Subd. 2. The board may waive the requirement related to practical experience in this state as specified in section 155.09, subdivision 4, for manager-operators. No waiver shall be allowed, however, unless the following conditions are met:

(a) The applicant has a current valid cosmetology related

license from a state, territory, the District of Columbia, or a foreign country that has licensing requirements substantially similar to this state's requirements; and,

(b) *The applicant is able to furnish documentary evidence of having lawfully performed as a manager-operator or its equivalent in a state, territory, the District of Columbia, or foreign country for a period of at least two years, one year of which was within the two years immediately preceding the date of application.*

Nothing in this subdivision prohibits the board from requiring an examination for license of a manager-operator even if the board waives the requirement of practical experience in this state.

Sec. 95. Minnesota Statutes 1978, Section 168.66, Subdivision 4, is amended to read:

Subd. 4. "Retail installment contract" means any agreement, entered into in this state, evidencing a retail installment sale of a motor vehicle, other than for the purpose of re-sale, *when purchased primarily for personal, family or household use*, pursuant to which title to, or a lien upon the motor vehicle is retained by the retail seller as security for the retail buyer's obligation. This term includes a mortgage, conditional sale contract, or any contract for the bailment or leasing of a motor vehicle by which the bailee or lessee contracts to pay as compensation for its use a sum substantially equivalent to the time sale price of the motor vehicle and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of such motor vehicle. "Retail installment contract" *does not include any agreement, entered into in this state, evidencing an installment sale of a motor vehicle purchased primarily for use in business. For purposes of this subdivision, "business" means a commercial or industrial enterprise which is carried on for the purpose of active or passive investment or profit.*

Sec. 96. Minnesota Statutes 1978, Section 174.03, is amended by adding a subdivision to read:

Subd. 5a. [BIENNIAL REQUEST.] *The metropolitan transit commission shall submit all biennial legislative funding requests to the commissioner of transportation for informal review. The commissioner shall determine whether the funding request is consistent with the statewide transportation plan and whether further review of the request by the metropolitan transit commission is necessary. The metropolitan transit commission shall be informed of the commissioner's comments and recommendations in writing, and shall have the opportunity to amend the request. The funding request, as amended, shall then be presented by the commissioner to the legislature along with the commissioner's final comments and recommendations.*

Sec. 97. Minnesota Statutes, 1979 Supplement, Section 174.28, Subdivision 2, is amended to read:

Subd. 2. [BASIS AND FORM OF CONTRACT.] Pursuant to the public transit subsidy program the commissioner shall enter

one or more contracts with the commission to pay amounts sufficient to provide the commission with a subsidy per passenger of 46.04 cents in the last half of calendar year 1979, 46.74 cents in calendar year 1980, and 48.34 cents in the first half of calendar year 1981 and thereafter. *The commissioner of transportation shall investigate to determine if the metropolitan transit commission has experienced extraordinary increases in fuel, labor, or other operational costs which necessitate an adjustment in the subsidy per passenger. If the commissioner determines that an additional subsidy is required, the subsidy per passenger may be adjusted to pay the increased costs.*

Sec. 98. Minnesota Statutes, 1979 Supplement, 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 ~~two~~ *three* 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 mine-land reclamation or exempted from its application by the county mine inspector pursuant to subdivision 4.

Sec. 99. Minnesota Statutes 1978, Section 197.75, Subdivision 1, is amended to read:

197.75 [EXPENDITURES, LIMITATION.] Subdivision 1. The commissioner of veterans affairs shall spend a biennial appropriation for tuition of soldiers, and for tuition, fees, board, room, books and supplies of the children of soldiers who have died as a result of their service in the military or naval forces of the United States as determined by the United States Veterans Administration or other instrumentality of the United States, in the University of Minnesota, a state university, a community college, or any other university of higher learning within the state accredited by

the North Central Association of Colleges and Secondary Schools, a law college approved by the supreme court, a nursing school approved by the state nurses examining board, or in a trade school in the state which may be approved by the state department of education, or in a theological seminary, for any course which such soldier or child may elect. Not more than \$250 \$350 shall be expended for the benefit of any individual soldier, and not more than \$250 \$350 in any calendar year shall be expended for the benefit of any child under this section, and that need therefor shall be established and determined by the commissioner of veterans affairs. No child of any soldier shall make application for the benefits provided herein unless such child shall have resided in Minnesota for at least two years immediately prior to the date of said application. Children of soldiers eligible for benefits hereunder shall be admitted to state institutions of university grade free of tuition. Payments of tuition as provided for herein shall be made by the commissioner of veterans affairs directly to the institution in which the course of instruction is given upon such conditions as shall be imposed by the commissioner of veterans affairs.

Sec. 100. Minnesota Statutes 1978, Section 214.06, Subdivision 1, is amended to read:

214.06 [FEES; LICENSE RENEWALS.] Subdivision 1. Notwithstanding any law to the contrary, the commissioner of health as authorized by section 214.13, all health related licensing boards and all non-health related licensing boards may by rule, with the approval of the commissioner of finance, adjust any fee which the board is empowered to assess a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures during the fiscal biennium. Examination fees, if any, shall be set by rule so that the total amount of annual examination fee income approximately meets the anticipated cost of administering the examinations during the fiscal biennium. *Fee adjustments authorized under this subdivision may be made without a public hearing when the total fees will not exceed the amount of the direct appropriation.* All fees received shall be deposited with the state treasurer and credited to the general fund.

Sec. 101. [NAME CHANGE; TRANSFER OF FUNCTIONS.] *The name of the public service commission is changed to the public utilities commission. Subject to the provisions of this act and other applicable laws, the public utilities commission and the department of public service shall continue to exercise all the powers and duties vested in, or imposed upon them, as existing and constituted immediately prior to the effective date of this act.*

Sec. 102. Minnesota Statutes 1978, Section 216.16, is amended to read:

216.16 [HEARINGS BEFORE PUBLIC UTILITIES COMMISSION.] If the matter be not adjusted to the satisfaction of the ~~department~~ *commission*, it shall set a time and place of hearing, and give at least ten days notice thereof to each party. The parties may appear either in person or by attorney. The ~~department~~ *commission* shall hear evidence and otherwise investigate

the matter, make findings of fact upon all matters involved, and such order or recommendation in the premises as may be just. A copy of such findings and order or recommendation shall forthwith be served upon each party. No proceedings shall be dismissed on account of want of pecuniary interest in the complaint. The department is authorized to designate by resolution any of its employees to receive and report evidence. Employees so designated shall have power to administer oaths to witnesses, examine witnesses, and receive evidence. In any proceedings in which the evidence is received by one commissioner or by an employee so designated, such commissioner or employee shall make a full and complete report thereof to the department and the department shall proceed to a determination of the facts and issue its order or recommendation as hereinabove provided.

Sec. 103. Minnesota Statutes 1978, Section 216A.01, is amended to read:

216A.01 [ESTABLISHMENT OF DEPARTMENT AND COMMISSION.] There ~~is~~ *are* hereby created and established the department of public service ~~to consist of two branches, and~~ the public service utilities commission and the administrative division. The department of public service shall have and possess all of the rights and powers and perform all of the duties vested in it by this chapter, ~~and, immediately prior to enactment of said chapter, .~~ *The public utilities commission shall have and possess all of the rights and powers and perform all of the duties vested in it by this chapter, and those formerly vested by law in the railroad and warehouse commission.*

Sec. 104. Minnesota Statutes 1978, Section 216A.03, Subdivision 3, is amended to read:

Subd. 3. [CHAIRMAN.] The commission shall elect one of their number chairman *at the meeting of the commission in the second week in January of each year for a term of one year.*

If a vacancy occurs in the position of chairman, the commission shall elect a new chairman to complete the unexpired term.

Sec. 105. Minnesota Statutes 1978, Section 216A.03, is amended by adding a subdivision to read:

Subd. 3a. [POWERS AND DUTIES OF THE CHAIRMAN.] *The chairman shall be the principal executive officer of the commission. He shall preside at meetings of the commission. The chairman shall organize the work of the commission and may make assignments to commission members, appoint committees and give direction to the commission staff through the executive secretary subject to the approval of the commission.*

Sec. 106. Minnesota Statutes 1978, Section 216A.04, Subdivision 1, is amended to read:

216A.04 [EXECUTIVE SECRETARY; EMPLOYEES.] Subdivision 1. [SELECTION OF EXECUTIVE SECRETARY.] The commission shall appoint ~~a~~ *an* executive secretary, not a member, who shall be in the unclassified service of the state and shall serve

at the pleasure of the commission, except that the secretary now serving the railroad and warehouse commission shall continue as secretary in the classified service. He ~~The executive secretary~~ shall take, subscribe and file an oath similar to that required of the commissioners. He shall be charged with keeping full and correct records of all transactions and proceedings of the commission, have the power to administer oaths, and perform such other duties as may be prescribed by the commission. He shall be the official custodian of the records and seal of the commission, and shall be subject to the same disqualifications as commissioners.

Sec. 107. Minnesota Statutes 1978, Section 216A.04, is amended by adding a subdivision to read:

Subd. 1a. [POWERS AND DUTIES OF THE EXECUTIVE SECRETARY.] *The executive secretary shall:*

- (1) Cause to be kept full and correct records of all transactions and proceedings of the commission;*
- (2) Appoint, subject to chapter 43 and the approval of the commission, all other classified employees of the commission and supervise and direct their activities;*
- (3) Have custody of the seal of the commission;*
- (4) Serve as the administrative officer of the commission with responsibility for personnel, budget and other administrative details related to the work of the commission or as required by state law;*
- (5) Prepare orders, reports, and other materials as assigned by the commission and recommend to the commission such measures as may be appropriate to achieve the objectives of the commission;*
- (6) Advise the commission of its financial position and recommend a budget for its approval; and*
- (7) Perform other duties as the commission directs.*

Sec. 108. Minnesota Statutes 1978, Section 216A.04, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS AND EMPLOYEES.] *The commission may employ one unclassified employee in addition to the executive secretary to serve at the pleasure of the commission. The commission may employ such other assistants persons as may be necessary to carry out its functions, including hearing officers and reporters, within the funds provided therefor from time to time. The commissioners individually may act as hearing officers.*

Hearing reporters may provide transcripts of proceedings before the commission to persons requesting transcripts who pay a reasonable charge therefor to the reporter. The amount of the charge shall be fixed by the commission and retained by the reporter, any other law to the contrary notwithstanding.

Sec. 109. Minnesota Statutes 1978, Section 216A.05, Subdivision 4, is amended to read:

Subd. 4. [PERFORMANCE OF FUNCTIONS OF PUBLIC UTILITIES COMMISSION.] The commission shall exercise each and every legislative function imposed by law on the department of public service it.

Sec. 110. Minnesota Statutes 1978, Section 216A.05, Subdivision 5, is amended to read:

Subd. 5. [HEARINGS UPON PETITIONS.] With respect to those matters within its jurisdiction the commission shall receive, hear and determine ~~within six months~~ all petitions filed with it in accordance with the ~~procedures established by law~~ *rules of practice and procedure promulgated by the commission*, and may investigate, hold hearings and make determinations upon its own motion to the same extent, and in every instance, in which it may do so upon petition. Upon receiving petitions filed pursuant to sections 221.061, 221.081, 221.121, subdivision 1, 221.151, 221.296, and 221.55, the commission shall give notice of the filing of the petition to representatives of associations or other interested groups or persons who have registered their names with the ~~director of the department~~ *executive secretary* for that purpose and to whomever he deems to be interested in the petition. The commission may grant or deny the request of the petition 30 days after notice of the filing has been fully given. If the commission receives a written objection and a notice of intent to appear at a hearing to object to the petition from any person within 20 days of the notice having been fully given, the request of the petition shall be granted or denied only after a contested case hearing has been conducted on the petition, unless the objection is withdrawn prior to the hearing. The commission may elect to hold a contested case hearing if no objections to the petition are received. If a timely objection is not received, or if received and withdrawn, and the request of the petition is denied without hearing, the petitioner may request within 30 days of receiving the notice of denial, and shall be granted, a contested case hearing on the petition.

Sec. 111. Minnesota Statutes 1978, Section 216A.07, is amended to read:

216A.07 [DIRECTOR: POWERS AND DUTIES.] *Subdivision 1.* The director shall be the executive and administrative head of the public service department. He shall have and possess all the rights and powers and perform all the duties relating to the administrative function of the department as set forth in this chapter. The director may:

(1) Prepare all forms or blanks for the purpose of obtaining information which he may deem necessary or useful in the proper exercise of his authority and duties in connection with regulated businesses;

(2) Prescribe the time and manner within which forms or blanks shall be filed with the department;

(3) Inspect at all reasonable times, and copy the books, records, memoranda and correspondence or other documents and records of any person relating to any regulated business; and

(4) Cause the deposition to be taken of any person concerning the business and affairs of any business regulated by the department. Information sought through said deposition shall be for a lawfully authorized purpose and shall be relevant and material to the investigation or hearing before the commission. Information obtained from said deposition shall be used by the department only for a lawfully authorized purpose and pursuant to powers and responsibilities conferred upon the department. Said deposition is to be taken in the manner prescribed by law for taking depositions in civil actions in the district court.

Subd. 2. [ENFORCEMENT.] The director is responsible for the enforcement of chapters 216A, 216B and 237 and the orders of the commission issued pursuant to those chapters.

Subd. 3. [INTERVENTION IN PROCEEDINGS.] The director may intervene as a party in all proceedings before the commission. The attorney general shall act as counsel in the proceedings.

Subd. 4. [INVESTIGATIONS.] The director may, on his own initiative, investigate any matter subject to the jurisdiction of the department or commission.

Subd. 5. [RULEMAKING.] The director shall make substantive and procedural rules to implement the provisions of chapters 216A, 216B and 237. Rules adopted under this authority shall be promulgated pursuant to the administrative procedure act and shall have the force and effect of law.

Sec. 112. Minnesota Statutes 1978, Chapter 216A, is amended by adding a section to read:

[216A.095] [COOPERATION BETWEEN DEPARTMENT AND COMMISSION.] *Nothing in chapter 216A prevents the department or the commission from entering into agreements with each other or with other agencies to coordinate and share services, to conduct joint projects or investigations on matters within the authority and jurisdiction of the parties thereto, or to temporarily assign staff to projects requested by each other or by other agencies. The cooperative agreements may provide for the sharing of costs between the parties thereto or the reimbursement of the department or commission operating budget for expenditures made on behalf of the department or commission or agency. No cooperative effort shall interfere with the independence and integrity of either the commission or the department of any other agency that is a party.*

Sec. 113. Minnesota Statutes 1978, Section 216B.17, Subdivision 1, is amended to read:

216B.17 [COMPLAINTS.] Subdivision 1. On its own motion or upon a complaint made against any public utility, by the governing body of any political subdivision, by another public utility, by the department, or by any 50 consumers of the particular utility that any of the rates, tolls, tariffs, charges, or schedules or any joint rate or any regulation, measurement, practice, act or omis-

sion affecting or relating to the production, transmission, delivery or furnishing of natural gas or electricity or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed, with notice, to make such investigation as it may deem necessary. The commission may dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Sec. 114. Minnesota Statutes 1978, Section 216B.19, is amended to read:

216B.19 [JOINT HEARINGS AND INVESTIGATIONS.] In the discharge of its duties under Laws 1974, Chapter 429, the commission or the department may cooperate with similar commissions of other states and any federal agency and may hold joint hearings and make joint investigations with other commissions.

Sec. 115. Minnesota Statutes 1978, Section 216B.54, is amended to read:

216B.54 [ACTIONS BY COMMISSION OR DEPARTMENT; ATTORNEY GENERAL TO INSTITUTE.] Whenever the commission or department shall be of the opinion that any person or public utility is failing or omitting or is about to fail or omit to do anything required of it by Laws 1974, Chapter 429 or by any order of the commission, or is doing anything or about to do anything, or permitting anything or about to permit anything to be done, contrary to or in violation of Laws 1974, Chapter 429 or of any order of the commission, it shall refer the matter to the attorney general who shall take appropriate legal action.

Sec. 116. Minnesota Statutes 1978, Section 216B.62, is amended to read:

216B.62 [COST OF EXAMINATION; ASSESSMENT OF EXPENSES; LIMITATIONS; OBJECTIONS.] Subdivision 1. Immediately after the passage and adoption of Laws 1974, Chapter 429, the commission shall assess to all public utilities subject to the provisions of Laws 1974, Chapter 429 in proportion to their respective gross operating revenues, as hereinafter defined, during the preceding calendar year, the sum of \$300,000. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed, by certified mail, to the several public utilities, which shall constitute notice of said assessment and demand of payment thereof.

Subd. 2. Whenever the commission or department, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary, in order to carry out the duties imposed by Laws 1974, Chapter 429, to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any public utility, or to render any engineering or accounting services to any public utility, the public utility shall pay the expenses reasonably attributable to the investigation,

appraisal, or service. The commission *and department* shall ascertain the expenses, and the department shall render a bill therefor to the public utility, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of the assessment and a demand for payment. The amount of the bills so rendered by the department shall be paid by the public utility into the state treasury within 30 days from the date of rendition. The total amount, in any one calendar year, for which any public utility shall become liable, by reason of costs incurred by the commission within that calendar year, shall not exceed two-fifths of one percent of the gross operating revenue from retail sales of gas, or electric service by the public utility within the state in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of the gross operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 3, but shall be paid out of the general appropriation to the department *and commission*. In the case of public utilities offering more than one public utility service only the gross operating revenues from the public utility service in connection with which the investigation is being conducted shall be considered when determining this limitation.

Subd. 3. The department *and commission* shall annually, within 90 days after the close of each fiscal year, ascertain the total of *its their* expenditures to the performance of *its their* duties relating to public utilities under Laws 1974, Chapter 429, and shall deduct therefrom all amounts chargeable to public utilities under subdivision 2. The remainder shall be assessed by the commission *and department* to the several public utilities in proportion to their respective gross operating revenues from retail sales of gas or electric service within the state during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several public utilities, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the public utilities, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross operating revenues of the public utilities during such calendar year from retail sales of gas or electric service within the state.

Subd. 4. Within 30 days after the date of the mailing of any bill as provided by subdivisions 2 and 3, the public utility against which the bill has been rendered may file with the commission objections setting out the grounds upon which it is claimed the bill is excessive, erroneous, unlawful or invalid. The commission shall within 60 days hold a hearing and issue an order in accordance with its findings. The order shall be appealable in the same manner as other final orders of the commission.

Subd. 5. The commission *and department* shall be authorized to charge cooperative electric associations their proportionate share of the expenses incurred in the adjudication of service area disputes and all of the costs incurred in the adjudication of com-

plaints over service standards and practices. Cooperative electric associations electing to become subject to rate regulation by the commission pursuant to section 216B.02, subdivision 4, shall be subject to this section.

Sec. 117. Minnesota Statutes 1978, Section 216B.64, is amended to read:

216B.64 [ATTORNEY GENERAL TO REPRESENT COMMISSION AND DEPARTMENT.] The attorney general of the state shall, upon request of the commission or department, represent and appear for the commission or department in all actions and proceedings involving any question under Laws 1974, Chapter 429, and shall aid in any investigation or hearing had under the provisions of Laws 1974, Chapter 429. The attorney general shall perform all duties and services in connection with Laws 1974, Chapter 429 and the enforcement thereof as the commission or department may require. He shall also bring all actions to collect penalties herein provided.

Sec. 118. Minnesota Statutes 1978, Section 237.02, is amended to read:

237.02 [UNDER DEPARTMENT OF PUBLIC SERVICE AND PUBLIC UTILITIES COMMISSION.] The department of public service and the public utilities commission, now existing under the laws of this state, is hereby vested with the same jurisdiction and supervisory power over telephone companies doing business in this state as it now has over railroad and express companies; and, wherever the term "department" is used in this chapter, it shall mean the department of public service. The definitions set forth in section 216A.02 shall apply also to chapter 237.

Sec. 119. Minnesota Statutes 1978, Section 237.12, is amended to read:

237.12 [CONNECTIONS BETWEEN TELEPHONE COMPANIES DISCONTINUED ONLY ON ORDER.] When public convenience requires the same, every telephone company shall, for a reasonable compensation, permit a physical connection or connections to be made, and telephone service to be furnished between any telephone exchange system operated by it, and the telephone toll line or lines operated by another company, or between its telephone toll line or lines and the telephone exchange system of another telephone company, or between its toll line and the toll line of another company, whenever such physical connection or connections are practicable and will not result in irreparable injury to the telephone system so compelled to be connected. The term "physical connection," as used in this section, means such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonable and adequate service between such telephone lines and exchanges and shall not be deemed to provide for any connection whereby one line or circuit is to be bridged upon another line or circuit. In case of failure of the telephone companies concerned to allow or agree upon such phy-

sical connection or connections, or the terms and conditions upon which the same shall be made, application may be made to the department for an order requiring such connection and fixing the compensation, terms and conditions thereof, and if after investigation and hearing the department shall find that such physical connections will not result in irreparable injury to such telephone properties, it shall by order direct that such connections be made, and prescribe reasonable conditions and compensation therefor and for the joint use thereof, and by whom the expense of making and maintaining such connection or connections shall be paid. When application is made to the department requesting physical connection it shall be presumed that such connection is necessary, and that the public convenience will be promoted thereby, and the burden of overcoming such presumption shall be upon the party resisting such application. The telephone companies so connecting shall give service over the connecting line or lines without preference to or discrimination against any service or telephone company whatever.

Wherever a physical connection or connections exist between any telephone exchange system operated by a telephone company and the toll line or lines operated by another telephone company or between its toll line or lines and the telephone exchange system of another telephone company, or between its toll line and the toll line of another telephone company, neither of the companies shall cause such connection to be severed or the service between the companies to be discontinued without first obtaining an order from the department upon an application for permission to discontinue such physical connection. Upon the filing of an application for discontinuance of such a connection, the department shall investigate and ascertain whether public convenience requires the continuance of such physical connection, and if the department so finds, *the commission* shall fix the compensation, terms and conditions of the continuance of the physical connection and service between the telephone companies.

Sec. 120. Minnesota Statutes 1978, Section 237.295, Subdivision 1, is amended to read:

237.295 [COST OF EXAMINATION; ASSESSMENT OF EXPENSES; LIMITATION; OBJECTIONS.] Subdivision 1. Whenever the department *or commission*, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary in order to carry out the duties imposed on it to investigate the books, accounts, practices, and activities of, or make appraisals of the property of any telephone company, or to render any engineering or accounting services to any telephone company, the telephone company shall pay the expenses reasonably attributable to the investigation, appraisal, or service. The department *and commission* shall ascertain the expenses, and *the department* shall render a bill therefor to the telephone company, either at the conclusion of the investigation, appraisal, or services, or from time to time during its progress, which bill shall constitute notice of the assessment and a demand for payment. The amount of the bills so assessed by the department shall be paid by the

telephone company into the state treasury within 30 days from the date of assessment. The total amount, in any one calendar year, for which any telephone company shall become liable, by reason of costs incurred by the department *and commission* within that calendar year, shall not exceed two-fifths of one percent of the gross jurisdictional operating revenue of the telephone company in the last preceding calendar year. Where, pursuant to this subdivision, costs are incurred within any calendar year which are in excess of two-fifths of one percent of the gross jurisdictional operating revenues, the excess costs shall not be chargeable as part of the remainder under subdivision 2, but shall be paid out of the general appropriation of the department.

Sec. 121. Minnesota Statutes 1978, Section 237.295, Subdivision 2, is amended to read:

Subd. 2. The department *and commission* shall annually, within 90 days after the close of each fiscal year, ascertain the total of its expenditures to the performance of its duties relating to telephone companies, and shall deduct therefrom all amounts chargeable to telephone companies under subdivision 1. The remainder shall be assessed by the department to the several telephone companies in proportion to their respective gross jurisdictional operating revenues during the last calendar year. The assessment shall be paid into the state treasury within 30 days after the bill has been mailed to the several telephone companies, which shall constitute notice of the assessment and demand of payment thereof. The total amount which may be assessed to the telephone companies, under authority of this subdivision, shall not exceed one-eighth of one percent of the total gross jurisdictional operating revenues during such calendar year.

Sec. 122. [TRANSFER OF COMPLEMENT, FUNDS, EQUIPMENT.] *The unencumbered balances of appropriations made to the department of public service for the commission support division by Laws 1979, Chapter 333, Section 37, are transferred to the public utilities commission. The commissioner of finance shall determine the amounts to be transferred.*

Twenty-four positions in the public service department used to staff the commission support division are transferred to the public utilities commission and the complement of the department of public service is reduced by that number.

Nothing herein shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the terms of an agreement between an exclusive representative of public employees and the state or of its appointing authorities.

The commissioner of finance and commissioner of personnel shall transfer the budget, position, and employees referenced above and any accrued benefits pertaining thereto to the public utilities commission.

All equipment, furnishings, and supplies presently used by the commission support division and any contractual arrangements for telephone service, office space or other matters related to the

operation of the division are transferred to the public utilities commission.

Sec. 123. [INSTRUCTION TO REVISOR.] *Insofar as possible, the revisor of statutes shall substitute the term "public utilities commission" for the term "public service commission" in the next and subsequent editions of Minnesota Statutes consistently with the provisions of this act. The revisor may make related changes in grammar and punctuation, but shall not change the meaning of any provision except consistently with this act.*

Insofar as possible, the revisor of statutes shall substitute the term "commission" for the term "department" wherever it appears in sections 216.10, 216.13, 216.14, 216.16, 216.161, 216.17, 216.18, 216.24, 216.25, 216.26, 216.27, 216.271, 237.10, 237.16, 237.18, 237.20, 237.21, 237.22, 237.23, 237.24, 237.25, 237.26, 237.27 and 237.28 of the next and subsequent editions of Minnesota Statutes consistently with the provisions of this act. The revisor may make related changes in grammar and punctuation, but shall not change the meaning of any provision except consistently with this act.

Sec. 124. Minnesota Statutes 1978, Section 238.08, is amended by adding a subdivision to read:

Subd. 5. Municipalities may by ordinance or resolution create a joint cable communications commission under section 471.59, to which each member municipality may delegate authority vested in the municipality by statute or charter to prepare, adopt, grant, administer, and enforce a cable communications franchise, and establish rates thereunder. The adoption, granting, administration and enforcement of a cable communications franchise, and the establishment of rates thereunder by a joint cable communications commission, pursuant to this subdivision is deemed to comply with procedural requirements of a statute or charter for the adoption, granting, administration and enforcement of a franchise, and establishment of rates. The members and governing body of the joint commission shall consist of two representatives appointed by each municipality, at least one of whom shall be a member of the council of that municipality and the other a qualified voter residing within that municipality.

Sec. 125. Minnesota Statutes 1978, Section 245.814, is amended to read:

245.814 [LIABILITY INSURANCE FOR FOSTER PARENTS.] *The commissioner of public welfare shall within the appropriation provided purchase and provide insurance to foster parents to cover their liability for:*

- (1) injuries or property damage caused or sustained by foster children in their home; and*
- (2) actions arising out of alienation of affections sustained by the natural parents of a foster child.*

Coverage shall apply to all foster boarding homes licensed by the department of public welfare, licensed by a federally recog-

nized tribal government, or established by the juvenile court and certified by the commissioner of corrections pursuant to section 260.185, subdivision 1, clause (c) (5), to the extent that the liability is not covered by the provisions of the standard homeowner's or automobile insurance policy. The insurance shall not cover property owned by the foster parents, damage caused intentionally by a child over 12 years of age, or property damage arising out of business pursuits or the operation of any vehicle, machinery, or equipment.

Sec. 126. Minnesota Statutes 1978, Section 246.014, is amended to read:

246.014 [SERVICES.] The measure of services established and prescribed by section 246.012, are:

(1) There shall be served in state hospitals a single standard of food for patients and employees alike, which is nutritious and palatable together with special diets as prescribed by the medical staff thereof. There shall be a chief dietitian in the department of public welfare and at least one dietitian at each state hospital. There shall be adequate staff and equipment for processing, preparation, distribution and serving of food.

(2) There shall be a staff of persons, professional and lay, sufficient in number, trained in the diagnosis, care and treatment of the mentally ill, physical illness, and including religious and spiritual counsel through qualified chaplains (who shall be in the unclassified service) adequate to take advantage of and put into practice modern methods of psychiatry, medicine and related field.

(3) There shall be a staff and facilities to provide occupational and recreational therapy, entertainment and other creative activities as are consistent with modern methods of treatment and well being.

(4) There shall be in each state hospital for the care and treatment of the mentally ill facilities for the segregation and treatment of patients who have communicable disease.

(5) The commissioner of public welfare shall provide modern and adequate psychiatric social case work service.

(6) The commissioner of public welfare shall make every effort to improve the accommodations for patients so that the same shall be comfortable and attractive with adequate furnishings, clothing, and supplies.

(7) The commissioner of public welfare shall establish training programs for the training of personnel and may require the participation of personnel in such programs. Within the limits of the appropriations available he may establish professional training programs in the forms of educational stipends for positions for which there is a scarcity of applicants.

(8) There shall be a separate hospital for the diagnosis, care and treatment of the mentally ill who have tuberculosis which

shall conform to the standards established for the diagnosis, care and treatment of physical disease. Pending construction of such separate hospital, one of the present state hospitals, or so much thereof as may be necessary, shall be set apart for the diagnosis, care and treatment of the mentally ill who have tuberculosis and shall be staffed and equipped to meet the accepted requirements of modern medicine for the care and treatment of persons afflicted with tuberculosis.

(9) The standards herein established shall be adapted and applied to the diagnosis, care and treatment of inebriate persons and mentally deficient persons who come within those terms as defined in the laws relating to the hospitalization and commitment of such persons, and of persons who are psychopathic personalities within the definition thereof in Minnesota Statutes 1945, Section 526.09.

(10) The commissioner of public welfare shall establish a program of detection, diagnosis and treatment of mentally or nervously ill persons and persons described in paragraph (9), and within the limits of appropriations may establish clinics and staff the same with persons specially trained in psychiatry and related fields.

(11) The commissioner of personnel and the personnel board may reclassify employees of the mental institutions from time to time, and assign classifications to such salary brackets as will adequately compensate personnel and reasonably assure a continuity of adequate staff.

(12) In addition to the chaplaincy services, provided in (2), the commissioner of public welfare shall open said institutions to ministers of the Gospel to the end that religious and spiritual counsel and services are made available to the patients therein, and shall cooperate with all ministers of the Gospel in making said patients available for religious and spiritual counsel, and shall provide such ministers of the Gospel with meals and accommodations.

(13) Within the limits of the appropriations therefor, the commissioner of public welfare shall establish and provide facilities and equipment for research and study in the field of modern hospital management, the causes of mental and related illness and the treatment, diagnosis and care of the mentally ill and funds provided therefor may be used to make available services, abilities and advice of leaders in these and related field, and may provide them with meals and accommodations and compensate them for traveling expenses and services.

Sec. 127. Minnesota Statutes 1978, Chapter 246, is amended by adding a section to read:

[246.022] [STATE HOSPITAL PLANNING COMMITTEES.]
Subdivision 1. [APPOINTMENT.] The commissioner may appoint for each state hospital a hospital planning committee that includes, but is not limited to, the chief executive officer of each state institution appointed pursuant to section 246.02, represent-

atives of the professional staff and human services technicians and of other staff as the chief executive officer deems appropriate, representatives of the patients served in the institution, and representatives of the counties served by the institution.

Subd. 2. [DUTIES OF COMMITTEE.] The hospital planning committee of each state institution may present recommendations on such matters as:

(a) Setting measurable goals and objectives for the management and service programs of the institution;

(b) Identifying the capital, staff and financial resources needed to attain the goals and objectives established; and

(c) Adopting a method, approved by the commissioner, whereby the degree of attainment of the established goals and objectives may be evaluated.

Subd. 3. [COMMISSIONER'S RESPONSIBILITY.] Within the appropriations available, the commissioner of public welfare shall provide technical assistance to each hospital planning committee in the performance of its duties.

Subd. 4. [BIENNIAL PLAN.] Each hospital planning committee shall submit to the commissioner a biennial report to be included in the report to the governor and legislature prepared pursuant to section 246.06. The commissioner shall establish schedules for submission of hospital planning committee plans so that each plan is substantially reflected in the biennial estimates prepared pursuant to section 246.12.

Sec. 128. Minnesota Statutes 1978, Chapter 253A, is amended by adding a section to read:

[253A.22] [MENTAL EVALUATIONS OF DEFENDENTS: DESIGNATION OF HOSPITAL BY COMMISSIONER OF PUBLIC WELFARE.] Subdivision 1. In any of the following specified stages of the criminal process involving a court ordered mental evaluation, the court shall order confinement or continuing confinement to the state mental hospital the commissioner of public welfare designates as appropriate, or to another suitable hospital or facility.

(a) Under Rule 20.01 of the Minnesota rules of criminal procedure relating to a defendant's competency to understand the proceedings and participate in his own defense:

(1) During the initial mental evaluation confinement period ordered by the criminal court to determine competency to proceed;

(2) If the defendant is found not competent to proceed by the criminal court, during the interim confinement period prior to commencement of civil commitment proceedings in the civil commitment court; and

(3) If the defendant is found to be mentally ill or mentally ill and dangerous and in need of further hospitalization by the civil

commitment court, during the confinement period in which the defendant is under civil commitment subject to supervision by the court.

(b) Under Rule 20.02 of the Minnesota rules of criminal procedure relating to an assertion of the defense of mental illness:

(1) During the initial mental evaluation confinement period ordered by the court to determine the defendant's mental condition;

(2) If the defendant is found not guilty by reason of mental illness, during the interim confinement period prior to commencement of civil commitment proceedings in the civil commitment court; and

(3) If the defendant is found to be mentally ill or mentally ill and dangerous by the civil commitment court, during the confinement period during which the defendant is under civil commitment subject to supervision by the criminal court.

(c) Under Rule 27 of the Minnesota rules of criminal procedure relating to presentence investigations of defendants convicted of crimes when the court orders the defendant to submit to a mental evaluation, during any confinement period necessary for the evaluation.

Subd. 2. When in accordance with section 246.43 or other law a court orders a defendant to submit to a mental evaluation, the court may order confinement or continuing confinement to the state mental hospital the commissioner designates as appropriate, or to another suitable hospital or facility.

Sec. 129. Minnesota Statutes 1978, Chapter 256, is amended by adding a section to read:

[256.012] [MINNESOTA MERIT SYSTEM.] The commissioner of public welfare shall promulgate by rule personnel standards on a merit basis in accordance with federal standards for a merit system of personnel administration for all employees of county boards engaged in the administration of community social services or income maintenance programs, all employees of human services boards that have adopted the rules of the Minnesota Merit System, and all employees of county welfare boards.

Excluded from the rules are employees of institutions and hospitals under the jurisdiction of the aforementioned boards; employees of county personnel systems otherwise provided for by law that meet federal merit system requirements; duly appointed or elected members of the aforementioned boards; and the director of community social services and employees in positions that, upon the request of the appointing authority, the commissioner in his discretion exempts, provided the exemption accords with the federal standards for a merit system of personnel administration.

Sec. 130. Minnesota Statutes 1978, Section 256.73, Subdivision 2, is amended to read:

Subd. 2. [ALLOWANCE BARRED BY OWNERSHIP OF PROPERTY.] *Except as provided in clause (3), the ownership by father, mother, child, children, or any combination thereof, of property as follows shall be a bar to any allowance under sections 256.72 to 256.87:*

(1) ~~Net equity in real estate used as a home which exceeds \$15,000; provided that real estate used as a home in excess of this amount will not be a bar to eligibility where the county welfare board determines that such real estate is not available for support of the family or the sale of such real estate would cause undue hardship. Real property other than the homestead, except as described in clause (3); or~~

(2) ~~Personal property of a reasonable market value in excess of \$300 \$600 for a one child of recipient or \$500 \$1,000 for more than one child recipient, exclusive of personal property used as the home, one automobile the market value of which does not exceed \$1,650, insurance carried by a parent which does not exceed a cash surrender value of \$500, clothing and necessary household furniture and equipment, the earnings of a dependent child which are placed in a savings account to be used for a future purpose approved by the county agency in accordance with the rules and regulations of the commissioner of public welfare, and such property that produces a net income applicable to the family's needs; or.~~

(3) Real estate not used as a home which produces net income applicable to the family's needs or which the family is making a continuing effort to sell at a fair and reasonable price shall not be a bar to an allowance under sections 256.72 to 256.87. Net income shall be the residue after payment from gross income of taxes, insurance, maintenance, and interest on encumbrances, if any, on the property, provided that in computing net income the gross income shall not be charged with any expenses toward betterment of the property as improvements or by payment on the principal of a mortgage; provided, that the net income thus derived shall be applied on the family budget.

Sec. 131. Minnesota Statutes 1978, Section 256D.06, is amended by adding a subdivision to read:

Subd. 3. When a general assistance grant is used to pay a negotiated rate for a recipient living in a room and board arrangement or congregate living care, the allowance for clothing and personal needs shall not be less than that authorized for a medical assistance recipient pursuant to section 256B.35.

Sec. 132. Minnesota Statutes 1978, Chapter 259, is amended by adding a section to read:

[259.45] [STATE ADOPTION EXCHANGE.] *Subdivision 1. The commissioner of public welfare shall establish an adoption exchange, which shall include but not be limited to a book, updated monthly, that contains a photograph and description of each child who has been legally freed for adoption. The exchange*

service shall be available to all authorized child placing agencies whose purpose is to assist in the adoptive placement of children, and the exchange book shall be distributed to all such agencies.

Subd. 2. All authorized child placing agencies shall send to the state adoption exchange, within 60 days of the time a child becomes free for adoption, a recent photograph and description of each child in its care who has been legally freed for adoption by the termination of parental rights, and for whom no adoptive home has been found.

Subd. 3. Changes in the status of a child listed in the state adoption exchange shall be reported by the authorized child placing agency to the exchange within ten working days after the change occurs.

Subd. 4. Children remaining registered for 12 months shall have their photographs and written descriptions updated by the authorized child placing agency within ten working days of the expiration of the 12 months, and every 12 months thereafter.

Subd. 5. A child's registration shall be withdrawn when the exchange service has been notified in writing by the authorized child placing agency that the child has been adopted, has reached his or her 14th birthday and will not consent to an adoption plan, or has died.

Subd. 6. The exchange service shall semiannually check the status of listed children for whom inquiries have been received. Periodic checks shall be made by the service to determine the progress toward adoption of those children and the status of children registered but never listed in the exchange book because of placement in an adoptive home prior to or at the time of registration.

Subd. 7. An authorized child placing agency may voluntarily refer any child legally freed for adoption to the exchange service; or the exchange service may determine that the recruitment of an adoptive family through the exchange book is appropriate for a child not registered with the service and require the child to be registered with the exchange service within ten working days.

Subd. 8. Deferral of the listing of a child with the state adoption exchange shall be only for one or more of the following reasons: (a) the child is in an adoptive placement but is not legally adopted; (b) the child's foster parents or other individuals are now considering adoption; (c) diagnostic study or testing is required to clarify the child's problem and provide an adequate description; (d) the child is currently in a hospital and continuing need for daily professional care will not permit placement in a family setting; or (e) the child is 14 years of age or older and will not consent to an adoption plan. Approval of a request to defer listing for any of the reasons specified in clauses (b) or (c) shall be valid for a period not to exceed 90 days, with no subsequent deferrals for those reasons.

Subd. 9. The commissioner of public welfare shall make rules as

necessary to administer this section and shall employ necessary staff to carry out the purposes of this section.

Sec. 133. Minnesota Statutes, 1979 Supplement, 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 \$1656	8 1687	9 1719	10 1753	11 1786	12 thru 20 1817
					After 20 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			\$1747	\$1749	1815	
Staff Sergeant		Years				
	7	8	9	10	11	12 thru 20
	\$1755	1788	1822	1858	1893	1926
						After 20
						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 in-

curred 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. 134. Minnesota Statutes 1978, Chapter 326, is amended by adding a section to read:

[326.601] [ALTERNATIVE STATE BONDING AND INSURANCE REGULATION.] *Subdivision 1. [BONDS.] An applicant for a water conditioning contractor or installer license or renewal thereof who is required by any political subdivision to give a bond to obtain or maintain the license, may comply with any political subdivision bonding requirement by giving a bond to the state in the total penal sum of \$3,000 conditioned upon the faithful and lawful performance of all water conditioning contracting or installing work done by him within the state. The bond shall be for the benefit of persons suffering injuries or damages due to the work. The bond shall be filed with the commissioner of health and shall be written by a corporate surety licensed to do business in this state. No applicant for a water conditioning contractor or installer license who maintains the bond under this subdivision shall be otherwise required to meet the bond requirements of any political subdivision.*

Subd. 2. [INSURANCE.] Each applicant for a water conditioning contractor or installer license or renewal thereof may in lieu of all other insurance requirements of any political subdivision for said licensing purposes maintain the insurance specified by this subdivision. The insurance shall provide coverage, including products liability coverage, for all damages in connection with licensed work for which the licensee is liable, with personal damage limits of at least \$50,000 per person and \$100,000 per occurrence and property damage insurance with limits of at least \$10,000. The insurance shall be written by an insurer licensed to do business in this state and each licensed water conditioning contractor or installer shall maintain on file with the commissioner of health a certificate evidencing the insurance. The insurance shall not be cancelled without the insurer first giving 15 days written notice to the commissioner.

Subd. 3. [BOND AND INSURANCE EXEMPTION.] A water conditioning contractor or installer who is an employee of a water conditioning contractor or installer, including an employee engaged in the maintenance and repair of water conditioning equipment, apparatus, or facilities owned, leased and operated, or maintained by the employer, is not required to meet the bond and insurance requirements of subdivisions 1 and 2 or of any political subdivision.

Subd. 4. [FEE.] The commissioner of health may establish by rule an additional fee commensurate with the cost of administering the bond and insurance requirements of subdivisions 1 and 2, which may be charged each applicant for issuance or renewal of a water conditioning contractor or installer license who elects to proceed under subdivisions 1 and 2.

Sec. 135. Minnesota Statutes 1978, Section 352.01, Subdivision 2B, is amended to read:

Subd. 2B. [EXCLUDED EMPLOYEES.] The following persons are excluded from the meaning of state employee:

(1) Elective state officers;

(2) Students employed by the university of Minnesota, the state universities, and community colleges unless approved for coverage by the board of regents, the state university board or the state board for community colleges, as the case may be;

(3) Employees who are eligible to membership in the state teachers retirement association except employees of the department of education who have elected or may elect to be covered by the Minnesota state retirement system instead of the teachers retirement association;

(4) Employees of the university of Minnesota who are excluded from coverage by action of the board of regents;

(5) Officers and enlisted men in the national guard and the naval militia and such as are assigned to permanent peacetime duty who pursuant to federal law are or are required to be members of a federal retirement system;

(6) Election officers;

(7) Persons engaged in public work for the state but employed by contractors when the performance of such contract is authorized by the legislature or other competent authority;

(8) Officers and employees of the senate and house of representatives or a legislative committee or commission who are temporarily employed;

(9) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except employees of the supreme court and referees and adjusters employed by the department of labor and industry;

(10) Patient and inmate help in state charitable, penal and correctional institutions including the Minnesota veterans home;

(11) Persons employed for professional services where such service is incidental to regular professional duties and whose compensation is paid on a per diem basis;

(12) Employees of the Sibley House Association;

(13) Employees of the Grand Army of the Republic and employees of the ladies of the G.A.R.;

(14) Operators and drivers employed pursuant to section 16.07, subdivision 4;

(15) ~~Members of the personnel board, and~~ The members of any other state board or commission who serve the state intermittently and are paid on a per diem basis; the secretary, secretary-treasurer, and treasurer of such boards if their compensation is

\$500 or less per year, or, if they are legally prohibited from serving more than two consecutive terms and their total service therefor is required by law to be less than ten years; and the board of managers of the state agricultural society and its treasurer unless he is also its full time secretary;

(16) State highway patrolmen;

(17) Temporary employees of the Minnesota state fair employed on or after July 1 for a period not to extend beyond October 15 of the same year; also persons employed at any time or times by the state fair administration for special events held on the fair-grounds;

(18) Emergency employees in the classified service except emergency employees who within the same pay period become provisional or probationary employees on other than a temporary basis, shall be deemed "state employees" retroactively to the beginning of the pay period;

(19) Persons described in section 352B.01, subdivision 2, clauses (b) and (c) formerly defined as state police officers;

(20) All temporary employees in the classified service, all temporary employees in the unclassified service appointed for a definite period of not more than six months and employed less than six months in any one year period and all seasonal help in the unclassified service employed by the department of revenue;

(21) Trainees paid under budget classification number 41, and other trainee employees, except those listed in subdivision 2A(10);

(22) Persons whose compensation is paid on a fee basis;

(23) State employees who in any year have credit for 12 months service as teachers in the public schools of the state and as such teachers are members of the teachers retirement association or a retirement system in St. Paul, Minneapolis, or Duluth;

(24) Employees of the adjutant general employed on an unlimited intermittent or temporary basis in the classified and unclassified service for the support of army and air national guard training facilities;

(25) Chaplains and nuns who have taken a vow of poverty as members of a religious order;

(26) Labor service employees employed as a laborer 1 on an hourly basis;

(27) Examination monitors employed by departments, agencies, commissions, and boards for the purpose of conducting examinations required by law;

(28) Members of appeal tribunals, exclusive of the chairman to which reference is made in section 268.10, subdivision 4;

(29) Persons appointed to serve as members of fact finding

commissions, adjustment panels, arbitrators, or labor referees under the provisions of chapter 179;

(30) Temporary employees employed for limited periods of time under any state or federal program for the purpose of training or rehabilitation including persons employed thereunder for limited periods of time from areas of economic distress except skilled and supervisory personnel and persons having civil service status covered by the system;

(31) Full time students employed by the Minnesota historical society who are employed intermittently during part of the year and full time during the summer months;

(32) Temporary employees, appointed for not more than six months, of the Metropolitan council and of any of its statutory boards, the members of which board are appointed by the metropolitan council;

(33) Persons employed in positions designated by the department of personnel as student workers;

(34) Any person who is 65 years of age or older when appointed and who does not have allowable service credit for previous employment, unless such employee gives notice to the director within 60 days following his appointment that he desires coverage;

(35) Tradesmen employed by the metropolitan waste control commission with trade union pension plan coverage pursuant to a collective bargaining agreement first employed after June 1, 1977; and

(36) Persons employed in subsidized on-the-job training, work experience or public service employment as enrollees under the federal comprehensive employment and training act from and after March 30, 1978, unless the person has as of the later of March 30, 1978 or the date of employment sufficient service credit in the retirement system to meet the minimum vesting requirements for a deferred annuity, or the employer agrees in writing on forms prescribed by the director to make the required employer contributions, including any employer additional contributions, on account of that person from revenue sources other than funds provided under the federal comprehensive employment and training act, or the person agrees in writing on forms prescribed by the director to make the required employer contribution in addition to the required employee contribution.

Sec. 136. Minnesota Statutes 1978, Section 352.04, Subdivision 5, is amended to read:

Subd. 5. [PAYMENT OF EMPLOYER CONTRIBUTIONS.]
{a} The head of each department or agency shall cause employer contributions to be made to the fund on each payroll abstract at the time each employee is paid his salary in the amounts required by subdivision 3. These contributions shall be charged as administrative costs. Each department shall pay these amounts from such accounts and funds from which each department or agency re-

ceives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing, for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. The moneys necessary to provide for the administrative cost as herein provided are hereby appropriated out of such revenue sources to each department and agency in such sums as are required to make the payments herein directed.

(b) If there are insufficient moneys in any such accounts or fund or source of revenue to make the payments to the state employees retirement fund required by this section to be made by such department or agency, there is hereby appropriated to such department or agency from any moneys in the state treasury not otherwise appropriated, such moneys as are required to meet such deficiencies. The amount of such appropriation made by these provisions shall be certified by the commissioner of administration to the commissioner of finance at such times as the commissioner of finance shall require.

Sec. 137. Minnesota Statutes 1978, Section 352.73, Subdivision 3, is amended to read:

Subd. 3. The supplemental benefit herein provided is for the purpose of relief in the present inflationary period and is not an increase in the amount of the annuity or retirement allowance such retired state employee receives from the state employees retirement fund. This supplemental benefit is not a vested right and the legislature reserves the power to withdraw, abolish, or modify it in any way. The benefits herein provided for shall be administered by the director of the Minnesota state employees retirement system. These supplemental benefits shall be paid in the same manner and at the same time annuities and retirement allowances are paid and, for the purpose of economy, such benefits may be included in the warrants on which the annuities are paid. *Money certified by the director to the commissioner of finance as needed to meet the state's obligations to the state employees retirement fund shall be transferred to the fund at least once a month.*

Sec. 138. Minnesota Statutes 1978, Section 352B.25, is amended to read:

352B.25 [CONTINUING APPROPRIATION; PAYMENT OF PENSION FUNDS BY INDIVIDUALS.] All moneys provided for in this chapter required to be paid, deducted, transferred or contributed to any person, agency, fund or association from any account in the state treasury or from any fund or association are hereby annually and from time to time appropriated. *The highway patrolmen's retirement fund and the participation in the Minnesota adjustable fixed benefit fund shall be disbursed only for the purposes herein provided. The expenses of the system and any benefits or annuities herein provided, other than benefits payable from the Minnesota adjustable fixed benefit fund, shall be paid from the highway patrolmen's retirement fund. The amounts necessary to make the payments from the highway patrolmen's retirement fund and the participation in the Minnesota adjustable*

fixed benefit fund are annually appropriated from those funds for those purposes.

Sec. 139. Minnesota Statutes 1978, Section 352C.04, Subdivision 3, is amended to read:

Subd. 3. [APPROPRIATION.] ~~Spouse's and dependent children's survivor benefits, payable under this section, are appropriated annually to the executive director of the Minnesota state retirement system from the general fund of the state treasury, and shall be paid by him monthly by the executive director of the Minnesota state retirement system.~~

Sec. 140. Minnesota Statutes 1978, Section 352C.09, Subdivision 2, is amended to read:

Subd. 2. (1) Any person who has made contributions pursuant to subdivision 1 who is no longer a constitutional officer or commissioner and is not receiving and has not received, or is not entitled to receive any allowance or benefit under the provisions of this chapter is entitled to receive upon application to the director a refund of all contributions credited to his account without interest thereon. ~~The moneys required for the refunds are appropriated annually to the director from the general fund in the state treasury.~~

(2) The refund of contributions as provided in clause (1) above terminates all rights of a former constitutional officer or commissioner or his survivors under the provisions of this chapter. Should the former constitutional officer or commissioner again hold such office after having taken a refund as provided above, he shall be considered a new member for all purposes and such refund may not be repaid for any credit or benefit whatever.

(3) No person shall be required to apply for or accept a refund.

Sec. 141. Minnesota Statutes 1978, Section 353.83, is amended to read:

353.83 [ADDITIONAL PAYMENTS TO CERTAIN ANNUITANTS.] Payments of retirement annuities pursuant to this chapter, to annuitants who (a) retired prior to July 1, 1962, (b) had at least 20 years of allowable service credit in the public employees retirement association upon their termination of public employment, and (c) receive annuities of less than \$200 per month shall, retroactive to July 1, 1967, be supplemented by additional payments by the public employees retirement association from moneys in the general fund of the state of Minnesota in the amount of \$15 per month, provided that such annuitants have not previously qualified for the additional payments pursuant to this section, and provided further that in no case shall the annuities plus the additional payments exceed \$200 per month. ~~Moneys necessary to pay the supplemental benefit provided by this section are hereby annually appropriated from the said general fund.~~ These additional payments shall be made in the same manner and at the same time retirement annuities are paid and shall be included in the warrants on which the annuities are so paid. The

supplemental payment herein provided shall be excluded from the computation of any monthly survivor benefit or optional annuity which may become due and payable to any person following the death of an annuitant who, during his lifetime, received a benefit pursuant to this section. If an annuitant entitled to receive additional payment under this section should die before such retroactive payment is received, payment shall be made upon demand to his designated beneficiary in an amount equal to his accumulated benefit from July 1, 1967, to the date of his death, without interest.

Sec. 142. Minnesota Statutes 1978, Section 354.55, Subdivision 5, is amended to read:

Subd. 5. Each annuitant who as a member of the fund commenced drawing an annuity pursuant to Laws 1915, Chapter 199, as amended, shall be paid \$20 per month in addition to the amount such annuitant is otherwise entitled to receive under the provisions of Minnesota Statutes 1961, Sections 135.01 to 135.56. ~~The supplemental pension provided for in this subdivision shall be paid from the general fund and such moneys as are required for its payment are hereby annually appropriated to the teachers retirement fund.~~

Sec. 143. Minnesota Statutes, 1979 Supplement, Section 354A.12, Subdivision 2, is amended to read:

Subd. 2. [EMPLOYER CONTRIBUTIONS.] Notwithstanding any law to the contrary, levies for teachers retirement fund associations in cities of the first class, including levies for any employer social security taxes for teachers covered by the Duluth teachers retirement fund association or the Minneapolis teachers retirement fund association or the St. Paul teachers retirement fund association, are disallowed and the state shall assume the total employer obligation.

The state shall make the following employer contributions to teachers retirement fund associations:

(a) For any coordinated member of a teachers retirement fund association in a city of the first class, the state shall pay the employer social security taxes in accordance with section 355.46, subdivision 3, clause (b);

(b) For any coordinated member of one of the following teachers retirement fund associations in a city of the first class, the state shall make a contribution to the respective retirement fund association in an amount equal to the designated percentage of the salary of the coordinated member as provided below:

Duluth teachers retirement fund association	5.79 percent
Minneapolis teachers retirement fund association	4.50 percent
St. Paul teachers retirement fund association	4.50 percent

(c) For any basic member of one of the following teachers retirement fund associations in a city of the first class, the state

shall make a contribution to the respective retirement fund in an amount equal to the designated percentage of the salary of the basic member as provided below:

Minneapolis teachers retirement fund association	13.35 percent
St. Paul teachers retirement association	12.63 percent

The state employer contributions shall be ~~appropriated and remitted~~ directly to each teachers retirement fund association each month in accordance with the procedures described in section 354.43, subdivisions 1, 2, and 5.

Once each month the executive secretary of each teachers retirement fund association shall determine the amount of money necessary and presently needed to meet the state obligation as provided in this subdivision by applying the percentage of payroll figure to the estimated payroll amounts for the current month and shall certify the amount to the commissioner of finance. The moneys required to meet the amounts certified by each executive secretary of a teachers retirement fund association shall be ~~appropriated and remitted~~ directly to the applicable teachers retirement fund association from the general fund each month. If subsequent actual experience deviates from the anticipated experience upon which the amount certified was determined, the allocation to the first class city teachers retirement fund association involved next following the discovery of the deviation shall be adjusted. If the state makes an excess employer contribution to a teachers retirement fund association as the result of a false or wrongful certification, the state shall be entitled to recover the excess employer contribution by any appropriate means, including recovery from future state allocations, state aid or other funds payable to the school district in which the association is located. If an employee of that school district is responsible for the false or wrongful certification, any excess employer contribution recovered by the state shall be the obligation of the school district.

Sec. 144. Minnesota Statutes 1978, Section 355.46, Subdivision 3, is amended to read:

Subd. 3. The employer taxes due with respect to employment by educational employees who have made their selection pursuant to section 218(d) (6) (C) of the social security act, shall be paid in the following manner:

(a) Contributions required for retroactive coverage shall be made in the manner provided in subdivision 2.

(b) Contributions required to be made for current service by political subdivisions employing such educational employees and payments required by section 355.49 shall be paid by the state. Beginning July 1, 1971 the state's obligation for services performed subsequent to the date of the agreement or modification shall be paid by the commissioner of finance at such times and in such amounts as may be determined by the state agency to be necessary. ~~The amounts herein required are hereby appropriated to the commissioner of finance from the general fund in the state~~

treasury and the commissioner of finance is hereby authorized to make the necessary disbursements and transfers therefor except that the first such amount so required shall be reduced by an amount of \$2,000,000 which shall be appropriated from the teachers retirement fund. The trustees are hereby authorized to make this request of transfer to the commissioner of finance.

(c) Contributions required to be made with respect to such educational employees of state departments and institutions and payments required by section 355.49 shall be paid by such departments and institutions in accordance with the provisions of sections 355.49 and 355.50.

Sec. 145. Minnesota Statutes 1978, Section 355.50, is amended to read:

355.50 [STATE EMPLOYEES, APPROPRIATION.] With respect to state employees, each department and agency shall pay the amounts required by sections 355.41 to 355.60 from such accounts and funds from which each department or agency receives its revenue, including appropriations from the general fund and from any other fund, now or hereafter existing, for the payment of salaries and in the same proportion as it pays therefrom the amounts of such salaries. The moneys necessary for the payments into the contribution fund and the state agency revolving fund, as provided herein, are hereby appropriated out of such revenue sources, including from the general fund and from any other fund now or hereafter existing, to each department and agency in such sums as are required to make the payments herein directed, and Such payments shall be charged as an administrative cost by such units of state government.

If the federal government increases the required contribution for social security, and as a result of the increase there are insufficient moneys in any such accounts or fund or source of revenue to make the payments to the contribution fund required by sections 355.41 to 355.60 by such departments or agencies, there is hereby appropriated to such department or agency from any moneys in the state treasury not otherwise appropriated such moneys as are required to meet such deficiencies. The amount of each appropriation payment made by pursuant to these provisions shall be certified by the commissioner of personnel to the commissioner of finance at such times as the commissioner of finance shall require. The amount certified as necessary to meet a deficiency caused by an increase in federal contribution requirements shall be reported to the senate committee on finance and the house committee on appropriations before the commissioner of finance transfers any money to meet the deficiency.

For those employees of the state or its instrumentalities who as eligible members in the state employees retirement association are employed by the state horticultural society, the disabled American veterans, department of Minnesota, veterans of foreign wars, department of Minnesota, the Minnesota crop improvement association, the Minnesota historical society, the armory building commission and the Minnesota-Wisconsin-Minneapolis-St. Paul

survival plan project, these units of government shall also pay into the contribution fund contributions with respect to wages equal to the sum of taxes which would be imposed by the federal insurance contributions act if the services covered by such agreement or modification constituted employment within the meaning of that act.

Sec. 146. Minnesota Statutes 1978, 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 its an administrative structure, including but not limited to 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 with to the requirements purposes of subdivision 1 notwithstanding any inconsistent special law chapter 401. 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 to the counties in the Arrowhead region. In Hennepin 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 chapter 401.*

Sec. 147. Minnesota Statutes 1978, Section 403.11, Subdivision 3, is amended to read:

Subd. 3. [METHOD OF PAYMENT; CERTIFICATION.] A public utility incurring reimbursable costs under subdivision 1 or 2 for a year ending June 30, 1978, or any June 30 thereafter, shall certify those costs to the commissioner or administration no later than the following August 31. The certification shall be in a form as prescribed by the commissioner after consultation with the public service commission. If the commissioner and the commission approve the certified costs as appropriate and accurate, the commissioner shall so advise the commissioner of finance no later than the following October 31. If the costs are certified and approved in an even numbered year, the governor and the commissioner of finance shall include the certified costs in the regular budget submitted to the legislature. If the costs are certified and approved in an odd numbered year, they shall be submitted in a special message to the appropriations committees of

the legislature no later than November 30 of each odd numbered year pay the certified costs from money appropriated for that purpose within 90 days following receipt by the commissioner of the certified costs. The commissioner of administration shall estimate the amount required to reimburse public utilities for the state's obligations under subdivisions 1 and 2 of this section and the governor shall include the estimated amount in the biennial budget request.

Sec. 148. Minnesota Statutes, 1979 Supplement, Section 422A.101, Subdivision 3, is amended to read:

Subd. 3. [STATE CONTRIBUTIONS.] ~~There is appropriated~~ from the general fund of The state shall pay to the Minneapolis municipal employees retirement fund annually an amount equal to the financial requirements of the basic program of the Minneapolis municipal employees retirement fund reported by the actuary in the actuarial valuation of the fund prepared pursuant to section 356.215 for the most recent year but based on a target date for full amortization of the unfunded liabilities by the year 2017 less the amount of employee contributions made pursuant to section 422A.10, and the amount of employer contributions made pursuant to subdivision 1, clauses (a), (b) and (c), and subdivision 2, clauses (a), (b) and (c). Payments made pursuant to this subdivision shall be made at the same time and in the same manner as for payments made pursuant to section 477A.01, subdivision 4b.

Sec. 149. Minnesota Statutes 1978, Section 462A.05, is amended by adding a subdivision to read:

Subd. 19. The agency may make grants solely to non-profit sponsors, as defined by the agency, for residential housing to be used to provide temporary shelter to low and moderate income persons and families having an immediate need for temporary shelter as a result of natural disaster, resettlement, condemnation, displacement, lack of habitable housing or other cause defined by the agency. Grants pursuant to this subdivision shall not be used for residential care facilities. To the extent possible, a nonprofit sponsor shall combine the grant with other funds obtained from public and private sources. In making grants, the agency shall determine the circumstances under which and the terms and conditions under which all or any portion thereof will be repaid and the appropriate security should repayment be required.

Sec. 150. Minnesota Statutes 1978, Section 462A.21, is amended by adding a subdivision to read:

Subd. 12. It may make grants for the purpose of section 149, and may pay the costs and expenses necessary and incidental to the grant program authorized therein. Grants pursuant to section 149 may be made only with specific appropriations by the legislature.

Sec. 151. Minnesota Statutes, 1979 Supplement, Section 465.72, is amended to read:

465.72. [SEVERANCE PAY.] Except as may otherwise be pro-

vided in Laws 1959, Chapter 690, as amended, all counties, cities, townships and school districts are hereby authorized and empowered to any county, city, township and school district may pay severance pay to all of its employees and to establish, prescribe and promulgate provisions, rules and regulations for the payment of such severance pay upon leaving to an employee who leaves employment prior to before the normal retirement date. Such The severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and. It shall be paid in a manner mutually agreeable to the employee and employer over a period not to exceed five years from termination of employment. In the event that If a terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. In no event shall severance pay provided for an employee except a teacher as defined in section 170.63, subdivision 13, leaving employment exceed an amount equivalent to 100 days pay. Severance pay for a teacher as defined in section 170.63, subdivision 13, shall not exceed an amount equivalent to one year of pay.

Sec. 152. Minnesota Statutes 1978, Section 473.408, Subdivision 3, is amended to read:

Subd. 3. [SOCIAL FARES.] In off-peak hours the commission and other operators shall charge the following reduced fares for transit service:

(a) not more than 20 cents plus any zone charges for all persons under the age of 18 holding an identification card issued by the commission;

(b) not more than ten cents for all persons 65 years of age and over holding a medicare card or other identification card authorized or approved by the commission; and

(c) not more than one-half of the full fare for all handicapped persons, as defined by the commission.

Any person qualifying for a reduced fare pursuant to clause (b) whose income is below 150 percent of poverty guidelines established by the federal community services administration may qualify for exemption from the fare otherwise required to be paid under clause (b). The person may qualify for exemption by certifying income level on a form provided by the commission. The commission shall issue an annual pass to persons who qualify for exemption and shall require the persons to requalify annually. The commission shall make appropriate certification forms available by mail and at the offices and information centers maintained by the commission.

Sec. 153. Minnesota Statutes 1978, Section 473.435, is amended to read:

473.435 [BUDGET PREPARATION; SUBMISSION.] The commission shall prepare, submit and adopt a budget in the man-

ner provided in, and otherwise comply with, the provisions of section 473.163 and section 174.03.

Sec. 154. Minnesota Statutes 1978, Section 473.641, is amended by adding a subdivision to read:

Subd. 4. Notwithstanding any other law, the metropolitan airports commission shall not use revenue from any source, as described by section 473.608, for construction of air facilities to expand or upgrade the use of an existing metropolitan airport from minor use to intermediate use status as defined by the metropolitan development guide, aviation chapter, adopted pursuant to section 473.145.

Sec. 155. Minnesota Statutes 1978, Section 490.23, Subdivision 1, is amended to read:

490.123 [JUDGES' RETIREMENT FUND.] Subdivision 1. **[CREATION; CONTRIBUTIONS.]** There is hereby created a special fund known as the "judges' retirement fund". The fund shall be credited with all contributions, all interest and all other income authorized by law. From this fund there are appropriated the payments authorized by sections 490.121 to 490.132 in the amounts and at times provided herein, including the expenses of administering the fund. Except as provided in section 490.128, subdivision 2, each judge shall contribute to the fund from each salary payment a sum equal to the salary multiplied by the rate of employee tax under the Federal Insurance Contributions Act as defined in section 355.01, subdivision 9. The balance of all money necessary for administering sections 490.121 to 490.132 and the judges' retirement fund, including payment of retirement compensation and other benefits under sections 490.121 to 490.132, shall be contributed to the fund by the state. ~~The amount required therefor is hereby annually appropriated from the general fund to the judges' retirement fund.~~

Money certified by the executive director of the Minnesota state retirement system to the commissioner of finance as needed to meet the state's obligations to the judges' retirement fund shall be transferred to the fund at least once a month.

Sec. 156. Minnesota Statutes 1978, Chapter 544, is amended by adding a section to read:

[544.41] [PRODUCT LIABILITY; LIMIT ON LIABILITY OF NON-MANUFACTURERS.] *Subdivision 1. In any product liability action based in whole or in part on strict liability in tort commenced or maintained against a defendant other than the manufacturer, that party shall upon answering or otherwise pleading file an affidavit certifying the correct identity of the manufacturer of the product allegedly causing injury, death or damage. The commencement of a product liability action based in whole or part on strict liability in tort against a certifying defendant shall toll the applicable statute of limitation relative to the defendant for purposes of asserting a strict liability in tort cause of action.*

Subd. 2. Once the plaintiff has filed a complaint against a manufacturer and the manufacturer has or is required to have answered or otherwise pleaded, the court shall order the dismissal of a strict liability in tort claim against the certifying defendant, provided the certifying defendant is not within the categories set forth in subdivision 3. Due diligence shall be exercised by the certifying defendant in providing the plaintiff with the correct identity of the manufacturer and due diligence shall be exercised by the plaintiff in filing a law suit and obtaining jurisdiction over the manufacturer.

The plaintiff may at any time subsequent to dismissal move to vacate the order of dismissal and reinstate the certifying defendant, provided plaintiff can show one of the following:

(a) That the applicable statute of limitation bars the assertion of a strict liability in tort cause of action against the manufacturer of the product allegedly causing the injury, death or damage;

(b) That the identity of the manufacturer given to the plaintiff by the certifying defendant was incorrect. Once the correct identity of the manufacturer has been given by the certifying defendant the court shall again dismiss the certifying defendant;

(c) That the manufacturer no longer exists, cannot be subject to the jurisdiction of the courts of this state, or, despite due diligence, the manufacturer is not amenable to service of process;

(d) That the manufacturer is unable to satisfy any judgment as determined by the court; or

(e) That the court determines that the manufacturer would be unable to satisfy a reasonable settlement or other agreement with plaintiff.

Subd. 3. A court shall not enter a dismissal order relative to any certifying defendant even though full compliance with subdivision 1 has been made where the plaintiff can show one of the following:

(a) That the defendant has exercised some significant control over the design or manufacture of the product, or has provided instructions or warnings to the manufacturer relative to the alleged defect in the product which caused the injury, death or damage;

(b) That the defendant had actual knowledge of the defect in the product which caused the injury, death or damage; or

(c) That the defendant created the defect in the product which caused the injury, death or damage.

Subd. 4. Nothing contained in subdivisions 1 to 3 shall be construed to create a cause of action in strict liability in tort or based on other legal theory, or to affect the right of any person to seek and obtain indemnity or contribution.

Sec. 157. Laws 1959, Chapter 690, Section 2, as amended by Laws 1963, Chapter 729, Section 1, Laws 1971, Chapter 599, Sec-

tion 1 and Laws 1975, Chapter 261, Section 1, is amended to read:

Sec. 2. [ST. PAUL, CITY OF; EMPLOYEES SEVERANCE PAY.] The provisions, rules and regulations under any such ordinance for such payment of severance pay by said city, authorized under the foregoing provisions of section 1 hereof, shall be applicable to all employees of said city other than its elected city officials. Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment. The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee after ~~December 31, 1973,~~ shall not exceed ~~\$4,000~~ *the amount permitted by Minnesota Statutes, Section 465.72.*

Sec. 158. Laws 1979, Chapter 332, Article I, Section 115, Subdivision 2, is amended to read:

Subd. 3. [OPEN APPROPRIATIONS; COMPENSATION INCREASES.] (a) The compensation and economic benefit increases covered by this clause are those paid to classified and unclassified employees in the executive, legislative, and judicial branches of state government, and to employees of the Minnesota historical society and nonacademic employees of the University of Minnesota who are paid from state appropriations, if the increases are authorized by law during the 1979 session of the legislature or by appropriate resolutions for employees of the legislature. The amounts necessary to pay compensation and economic benefit increases covered by this clause are appropriated from the various funds in the state treasury from which salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1980, and June 30, 1981.

(b) The cost of living increases covered by this clause are those paid to classified employees pursuant to sections 43.12, subdivision 10 and 43.127, those paid to unclassified employees who are paid salaries comparable to employees in the classified service, and those paid to unclassified employees in the executive, legislative, and judicial branches of state government, and to employees of the Minnesota historical society and nonacademic employees of the University of Minnesota who are paid from state appropriations, if the increases are authorized by law during the 1979 session of the legislature or by appropriate resolutions for employees of the legislature. The amounts necessary to pay cost of living increases covered by this clause are appropriated from the various funds in the state treasury from which their salaries are paid to the commissioner of finance for the fiscal years ending June 30, 1980, and June 30, 1981, *except that the amount provided by the general fund shall not exceed \$17,535,800.*

(c) The amounts necessary to pay increased premium rates for basic life insurance and basic health benefit coverage authorized for eligible state employees and their dependents, in the event that these rates are increased over the rates in existence at the

time of the passage of this act, are appropriated from the various funds in the state treasury from which these premiums are paid, to the commissioner of finance for the fiscal years ending June 30, 1980 and June 30, 1981.

(d) The commissioner shall transfer the necessary amounts to the proper accounts and shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the amount transferred to each appropriation account.

(e) Money certified as needed by the University of Minnesota and transferred to it under this subdivision shall be used only for the purpose certified. Any amount transferred that exceeds the actual amount of cost of living increases or insurance premium increases paid to or for university employees until June 30, 1981 shall be returned to the general fund.

Sec. 159. [EMPLOYEE STATUS.] *Persons employed by a state agency and paid from an appropriation in Laws 1979, Chapter 301, Section 3, Clause (10) are in the unclassified service and their continued employment is contingent upon the availability of money from that appropriation.*

Sec. 160. [AGREEMENTS APPROVED.] *Notwithstanding the provisions of Laws 1979, Chapter 332, Section 109, employees of the department of economic security who are represented by the Minnesota administrative hearing officers association shall be entitled to receive the benefits provided by Laws 1979, Chapter 332, Section 109, provided they meet the applicable eligibility requirements.*

Notwithstanding the provisions of Minnesota Statutes Section 179.74, Subdivision 5, the commissioner of personnel is authorized to implement those provisions of the agreements negotiated with the Minnesota nurses association covering employees of the department of health which establish wages and economic fringe benefits. In lieu of the salaries provided by Minnesota Statutes, Section 43.12, Subdivisions 2 and 3, covered employees shall receive the salary increases provided by Laws 1979, Chapter 332, Section 103.

The provisions of section 179.63, Subdivision 11, shall not apply to the employees of the university of Minnesota hospitals.

Sec. 161. [PAY INCREASE.] *The salary range of the state chief pilot is increased from range 14 to range 16.*

Sec. 162. [DISTRICT JUDGE COMMUTING EXPENSES.] *Notwithstanding the provisions of Minnesota Statutes 1978, Section 484.54, Subdivision 2, a district court judge in Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker or Wadena counties shall be paid travel expenses for travel from his place of residence to and from his permanent chambers for a period of two years after July 1, 1979 or the date he initially assumes office, whichever is later.*

Sec. 163. [LUCE LINE TRAIL; SALE OF EXCESS LAND.] *Land acquired by the commissioner of natural resources from the Chicago Northwestern Railroad for the Luce Line Trail from the south right of way line of the public road intersecting the trail, the intersection being in the northwest quarter of the northwest quarter of section 17 and the northeast quarter of the northeast quarter of section 18, township 118 north, range 37 west, Chippewa County, Minnesota, to Gluek may be sold at public auction in the same manner as provided by law for trust fund lands or may be exchanged with adjacent landowners notwithstanding any contrary provisions of Minnesota Statutes, Section 94.342, Subdivision 3. The commissioner may subdivide the lands and interests in lands into smaller parcels for the purpose of the sale or exchange.*

Sec. 164. [ABANDONED RIGHT OF WAY.] *Subdivision 1. [LEGISLATIVE FINDINGS AND CONCLUSIONS.] The legislature finds, for the reasons stated below, that it is in the best interest of the state to acquire the portions of the abandoned Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way between the Red Cedar River and the high voltage transmission line from Prairie Island to Adams which crosses the right-of-way east of Dexter in Mower County and between Isinour Junction in Fillmore County and Money Creek Woods in Houston County. The reasons are: (1) An approximately 33 mile portion of the right-of-way, east of Isinour Junction, as more specifically described and recommended for acquisition in the report of the hearing examiner on the Root River Trail dated March 5, 1980, satisfies the criteria stated in Minnesota Statutes, Section 86A.05, Subdivision 4, Clause (b), for the establishment of a state trail pursuant to Minnesota Statutes, Sections 84.029, Subdivision 2, and 85.015, Subdivision 7; (2) Other portions of the right-of-way west of Dexter, satisfy the criteria stated in Minnesota Statutes, Section 86A.05, Subdivision 5, Clause (b), for the establishment of a state scientific and natural area; (3) Development of these units of the outdoor recreation system can be accomplished in such a way as to minimize adverse effects on adjoining agricultural lands; (4) The right-of-way from the high voltage transmission line east of Dexter to the Red Cedar River has been proposed for, and has high potential for use by the Austin Utilities Board as a high voltage transmission line; and (5) the right-of-way from the Red Cedar River to Dexter has potential for trail development.*

Subd. 2. [ACQUISITION AUTHORITY.] The commissioner of natural resources, having completed the study and hearing process specified in Laws 1979, Chapter 301, Section 7, shall acquire, for development of a state recreational trail and to hold for a potential utility use, the portions of the abandoned Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way described in subdivision 1, including trestles, bridges and culverts from the railroad or from any person to whom the right-of-way may revert or be sold upon abandonment. The commissioner shall have the first rights of purchase and may acquire by gift, purchase, or condemnation pursuant to Minnesota Statutes, Chapter 117.

Subd. 3. [MITIGATION OF ADVERSE IMPACTS.] *To the maximum extent the commissioner shall develop and maintain the portion of right-of-way used for trail purposes so as to minimize adverse effects on adjoining agricultural land and property owners. To this end the commissioner shall:*

(a) Notwithstanding the provisions of Minnesota Statutes, Section 94.342, Subdivision 3, offer to exchange land with landowners whose land is crossed or adjacent to the trail right-of-way where the exchange will minimize or mitigate impact on farming use, privacy or other beneficial use of the lands of the adjacent owner and is consistent with the trail use;

(b) Allow easements for drainage culverts and tile lines to cross the trail right-of-way without cost to adjacent landowners, provided that the commissioner may restrict the location and construction method of the culverts and tile lines to protect the resource;

(c) Provide and maintain fencing on both sides of the line at the expense of the state where requested by the adjoining landowner;

(d) Allow easements for crossing livestock and farm equipment of adjoining owners where necessary and convenient; and

(e) Assign, prior to the opening of the trail, a full time trail manager to this trail.

Subd. 4. [FURTHER STUDY.] *The commissioner shall study, and hold a hearing, in the manner provided in Laws 1979, Chapter 301, Section 7, on the appropriateness of developing a trail on the portion of the right-of-way from the Red Cedar River to the western edge of Dexter. If the commissioner determines such a trail use is appropriate, it shall conform to all requirements of subdivision 3, except the requirement for land exchanges under clause (a). Notwithstanding the provisions of Minnesota Statutes, Chapter 86A or other laws to the contrary, this portion of the right-of-way if used for a trail may be used for high voltage transmission line purposes.*

Subd. 5. [SCIENTIFIC AND NATURAL AREAS.] *The commissioner shall designate and manage as scientific and natural areas those portions of the right-of-way from the Red Cedar River to the western edge of Dexter recommended by the Scientific and Natural Area Advisory Committee totaling approximately 7.75 miles. Notwithstanding the provisions of Minnesota Statutes, Chapter 86A, the commissioner may operate a trail on the land described in subdivision 1 that is designated as a scientific and natural area, provided that trail uses shall be limited and controlled in a manner to assure the protection of the scientific and natural area resource values. Further, notwithstanding the provisions of Minnesota Statutes, Chapter 86A, or any other laws to the contrary, the scientific and natural areas may be used for a high voltage power line, provided towers are located and constructed and the line maintained in a manner to insure protection of the resource.*

Subd. 6. [ACQUISITION; SALE.] *If necessary in order to effectuate the purposes of this section, the commissioner may acquire by gift or purchase from a willing seller those portions of the entire abandoned railroad right-of-way between Ramsey in Mower County and LaCrescent in Houston County not described in subdivision 1, but may not retain in state ownership any portion thereof other than those portions described in subdivision 1, and shall dispose of those lands not retained in state ownership in the manner provided in sections 94.09 to 94.16, within one year after their acquisition.*

Sec. 165. [RAMSEY COUNTY WETLANDS.] *The following described lands are wetlands within the meaning of Minnesota Statutes, Section 105.37, Subdivision 15: lot 101 of Gardena addition, which is located in the northeast quarter of the southeast quarter of section 4, township 29 north, range 22 west, Ramsey County, Minnesota.*

Sec. 166. [CONVEYANCE OF LAND; WILLMAR SEWER LIFT SYSTEM.] *The governor, upon the recommendation of the commissioner of administration, may convey by quitclaim deed in a form the attorney general approves to the city of Willmar the land on which the sewer lift system which serves the Willmar state hospital and the Willmar department of transportation district headquarters is located. The consideration for the property shall be the maintenance and operation of the sewer lift system by the city of Willmar without charge for the services to the state facilities.*

The land to be transferred is described as follows:

That part of Government Lot 2, Section 1, Township 119 North, Range 35 West, located within the city of Willmar, Minnesota, described as follows:

Commencing at the southwest corner of Section 1, Township 119 North, Range 35 West; thence North 0 degrees 24 minutes 00 seconds West 480.08 feet to the centerline of Trunk Highway 71-4 right-of-way; thence North 33 degrees 02 minutes 00 seconds East along said centerline 407.44 feet; thence northeasterly along a tangential curve concave to the northwest, radius 5729.58 feet, central angle 10 degrees 07 minutes 08 seconds a distance of 1011.90 feet; thence South 67 degrees 05 minutes 08 seconds East along a radial line to said curve 80.00 feet to the point on the easterly right-of-way line of said Trunk Highway 71-4, said point being where said easterly right-of-way line changes from 50 feet to 80 feet; thence northeasterly along said right-of-way line on a nontangential curve concave to the northwest, radius 5809.58 feet, central angle 0 degrees 07 minutes 00 seconds, chord bearing North 22 degrees 51 minutes 32 seconds East 11.82 feet to the point of beginning;

thence North 87 degrees 23 minutes 38 seconds East 128.98 feet; thence North 2 degrees 36 minutes 22 seconds West 60.00 feet; thence South 87 degrees 23 minutes 38 seconds West 99.97 feet to said easterly right-of-way of Trunk Highway 71-4; thence southeasterly along said easterly right-of-way line on a nontan-

gential curve concave to the northwest, radius 5809.58 feet central angle 0 degrees 39 minutes 26 seconds, chord bearing South 23 degrees 11 minutes 52 seconds West 66.65 feet to the point of beginning containing 0.158 acres, more or less.

Sec. 167. [COOK COUNTY; INDEPENDENT SCHOOL DISTRICT NO. 166; STEAM LINE CONSTRUCTION AGREEMENTS.] *Subdivision 1. Notwithstanding the provisions of Minnesota Statutes, Chapters 373, 375, 471, 475 or any other law to the contrary, Independent School District No. 166 and the board of commissioners of Cook County may exercise the powers granted by this section.*

Subd. 2. The school board of Independent School District No. 166 may sell excess steam from its existing wood fueled steam generating plant to any customer on the terms and conditions it deems reasonable.

Subd. 3. The school board and the board of commissioners of Cook County may make an agreement for the school district to furnish the excess steam from its existing wood fueled steam generating plant to Cook County for its public buildings on any terms and conditions and for any time agreed to by the parties. The agreement may provide for separate or joint ownership and construction of a steam line and other necessary facilities to accomplish the purpose of the agreement. The parties may acquire the easements necessary to accomplish the purpose of the agreement by gift, lease, or purchase. They may finance the acquisition of the easements and construction projects by use of grants from outside sources or the unrestricted available funds of either party. The parties may agree that all or part of an expenditure made by one party for purposes of this section shall be reimbursed by the other party on the terms and conditions agreed to by the parties.

Sec. 168. [CITATION.] *Sections 168 to 180 may be cited as the "St. Paul People Mover Act."*

Sec. 169. [DEFINITIONS.] *Subdivision 1. The definitions in this section apply to the St. Paul People Mover Act.*

Subd. 2. "Acquisition" and "betterment" have the meanings given in Minnesota Statutes, Section 475.51.

Subd. 3. "Capitol area" has the meaning given in Minnesota Statutes, Section 15.50.

Subd. 4. "City" means the city of St. Paul in Ramsey County acting through the city council or any agency, authority or corporation established by or with the approval of the city, acting through its governing body, to implement any of the provisions of the St. Paul People Mover Act.

Subd. 5. "Commission" means the metropolitan transit commission created by Minnesota Statutes, Section 473.404, having jurisdiction over the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 6. "Contracting agency" means the city or an agency

authorized by the city to contract for the acquisition and betterment of the people mover system or any part thereof.

Subd. 7. "Operating agency" means the city or an agency authorized by the city by lease or other agreement to manage and operate the people mover system.

Subd. 8. "Operating deficit" means the amount by which the expenses of operating, maintaining and promoting the people mover system during revenue service exceeds the amount received from revenues of the system, reimbursement for reduced or social fares, federal operating assistance and other sources exclusive of operating deficit payments by the city and by the owners of benefited properties.

Subd. 9. "Revenue service" means service during periods in which the people mover system is operating and available for use by the general public.

Subd. 10. "People mover system" means a transit system with an automated fixed guideway and related facilities, including but not limited to, parking, access, pedestrian malls, bus facilities, and skyways, designed to serve the main commercial area of the city of St. Paul and the area of the city surrounding it as determined by the city, and all property, real and personal, and all contract rights, determined to be necessary or desirable for the acquisition, betterment, operation, access to, and maintenance of the system.

Subd. 11. "Transit system" has the meaning given in Minnesota Statutes, Section 473.121.

Subd. 12. "Vehicle system" means the transit cars, the guideway, the guideway columns, the guideway electrification, the control and communication mechanisms, the platform doors, the maintenance and control center equipment, and other similar necessary components of the people mover system.

Sec. 170. [PEOPLE MOVER SYSTEMS; AUTHORITY.] The city may undertake the acquisition, betterment, operation, maintenance, and promotion of a people mover system. For such purposes the city may exercise all powers conferred upon it by law or charter and, notwithstanding any other law or charter provision, may negotiate an agreement with a contracting agency. The terms of the agreement with the contracting agency shall comply with the St. Paul People Mover Act.

Sec. 171. [SYSTEM PROCUREMENT.] Subdivision 1. [SPECIFICATIONS; EVALUATION CRITERIA.] Before final solicitation of bids from suppliers, the city shall approve the functional, physical, and performance specifications to be prescribed for the people mover system and the criteria to be used to evaluate alternative systems and bids. At a minimum, the system specifications shall require the system to provide access for handicapped to connect the major downtown activity centers with fringe parking and radial bus routes and to have been proven in operation. The specifications shall be developed so as not to limit future

adaptability of the system to provide origin to destination service without stops, to eliminate transfers, and to allow a capacity of 5,000 passengers per hour. The system evaluation criteria shall give particular emphasis to the environmental, visual, and aesthetic effects of the system, especially the size of the guideways and guideway columns energy consumption and reliability during winter operation and adaptability to extension and development over time and increased capacity requirements. The specifications and evaluation criteria shall also address the cost of the vehicle system; the effect of the vehicle system on the cost of other elements of the people mover system; construction, operating, and maintenance costs; winter operation; the ability of the supplier to perform design, furnishing, installing, and testing services for all vehicle system elements and to coordinate construction; ability of the supplier to meet requirements imposed as contract conditions in any grant contract entered into with the federal government; and such other matters as the city deems necessary. During the development of system evaluation criteria and specifications, all prospective system suppliers shall be provided an opportunity to present the unique capabilities of their system, to comment on the draft evaluation criteria and specifications, and to propose changes in the specifications to allow the unique capabilities of their system to improve the system performance.

Subd. 2. [BIDS; SYSTEM EXTENSION.] The cost of preparing and submitting bids shall be paid by bidders. Bidders may propose beneficial alternatives for the people mover system which are unique to their system or which would improve the system performance. The alternatives shall be reviewed and evaluated against the evaluation criteria. If the capital cost of the accepted bid is sufficiently less than the available capital funds to allow extensions of the people mover system, the urban mass transportation administration shall be requested to approve an extension. The city shall select the extension based on community acceptance and ridership potential.

Subd. 3. [SELECTION OF SUPPLIER; CONTRACT REQUIREMENTS.] Notwithstanding the provisions of Minnesota Statutes, Section 471.345 and 471.35, or any other provision of law or charter, contracts for the acquisition and betterment of the people mover system shall be awarded to the bidder whose proposal is determined pursuant to subdivisions 1 and 2 to best meet the system specifications and evaluation criteria. The city shall review and evaluate submitted bids on the basis of the system specifications and evaluation criteria developed pursuant to subdivision 1. The purchase contract for the vehicle system shall require the supplier to assure that the vehicle system operates within the specifications of the contract and to maintain the vehicle system for a five year period of revenue service at a fixed base price with escalation clauses. The contract shall contain a provision permitting termination by the contracting agency of the operation and maintenance portion of the contract at the end of any year of revenue service. The supplier of the vehicle system and all contractors for the people mover system, at the time of

execution of a contract shall furnish a payment or performance bond as security for the faithful payment and performance of all obligations under the contract. All contracts for the people mover system shall include disincentives in an appropriate amount for failure to comply with the contract and may include incentives as appropriate. All contracts shall contain provisions for a maximum contract amount not to be exceeded without the approval of the city.

Subd. 4. [CERTIFICATION.] No revenue service of the people mover system shall begin until written notice is received by the city, signed by the administrator of the urban mass transportation administration, stating that the vehicle system or the part proposed to be operated has been fully tested, that it meets the criteria for acceptance established by the contracting agency with the concurrence of the administrator, and that it is ready for year-around revenue service. The purchase contract for the vehicle system shall so provide. The written notice from the administrator shall not imply any legal liability of the federal government for construction or operation of the people mover system.

Sec. 172. [SPECIAL ASSESSMENT.] The people mover system and related facilities are determined to be local improvements within the meaning of the Minnesota Constitution, Article X, the city's charter, and Minnesota Statutes, Chapters 429 and 430. Accordingly, the costs of acquisition, construction, reconstruction, extension, operation, maintenance and promotion of the people mover system and such facilities, whether paid or to be paid by the city may be specially assessed against property determined to be specially benefited thereby, to the extent of and in proportion to the benefits, except that special assessments shall be forgiven against property owned by the state of Minnesota or any instrumentality of the state. Special assessments which are pledged to the payment of improvement warrants or other obligations shall be levied separately and the proceeds segregated from any other special assessments authorized by this section. The special assessment shall be levied by the city pursuant to its charter, Minnesota Statutes, Chapter 429 or 430, and the collections thereof may be pledged to the payment of the costs.

Sec. 173. [OPERATING DEFICIT; PAYMENT.] The city and the owners of benefited properties shall share in the payment of the operating deficit in such proportion as determined by the city. Payment by owners of benefited properties may be levied as special assessments pursuant to the St. Paul People Mover Act. The city share shall not be included in any ad valorem tax levy of the city. The commission shall not participate in any deficit funding of the people mover system.

Sec. 174. [CAPITOL AREA FACILITIES; STATE OWNED PROPERTY.] Subdivision 1. Construction of the people mover system within the capitol area shall be exempt from the provision of Minnesota Statutes 1978, Section 15.50, Subdivision 2, Clause (e), requiring design competition, except that capitol station west shall be subject to an invited competition, as defined in part II,

6, c(2) of the American Institute of Architecture document number 6-J332, issued November, 1976, sponsored and conducted by the capitol area architectural and planning board upon guidelines and criteria as determined by agreement between that board and the city. People mover system improvements within the capitol area shall be in conformity with the comprehensive use plan for the capitol area and subject to the approval of the capitol area architectural and planning board.

Subd. 2. The commissioner of administration on behalf of the state may grant to the city, without compensation, easements for the construction, location and operation of the people mover system upon state owned property. The commissioner of administration and the urban mass transportation administration shall establish the value of easements and related access facilities in the capitol area which will be required for the people mover and which are eligible in lieu of cash as local contributions to the capital cost of the people mover project.

Sec. 175. [METROPOLITAN COUNCIL REVIEW AND RECOMMENDATION.] *The metropolitan council established by Minnesota Statutes, Section 473.123, in making its review under Minnesota Statutes, Section 473.171, of the application for a federal grant in connection with the people mover system as a matter of metropolitan significance, shall conduct a public hearing upon the application and the program proposed thereby within 30 days of submission of the application to the council. Not less than 14 days before the hearing the council shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the application may be examined by any interested person. Within 14 days after the hearing the council shall make its recommendation upon the application and cause notice of the same to be published in the same manner as the hearing notice.*

Sec. 176. [JUDICIAL PROCEEDINGS; TIME TO COMMENCE.] *No action shall be commenced or maintained, nor defense interposed in an eminent domain proceeding, questioning the public purpose, propriety of expenditure of public funds, or validity of any law authorizing the acquisition, betterment, operation, maintenance or financing of the people mover system, except by lawsuit commenced in the district court of Ramsey County within 90 days of the date of publication of the metropolitan council recommendation given pursuant to the St. Paul People Mover Act, or within 90 days of the date of written notice mailed to persons whose property may be taken by subsequent proceedings in eminent domain for the people mover system or right of way. Such action timely commenced by any taxpayer, any person whose property is or may be taken or interfered with by reason of the proposed implementation of the people mover system, or other person with standing, shall be maintained in the manner provided by law, including Minnesota Statutes, Chapter 562. Nothing in this section nor notice given pursuant thereto shall be construed as a taking of private property, nor as limiting a property owner's right to just compensation for the taking of private property to be*

litigated in proceedings in eminent domain subsequently instituted under charter of Minnesota Statutes, Chapter 117, for the taking and assessment and award of damages.

Sec. 177. [CAPITAL EXPENDITURES; SALES TAX.] Subdivision 1. [COMMISSION EXPENDITURES PROHIBITED.] *The commission shall expend no money for the acquisition or betterment of the people mover system.*

Subd. 2. [SALES TAX.] *The sale of equipment, material, and tangible personal property to any person under contract with the city or a contracting agency to be used for the acquisition and betterment of the vehicle system and people mover system shall be subject to taxation by the state or its political subdivisions. The value of such tax shall be applied to the local contribution for federal grant purposes to the extent permitted by federal rule and regulation.*

Sec. 178. [IMPROVEMENT WARRANTS; BONDS.] Subdivision 1. [IMPROVEMENT WARRANTS.] *The city may issue and sell improvement warrants to finance the acquisition and betterment of the people mover system in accordance with the provisions of Minnesota Statutes, Chapter 429 for which the full faith and credit of the city is not pledged and which shall be payable solely from special assessments levied against benefited property.*

Subd. 2. [BONDS.] *The city may issue and sell bonds for the acquisition and betterment of the people mover system in an amount not to exceed the total estimated costs of such acquisition and betterment. The city may loan the proceeds of such bonds to a nonprofit corporation to be used for such purpose in which event the city and nonprofit corporation shall enter into an agreement which shall provide for payment to the city by the nonprofit corporation of sums sufficient to pay the principal and interest on such bonds. The agreement may contain such other provisions relating to security for the bonds, the use of a trustee, remedies of bondholders, investment of bond proceeds, issuance of temporary bonds or notes, or any other matter, without limitation, as may be necessary or desirable for implementing the provisions of the St. Paul People Mover Act and financing the people mover system. The bonds shall be issued in accordance with the provisions of Minnesota Statutes, Chapter 475, except section 475.61 and except that neither public sale nor election is required, 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 bear interest at such rate or rates, as may be agreed by the purchaser and the city, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law or charter. Bonds issued under this subdivision shall not constitute a debt within the meaning of any debt limitation established by law or charter, and no holder or holders of the bonds shall have the right to compel any exercise of the taxing power of the city to pay any such bonds or interest thereon, or to enforce payment thereof*

against any property of the city. The city or other owner of the people mover system is authorized to pledge, mortgage, and give a security interest therein to secure the bonds, except that no ad valorem tax levy of the city shall be used to secure the bonds. Any earnings on such bonds which are not used for payment of the bonds and interest thereon may be used to pay capital and operating costs of the people mover system or may be applied to reduce the total amount of special assessments levied or to be levied pursuant to the St. Paul People Mover Act, or both.

Subd. 3. [TAX EXEMPT BONDS.] Interest paid on bonds issued under authority of this section shall not be included in gross income for the purpose of computing any tax imposed by or under the provisions of Minnesota Statutes, Chapter 290 or any act amendatory thereof or supplemental thereto.

Sec. 179. [ADDITIONAL AND SUPPLEMENTAL POWERS; CHARTER PROVISIONS.] The powers conferred by the St. Paul People Mover Act shall be in addition and supplemental to the powers conferred by any other law or charter. The city may exercise the powers conferred notwithstanding any law or charter provision and without election, except a charter provision for initiative or referendum.

Sec. 180. [STATE NOT OBLIGATED.] The authorization for the acquisition of a people mover system in the city of St. Paul is made on the basis that the system will be locally and federally financed and produce revenues that, with local and federal sources, will be sufficient to meet all operating costs and debt retirement. This authorization does not constitute a direct or indirect obligation of the state. The notes and bonds issued to finance the people mover system shall contain on their face a statement that the notes or bonds are not a debt of the state and that the state of Minnesota is not liable on them. This section is intended to forestall any unwarranted attempt by any person to cause damage to the credit rating of the state in order to force the state to assume an obligation for which it is neither legally nor morally responsible.

Sec. 181. [COPPER NICKEL STUDY REVIEW.] The Minnesota state planning agency, the Minnesota pollution control agency, the Minnesota department of natural resources, and the Minnesota department of health shall by January 1, 1981, review the Minnesota Regional Copper Nickel Study, authorized by Laws 1975, Chapter 204, and shall report to the legislature, the house committee on environment and natural resources, and the senate committee on agriculture and natural resources concerning any changes in statutory authority, administrative rules and current policies and procedures that are necessary or desirable to respond to the development of the copper and nickel resource in Minnesota, and shall propose alternative legislative policies pertaining to the development of that resource.

Sec. 182. [TRANSPORTATION FINANCE STUDY COMMISSION.] Subdivision 1. An interim transportation finance study commission is created to examine the total state transportation

system, present and future needs of the system, and the sources of transportation revenue of this state. In examining the programs of the state transportation system, the commission shall review and make recommendations regarding the need and advisability of maintenance, upgrading, and new construction after analyzing the system to determine where reductions in design would minimize economic and social costs and adverse impacts.

Subd. 2. In addition to the examination of the management and program system and its sources of revenue, the commission shall:

(a) Study and make recommendations regarding present and future finance methods and improved use of resources for the construction and maintenance of the state transportation system;

(b) Conduct a survey of communities within the state in order to determine:

(1) Which communities are not adequately being served by either rail access or nine ton roads;

(2) The costs of upgrading roads to either nine or ten ton capacity in those communities that are not adequately serviced; and

(3) Any other information concerning the possible improvement and revitalization of transportation services to those communities that the commission deems relevant; and

(c) File a report by January 1, 1981, with the legislature.

Subd. 3. The commission shall consist of two public members and five members of the senate to be appointed by the subcommittee on committees of the committee on rules and administration of the senate, and two public members and five members of the house of representatives to be appointed by the speaker. The governor shall appoint five additional members representing a broad cross-section of the public interest. The compensation of non-legislator members, their removal, and the filling of vacancies shall be as provided in Minnesota Statutes, Section 15.059. The members of the commission shall be reimbursed for all expenses actually and necessarily incurred in the performance of their duties. For legislative members, reimbursement shall be made pursuant to the rules governing legislators and legislative employees. Expenses of the commission shall be approved by the chairman and the expenses shall be paid in the same manner as other state expenses are paid.

Subd. 4. The commission shall exist and act from the date its members are appointed. The commission is terminated on January 1, 1981.

Subd. 5. The commission shall hold meetings at the times and places it may designate. It shall select a chairman and other officers from its membership.

Subd. 6. The commission may request information and staff assistance from any state officer or agency to assist it in carrying

out the duties specified in subdivision 2. The officer or agency shall promptly furnish any data and staff assistance requested to the extent permitted by law.

Sec. 183. [CORRECTIONAL SERVICES FINANCING; STUDY COMMITTEE EXTENSION.] Notwithstanding the provisions of Laws 1979, Chapter 336, Section 4, Subdivision 4, the committee created to study the financing of correctional services and the Community Corrections Act in Minnesota may continue to meet until it has completed its report to the legislature, but not after January 1, 1981.

Sec. 184. [NURSING HOME REIMBURSEMENT RATES.] The commissioner of public welfare shall promulgate temporary rules no later than July 1, 1980 to amend the current rules governing nursing home reimbursement to allow those nursing homes that incurred in calendar year 1979 nursing hours in excess of 2.8 hours per day for skilled nursing care or 2.2 hours per day for intermediate care to receive reimbursement for actual nursing hours up to a maximum number of 3.2 hours per day for skilled nursing care and 2.45 hours per day for intermediate care for only those cost reports submitted on or after July 1, 1980 and before July 1, 1981.

Sec. 185. [CONSERVATION OF BIOMASS FUEL, FIREWOOD.] In any instance where trees or portions of trees usable as firewood are removed from property under the control of a public utility, pipeline company, railroad, state agency or department, or a political subdivision, that portion of the tree material that is six inches or larger in diameter shall not be destroyed by open burning or deposited in a landfill without first having been offered for use to the public, subject to the approval of the landowner or landowners involved. This section shall not apply to tree material removed in a program of sanitation or disease control, as defined in Minnesota Statutes, 1979 Supplement, Section 18.023.

Sec. 186. [OPEN APPOINTMENTS.] The open appointments program shall not apply to any appointments made jointly by the governor, attorney general, and chief justice.

Sec. 187. [COUNCIL ON BLACK MINNESOTANS.] Subdivision 1. **[CREATION.]** There is created a state council on Black Minnesotans to consist of seven members appointed by the governor. The members of the council shall be broadly representative of the Black community of the state and shall include at least three males and at least three females. Membership terms, compensation, removal of members and filling of vacancies for non-legislative members shall be as provided in Minnesota Statutes, Section 15.059. In addition, two members of the house of representatives appointed by the speaker and two members of the senate appointed by the subcommittee on committees of the committee on rules and administration shall serve as ex-officio, non-voting members of the council. The council shall annually elect from its membership a chairperson and other officers it deems necessary.

Subd. 2. [DEFINITIONS.] For the purpose of this section, the term "Black" means a person who considers himself or herself as having origin in any of the black racial groups of Africa.

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

(a) Advise the governor and the legislature on the nature of the issues confronting Black people in this state;

(b) Advise the governor and the legislature on statutes or rules necessary to insure Black people access to benefits and services provided to people in this state;

(c) Recommend to the governor and the legislature any revisions in the state's affirmative action program and any other steps that are necessary to eliminate underutilization of Blacks in the state's work force;

(d) Recommend to the governor and the legislature legislation designed to improve the economic and social condition of Black people in this state;

(e) Serve as a conduit to state government for organizations of Black people in the state;

(f) Serve as a referral agency to assist Black people in securing access to state agencies and programs;

(g) Serve as a liaison with the federal government, local government units and private organizations on matters relating to the Black people of this state;

(h) Perform or contract for the performance of studies designed to suggest solutions to problems of Black people in the areas of education, employment, human rights, health, housing, social welfare and other related areas;

(i) Implement programs designed to solve problems of Black people when so authorized by other statute, rule or order; and

(j) Publicize the accomplishments of Black people and the contributions made by them to this state.

Subd. 4. [REVIEW OF GRANT APPLICATIONS.] All applications by a state department or agency for the receipt of federal funds which will have their primary effect on Black Minnesotans shall be submitted to the council for review and recommendation at least 30 days prior to submission to a federal agency.

Subd. 5. [POWERS.] The council shall have power to contract in its own name, provided that no money shall be accepted or received as a loan nor shall any indebtedness be incurred except as otherwise provided by law. Contracts shall be approved by a majority of the members of the council and executed by the chairperson and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the power and duties specified in subdivisions 1 to 7.

The council shall appoint an executive director who shall be experienced in administrative activities and familiar with the problems and needs of Black people. The council may delegate to the executive director any powers and duties under subdivisions 1 to 7 which do not require council approval. The executive director shall serve in the unclassified service and may be removed at any

time by the council. The executive director shall recommend to the council the appropriate staffing necessary to carry out its duties. The commissioner of administration shall provide the council with necessary additional staff and administrative services, and the council shall reimburse the commissioner for the cost of these services.

Subd. 6. [STATE AGENCY ASSISTANCE.] Other state agencies shall supply the council upon request with advisory staff services on matters relating to the jurisdiction of the council and the council shall cooperate and coordinate its activities with other state agencies to the highest possible degree.

Subd. 7. [REPORT.] The council shall prepare and distribute a report to the governor and legislature by November 15 of each even numbered year. The report shall summarize the activities of the council since its prior report, list receipts and expenditures, identify the major problems and issues confronting Black people, and list the specific objectives which the council seeks to attain during the next biennium.

Sec. 188. [REPORT; COORDINATION.] On or before December 15, 1981, the commissioner of administration shall submit to the chairman of the house appropriations committee and the chairman of the senate finance committee a report describing the process whereby the efforts of the council for black Minnesotans, the council on spanish speaking people, the council on the economic status of women, the council on the handicapped, and the Indian affairs intertribal board may be coordinated and may share facilities and staff.

Sec. 189. [ADVANCE INFLATION ADJUSTMENT.] Subdivision 1. (a) Any employee not represented by an exclusive bargaining representative and compensated pursuant to Minnesota Statutes, Section 43.12, or under a salary schedule established pursuant to section 43.121, subdivision 3, except an emergency, project, or temporary employee or an employee compensated pursuant to section 43.12 and excluded from a bargaining unit by section 179.74, subdivision 4; and (b) any employee compensated pursuant to Minnesota Statutes, Section 138.01, Subdivision 2; shall be paid a lump sum bonus of \$225 payable no later than July 31, 1980, provided he was employed prior to January 1, 1980, and was still employed on July 1, 1980. However, intermittent employees and nontenured laborers who otherwise meet the employment requirements of this section shall only be eligible to receive the bonus after completion of 100 working days in any 12-month period. Part-time employees who meet the employment requirements of this section shall receive a bonus of \$137.50 on the date specified in this section.

Subd. 2. An employee shall be considered to be employed on July 1, 1980, if he is in payroll status, on approved leave of absence, or on seasonal layoff on that date.

Subd. 3. The bonus provided by this section shall not be considered as salary for the purpose of section 352.01, subdivision 13.

Subd. 4. Anyone receiving a bonus payment pursuant to Laws 1979, Chapter 332, Sections 108 and 109, is not eligible for a bonus payment under this section.

Sec. 190. [TRANSIT TAX INCREASE VOIDED.] *A law enacted at the 1980 regular session styled as H. F. No. 1121, Article XIII, Section 1, is repealed, and Minnesota Statutes, 1979 Supplement, Section 473.446, Subdivision 1, is reenacted as it read without the amendment by H. F. No. 1121, Article XIII, Section 1, notwithstanding that H. F. No. 1121 may be approved or effective at a later time than this section.*

Sec. 191. [REPEALER.] *Subdivision 1. Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 43.03; 43.06; 216B.62, Subdivision 1; 352.73, Subdivision 4; 354.43, Subdivision 2; 490.025, Subdivision 8; and Laws 1979, Chapter 217, Section 11, are repealed.*

Subd. 2. Minnesota Statutes, 1979 Supplement, Section 16.965 is repealed.

Subd. 3. Minnesota Statutes, 1979 Supplement, Section 43.067, Subdivision 4, is repealed.

Subd. 4. Laws 1977, Chapter 454, Section 45, is repealed.

Sec. 192. [EFFECTIVE DATE.] *Except as otherwise provided in this act, this act is effective the day following final enactment. Section 55 is effective retroactive to April 1, 1980. Sections 87 and 88 are effective for any notice of the objects of the petition served after the day following final enactment. Sections 85 and 86 are effective for each district named in section 86 upon approval by a majority of the board of managers of the respective districts, and upon compliance with the provisions of Minnesota Statutes, Section 645.021. Sections 168 to 180 are effective upon approval by resolution of the St. Paul city council. The resolution shall be adopted after published notice to the public and public hearing. Sections 37 to 39, 49, 51, 57, 60 to 68, 70 to 74, 79, 81 to 83, 89, 101 to 123, 126, 128, 135 to 145, 148, 152, and 155, are effective July 1, 1980. Section 187 is effective July 1, 1980 and expires June 30, 1983. Pursuant to Minnesota Statutes, Section 645.023, Subdivision 1, Clause (b), section 155 is effective without local approval July 1, 1980. Section 157 is effective March 1, 1981 and applies to causes of action accruing on or after that date. Section 191, subdivision 2 is effective July 1, 1981."*

Delete the title and insert:

"A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; imposing conditions on the expenditure of public money; creating, abolishing, modifying, and transferring agencies and functions; fixing and limiting fees; altering conditions of public employment; authorizing purchase, sale, and transfer of public lands; authorizing certain public improvements of a capital nature; requiring studies and reports; limiting lia-

bility in certain civil actions; exempting certain motor vehicle sales transactions from regulation by the banking commissioner; regulating drainage systems in the metropolitan area; regulating administration of the Nine Mile Creek Watershed District, the Riley-Purgatory Creek Watershed District and the Red Lake Watershed District; authorizing an ad valorem tax for certain purposes; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 10A.01, Subdivision 10c; 11.15, Subdivision 4; 15.0597, Subdivisions 3, 4, 5, 6 and 7; 15.50, Subdivisions 1 and 2; 16.02, Subdivision 10; 16.854, Subdivision 1; 16A.131; 16A.67, Subdivision 1; 16A.721; 43.05, Subdivision 2; 43.062, Subdivisions 1 and 2; 43.065; 43.067, Subdivision 2; 43.068; 43.09, Subdivision 2a; 43.323, Subdivision 1; 43.324, Subdivision 2; 43.35; 62D.12, by adding a subdivision; 82.34; 90.195; 94.10, Subdivision 1; 94.16; 97.431; 97.432; 106.471, by adding a subdivision; 116C.63, Subdivision 4; 116D.04, by adding a subdivision; 136.81, Subdivision 1; 145.913, Subdivision 3; 155.14; 168.66, Subdivision 4; 174.03, by adding a subdivision; 197.75, Subdivision 1; 214.06, Subdivision 1; 216.16; 216A.01; 216A.03, Subdivision 3, and by adding a subdivision; 216A.04, Subdivisions 1 and 3, and by adding a subdivision; 216A.05, Subdivisions 4 and 5; 216A.07; 216B.17, Subdivision 1; 216B.19; 216B.54; 216B.62; 216B.64; 237.02; 237.12; 237.295, Subdivisions 1 and 2; 238.08, by adding a subdivision; 245.814; 246.014; 256.73, Subdivision 2; 256D.06, by adding a subdivision; 352.01, Subdivision 2B; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 355.46, Subdivision 3; 355.50; 401.02, Subdivision 3; 403.11, Subdivision 3; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; 473.408, Subdivision 3; 473.435; 473.641, by adding a subdivision; 490.123, Subdivision 1; Chapters 16, by adding sections; 16A, by adding sections; 97, by adding a section; 112, by adding a section; 138, by adding a section; 152, by adding a section; 216A, by adding a section; 246, by adding a section; 253, by adding a section; 256, by adding a section; 259, by adding a section; 326, by adding a section; 544, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 3.005, Subdivision 4; 15A.083, Subdivision 4; 16A.126; 43.062, Subdivision 3; 43.15, Subdivision 1; 43.24; 82.21, Subdivision 1; 174.28, Subdivision 2; 180.03, Subdivision 2; 299D.03, Subdivision 2; 354A.12, Subdivision 2; 422A.101, Subdivision 3; 465.72; Laws 1959, Chapter 690, Section 2, as amended; and Laws 1979, Chapter 332, Article I, Section 115, Subdivision 2; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 43.03; 43.06; 216B.62, Subdivision 1; 352.73, Subdivision 4; 354.43, Subdivision 2; 490.025, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 16.965 and 43.067, Subdivision 4; Laws 1977, Chapter 454, Section 45; Laws 1979, Chapter 217, Section 11; and a law enacted at the 1980 regular session styled as H. F. No. 1121, Article XIII, Section 1; reenacting Minnesota Statutes, 1979 Supplement, Section 473.446, Subdivision 1."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Paul McCarron, Phyllis L. Kahn, Glen H. Anderson, Mary M. Forsythe, Wayne A. Simoneau

Senate Conferees: (Signed) Roger D. Moe, Nicholas D. Coleman, Robert O. Ashbach, Allan H. Spear, Gerald L. Willet

Mr. Moe moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2476 be now adopted, and that the bill be repassed as amended by the Conference Committee.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 39 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Johnson	Menning	Purfeerst	Stern
Ashbach	Keefe, S.	Moe	Schaaf	Stokowski
Bang	Kirchner	Nelson	Schmitz	Strand
Coleman	Kleinbaum	Nichols	Setzepfandt	Ulland, J.
Gearty	Knoll	Olson	Sikorski	Vega
Hanson	Laufenburger	Penny	Solon	Wegener
Hughes	Lessard	Perpich	Spear	Willet
Humphrey	McCutcheon	Peterson	Staples	

Those who voted in the negative were:

Barrette	Dunn	Knutson	Renneke	Ueland, A.
Bernhagen	Engler	Luther	Rued	
Brataas	Gunderson	Merriam	Sieloff	
Davies	Keefe, J.	Olhoft	Stumpf	
Dieterich	Knaak	Omann	Tennessee	

The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H. F. No. 2476 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 12, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	McCutcheon	Peterson	Stokowski
Ashbach	Johnson	Menning	Purfeerst	Strand
Bang	Keefe, S.	Merriam	Schaaf	Stumpf
Brataas	Kirchner	Moe	Schmitz	Tennessee
Coleman	Kleinbaum	Nelson	Setzepfandt	Ulland, J.
Davies	Knaak	Nichols	Sikorski	Vega
Gearty	Knoll	Olhoft	Solon	Wegener
Gunderson	Laufenburger	Olson	Spear	Willet
Hanson	Lessard	Penny	Staples	
Hughes	Luther	Perpich	Stern	

Those who voted in the negative were:

Barrette	Dunn	Knutson	Renneke	Sieloff
Bernhagen	Engler	Omann	Rued	Ueland, A.
Dieterich	Keefe, J.			

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 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. 2104: A bill for an act relating to state lands; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1978, Section 92.06, Subdivision 1.

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

Peterson, B.; Munger and Brinkman.

Senate File No. 2104 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 1980

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. 874 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 874 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 11, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 874

A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1 and 4; 15.0422; 15.0424, Subdivision 6; and 15.052, Subdivisions 1, 2, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.

April 11, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 874, report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments and that H. F. No. 874 be further amended as follows:

Delete everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1978, Section 3.965, is amended to read:

3.965 [LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES.] Subdivision 1. [COMPOSITION; MEETINGS.] A legislative commission for review of administrative rules defined pursuant to sections 15.0411 to 15.0422, consisting of five senators appointed by the committee on committees of the senate and five representatives appointed by the speaker of the house of representatives shall be appointed. The commission shall meet at the call of its chairman or upon a call signed by two of its members or signed by five members of the legislature. The legislative commission chairmanship shall alternate between the two houses of the legislature every two years.

Subd. 2. [REVIEW OF RULES BY COMMISSION.] The commission shall promote adequate and proper rules by agencies and an understanding upon the part of the public respecting them. *The jurisdiction of the commission shall include all rules as defined in section 15.0411, subdivision 3 and all rules promulgated by agencies specified in section 15.0411, subdivision 2, clauses (c) through (i).* It may hold public hearings to investigate meritorious and worthy of attention and may, on the basis of the testimony received at the public hearings, suspend any rule complained of by the affirmative vote of at least six members provided the provisions of subdivision 4 have been met. If any rule is suspended, the commission shall as soon as possible place before the legislature, at the next year's session, a bill to repeal the suspended rule. If the bill is defeated, or fails of enactment in that year's session, the rule shall stand and the commission may not suspend it again. If the bill becomes law, the rule is repealed and shall not be enacted again unless a law specifically authorizes the adoption of that rule. The commission shall make a biennial report to the legislature and governor of its activities and include therein its recommendations.

Subd. 3. [PUBLIC HEARINGS BY STATE AGENCIES.] By a vote of a majority of its members, the commission may request any department agency issuing rules to hold a public hearing in respect to recommendations made pursuant to subdivision 2 including recommendations made by the commission to promote adequate and proper rules by that agency and recommendations contained in the commission's biennial report. The department agency shall give notice as provided in section 15.0412, subdivision 4 of a hearing thereon, to be conducted in accordance with section 15.0412. The hearing shall be held not more than 60 days after receipt of the request.

Subd. 4. [REVIEW BY STANDING COMMITTEES.] Before the commission suspends any rule, it shall request the speaker of the house and the president of the senate to refer the question of suspension of the given rule or rules to the appropriate committee or committees of the respective houses for the committees'

~~recommendation recommendations.~~ No suspension shall take effect until the ~~recommendation is committees' recommendations~~ are received, or 60 days after referral of the question of suspension to the speaker of the house and the president of the senate. However, the ~~recommendation recommendations~~ shall be advisory only.

Sec. 2. Minnesota Statutes, 1979 Supplement, Section 15.0411, Subdivision 2, is amended to read:

Subd. 2. "Agency" means any state officer, board, commission, bureau, division, department, or tribunal, other than a court, having a statewide jurisdiction and authorized by law to make rules or to adjudicate contested cases. "Agency" also means the capitol area architectural and planning board. Sections 15.0411 to 15.052 do not apply to (a) agencies directly in the legislative or judicial branches, (b) emergency powers in sections 12.31 to 12.37, ~~(e) corrections board and pardon board, (d) the unemployment insurance program in the department of economic security, (e) the director of mediation services, (f) the workers' compensation division in the department of labor and industry, (g) the workers' compensation court of appeals, (h) board of pardons, or (i) (c) the department of military affairs.~~ Sections 15.0418 to 15.0426 do not apply to (a) the Minnesota municipal board, (b) ~~the corrections board, (c) the unemployment insurance program in the department of economic security, (d) the director of mediation services, (e) the workers' compensation division in the department of labor and industry, (f) the workers' compensation court of appeals, (g) the board of pardons, or (h) the public employees relations board.~~

Sec. 3. Minnesota Statutes 1978, Section 15.0412, is amended by adding a subdivision to read:

Subd. 1a. Unless otherwise provided by law, an agency may grant a variance to a rule. Before an agency grants a variance, it shall have promulgated rules setting forth procedures and standards by which variances shall be granted and denied. An agency receiving a request for a variance shall set forth in writing its reasons for granting or denying the variance. This subdivision shall not constitute authority for an agency to grant variances to statutory standards.

Sec. 4. Minnesota Statutes 1978, Section 15.0412, Subdivision 2, is amended to read:

Subd. 2. To assist interested persons dealing with it, each agency shall, in a manner prescribed by the commissioner of administration, prepare a description of its organization, stating the process whereby the public may obtain information or make submissions or requests. The commissioner of administration shall ~~annually~~ publish these descriptions *at least in every odd-numbered year commencing in 1981 in a guidebook of state agencies. Notice of the publication of the guidebook shall be published* in the state register.

Sec. 5. Minnesota Statutes 1978, Section 15.0412, is amended by adding a subdivision to read:

Subd. 2a. The revisor of statutes may upon request, provide technical and legal assistance to state agencies in drafting rules.

Sec. 6. Minnesota Statutes 1978, Section 15.0412, Subdivision 4, is amended to read:

Subd. 4. No rule shall be adopted by any agency unless the agency first holds a public hearing thereon, affording all affected interests an opportunity to participate, and gives notice of its intention to hold such a hearing at least 30 days prior to the date set for the hearing by United States mail, to representatives of associations or other interested groups or persons who have registered their names with the secretary of state for that purpose and in the state register. Each agency shall maintain a list of all persons who have registered with the agency for the purpose of receiving notice of rule hearings. The agency may inquire as to whether those persons on the list wish to maintain their names thereon and may remove names for which there is a negative reply or no reply within 60 days. The agency shall, at least 30 days prior to the date set for the hearing, give notice of its intention to hold hearing by United States mail to all persons on its list, and by publication in the state register. Each agency may, at its own discretion, also contact persons not on its list and may give notice of its intention to hold a hearing in newsletters, newspapers or other publications or through other means of communication. The notice in the state register shall include the full text of the rule proposed for adoption; provided that, and, when amending existing rules, whatever portion of the existing rules is necessary to provide adequate notice of the nature of the proposed action. When an entire rule is proposed to be repealed or renumbered, the agency need only publish that fact, giving the exact citation to the rule to be repealed or renumbered in the notice.

Subd. 4a. With the approval of the chief hearing examiner, the agency may incorporate by reference provisions of federal law or rule or other materials from sources which the chief hearing examiner determines are conveniently available for viewing, copying and acquisition by interested persons. The chief hearing examiner shall not approve incorporation by reference of federal law or rule or other materials which are less than 3000 words in length or which would require less than five pages of publication in the state register.

Subd. 4b. The agency shall make available at least one free copy of the proposed rule to any person requesting it. The free copy shall contain the exact wording and form of the proposed rule and notice of hearing as published in the state register and shall be available to the public at least 30 days prior to the date set for the hearing.

Subd. 4c. At the public hearing the agency shall make an affirmative presentation of facts establishing the need for and reasonableness of the rule proposed for adoption and fulfilling any relevant substantive or procedural requirements imposed on the agency by law or rule. The agency may, in addition to its affirmative presentation, rely upon facts presented by others on the

record during the rule proceeding to support the rule finally adopted.

Subd. 4d. After allowing written material to be submitted and recorded in the hearing record for five working days after the public hearing ends, or for a longer period not to exceed 20 days if ordered by the hearing examiner, the hearing examiner assigned to the hearing shall proceed to write a report as provided for in section 15.052, subdivision 3, which . If the report contains a finding that the proposed rule is substantially different from that which was proposed at the public hearing, or that the agency has not met the requirements of section 15.0412, subdivisions 4 through 4f, it shall be submitted to the chief hearing examiner for approval. If the chief hearing examiner approves the finding of the hearing examiner, he shall advise the agency of actions which will correct the defects, and the agency shall not adopt the rule until the chief hearing examiner determines that the defects have been corrected. If the chief hearing examiner determines that the need for and reasonableness of the rule has not been established pursuant to subdivision 4, clause (c), and if the agency does not elect to follow the suggested actions of the hearing examiner to correct that defect, then the agency shall submit the proposed rule to the legislative commission to review administrative rules for the commission's advice and comment. The agency shall not proceed to adopt the rule until it has received and considered the advice of the commission; provided, that the agency is not required to delay adoption longer than 30 days after the commission's receipt of the agency's submission. Advice of the commission shall not be binding on the agency. The report shall be completed within 30 days after the close of the hearing record unless the chief hearing examiner, upon written request of the agency and or the hearing examiner, orders an extension. In no case shall an extension be granted if the chief hearing examiner determines that an extension would prohibit a rule from being adopted or becoming effective until after a date for adoption or effectiveness as required by statute. The report shall be available to all affected persons upon request for at least five working days before the agency takes any final action on the rule.

Subd. 4e. If the agency adopts the rule as recommended by the hearing examiner, it shall be submitted with the complete hearing record to the attorney general, who shall review the rule as to form and legality. If the agency makes changes in the rule other than those recommended by the hearing examiner, it shall submit the rule with the complete hearing record to the chief hearing examiner for a review of the changes prior to adopting it and submitting it to the attorney general for review. If the chief hearing examiner determines that the proposed final rule of the agency is substantially different from that which was proposed at the public hearing, he shall advise the agency of actions which will correct the defects, and the agency shall not adopt the rule until the chief hearing examiner determines that the defects have been corrected. If the agency, the chief hearing examiner or the attorney general requests, the hearing examiner shall cause a transcript to be prepared of the hearing. The agency shall give

notice to all persons who requested to be informed that the hearing record has been submitted to the attorney general. *This notice shall be given on the same day that the record is submitted.* The attorney general shall, within 20 days, either approve or disapprove the rule. If he approves the rule, he shall promptly file it in the office of the secretary of state. If he disapproves the rule, he shall state in writing his reasons therefor, and the rule shall not be filed in the office of the secretary, nor published.

Subd. 4f. A rule shall become effective after it has been subjected to all requirements described in ~~this subdivision~~ *subdivisions 4 through 4f* and five working days after publication in the state register, as hereinafter provided, unless a later date is required by statutes or specified in the rule. If the rule as adopted does not differ from the proposed rule as published in the state register, publication may be made by publishing notice in the state register that the rule has been adopted as proposed and by publishing a citation to the prior publication. If the rule as adopted differs from the proposed rule, the adopted rule or subdivisions thereof which differ from the proposed rule shall be published together with a citation to the prior state register publication of the remainder of the proposed rule.

Sec. 7. Minnesota Statutes 1978, Section 15.0412, is amended by adding a subdivision to read:

Subd. 4g. *When an agency determines that its proposed adoption, amendment, suspension or repeal of a rule will be noncontroversial in nature, it may utilize the provisions herein in lieu of the provisions of subdivisions 4 through 4f. The agency shall publish a notice of its intent to adopt the rule without public hearing, together with the proposed rule, in the state register, and shall give the same notice by United States mail to persons who have registered their names with the agency pursuant to subdivision 4. When an entire rule is proposed to be repealed or renumbered, the agency need only publish that fact, giving the exact citation to the rule to be repealed or renumbered in the notice. The notice shall include a statement advising the public:*

(1) that they have 30 days in which to submit comment on the proposed rule;

(2) that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30 day comment period;

(3) of the manner in which persons shall request a hearing on rules proposed pursuant to this subdivision; and

(4) that the rule may be modified if modifications are supported by the data and views submitted.

Before the date of the notice, the agency shall prepare a statement of need and reasonableness which shall be available to the public. For at least 30 days following the notice, the agency shall afford all interested persons an opportunity to object to the lack of a hearing and to submit data and views on the proposed rule in writing. The proposed rule may be modified if the modifica-

tions are supported by the data and views submitted to the agency and do not result in a substantial change. If, during the 30 day period allowed for comment, seven or more persons submit to the agency a written request for a hearing of the proposed rule, the agency shall proceed under the provisions of subdivisions 4 through 4f. In the event that a hearing is required, a citation in the state register to the prior publication of the proposed rule may be substituted for republication unless the agency has modified the proposed rule. If no hearing is required, the agency shall submit to the attorney general the proposed rule and notice as published, the rule as proposed for adoption, any written comments received by the agency, and a statement of need and reasonableness for the rule. The agency shall give notice to all persons who requested to be informed that these materials have been submitted to the attorney general. This notice shall be given on the same day that the record is submitted. The attorney general shall approve or disapprove the rule as to form and legality, including the issue of substantial change, within 14 days. If he approves the rule, he shall promptly file it in the office of the secretary of state. If he disapproves the rule, he shall state in writing his reasons therefor, and the rule shall not be filed in the office of the secretary of state, nor published. The rule shall become effective upon publication in the state register in the same manner as provided for adopted rules in subdivision 4f.

Sec. 8. For purposes of implementing section 15.0412, subdivision 4, the attorney general shall prepare a notice which shall be published by the state register on or before August 4, 1980, which notice shall be mailed, by the office of hearing examiners, to all persons presently registered with the secretary of state for the purpose of being advised of rulemaking hearings. The notice shall be sufficiently specific to inform all persons of the manner in which they may register their names with the various state agencies in order to be notified of all rulemaking hearings.

Sec. 9. Minnesota Statutes 1978, Section 15.0412, Subdivision 5, is amended to read:

Subd. 5. When an agency is directed or authorized by statute, federal law or court order to adopt, amend, suspend or repeal a rule in a manner that does not allow for compliance with subdivisions 4 through 4g, or if an agency is expressly required or authorized by statute to adopt temporary rules, the agency shall promulgate a adopt temporary rule rules in accordance with this subdivision. The proposed temporary rule shall be published in the state register and for at least 20 days thereafter the agency shall afford all interested persons an opportunity to submit data and views on the proposed temporary rule in writing. The proposed temporary rule may be modified if the modifications are supported by the data and views submitted to the agency. The agency shall submit to the attorney general the proposed temporary rule as published, with any proposed modifications. The attorney general shall review the proposed temporary rule as to form and legality and shall approve or disapprove the proposed temporary rule and any proposed modifications within five working days. The tem-

porary rule shall take effect upon approval of the attorney general. Failure of the attorney general to approve or disapprove within five working days shall be deemed approval. As soon as practicable notice of the attorney general's decision shall be published in the state register and the adopted rule shall be published in the manner as provided for adopted rules in subdivision 4. Temporary rules adopted under this subdivision shall be effective for not longer than 90 days and may be reissued or continued in effect for an additional 90 days, but may not immediately be reissued thereafter without following the procedure of subdivision 4 subdivisions 4 through 4g.

Sec. 10. Minnesota Statutes 1978, Section 15.0412, is amended by adding a subdivision to read:

Subd. 8. Each agency shall, within six months after the effective date of a law requiring rules to be promulgated, unless otherwise specified by law, publish notice of hearing or notice of intent to adopt a rule without public hearing in accordance with this section. If an agency has not given this notice, it shall report to the appropriate committees of the legislature and the governor its failure to do so, and the reasons for that failure.

Sec. 11. Minnesota Statutes 1978, Section 15.0412, is amended by adding a subdivision to read:

Subd. 9. The agency shall, within six months after issuance of the hearing examiner's report, either withdraw the proposed rules or publish its adopted final action in the state register. If the agency has not published its adopted final action in the state register within six months, it shall not proceed to adopt the subject rules without rehearing the rules pursuant to all the procedures of this section, and it shall report to the appropriate committees of the legislature and to the governor its failure to adopt rules and the reasons for that failure.

Sec. 12. Minnesota Statutes 1978, Section 15.0413, Subdivision 1, is amended to read:

15.0413 [EFFECT OF ADOPTION OF RULES; PUBLICATION; APPROPRIATION.] Subdivision 1. Every rule approved by the attorney general and filed in the office of the secretary of state as provided in section 15.0412 shall have the force and effect of law 20 five working days after its publication in the state register unless a later date is required by statute or specified in the rule. The secretary of state shall keep a permanent record of rules filed with that office open to public inspection. *Should a discrepancy exist between the rules published in the state register and the rules on file with the secretary of state, the rules on file with the secretary of state shall have effect.*

Sec. 13. Minnesota Statutes 1978, Section 15.0413, Subdivision 2, is amended to read:

Subd. 2. Each rule hereafter amended, suspended, or repealed shall become amended, suspended, or repealed 20 five working days after the new or amended rule or notice of suspension or

repeal is published in the state register unless a later date is required by statute or specified in the rule.

Sec. 14. Minnesota Statutes 1978, Section 15.0418, is amended to read:

15.0418 [CONTESTED CASE.] *Subdivision 1. An agency shall initiate a contested case proceeding when one is required by law. Unless otherwise provided by law, an agency shall decide a contested case only in accordance with the contested case procedures of the administrative procedure act.*

Subd. 2. [NOTICE AND HEARING.] In any contested case all parties shall be afforded an opportunity for hearing after reasonable notice. The notice shall state the time, place and issues involved, but if, by reason of the nature of the proceeding case, the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. Prior to assignment of a case to a hearing examiner as provided by section 15.052, all papers shall be filed with the agency. Subsequent to assignment of the case, the agency shall certify the official record to the office of hearing examiners administrative hearings, and thereafter, all papers shall be filed with that office. The office of hearing examiners administrative hearings shall maintain the official record which shall include subsequent filings, testimony and exhibits. All filings are deemed effective upon receipt. The record shall contain a written transcript of the hearing only if preparation of a transcript is requested by the agency, a party, or the chief hearing examiner. The agency or party requesting a transcript shall bear the cost of preparation. When the chief hearing examiner requests preparation of the transcript, the agency shall bear the cost of preparation. Upon issuance of the hearing examiner's report, the official record shall be certified to the agency.

Subd. 3. [INFORMAL DISPOSITION.] Informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order or default.

Sec. 15. Minnesota Statutes 1978, Section 15.0419, Subdivision 1, is amended to read:

15.0419 [EVIDENCE IN CONTESTED CASE HEARINGS.] *Subdivision 1. In contested cases agencies may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonable prudent men persons in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may exclude incompetent, irrelevant, immaterial and repetitious evidence.*

Sec. 16. Minnesota Statutes 1978, Section 15.0419, Subdivision 2, is amended to read:

Subd. 2. All evidence, including records and documents (except tax returns and tax reports) containing information classified by

law as not public, in the possession of the agency of which it desires to avail itself or which is offered into evidence by a party to a contested case proceeding, shall be offered and made a part of the hearing record in of the case, and. No other factual information or evidence (except tax returns and tax reports) shall be considered in the determination of the case unless it is part of the record. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. When the hearing record contains information which is not public, the hearing examiner or the agency may conduct a closed hearing to discuss the information, issue necessary protective orders, and seal all or part of the hearing record.

Sec. 17. Minnesota Statutes 1978, Section 15.0419, Subdivision 4, is amended to read:

Subd. 4. Agencies may take notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within their specialized knowledge. Parties shall be notified in writing either before or during hearing, or by reference in preliminary reports or otherwise, or by oral statement in the record, of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed. Agencies may utilize their experience, technical competence, and specialized knowledge in the valuation of the evidence presented to them in the hearing record.

Sec. 18. Minnesota Statutes 1978, Section 15.0422, is amended to read:

15.0422 [DECISIONS, ORDERS.] Subdivision 1. Every decision and order adverse to a party of the proceeding, rendered by an agency in a contested case, shall be in writing or stated in the record and shall be accompanied by a statement of the reasons therefor. The statement of reasons shall consist of a concise statement of the conclusions upon each contested issue of fact necessary to the decision. Parties to the proceeding shall be notified of the decision and order in person or by mail, shall be based on the record and shall include the agency's findings of fact and conclusions on all material issues. A copy of the decision and order and accompanying statement of reasons together with a certificate of service shall be delivered or mailed upon request to served upon each party or to his attorney of record his representative and the hearing examiner by first class mail.

Subd. 2. Unless otherwise provided by law, if an agency fails to render a decision and order in a contested case within 90 days after the submission of the final hearing examiner report and subsequent exceptions and arguments under section 15.0421 if any, any party may petition the district court for an order requiring the agency to render a decision and order on the contested case within such time as the court determines to be appropriate. The order shall be issued unless the agency shows that further delay is reasonable.

Sec. 19. Minnesota Statutes 1978, Section 15.0424, Subdivision 1, is amended to read:

15.0424 [JUDICIAL REVIEW OF A CONTESTED CASE DECISION.] Subdivision 1. [APPLICATION.] Any person aggrieved by a final decision in a contested case of any agency as defined in section 15.0411, subdivision 2 (including those agencies excluded from the definition of "agency" in section 15.0411, subdivision 2, but excepting the tax court, the workers' compensation court of appeals sitting on workers' compensation cases, the department of economic security, the director of mediation services, and the department of public service), whether such decision is affirmative or negative in form, is entitled to judicial review thereof, of the decision under the provisions of this section, but nothing in this section shall be deemed to prevent resort to other means of review, redress, relief, or trial de novo provided by law now or hereafter enacted. The term "final decision" as herein used shall not embrace a proposed or tentative decision until it has become the decision of the agency either by express approval or by the failure of an aggrieved person to file exceptions thereto within a prescribed time under the agency's rules. A petition by an aggrieved person for judicial review under this section must be filed with the district court and served on the agency not more than 30 days after the party receives the final decision and order of the agency.

Sec. 20. Minnesota Statutes 1978, Section 15.0424, Subdivision 2, is amended to read:

Subd. 2. [PETITION, SERVICE.] (a) Proceedings for review under this section shall be instituted by serving a petition thereof personally or by certified mail upon the agency or one of its members or upon its secretary or clerk and by filing such the petition in the office of the clerk of district court for the county wherein where the agency has its principal office or the county of residence of the petitioner, all within 30 days after the agency shall have served such decision and any order made pursuant thereto by mail on the parties of record therein; subject, however, to the following:

(1) In the case of a tentative or proposed decision which has become the decision of the agency either by express approval or by a failure by an aggrieved person to file exceptions within a prescribed time under the agency's rules, such 30-day period shall not begin to run until the latest of the following events shall have occurred: (a) such decision shall have become the decision of the agency as aforesaid; (b) such decision, either before or after it has become the decision of the agency, shall have been served by mail by such agency on the parties of record in such proceeding.

(2) In case a request for rehearing or reconsideration shall have been made within the time permitted and in conformity with the agency's rules ten days after the decision and order of the agency, such the 30-day period provided in subdivision 1 shall not begin to run until service of the order finally disposing of the application for rehearing or reconsideration, but nothing herein shall be construed as requiring that an application for rehearing or reconsideration be filed with and disposed of by the agency as a pre-

requisite to the institution of a review proceeding under this section.

(b) The petition shall state the nature of the petitioner's interest, the facts showing the petitioner is aggrieved and is affected by the decision, and the ground or grounds upon which the petitioner contends that the decision should be reversed or modified. The petition may be amended by leave of court although the time for serving the same petition has expired. The petition shall be entitled in the name of the person serving the same petition as petitioner and the name of the agency whose decision is sought to be reviewed as respondent. Copies of the petition shall be served, personally or by certified mail, not later than 30 days after the institution of the proceeding, upon all parties who appeared before the agency in the proceeding in which the order sought to be reviewed was made; and for the purpose of such service the agency upon request shall certify to the petitioner the names and addresses of all such parties as disclosed by its records, which certification shall be conclusive. The agency and all parties to the proceeding before it shall have the right to participate in the proceedings for review. The court in its discretion may permit other interested parties to intervene.

(c) Every person served with the petition for review as provided in this section and who desires to participate in the proceedings for review thereby instituted shall serve upon the petitioner, within 20 days after service of the petition upon such person, a notice of appearance stating his position with reference to the affirmance, vacation, reversal or modification of the order or decision under review. Such notice, other than by the named respondent, shall also be served on the named respondent and the attorney general and shall be filed, together with proof of service thereof, with the clerk of the reviewing court within ten days after such service. Service of all subsequent papers or notices in such proceedings need be made only upon the petitioner, the named respondent, the attorney general, and such other persons as have served and filed the notice as herein provided, or have been permitted to intervene in said proceedings as parties thereto by order of the reviewing court.

Sec. 21. Minnesota Statutes 1978, Section 15.0424, Subdivision 6, is amended to read:

Subd. 6. [PROCEDURE ON REVIEW.] The review shall be conducted by the court without a jury and shall be confined to the record, except that in cases of alleged irregularities in procedure before the agency, not shown in the record, testimony thereon may be taken in the court. The court shall, upon request, hear oral argument and receive written briefs. Except as otherwise provided all proceedings shall be conducted according to the rules of civil procedure.

Sec. 22. Minnesota Statutes 1978, Section 15.0425, is amended to read:

15.0425 [SCOPE OF JUDICIAL REVIEW.] In any proceedings for a judicial review by any court of decisions of any agency as

defined in section 15.0411, subdivision 2 (including those agencies excluded from the definition of agency in section 15.0411, subdivision 2) under section 15.0424 the court may affirm the decision of the agency or remand the case for further proceedings; or it may reverse or modify the decision if the substantial rights of the petitioners may have been prejudiced because the administrative finding, inferences, conclusion, or decisions are:

- (a) In violation of constitutional provisions; or
- (b) In excess of the statutory authority or jurisdiction of the agency; or
- (c) Made upon unlawful procedure; or
- (d) Affected by other error of law; or
- (e) Unsupported by substantial evidence in view of the entire record as submitted; or
- (f) Arbitrary or capricious.

Sec. 23. Minnesota Statutes 1978, Section 15.0426, is amended to read:

15.0426 [APPEALS TO SUPREME COURT.] An aggrieved party, including an agency which issued a decision ~~or~~ *and* order in the case, may secure a review of any final order or judgment of the district court under ~~sections~~ *section* 15.0424 ~~or~~ 15.0425 by appeal to the supreme court. ~~Such~~ *The* appeal shall be taken in the manner provided by law for appeals from orders or judgments of the district court in other civil cases.

Sec. 24. Minnesota Statutes 1978, Section 15.047, Subdivision 2, is amended to read:

Subd. 2. Copies of rules published pursuant to this section may be sold by the commissioner of administration for a reasonable fee. The commissioner shall provide without cost ~~one copy~~ *ten copies* of the manual and any supplementary material for the manual to *the legislative reference library and the state law library and one copy to each county library maintained pursuant to section 375.33 or 134.12, excepting counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a public library designated by the county board after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located.*

Sec. 25. Minnesota Statutes 1978, Section 15.051, Subdivision 2, is amended to read:

Subd. 2. [PUBLICATION.] The commissioner of administration shall publish the state register whenever he ~~deems~~ *deems* necessary, except that no material properly submitted to him for publication shall remain unpublished for more than ten working days.

The state register shall have a distinct and permanent mast-head with the title "state register" and the words "state of Minne-

nota" prominently displayed. All issues of the state register shall be numbered and dated.

To the extent that editing, composition, printing, distribution or other work on the state register cannot be performed in the department of administration, or it is uneconomical to do so, the commissioner shall obtain competitive bids and enter into contracts to have the services performed by the lowest responsible bidder. The duration of any contracts shall not exceed the end of the state's fiscal biennium.

Sec. 26. Minnesota Statutes 1978, Section 15.052, Subdivision 1, is amended to read:

15.052 [OFFICE OF HEARING EXAMINERS.] Subdivision 1. A state office of hearing examiners administrative hearings is created. The office shall be under the direction of a chief hearing examiner, who shall be learned in the law and appointed by the governor, with the advice and consent of the senate, for a term ending on June 30 of the sixth calendar year after appointment. The chief hearing examiner shall appoint additional hearing examiners to serve in his office as necessary to fulfill the duties prescribed in this section. All hearing examiners shall be in the classified service except that the chief hearing examiner shall be in the unclassified service, but may be removed from his position only for cause. Additionally, all hearing examiners shall have demonstrated knowledge of administrative procedures and shall be free of any political or economic association that would impair their ability to function officially in a fair and objective manner.

Sec. 27. Minnesota Statutes 1978, Section 15.052, Subdivision 2, is amended to read:

Subd. 2. When regularly appointed hearing examiners are not available, the chief hearing examiner may contract with qualified individuals to serve as hearing examiners for specific assignments. Such temporary hearing examiners shall not be employees of the state and shall be remunerated for their service at a rate not to exceed \$150 per day.

Sec. 28. Minnesota Statutes 1978, Section 15.052, Subdivision 3, is amended to read:

Subd. 3. All hearings of state agencies required to be conducted under this chapter shall be conducted by a hearing examiner assigned by the chief hearing examiner. In assigning hearing examiners to conduct such hearings, the chief hearing examiner shall attempt to utilize personnel having expertise in the subject to be dealt with in the hearing. Only hearing examiners learned in the law shall be assigned to contested case hearings. It shall be the duty of the hearing examiner to: (1) advise an agency as to the location at which and time during which a hearing should be held so as to allow for participation by all affected interests; (2) conduct only hearings for which proper notice has been given; (3) see to it that all hearings are conducted in a fair and impartial manner; and (4) make a report on each proposed agency action in which the hearing examiner functioned in an official capacity,

stating his findings of fact and his conclusions and recommendations, taking notice of the degree to which the agency has (i) documented its statutory authority to take the proposed action, (ii) fulfilled all relevant substantive and procedural requirements of law or rule, and (iii) *in rulemaking proceedings*, demonstrated the need for and reasonableness of its proposed action with an affirmative presentation of facts.

Sec. 29. Minnesota Statutes 1978, Section 15.052, Subdivision 4, is amended to read:

Subd. 4. The chief hearing examiner shall promulgate rules to govern the procedural conduct of all hearings, relating to both rule adoption, amendment, suspension or repeal hearings and contested case hearings. Such procedural rules for hearings shall be binding upon all agencies and shall supersede any other agency procedural rules with which they may be in conflict. The procedural rules for hearings shall include in addition to normal procedural matters provisions relating to recessing and reconvening new hearings when the proposed final rule of an agency is substantially different from that which was proposed at the public hearing. The procedural rules shall establish a procedure whereby the proposed final rule of an agency shall be reviewed by the chief hearing examiner to determine whether or not a new hearing is required because of substantial changes or failure of the agency to meet the requirements of section 15.0412, subdivision 4 subdivisions 4 through 4f. Upon his own initiative or upon written request of an interested party, the chief hearing examiner may issue a subpoena for the attendance of a witness or the production of such books, papers, records or other documents as are material to the matter being heard. The subpoenas shall be enforceable through the district court in the district in which the subpoena is issued.

Sec. 30. Minnesota Statutes 1978, Section 15.052, Subdivision 5, is amended to read:

Subd. 5. The office of hearing examiners *administrative hearings* may maintain a court reporter system and in addition to or in lieu thereof may contract with non-governmental 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.

Court reporters serving in the court reporter system of the office of hearing examiners *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.*

Sec 31. Minnesota Statutes 1978, Section 15.052, Subdivision 7, is amended to read:

Subd. 7. A state office of hearing examiner *administrative hearings* account is hereby created in the state treasury. All receipts

from services rendered by the state office of hearing examiner *administrative hearings* shall be deposited in the account, and all funds in the account shall be annually appropriated to the state office of hearing examiner *administrative hearings* for carrying out the duties specified in this section.

Sec. 32. Minnesota Statutes 1978, Section 15.052, Subdivision 8, is amended to read:

Subd. 8. The chief hearing examiner may enter into contracts with political subdivisions of the state and such political subdivisions of the state may contract with the chief hearing examiner for the purpose of providing hearing examiners and reporters for administrative proceedings. *The contract may define the scope of the hearing examiner's duties, which may include the preparation of findings, conclusions, or a recommendation for action by the political subdivision.* For such services there shall be an assessment in the manner provided in subdivision 6.

Sec. 33. Minnesota Statutes 1978, Section 15.052, Subdivision 9, is amended to read:

Subd. 9. In consultation and agreement with the chief hearing examiner, the commissioner of administration shall, pursuant to authority vested in him by section 16.13, transfer from state agencies, such employees as he deems necessary to the state office of hearing examiners *administrative hearings*. Such action shall include the transfer of any state employee currently employed as a hearing examiner, if the employee qualifies under this section.

Sec. 34. Minnesota Statutes 1978, Section 15.1691, Subdivision 3, is amended to read:

Subd. 3. [INVESTIGATIVE DATA.] *Data on persons including data on vendors of services, which is collected, maintained, used or disseminated by the welfare system in an investigation, authorized by statute and relating to the enforcement of rules or law, is confidential pursuant to section 15.162, subdivision 2a, and shall not be disclosed except:*

- (a) Pursuant to section 15.163;
- (b) Pursuant to statute or valid court order;
- (c) To a party named in a civil or criminal proceeding, administrative or judicial, for preparation of defense.

After presentation in court, the data shall be public data on individuals to the extent reflected in court records.

The data referred to in this subdivision shall be classified as public data upon its submission to a hearing examiner or court in an administrative or judicial proceeding.

Sec. 35. Minnesota Statutes, Section 179.71, Subdivision 5, is amended to read:

Subd. 5. In addition to all other duties imposed by this section, the director shall:

(a) retain mediation jurisdiction over the parties for purposes of this subdivision until such time as the parties reach agreement; provided, however, he may continue to assist parties after the parties have submitted their final positions as provided or required under section 179.72, subdivision 6; or section 179.69, subdivision 6;

(b) issue notices, subpoenas and orders as may be required by law to carry out his duties under sections 179.61 to 179.77. Issuance of orders shall include those orders of the Minnesota public employment relations board;

(c) certify to the Minnesota public employment relations board those items of dispute between parties to be subject to the action of the Minnesota public employment relations board under section 179.69, subdivision 3;

(d) assist the parties in formulating petitions, notices, and other papers required to be filed with the director or the board;

(e) certify the final results of any election or other voting procedure conducted pursuant to sections 179.61 to 179.77;

(f) furnish clerical and administrative services to the Minnesota public employment relations board as may be required;

(g) adopt reasonable and proper rules and regulations relative to and regulating the forms of petitions, notices, orders and the conduct of hearings and elections ~~subject to final approval of the Minnesota public employment relations board. Such rules and regulations shall be printed and made available to the public and a copy delivered with each notice of hearing; provided, that every such rule or regulation shall be filed with the secretary of state, and any change therein or additions thereto shall not take effect until 20 days after such filing;~~

(h) receive, catalogue and file in a logical manner all orders and decisions of the Minnesota public employment relations board and all arbitration panels authorized by sections 179.61 to 179.77 as well as all grievance arbitration decisions and the director's own orders and decisions. All orders and decisions catalogued and filed shall be made readily available to the public;

(i) promulgate a grievance procedure to effectuate the purposes of section 179.70, subdivision 1. Such grievance procedures shall not provide for the services of the bureau of mediation services. The exercise of authority granted by this clause shall be subject to the provisions of chapter 15; said grievance procedure to be available to any public employee employed in a unit not covered by a negotiated grievance procedure as contained in section 179.70, subdivision 1;

(j) conduct elections.

Sec. 36. Minnesota Statutes 1978, Section 179.72, Subdivision 3, is amended to read:

Subd. 3. In addition to the other powers and duties given it by law, the board has the following powers and duties:

(a) to hear and decide issues relating to the meaning of the terms "supervisory employee", "confidential employee", "essential employee" or "professional employee", as defined by section 179.63;

(b) to hear and decide appeals from determinations of the director relating to the appropriateness of a unit under section 179.87;

(c) to approve or disapprove the rules and regulations promulgated by the director under section 179.71, subdivision 5, clause (g);

(d) (c) to hear and decide on the record from determinations of the director relating to a fair share fee challenge decided under section 179.71, subdivision 2.

Sec. 37. Minnesota Statutes 1978, Section 268.12, Subdivision 3, is amended to read:

Subd. 3. [RULES, REGULATIONS.] Notwithstanding any inconsistent provision of law the commissioner is hereby authorized to adopt, amend, or rescind regulations as may be necessary for the administration of sections 268.03 to 268.24. Each proposed regulation, excepting those relating solely to the internal operation of the department, shall be published in one or more newspapers of general circulation in this state and be filed with the secretary of state prior to the time of publication. Any person or association desiring a copy of any proposed regulations shall file with the commissioner a written request therefor, containing his or its name and address. For a period of two years after the filing of such request the commissioner, at or prior to the time of any publication, shall mail to such person or association a copy of such proposed regulations. Each such proposed regulation, if theretofore approved by the attorney general as to form and legality, shall become final and effective 30 days after the publication thereof. Any employer, employee, or other person whose interest is or may be affected thereby may object to any such proposed regulation within ten days after publication thereof by filing with the commissioner a petition setting forth the grounds of objection to the proposed regulation and request a hearing thereon, whereupon a hearing shall thereafter be had before the commissioner or his duly authorized representative at a time and place designated by the commissioner or such representative after due notice of said hearing has been served by certified mail, upon the objecting party or parties not less than ten days before said hearing. In the event that the commissioner elects to amend such regulation after such hearing, then such amended regulation shall be filed with the secretary of state and a copy thereof mailed to each of the persons and associations who have filed a request for copies of proposed regulations as provided herein, and such amended regulation shall become effective five days after such filing and mailing. Judicial notice of any rule, regulation or order duly filed or published under the provisions of this subdivision shall be taken adopted pursuant to the provisions of chapter 15.

Sec. 38. Minnesota Statutes 1978, Section 299A.03, Subdivision 8, is amended to read:

Subd. 8. [DISTRIBUTION OF GRANTS; APPROPRIATION.] The crime control planning board shall distribute money given to it for distribution for law enforcement or criminal justice purposes. All moneys received by the state from the federal government or any other sources for distribution by the crime control planning board are appropriated to the board. The board shall distribute money to state, regional and local agencies consistent with procedures, criteria and priorities which are promulgated by rule. To the extent that moneys to be distributed are federal moneys, the procedures, criteria and priorities shall be consistent with federal crime control acts and guidelines in respect to distribution of federal money. Before distributing money to a regional or local agency, the crime control planning board shall have determined that the activities to be funded will not be contrary to the statewide comprehensive plan. Individual activities may be funded by the board, or it may elect to distribute money in a block grant to an agency for use in more than one approved activity. The board shall not fund an activity until it has approved a procedure for evaluation of the recipient agency's use of the money.

Sec. 39. Minnesota Statutes 1978, Section 15.0412, Subdivision 1, is amended to read:

15.0412 [RULES, PROCEDURES.] Subdivision 1. Each agency shall adopt, amend, suspend or repeal its rules in accordance with the procedures specified in sections 15.0411 to 15.052, and only pursuant to authority delegated by law and in full compliance with its duties and obligations. Except as provided in subdivision 3, sections 15.0411 to 15.052 shall not be authority for an agency to adopt, amend, suspend or repeal rules. No agency shall adopt a rule which duplicates language contained in Minnesota Statutes unless the hearing examiner determines that duplication of the language is crucial to the ability of a person affected by a rule to comprehend its meaning and effect. *When presented with a rule for endorsement pursuant to section 40, the revisor of statutes should indicate in the endorsement that the rule duplicates statutory language.*

Sec. 40. Minnesota Statutes 1978, Section 15.0412, Subdivision 2a, as added by section 5, is further amended to read:

Subd. 2a. *The revisor of statutes may upon request, provide technical and legal assistance to state agencies in drafting rules. No procedure to adopt a rule, temporary rule, or emergency rule, shall be initiated by any agency until the agency presents it to the revisor of statutes and the revisor endorses on the rule that its form is approved. The revisor may assist in drafting rules as provided by section 57.*

Sec. 41. Minnesota Statutes 1978, Section 15.0412, Subdivision 3, is amended to read:

Subd. 3. Each agency shall adopt rules, *in the form prescribed by the revisor of statutes, setting forth the nature and require-*

ments of all formal and informal procedures related to the administration of official agency duties to the extent that those procedures directly affect the rights of or procedures available to the public.

Sec. 42. Minnesota Statutes 1978, Section 15.0412, Subdivision 4, as amended by section 6, is further amended to read:

Subd. 4. No rule shall be adopted by any agency unless the agency first holds a public hearing thereon, affording all affected interests an opportunity to participate. Each agency shall maintain a list of all persons who have registered with the agency for the purpose of receiving notice of rule hearings. The agency may inquire as to whether those persons on the list wish to maintain their names thereon and may remove names for which there is a negative reply or no reply within 60 days. The agency shall, at least 30 days prior to the date set for the hearing, give notice of its intention to hold a hearing by United States mail to all persons on its list, and by publication in the state register. Each agency may, at its own discretion, also contact persons not on its list and may give notice of its intention to hold a hearing in newsletters, newspapers or other publications or through other means of communication. The notice in the state register shall include the full text of the rule proposed for adoption and, when amending existing rules, whatever portion of the existing rules is necessary to provide adequate notice of the nature of the proposed action. When an entire rule is proposed to be repealed or renumbered, the agency need only publish that fact, giving the exact citation to the rule to be repealed or renumbered in the notice.

Sec. 43. Minnesota Statutes 1978, Section 15.0412, Subdivision 4a, as amended by section 6, is further amended to read:

Subd. 4a. *With the approval of the chief hearing examiner, the agency may incorporate by reference provisions of federal law or rule or other materials from sources which the chief hearing examiner determines are conveniently available for viewing, copying and acquisition by interested persons. The chief hearing examiner shall not approve incorporation by reference of federal law or rule or other materials which are less than 3000 words in length or which would require less than five pages of publication in the state register. An agency may incorporate by reference into its rules text from the Minnesota Statutes, the United States Statutes at Large, the United States Code, the Laws of Minnesota, the Code of Federal Regulations, the Federal Register, and other publications which are determined by the revisor of statutes, after consultation with the chief hearing examiner, to be conveniently available to the public.*

Sec. 44. Minnesota Statutes 1978, Section 15.0412, Subdivision 4e, as amended by section 6, is further amended to read:

Subd. 4e. *If the agency adopts the rule as recommended by the hearing examiner, it shall be submitted with the complete hearing record to the attorney general, who shall review the rule as to form and its legality and its form to the extent the form relates to legal-*

ity. If the chief hearing examiner determines that the proposed final rule of the agency is substantially different from that which was proposed at the public hearing, he shall advise the agency of actions which will correct the defects, and the agency shall not adopt the rule until the chief hearing examiner determines that the defects have been corrected. If the agency, the chief hearing examiner or the attorney general requests, the hearing examiner shall cause a transcript to be prepared of the hearing. The agency shall give notice to all persons who requested to be informed that the hearing record has been submitted to the attorney general. This notice shall be given on the same day that the record is submitted. The attorney general shall, within 20 days, either approve or disapprove the rule. If he approves the rule, he shall promptly file *two copies* of it in the office of the secretary of state. If he disapproves the rule, he shall state in writing his reasons therefor, and the rule shall not be filed in the office of the secretary, nor published. *The secretary of state shall forward one copy of each rule filed to the revisor of statutes.*

Sec. 45. Minnesota Statutes 1978, Section 15.0412, Subdivision 4f, as amended by section 6, is further amended to read:

Subd. 4f. A rule shall become effective after it has been subjected to all requirements described in subdivisions 4 through 4g and five working days after publication in the state register, as hereinafter provided, unless a later date is required by statutes or specified in the rule. If the rule as adopted does not differ from the proposed rule as published in the state register, publication may be made by publishing notice in the state register that the rule has been adopted as proposed and by publishing a citation to the prior publication. If the rule as adopted differs from the proposed rule, the adopted rule or subdivisions thereof which differ from the proposed rule shall be published together with a citation to the prior state register publication of the remainder of the proposed rule.

Sec. 46. Minnesota Statutes 1978, Section 15.0412, is amended by adding a subdivision to read:

Subd. 4g. No rule shall be filed with the secretary of state or published in the state register unless the revisor of statutes has endorsed on the rule that it is approved as to form.

Sec. 47. Minnesota Statutes 1978, Section 15.0412, Subdivision 4g, as added by section 7, is further amended to read:

Subd. 4g 4h. When an agency determines that its proposed adoption, amendment, suspension or repeal of a rule will be non-controversial in nature, it may utilize the provisions herein in lieu of the provisions of subdivisions 4 through 4g. The agency shall publish a notice of its intent to adopt the rule without public hearing, together with the proposed rule, in the state register, and shall give the same notice by United States mail to persons who have registered their names with the agency pursuant to subdivision 4. When an entire rule is proposed to be repealed or renumbered, the agency need only publish that **fact**, giving the exact

citation to the rule to be repealed or renumbered in the notice. The notice shall include a statement advising the public:

(1) that they have 30 days in which to submit comment on the proposed rule;

(2) that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30 day comment period;

(3) of the manner in which persons shall request a hearing on rules proposed pursuant to this subdivision; and

(4) that the rule may be modified if modifications are supported by the data and views submitted.

Before the date of the notice, the agency shall prepare a statement of need and reasonableness which shall be available to the public. For at least 30 days following the notice, the agency shall afford all interested persons an opportunity to object to the lack of a hearing and to submit data and views on the proposed rule in writing. The proposed rule may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change. If, during the 30 day period allowed for comment, seven or more persons submit to the agency a written request for a hearing of the proposed rule, the agency shall proceed under the provisions of subdivisions 4 through 4f 4g. In the event that a hearing is required, a citation in the state register to the prior publication of the proposed rule may be substituted for republication unless the agency has modified the proposed rule. If no hearing is required, the agency shall submit to the attorney general the proposed rule and notice as published, the rule as proposed for adoption, any written comments received by the agency, and a statement of need and reasonableness for the rule. The agency shall give notice to all persons who requested to be informed that these materials have been submitted to the attorney general. This notice shall be given on the same day that the record is submitted. The attorney general shall approve or disapprove the rule as to ~~form~~ and its legality and its form to the extent the form relates to legality, including the issue of substantial change, within 14 days. If he approves the rule, he shall promptly file two copies of it in the office of the secretary of state. If he disapproves the rule, he shall state in writing his reasons therefor, and the rule shall not be filed in the office of the secretary of state, nor published. The rule shall become effective upon publication in the state register in the same manner as provided for adopted rules in subdivision 4f. *The secretary of state shall forward one copy of each rule to the revisor of statutes.*

No rule shall be filed with the secretary of state or published in the state register unless the revisor of statutes has endorsed on the rule that it is approved as to form.

Sec. 48. Minnesota Statutes 1978, Section 15.0412, Subdivision 5, as amended by section 9, is further amended to read:

Subd. 5. When an agency is directed by statute, federal law or

court order to adopt, amend, suspend or repeal a rule in a manner that does not allow for compliance with subdivisions 4 through 4g 4h, or if an agency is expressly required or authorized by statute to adopt temporary rules, the agency shall adopt temporary rules in accordance with this subdivision. The proposed temporary rule shall be published in the state register and . For at least 20 days ~~thereafter~~ *after publication* the agency shall afford all interested persons an opportunity to submit data and views on the proposed temporary rule in writing. The proposed temporary rule may be modified if the modifications are supported by the data and views submitted to the agency. The agency shall submit to the attorney general the proposed temporary rule as published, with any proposed modifications. The attorney general shall review the proposed temporary rule as to ~~form and its legality and its form to the extent the form relates to legality~~ and shall approve or disapprove the proposed temporary rule and any proposed modifications within five working days. The temporary rule shall take effect upon approval of the attorney general. *The attorney general shall file two copies of the approved rule with the secretary of state.* Failure of the attorney general to approve or disapprove within five working days shall be deemed approval. As soon as practicable notice of the attorney general's decision shall be published in the state register and the adopted rule shall be published in the manner as provided for adopted rules in subdivision 4. Temporary rules adopted under this subdivision shall be effective for not longer than 90 days and may be reissued or continued in effect for an additional 90 days, but may not immediately be reissued thereafter without following the procedure of either subdivisions 4 through 4g or 4h. *The secretary of state shall forward one copy of each approved and filed temporary rule to the revisor of statutes.*

No approved temporary rule shall be filed with the secretary of state or published in the state register unless the revisor of statutes has endorsed on the rule that it is approved as to form.

Sec. 49. Minnesota Statutes 1978, Section 15.0412, Subdivision 9, as added by section 11, is further amended to read:

Subd. 9. The agency shall, within six months after issuance of the hearing examiner's report, either withdraw the proposed rules or publish its adopted final action in the state register. If the agency has not *both filed the rules with the secretary of state and published its adopted final action in the state register* within six months, it shall not proceed to adopt the subject rules without rehearing the rules pursuant to all the procedures of this section, and it shall report to the appropriate committees of the legislature and to the governor its failure to adopt rules and the reasons for that failure.

Sec. 50. Minnesota Statutes 1978, Section 15.0412, is amended by adding a subdivision to read:

Subd. 10. For the purpose of obtaining the revisor's approval of the form of a rule prior to filing the rule with the secretary of state, a copy of the rule shall be submitted to the revisor at the

same time it is submitted to the attorney general as required by subdivisions 4d, 4e, and 5. Within five days the revisor shall notify the attorney general and the agency of whether he or she will approve the form of the rule when it is presented for his or her endorsement.

Sec. 51. Minnesota Statutes 1978, Section 15.0413, Subdivision 1, as amended by section 12, is further amended to read:

15.0413 [EFFECT OF ADOPTION OF RULES; PUBLICATION; APPROPRIATION.] Subdivision 1. Every rule approved by the attorney general and filed in the office of the secretary of state as provided in section 15.0412 shall have the force and effect of law five working days after its publication in the state register unless a later date is required by statute or specified in the rule. The secretary of state shall keep a permanent record of rules filed with that office open to public inspection. ~~Should a discrepancy exist between the rules published in the state register and the rules on file with the secretary of state, the rules on file with the secretary of state shall have effect.~~

Sec. 52. Minnesota Statutes 1978, Section 15.05, is amended to read:

15.05 [PUBLICATION ACCOUNT.] An administrative rules and A state register publication account is created in the state treasury. All receipts from the sale of rules and the state register shall be deposited in the account. All funds in the administrative rules and state register publication account in the state treasury are appropriated annually to the commissioner of administration to carry out the provisions of sections 15.047 and section 15.051.

Sec. 53. Minnesota Statutes 1978, Section 15.051, Subdivision 1, is amended to read:

15.051 [STATE REGISTER.] Subdivision 1. **[PURPOSE.]** The commissioner of administration shall publish a state register containing all notices for hearings concerning rules, giving time, place and purpose of the hearing and the full text of the action being proposed. Further, the register shall contain all rules, amendments, suspensions, or repeals thereof, pursuant to the provisions of this chapter. The commissioner shall further publish any executive order issued by the governor which shall become effective 15 days after publication except as provided in section 4.035, subdivision 2. The commissioner shall further publish any official notices in the register which a state agency requests him to publish. Such notices shall include, but shall not be limited to, the date on which a new agency becomes operational, the assumption of a new function by an existing state agency, or the appointment of commissioners. The commissioner may prescribe the form, *excluding the form of the rules*, and manner in which agencies submit any material for publication in the state register, and he may withhold publication of any material not submitted according to the form or procedures he has prescribed.

The commissioner of administration may organize and distribute the contents of the register according to such categories

as will provide economic publication and distribution and will offer easy access to information by any interested party.

Sec. 54. Minnesota Statutes 1978, Section 15.051, Subdivision 3, is amended to read:

Subd. 3. [SUBMISSION OF ITEMS FOR PUBLICATION.] Any state agency which desires to publish a notice of hearing, rule or regulation or change thereof shall submit a copy of the entire document, including dates when adopted, and filed with the secretary of state, to the commissioner of administration in addition to any other copies which may be required to be filed with the commissioner by other law.

The revisor of statutes shall provide assistance to the commissioner if requested. Alternatively, the commissioner may designate a contract compositor to whom the assistance is to be supplied. The assistance, in either case, shall consist of furnishing a machine readable computer tape, or similar services, for rules which are available in the revisor's computer data base and for which a written copy has been submitted by an agency to the commissioner for publication in the state register.

Sec. 55. Minnesota Statutes 1978, Section 648.31, is amended by adding a subdivision to read:

Subd. 6. [AGENCY RULES.] *The revisor may integrate agency rules adopted pursuant to Minnesota Statutes, Section 15.0412, Subdivisions 4, 4a to 4h, and 5, into the Minnesota Statutes, or publish the rules as an adjunct to the Minnesota Statutes, or coordinate publication of the rules with the Minnesota Statutes.*

Sec. 56. Minnesota Statutes 1978, Section 648.43, is amended to read:

648.43 [PAMPHLETS AUTHORIZED.] ~~The commissioner of administration is required to~~ *revisor of statutes shall compose, print and deliver in pamphlet form such editions or pamphlets containing parts of the Minnesota Statutes, parts of Minnesota Rules, or combinations of parts of the Statutes and Rules as may be necessary for the use of public officers and departments, the cost thereof to be borne by the office or department requesting the same pamphlets. Such* ~~The printing shall be discretionary, limited to actual needs as shown by experience or other competent proof. The revisor shall use a standard form for the pamphlets.~~

Sec. 57. [648.50] [COMPILATION AND DRAFTING OF ADMINISTRATIVE RULES.] *Subdivision 1. The revisor of statutes shall:*

(a) formulate a plan for the compilation of all permanent agency rules and, to the extent practicable, temporary agency rules, including their order, classification, arrangement, form, and indexing, and any appropriate tables, annotations, cross references, citations to applicable statutes, explanatory notes and other appropriate material to facilitate use of the rules by the public, and for the compilation's composition, printing, binding and distribution;

(b) publish the compilation of agency rules which shall be called "Minnesota Rules" for the year of the compilation's publication;

(c) periodically either publish a supplement or a new compilation, which includes all rules adopted since the last supplement or compilation was published and removes rules incorporated in prior compilations or supplements which are no longer effective;

(d) periodically prepare and submit to the appropriate agency those revisions of the rules, which will, if adopted by the agency, in accordance with section 15.0412, subdivisions 4a to 4g, clarify, modernize or simplify the text of the rule without substantive alteration;

(e) maintain an agency rules drafting department to draft or aid in the drafting of rules or amendments to rules for any agency in accordance with the objective or other instructions which the agency shall give the revisor;

(f) prepare and publish an agency rules drafting guide which shall set out the form and method of drafting rules and amendments to rules, and to which all rules shall comply; and

(g) copyright any compilations and or supplements in the name of the state of Minnesota.

Subd. 2. The revisor of statutes shall file with the secretary of state one copy of each compilation or supplement which is published. The copy shall contain the revisor's certificate that the rules contained in the compilation or supplement have been compared to the original rules filed with the secretary of state and are correctly incorporated into the compilation.

Subd. 3. Any compilation or supplement published by the revisor and containing his certificate is prima facie evidence of the administrative rules in all courts and proceedings. A compilation or supplement shall not be construed as repealing an unpublished rule. If there is any inconsistency through omission or otherwise between a compilation or supplement, the state register, and a rule filed with the secretary of state, the rule filed with the secretary shall prevail.

Subd. 4. In preparing a compilation or supplement, the revisor shall not alter the sense, meaning or effect of any rule, but may renumber rules, paragraphs, clauses or other parts of a rule; combine or divide rules, paragraphs, clauses or other parts of a rule; rearrange the order of rules, paragraphs, clauses, or other parts of a rule; move paragraphs, clauses, or other parts of a rule to another rule; change reference numbers to agree with renumbered rules, paragraphs, clauses or other parts of a rule; substitute the proper rule, paragraph, clause, or other part of a rule for the term "this rule", "the preceding rule" and the like; substitute numbers for written words and written words for numbers; substitute the date on which the rule becomes effective for the words "the effective date of this rule", and the like; change capitalization for the purpose of uniformity; correct manifest clerical or typograph-

ical errors; correct all misspelled words; and correct manifest grammatical and punctuation errors.

The revisor shall provide headnotes as catch words to rules and, if appropriate, to paragraphs, clauses, or other parts of a rule. The headnotes are not part of the rule even if included with the rule when it is adopted. The revisor shall change headnotes to clearly indicate the subject matter of the rules.

Subd. 5. Insofar as economically feasible, the revisor shall utilize the same equipment, computer assistance and procedures for drafting agency rules and publishing compilations and supplements as for preparing bill drafts and statutory publications.

Subd. 6. In determining the form of rules the revisor shall:

(a) minimize duplication of statutory language;

(b) not permit incorporations into the rules by reference of publications which are not conveniently available to the public;

(c) to the extent practicable, use plain language in rules and avoid technical language; and

(d) amend rules by showing the text of the rule, paragraph, clause, or other part of a rule being amended, as it is shown in the latest compilation or supplement, or, if not yet published in a compilation or supplement, then as the text is shown in the state register, with changes shown by striking and underlining words.

Subd. 7. Any compilation, reissue, or supplement published by the revisor shall be sold by the revisor for a reasonable fee and its proceeds deposited in the general fund. An agency shall purchase from the revisor the number of copies of the compilation or supplement needed by the agency. The revisor shall provide one copy of any compilation or supplement to all Minnesota county libraries and to any public library upon its request.

Sec. 58. [648.51] [PUBLICATION OF MINNESOTA RULES.] Notwithstanding any provision of law to the contrary, the revisor of statutes may obtain competitive bids from and enter into contracts with the lowest responsible bidder for compiling, editing, indexing, composition, printing, binding, distribution, or other services, if the work either cannot be performed by the revisor or it is uneconomical for the revisor to do so.

Sec. 59. The department of administration may not, as part of publishing the Minnesota Code of Agency Rules, renumber rules or compile them in a form different from that adopted by an agency. This limitation does not restrict an agency from renumbering or recompiling its own rules in accordance with the procedures of chapter 15. If it is determined by the commissioner of administration and the revisor of statutes that the product will be compatible with work to be done by the revisor under sections 50 to 69, the department may complete any work currently in progress to create a computer data base of agency rules. If com-

pleted, a computer tape of the completed data base and a printed copy shall be delivered to the revisor of statutes.

Sec. 60. *In the next and subsequent editions of Minnesota Statutes the revisor of statutes shall substitute the term "office of administrative hearings" for "office of hearing examiners" in every place where the latter term is used.*

Sec. 61. [REPEALER.] *Minnesota Statutes 1978, Sections 5.21, and 15.0423 are repealed.*

Sec. 62. [REPEALER.] *Minnesota Statutes 1978, Section 15.047, is repealed.*

Sec. 63. [EFFECTIVE DATE.] *Sections 1, 2, 5, 24, and 34 are effective the day after final enactment. Section 3 is effective on August 1, 1981. Section 7 is effective on September 1, 1980. Section 8 is effective on July 1, 1980. Any variance to a rule granted by an agency prior to the effective date of section 3 is valid notwithstanding the fact that the agency had not promulgated a rule governing the granting of variances at the time the variance was granted. Sections 39 to 51 and 53 to 59 are effective July 1, 1981, except that section 57, subdivision 1, clause (a) is effective July 1, 1980. Sections 52 and 62 are effective July 1, 1982.*

Sec. 64. *A law enacted at the 1980 regular session styled as H.F. No. 1121, Article XII, Section 9, is amended to read:*

Sec. 9. [CONTESTED CLAIMS PROCEDURE.] Subdivision 1. ~~If a claimant agency, except for a public agency responsible for child support enforcement, receives written notice of a debtor's intention to contest at hearing the claim upon which the intended set-off is based, it shall initiate a hearing according to contested case procedures established in the state administrative procedure act not later than 30 days after receipt of the debtor's request for a hearing. The public agency responsible for child support enforcement shall provide for hearing in the manner prescribed by Minnesota Statutes, Section 256.045.~~

This amendment is effective notwithstanding that H.F. No. 1121 may be approved or effective at a time later than this section. This section is effective the day after final enactment."

Delete the title and insert:

"A bill for an act relating to state government; changing certain administrative procedures; providing for the compilation of agency rules and their publication by the revisor of statutes; amending Minnesota Statutes 1978, Sections 3.965; 15.0412, Subdivisions 1, 2, 3, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1, 2 and 4; 15.0422; 15.0424, Subdivisions 1, 2 and 6; 15.0425; 15.0426; 15.047, Subdivision 2; 15.05; 15.051, Subdivisions 1, 2 and 3; 15.052, Subdivisions 1, 2, 3, 4, 5, 7, 8 and 9; 15.1691, Subdivision 3; 179.71, Subdivision 5; 179.72, Subdivision 3; 268.12, Subdivision 3; 299A.03, Subdivision 8; 648.31, by adding a subdivision; 648.43; and Minnesota Statutes, 1979 Supplement, Section 15.0411, Subdivision 2; and Chapter 648, by adding a section; repealing Minnesota Statutes 1978, Sections 5.21; 15.0423; and 15.047."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Carl W. Kroening, James R. Casserly, William A. Crandall

Senate Conferees: (Signed) David D. Schaaf, John B. Keefe

Mr. Schaaf moved that the foregoing recommendations and Conference Committee Report on H. F. No. 874 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. 874 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 7, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Laufenburger	Penny	Staples
Bang	Humphrey	Lessard	Perpich	Stokowski
Barrette	Johnson	Luther	Peterson	Strand
Bernhagen	Keefe, J.	Merriam	Renneke	Stumpf
Davies	Keefe, S.	Moe	Schaaf	Tennessee
D'eterich	Kirchner	Nelson	Schmitz	Ulland, J.
Dunn	Kleinbaum	Nichols	Setzepfandt	Vega
Engler	Knaak	Olhoff	Sieloff	Willet
Gearty	Knoll	Olson	Sikorski	
Hanson	Knutson	Omman	Solon	

Those who voted in the negative were:

Coleman	Purfeerst	Stern	Ueland, A.	Wegener
Gunderson	Rued			

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

SPECIAL ORDER

H. F. No. 1873: A bill for an act relating to local government in Ramsey county; providing for the membership and dues of the Ramsey county league of local governments; amending Laws 1963, Chapter 728, Section 1, as amended.

Mr. Stumpf moved to amend H. F. No. 1873, as follows:

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 1978, Section 245.812, Subdivision 2, is amended to read:

Subd. 2. In determining whether a license shall be issued, the commissioner shall specifically consider the population, size, land use plan, availability of community services and the number and size of existing public and private community residential facilities in the town, municipality or county in which an applicant seeks to operate a residence. ~~Except as specified in section 252.28,~~ Under no circumstances may the commissioner newly license any group

residential facility pursuant to Laws 1976, Chapter 243 if such residential facility will be within 1,320 feet of any existing community group residential facility unless the appropriate town, municipality or county zoning authority grants the facility a conditional use or special use permit. *With the exception of foster family homes the requirements of this subdivision apply to all licensed residential facilities, and for cities of the first class apply even if a facility is considered a permitted single family residential use of property according to subdivision 3.*

Sec. 2. Minnesota Statutes 1978, Section 252.28, Subdivision 3, is amended to read:

Subd. 3. (1) No new license shall be granted pursuant to this section when the issuance of the license would substantially contribute to an excessive concentration of community residential facilities within any town, municipality or county of the state.

(2) In determining whether a license shall be issued pursuant to this subdivision, the commissioner of public welfare shall specifically consider the population, size, land use plan, availability of community services and the number and size of existing public and private community residential facilities in the town, municipality or county in which a licensee seeks to operate a residence. Under no circumstances may the commissioner newly license any facility pursuant to this section if the facility will be within 300 feet of any existing community residential facility, unless the appropriate town, municipality or county zoning authority grants the facility a conditional use or special use permit except as provided in Minnesota Statutes, Section 245.812. The commissioner of public welfare shall establish uniform rules and regulations to implement the provisions of this subdivision.

(3) Licenses for community facilities and services shall be issued pursuant to section 245.821.

Sec. 3. [SAINT PAUL, CITY OF; EMPLOYMENT OF UNIVERSITY OR COLLEGE STUDENTS.] *Notwithstanding any contrary provision of the Saint Paul city charter, a statute, including the veterans preference act, or a civil service rule or regulation, the governing body or any board or commission of the city of Saint Paul having authority to hire employees may employ university, college, or professional school students pursuant to an intern or other training program related to their academic endeavors when the program is sponsored or substantially financed by the state or the United States or by a philanthropic foundation or organization. Persons hired under a program shall be in the unclassified service of the city and serve at the pleasure of the body employing them. No full time appointment under this section shall exceed one year. Persons employed under this section shall be excluded from the provisions of Minnesota Statutes, Sections 268.03 to 268.24.*

Sec. 4. Subdivision 1. *If the city of St. Paul issues a building permit in violation of law, charter or ordinance, it may, upon discovery of the error, revoke the permit and require removal of the*

construction. The city may indemnify the person to whom the permit was issued for costs incurred because of the erroneous issuance.

If construction in the city of St. Paul has been inadvertently entered on land owned by the city or dedicated to a public use and no other legal or equitable remedy is satisfactory to the city, the city may acquire and remove all or part of the structure by eminent domain in accordance with Minnesota Statutes, Chapter 117. A taking of property pursuant to this section is a taking for a public purpose.

Subd. 2. This section is effective retroactively upon approval by the governing body of the city of St. Paul and compliance with Minnesota Statutes, Section 645.021 and expires July 1, 1981.

Sec. 5. Notwithstanding any contrary law or charter provision, commencing with the budget year starting January 1, 1981, and continuing thereafter, the expense of keeping the court house and city hall for the county of Ramsey and city of Saint Paul in normal repair and the necessary expense of heating and maintaining it shall be paid by the county of Ramsey and the city of Saint Paul based upon their respective exclusive usage or occupancy of the building. No later than September 1 of each year the joint court house and city hall committee shall determine the proportionate square foot exclusive usage or occupancy of the building by the county and city respectively and shall submit the determination to the county board and city council together with the recommended annual budget for the next year's expenses.

Sec. 6. Laws 1959, Chapter 690, Section 2, as amended by Laws 1963, Chapter 729, Section 1, and Laws 1971, Chapter 599, Section 1, is amended to read:

Sec. 2. [ST. PAUL, CITY OF; INDEPENDENT SCHOOL DISTRICT NO. 625; EMPLOYEES SEVERANCE PAY.] The provisions, rules and regulations under any such ordinance for such payment of severance pay by said city, authorized under the foregoing provisions of section 1 hereof, shall be applicable to all employees of said city other than its elected city officials. Such severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits, and shall be paid over a period not to exceed five years from termination of employment. The amount of such severance pay allowable or to become payable in respect of any such employment or to any such employee after December 31, 1973, shall not exceed \$4,000 an amount equivalent to one year of pay.

Sec. 7. Laws 1978, Chapter 693, Section 2, is amended to read:

Sec. 2. [EFFECTIVE DATE.] This act Laws 1978, Chapter 693 is effective upon its approval by the board of commissioner of Washington county and compliance with Minnesota Statutes, Section 645.021 and expires two years after that date until April 1, 1981."

Page 3, line 11, delete "This act" and insert: "Sections 3, 4, and 6 are effective upon the day of compliance by the city of St.

Paul with section 645.021, subdivision 3. Section 7 is effective upon the day of compliance by Washington county with section 645.021, subdivision 3. Sections 1, 2, and 5 are effective the day after final enactment. Section 8"

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to local government; regulating zoning of certain facilities; authorizing certain actions by the city of Saint Paul; setting conditions of employment for certain Washington county employees; providing for the membership and dues of the Ramsey county league of local governments; amending Minnesota Statutes 1978, Sections 245.812, Subdivision 2; and 252.28, Subdivision 3; and Laws 1959, Chapter 690, Section 2, as amended; Laws 1963, Chapter 728, Section 1, as amended; and Laws 1978, Chapter 693, Section 2."

The motion prevailed. So the amendment was adopted.

Mr. Sikorski moved to amend the Stumpf amendment to H. F. No. 1873, adopted by the Senate April 11, 1980, as follows:

Pages 4 and 5, delete section 7

Page 5, line 9, delete everything after the period

Page 5, delete line 10

Page 5, line 11, delete "*subdivision 3.*"

Page 5, line 12, delete "8" and insert "7"

Amend the title amendment as follows:

Page 5, line 24, before "Laws" insert "and" and at the end of the line delete "; and"

Page 5, delete line 25 except for the period

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

Mr. Hughes moved to amend H. F. No. 1873 as follows:

Page 3, after line 10, insert:

"Sec. 2. Subdivision 1. Notwithstanding the provisions of any law, home rule charter, ordinance or resolution to the contrary, no statutory or home rule charter city located in the area, as defined in Minnesota Statutes, Section 473F.02, Subdivision 2, shall require that a person be a resident of the city as a condition of employment by the city except for positions which by their duties require the employee to live on the premises of the person's place of employment. For the purposes of this section, elected municipal officials shall not be considered to be employed by the city.

Subd. 2. This section is effective on the day following final enactment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "prohibiting certain cities from establishing residency requirements as a condition of employment;"

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

H. F. No. 1873 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 1, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Peterson	Stokowski
Bang	Hughes	McCutcheon	Purfeerst	Strand
Barrette	Humphrey	Menning	Rued	Stampf
Bernhagen	Johnson	Merriam	Schaaf	Tennessen
Brataas	Keefe, J.	Moe	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nelson	Setzepfandt	Vega
Davies	Kirchner	Nichols	Sieloff	Wegener
Dieterich	Kleinbaum	Olhoft	Sikorski	Willet
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Omann	Spear	
Gearty	Laufenburger	Penny	Staples	
Gunderson	Lessard	Perpich	Stern	

Mr. Knutson voted in the negative.

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 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. 2419: A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; amending Minnesota Statutes, 1979 Supplement, Section 204A.23; Laws 1980, Chapters 341, Section 8; 345, Section 17; 357, Section 21; 358, Section 2; 361, Section 6; and 373, by adding a section; amending laws enacted at the 1980 regular session styled as S. F. No. 1865, by adding a section; S. F. No. 2117, Sections 1 and 2; H. F. No. 1710, Section 15; H. F. No. 1878, Section 8; and H. F. No. 1942, Section 3.

Senate File No. 2419 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 11, 1980

CONCURRENCE AND REPASSAGE

Mr. Davies moved that the Senate concur in the amendments by the House to S. F. No. 2419 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 2419 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:

Anderson	Gunderson	Lessard	Perpich	Staples
Ashbach	Hanson	Luther	Peterson	Stern
Bang	Hughes	McCutcheon	Purfeerst	Stokowski
Barrette	Humphrey	Menning	Renneke	Strand
Bernhagen	Johnson	Merriam	Rued	Tennessee
Brataas	Keefe, S.	Moe	Schaaf	Ueland, A.
Coleman	Kirchner	Nelson	Schmitz	Vega
Davies	Kleinbaum	Nichols	Setzepfandt	Wegener
Dieterich	Knaak	Olhoff	Sieloff	Willet
Dunn	Knoll	Olson	Sikorski	
Engler	Knutson	Omann	Solon	
Gearty	Laufenburger	Penny	Spear	

Mr. Keefe, J. 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, herewith returned:

S. F. No. 1550: A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; removing the requirement that notaries public be approved by the senate; amending Minnesota Statutes 1978, Section 359.01.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 10, 1980

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. 2304 and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 2304 is herewith transmitted to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 11, 1980

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2304

A bill for an act relating to initiative; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes; providing for judicial review; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 290.09, Subdivision 2; 290.21, Subdivision 3; and 645.02.

April 11, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

We, the undersigned conferees for H. F. No. 2304, 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. 2304 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE I

INITIATIVE AND REFERENDUM

Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, a new section shall be added to Article IV, which shall read:

Sec. 27. [INITIATIVE AND REFERENDUM.] A law may be initiated or referred for repeal upon petition by eligible voters. An initiative or referendum measure shall be placed on the ballot at a general election if petitions for the measure are signed by eligible voters in each congressional district of the state in a number not less than five percent of the number of persons who voted at the last general election in that congressional district. An initiative or referendum measure shall be adopted upon the affirmative vote of a majority of those voting on the question. The voters may not initiate or refer for repeal a constitutional amendment, an appropriation or a special law.

The governor shall have no power to approve or veto an initiative or referendum measure adopted by the voters.

No law adopted by initiative shall be amended or repealed and no law repealed by referendum shall be reenacted by the legislature until another general election has intervened.

The sponsors of an initiative or referendum measure, if the legislature enacts a law with a similar scope and purpose, may elect to place the measure on the ballot or to abandon the measure. If the measure is not abandoned, the legislature may submit the law which it has enacted to a vote of the people in the same manner as an initiative or referendum measure at the election at which the initiative or referendum measure is submitted. If a law enacted by the legislature is submitted to the people at the same election as an initiative or referendum measure, it shall not be subject to veto by the governor and it shall not be effective unless approved by a majority of those voting on the question.

The legislature shall implement the provisions of this section by law.

This section expires January 1, 1985.

Sec. 2. The amendment proposed in section 1 shall be submitted to the people at the 1980 general election. The question submitted shall be:

“Shall the Minnesota Constitution be amended to provide for initiative and referendum?”

Yes

No

Sec. 3. [3B.01] [CITATION.] Sections 3 to 30 may be cited as “The Initiative and Referendum Implementation Act”.

Sec. 4. [3B.02] [DEFINITIONS.] Subdivision 1. The words defined by this section shall, when used in sections 3 to 30, have the meanings given them.

Subd. 2. “General election” is as defined in section 200.02, subdivision 2.

Subd. 3. “Measure” means the proposed law in an initiative petition or the law proposed to be repealed in a referendum petition.

Subd. 4. “Petition drive” means the organized process by which the sponsors and their authorized agents solicit eligible voters to sign initiative or referendum petitions.

Subd. 5. “Eligible voter” has the meaning provided in section 200.02, subdivision 25.

Subd. 6. “Sponsors” means the persons specified by section 5, subdivision 2, clause (a).

Sec. 5. [3B.03] [PREPARATION FOR PETITIONING ON AN INITIATIVE OR REFERENDUM MEASURE.] Subdivision 1. Before circulation of any petitions to have an initiative or referendum measure placed on the ballot, the sponsors shall file a declaration with the secretary of state not later than March 1 of an odd numbered year.

Subd. 2. The declaration shall:

(a) State the names, mailing addresses and any business or residential phone numbers of not less than 50 eligible voters with an indication of who is the chairman and who is the treasurer;

(b) State the name and mailing address of all committees, groups or organizations known to the sponsors who intend to support the petition drive on the measure or otherwise aid the sponsors;

(c) Give a description of the intent or purpose if an initiative or referendum measure;

(d) For a referendum measure, give a precise citation of the law, or portion of a law, which the sponsors seek to have referred. The citation shall be to the Laws of Minnesota, by chapter and, if appropriate, section number, or to the chapter, section or subdivision if the latest edition of Minnesota Statutes;

(e) State a short title by which the sponsors want the initiative or referendum measure to be identified and which is not misleading; and

(f) State the name, address and phone number of a person who is generally available to work on the final form and wording of the measure and is authorized to approve its final form and wording.

Subd. 3. The secretary of state shall provide a sample declaration form.

Subd. 4. The sponsors shall pay to the secretary of state a filing fee of \$200 which shall be deposited in the general fund.

Sec. 6. [3B.04] [ADVICE BY REVISOR OF STATUTES.]
Subdivision 1. The secretary of state shall immediately forward one copy of each declaration provided for in section 5 to the revisor of statutes. The secretary of state shall also advise the sponsors to consult with the revisor.

Subd. 2. The revisor of statutes shall, within 42 days after the filing of the declaration, prepare a final draft of an initiative or referendum measure. The intent and purpose may be amplified or refined by the sponsor authorized in the declaration to approve the form and wording of the measure. The revisor shall advise that sponsor as to the measure's constitutionality, and the best form of the measure to accomplish the sponsors' intent and purpose. However, if the revisor and the sponsors disagree as to the best form and content of the measure to accomplish the sponsors' intent and purpose, or disagree as to constitutionality, the directions of the sponsors shall prevail. All discussions by the revisor with the sponsors shall be treated by the revisor as confidential. If, after consulting with the revisor, the sponsors do not desire the revisor's assistance, they shall sign a written waiver of assistance. The waiver shall then be filed with the secretary of state and the revisor, together with a final draft of the initiative or referendum measure prepared by the sponsors. Together with the final draft prepared by the revisor, or within seven days after receiving the waiver and final draft prepared by the sponsors, the revisor shall furnish the sponsors and the secretary of state with a summary of the measure to be proposed to the people.

Subd. 3. The form of initiative and referendum measures shall conform to the form of bills considered by the legislature. The enacting clause shall be "BE IT ENACTED BY THE PEOPLE OF THE STATE OF MINNESOTA". No initiative or referendum measure shall embrace more than one subject. The measure may not provide for the form of the ballot question by which it would be submitted to the electors.

Subd. 4. If the sponsors, within 63 days after filing their declaration have not filed with the secretary of state either the revisor's final draft of the measure or their waiver of assistance from the revisor and a final draft of the measure prepared by them, the petition drive shall be deemed abandoned.

Sec. 7. [3B.05] [PETITIONS FOR INITIATIVE OR REFERENDUM.] *Subdivision 1. Each initiative or referendum petition shall consist of as many copies as the sponsors print, each of which shall be not more than one sheet of paper and contain the following on the front:*

(a) In not less than 24 point bold type on a 30 point body at the top of the front page, the printed words "OFFICIAL INITIATIVE (OR REFERENDUM) PETITION";

(b) The short title by which the initiative or referendum measure is to be identified and the chairman of the sponsors;

(c) The summary of the measure prepared by the revisor;

(d) A statement that a verbatim copy of the initiative or referendum measure is available for public examination at the office of the secretary of state or any county auditor; and

(e) Space for eligible voters to sign the petition including space for the signature, printed name, telephone number, mailing address, county and congressional district of residence and an indication of status as eligible voter.

Subd. 2. On the front or back of each petition shall be an affidavit for the person circulating the petition which shall include his name, mailing address, and phone number; indicate that he circulated the petition; indicate that to the best of his knowledge each of the signers is an eligible voter and resident in the county and congressional district indicated; identify the sponsors on whose behalf the petition was circulated; and state the period during which it was circulated.

Subd. 3. At the time the final draft of the initiative or referendum measure is filed with the secretary of state, as provided by section 6 the sponsors shall also file a copy of the petition with the secretary of state. Within seven days the secretary shall examine the petition and determine whether it complies with this section. If the petition complies, the secretary shall approve it and notify the sponsors. If the secretary finds that the form of the petition is not in compliance, he shall disapprove it and order it redrafted. The secretary shall notify the sponsors that the petition is not in compliance with the law and specify what changes are necessary to bring it into compliance. Failure to refile a new peti-

tion drafted in accordance with the secretary's instructions not later than seven days after the secretary's notice constitutes abandonment of the petition drive. Upon refileing, the secretary shall again examine the petition for its compliance with this section and approve it or again reject it within seven days after the refileing. The petition may subsequently be refiled until it is found to comply with the law and rules.

Subd. 4. The secretary of state shall, within seven calendar days after approving the initiative or referendum petition, send to the county auditor in each county a verbatim copy of the initiative or referendum measure as on file in his office.

Sec. 8. [3B.06] [TIME OF CIRCULATION OF INITIATIVE OR REFERENDUM PETITIONS; VOLUNTARY ABANDONMENT.] Subdivision 1. Initiative and referendum petitions may only be circulated on those days of odd numbered years which are more than eight calendar days after the date of the secretary of state's approval of the petition. This limitation shall not prevent the sponsors from undertaking organizational activity or completing the procedures of sections 5, 6 or 7 prior to the time petitions are circulated.

Subd. 2. The sponsors may voluntarily abandon the petition drive any time before December 31 of the year in which the petitions are filed or the date on which the petition is certified by the secretary of state as provided in section 14, whichever occurs first. To abandon the drive, a declaration to that effect shall be filed with the secretary of state. The filing of the declaration shall not prevent other sponsors from beginning a similar or identical petition drive. All petitions signed prior to the declaration are invalid upon the filing of the declaration and may not subsequently be utilized by the new sponsors.

Subd. 3. Petitions which are signed but never filed, or which are filed but the number of signatures is later determined to be insufficient, are invalid on June 1 after the year in which they were signed. The petitions may not be used for similar or identical petition circulation efforts in subsequent years.

Sec. 9. [3B.07] [AMOUNT OF SIGNATURES FOR INITIATIVE OR REFERENDUM.] An initiative or referendum measure shall be placed on the ballot if petitions for the measure are signed by eligible voters in each congressional district of the state in a number not less than five percent of the number of persons who voted at the last general election in that congressional district. For the purpose of determining the number of persons who voted at the last general election, when an election precinct contains more than one congressional district the number of persons voting at the last general election in that precinct shall be the number of persons who voted for the office of representative in congress in that portion of the precinct.

Sec. 10. [3B.08] [FILING OF PETITIONS.] The sponsors shall file the signed petitions with the secretary of state not later than October 1 of the year in which the petitions were circulated. Be-

fore filing the signed petitions the sponsors shall securely bind them together.

Only the sponsors, or those authorized in writing by the sponsors, may file petitions.

Sec. 11. [3B.09] [PETITIONS RECEIVED BY SECRETARY OF STATE AND SIGNATURES COUNTED.] *The secretary of state shall determine the total number of signatures on the petitions filed and shall, not later than October 10, give written notification to the sponsors of the number of signatures in each congressional district. If the number of signatures filed is less than the minimum number of signatures required in a congressional district, petitions for additional signatures may be circulated for one additional period of 21 days commencing from the date of notification.*

Sec. 12. [3B.10] [VERIFICATION OF PETITIONS.] *Subdivision 1. Not later than December 31 of the year in which the petitions were signed the secretary of state shall determine whether a sufficient number of valid signatures has been obtained. The secretary may verify signatures by the random sampling method provided in section 13. County auditors shall assist the secretary in verifying signatures, at the secretary's request. Any eligible voter may challenge the number or validity of signatures on the petition. The secretary of state shall determine the contest of the number or validity of signatures by an eligible voter.*

Subd. 2. A signature is valid when:

- (a) It is signed by the person named;*
- (b) It is voluntarily signed;*
- (c) The signatory is an eligible voter;*
- (d) The signatory is a resident of the congressional district indicated on the petition; and,*
- (e) The signature is identifiable.*

Subd. 3. An eligible voter contesting the sufficiency or validity of signatures shall file a protest within the time provided in subdivision 1 for the secretary of state to verify the petitions or within seven days of the determination of the secretary of state under subdivision 1, whichever occurs earlier. The protest shall include a brief statement of the evidence of insufficiency or invalidity. If an eligible voter contests the sufficiency or validity of signatures in bad faith, he may be assessed costs of the contest up to a maximum of \$200. The secretary of state shall hear evidence and determine contests within 21 days after the protest is filed.

Subd. 4. If the secretary of state determines that the number of valid signatures is less than the number required, he shall so notify the sponsors and petitions for additional signatures may be circulated for an additional period of 21 days, in the case of a determination of an actual number deficiency, or 35 days, in the

case of an estimated number deficiency, commencing from the date of notification. The secretary shall verify a random sample of the additional signatures within 10 days of receiving them. If the verification from the random sample of the additional signatures does not show that the total number of valid signatures on the additional petitions is 100 percent or more of the deficiency, the secretary shall notify the sponsors. No further action shall then be taken on the petitions.

Sec. 13. [3B.11] [RANDOM SAMPLING METHOD OF SIGNATURE VERIFICATION.] Subdivision 1. A sample of signatures to be verified shall be drawn in such a manner that every signature filed with the secretary of state shall be given an equal opportunity to be included in the sample. The sample shall include five percent of the signatures.

Subd. 2. If the verification from the statistical sample shows that the total number of valid signatures on all the petitions is 100 percent or more of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for each congressional district, the secretary of state shall determine the number of valid signatures to be sufficient. The number of valid signatures shall be determined by taking the total number of signatures filed in each congressional district and multiplying it by the percentage of signatures in the statistical sample which were found to be valid. In calculating the number of valid signatures, any fractions shall be rounded up to one.

Subd. 3. If the verification from the statistical sample shows that the number of valid signatures is less than 100 percent of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for each congressional district, the secretary of state shall determine that the number of petition signatures is insufficient. The secretary shall give the sponsors written notice of what percentage of the signatures is valid.

Sec. 14. [3B.12] [CERTIFICATION BY SECRETARY OF STATE.] If the number of petition signatures from each congressional district meets the minimum number required, the secretary of state shall certify the sufficiency of the initiative or referendum petitions to the sponsors and all county auditors. The question of adoption of a proposed law in an initiative petition or of repeal of a law in a referendum petition shall then be placed on the ballot for the general election. The secretary of state's certificate shall state the wording of the question to be placed on the ballot. The executive council shall recommend to the secretary of state a wording for the question. The ballot question shall be a true and impartial statement of the intent and purpose of the initiative or referendum measure. It shall be in similar form as a ballot question for a legislative proposal of a constitutional amendment.

Sec. 15. [3B.13] [ABANDONMENT OF INITIATIVE OR REFERENDUM.] The sponsors of an initiative or referendum measure may abandon the measure after the sufficiency and

validity of the petition is certified by the secretary of state and before June 1 of the even numbered year after the petition is filed, if the legislature has enacted a law with a similar scope and purpose during that period. The measure is abandoned if four-fifths of the sponsors sign a written declaration abandoning the measure and the declaration is filed with the secretary of state. If an initiative or referendum measure is abandoned as provided in this section it shall not be placed on the ballot and the petition shall not be effective to initiate any other proposed law or refer any other existing law.

Sec. 16. [3B.14] [PLACEMENT OF LAW ON BALLOT.] *If an initiative or referendum petition has been certified so that an initiative or referendum measure will appear on the ballot at the next general election and the legislature enacts a law with a scope and purpose similar to that of the initiative or referendum measure during its regular session in that general election year, the legislature may place that law on the ballot in the manner provided for an initiative or referendum measure under section 14. The law shall appear on the ballot as provided by the legislature unless the initiative or referendum measure is abandoned as provided in section 15.*

Sec. 17. [3B.15] [NUMBERING OF BALLOT MEASURES.] *The secretary of state shall number in consecutive order each initiative or referendum ballot measure with the wording "BALLOT QUESTION . . .". Ballot questions shall be numbered sequentially starting from the number one for the first ballot question certified to be placed on the ballot after the effective date of this section. Ballot questions which are certified to appear on the ballot in general elections in subsequent years shall be numbered sequentially beginning with the first number after the number of the last ballot question at the last general election. The order shall be assigned by the secretary of state in the order that it is finally determined that each question will be placed on the statewide ballot at the next general election.*

Sec. 18. [3B.16] [BALLOTS, VOTING AND CANVASSING OF INITIATIVE OR REFERENDUM QUESTIONS.] *On all initiative and referendum measures, the ballots shall be prepared, voting conducted, results canvassed, contests conducted and results certified as provided by chapters 200 to 209.*

Sec. 19. [3B.17] [TIME OF ELECTION ON INITIATIVE AND REFERENDUM QUESTIONS.] *Voting upon initiative or referendum questions shall be held only at a general election.*

Sec. 20. [3B.18] [SIMULTANEOUS PETITIONS FOR INITIATIVE MEASURES.] *Nothing shall prevent multiple simultaneous petition drives involving identical initiative or referendum measures whether by the same or different sponsors. However, the first determination by the secretary of state of the sufficiency of the signatures for one measure shall automatically constitute abandonment of the other petition drives as of the date of the secretary's determination.*

Sec. 21. [3B.19] [COSTS OF COUNTY AUDITORS TO VERIFY SIGNATURES.] *Subdivision 1. The state of Minnesota shall reimburse all county auditors for all reasonable costs of assisting in the verification of signatures on initiative or referendum petitions.*

Subd. 2. Each year prior to May 1, each auditor shall submit to the secretary of state a verified statement of expenditures incurred in the previous calendar year. The statement shall specify how all costs were incurred.

Subd. 3. The secretary of state shall, within 30 days after receipt of each auditor's statement, pay to each county auditor the costs which the secretary determines are reasonable.

Subd. 4. The secretary of state shall, by rule, provide for the standards of what costs will be reimbursed by the state.

Sec. 22. [3B.20] [RESOLUTION OF CONFLICTS BETWEEN INITIATIVE OR REFERENDUM MEASURES.] *Subdivision 1. Nothing shall prevent petitioning for measures which are apparently in substantial conflict.*

Subd. 2. If two or more measures which substantially conflict are adopted by a vote of the people, including a measure placed on the ballot by the legislature, the one receiving the highest number of affirmative votes shall be effective. In the event that it is finally determined that the measures received an equal number of affirmative votes, neither measure shall become effective, but they shall again be placed on the ballot at the next general election.

Subd. 3. A petition may be filed with the district court by any eligible voter alleging that two or more adopted measures substantially conflict. A copy of the petition shall be served upon the sponsors and upon the attorney general. The district court shall issue its findings and conclusions within 60 days of the filing of the petition.

Subd. 4. The district court shall find that two or more measures substantially conflict when any material provision in one measure is irreconcilable with a material provision in another measure. Upon a finding that any provisions of measures substantially conflict, the district court shall find that the entire measures conflict and state which measure prevails under the provisions of subdivision 2.

Sec. 23. [3B.21] [PUBLICATION OF ADOPTED INITIATIVE MATTERS.] *Subdivision 1. Initiative or referendum measures which are adopted by the people shall be published by the revisor of statutes in the laws of Minnesota for the legislative session for the year subsequent to the year of the election at which the law is adopted. Initiative and referendum measures shall be placed in a separate section of the Laws of Minnesota and given chapter numbers by the revisor of statutes distinctive from the chapter numbers given legislative enactments by the secretary of state.*

Subd. 2. If an initiative or referendum measure is adopted by the people, the revisor of statutes may incorporate it into the next edition of the Minnesota Statutes or the supplement to the Minnesota Statutes in the same manner as for legislative enactments.

Sec. 24. [3B.22] [LITERATURE MUST INCLUDE NAMES.] *Any person or committee who shall publish, issue, post, circulate, or cause to be published, issued, posted, circulated, other than in a newspaper as provided in section 25, any literature, campaign material, or any publication, including cards, pamphlets, flyers, signs, banners, leaflets, announcements, or other material tending to influence desire to sign or refusal to sign an initiative or referendum petition or the voting at an election on a ballot issue, which fails to prominently display the name and mailing address of the author, the name of the person or committee in whose behalf the same is published, issued, posted, or circulated, and the name and mailing address of any other person or committee causing the same to be published, issued, posted, circulated, or broadcasted shall be guilty of a misdemeanor.*

Sec. 25. [3B.23] [PAID ADVERTISEMENTS IN NEWS.] *Subdivision 1. No publisher of a newspaper, periodical, or magazine shall insert in that newspaper, magazine, or periodical, and no radio or television station shall broadcast any matter paid or to be paid for which tends or is intended to influence directly or indirectly the desire to sign or refusal to sign an initiative or referendum petition or any voting at an election on a ballot issue unless it is prominently indicated that it is a paid advertisement. There shall also be a statement of the amount paid or to be paid, or a statement that the same is to be paid at regular advertising rates, the name of the person or committee in whose behalf the matter is inserted or broadcast and of any other person or the names of the officer and the committee authorizing the publication.*

Subd. 2. To the extent that any person sells either advertising space or broadcast time used on behalf of any measure, the charges made shall not exceed the charges made for any other comparable purpose or use according to the seller's rate schedule.

Sec. 26. [3B.24] [DISCLOSURE TO ETHICAL PRACTICES BOARD.] *For the purpose of section 10A.01, subdivision 15, "political committee" includes any association organized to promote or defeat a ballot question, including the sponsors of a petition as defined by section 4, subdivision 6, and any association that gives implicit or explicit consent for any other person to receive contributions or make expenditures to promote or defeat a ballot question.*

Sec. 27. [3B.25] [PROHIBITIONS.] *Subdivision 1. No person shall:*

(a) Be paid compensation for signing an initiative or referendum petition;

(b) Willfully refuse to file a statement of expenses regarding an initiative or referendum measure when required by law;

(c) Publish any literature, campaign material or any publication including cards, pamphlets, flyers, signs, banners, leaflets, or other material or any radio or television broadcast regarding an initiative or referendum measure which does not bear the identification required by law;

(d) Publish in any newspaper, periodical or magazine any paid advertising matter relating to an initiative or referendum measure which does not contain the identification required by law;

(e) File a petition for an initiative or referendum measure with the secretary of state without the written authorization of the sponsors;

(f) Induce a person to sign a petition by fraud, force or the threat of force;

(g) Pay compensation for signing an initiative or referendum petition;

(h) Publish or broadcast any information regarding an initiative or referendum measure with knowledge that it is false and which tends to substantially affect adoption or rejection of the measure when the publication or broadcast is undertaken primarily for the purpose of influencing adoption or rejection;

(i) Sign a petition with a name other than his own name; or

(j) Intentionally sign the same petition more than once.

Subd. 2. Any person violating any provision of subdivision 1, clauses (a), (b), (c), (d) or (e) is guilty of a misdemeanor. Any person violating any provision of subdivision 1, clauses (f), (g), (h), (i) or (j) is guilty of a gross misdemeanor.

Sec. 28. [3B.26] [ACTION BY AND NOTIFICATIONS TO SPONSORS.] Subdivision 1. Only sponsors, or those authorized by them in writing, may file any required document or statement regarding initiative or referendum petitions, measures or campaigns including election contests or petition signature count or validity contests.

Subd. 2. The signature of the chairman, of the sponsors, or a person authorized in writing by the chairman, is sufficient to authorize the filing of any statement or document required by law. If the chairman authorizes another person to file any statement or document, a copy of the authorization shall be attached to the filed statement or document.

Subd. 3. If notice is required to be given to the sponsors, it shall be given to those persons provided in subdivision 2 who may authorize any filing.

Sec. 29. [3B.27] [DATES OF ACTIONS.] Subdivision 1. In sections 3 to 30, whenever an action is required to be taken on a specified date or by the end of an elapsed number of days, and that day is a Saturday, Sunday or a legal holiday, the action shall be accomplished on the next day which is not a Saturday, Sunday or a legal holiday.

Subd. 2. In sections 3 to 30, whenever a document is required to be filed or received, only physical deposit of the document with the indicated person constitutes filing or receipt. A mailing date within the time period is not sufficient.

Sec. 30. [3B.28] [JUDICIAL REVIEW OF INITIATIVE OR REFERENDUM MATTERS.] *Subdivision 1. The district court shall have original jurisdiction of any suit involving:*

(a) the sufficiency of the number or validity of signatures on petitions after the administrative determinations by the secretary of state have been exhausted; or,

(b) resolution of conflicts between initiative or referendum measures as provided by section 22; or,

(c) any suit alleging the unconstitutionality of an adopted initiative or referendum measure.

Subd. 2. Venue for all suits and criminal prosecutions involving initiative or referendum matters shall be in the district court in Ramsey County.

Subd. 3. Suits contesting a final administrative determination of the number or validity of signatures on petitions shall be filed not later than 10 calendar days after the final determination.

Suits involving conflicts between initiative or referendum measures shall be filed prior to the effective date of the initiative or referendum measures.

Subd. 4. A court may defer the effective date of an adopted initiative or referendum measure when a deferral, in the discretion of the court, is found to be in the interest of justice.

Sec. 31. Minnesota Statutes 1978, Section 10A.20, is amended by adding a subdivision to read:

Subd. 2a. In addition to the reports required by subdivision 2, a political committee organized to promote or defeat a ballot question shall also file reports not later than five days after a petition to place the question on the ballot is certified pursuant to section 14.

Sec. 32. Minnesota Statutes 1978, Section 203A.31, Subdivision 2, is amended to read:

Subd. 2. [STATE PINK AND BLUE BALLOTS.] *There shall be one ballot on pink paper, hereinafter called the "pink ballot," upon which all propositions and questions constitutional amendments to be voted upon throughout the state shall be printed so that the voters may indicate by a mark (X) either a negative or affirmative vote. All initiative or referendum ballot questions shall be on one blue ballot. The order of the questions shall be in the order of their sequential numbers assigned pursuant to section 17. In preparing the pink ballot and blue ballots the secretary of state shall apply an appropriate title to each proposition and question, which title shall be approved by the attorney general, and shall consist of not more than one printed line above the proposition or*

question to which it refers. At the head of the ballot or in some other prominent place on the ballot there shall be printed conspicuously After each question on a constitutional amendment shall be printed a notice stating in substance that a voter's failure to vote on a constitutional amendment has the effect of a negative vote. The pink ballots shall be deposited in a separate pink ballot box. The blue ballots shall be deposited in a separate blue ballot box. They shall be counted, canvassed and returned as in the case of white ballots, and the tally books and return blanks shall provide suitable columns and spaces therefor. The total of the "yes" votes, the total of the "no" votes, and the total number of votes cast shall be reported in the returns.

Sec. 33. Minnesota Statutes 1978, Section 203A.31, Subdivision 3, is amended to read:

Subd. 3. [PREPARATION; PINK AND BLUE BALLOT.] The pink ballot and the blue ballot shall be prepared under the direction of the secretary of state and bound in blocks of 50, and a sufficient number thereof to enable the clerks to comply with the provisions of section 203A.11, subdivision 2 shall be forwarded by him by express to the auditor of each county at least 15 days before the general election, and receipts taken therefor, stating the number and date when received. Four weeks before the general election the secretary of state shall file sample copies of the pink and blue ballots in his office for public inspection, and three weeks before the election the secretary shall mail to the auditor of each county sample copies of the pink and blue ballots.

Sec. 34. Minnesota Statutes 1978, Section 204A.24, is amended to read:

204A.24 [EXPENSES.] The compensation prescribed in section 204A.23, clause (a), the cost of printing the white, blue, and pink ballots, and all necessary expenses incurred by the secretary of state in connection with elections, shall be paid by the state out of moneys not otherwise appropriated. The compensation prescribed in section 204A.23, clauses (b) and (c), the cost of printing the county and district canary ballots, all necessary expenses incurred by auditors in connection with elections, and the expenses of special county elections, shall be paid by the respective counties. The compensation prescribed in section 204A.23, clauses (d) and (e), the cost of printing the municipal light green ballots, of providing ballot boxes and polling places, and equipping the same, and all necessary expenses of the clerks of municipalities on account of elections, except special county elections, shall be paid by the respective towns or cities where the elections are held. All disbursements hereunder shall be presented, audited, and paid as in the case of other public expenses.

Sec. 35. Minnesota Statutes 1978, Section 204A.40, Subdivision 2, is amended to read:

Subd. 2. [BALLOTS, ORDER OF CANVASS.] The ballot boxes shall be opened, the votes counted, and the results declared, one box at a time in the following order: the white box, the pink box, the blue box, the canary box, the light green box, and other kinds

of ballots voted at the election except that if sufficient judges are available to provide counting teams of four or more judges evenly divided between the political parties for each box, an additional box or boxes may be opened and counted. The returns may not be finally prepared until the votes in all the boxes have been counted so as to allow corrections in case any errors have occurred by reason of the deposit of ballots in the wrong boxes.

Sec. 36. Minnesota Statutes, 1979 Supplement, Section 204A.53, Subdivision 3, is amended to read:

Subd. 3. [STATE CANVASS, GENERAL ELECTION.] After the general election, the canvassing board shall canvass the certified copies of the statements made by the county canvassing boards, and they shall prepare therefrom a statement of the following information:

(a) A statement of the whole number of votes counted for candidates for state offices, congressional offices, and such other candidates as shall be voted for in more than one county, specifying the several counties in which they were cast;

(b) The names of the persons receiving the votes and the number received by each, specifying the several counties in which they were cast; and

(c) The number of votes counted for and against each constitutional amendment, specifying the several counties in which they were cast; and

(d) *The number of votes counted for and against each initiative or referendum ballot measure.*

If the difference between the votes of a candidate for legislative office who would otherwise be declared elected by the state canvassing board and the votes of any other candidate for that office is 100 or less, the board shall recount the votes. A recount shall not delay any other part of the canvass and the results shall be certified as soon as possible. Time for notice of a contest of an election which is recounted shall begin to run upon completion of the recount and canvass for that office. A losing candidate may waive the recount required pursuant to this subdivision by filing a written notice of waiver with the canvassing board.

In case of a tie vote for any office, the result of which is to be certified by the state canvassing board, the board shall determine the tie by lot.

Sec. 37. Minnesota Statutes 1978, 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 the entire amount expended for meals and lodging) 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) Campaign expenditures in an amount not to exceed the limits set out in section 210A.22, 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:

(No deduction shall be allowed under this clause for any contribution or gift which would be allowable as a credit under section 290.21 were it not for the percentage limitations set forth in such section);

(d) All expense money paid by the legislature to legislators;

(e) 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, 1976, shall be applicable in determining the availability of any deduction under this subdivision.

(f) No deduction shall be allowed under this subdivision to a corporation for expenditures to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot, including a proposal or measure which materially affects the property, business, or assets of a corporation; nor shall a deduction be allowed to a corporation for contributions or payments made to an individual, organization, association, corporation, or committee any part of whose activities include efforts to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot, including a pro-

posal or measure which materially affects the property, business, or assets of a corporation.

Sec. 38. Minnesota Statutes, 1979 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, or to an employee stock ownership trust as defined in section 290.01, subdivision 25. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the deduction shall be reduced by the product of multiplying said amount by their percentage interest in the trust,

(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 credit 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 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 political party, as defined in section 200.02, subdivision 7, \$1,000,

(3) contributions made by a congressional district committeeman or committeewoman of a political party, as defined in section 200.02, subdivision 7, \$350,

(4) contributions made by a county chairman or a county chairwoman of a political party, as defined in section 200.02, subdivision 7, \$150;

(f) in the case of an individual, the total credit against taxable net income 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 credits 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 credits 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 credit under subparagraph (i);

(g) in the case of a corporation, the total credit against net income hereunder shall not exceed 15 percent of the taxpayer's taxable net income less the credits allowable under this section other than those for contributions or gifts,

Provided that no credit shall be allowed to a corporation for contributions or gifts to any individual, association, corporation, committee, trust, fund, foundation, community chest, fraternal society, or organization for use in efforts to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot,

(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, 1976, a credit shall be allowed under this subdivision to the extent that a deduction is allowable for federal income tax purposes.

Sec. 39. Minnesota Statutes 1978, Section 645.02, is amended to read:

645.02 [EFFECTIVE DATE AND TIME OF LAWS.] *Subdivision 1.* Each act, except one making appropriations, enacted finally at any session of the legislature takes effect on August 1 next following its final enactment, unless a different date is specified in the act.

Subd. 2. A special law required to be approved by the local government unit affected before it goes into effect becomes effective as to the approving unit the day following the day on which the certificate of approval prescribed by section 645.021, subdivision 1, is filed with the secretary of state, unless a later date is specified in the act. When approval of such a special law is required by two or more local government units before it may become effective, the day after the day when the last of the required certificates is filed is the effective date, unless a later date is specified in the act.

Subd. 3. An appropriation act or an act having appropriation items enacted finally at any session of the legislature takes effect at the beginning of the first day of July next following its final enactment, unless a different date is specified in the act.

Subd. 4. Any initiative or referendum measure adopted by the voters shall be effective on December 31 following the general election at which the initiative or referendum measure is adopted.

Subd. 5. Each act law takes effect at 12:01 a.m. on the day it becomes effective, unless a different time is specified in the act.

If a constitutional amendment is ratified at an election, the governor shall announce by proclamation that the amendment became effective 12:01 a.m. on the day after the election at which it was approved.

Sec. 40. [APPROPRIATION.] *The sum of \$25,000 is appropriated from the general fund to the secretary of state to carry out her duties under law. This appropriation is available December 1, 1980, if the amendment proposed by section 1 of this article is adopted as provided in the Minnesota Constitution and shall be available until June 30, 1981.*

Sec. 41. [EFFECTIVE DATE.] *Sections 3 to 39 are effective upon ratification of the amendment proposed in section 1 of this article as provided in the Minnesota Constitution and shall expire January 1, 1985.*

ARTICLE II

CONTRIBUTIONS AND EXPENDITURES IN BALLOT QUESTION CAMPAIGNS

Section 1. Minnesota Statutes 1978, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. "Contribution" means a transfer of funds or a donation in kind.

Contribution includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, which loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

A contribution made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Contribution does not include services provided without compensation by an individual volunteering his time on behalf of a candidate, *ballot question*, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Sec. 2. Minnesota Statutes 1978, Section 10A.01, Subdivision 7a, is amended to read:

Subd. 7a. "Transfer of funds" or "transfer" means 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*.

Sec. 3. Minnesota Statutes 1978, 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.

Sec. 4. Minnesota Statutes 1978, Section 10A.01, Subdivision 10, is amended to read:

Subd. 10. "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate or *for the purpose of promoting or defeating a ballot question*.

An expenditure is considered to be made in the year in which the goods or services for which it was made are used or consumed.

An expenditure made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Except as provided in clause (a), expenditure includes the dollar value of a donation in kind.

Expenditure does not include:

- (a) Noncampaign disbursements as defined in subdivision 10c;
- (b) Transfers as defined in subdivision 7a;
- (c) Services provided without compensation by an individual volunteering his time on behalf of a candidate, *Ballot question*, political committee, or political fund; or
- (d) The publishing or broadcasting of news items or editorial comments by the news media.

Sec. 5, Minnesota Statutes 1978, Section 10A.01, Subdivision 15, is amended to read:

Subd. 15. "Political committee" means any association as defined in subdivision 3 whose major purpose is to influence the nomination or election of a candidate or to promote or defeat a ballot question.

"Political committee" includes a major political party as defined in subdivision 12, a minor political party as defined in subdivision 13, and any principal campaign committee formed pursuant to section 10A.19.

Sec. 6, Minnesota Statutes 1978, Section 10A.01, Subdivision 16, is amended to read:

Subd. 16. "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the nomination or election of a candidate or for the purpose of promoting or defeating a ballot question.

Sec. 7, Minnesota Statutes 1978, Section 10A.01, is amended by adding a subdivision to read:

Subd. 23. "*Ballot question*" means a question or proposition which is placed on the ballot and which may be voted on by all voters of the state. "*Promoting or defeating a ballot question*" includes activities related to qualifying the question for placement on the ballot.

Sec. 8, Minnesota Statutes 1978, Section 10A.12, Subdivision 1, is amended to read:

10A.12 [POLITICAL FUNDS.] Subdivision 1. No association other than a political committee shall transfer more than \$100 in aggregate in any one year to candidates or political committees or make any approved or independent expenditure or expenditure to promote or defeat a ballot question unless the transfer or expenditure is made from a political fund.

Sec. 9, Minnesota Statutes 1978, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

- (a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or occupation if self-employed, of each individual, political committee or political fund who within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$50 for legislative candidates or \$100 for statewide candidates or *ballot questions*, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign committee of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made;

(e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (d);

(f) The sum of all receipts of the political committee or political fund during the reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, *identification of the ballot question which the expenditure is intended to promote or defeat*, and, in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(i) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(j) The name and address of each political committee, political fund, or principal campaign committee to which aggregate trans-

fers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(k) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(l) For principal campaign committees only, the sum of non-campaign disbursements made in each category listed in section 10 of this act 10A.01, subdivision 10c during the reporting period; and

(m) The sum of all noncampaign disbursements made by the political committee, political fund, or principal campaign committee during the reporting period.

Sec. 10. Minnesota Statutes 1978, Section 10A.20, Subdivision 6, is amended to read:

Subd. 6. Every candidate who does not designate and cause to be formed a principal campaign committee, and any individual who makes independent expenditures or expenditures expressly advocating the approval or defeat of a ballot question in aggregate in excess of \$100 in any year, shall file with the board a report containing the information required by subdivision 3. Reports required by this subdivision shall be filed on the dates on which reports by committees and funds are filed.

Sec. 11. Minnesota Statutes 1978, Section 210A.26, Subdivision 3, is amended to read:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election:

(a) When the committee is organized to support a candidate for federal office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a judicial district or county office with the auditor of the county in which such committee has its headquarters;

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

~~(d) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.~~

Sec. 12. Minnesota Statutes 1978, Section 210A.26, is amended by adding a subdivision to read:

Subd. 6. [BALLOT QUESTIONS.] Any individual, political committee, association or corporation that makes any contribution or expenditure to promote or defeat a ballot question shall

file reports as required by this subdivision. Reports shall be filed at the times required for filing financial statements under subdivision 1. Reports shall be filed with the official responsible for placing the question on the ballot. Each report shall show the following information, covering the period from the last report to seven days before the filing date:

(a) The name and address of each committee, individual, or other person to whom aggregate contributions or expenditures in excess of \$100 have been made to promote or defeat a ballot question, together with the amount, date and purpose of the contribution or expenditure;

(b) The total amount of contributions and expenditures made to promote or defeat a ballot question; and

(c) Identification of the ballot question which the individual, political committee, association or corporation seeks to promote or defeat.

The secretary of state shall prescribe the form for reports required under this subdivision and may do so without adopting rules pursuant to chapter 15.

For the purpose of this subdivision:

(1) "Ballot question" means a question or proposition, other than a ballot question as defined in section 10A.01, subdivision 23, which is placed on the ballot and which may be voted on by the voters of one or more political subdivisions of the state; and

(2) A contribution or expenditure for activities related to qualifying a question for placement on the ballot is a contribution or expenditure to promote or defeat the ballot question.

Sec. 13. Minnesota Statutes 1978, Section 210A.34, Subdivision 1, is amended to read:

210A.34 [CORPORATIONS NOT TO CONTRIBUTE TO POLITICAL CAMPAIGN; PERMITTED ACTIVITIES; REPORTS; PENALTIES.] Subdivision 1. It shall be unlawful for any corporation doing business in this state to ~~pay or contribute or make any contribution or to offer, consent or agree to pay or contribute~~ make any contribution, directly or indirectly, of any money, property, free service of its officers or employees or thing of value to any political party, organization, committee or individual for any political purpose whatsoever, or to promote or defeat the candidacy of any person for nomination, election, or appointment to any political office. For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of any candidate to any political office which is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, his principal campaign committee or his agent.

Sec. 14. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1a. It shall be unlawful for any corporation doing business in this state to make any independent expenditure or to offer, consent or agree to make any independent expenditure to promote or defeat the candidacy of any person for nomination, election or appointment to any political office. For the purpose of this subdivision, "independent expenditure" means an expenditure which is not made with the authorization or expressed or implied consent of, or in cooperation or concert with, or at the request or suggestion of, a candidate, his principal campaign committee or his agent.

Sec. 15. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1b. A corporation doing business in this state may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot unless otherwise prohibited by law, or to express its views on issues of public concern. But no such contribution shall be made to any candidate for nomination, election or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate.

Sec. 16. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1c. Nothing in this section shall be construed to prohibit publication or broadcasting of news items or editorial comments by the news media.

Sec. 17. [EFFECTIVE DATE.] Sections 1 to 16 are effective the day following final enactment.

ARTICLE III CAMPAIGN FINANCING

Section 1. The following amendment to the Minnesota Constitution, Article VII, is proposed to the people. If the amendment is adopted a new section will be added to read as follows:

Sec. 9. [CAMPAIGN SPENDING LIMITS.] *The amount that may be spent by candidates for constitutional and legislative offices to campaign for nomination or election shall be limited by law. The legislature shall provide by law for disclosure of contributions and expenditures made to support or oppose candidates for state elective offices.*

Sec. 2. The proposed amendment shall be submitted to the people at the 1980 general election. The question submitted shall be:

"Shall the Minnesota Constitution be amended to require campaign spending limits for candidates for executive and legislative offices and public disclosure of campaign spending for all state candidates?"

Yes

No"

Sec. 3. Minnesota Statutes 1978, Chapter 10A, is amended by adding a section to read:

[10A.255] [ADJUSTMENT BY CONSUMER PRICE INDEX.] *Subdivision 1. The dollar amounts provided in section 10A.25, subdivision 2, shall be adjusted for general election year 1984 and subsequent general election years as provided in this section. By June 1 of the general election year, the executive director of the board shall determine the percentage increase in the consumer price index from April of the last general election year to April of the year in which the determination is made. The dollar amounts used for the preceding general election year shall be multiplied by that percentage. The product of the calculation shall be added to each dollar amount to produce the dollar limitations to be in effect for the next general election. The product shall be rounded up to the next highest whole dollar. The index used shall be the revised consumer price index for all urban consumers for the St. Paul-Minneapolis metropolitan area prepared by the United States department of labor with 1967 as a base year.*

Subd. 2. The dollar amounts provided in section 10A.25, subdivision 2, shall be adjusted for 1982 in the manner provided in subdivision 1, except that the percentage increase in the consumer price index shall be determined from April of 1974 to April of 1982 and the adjustment shall be calculated by the executive director by June 1, 1982.

Sec. 4. Minnesota Statutes 1978, Section 10A.31, Subdivision 1, is amended to read:

10A.31 [DESIGNATION OF INCOME TAX PAYMENTS.] *Subdivision 1. Effective with the taxable years beginning after December 31, 1977 1979, every individual who files a tax return or a renter and homeowner property tax refund return with the commissioner of revenue may designate that \$1 \$2 shall be paid from the general fund of the state into the state elections campaign fund. If a husband and wife file a joint return, each spouse may designate that \$1 \$2 shall be paid. An individual who is 18 years of age or older, who is a resident of Minnesota, and who is a dependent of another individual who files a tax return or a renter and homeowner property tax refund return, may designate that \$1 \$2 shall be paid from the general fund of the state into the state elections campaign fund. No individual shall be allowed to designate \$1 \$2 more than once in any year.*

Sec. 5. Minnesota Statutes 1978, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall provide on the first page of the income tax form and the renter and homeowner property tax refund return ~~notify a space for~~ the filing individual and any adult dependent of that individual of his right to indicate whether or not he wishes to allocate \$1 \$2 (\$2 \$4 if filing a joint return) from the general fund of the state to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which per-

mits the individual to direct the state to allocate the \$1 \$2 (or \$2 \$4 if filing a joint return) to: (i) one of the major political parties; (ii) any minor political party as defined in section 10A.01, subdivision 13, which qualifies under the provisions of subdivision 3a; or (iii) all qualifying candidates as provided by subdivision 7. The dependent on the tax return or the renter and homeowner property tax refund return shall sign a statement which authorizes the designation of \$1 \$2. The renter and ~~homeowner~~ homeowner property tax refund return shall include instructions that the individual filing the return may designate \$1 \$2 on the return only if he has not designated \$1 \$2 on the income tax return.

Sec. 6. Minnesota Statutes 1978, 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:

(a) (1) 21 percent for the offices of governor and lieutenant governor together;

(b) (2) 3.6 percent for the office of attorney general;

(c) (3) 1.8 percent each for the offices of secretary of state, state auditor and state treasurer;

(d) (4) In each calendar year during the period in which state senators serve a four year term, 23 $\frac{1}{3}$ percent for the office of state senator and 46 $\frac{2}{3}$ percent for the office of state representative;

(e) (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;

(f) (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.

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.

Moneys Money from any 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. 7. Minnesota Statutes 1978, Section 10A.32, Subdivision 4, is amended to read:

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for any the office of state senator or representative at a general election, the moneys set aside for that office shall be returned to the general fund of the state. If that party does not have a candidate for any other office at a general election the money set aside for that office shall be returned to the general account of the state elections campaign fund for reallocation to candidates as provided in section 10A.31, subdivision 5, clauses (1) to (6).

Sec. 8. [10A.316] Minnesota Statutes 1978, Sections 10A.25,

Subdivisions 2, 3, 4, 5, 6, 7 and 10; 10A.28, Subdivision 1; and 10A.32, Subdivisions 3 and 3b, as amended as of the effective date of this section, are repealed. Notwithstanding any law to the contrary, the tax credit provided in Minnesota Statutes, Section 290.06, Subdivision 11, may be allowed for contributions to any candidate as defined in Minnesota Statutes, Section 10A.01, Subdivision 5, without any agreement by the candidate to limit his campaign expenditures.

Sec. 9. [EFFECTIVE DATE.] *Subdivision 1. Sections 3 to 7 are effective upon ratification of the amendment to the Minnesota Constitution proposed in section 1 of this article as provided in the constitution.*

Subd. 2. Section 8 is effective December 31, 1981 if the amendment to the Minnesota Constitution proposed in section 1 of this article is not ratified as provided by the constitution."

Delete the title and insert:

"A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections, to provide for initiative and referendum; proposing an amendment to the Minnesota Constitution, Article VII, by adding a section, to require certain election campaign expenditures to be limited and disclosed by law; 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; increasing the campaign spending limits and the income tax check-off or repealing spending limits contingent on adoption or rejection of a constitutional amendment; imposing duties on certain officials; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 7, 7a, 7b, 10, 15, 16, and by adding a subdivision; 10A.12, Subdivision 1; 10A.20, Subdivisions 3, 6 and by adding a subdivision; 10A.31, Subdivisions 1, 3 and 5; 10A.32, Subdivision 4; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 210A.26, Subdivision 3 and by adding a subdivision; 210A.34, Subdivision 1 and by adding subdivisions; 290.09, Subdivision 2; 645.02; Chapter 10A, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 204A.53, Subdivision 3; and 290.21, Subdivision 3; repealing Minnesota Statutes 1978, Sections 10A.25, Subdivisions 2 to 7 and 10; 10A.28, Subdivision 1, and 10A.32, Subdivisions 3 and 3b."

We request adoption of this report and repassage of the bill.

House Conferees: (Signed) Michael R. Sieben, James C. Pehler
Raymond J. Kempe

Senate Conferees: (Signed) Bill McCutcheon, Nicholas D. Coleman

Mr. McCutcheon moved that the foregoing recommendations and Conference Committee Report on H. F. No. 2304 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. 2304 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 13, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Moe	Purfeerst	Strand
Ashbach	Humphrey	Nelson	Renneke	Stumpf
Bang	Keefe, J.	Nichols	Rued	Ueland, A.
Barrette	Kirchner	Ogdahl	Schmitz	Ulland, J.
Bernhagen	Knaak	Olhoft	Setzepfandt	Vega
Coleman	Knöll	Olson	Sieloff	Wegener
Dunn	Knutson	Omann	Sikorski	Willet
Engler	Laufenburger	Penny	Solon	
Gunderson	McCutcheon	Perpich	Staples	
Hanson	Menning	Peterson	Stokowski	

Those who voted in the negative were:

Brataas	Gerty	Kleinbaum	Merriam	Stern
Davies	Johnson	Lessard	Spear	Tennessen
Dieterich	Keefe, S.	Luther		

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

MEMBERS EXCUSED

Mr. Frederick was excused from the latter part of this evening's Session.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Saturday, April 12, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

NINETY-NINTH DAY

St. Paul, Minnesota, Saturday, April 12, 1980

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Frederick	Knaak	Rued	Ueland, A.
Ashbach	Gearty	Luther	Schmitz	Ulland, J.
Bang	Gunderson	Menning	Setzepfandt	Vega
Barrette	Hanson	Merriam	Sikorski	Wegener
Bernhagen	Humphrey	Moe	Solon	Willet
Coleman	Johnson	Ogdahl	Staples	
Dieterich	Keefe, S.	Penny	Stokowski	
Dunn	Kirchner	Peterson	Strand	
Engler	Kleinbaum	Renneke	Tennessee	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Nicholas J. Finn.

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

Anderson	Gearty	Knoll	Renneke	Tennessee
Ashbach	Gunderson	Luther	Rued	Ueland, A.
Bang	Hanson	McCutcheon	Schmitz	Ulland, J.
Barrette	Hughes	Menning	Setzepfandt	Vega
Bernhagen	Humphrey	Merriam	Sikorski	Wegener
Coleman	Johnson	Moe	Solon	Willet
Dieterich	Keefe, S.	Ogdahl	Staples	
Dunn	Kirchner	Olhoft	Stokowski	
Engler	Kleinbaum	Penny	Strand	
Frederick	Knaak	Peterson	Stumpf	

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. Benedict; Mrs. Brataas; Messrs. Chmielewski; Jensen; Keefe, J.; Knutson; Laufenburger; Lessard; Nelson; Nichols; Olson; Omann; Perpich; Pillsbury; Purfeerst; Schaaf; Sieloff; Silvers; Spear and Stern were excused from the Session of today.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 11, 1980

The Honorable Edward J. Gearty
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. 1144, 1295, 1358, 1726, 1775, 1132 and 971.

Sincerely yours,
Albert H. Quie, Governor

MOTIONS AND RESOLUTIONS

Mr. Coleman introduced—

Senate Resolution No. 69: 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. Coleman 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. 69.

Messrs. Kleinbaum; Ueland, A.; Kirchner; Menning and Olhoft.

Mr. Coleman introduced—

Senate Resolution No. 70: 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. Coleman 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. 70.

Mr. Anderson, Mrs. Stokowski and Mr. Ogdahl.

CONFIRMATION

Mr. Sikorski, for Mr. Schaaf, moved that the report from the Committee on Governmental Operations, reported March 25, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that the foregoing report be now adopted. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that in accordance with the report from the Committee on Governmental Operations, reported March 25, 1980, the Senate, having given its advice, do now consent to and confirm the appointment of:

**METROPOLITAN WASTE CONTROL COMMISSION
CHAIRMAN**

Salisbury Adams, 60 Myrtlewood Road, Wayzata, Hennepin County, effective April 7, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Sikorski, for Mr. Schaaf, moved that the report from the Committee on Governmental Operations, reported March 25, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that the foregoing report be now adopted. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that in accordance with the report from the Committee on Governmental Operations, reported March 25, 1980, the Senate, having given its advice, do now consent to and confirm the appointment of:

PUBLIC EMPLOYMENT RELATIONS BOARD

Sidney S. Feinberg, 4370 Brookside Court, Edina, Hennepin County, effective April 26, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Sikorski, for Mr. Schaaf, moved that the report from the Committee on Governmental Operations, reported March 25, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that the foregoing report be now adopted. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that in accordance with the report from the Committee on Governmental Operations, reported

March 25, 1980, the Senate, having given its advice, do now consent to and confirm the appointments of:

STATE DESIGNER SELECTION BOARD

Fred W. Kegel, Jr., 200 North Shore, Detroit Lakes, Becker County, effective April 19, 1979, for a term expiring the first Monday in January, 1983.

James B. Marshall, Jr., 50 Groveland Terrace, Minneapolis, Hennepin County, effective April 19, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Mr. Sikorski, for Mr. Schaaf, moved that the report from the Committee on Governmental Operations, reported March 25, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that the foregoing report be now adopted. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that in accordance with the report from the Committee on Governmental Operations, reported March 25, 1980, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF FINANCE COMMISSIONER

Wayne Burggraaff, 7145 Park Avenue, Richfield, Hennepin County, effective February 12, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Sikorski, for Mr. Schaaf, moved that the report from the Committee on Governmental Operations, reported March 25, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that the foregoing report be now adopted. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that in accordance with the report from the Committee on Governmental Operations, reported March 25, 1980, the Senate, having given its advice, do now consent to and confirm the appointment of:

PUBLIC EMPLOYMENT RELATIONS BOARD

Thomas G. Arneson, 1159 Pike Lake Drive, New Brighton, Ramsey County, effective April 4, 1979, for a term expiring the first Monday in January, 1980.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Mr. Sikorski, for Mr. Schaaf, moved that the report from the Committee on Governmental Operations, reported March 25, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that the foregoing report be now adopted. The motion prevailed.

Mr. Sikorski, for Mr. Schaaf, moved that in accordance with the report from the Committee on Governmental Operations, reported March 25, 1980, the Senate, having given its advice, do now consent to and confirm the appointments of:

PERSONNEL BOARD

Glenn K. Christensen, 3142 Rivershore Drive, Moorhead, Clay County, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

William B. Flaherty, 3208 Rankin Road, Minneapolis, Hennepin County, effective April 13, 1979, for a term expiring the first Monday in January, 1982.

Paralee Milligan, 1008 Concordia Street, St. Paul, Ramsey County, effective April 13, 1979, for a term expiring the first Monday in January, 1983.

The motion prevailed. So the appointments were confirmed.

ANNOUNCEMENT

Mr. Kleinbaum, 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. Anderson, 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.

MESSAGES FROM THE HOUSE

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. 14

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 April 12, 1980

MOTIONS AND RESOLUTIONS—CONTINUED

Messrs. Hanson and Dunn introduced—

Senate Resolution No. 71:

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 their service with an appropriate memento of that service.

Mr. Hanson 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 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Peterson	Strand
Ashbach	Gearty	Luther	Renneke	Stumpf
Bang	Gunderson	McCutcheon	Rued	Tennessee
Barrette	Hanson	Menning	Schmitz	Ueland, A.
Bernhagen	Hughes	Merriam	Setzepfandt	Ulland, J.
Coleman	Humphrey	Moe	Sikorski	Vega
Dieterich	Johnson	Ogdahl	Solon	Wegener
Dunn	Kleinbaum	Olhoft	Staples	Willet
Engler	Knaak	Penny	Stokowski	

The motion prevailed. So the resolution was adopted.

RECESS

Mr. Coleman 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.

ANNOUNCEMENT

A Committee from the House of Representatives announced that the House of Representatives is ready to adjourn sine die.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn sine die. The motion prevailed.

The president announced that the Senate adjourned sine die.

Patrick E. Flahaven, Secretary of the Senate.

**COMMUNICATIONS RECEIVED SUBSEQUENT TO ADJOURNMENT
EXECUTIVE AND OFFICIAL COMMUNICATIONS**

April 14, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
	160	527	April 11	April 11
	251	528	April 11	April 11
	262	529	April 11	April 11
	902	530	April 11	April 11
	1012	531	April 11	April 11
	1138	532	April 11	April 11
	1190	533	April 11	April 11
	1443	534	April 11	April 11
	1513	535	April 11	April 11
	1603	536	April 11	April 11
	1763	537	April 11	April 11
	1823	538	April 11	April 11
	1878	539	April 11	April 11
	1895	540	April 11	April 11
	1899	541	April 11	April 11
	1942	542	April 11	April 11
	1956	543	April 11	April 11
	1981	544	April 11	April 11
	2019	545	April 11	April 11
	2035	546	April 11	April 11
	2045	547	April 11	April 11
	2353	548	April 11	April 11
	2289	549	April 11	April 11
971		550	April 11	April 11
1132		551	April 11	April 11
1144		552	April 11	April 11
1295		553	April 11	April 11
1358		554	April 11	April 11
1726		555	April 11	April 11
1775		556	April 11	April 11

Sincerely,
Joan Anderson Growe,
Secretary of State

April 14, 1980

The Honorable Edward J. Gearty
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. 1843 and 407.

Sincerely yours,
Albert H. Quie, Governor

April 14, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
407		557	April 14	April 14
1843		558	April 14	April 14
	870	559	April 14	April 14
	1534	560	April 14	April 14
	1727	561	April 14	April 14
	1838	562	April 14	April 14
	729	563	April 14	April 14
	2023	564	April 14	April 14
	1995	565	April 14	April 14

Sincerely,
Joan Anderson Growe,
Secretary of State

April 15, 1980

The Honorable Edward J. Gearty
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. 364, 480, 682, 702, 1141 and 2095.

Sincerely yours,
Albert H. Quie, Governor

April 15, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
	1612	566	April 15	April 15
	1435	567	April 15	April 15
	1201	568	April 15	April 15
	2187	569	April 15	April 15
	1847	570	April 15	April 15
	1818	571	April 15	April 15
	1662	572	April 15	April 15
2095		573	April 15	April 15
1141		574	April 15	April 15
702		575	April 15	April 15
682		576	April 15	April 15
480		577	April 15	April 15
364		578	April 15	April 15
	1710	579	April 15	April 15
	1896	580	April 15	April 15

Sincerely,
Joan Anderson Growe,
Secretary of State

April 16, 1980

The Honorable Edward J. Gearty
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. 2134, 1875, 572 and 133.

Sincerely yours,
Albert H. Quie, Governor

April 16, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
	2090	581	April 16	April 16
133		582	April 16	April 16
572		583	April 16	April 16
1875		584	April 16	April 16
2134		585	April 16	April 16

Sincerely,
Joan Anderson Growe,
Secretary of State

April 17, 1980

The Honorable Edward J. Gearty
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. 251.

Sincerely yours,
Albert H. Quie, Governor

April 18, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1980 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 1980	Date Filed 1980
251		586	April 17	April 17

Sincerely,
Joan Anderson Growe,
Secretary of State

April 22, 1980

The Honorable Edward J. Gearty
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. 129.

Sincerely yours,
Albert H. Quie, Governor

April 22, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
	2304	587	April 22	April 22
129		588	April 22	April 22

Sincerely,
Joan Anderson Growe,
Secretary of State

April 23, 1980

The Honorable Edward J. Gearty
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. 134, 1550, 1398, 630, 2099, 2166 and 2100.

Sincerely yours,
Albert H. Quie, Governor

April 23, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
134		589	April 23	April 23
630		590	April 23	April 23
1398		591	April 23	April 23
1550		592	April 23	April 23
2099		593	April 23	April 23
2100		594	April 23	April 23
2166		595	April 23	April 23
	644	596	April 23	April 23
	1047	597	April 23	April 23
	1095	598	April 23	April 23
	1302	599	April 23	April 23
	1453	600	April 23	April 23
	1731	601	April 23	April 23
	1816	602	April 23	April 23
	2040	603	April 23	April 23
	2268	604	April 23	April 23
	2302	605	April 23	April 23
	2429	606	April 23	April 23

Sincerely,
Joan Anderson Growe,
Secretary of State

April 24, 1980

The Honorable Edward J. Gearty
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. 2085.

Sincerely yours,
Albert H. Quie, Governor

April 25, 1980

The Honorable Edward J. Gearty
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. 507 and 2419.

Sincerely yours,
Albert H. Quie, Governor

April 23, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1980 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 1980	Date Filed 1980
	1121	607	April 23	April 23

Sincerely,
Joan Anderson Growe,
Secretary of State

April 25, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
	8	608	April 24	April 24
	1781	609	April 24	April 24
	1813	610	April 24	April 24
	1842	611	April 24	April 24
	1873	612	April 24	April 24
	2046	613	April 24	April 24
	2476	614	April 24	April 24
	874	615	April 24	April 24

Sincerely,
Joan Anderson Growe,
Secretary of State

April 25, 1980

The Honorable Fred C. Norton
Speaker of the House of Representatives

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 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 1980	Date Filed 1980
507		616	April 25	April 25
2085		617	April 24	April 25
2419		618	April 25	April 25

Sincerely,
 Joan Anderson Growe,
 Secretary of State

June 6, 1980

The Honorable Edward J. Gearty
 President of the Senate

Dear Sir:

On June 6, 1980 the Subcommittee on Committees met at the State Capitol and by appropriate action made the following appointments:

Pursuant to action of the Committee on Rules and Administration taken on May 30, 1980, Ad Hoc Committee on Issuance of Public Debt

Messrs. Davies, Chairman; Ashbach; Bernhagen; Merriam; Schaaf; Tennesen; Ulland, J.; and Wegener

Pursuant to Laws 1980, Chapter 579, Legislative Committee on Energy

Messrs. Anderson, Barrette, Bernhagen, Humphrey, Knoll, Omann, Stumpf, and Tennesen

Pursuant to action of the Committee on Rules and Administration taken on June 6, 1980, Ad Hoc Committee on Transportation

Messrs. Purfeerst, Chairman; Frederick; Humphrey; Kirchner; Laufenburger; Schmitz and Setzepfandt.

Pursuant to action of the Committee on Rules and Administration taken on June 6, 1980, Ad Hoc Committee on Light Rail Transit

Messrs. Stern, Chairman; Bang; Humphrey; Schaaf; Staples and Vega

Pursuant to Laws 1980, Chapter 499, Commission on Historical Memorials

Mr. Stumpf

Pursuant to Laws 1980, Chapter 564, Legislative Commission on Waste Management

Messrs. Keefe, J.; Luther; Merriam; Nelson and Strand

Pursuant to Laws 1980, Chapter 614, State Council on Black Minnesotans

Messrs. Barrette and Knoll

Pursuant to Laws 1980, Chapter 510, State Ceremonial Building Council

Mr. Stumpf

Pursuant to Laws 1980, Chapter 609, Advisory Task Force on Uniform Data Standards for Student Reporting

Mr. Strand

Pursuant to Laws 1980, Chapter 609, Advisory Task Force on Uniform Data Standards for Personnel/Payroll Reporting

Mr. Merriam

Pursuant to Minnesota Statutes 1978, Section 3.921, Chairman of the Senate Committee on Taxes and Tax Laws

Mr. Johnson to complete the unexpired term of former Senator Bill McCutcheon.

Pursuant to Minnesota Statutes 1978, Section 3.86, Tax Study Commission

Mr. Johnson to complete the unexpired term of former Senator Bill McCutcheon.

Pursuant to Senate Rule 75, Special Committee on Ethical Conduct

Mr. Setzepfandt to complete the unexpired term of former Senator Bill McCutcheon.

Respectfully submitted,
Marvin B. Hanson,
Acting Chairman,
Subcommittee on Committees

June 9, 1980

The Honorable Nicholas D. Coleman, Chairman
Subcommittee on Committees

Dear Sir:

Laws 1980, Chapter 614 requires the President of the Senate to appoint a member of the Minnesota Senate to the Capitol Area Architectural and Planning Board.

Accordingly, I do hereby appoint the following:

Mr. Moe.

Very truly yours,
Edward J. Gearty,
President of the Senate

September 5, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

On September 5, 1980, the Subcommittee on Committees met at the State Capitol and by appropriate action made the following appointments:

Pursuant to Laws 1980, Chapter 613, Minnesota Conference on Small Business

Messrs. Larry Altringer; Curtis L. Sjoberg; and Donald St. Claire.

Respectfully submitted,
Marvin B. Hanson,
Acting Chairman,
Subcommittee on Committees

April 14, 1980

The following was offered for introduction prior to adjournment, but was inadvertently omitted. If it had been introduced it would have appeared as follows:

Mr. Sikorski introduced—

S. F. No. 2440: A bill for an act relating to health; authorizing the manufacture, sale and use of DMSO under certain conditions; limiting certain disciplinary actions.

Patrick E. Flahaven,
Secretary of the Senate

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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 solid waste pollution; requiring beverage containers to have certain refund values after a certain date; providing penalties.	32							
2	A bill for an act ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.	33	342	336a 454	367 (H)				
3	A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.	33							
4	A bill for an act relating to taxation; providing a refund or credit of the excise tax paid on certain gasoline; amending Minnesota Statutes 1978, Section 296.14, Subdivision 2.	33		36 541a 6036	270 707 (H)				
5	A bill for an act relating to highway traffic regulations; requiring motorcycle operators and passengers to wear protective headgear; eliminating the requirement of a report of the commissioner of public safety; amending Minnesota Statutes 1978, Section 169.974, Subdivision 4; repealing Laws 1977, Chapter 17, Section 5.	33							
6	A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	33		36	62				
7	A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.	33		36 150	125				
8	A bill for an act relating to taxation; exempting pension income of nonresidents from taxation; amending Minnesota Statutes 1978, Section 290.17, Subdivision 2.	33		62					
9	A bill for an act relating to the state building code; repealing the code; repealing Minnesota Statutes 1978, Sections 16.83; 16.84; 16.85; 16.851; 16.852; 16.853; 16.854; 16.86; 16.861; 16.862; 16.863; 16.864; 16.865; 16.866; and 16.867.	34		36					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
10	A bill for an act relating to economic security; abolishing the system of unemployment compensation; amending Minnesota Statutes 1978, Sections 268.011, Subdivision 1; and 268.026, Subdivision 2; repealing Minnesota Statutes 1978, Sections 268.03 to 268.11; 268.12, Subdivisions 1 to 6 and 8 to 13; 268.13; 268.15 to 268.25.	34							
11	A bill for an act relating to taxation; income tax; providing a credit to certain persons performing military service outside the state of Minnesota; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	34		62					
12	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 4 and 5; providing terms and limits on service of legislators.	34		367					
13	A bill for an act relating to game and fish; closing a certain portion of the state to the taking of fish by spearing; amending Minnesota Statutes 1978, Section 97.48, Subdivision 1.	34							
14	A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.	34	367	355 454 (H201)	424				
15	A bill for an act relating to workers' compensation; limiting certain compensation payments during retraining; amending Minnesota Statutes 1978, Section 176.101, Subdivision 7.	35		62					
16	A bill for an act relating to workers' compensation; providing the time in which certain actions or proceedings shall be taken; amending Minnesota Statutes 1978, Section 176.151.	35		62					
17	A bill for an act relating to education; abolishing the higher education coordinating board; transferring some of its functions; amending Minnesota Statutes 1978, Sections 3.732, Subdivision 1; 15A.081, Subdivision 1; 16.911, Subdivision 1; 43.064; 124.565, Subdivision 4; 136.15; 136A.06; 136A.08, Subdivisions 1 and 2; 136A.101, Subdivisions 2 and 3; 136A.111, Subdivisions 1, 3, and 4; 136A.132, Subdivision 1;	35							

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
17—Continued	136A.133. Subdivision 2; 136A.141; 136A.143; 136A.144; 136A.15. Subdivisions 3 and 4; 136A.16. Subdivisions 1, 9, and 10; 136A.171; 136A.172; 136A.173. Subdivisions 1, 2, 3, 4, and 5; 136A.174; 136A.175. Subdivisions 1, 2, and 3; 136A.177; 136A.19. Subdivisions 2 and 3; 136A.21. Subdivision 3; 136A.22. Subdivision 3; 136A.225. Subdivision 2; 136A.23; 136A.232; 136A.236. Subdivision 1; 136A.26; 136A.29. Subdivisions 2, 3, and 4; 136A.42; 136A.52. Subdivision 2; 136A.55. Subdivision 2; 136A.62. Subdivision 2; 136A.70; 147.30; 147.31; 147.32; 147.33; 197.09. Subdivision 2; 214.14. Subdivision 1 and 352D.02. Subdivision 1; repealing Minnesota Statutes 1978, Sections 136A.01; 136A.02; 136A.03; 136A.04; 136A.041; 136A.042; 136A.05; 136A.07; 136A.111. Subdivision 5; 136A.17. Subdivision 9; 136A.21. Subdivision 4; 136A.85; 136A.86; 136A.87 and 136A.88.								
18	A bill for an act relating to taxes: providing for the property tax classification of large agricultural land holdings; amending Minnesota Statutes 1978, Section 273.13. Subdivision 4.	35							
19	A bill for an act relating to the state building code: exempting certain counties from code coverage; amending Minnesota Statutes 1978, Section 16.851.	36							
20	A bill for an act relating to metropolitan government: fixing the revenues of the metropolitan sports facilities commission; repealing the commission liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.	40	150	40 86 90 150 165 180a	184 663	184 662	661	741	26
21	A bill for an act relating to retirement: establishing and empowering a temporary joint legislative and public commission on public pension policy; appropriating funds.	40		316					
22	A bill for an act relating to taxation: real property: delayed assessment of homestead improvement.	40							
23	A bill for an act appropriating money to the crime control planning board for grants-in-aid to youth intervention programs.	40							

a Indicates Amendment

() 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	Chapter
24	A bill for an act relating to energy; authorizing establishment of community energy conservation councils; prescribing their powers and duties.	40							
25	A bill for an act relating to metropolitan government; providing for election of the members of the council; amending Minnesota Statutes 1978, Section 473.123, Subdivisions 2, 3, 4, and 5; and by adding subdivisions.	41		109					
26	A bill for an act relating to the city of Moorhead; authorizing a housing finance program and providing for the issuance of revenue bonds to finance the program.	41	455	354a 476	444a 647	720	2918	3473	231
27	A bill for an act relating to financial institutions; defining reverse mortgage loans; authorizing investments in reverse mortgage loans by certain financial institutions and insurance companies; providing for disregard of reverse mortgage loan proceeds in determining eligibility or amount of public assistance; providing tax deductions for accrued interest on reverse mortgage loans; allowing lenders to include accrued earned interest on such loans in their yearly earned income under certain circumstances; amending Minnesota Statutes 1978, Section 290.09, Subdivision 3; and Chapters 47, by adding a section: 256, by adding a section, and 290, by adding a section.	41	856	310 364a 923	314a 816a 1009	1051 2730	2729	3474	265
28	A bill for an act relating to taxation; sales; exempting farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	41							
29	A bill for an act relating to the state building code; repealing the building code; repealing Minnesota Statutes 1978, Sections 16.83; 16.84; 16.85; 16.851; 16.852; 16.853; 16.854; 16.86; 16.861; 16.862; 16.863; 16.864; 16.865; 16.866 and 16.867.	41							
30	A bill for an act relating to administrative rules; providing for the effect of the failure of the legislature to enact a bill repealing a suspended rule; amending Minnesota Statutes 1978, Section 3.965, Subdivision 2.	42	719	707	769	1233			
31	A bill for an act proposing an amendment to the Minnesota Constitution, adding a new article; providing for initiative-referendum.	42		90					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
32	A bill for an act relating to taxation; inheritance; adopting federal alternative valuation provisions for family farms and businesses; amending Minnesota Statutes 1978, Chapter 291, by adding a section.	42							
33	A bill for an act relating to taxation; income tax; reducing the tax rate imposed upon corporations; eliminating the arithmetic average from the formula used for apportionment of trade or business income among states; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 1; 290.19, Subdivision 1; and 290.361, Subdivision 2.	42							
34	A bill for an act relating to taxation; income tax; eliminating the arithmetic average from the formula used for apportionment of trade or business income among states; amending Minnesota Statutes 1978, Section 290.19, Subdivision 1.	42							
35	A bill for an act relating to taxation; income tax; reducing the tax rate imposed upon corporations; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 1; and 290.361, Subdivision 2.	42							
36	A bill for an act relating to taxation; eliminating the inheritance tax and the gift tax; repealing Minnesota Statutes 1978, Chapters 291 and 292.	43							
37	A bill for an act relating to education; appropriating money to plan, construct and equip a fine arts building at Vermillion community college.	43							
38	A bill for an act relating to education; providing that adult vocational pupils be included for foundation aid purposes in the computation of average daily membership for pupils enrolled in post-secondary vocational-technical schools; amending Minnesota Statutes 1978, Section 124.562, Subdivision 2.	43		90					
39	A bill for an act relating to taxation; authorizing the commissioner of revenue to publish lists of persons having unclaimed income tax refunds or property tax refund; amending Minnesota Statutes 1978, Section 290.61.	43	165	165a 241	198	274	577	698	14
40	A bill for an act relating to Blue Earth county; authorizing the continued next page	43		151 (H67)					

a Indicates Amendment

() 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	Chapter
40—	Continued								
	county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and Section 2, as amended.								
41	A bill for an act relating to crimes: prohibiting the offering of bribes to owners and members of the media and the accepting of bribes by such persons; providing penalties; amending Minnesota Statutes 1978, Section 609.42, by adding a subdivision.	44							
42	A bill for an act relating to taxation: sales tax; reducing the tax rate on certain farm machinery; amending Minnesota Statutes 1978, Sections 297A.01, by adding a subdivision; 297A.02; 297A.14; and 297A.24.	44	1591	1584a 1669	1621 1669				
43	A bill for an act relating to taxation: inheritance; adopting federal alternative valuation provisions for family businesses and farms; amending Minnesota Statutes 1978, Chapter 291, by adding a section.	44							
44	A bill for an act relating to the state building code; making the code nonapplicable in certain counties; amending Minnesota Statutes 1978, Sections 16.851, Subdivision 1; 16.861, Subdivision 1; and 16.866, Subdivision 1.	44							
45	A bill for an act relating to taxation: exempting certain military pay from income taxation; amending Minnesota Statutes 1978, Section 290.08, by adding a subdivision.	44							
46	A bill for an act relating to game and fish; removing crows from the list of unprotected wild animals and authorizing a season thereon; amending Minnesota Statutes 1978, Section 100.26, Subdivision 2; and 100.27, Subdivision 6.	44							
47	A bill for an act relating to waters; requiring legislative designation of wild and scenic rivers; amending Minnesota Statutes 1978, Sections 104.34, Subdivision 1; and 104.35, Subdivision 3.	45		597					
48	A bill for an act relating to commerce; restricting discontinuation of service by utilities and fuel dis- (Continued next page)	45		90					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
48	Continued tributors during winter; providing procedures for discontinuing service; providing claim procedures for disputed billings.								
49	A bill for an act relating to taxation; authorizing the establishment of individual housing accounts; providing that contributions to an account which are used exclusively in connection with the purchase of a first principal residence are deductible; providing tax penalties; amending Minnesota Statutes 1978, Sections 48.159; 50.157; 51A.21, by adding a subdivision; 290.09, by adding a subdivision; 290.17, Subdivision 2; and Chapter 52, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	45	1004	72 974a 1228 1297 1498 1615a 1617a	1618 5670	5670	5670	5916	512
50	A bill for an act relating to the Boundary Waters Canoe Area; providing for a temporary citizen's advisory task force thereon; appropriating money.	45		288a 365a 504a					
51	A bill for an act relating to liens; enacting the revised uniform federal lien registration act; amending Minnesota Statutes 1978, Sections 272.481; 272.482; 272.483; 272.484; 272.486, and Chapter 272, by adding a section.	45	150	148a 165 299	317		699	884	37
52	A bill for an act relating to the uniform commercial code; providing for the appropriation of the proceeds of bulk transfers; providing for the payment of creditors; amending Minnesota Statutes 1978, Sections 336.6-107; 336.6-108; and 336.6-109; and Chapter 336 by adding a section.	46	150	149a 165 241 343 344a	368		943	1326	52
53	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 1978, Section 169.123, Subdivisions 2 and 3, and by adding a subdivision.	46							
54	A bill for an act relating to profit and nonprofit corporations; simplifying certain requirements governing formation and management of nonprofit corporations; resolving certain inconsistencies between profit and nonprofit corporations; removing certain ambiguities and deficiencies; amend- (Continued next page)	46	295	293a 316 344	369		3923	4412	351

a Indicates Amendment

c 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	Chapter
54—Continued									
	ing Minnesota Statutes 1978, Sections 301.30, Subdivision 1; 317.02, Subdivision 5; 317.07; 317.08, Subdivisions 1 and 3; 317.20, Subdivision 1; and 317.21, Subdivision 1.								
55	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 1978, Section 524.3-403.	46							
56	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.	46							
57	A bill for an act relating to insurance; providing for the coordination of reparations benefits for automobile losses; requiring reduced premium rates; amending Minnesota Statutes 1978, Section 65B.61, Subdivision 3; repealing Minnesota Statutes 1978, Section 65B.61, Subdivision 4.	47	316	314a 371 342	400 1225	742 1225	742	1456	57
58	A bill for an act relating to no-fault automobile insurance; increasing basic economic loss benefits; clarifying legislative intent concerning stacking of insurance policies; amending Minnesota Statutes 1978, Sections 65B.44, Subdivision 1; 65B.47, by adding a subdivision; and 65B.49, Subdivisions 4 and 6.	47	556	90 597 553a 726	774				
59	A bill for an act relating to no-fault automobile insurance; clarifying certain ambiguous provisions in the Minnesota no-fault automobile insurance act relating to ownership of leased vehicles; modifying indemnification rights on certain commercial vehicles; clarifying eligibility to participate in the assigned claims plan; providing penalties for failure to provide security on motorcycles and motor vehicles; requiring evidence of insurance; authorizing the commissioner of insurance to limit coverage variations; increasing the interest rate on unpaid insurance benefits; amending Minnesota Statutes 1978, Sections 65B.43, Subdivision 4; 65B.53, Subdivision 1; 65B.54, Subdivision 2; 65B.64, Subdivision 3; 65B.67; 65B.68, by adding a subdivision; and Chapter 65B, by adding a section.	47	237	90 270 209a 299	318 2940	2940	2939	3470	190

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
60	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 1978, Section 210A.19, Subdivision 1; and Chapter 210A, by adding a section.	47	295	289 371a	316	399			
61	A bill for an act relating to elections; further prescribing conditions for automatic recounts in certain election contests; amending Minnesota Statutes 1978, Sections 204A.51, Subdivisions 2 and 3; and 204A.53, Subdivisions 2 and 3.	48	295	291a 344	316	370	1062	1456	58
62	A bill for an act relating to elections and election contests; requiring prior notice of alleged violations in cases involving alleged violation of certain campaign literature laws; amending Minnesota Statutes 1978, Section 209.02, Subdivision 5.	48							
63	A bill for an act relating to civil actions; providing for the issuance of process in proceedings supplementary to execution; amending Minnesota Statutes 1978, Section 575.02.	48	72	72 126 153a	99 138	167	943	1326	53
64	A bill for an act relating to evidence; limiting the legislative history admissible to determine legislative intent; declaring testimony of certain individuals and certain kinds of records of legislative proceedings to be not relevant evidence of legislative intent; amending Minnesota Statutes 1978, Section 645.16.	48	3552	3550a 3698a 3842	3607 3777				
65	A bill for an act relating to retirement; restricting vesting of increases in public pension benefits; amending Minnesota Statutes 1978, Section 356.18, by adding a subdivision.	48							
66	A bill for an act relating to statutes; providing a general reference for statutes that change dollar amounts to conform to price changes; amending Minnesota Statutes 1978, Chapter 645, by adding a section.	48	150	148a 241	165	272			
67	A bill for an act relating to statutes; providing for the effect of grammar and punctuation; amending Minnesota Statutes 1978, Section 645.18.	48	72	72 126	99	152	443	576	8

a Indicates Amendment

b 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	Chapter
68	A bill for an act relating to statutes; defining terms; amending Minnesota Statutes 1978, Section 645.44.	49	72	72 241a	99 271				
69	A bill for an act proposing an amendment to the Minnesota Constitution; changing Article V, Sections 1, 2 and 5; eliminating the office of lieutenant governor and providing for succession to the governorship.	49							
70	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 1978, Section 8.14.	49							
71	A bill for an act relating to correction and improvement of state laws; establishing a Minnesota law revision council; prescribing its duties and functions; appropriating money.	49							
72	A bill for an act relating to elections; providing for the official identification of ballots; amending Minnesota Statutes 1978, Sections 123.11, Subdivision 4; 123.32, Subdivision 5; 203A.13; 203A.15; 204A.26, Subdivision 1; 204A.31; 204A.32, Subdivision 3; and 206.17.	49	397	387a 457	424 480 743	743	743	884	29
73	A bill for an act relating to elections; prohibiting infiltration and sabotage of political campaigns; providing penalties; amending Minnesota Statutes 1978, Chapter 210A, by adding a section.	49							
74	A bill for an act relating to elections; allowing post-election challenges to absent voters; permitting certain challenges of voters in an election contest; establishing conditions for compelling voters to disclose the manner in which they voted; clarifying and simplifying the procedures for instituting an election contest; extending the deadline for instituting an election contest after a general election; amending Minnesota Statutes 1978, Sections 204A.32, Subdivision 4; 209.02, Subdivisions 3, 4 and 4a; 209.06, Subdivision 2; and Chapter 209, by adding a section.	50	1223	1085a 1572a	1297 1573	3604 3666 4092 6615*	3604		
75	A bill for an act relating to police officers in cities of the first class; prohibiting employment of police officers for the purpose of main- (Continued next page)	50							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
75—Continued	taining law and order in bottle clubs or certain establishments licensed for the sale of liquor; providing penalties.								
76	A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.	50							
77	A bill for an act relating to the state building code; making adopting of the code voluntary; amending Minnesota Statutes 1978, Sections 16.851 and 16.861, Subdivision 1.	50							
78	A bill for an act relating to retirement; increasing the vesting period required for legislator's retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.	50							
79	A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20; repealing Minnesota Statutes 1978, Section 290.06, Subdivision 12.	50							
80	A bill for an act relating to retirement; reinstating disability benefits to a certain member of the public employees retirement association.	51							
81	A bill for an act relating to adoption; providing that an adopted child may inherit from its natural parent in certain cases; amending Minnesota Statutes 1978, Section 259.29, Subdivision 1.	51	199	195a 299	270	317	471	576	11
82	A bill for an act relating to crimes; allowing the arrest without a warrant of certain persons who have violated restraining orders; amending Minnesota Statutes 1978, Section 629.34.	51		600					
83	A bill for an act relating to taxation; reducing purchase price for purposes of determining motor vehicle excise tax when vehicle is purchased to replace other vehicle which is sold; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.	51							
84	A bill for an act relating to public welfare; adjusting eligibility requirements for medical assistance benefits; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; and 256B.07.	51	244B	72 244A 278.2	108 2520				

a Indicates Amendment

o 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	Chapter
85	A bill for an act relating to health care plans for employees; exempting certain accident and health plans from the comprehensive health insurance act of 1976; amending Minnesota Statutes 1978, Section 62E.02, Subdivision 9.	52							
86	A bill for an act relating to taxation; inheritance; establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.	64		73	90				
87	A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.	65	237	211a 319 (H48)	270 366				
88	A bill for an act relating to cities; allowing installment purchases by certain cities; amending Minnesota Statutes 1978, Section 465.71.	65	179	179 241	198 331	331	331	492	3
89	A bill for an act relating to education; abolishing the age limit for tuition subsidies for public post-secondary vocational-technical school students; amending Minnesota Statutes 1978, Section 136A.236, Subdivision 2.	65		100					
90	A bill for an act relating to retirement; granting disability benefits to a certain member of the public employees retirement association.	65							
91	A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.	65	397	90 424 (H9)	394a 454				
92	A bill for an act relating to the city of Ashby; authorizing issuance of general obligation bonds for the purpose of building a fire hall-administrative building and purchasing a fire truck.	65	165	163	240		353	492	4
93	A bill for an act relating to taxation; income tax; changing definition of gross income; subtracting certain capital gains realized in divorce settlement; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.14.	65	316	311a 371	342 397	401			
94	A bill for an act relating to taxation; providing a tax credit for persons whose Social Security benefits are reduced or required to (Continued next page)	66		90					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
94—Continued	be repaid because of excess earnings of the recipient; appropriating money; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.								
95	A bill for an act relating to taxation; exempting certain interest income from gross income for income tax purposes; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	66							
96	A bill for an act relating to the city of Northfield; authorizing an increase in firemen's service pensions.	66							
97	A bill for an act relating to education; directing the commissioner of education to sponsor regional seminars on the school breakfast program; appropriating money.	66		289					
98	A bill for an act relating to insurance; providing for cancellation of life insurance contracts providing benefits on a variable basis; amending Minnesota Statutes 1978, Sections 72A.51, Subdivision 3; and 72A.52.	66							
99	A bill for an act relating to taxation; providing for one-time exclusion from gross income of gain from sale of principal residence; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	66		90					
100	A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.	67		90					
101	A bill for an act relating to taxation; inheritance tax; clarifying certain deductions; amending Minnesota Statutes 1978, Section 291.07, Subdivision 2.	67		(H143)					
102	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3; setting the size of the legislature and providing for apportionments.	67							
103	A bill for an act relating to taxation; income tax; providing a deduction for a lessee's share of real property taxes paid on his rented residence; amending Minnesota Statutes 1978, Section 290.09, Subdivision 4.	67							

a Indicates Amendment

o 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	Chapter
104	A bill for an act relating to taxation; excluding amounts received by beneficiaries from individual retirement accounts or self-employed plans from estate for inheritance tax purposes; amending Minnesota Statutes 1978, Section 291.065.	67							
105	A bill for an act relating to taxation; sales; exempting residential water and sewer services; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.	67							
106	A bill for an act relating to taxation; sales; exempting electricity furnished for residential use; providing that savings be passed to renters; providing penalties; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1; and Chapter 297A by adding a section.	68							
107	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 1978, Section 16.073.	68	924	476 640 911 1033	1255				
108	A bill for an act relating to education; authorizing the extension, to a certain date, of experimental pairing agreements between certain school districts; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.	68							
109	A bill for an act relating to highway traffic regulations; allowing loads of round baled hay with a width of 11-½ feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.	68	597	582a 639 840(H103)					
110	A bill for an act relating to metropolitan government; setting the revenues of the metropolitan sports facilities commission; repealing the liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.	68		68 86 90					
111	A bill for an act relating to taxation; providing an inflation adjustment for income subject to income tax; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	69							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
112	A bill for an act relating to taxation; income tax; providing for the deduction of post-secondary educational expenses; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.	69								
113	A bill for an act relating to taxation; income; allowing consolidated corporate tax returns; amending Minnesota Statutes 1978, Section 290.34, Subdivision 3.	69		91						
114	A bill for an act relating to taxation; altering procedure for obtaining refunds of tax on certain gasoline or special fuel used for exempt purposes; appropriating funds; amending Minnesota Statutes 1978, Sections 290.06, by adding a subdivision; and 296.18, Subdivisions 1, 2, 3 and 8.	69	316	311a 558	424	601				
115	A bill for an act relating to taxation; providing for a minimum standard deduction from gross income; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.	69								
116	A bill for an act relating to taxation; inheritance tax; changing provisions for commissioner's certification of satisfaction of tax lien on affidavits or instruments of conveyance; amending Minnesota Statutes 1978, Section 291.14, Subdivisions 1a, 2, and by adding a subdivision.	69		(H90)						
117	A bill for an act relating to special acts passed in accordance with the Constitution, Article XII, Section 2; requiring local approval in certain cases; amending Minnesota Statutes 1978, Sections 645.021 and 645.023, Subdivision 1.	70	455	445 603	476	646	2355	3469	176	
118	A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, Subdivisions 1 and 2.	70	99	99 126	111	152 2808	1458 1912 1968 2287 2431 2807*	1457 2919	2473	232
119	A bill for an act relating to crimes; providing increased penalties for the receipt of stolen goods from a minor; amending Minnesota Statutes 1978, Section 609.53, by adding a subdivision.	70	856	821a 1009	923	1050				
120	A bill for an act relating to consumer credit sales; providing for calculation of finance charges on open end credit sales; amending Minnesota Statutes 1978, Section 334.16, by adding a subdivision.	70								

a Indicates Amendment

() Indicates House File Substitution
 D—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
121	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; removing references to legislative days.	70	5730	4790 5493 5727 5742 5886	5886 6194	5909 6194			
122	A bill for an act relating to life insurance; providing for advance payment of certain benefits under policies insuring persons who are absent and presumed dead; amending Minnesota Statutes 1978, Chapter 576, by adding sections.	70	556	553a 597 726a	773		943	1326	54
123	A bill for an act relating to state government agencies and officials; requiring rules, findings of facts, written opinions, and open precedents in certain circumstances; expanding judicial review of actions of agencies and officials.	71							
124	A bill for an act relating to taxation; changing computation of certain income tax credits for contributions; providing that certain income tax credits for contributions may be carried forward; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.	71	397	388a 424 560a	602				
125	A bill for an act relating to the state building code; restricting state-wide application of its provisions; amending Minnesota Statutes 1978, Sections 16.851, Subdivisions 1 and 2; 16.861, Subdivision 1; and 16.866, Subdivision 1; repealing Laws 1978, Chapter 786, Section 22.	71		91					
126	A bill for an act relating to the city of Crookston; contributions and benefits for members of the Crookston fire department relief association; amending Laws 1971, Chapter 51, Sections 10, Subdivision 3; and 14, Subdivisions 1, 4, 5, 6, 7, 9, and 11.	71							
127	A bill for an act relating to education; requiring school districts to establish certain testing programs; requiring the commissioner of education to make certain recommendations to the legislature; amending Minnesota Statutes 1978, Chapter 123, by adding a section.	71	342	151 336a 367 424 429a 2654a	2665				
128	A bill for an act relating to taxation; providing homemaker credit to persons earning income by providing day care services; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.	71		91					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
129	A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2 and 3, and by adding a new article; providing for establishment of the boundaries of congressional and legislative districts by a commission; limiting the power of the legislature to change the number of senators and representatives; implementing the proposed reapportionment commission amendment by 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; repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.	72	2351	91 355a 629a 768 1264 1282a 1398a 2334 2376 2494a	2498 6344	2640 2680 2839 3552 3663 3732 3733* 5452* 5715 5845 6334*	2640 6353	6820	588
130	A bill for an act relating to courts; criminal procedure; conforming certain statutory provisions to the rules of criminal procedure, and eliminating certain other statutory provisions which have been superseded by the rules; amending Minnesota Statutes 1978, Sections 169.89, Subdivision 2; 357.32; 484.30; 487.25, Subdivisions 1 and 2; 487.28; 487.29; 487.40, Subdivisions 1 and 2; 488A.08; 488A.10, Subdivisions 1 and 2; 488A.25; 488A.27, Subdivisions 1, 2, 3, 4, and 5; 542.16; 546.11; 546.12; 609.115, Subdivisions 1 and 4; 611.06; 627.01; 628.01; 628.02; 628.18; 628.54; 628.57; 628.63; 628.68; 629.47; 629.48; 629.49; 629.58; 629.61; 629.64; 630.18; 631.05; and Chapter 388, by adding a section; repealing Minnesota Statutes 1978, Sections 388.05; 487.25, Subdivisions 3, 4, 5, and 8; 488A.10, Subdivisions 3, 4, 5, and 9; 488A.27, Subdivision 9; 611.04; 611.08; 627.03 to 627.10; 627.13; 627.14; 628.03 to 628.08; 628.11; 628.14; 628.19; 628.29 to 628.33; 628.55; 628.58; 628.59; 628.64; 629.42; 629.43; 629.46; 629.50 to 629.52; 629.57; 630.01 to 630.11; 630.13 to 630.16; 630.19 to 630.30; 630.34; 631.01; 631.015; 631.03; 631.08; 631.10; 631.11; 631.16; 631.18; 631.19; 631.23 to 631.32; 631.34; 631.35; 631.37 to 631.39; 632.01 to 632.13.	75	150	149a 241a	165	273	2729	2473	233
131	A bill for an act relating to property; enacting the uniform disposition of community property rights at death act.	75							

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
132	A bill for an act relating to civil actions; authorizing only the court to award punitive damages; amending Minnesota Statutes 1978, Section 549.20, by adding a subdivision.	75							
133	A bill for an act regulating certain joint economic activities; enacting the uniform condominium act and the 1976 uniform limited partnership act.	75	856	826a 923	1248 6180	5733 5742 5843 6142*	5733 6192	6818	582
134	A bill for an act relating to public welfare; providing pre-trial proceedings and hearings to determine paternity of children; revising Minnesota Statutes to conform with the uniform parentage act; amending Minnesota Statutes 1978, Sections 62A.041; 62C.14, Subdivision 5a; 64A.22, Subdivision 1; 144.215, Subdivision 3; 257.025; 257.175; 257.33; 259.24, Subdivisions 1 and 2; 259.25, Subdivision 1; 259.26, Subdivision 1; 260.231, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 259.29, Subdivision 1; repealing Minnesota Statutes 1978, Sections 257.251; 257.252; 257.253; 257.254; 257.255; 257.256; 257.257; 257.258; 257.259; 257.261; 257.262; 257.263; 257.264; 257.27; 257.28; 257.29; 257.30; 257.31; 257.32; and 517.19.	76	924	909a 1033 1449a	1449 6377	6377	6376	6820	589
135	A bill for an act relating to courts; providing for treatment of class actions; enacting the uniform class actions act.	76							
136	A bill for an act relating to product liability actions; removing certain inconsistencies in the statutes governing apportionment of damages; amending Minnesota Statutes 1978, Section 604.02, Subdivision 3.	76							
137	A bill for an act relating to taxation; eliminating the throwback rule for taxation of accumulation distribution made by a trust; repealing Minnesota Statutes 1978, Section 290.23, Subdivision 15.	76		100					
138	A bill for an act relating to civil actions; providing for authority for attorney to bind his client and execute a satisfaction of judgment; amending Minnesota Statutes 1978, Sections 481.08 and 548.15.	76	150	148 241 165	272		471	576	12

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
139	A bill for an act relating to taxation; providing for optional rent credit amount in lieu of property tax refund; amending Minnesota Statutes 1978, Section 290A.04, Subdivision 1, and by adding a subdivision.	77							
140	A bill for an act relating to real estate; enacting the uniform condominium act; providing for taxation as a separate parcel; regulating eminent domain awards; regulating the creation of condominiums; protecting the purchasers of condominiums; regulating condominium declaration; regulating the management of condominiums.	77	4407	4372a 4489	5886				
141	A bill for an act relating to crimes and criminals; adjusting the penalties for various offenses classified as misdemeanors and other similar type offenses to provide uniformity; amending Minnesota Statutes 1978, Sections 12.45; 24.181; 29.28; 31.185, Subdivision 13; 31.403; 31.405; 31.58; 31.611; 32.101; 32.534; 32.645, Subdivision 2; 34.113; 35.70, Subdivision 1; 65B.13; 71A.08, Subdivision 1; 79.23; 88.14, Subdivision 2; 88.19; 127.19; 127.20; 145.24, Subdivision 3; 154.19; 168.36, Subdivision 2; 180.10; 219.383, Subdivision 5; 222.06; 232.06, Subdivision 7; 297.25, Subdivision 1; 299G.10; 325.48; 325.83, Subdivision 2; 325.84, Subdivision 5; 327.07; 333.13; 346.23; 346.26; 346.28; 346.29; 481.05; 514.66; 609.17, Subdivision 4; 609.175, Subdivision 2; 609.27, Subdivision 2; 609.375, Subdivision 1; 609.485, Subdivision 4; 609.50; 609.52, Subdivision 3; 609.551, Subdivision 1; 609.563, Subdivision 2; 609.576; 609.615; 609.65; 609.785, Subdivision 1; 609.82; and 617.23.	77							
142	A bill for an act relating to crimes and criminals; adjusting the penalties for various offenses classified as petty misdemeanors and other similar offenses to provide uniformity; amending Minnesota Statutes 1978, Sections 17.23, Subdivision 3; 21.122; 21.58, Subdivision 1; 29.091, Subdivision 7; 32.205; 33.091; 64A.46, Subdivision 2; 69.58; 88.11, Subdivision 2; 88.13, Subdivision 3; 168.275; 175.34; 183.61, Subdivision 6; 197.59; 218.071, Subdivision 2; 219.97, Subdivision 6; 223.08, Subdivision 1; 235.04; 239.511, Subdivision 3; 325.77, Subdivision 1.	77							

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
142—Continued									
	sion 6; 329.17, Subdivision 2; 373.26, Subdivision 5; 488A.06, Subdivision 4; 509.02, 509.03; 609.685; 624.03; 624.65, Subdivision 3; and 641.10.								
143	A bill for an act relating to crimes and criminals; repealing laws proscribing certain criminal offenses; repealing Minnesota Statutes 1978, Sections 12.34, Subdivision 3; 35.70, Subdivision 2; 127.17, Subdivision 4; 145.35; 154.20; 181.28; 181.29; 181.30; 219.02; 219.57; 219.67; 219.86; 219.87; 219.97, Subdivisions 1, 8, 9, and 16; 229.18; 229.19; 229.20; 325.245; 333.135; 340.83; 340.88; 340.89; 340.90; 340.91; 340.92; 340.93; 395.14; 395.15; 395.16; 395.17; 395.18; 395.19; 395.20; 395.21; 395.22; 395.23; 395.24; and 631.04.	78							
144	A bill for an act relating to taxation; repealing obsolete references to a tax on money and credits; repealing Minnesota Statutes 1978, Chapter 285.	78	597	586 726	639	775	1625	2427	91
145	A bill for an act relating to workers' compensation; limiting products liability in case of workplace injury; amending Minnesota Statutes 1978, Section 176.061, Subdivision 4.	78		109					
146	A bill for an act relating to actions involving negligence; providing that contributory fault be measured against the total fault of persons from whom recovery is sought; amending Minnesota Statutes 1978, Section 604.01, Subdivision 1.	78							
147	A bill for an act relating to evidence; providing for audio-visual recording of evidence; enacting the Uniform Audio-Visual Deposition Act.	78							
148	A bill for an act relating to commerce; authorizing variable or indexed principal contracts; amending Minnesota Statutes 1978, Chapter 334, by adding a section.	79		109					
149	A bill for an act relating to human rights; prohibiting discrimination against students in housing; amending Minnesota Statutes 1978, Sections 363.03, Subdivision 2; and 363.12, Subdivision 1.	79		109 397	137				
150	A bill for an act relating to the state building code; providing for (Continued next page)	79							

BILLS OF 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 local option for use of ungraded lumber; appropriating money; amending Minnesota Statutes 1978, Section 16.861, Subdivision 4.								
151	A bill for an act relating to taxation; providing a corporate income tax deduction equal to the federal investment credit; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.	79							
152	A bill for an act relating to medical assistance; excluding payments for services provided to a recipient after an irreversible cessation of brain function; amending Minnesota Statutes 1978, Section 256B.02, Subdivision 8.	79							
153	A bill for an act relating to real estate; providing for the conveyance and limiting the severance of joint tenancy interests; permitting certain contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, Subdivision 2, and by adding subdivisions; 507.02; and 519.06.	79	856	100 824a 923 1004 1911(H318)					
154	A bill for an act relating to appropriations; appropriating funds for the replacement of King's Mill Dam.	80							
155	A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1 and 2.	80							
156	A bill for an act relating to taxation; inheritance tax; making Minnesota tax a percentage of federal estate tax due; proposing an amendment to Article X of the Minnesota Constitution permitting a state tax on estates to be a percentage of the federal estate tax; amending Minnesota Statutes 1978, Sections 291.005, Subdivision 1; 291.01, Subdivisions 1 and 5; 291.02; 291.09, Subdivisions 1 and 2; and Chapter 291 by adding a section; repealing Minnesota Statutes 1978, Sections 291.01, Subdivisions 2, 3 and 4; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.09, Subdivision 5; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 291.111; and 291.23.	80							

a Indicates Amendment

† 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	Chapter
157	A bill for an act relating to motor vehicles; providing for transferee waiver of written mileage disclosure requirement imposed upon transferor; allowing transferor or title applicant to state actual mileage is unknown if the odometer reading is known or suspected by transferor to be different from the true mileage; amending Minnesota Statutes 1978, Sections 168A.04, Subdivision 1; 168A.05, Subdivision 3; 168A.10, Subdivision 1; 168A.11, Subdivision 1; and 325.823.	80		176					
158	A bill for an act relating to taxation; providing that gross income for Minnesota income tax purposes be reduced by amount of federal energy tax credits received by taxpayer; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.14.	81							
159	A bill for an act relating to usury; removing the expiration date from the law authorizing flexible interest rates on home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivision 4.	81	556	553 719 (H486)	597				
160	A bill for an act relating to juveniles; concerning foster care; extending county cost of care payment provisions; amending Minnesota Statutes 1978, Sections 260.251, Subdivisions 1 and 1a; and 261.27.	81	1297	268a 1292a 1617a	925 1350	1617			
161	A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.	81		137					
162	A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; providing for a hearing in the courts to determine if a motion picture is obscene; prescribing penalties.	81		100 (H13)					
163	A bill for an act relating to education; authorizing school districts to discontinue certain grades and provide instruction by contract with other districts; providing for calculation of pupil units, tuition payments and the employment rights of teachers in participating districts; requiring reports; amending Minnesota Statutes 1978, Sections 122.41, 122.43, Subdivision 1; and 122.44, Subdivision 1; and Chapter 122, by adding sections.	81		100 (H487)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
164	A bill for an act relating to education; providing aid to schools employing teachers with advanced training and above average experience; appropriating money.	82							
165	A bill for an act relating to agriculture; establishing a swine disease research center; appropriating money.	82		633					
166	A bill for an act relating to taxation; providing a deduction from income for a lessee's share of real property taxes paid on his rented residence less the amount of any rent credit; disallowing deductions in certain sham rental situations; amending Minnesota Statutes 1978, Section 290.09, Subdivision 4.	82							
167	A bill for an act relating to railroads; regulating the disposal of certain abandoned property.	82							
168	A bill for an act relating to education; requiring the higher education coordinating board to develop comprehensive regional and state plans for higher education and post-secondary vocational education; appropriating money; amending Minnesota Statutes 1978, Chapter 136A, by adding a section.	82		1020a					
169	A bill for an act relating to education; extending teacher mobility incentives to area vocational-technical school teachers and cooperative center for vocational education teachers; providing for approval of certain extended leaves of absence; amending Minnesota Statutes 1978, Sections 125.60, Subdivision 2; 125.61, Subdivision 1; 354.66, Subdivision 2; and 354A.091, Subdivision 1.	83	1223	494a 1297	1107	1571			
170	A bill for an act relating to agriculture; requiring the labeling of fryers as to state of origin; amending Minnesota Statutes 1978, Chapter 29, by adding sections.	83							
171	A bill for an act relating to public health; establishing a preventive dental health program for certain children; appropriating money; amending Minnesota Statutes 1978, Chapter 144, by adding a section.	83		316 420a	342				
172	A bill for an act relating to creditor's remedies; enacting the uniform exemptions act; amending (Continued next page)	83		125					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
172—Continued	Minnesota Statutes 1978. Sections 69.61; 290.48, Subdivision 2; 290.92, Subdivision 6; 297A.33, Subdivision 6; 571.41, Subdivision 5; and 571.42, Subdivision 2; repealing Minnesota Statutes 1978, Sections 550.37; 550.38; 550.39 and 550.41.								
173	A bill for an act relating to land transfers; adopting the uniform simplification of land transfers act; repealing Minnesota Statutes 1978, Sections 507.24; 507.25; 507.26; 507.34; 507.35; 514.01 to 514.17; 541.02; 541.023; and 541.024.	83							
174	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 1978, Sections 507.32; 513.01; 541.01; 582.01; 582.03; repealing Minnesota Statutes 1978, 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.	83							
175	A bill for an act relating to courts; providing for the election of Hennepin county municipal judges at the uniform municipal election; amending Minnesota Statutes 1978, Section 488A.021, Subdivision 3.	84							
176	A bill for an act relating to courts; eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 490.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.	84		H330					
177	A bill for an act relating to state civil service; eliminating certain required qualifications for commissioners of departments and certain other agency branch heads; amending Minnesota Statutes 1978, Sections 4.11, Subdivision 2; 11.12; 16A.01, Subdivision 2; 43.001, Subdivision 2; 121.16, Subdivision 1; 144.011, Subdivision 1; 216A.03, Subdivision 1; 241.01, Subdivision 1; 245.03; 270.02, Subdivision 2; and 362.09, Subdivision 1.	84	1223	1114a 2825	1297				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
178	A bill for an act relating to university and professional athletic programs; providing for the remodeling of Memorial Stadium into a multi-purpose athletic facility.	84		1034					
179	A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; repealing Minnesota Statutes 1978, Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.	84	316	295 310a 342 402a 475 (H416)					
180	A bill for an act relating to waters; requiring approval by affected county boards of designation of wild and scenic rivers; amending Minnesota Statutes 1978, Section 104.35, Subdivision 2.	85							
181	A bill for an act relating to highway traffic regulations; setting speed limits; reducing the speed limit in certain urban districts; amending Minnesota Statutes 1978, Section 169.14, Subdivision 2.	94							
182	A bill for an act relating to taxes; exempting from the sales and use tax sales to associations of the elderly; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	94	1297	1294a 1350 1613a	1613		2501	3470	191
183	A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities commission; repealing the commission liquor tax authority; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.	94							
184	A bill for an act relating to retirement; authorizing an increase in service pensions for members of the Lake Johanna Volunteer Firemen's Benefit Association; amending Laws 1975, Chapter 124, Section 1.	94							
185	A bill an act relating to the legislature; creating a committee on human and economic development; prescribing duties.	94		109					
186	A bill for an act relating to crimes; limiting a perpetrator's right to commercially exploit the crime; providing for the payment of crime victims; appropriating money; amending Minnesota Statutes 1978, Chapter 299B, by adding a section.	95	682	455 668a 719 782a	867 2816	2503 2562 2679 2813 2814*	2503 2919	3473	234

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
187	A bill for an act relating to employment agencies; providing an exemption for management consultant firms from employment agency regulation; amending Minnesota Statutes 1978, Section 184.22.	95	165	162a 241a	198	274	385	492	5
188	A bill for an act relating to noise pollution; exempting skeet, trap and shooting sports clubs from noise standards of any state agency; amending Minnesota Statutes 1978, Section 116.07, by adding a subdivision.	95	770	700 768a 1234a	717a 923	1236	2957	3477	304
189	A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 2c, and by adding a subdivision.	95							
190	A bill for an act relating to taxation; sales; exempting paper plant material; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.	95							
191	A bill for an act relating to taxation; school taxes; adopting federal alternative farm valuation for determining the market value of certain agricultural land; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.	95							
192	A bill for an act relating to state transportation services; providing for the funding of the state highway patrol from the general fund; allocating certain tax receipts; authorizing the issuance and sale of Minnesota state transportation bonds and authorizing the expenditure of certain proceeds to political subdivisions for certain bridges; providing funds for certain key bridges on the trunk highway system; providing funding for public transit assistance and grants; appropriating money; amending Minnesota Statutes 1978, Sections 297B.09; 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; and Chapter 299D, by adding a section.	96							
193	A bill for an act relating to credit unions; providing for the appointment and compensation of a chief executive officer; allowing the chief executive officer to be a director of the credit union; amending Minnesota Statutes 1978, Sections 52.08; and 52.09, Subdivisions 2 and 3.	96							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
194	A bill for an act relating to taxation; local government; allowing local governments to impose a tax on sales of hotel, motel, and room services; amending Minnesota Statutes 1978, Section 477A.01, Subdivision 18.	96							
195	A bill for an act relating to education; creating a legislative school finance study commission; appropriating money.	96							
196	A bill for an act relating to power plant siting; rule making powers of the environmental quality board; amending Minnesota Statutes 1978, Section 116C.66.	96							
197	A bill for an act relating to taxation; inheritance and gift tax; exempting certain transfers to spouses; increasing exemptions of certain other transfers; amending Minnesota Statutes 1978, Sections 291.05; 291.065; 292.04; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5; repealing Minnesota Statutes 1978, Sections 291.051, Subdivisions 1 and 2, and 292.01, Subdivision 7.	97							
198	A bill for an act relating to professional corporations; clarifying the kinds of professional services which may be rendered; permitting pharmacists to organize professional corporations; allowing nonprofessionals to hold certain corporate offices and positions; providing for reconstitution of corporate powers and privileges; amending Minnesota Statutes 1978, Sections 319A.02, Subdivision 2; 319A.12, by adding a subdivision; 319A.15; and 319A.16.	97	199	196a 299	270	317	615	741	21
199	A bill for an act relating to the St. Croix state forest; adding land thereto; appropriating funds for the acquisition of land therein; amending Minnesota Statutes 1978, Section 89.021, Subdivision 44.	97							
200	A bill for an act relating to highway traffic regulations; prescribing a penalty for a driver or operator of a vehicle that forces a motorcycle from a traffic lane or from the roadway of a street or highway; amending Minnesota Statutes 1978, Chapter 169, by adding a section.	97							
201	A bill for an act relating to taxation; providing that improvements to real property used for a (Continued next page)	97							

a Indicates Amendment

() 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	Chapter
201—Continued	homestead not be added to increased valuation of property; amending Minnesota Statutes 1978, Section 273.11, Subdivision 1, and by adding a subdivision.								
202	A bill for an act relating to health; providing for several types of life support transportation service; providing for health systems agencies to be involved in the licensing process; providing factors to be used in making licensing recommendations; providing for standards for services; forbidding inquiry as to ability to pay before provision of life support transportation services; requiring rules for nonemergency transportation reimbursement under medical assistance; exempting certain providers; amending Minnesota Statutes 1978, Sections 144.801; 144.802; 144.803; 144.804; 144.805; 144.807, Subdivision 1; 144.808; 144.809 and 144.8091, Subdivision 1 and 256B.04, Subdivision 12.	98	2299	262a 2291a 2376 2558a	2559 3228	2679 2843 2957 3227*	2678 3367	3478	316
203	A bill for an act relating to real estate; providing a flexible procedure for registering land; amending Minnesota Statutes 1978, Section 508.52.	98	295	294a 342 371	400		471	576	13
204	A bill for an act relating to state lands; authorizing the conveyance of certain lands in Kittson County.	98	199	197a	240		661	741	22
205	A bill for an act relating to taxation; income tax; providing a residential energy credit; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	98		109 965a	166				
206	A bill for an act relating to the excise tax on gasoline and special fuel; establishing the rate of the gasoline excise tax based on a percentage of the retail price; directing the commissioner of revenue to adopt certain rules; amending Minnesota statutes 1978, Section 296.02, Subdivision 1, and Chapter 296, by adding a section.	98							
207	A bill for an act relating to transportation; authorizing the commissioner of transportation to enter into an agreement with the state of Iowa for the construction and improvement of a short segment of highway within the state of Iowa to connect a trunk highway with the highway system of that state; providing for the payment of the costs thereof.	102	342	334 424 457	479		577	698	17

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
208	A bill for an act relating to game and fish; computation of payments to counties in lieu of taxes on certain game and fish lands; amending Minnesota Statutes 1978, Section 97.49, Subdivision 3.	102							
209	A bill for an act relating to retirement; clarifying construction of the law governing the required age for the payment of service allowances to certain elective municipal officials; repealing Laws 1978, Chapter 562, Section 35.	102							
210	A bill for an act relating to education; providing and regulating certain mobility incentives for certain teachers in the community colleges and state universities; assisting with the development of additional rural health cooperatives; amending Minnesota Statutes 1978, Sections 354.094, Subdivisions 1, 2, and 5; 354.66, Subdivisions 1, 6, 7, 9 and 10, and by adding subdivisions: 354.69; Minnesota Statutes, 1979 Supplement, Sections 354.094, Subdivision 3; and 354.66, Subdivision 2.	102	4215	508a 4190a 448 4706	5028	5555	5555	5914	454
211	A bill for an act relating to taxation; property; providing for agreements for joint assessments by certain political subdivisions; amending Minnesota Statutes 1978, Section 273.072, Subdivision 1.	103							
212	A bill for an act relating to elections; requiring voters to indicate political party preference in primaries; requiring separate primary ballots for each political party; amending Minnesota Statutes 1978, Sections 201.071, Subdivisions 1 and 3; 201.221, by adding a subdivision; 203A.22, Subdivisions 1, 2 and 3; 203A.23, Subdivisions 1, 2 and 7; 204A.29, Subdivision 2; 204A.295, Subdivisions 3 and 4, and by adding a subdivision; 206.07, Subdivisions 1, 4 and 5; 206.09; and 206.20, Subdivision 2; and Chapter 201, by adding a section; repealing Minnesota Statutes 1978, Sections 203A.23, Subdivision 8; and 204A.32, Subdivision 2.	103							
213	A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; (Continued next page)	103	397	395a 455 556 558 598 639 (H52)					

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	
213—Continued	amending Minnesota Statutes 1978, Sections 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.									
214	A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.	103		600 (H521)						
215	A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit the amount of taxes that may be raised by the state and its agencies and local government units.	103								
216	A bill for an act relating to taxation; property tax; extending class 3cc to homesteads of persons receiving private disability pensions; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.	104	1591	1585 1621	1738					
217	A bill for an act relating to human rights; specifying medical standards for employment and bona fide occupational qualifications; amending Minnesota Statutes 1978, Section 363.03, Subdivision 1.	104								
218	A bill for an act relating to game and fish; authorizing exporting of leeches; time for possession of certain equipment usable in taking fish; amending Minnesota Statutes 1978, Sections 97.45, Subdivision 15; and 101.42, Subdivision 18.	104	316	312a 457	424 478		1327	1580	70	
219	A bill for an act relating to state and local government; abolishing achievement awards for state commissioners and deputy constitutional officers; modifying salary limitations on employees of certain political subdivisions; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 6; 43.062, Subdivision 3; and 43.067, Subdivision 4; repealing Minnesota Statutes 1978, Section 43.069.	104	199	198a 319	270 2482	343 2482	1911 1968 2285 2482*	1064 2641	3470	192
220	A bill for an act relating to education; authorizing an independent school district to contract with another district to provide or be provided with certain grades; requiring the contract to provide for any tuition payments; providing for termination of the contract; prohibiting a reduction in certain (Continued next page)	104		125						

BILLS OF 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	Continued state aid to a district because the district provides certain grades in another district; amending Minnesota Statutes 1978, Section 123.35, by adding subdivisions.								
221	A bill for an act relating to migrant labor; establishing a study commission on migrant labor; appropriating money.	105		834a					
222	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 4; providing staggered four year terms for the state senate.	105		238					
223	A bill for an act relating to taxation; income tax; providing that certain amounts of unemployment compensation be subject to tax; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	105		105 455	136				
224	A bill for an act relating to taxation; providing a gasoline excise tax exemption for agricultural vehicles; providing for certificates of exemption; providing penalties; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.12, Subdivision 3; 296.18, Subdivision 1; and Chapter 296, by adding a section.	105							
225	A bill for an act relating to the city of Richfield; authorizing the issuance of bonds for a certain recreational facility; authorizing the pledge of certain revenues as security therefor.	105	270	261a 344	316 369		415	441	1
226	A bill for an act relating to taxation; income; increasing the pension exclusion from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	105		151					
227	A bill for an act relating to prearranged funeral plans; authorizing deposit of trust funds in credit unions; amending Minnesota Statutes 1978, Sections 52.04, Subdivision 1; 149.12; and 149.13.	106	1223	1079a 1348 H220	1297				
228	A bill for an act relating to intoxicating liquor; places where sales are forbidden; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.	106	316	315 402	367 427 2370	2356 2370	2356	3470	193

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
229	A bill for an act relating to taxation; sales tax; reducing the tax rate on certain new farm machinery; exempting certain used farm machinery; amending Minnesota Statutes 1978, Sections 297A.01, by adding a subdivision; 297A.02; 297A.14; 297A.24; and 297A.25, Subdivision 1.	106		125 199					
230	A bill for an act relating to education; allowing school districts to make agreements, subject to the approval of the department of education, for the discontinuance of certain grades or portions of grades and to provide for the instruction of the pupils in the discontinued grades in a participating district; providing for the calculation of pupil units, for tuition payments, for teacher placement, for pupil transportation and transportation aids, for consultation with parents and the community and for termination of an agreement; requiring the department of education to promulgate certain rules; amending Minnesota Statutes 1978, Chapter 122, by adding a section.	106		316					
231	A bill for an act relating to bonds; requiring claimant filing notice of action on a bond to pay postage costs; amending Minnesota Statutes 1978, Section 574.32.	106	237	212a 319	270	343	415	492	2
232	A bill for an act relating to taxation; motor vehicle excise; allowing a credit for a commodity trade-in in determining the purchase price of a moped; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.	107							
233	A bill for an act relating to the city of Faribault; authorizing subletting of certain property leased from the state; directing disposition of rentals therefrom; amending Laws 1977, Chapter 245, Section 1, Subdivision 1.	107	316	312a 371	342	401	2355	3469	177
234	A bill for an act relating to corrections; establishing grants-in-aid for construction or renovation of lockups, jails and other correctional facilities; appropriating money.	107		125	1223				
235	A bill for an act relating to Independent School District No. 152; authorizing it to add any portion or all of its operating debt for the fiscal year ending June 30, 1978 to its statutory operating debt as of June 30, 1977 for certain purposes.	107							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
236	A bill for an act relating to the state auditor; providing for the examination of municipal records pursuant to petition; requiring signatures of 20 percent of the number of voters in the last presidential election for a petition to examine municipal records; establishing certain other requirements for petitions for examination of towns and school districts; requiring that the city, town and school district as well as county auditor be notified when the petition is certified; amending Minnesota Statutes 1978, Section 6.54.	107	165	151 164a 198 241	275 1504	1328 1504	1328	2283	82
237	A bill for an act relating to the state building code; providing a county option for code applicability; amending Minnesota Statutes 1978, Section 16.851.	111							
238	A bill for an act relating to taxation; income; increasing deductions allowable for losses from out-of-state property; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.	111							
239	A bill for an act relating to the state building code; making the code optional for certain localities; providing for the inspection of Minnesota grown lumber; amending Minnesota Statutes 1978, Section 16.851; and Chapter 16, by adding a section; and repealing Minnesota Statutes 1978, Section 16.84, Subdivision 2a.	111		125					
240	A bill for an act relating to education; eliminating some eligibility requirements for certain scholarships and grants-in-aid; repealing Minnesota Statutes 1978, Section 136A.121, Subdivision 7.	111		125					
241	A bill for an act relating to education; increasing eligibility for foundation aid for declining pupil units by permitting a school district with a current increase in pupil units to qualify according to a formula; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.	116							
242	A bill for an act relating to waters; authorizing grants for feasibility studies for lake improvement projects; appropriating money.	116		137					
243	A bill for an act relating to education; abolishing the AFDC aid account in school district records; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.	116							

a Indicates Amendment

b 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	Chapter
244	A bill for an act relating to retirement; granting increases in annuities to certain deferred annuitants; appropriating funds.	116							
245	A bill for an act relating to regional development; providing a procedure for county withdrawal from development regions; amending Minnesota Statutes 1978, Chapter 462, by adding a section.	116							
246	A bill for an act relating to taxation; sales tax; exempting certain farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	116		137					
247	A bill for an act relating to courts; providing statewide jurisdiction for conciliation courts; providing statewide jurisdiction for the municipal courts of Hennepin and Ramsey counties; providing that venue for an action in conciliation court may lie in the county where the plaintiff resides; amending Minnesota Statutes 1978, Sections 487.30, Subdivision 1; 488A.01, Subdivision 8; 488A.12, Subdivision 3; 488A.18, Subdivisions 4 and 9; 488A.29, Subdivision 3; and 542.09.	117							
248	A bill for an act relating to education; increasing the percentage the state will pay of the cost of transporting handicapped pupils between school districts for certain purposes; eliminating the \$100 a pupil limit; striking a reference to an expired subdivision; amending Minnesota Statutes 1978, Section 124.222, Subdivision 2b.	117							
249	A bill for an act relating to taxation; motor vehicle excise tax; exempting certain transfers from an individual to himself and another as joint tenants; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 7.	117							
250	A bill for an act relating to retirement; authorizing the purchase of prior service credit by certain court reporters.	117							
251	A bill for an act relating to cooperative associations; validating elections of directors by mail voting; authorizing mail voting for directors of cooperative associations; providing for voting by members' spouses; amending Minnesota Statutes 1978, Section 308.071; and Chapter 308, by adding a section.	117	4448	4154 4440a 4442 4489 4580	4984 6356	6356	6355	6819	586

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
252	A bill for an act relating to taxation; providing that trust or estate income from out-of-state property be taxable to beneficiary when distributed; amending Minnesota Statutes 1978, Section 290.23, by adding a subdivision.	117		137					
253	A bill for an act relating to taxation; income; adopting 1978 federal amendments increasing the exclusion from gross income of gain from a sale of a residence for certain persons; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	118							
254	A bill for an act relating to rates of interest; regulating interest on loans for business or agricultural purposes; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.	118	237	212a 299	270 318		615	741	23
255	A bill for an act relating to credit unions; allowing membership by surviving spouses of regularly qualified members; amending Minnesota Statutes 1978, Section 52.05.	118	1223	1082a	1297 1576		1860	3466	106
256	A bill for an act relating to the city of Mendota Heights; authorizing an increase in firefighters' service pensions; amending Laws 1973, Chapter 173, Section 1, Subdivisions 1 and 2.	118							
257	A bill for an act relating to crimes; prohibiting tattooing intoxicated persons; prescribing penalties; amending Minnesota Statutes 1978, Chapter 609, by adding a section.	118		199					
258	A bill for an act relating to nursing homes; adding a member to the advisory council; amending Minnesota Statutes 1978, Section 144A.17.	118							
259	A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.	118		118 (H145)	136				
260	A bill for an act relating to taxation; income tax; providing additional credits for blind dependents; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.	119							
261	A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.	119		137					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
262	A bill for an act relating to mobile homes; requiring mobile homes to be secured to the ground; providing penalties; amending Minnesota Statutes 1978, Section 327.32, by adding a subdivision; and 327.34, Subdivision 4.	119							
263	A bill for an act relating to transportation; authorizing the commissioner to grant variances from county state-aid highway and municipal state-aid street rules and engineering standards subject to contested case procedures; amending Minnesota Statutes 1978, Sections 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, by adding a subdivision; and 162.13, Subdivision 2.	119	856	334a 835a 923 1009	1047				
264	A bill for an act relating to families; establishing an advisory task force on families; prescribing membership procedures and functions of the advisory task force; transferring personnel and functions from the governor's task force on the family; appropriating money.	119		421a 813a 1225					
265	A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 356.32, Subdivision 1; 423.076; 473.419; and Chapter 181, by adding a section.	120		137 209 212a 366a (H157)					
266	A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.	120	2446	268a 2435a 2520 2654 2804 (H272)					
267	A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of a detached banking facility.	120		(H340)					
268	A bill for an act relating to taxation; income; including all income and losses in the gross income of Minnesota residents; amending Minnesota Statutes 1978, Section 290.17, Subdivision 1.	120							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
269	A bill for an act relating to the city of New Hope; firefighters' pension, disability and survival benefits; amending Laws 1971, Chapter 114, Sections 2, Subdivision 5; 3, Subdivisions 2, 3 and 4; 4; 5, Subdivisions 1 and 2; 6, Subdivision 2; and 7, Subdivisions 1 and 2.	120		(H148)					
270	A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.	121		(H219)					
271	A bill for an act relating to taxation; property tax; establishing a system for exemption from tax and levying an alternative tax on certain industrial rehabilitation and new industrial development projects; amending Minnesota Statutes 1978, Chapter 273, by adding a section.	121							
272	A bill for an act relating to taxation; property tax; exempting certain wetlands from taxation; providing a wetlands credit; providing for state reimbursement of lost local revenues; reducing local levies to the extent of state reimbursement; appropriating money; amending Minnesota Statutes 1978, Sections 272.02, Subdivision 1; 275.51, Subdivision 3d; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.	121	2364	137 316 551a 903a 2360 2470 2656a	2668				
273	A bill for an act relating to commerce; providing a floating usury rate and penalty for contracts for deed; changing the termination periods for contracts for deed; clarifying the procedure regarding enjoining contract for deed terminations subsequent to service of the termination notice; amending Minnesota Statutes 1978, Sections 47.20, by adding a subdivision; 559.21; Chapter 559, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 47.20, Subdivisions 2, 3, 4, and 4a.	121	770	764a 923 1239a 1252a	1253 4228	2761 2843 3646 4216*	2761 4413	5100	373
274	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 1978, Section 169.685, by adding a subdivision.	121							

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
275	A bill for an act relating to taxation; income tax; clarifying non-taxable status of certain federal earned income credits; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	121	2471	2440a 2654	2520 2673				
276	A bill for an act relating to workers' compensation; prohibiting the refusal to cover under accident or health policy because of certain workers' compensation option; defining "closely held corporation"; providing for coverage of certain business owners upon election; amending Minnesota Statutes 1978, Chapter 62A, by adding a section; Sections 176.011, by adding a subdivision; 176.012; and 176.041, Subdivision 1.	122	295	290a 457a	424 559a 601 1626	1626	1625	2427	92
277	A bill for an act relating to taxation; property; providing for the reduction of property taxes by the maximum credit allowable under Minnesota Statutes, Section 290A.04 and recapture of credit on income tax returns of taxpayers with incomes over \$20,000; amending Minnesota Statutes 1978, Section 290A.04, Subdivision 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 290A.04, Subdivisions 2a and 2b.	122							
278	A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.	122		137					
279	A resolution concerning the budget of the United States; memorializing Congress to call a constitutional convention to propose an amendment to the Constitution to require, with certain exceptions, that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues in any fiscal year.	122		137					
280	A bill for an act relating to towns; permitting certain purchases for highway uses; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.	122	367	355	402				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
281	A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20; repealing Minnesota Statutes 1978, Section 290.06, Subdivision 12.	123								
282	A bill for an act relating to taxation; exempting certain payments to deceased military personnel from the inheritance tax; appropriating money; amending Minnesota Statutes 1978, Section 291.05.	123								
283	A bill for an act relating to the military; providing payments to certain government employees while on military leave; amending Minnesota Statutes 1978, Section 192.26, Subdivision 1.	123								
284	A bill for an act relating to labor relations; changing negotiable terms of employment for certain public professional employees; amending Minnesota Statutes 1978, Section 179.63, Subdivision 18.	123		123	136					
285	A bill for an act relating to interest rates; increasing permissible finance charges for open end credit sales; providing for calculation of finance charges on open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1.	123	639	631a 1009a 1230a	682 1037	1231 3668	3646 3650 3668	3646	3754	346
286	A bill for an act relating to ethics in government; requiring lobbyists to disclose compensation paid for lobbying purposes; amending Minnesota Statutes 1978, Section 10A.04, Subdivision 4.	123		270 417a	416 514a					
287	A bill for an act relating to workers' compensation; changing certain requirements for exception to extra-territorial application; amending Minnesota Statutes 1978, Section 176.041, Subdivision 2.	128	342	334 402	367	428		577	698	15
288	A bill for an act relating to unemployment compensation; making certain employees of educational cooperative service units ineligible for benefits during certain periods; amending Minnesota Statutes 1978, Section 268.08, Subdivision 6.	128	342	333a 429	367	456		661	741	24

a Indicates Amendment

o 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	Chapter
289	A bill for an act relating to education; exempting veterans from tuition payments at post-secondary vocational-technical schools under certain conditions; amending Minnesota Statutes 1978, Section 124.565, Subdivision 3.	128		336a					
290	A bill for an act relating to courts; establishing the Minnesota judicial selection board; specifying duties and procedures for the board; appropriating money.	128							
291	A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; amending Minnesota Statutes 1978, Sections 60A.23, by adding a subdivision; 471.616, Subdivision 1; and Chapter 471, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Section 471.61, Subdivision 1b.	128	5615	237 4804a 5612a 5692 5792 (H251)					
292	A bill for an act relating to retirement; granting certain military service credit for teachers; amending Minnesota Statutes 1978, Section 354.53, Subdivisions 1 and 3.	128		367					
293	A bill for an act relating to retirement; authorizing prior service credit for a certain member of the judge's retirement fund.	129							
294	A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.	129		(H167)					
295	A bill for an act relating to retirement; eliminating the deduction of workers' compensation benefits from certain public employees disability retirement benefits; amending Minnesota Statutes 1978, Section 352B.10; repealing Minnesota Statutes 1978, Sections 352.113, Subdivision 5; 353.33, Subdivision 5; and 353.656, Subdivision 2.	129							
296	A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.	129							
297	A bill for an act relating to taxation; sales; exempting certain sales of bingo cards by veterans groups; amending Minnesota Statutes 1978, Section 297A.25.	129							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
298	A bill for an act relating to the city of South International Falls; authorizing the city to lease municipal buildings.	129	165	163a 241	198 274 664	663	663	802	27
299	A bill for an act relating to taxation; sales; exempting sales to certain veterans groups; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	130							
300	A bill for an act relating to retirement; increasing the minimum period of service required to qualify for legislators retirement; amending Minnesota Statutes 1978, Sections 3A.02, Subdivision 1; and 3A.10, Subdivision 2.	130		151					
301	A bill for an act relating to public welfare; prohibiting certain transfers of property for less than fair consideration for the purpose of receiving assistance; establishing a cause of action for the county to recover certain property or obtain reimbursement for assistance paid out wrongfully; amending Minnesota Statutes 1978, Sections 256.98; and 256B.17; and Chapter 256, by adding a section.	130	367	362a 524	424				
302	A bill for an act relating to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Section 275.50, Subdivision 5.	130		990 (H296)					
303	A bill for an act relating to littering; imposing civil liability on the owner of a vehicle from which certain articles and materials are thrown, deposited, or dumped; prescribing procedures, civil damages, and penalties; amending Minnesota Statutes 1978, Chapter 169, by adding a section.	130	856	151 923	821a 1245 2731	2731	2730	3473	235
304	A bill for an act relating to retirement; judicial service credit for referees in juvenile court; amending Minnesota Statutes 1978, Section 490.121, Subdivision 4.	131							
305	A bill for an act relating to the department of public safety; financing the divisions of highway patrol and driver's license from the general fund; amending Minnesota Statutes 1978, Sections 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; Chapter 171, by adding a section; and Chapter 299D, by adding a section.	131							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
306	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 1978, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.	131							
307	A bill for an act relating to health; permitting placement of pets in certain institutions; amending Minnesota Statutes 1978, Chapters 144, by adding a section; and 144A, by adding a section.	131	270	269a 402a	316 425 803	803	803	1061	38
308	A bill for an act relating to retirement; state payment of social security taxes and employer's retirement contribution for school district employees who are members of the public employees retirement association; appropriating money; amending Minnesota Statutes 1978, Sections 355.41, Subdivision 4; 355.46, Subdivision 3; 355.49; and Chapter 353, by adding a section.	131							
309	A bill for an act relating to labor; requiring employers to provide rest periods to certain employees; amending Minnesota Statutes 1978, Chapter 181, by adding a section.	132							
310	A bill for an act relating to taxation; income; increasing the exclusion for certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	132							
311	A bill for an act relating to taxation; sales; exempting residential water and sewer; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.	132							
312	A bill for an act relating to highways; permitting towns to purchase certain gravel pits; amending Minnesota Statutes 1978, Section 160.11, Subdivision 1.	132							
313	A bill for an act relating to game and fish; clarifying the definition of "agricultural lands" for the purpose of restricting trespass thereon; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.	132							
314	A bill for an act relating to education; authorizing school districts to make agreements providing for (Continued next page)	132							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
314—Continued	the discontinuance by a district of grades or portions of grades and the instruction in another of the districts of the pupils in the discontinued grades or portions of grades; providing for the calculation of pupil units, tuition payments, teacher employment, pupil transportation and transportation aids; amending Minnesota Statutes 1978, Sections 122.84 and 122.85, Subdivisions 1, 2, 3, 4 and 6; repealing Minnesota Statutes 1978, Section 122.85, Subdivision 7.								
315	A bill for an act relating to education; providing for aids to education; 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; modifying the hearing procedure for the educational placement of certain handicapped students; appropriating money; amending Minnesota Statutes 1978, Sections 3.924, Subdivision 1; 3.925; 16.93; 120.075; 120.17, Subdivisions 3b, 4, 6 and 7a; 121.21, Subdivision 6; 121.49; 121.904, Subdivision 11b; 121.917, by adding a subdivision; 121.92; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivisions 1 and 3; 123.705; 123.937; 124.11, Subdivisions 2 and 5; 124.14; 124.17, Subdivision 1; 124.19, by adding a subdivision; 124.20; 124.212, Subdivisions 1, 6c, 7c, and 10; 124.222, Subdivision 3; 124.26, Subdivision 1; 124.271, Subdivision 2, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5 and 10; 124.561, Subdivisions 2, 3 and 3a; 124.562, Subdivisions 2, 3 and 4; 124.565; 124.566; 124.572, Subdivisions 1, 2 and 3; 124.573, Subdivisions 1, 2, 3, and by adding a subdivision; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.61, Subdivision 4; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 134.30, by adding a subdivision; 134.32, Subdivision 5; 134.33, Subdivision 1; 134.34, Subdivisions 1 and 2; 134.35, Subdivisions 1 and 2; 272.115, Subdivision 4; 273.13, Subdivision 6; 275.125, Subdivisions 2a, 8, 11a, and by adding a subdivision; 276.04; 290A.03, Subdivision 13; 465.72; 471.38, by (Continued next page)	133	1497	133 215 1152a 1338a 1486a 1611 1841 (H223)					

a Indicates Amendment

o 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	Chapter
315—Continued									
	adding a subdivision; and Chapters 3, by adding sections; 123, by adding a section; 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 3.9271; 3.9273; 3.9274; 3.9275; 123.938, Subdivision 7; 124.212, Subdivisions 6b and 7b; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.562, Subdivision 1; 124.563; 134.33, Subdivision 2; 273.132; 275.125, Subdivision 13.								
316	A bill for an act relating to the department of public safety; financing the divisions of highway patrol and driver's license from the general fund; amending Minnesota Statutes 1978, Sections 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; Chapter 171, by adding a section; and Chapter 299D, by adding a section.	133							
317	A bill for an act relating to the administration of criminal justice; establishing a program for the undercover investigation of cross jurisdictional criminal activity through the purchase of narcotics, stolen property and information; providing for the restoration or disposal of stolen property; amending Minnesota Statutes 1978, Section 299C.07; and Chapter 299C, by adding a section.	133		196a(H229)					
318	A bill for an act relating to appropriations; providing that no federal funds or state matching funds shall be made available for law enforcement and criminal justice purposes unless specifically appropriated by an act of the legislature; amending Minnesota Statutes 1978, Section 299A.03, Subdivisions 8 and 10.	133							
319	A bill for an act relating to the operation of state government; establishing a council on the administration of criminal justice; providing for study and investigation of alternative proposals for the administration of criminal justice; appropriating money.	134							
320	A bill for an act relating to banks and banking; authorizing state banks to lease personal property under certain conditions; amending Minnesota Statutes 1978, Section 48.152.	134	924	901 1033 1220(H248)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
321	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.	134		151						
322	A bill for an act relating to guardianship; providing that a petition for guardianship may be treated as a petition for conservatorship; providing for the transfer of guardianship to conservatorship; amending Minnesota Statutes 1978, Sections 201.15; 525.551; and 525.61.	134	455	445a 604a	476	644	864	1262	43	
323	A bill for an act relating to Independent School District No. 256, Red Wing; appropriating money.	134		336						
324	A bill for an act relating to crimes; escape from custody; authorizing prosecution of persons who escape jail while serving time as a condition of probation and persons who fail to report to or return from employment while under work release programs; providing penalties; amending Minnesota Statutes 1978, Section 609.485, Subdivisions 3 and 4, and by adding a subdivision.	134	455	446a 603	476	645				
325	A bill for an act relating to the department of public safety; financing the divisions of highway patrol and driver's license from the general fund; amending Minnesota Statutes 1978, Sections 299D.02, Subdivision 1; 299D.03, Subdivision 2; 299D.04; 299D.05, Subdivision 3; Chapter 171, by adding a section; and Chapter 299D, by adding a section.	135								
326	A bill for an act relating to retirement; providing a retirement allowance for members of the legislature after eight years of service; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.	135	1004	971a 3650	1228	1564				
327	A bill for an act relating to the city of Saint Paul; authorizing the disposition of the Gillette state hospital property, building and grounds.	135	342	337a 403a	367	428 578	578	577	741	25
328	A bill for an act relating to taxation; inheritance and gift taxes; lowering certain penalties for failure to pay taxes on time; amending Minnesota Statutes 1978, Sections 291.131, Subdivisions 1 and 2; and 292.111, Subdivisions 1 and 2.	135								

a Indicates Amendment

o 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	Chapter
329	A bill for an act relating to taxation; income; adopting 1978 federal amendments increasing the exclusion from gross income of gain from a sale of a residence for certain persons; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	135							
330	A bill for an act relating to holidays; establishing January 15, Martin Luther King, Jr.'s birthday, as a holiday; amending Minnesota Statutes 1978, Section 645.44, Subdivision 5.	135		3504					
331	A bill for an act relating to intoxicating liquor; persons to whom furnishing prohibited; amending Minnesota Statutes 1978, Section 340.14, Subdivision 1a.	136							
332	A bill for an act relating to pipelines; limiting negotiation and acquisition of easements; requiring public meetings and information books for affected landowners; requiring minimum depth of cover on cultivated land; authorizing adoption of local ordinances to protect public roads and drainage facilities; authorizing counties to adopt ordinances to establish pipeline construction standards; requiring pipelines to pay inspection fees; providing for a county inspector; limiting liability for certain unintentional damage to pipelines; providing for reversion of certain easements and recording of survey points; imposing duties on the environmental quality board and certain county boards; providing for enforcement by injunctive relief; imposing criminal and civil penalties; appropriating money.	136	856	516a 632a 823a 923 1247a 1251a	1252 2504	2504	2503	3470	194
333	A bill for an act relating to education; providing for nonpublic school administrative unit representation at organizational meetings of educational cooperative service units, for participation in their programs, the composition of their governing boards and advisory councils and for their annual reports; changing the name of the advisory task force on nonpublic schools and extending its term; amending Minnesota Statutes 1978, Section 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended.	140	1004	958a 1228 1256	1298		2428	3470	195

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
334	A bill for an act relating to education; requiring the expungement of certain material from the files of certain supervisory employees; amending Minnesota Statutes 1978, Sections 125.12, Subdivision 14 and 125.17, Subdivision 12.	140	1399	167 1390a 1497	1734		2283	3467	139
335	A bill for an act relating to taxation; exempting farm machinery from the sales tax; reducing motor vehicle excise tax to two percent and exempting used motor vehicles; amending Minnesota Statutes 1978, Sections 297A.25, Subdivision 1; 297B.02; and 297B.03.	140		166					
336	A bill for an act relating to taxation; providing for state reimbursement of taxing districts for tax reduction granted to Title II and certain other property; appropriating money; amending Minnesota Statutes 1978, Section 276.04; and Chapter 273, by adding a section.	140	4154	4100a 4215 4571	4972				
337	A bill for an act relating to taxation; providing for allocation of items of income to the state; restricting the deduction of net operating losses incurred in connection with out-of-state sources; providing a deduction for trust and estate income from out-of-state sources; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.095, Subdivision 4; 290.17, Subdivision 1; and 290.23, by adding a subdivision.	141	1729	1693 1967 2305a	2306				
338	A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.	141	367	361a 424 558 638 (H270)					
339	A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.	141							
340	A bill for an act relating to ethics in government; defining administrative action; excluding persons presenting legislative claims from the definition of "lobbyist" under certain conditions; clarifying campaign report filing dates; providing for the registration of political committees and political funds; defining candidate to include candidates for certain judicial offices and excluding those candi- (Continued next page)	141	342	340a 367 559a	600 1065	1065	1064	1456	59

a Indicates Amendment

() 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	Chapter
340—Continued	dates from reporting under the Fair Campaign Practices Act; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 2, 5 and 11; 10A.14, Subdivision 1; 10A.20, Subdivision 2; 210A.01, Subdivision 3; and 290.06, Subdivision 11.								
341	A bill for an act relating to taxation; property; decreasing the penalty for real estate taxes during the first 30 days of delinquency; amending Minnesota Statutes 1978, Section 279.01.	141							
342	A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; adding an additional member to the board of architecture, engineering, land surveying and landscape architecture; amending Minnesota Statutes 1978, Sections 326.02, Subdivision 4; and 326.04.	141		630a (H357)					
343	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 2; setting the size of the legislature at 33 senators and 99 representatives.	142		166					
344	A bill for an act relating to agriculture; providing for the promotion of Minnesota agricultural products; providing for production research; appropriating money; amending Minnesota Statutes 1978, Section 15.057.	142		472a					
345	A bill for an act relating to certain political subdivisions; regulating fees charged by law libraries; amending Laws 1933, Chapter 291, Section 4, as amended; and Laws 1967, Chapter 223, Section 1.	142	295	293a 402	342 426 1581	1581	1581	2283	88
346	A bill for an act relating to Hennepin county; authorizing the county board to self insure against claims and losses; allowing conditions of commercial insurance; repealing Laws 1971, Chapter 330.	142	639	629a 776	682 864		1062	1326	55
347	A bill for an act relating to metropolitan government; fixing the revenues of the metropolitan sports facilities commission; changing the liquor tax revenues of the commission; providing for an advisory referendum; appropriating money; amending Minnesota Statutes 1978, Section 473.581; repealing Minnesota Statutes 1978, Section 473.591.	142							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
348	A bill for an act relating to taxation; sales tax; exempting certain farm machinery and repair parts; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	143		166					
349	A bill for an act relating to intoxicating liquor; prohibiting local authorities from requiring early payment of property taxes as a condition for the issuance or renewal of licenses; amending Minnesota Statutes 1978, Section 340.11, Subdivision 17.	143							
350	A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park and Judge C. R. Magney State Park; adding lands to the boundaries of Split Rock Lighthouse State Park and Afton State Park.	143	719	715a 769 923(H235)					
351	A bill for an act relating to commerce; requiring identification and liability insurance on towing vehicles; prohibiting local licensing of towing companies unless they have contracted to perform services for the local governmental unit; providing a penalty; amending Minnesota Statutes 1978, Chapter 326, by adding a section.	143	424	419a 1297 1605a	1605				
352	A bill for an act relating to labor; increasing the minimum wage; amending Minnesota Statutes 1978, Section 177.24, Subdivision 1.	143	1004	166 964a 1228 1911 (H699)					
353	A bill for an act relating to unemployment compensation; making certain persons who have filed for workers' compensation eligible for unemployment compensation benefits; providing for recapture; amending Minnesota Statutes 1978, Section 268.08, Subdivision 3.	143		166					
354	A bill for an act relating to taxation; income; providing for additional credits when elderly persons and disabled children are cared for in the home; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.	144		166					
355	A bill for an act relating to land surveying; authorizing counties to contract for the preservation and remonumentation of the United States public land survey; creating a state remonumentation review committee; appropriating (Continued next page)	144		166 587a 683					

a Indicates Amendment

() 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	Chapter
355	Continued money; amending Minnesota Statutes 1978, Sections 287.21, Subdivision 2; 287.25; 287.28; 287.29, Subdivision 1, 389.011, Subdivision 2; and Chapter 287, by adding a section.								
356	A bill for an act relating to taxation; providing an income tax credit for members of the reserve components of the armed forces of the United States; amending Minnesota Statutes 1978, Section 290.06, Subdivision 12.	144		166					
357	A bill for an act relating to state government; providing for agency rules hearing, review of rules and report to the legislature and the governor; amending Minnesota Statutes 1978, Section 15.0411, Subdivision 1; and Chapter 15, by adding a section.	144		166					
358	A bill for an act relating to health maintenance organizations; declaring legislative intent and public policy favoring childbirth over abortion; eliminating any requirements that health maintenance organizations provide elective, induced abortions; amending Minnesota Statutes 1978, Sections 62D.01, by adding a subdivision; 62D.02, Subdivision 7; and 62D.22, Subdivision 5.	144		144 166 215(H479)					
359	A bill for an act relating to obscenity; prohibiting the promotion and dissemination of obscene materials; providing penalties; amending Minnesota Statutes 1978, Sections 617.26; 617.27; 617.291, Subdivision 2; 617.292, Subdivisions 4, 6, 7 and 8; and Chapter 609, by adding sections; repealing Minnesota Statutes 1978, Section 617.241.	145		166					
360	A bill for an act relating to taxation; providing for the taxation of unemployment compensation benefits if the benefits and federal gross income exceeds \$15,000; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	145		166					
361	A bill for an act relating to highway traffic regulations; regulating speed limits within school zones; prescribing penalties; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5a.	145	556	538a 776	597	859 1062	1062	1456	60

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
362	A bill for an act relating to Hennepin County; providing for the appointment, compensation, and duties of the medical examiner; amending Laws 1963, Chapter 848, Section 1, Subdivision 2; Section 5; repealing Laws 1963, Chapter 848, Section 1, Subdivision 4.	145	455	448a 603	476	645		1327	1580	71
363	A bill for an act relating to crimes; requiring reporting of firearm discharges by security guards.	145	639	623a 776	682	863 2356	2356	2356	3470	196
364	A bill for an act relating to peace officers, part-time officers and constables; providing for the training of part-time officers and constables; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Sections 169.98; 326.337, Subdivision 1; 367.41, Subdivision 1; 626.846, Subdivisions 1 and 2; 626.851, Subdivision 1; 626.852; and Minnesota Statutes, 1979 Supplement, Sections 626.84; 626.8463; 626.8464; and repealing Minnesota Statutes 1978, Sections 367.41, Subdivision 3; and 626.846, Subdivisions 1a, 3a, 4, and 5; and Minnesota Statutes, 1979 Supplement, Sections 367.41, Subdivision 2; and 626.8467.	145	719	713a 1012a	769 1041a	1041 6131	4413 4580 4483 5012 6124*	4413 6192	6817	578
365	A bill for an act relating to taxation; sales; exempting certain residential utilities; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; and 297A.25, Subdivision 1.	146		166						
366	A bill for an act relating to zoning; making state owned lands subject to local planning and zoning ordinances.	146								
367	A bill for an act proposing an amendment to the Minnesota Constitution to add an article to provide for initiative and referendum.	146								
368	A bill for an act relating to state lands; providing for the lease of certain lands to the city of Hastings.	146		(H191)						
369	A bill for an act relating to taxation; income; excluding certain payments to members of the armed services from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	146								

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
370	A bill for an act relating to taxation; requiring payment of an income tax rebate; appropriating money.	146	165	164a 175a	167 176				
371	A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; and Chapter 429, by adding a section; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.	147		(H177)					
372	A bill for an act relating to public utilities; removing cooperative telephone associations from the rate jurisdiction of the public service commission; granting associations an option as to rate regulation; amending Minnesota Statutes 1978, Section 237.06.	155		342(H218)					
373	A bill for an act relating to taxation; income; increasing the amount of deductible losses from out of state sources; excluding from gross income a portion of gain from property with a basis differential attributable to the allocation of income to the state; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.17, Subdivision 1.	155							
374	A bill for an act relating to taxation; income; exempting pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	155							
375	A bill for an act relating to medical assistance; nursing home rates; modifying exceptions to rate limits; requiring annual hearings on limits on nursing care; amending Minnesota Statutes 1978, Section 256B.47, Subdivision 1; and by adding a subdivision.	155							
376	A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 375.18, Subdivision 3; 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.	155	2651 5502	215 986a 2647a 2680 3467 5495a 5577 5681 (H1047)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
377	A bill for an act relating to game and fish; regulating placement of boats, blinds and decoys; amending Minnesota Statutes 1978, Section 100.29, Subdivision 18.	156							
378	A bill for an act relating to state government; establishing and empowering a temporary joint legislative study commission to examine financing of state mandated services; appropriating money.	156							
379	A bill for an act relating to education; providing for four year averaging in the calculation of declining pupil units; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.	156		175					
380	A bill for an act relating to abortion; eliminating restrictions on medical assistance for abortion services; amending Minnesota Statutes 1978, Section 256B.02, Subdivision 8; repealing Minnesota Statutes 1978, Sections 256B.011; 256B.40; 261.28; and 393.07, Subdivision 11.	156		166					
381	A bill for an act relating to the city of Ely; providing for the salaries of the mayor and council.	156	639	637 789 1009 1040 1597					
382	A bill for an act relating to taxation; municipal development districts tax increments; placing a moratorium on the inclusion of townships in determining tax increments.	157							
383	A bill for an act relating to state employees; authorizing voluntary payroll deductions for the International Service Agencies; amending Minnesota Statutes 1978, Section 15.375.	157							
384	A bill for an act relating to elections; providing additional compensation for election judges who travel to pick up election supplies or deliver ballots; authorizing town boards to fix the compensation of town election judges; amending Minnesota Statutes 1978, Section 204A.23.	157	295	289 316 344a	371 1063	1063	1063	1456	61
385	A bill for an act relating to labor; requiring employers to furnish certain safety apparel to employees.	157		175					

a Indicates Amendment

h 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	Chapter
386	A bill for an act relating to health; providing for special grants to provide a range of services designed to maintain physically impaired adults in their homes and communities; appropriating money; amending Minnesota Statutes 1978, Section 145.912, Subdivision 7; and Chapter 145, by adding a section.	157	5118	166 554a 5110a 5222 5523					
387	A bill for an act relating to children; amending the definitions of delinquent and dependent children; defining 24 hour detention; requiring certain dependent and delinquent children to be placed in a shelter care facility; amending Minnesota Statutes 1978, Sections 260.015, Subdivisions 5 and 6; 260.173, Subdivisions 1 and 2; repealing Minnesota Statutes 1978, Section 260.173, Subdivision 3.	157							
388	A bill for an act relating to towns; changing certain limits on payments for attorney's fees; amending Minnesota Statutes 1978, Section 368.121.	158	179	179 198 241	276 385	385	385	492	6
389	A bill for an act relating to taxation; requiring county to reimburse township for certain errors made by county auditor.	158	179	179 198 241a	276		577	698	16
390	A bill for an act relating to taxation; property tax; extending 3cc classification to mobile homes owned by disabled persons; allowing homestead owned by disabled person and joint tenant to qualify for 3cc classification; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.	158	2364	2358a 2470 2654	2675				
391	A bill for an act relating to the state board of investment; prohibiting certain investments; amending Minnesota Statutes 1978, Sections 11.13; and 11.16, Subdivision 13.	158		3552					
392	A bill for an act relating to juvenile court referees; authorizing referees to hear contested trials or motions unless objection is made; amending Minnesota Statutes 1978, Section 484.70, Subdivision 3.	158		(H263)					
393	A bill for an act relating to taxation, school taxes; providing a method for determining the market value of agricultural lands by the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.	158							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
394	A bill for an act relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; revising anti-freeze registration procedures; adopting certain federal food regulations; amending Minnesota Statutes 1978, Sections 17B.13, Subdivision 1; 21.54, Subdivisions 2 and 3; 24.25, Subdivision 2; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.	159	476	473a 556 647a 841 (H768)					
395	A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, by adding a section.	159		(H373)					
396	A bill for an act relating to housing; creating a grant program for accessible housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 15, and by adding a subdivision; and 462A.21, Subdivision 6, and by adding a subdivision.	159		290					
397	A bill for an act relating to local government; setting conditions for the removal of local government units to permit mining.	159							
398	A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1978, Section 117.47; repealing Minnesota Statutes 1978, Sections 117.46; and 117.461.	159		(H31)					
399	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 1978, Section 145.925, Subdivision 4.	160							
400	A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.	160		(H259)					

a Indicates Amendment

() 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	Chapter
401	A bill for an act relating to taxation; property tax; changing class 3b to include certain noncontiguous agricultural acreage; amending Minnesota Statutes 1978, Section 273.13, Subdivision 6.	160							
402	A bill for an act relating to privacy; eliminating certain restrictions on the release of data to Interpol; repealing Minnesota Statutes 1978, Section 15.1643.	160							
403	A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; appropriating money; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.	160	5502	237 4676a 5494a 5692 5794 (H262)					
404	A bill for an act relating to education; school district elections; permitting the question of establishing a school breakfast program to be placed on the ballot of an annual school district election; amending Minnesota Statutes 1978, Section 123.32, by adding a subdivision.	160							
405	A bill for an act relating to transportation; establishing a state policy of coordinating public and private programs providing transportation for elderly, handicapped and others with special transportation needs; establishing an interagency task force on coordination of special transportation programs; authorizing the commissioner of transportation to adopt and enforce operating standards for special transportation services; exempting services that meet standards from other license and permit requirements; directing the establishment of a demonstration project for coordinating special transportation service in the metropolitan area; providing for state assistance for driver training and insurance and establishing accessibility requirements for paratransit projects; authorizing medical assistance reimbursement to qualified public and private nonprofit providers of special transportation service; requiring certain provisions in the medical assistance reimbursement rules of the department of public welfare; permitting transfer of paratransit grant appropriations for certain purposes; amending Minnesota	161	2299	175 258a 365a 494 503a 596a 2291a 2376 2556					

(Continued next page)

BILLS OF 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 Statutes 1978, Chapter 174, by adding sections; and Sections 174.23, by adding a subdivision; and 256B.04, Subdivision 12.								
406	A bill for an act relating to labor; creating a full employment and economic equity advisory task force; appropriating money.	161	2807	295 832a 2360 2806a 2954 3467					
407	A bill for an act relating to regional development commissions; requiring a report on the commission's effectiveness; providing procedures for terminating commissions; amending Minnesota Statutes 1978, Section 462.393; and Chapter 462, by adding a section.	161	3730	3667 3729a 3840 3907a	4000 6050	6050	6049	6817	557
408	A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.	161		(H297)					
409	A bill for an act relating to commerce; regulating price display by gasoline stations and other vendors of motor fuel; amending Minnesota Statutes 1978, Section 325.77, Subdivision 4.	162							
410	A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; providing for appointment of board members by certain organizations; amending Minnesota Statutes 1978, Section 490.15, Subdivision 1.	162	556	288 292a 365a 540a 597 727a 776a	859	3714 3841 4011	3714		
411	A bill for an act relating to taxation; defining conveyances that must be presented to the auditor before recording; eliminating duty of county recorder to list judgments affecting real estate titles; eliminating payment to county recorder for making lists; amending Minnesota Statutes 1978, Sections 272.12; and 272.17; repealing Minnesota Statutes 1978, Section 272.18.	162	295	292 316 344	370		443	576	9
412	A bill for an act relating to hospitals; providing for payment of election judges; providing hospital board members with travel and other expenses incurred in the performance of their duties; authorizing hospital boards to set compensation for board members; amending Minnesota Statutes 1978, Section 447.32, Subdivision 4, and by adding a subdivision.	162		(H370)					

a Indicates Amendment

l 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	Chapter
413	A bill for an act relating to taxation; property tax refund; providing for payment of refunds to personal representatives of certain decedents; amending Minnesota Statutes 1978, Section 290A.18.	170							
414	A bill for an act relating to crimes; establishing a program for undercover arson investigation; appropriating money.	170							
415	A bill for an act relating to highways; providing for bus shelters and benches on streets and highways; authorizing road authorities to grant franchises; amending Minnesota Statutes 1978, Section 160.27, Subdivision 2.	170		(H87)					
416	A bill for an act validating and legalizing certain state assignment certificates.	170		(H303)					
417	A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; providing for a hearing in the courts to determine if a motion picture is obscene; prescribing penalties.	170							
418	A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.	170	295	180 290a 455 475 (H295)					
419	A bill for an act relating to the county of St. Louis; providing rights to suspended classified service employees; amending Laws 1941, Chapter 423, Section 22.	171		(H279)					
420	A bill for an act relating to agriculture; changing the eligibility requirements for a family farm security loan; changing the eligibility standards for payment adjustments received pursuant to a family farm security loan; allowing guarantees to purchasers of the mortgage executed by an original lender; amending Minnesota Statutes 1978, Sections 41.55; 41.56, by adding a subdivision; and 41.57, Subdivision 3.	171	476	180 199 473a 556 726 771	772 2955	2955	2955	3473	236
421	A bill for an act relating to education; reducing the number of mills in the foundation aid formula; providing for four year averaging in the calculation of declining pupil units; amending Minnesota Statutes 1978, Sections 124.17, Subdivision 1; and 124.212, Subdivisions 6c and 7c.	171		180					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
422	A bill for an act relating to public utilities; placing certain cooperative electric associations under the jurisdiction of the public service commission for rate making purposes; amending Minnesota Statutes 1978, Section 216B.16, by adding a subdivision.	171							
423	A bill for an act relating to public employees labor relations; providing for inclusion of registered nurses in appropriate units; amending Minnesota Statutes 1978, Sections 179.63, Subdivision 11; and 179.71, Subdivision 3.	171							
424	A bill for an act relating to financial institutions; authorizing use of collection boxes by state banks and certain other financial institutions; amending Minnesota Statutes 1978, Section 47.51; and Chapter 47, by adding sections.	171							
425	A bill for an act relating to the city of St. Cloud; policemen's relief association administration and benefits; amending Laws 1973, Chapter 432, Sections 2, by adding a subdivision; 4; 5, Subdivisions 1 and 2; and 6, Subdivision 1; repealing Laws 1973, Chapter 432, Sections 5, Subdivision 5; 6, Subdivision 2; and 9, Subdivision 2.	172							
426	A bill for an act relating to taxation; providing that the reduced property tax classification for homesteads of disabled veterans be continued for their surviving spouses; extending the 3cc classification to property of persons receiving disability benefits from political subdivisions; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.	172	1591	1584a 1621	1737				
427	A bill for an act relating to warehouses; excepting persons storing certain items on a seasonal basis from requirements applied to warehousemen; amending Minnesota Statutes 1978, Section 231.01, Subdivision 5.	172	316	315 402	342 426		2355	3469	178
428	A bill for an act relating to labor; requiring certain employers to provide employees with annual chest x-rays and hearing tests.	172		(H323)					
429	A bill for an act relating to labor; providing for issuance of injunctions against certain violations of laws relating to wages, hours and employment conditions; amending Minnesota Statutes 1978, Chapter 181, by adding a section.	172							

a Indicates Amendment

Ⓜ 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	Chapter	
430	A bill for an act relating to federal money; providing for legislative review of requests to expend federal money received by state agencies; amending Minnesota Statutes 1978, Section 3.30, Subdivision 2; and Chapter 3, by adding a section.	172		706a						
431	A bill for an act relating to taxation; income; providing a one time exclusion of gain from the sale of a residence by an older taxpayer; providing for nonrecognition of gain from certain multiple sales of residences; eliminating gain from the sale of a principal residence as a tax preference item; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20, and 290.091.	173								
432	A bill for an act relating to general assistance and general assistance medical care; eliminating the notarizing requirement for general assistance and general assistance medical care applications; amending Minnesota Statutes 1978, Section 256D.07.	173	295	291a 371	316	399 2731	2731	3473	237	
433	A bill for an act relating to grand juries; allowing witnesses to have counsel present during grand jury proceedings; authorizing grand juries to investigate and report on the conduct of public servants.	173								
434	A bill for an act relating to game and fish; authorizing the elderly to take small game without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1; repealing Minnesota Statutes 1978, Section 98.45, Subdivision 8.	173								
435	A bill for an act relating to education; increasing the maximum awards for scholarships and grants-in-aid; changing the eligibility for certain financial assistance; increasing the bonding authority of the higher education coordinating board; requiring that data on certain applicants for student financial assistance be classified as private and providing an exception; increasing the eligibility for a tuition subsidy for a public post-secondary vocational-technical school; appropriating money; amending Minnesota Statutes 1978, Sections 136A.121, Subdivisions 4, 5, 7 and 8; 136A.162; 136A.171; and 136A.236, Subdivision 2.	173	2364	449 2470	2362a 2654	2677 2763	2763	2762	3473	238

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
436	A bill for an act relating to financial institutions: permitting graduated payment home mortgages; amending Minnesota Statutes 1978, Chapters 47, by adding a section; and 52, by adding a section.	174	857	180 397 807a 923 1244a	1244		2764	3473	239
437	A bill for an act relating to state property; authorizing the conveyance of certain state property in Kandiyohi County to the city of Willmar; appropriating money.	174	1911	625a 1910a 2251	2327				
438	A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Sections 3 and 4; providing for elections to fill vacancies in constitutional offices.	174		180 4996					
439	A bill for an act relating to aid to local units of government; providing payments in lieu of taxes to counties and townships in which certain natural resources lands are located; providing payments to local taxing districts containing reduced assessment property; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d; and Chapter 273, by adding a section.	174	1577	180 594a 1462 1467a 1577 1621 1665	1667				
440	A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.	174		(H107)					
441	A bill for an act relating to the state building code; making adopting of the code voluntary; amending Minnesota Statutes 1978, Sections 16.851; and 16.861, Subdivision 1.	174		180					
442	A bill for an act relating to education; permitting a student enrolled in a nonpublic school outside his district of residence to attend a public school in the district; amending Minnesota Statutes 1978, Section 120.075.	178							
443	A bill for an act relating to taxation: income; increasing the exclusion from gross income of gain from a sale of a residence for certain persons; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	178		199					
444	A bill for an act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.	178	523	506 556 647	723 1593	1581 1593	1581	2283	89

a Indicates Amendment

() 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	Chapter
445	A bill for an act relating to the range association of municipalities and schools; providing for the court standing of the association; amending Minnesota Statutes 1978, Section 471.58.	178	924	901a 1033 1295(H386)					
446	A bill for an act relating to occupational licensing; expanding the membership of the board of barbers; expanding the membership of the board of cosmetology; providing for the use of apprentice barbers; eliminating prohibition against unfair trade practices; providing for a study of state regulatory practices; appropriating money; amending Minnesota Statutes 1978, Sections 154.03; 154.22; 155.04; and 155.05; repealing Minnesota Statutes 1978, Chapter 186.	178		418a 843a					
447	A bill for an act relating to the state building code; restricting statewide application of certain provisions; requiring builders to construct homes in compliance with the building code; permitting the use of ungraded Minnesota lumber in certain jurisdictions; providing for courses on lumber grading; providing tuition reimbursement and per diem for building officials; appropriating money; amending Minnesota Statutes 1978, Sections 16.851; 16.861, Subdivisions 1 and 4, and by adding a subdivision; 16.866, Subdivision 1; 327A.01, Subdivision 2; repealing Laws 1978, Chapter 786, Section 22.	179	2446	496a 2445a					
448	A bill for an act relating to Washington County; authorizing the commissioner of public safety under certain circumstances to appoint an agent to assist the clerk of the district court in Washington County in accepting applications for drivers licenses and permits; repealing Minnesota Statutes 1978, Section 171.06, Subdivision 5.	186		H253					
449	A bill for an act relating to railroads; regulating the disposal of certain abandoned property.	186							
450	A bill for an act relating to probate; clarifying the form for a self-proved will; amending Minnesota Statutes 1978, Section 524.2-504.	186	597	561 776 639	862 2809	1359 1591 1592 1911 2333 2473 2808*	1359 2919	3473	240

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
451	A bill for an act relating to taxation; providing standards and procedures for tax increment financing; authorizing the issuance of bonds; authorizing tax increment financing for the payment of principal and interest on such bonds; providing limitation on extent of districts to which tax increment financing applies; amending Minnesota Statutes 1978, Sections 362A.05; 458.192, Subdivision 11; 462.545, Subdivision 5; 462.585, Subdivisions 2, 3 and 4; 472A.06; 472A.07, by adding a subdivision; 473F.02, Subdivision 3; 473F.05; 473F.08, Subdivisions 2, 4 and 6; 474.10, Subdivisions 2 and 3; and Chapter 273, by adding sections; repealing Minnesota Statutes 1978, Sections 472A.02, Subdivision 3; 472A.07, Subdivision 4; and 472A.08.	186							
452	A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.	186		(H282)					
453	A bill for an act relating to retirement; judicial retirement; extending pension portability mechanisms to judges; amending Minnesota Statutes 1978, Section 356.30, Subdivision 3; and Chapter 490, by adding a section.	187							
454	A bill for an act relating to motor vehicles; exempting certain transfers of title from odometer disclosure requirement; amending Minnesota Statutes 1978, Section 168A.10, Subdivision 1.	187							
455	A bill for an act relating to liquor; registration of labels; amending Minnesota Statutes 1978, Section 340.62.	187		2680 2681a 3666(H1216)					
456	A bill for an act relating to crimes; providing mandatory sentences for persons profiting from prostitution and for persons using the services of prostitutes; providing a state directed program of enforcement with respect to prostitution; providing penalties; appropriating money; amending Minnesota Statutes 1978, Section 609.32.	187							
457	A bill for an act relating to natural resources; reducing local match required for dam repair and reconstruction grants; amending Minnesota Statutes 1978, Section 105.482, Subdivision 3.	187							

a Indicates Amendment

1) 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
458	A bill for an act relating to crimes; increasing penalties for certain acts relating to prostitution; increasing penalties for certain acts relating to juveniles and prostitution; prohibiting solicitation on public streets; decreasing penalties for engaging in prostitution or hiring a prostitute; repealing laws relating to consensual sodomy, fornication, adultery and vagrancy; amending Minnesota Statutes 1978, Section 609.32; repealing Minnesota Statutes 1978, Sections 609.293; 609.34; 609.36 and 609.725.	188							
459	A bill for an act relating to Independent School District No. 583; providing that it shall not lose special state aid because it exempts certain 12th grade pupils from attendance at school the minimum number of hours of a day required by law and rule of the state board of education pursuant to a senior privileges program.	188							
460	A bill for an act relating to state government; facilitating communication with state agencies.	188							
461	A bill for an act relating to labor; overtime; changing the minimum workweek; amending Minnesota Statutes 1978, Section 177.25, Subdivision 1.	188							
462	A bill for an act relating to taxation; income; providing job expansion and investment credits for new businesses.	188							
463	A bill for an act relating to taxation; income; exempting from the income of Minnesota residents a certain amount of income derived from sources outside the state; amending Minnesota Statutes 1978, Sections 290.08, by adding a subdivision; and 290.17, Subdivision 1.	188							
464	A bill for an act relating to the city of Fridley; authorizing a housing finance program and providing for the issuance of general obligation and revenue bonds to finance the program.	189		481					
465	A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.	189							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
466	A bill for an act relating to counties; providing for the use of certain tax-forfeited lands; regulating the terms of small timber sales; amending Minnesota Statutes 1978, Section 282.04, Subdivision 1.	189	424	417 558	455 643		1328	1991	78
467	A bill for an act relating to education; requiring the commissioner of education to sponsor and report on an annual meeting between the state board of education and certain school board members; amending Minnesota Statutes 1978, Chapter 121, by adding a section.	189	597	591 776	639 863				
468	A bill for an act relating to the Minnesota municipal board; providing for the membership of the board; amending Minnesota Statutes 1978, Section 414.01, Subdivision 2.	189							
469	A bill for an act relating to towns; removing certain levy limitations; amending Minnesota Statutes 1978, Section 164.041; repealing Minnesota Statutes 1978, Section 275.10.	190		494 597 (H389)	506				
470	A bill for an act relating to highway traffic regulations; requiring the commissioner of transportation to adopt uniform specifications for senior citizen and handicapped crossings; authorizing local authorities to designate senior citizen and handicapped crossings in conformance with specifications; providing a penalty; amending Minnesota Statutes 1978, Chapter 169, by adding a section.	190	397	395a 560a	455 640				
471	A bill for an act relating to taxation; providing that joint tenants shall apportion property tax refund claims; amending Minnesota Statutes 1978, Sections 290A.03, Subdivisions 8 and 13; and 290A.05.	190	1729	1692a 2305a	1967 2305				
472	A bill for an act relating to retirement; teachers; increasing employer and employer additional contributions; age for selecting joint and survivor annuities; interest on certain refunds; amending Minnesota Statutes 1978, Sections 354.42, Subdivisions 3 and 5; 354.46, Subdivision 2; and 354.49, Subdivision 2.	190							
473	A bill for an act relating to the organization of state government; creating a council on fire prevention and control; superseding an executive order agency; appropriating money.	190		755a					

a Indicates Amendment

h 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	Chapter
474	A bill for an act relating to taxation; income tax; providing a renewable energy credit; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	190	1729	676a 1691a 1967 2375a	2376				
475	A bill for an act relating to corrections; providing re-employment preference for state correctional employees displaced by county participation in the community corrections subsidy program; amending Minnesota Statutes 1978, Section 401.16.	191							
476	A bill for an act relating to taxation; allowing married pension recipients to split income for purposes of computing pension exclusion amount; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	191							
477	A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities and services; providing for membership of health systems agencies; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.	191	719	701a 769 1033(H260)					
478	A bill for an act relating to town roads; providing for the establishment of certain cartways, and authorizing the expenditure of town road and bridge funds under certain conditions; amending Minnesota Statutes 1978, Section 164.08, Subdivision 2.	191	719	709a 769	1232 1499	1458 1499	1458	2283	83
479	A bill for an act relating to health; providing for nonseverability of the provisions of the family planning services grant program; amending Minnesota Statutes 1978, Section 145.925, by adding a subdivision.	191		(H399)					
480	A bill for an act relating to public health; authorizing the funding of a statewide poison information center; giving grant and program monitoring responsibilities to the commissioner of health; appropriating money.	192	2651	665 2644a 2680	2826 6116	5556 5616 5618 5677 6114*	5556 6192	6817	577
481	A bill for an act relating to transportation; appropriating money to the department of transportation for the purpose of providing operating subsidies for Medicine Lake transit service under certain conditions.	192	1351	709a 1346 1398	1842 2762	2762	2762	3474	266

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter		
482	A bill for an act relating to corporations; authorizing purchase of insurance to provide indemnification of certain persons for certain liabilities and expenses; amending Minnesota Statutes 1978, Sections 300.082, Subdivisions 4 and 5; and 301.095, Subdivisions 4 and 5.	192	1223	1088a 1506	1297	1511		4008	4496	352	
483	A bill for an act relating to state parks; deleting certain land from the boundaries of Judge C. R. Magney State Park; authorizing the state to buy certain lands for the purpose of adding lands to the Judge C. R. Magney State Park; authorizing the commissioner of natural resources to acquire a conservation easement along the Brule River and Lake Superior shoreline.	192	424	417 603a	476	644					
484	A bill for an act relating to elections; requiring recounts in county, municipal and school district elections under certain circumstances; setting a time limit for appeal of a district court determination in a school district election contest; clarifying provisions concerning return of absentee ballots; regulating elections in the city of Duluth and Independent School District No. 709; amending Minnesota Statutes 1978, Chapter 204A, by adding a section, Sections 123.32, Subdivision 25, and by adding a subdivision; 205.11, by adding a subdivision; 205.14, by adding a subdivision; Section 207.08, Subdivision 2, and by adding a subdivision; and 207.11, by adding a subdivision; repealing Minnesota Statutes 1978, Section 207.10.	192	397	391a 457	424	480 1594	1458 1594	1593	1458	2283	90
485	A bill for an act relating to intoxicating liquor; repealing the dramshop law, and laws requiring notice of injury and claim reporting; repealing Minnesota Statutes 1978, Sections 72A.062; 340.95; and 340.951.	192		237							
486	A bill for an act relating to education; changing the requirements for membership on the state university board and on the state board for community colleges; amending Minnesota Statutes 1978, Sections 136.12, Subdivision 1; and 136.61, Subdivision 1.	193	856	807 1009	923	1047 1237 3231	1052 1237a 2843 2961 3230*	1227	2761 3367	3478	317
487	A bill for an act relating to education; prohibiting a school district from borrowing money or issuing a bond to retire certain certificates (Continued next page)	193									

a Indicates Amendment

() Indicates House File Substitution
D 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
487—Continued	or obligations of indebtedness; amending Minnesota Statutes 1978, Sections 124.73, by adding a subdivision, and 475.58, Subdivision 2.								
488	A bill for an act relating to taxation; income; providing for a deduction from gross income for a dependent enrolled as a full time student at an institution of higher education; amending Minnesota Statutes 1978, Chapter 290, by adding a section.	193		1019a					
489	A bill for an act relating to credit transactions; regulating finance charges and certain other terms and conditions of certain credit transactions; providing for territorial application of state laws; amending Minnesota Statutes 1978, Section 56.18; and Chapter 334, by adding a section; repealing Minnesota Statutes 1978, Section 48.185, Subdivision 6.	193							
490	A bill for an act relating to motor vehicles; providing for a single license plate on certain motor vehicles; amending Minnesota Statutes 1978, Sections 168.053, Subdivision 1; 168.12, Subdivisions 3 and 4; 168.27, Subdivisions 16 and 17; 168.29; 169.79; and 297B.035, Subdivision 2.	193							
491	A bill for an act relating to cities; authorizing cities engaged in gas distribution to secure gas by individual or joint action; authorizing the creation of municipal gas agencies; defining their powers and responsibilities; authorizing the issuance of bonds.	194	682	674a 776	719	866	1992	3467	140
492	A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; requiring the defendant in criminal actions to prove duress by a preponderance of the evidence; providing that expunged conviction records may be used for certain purposes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing arrest without warrant for gross misdemeanors although not committed (Continued next page)	194		(H555)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
492	<p>—Continued</p> <p>in a peace officer's presence; authorizing agents of the bureau of criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision; 609.08; 609.11; 609.12, Subdivisions 1 and 3; 609.168; 609.25, Subdivision 2; 609.341, Subdivision 3, and by adding a subdivision; 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.53; 609.562; 609.563; 609.595, Subdivision 1; 626.05, Subdivision 2; 627.01; 629.34; 629.35; Chapters 152, by adding a section; and 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.12, Subdivision 2; 609.22; 609.225; and 611.033.</p>								
493	<p>A bill for an act relating to elections; providing for the tabulation and announcement of votes cast on electronic voting systems; amending Minnesota Statutes 1978, Section 206.185, Subdivision 5, and by adding a subdivision.</p>	201	476	474a 556 647	722 1066	1066	1065	1456	62
494	<p>A bill for an act relating to retirement; allowing early vesting of firefighters pensions in plans operated by nonprofit corporations; amending Minnesota Statutes 1978, Section 69.691, Subdivision 2.</p>	201							
495	<p>A bill for an act relating to education; requiring the commissioner of education to report on data collection by the department of education.</p>	201							
496	<p>A bill for an act relating to education; providing for cooperative secondary school plans for school districts and for development grants; appropriating money; amending Minnesota Statutes 1978, Chapter 122, by adding a section.</p>	201							
497	<p>A bill for an act relating to education; requiring the council on quality education to make grants for pilot comprehensive health education programs; providing for applications for the grants, selection of recipients and for certain reports; authorizing the use of supplemental funds for the pilot programs; providing for an advisory committee.</p> <p>(Continued next page)</p>	201							

a Indicates Amendment

() 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	Chapter
497	Continued sory task force on comprehensive health education programs, for state board of education support of pilot programs and for advisory committees for each program; appropriating money; amending Minnesota Statutes 1978, Chapter 3, by adding sections.								
498	A bill for an act relating to motor vehicle transportation; authorizing the identification of certain tax exempt vehicles by use of removable plates or placards; authorizing temporary procedures for transfer of a motor vehicle carrier permit where the health of the transferor impairs his ability to operate under the permit; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.	202	556	539 726	597 774 2732	2732	2732	Veto 3471	
499	A bill for an act relating to the Minnesota Historical Society; appropriating money for a Mississippi river historical interpretation center.	202		624					
500	A bill for an act relating to civil actions; statutes of limitations; providing for limits on time to commence certain real estate actions; amending Minnesota Statutes 1978, Section 541.051, Subdivision 1.	202		(H614)					
501	A bill for an act relating to nursing homes; allowing county owned nursing homes to hire certified public accountants as auditors; amending Minnesota Statutes 1978, Sections 6.48; 6.55; and 6.552.	202		270					
502	A bill for an act relating to retirement; providing pension coverage for certain firefighters in the city of Cottage Grove in the public employees police and fire fund; authorizing a purchase of prior service; specifying that the employer is a political subdivision for purposes of certain employment benefit programs.	202		(H192)					
503	A bill for an act relating to tort liability, requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Chapter 471, by adding a section.	203		(H198)					
504	A bill for an act relating to education; providing for minimum reading standards and tests of reading achievement; providing state aid for reading teachers; appropriating money.	203							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
505	A bill for an act relating to education; exempting certain resident pupils from tuition payments at post-secondary vocational-technical schools; amending Minnesota Statutes 1978, Section 124.565, Subdivisions 1 and 3.	203		342					
506	A bill for an act relating to alcoholic beverages; prohibiting consumption or possession in certain highway facilities where appropriate signs are posted; providing a penalty; amending Minnesota Statutes 1978, Section 160.27, by adding a subdivision.	203	770	617 626a 769a 923 1240a	1240				
507	A bill for an act relating to local and regional public finance; providing for regional railroad authorities; providing for property levy apportionments in certain jurisdictions; amending Minnesota Statutes 1978, Section 270.12, Subdivision 3.	203	3697	3692a 3697 3730 3845	3995 6334	5226 5577 5731 6324*	5226 6353	6821	616
508	A bill for an act relating to taxation; providing for gradual elimination of limited market valuation of real property for property tax purposes; requiring assessment of real property at market value; reducing the classification rates applied to homestead property; amending Minnesota Statutes 1978, Sections 273.11, Subdivision 2; 273.13, Subdivisions 6 and 7; and 273.17, Subdivision 1.	203		270					
509	A bill for an act relating to motor vehicles; limiting the authority of the registrar of motor vehicles to refuse to issue certificates of title in certain circumstances; amending Minnesota Statutes 1978, Sections 168A.23, by adding a subdivision; and 297B.06.	204	770	759a 923 1029 (H519)					
510	A bill for an act relating to children; establishing a program in the department of public welfare to allow subsidized adoptions under certain circumstances; appropriating money; amending Minnesota Statutes 1978, Chapter 259, by adding a section; repealing Minnesota Statutes 1978, Section 393.07, Subdivision 1a.	204	2364	339a 2361a 2470 2655a 2772 (H268)					
511	A bill for an act relating to trade regulations; requiring service stations selling motor vehicle fuel at retail to be equipped with operational devices for inflating motor vehicle tires.	204							

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
512	A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section.	204		(H186)					
513	A bill for an act relating to alcoholic beverages; redefining non-intoxicating malt liquors; making uniform the excise tax on fermented malt beverages; changing the hours of off-sale of non-intoxicating malt liquor; amending Minnesota Statutes 1978, Sections 340.001, Subdivision 2; 340.02, Subdivisions 10, 12, and 13; 340.034, Subdivision 1; 340.07, Subdivision 2; 340.401, Subdivision 2; and 340.47, Subdivision 2; repealing Minnesota Statutes 1978, Section 340.11, Subdivision 15.	204	856	809a					
514	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 1978, Section 121.11, by adding a subdivision.	205	4966	494 4802a 5034 5532	5648				
515	A bill for an act relating to taxation; sales; allowing carriers transporting certain goods in interstate commerce to make direct payment of taxes to the commissioner of revenue for certain purchases; amending Minnesota Statutes 1978, Section 297A.211, Subdivision 1.	205	1297	1294a 1350	1614				
516	A bill for an act relating to collection and dissemination of data; providing that investigative agency information shall be public except under certain circumstances; amending Minnesota Statutes 1978, Section 15.162, Subdivisions 2a and 5a.	205		342					
517	A bill for an act relating to retirement; transferring tax court judges to the judge's retirement fund; transferring funds; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 2A and 2B; and 490.121, Subdivision 2; repealing Laws 1978, Chapters 672, Sections 14 and 15; and 720, Section 23.	205							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
518	A bill for an act relating to taxation; increasing the motor vehicle excise tax; allocating the proceeds of the motor vehicle excise tax between the general fund and the highway user tax distribution fund; amending Minnesota Statutes 1978, Sections 297B.02 and 297B.09.	205							
519	A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.	205	1570	991a 1151 1909a 2251 2294(H277)					
520	A bill for an act urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.	206		387 394a 513a(H472)					
521	A bill for an act relating to liquor; providing for licenses in various cities; limiting licenses allowed to be issued to persons and places; amending Minnesota Statutes 1978, Sections 340.11, Subdivision 11b; 340.13, Subdivisions 3 and 7; and 340.14, Subdivision 3.	206	316	313a 367 402	427 2813	1328 1911 1968 2287 2809*	1328 2961	3476	305
522	A bill for an act relating to highway traffic regulations; authorizing certain combinations of vehicles to operate under annual permit on certain highways; amending Minnesota Statutes 1978, Section 169.861, Subdivision 1.	206							
523	A bill for an act relating to highway traffic regulations; limiting the length of certain vehicles and combinations of vehicles; prescribing a fee for certain permits; amending Minnesota Statutes 1978, Section 169.81, Subdivision 3, and by adding a subdivision.	206	3602	3598a 3730 3905a	3996		5664	5916	513
524	A bill for an act relating to liquor; defining certain terms; amending Minnesota Statutes 1978, Section 624.701, Subdivision 1.	206							
525	A bill for an act relating to game and fish; authorizing certain non-resident minors to be treated as Minnesota residents for the purpose of taking wild game; amending Minnesota Statutes 1978, Section 98.45, Subdivision 6.	207	719	397 717a 769 841 (H384)					
526	A bill for an act relating to education; providing equal opportunity for members of both sexes to participate in certain athletics; mod- (Continued next page)	207		(H455)					

a Indicates Amendment

() Indicates House File Substitution
 D Indicates 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
526—Continued	ifying the coverage and terms of the current law providing for equal opportunity in certain athletics; requiring the state board of education to promulgate certain rules and giving it exclusive jurisdiction over certain sex discrimination charges; amending Minnesota Statutes 1978, Sections 126.21 and 363.02, Subdivision 3.								
527	A bill for an act relating to appropriations; converting certain standing appropriations to direct appropriations; abolishing other standing appropriations; appropriating money; amending Minnesota Statutes 1978, Sections 9.061, Subdivision 5; 97.482, Subdivision 2; and 638.08; repealing Minnesota Statutes 1978, Section 7.07.	207	2651	2651 2680 3467(H1507)					
528	A bill for an act relating to courts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Sections 484.70, by adding a subdivision; and 488A.03, Subdivision 11.	207	523	501a 556 648a	723 3230	1691 2481 2680 2793 3229*	1690 3366	3478	318
529	A bill for an act relating to the city of St. Cloud; authorizing the imposition of a tax on the gross receipts from the furnishing of certain lodging.	207	1223	1150a 1297	1613		2501	3470	197
530	A bill for an act relating to historic sites; authorizing the Minnesota Historical Society to exchange certain state owned nonhistoric land for certain privately owned historic land.	208	424	420 455 561a	641		742	884	30
531	A bill for an act relating to marriage dissolution; restoring marital misconduct as a factor in determination of child support and property disposition; amending Minnesota Statutes 1978, Sections 518.17, Subdivision 3; 518.552, Subdivision 2; and 518.58.	208							
532	A bill for an act relating to public health; providing for the regulation of cigarette and intoxicating liquor advertising; restricting the sale of cigarettes and tobacco products; altering minimum benefits of qualified health insurance plans; appropriating money; amending Minnesota Statutes 1978, Sections 62E.06, Subdivision 1; and 340.15, Subdivision 1.	208							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
533	A bill for an act relating to education; granting preference to certain veterans on waiting lists at post-secondary vocational-technical schools; amending Minnesota Statutes 1978, Section 124.565, by adding a subdivision.	243		537 538a 596a					
534	A bill for an act relating to veterans; honoring Vietnam veterans by certain flag displays; amending Minnesota Statutes 1978, Chapter 196, by adding a section.	243							
535	A bill for an act relating to aeronautics; providing a referendum on certain airport locations; amending Minnesota Statutes 1978, Section 360.032, by adding a subdivision.	243							
536	A bill for an act relating to private and public pensions; requiring notice be given by employer to an employee's spouse of certain pension options; amending Minnesota Statutes 1978, Chapters 181B, by adding a section; and 356, by adding a section.	243							
537	A bill for an act relating to retirement; authorizing purchase of allowable service credit by a certain member of the public employees retirement association.	243							
538	A bill for an act relating to state lands; authorizing the lease of certain state lands in Itasca County for use by the Itasca Ski and Outing Club, Inc.	244	424	420 455 558	641		1327	1580	72
539	A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c, and by adding a subdivision.	244		295					
540	A bill for an act relating to taxation; income tax; reducing tax rate for certain corporations moving to Minnesota; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.	244							
541	A bill for an act relating to the aging; appropriating funds to the department of public welfare for a certain volunteer program.	244							
542	A bill for an act relating to taxation; property tax; reducing the assessment ratio of certain residential real estate; amending Minnesota Statutes 1978, Section 273.11, Subdivision 19.	244							

a Indicates Amendment

() 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	Chapter
543	A bill for an act relating to taxation; property tax; increasing the percentage of valuation used in the assessment of certain structures financed by the farmers home administration; amending Minnesota Statutes 1978, Section 273.13, Subdivision 17b.	244							
544	A bill for an act relating to tax delinquent real estate; requiring notice to the commissioner of natural resources of forfeiture and sale of tax delinquent real estate; clarifying ownership of certain tax forfeited real estate; amending Minnesota Statutes 1978, Sections 281.23, Subdivision 8; 281.25; and 282.01, Subdivisions 1 and 3.	245	682	678a 719	1513				
545	A bill for an act relating to intoxicating liquor; authorizing the city of Spring Lake Park to issue an on-sale intoxicating liquor license to a club in existence for less than 15 years.	245							
546	A bill for an act relating to intoxicating liquor; allowing clubs in existence for 10 years and clubs affiliated with national organizations in existence for at least 10 years to obtain on-sale intoxicating liquor licenses; amending Minnesota Statutes 1978, Section 340.11, Subdivision 11.	245	424	417a 455 515 1658 (H444)					
547	A bill for an act relating to taxation; sales tax; exempting farm machinery; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	245							
548	A bill for an act relating to appropriations; converting certain open appropriations for retirement to direct appropriations; abolishing other open appropriations for retirement; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 136.81, Subdivision 1; 352.04, Subdivision 5; 352.73, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 354A.12; 355.46, Subdivision 3; 355.50; 490.123, Subdivision 1; Chapter 16A, by adding a section; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 352.73, Subdivision 4; 354.43, Subdivision 2; and 490.025, Subdivision 8.	245							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
549	A bill for an act relating to local government; requiring additional local participation in consolidation procedures; providing for referenda on adoption of the state building code; amending Minnesota Statutes 1978, Section 414.041.	246	397	396a 561a 455 640a	640 2358	2357	2357	3475	287
550	A bill for an act relating to elections; regulating campaign financing; increasing certain expenditure limits; amending Minnesota Statutes 1978, Section 10A.25, Subdivision 2.	246	597	295 639 584a 780a	860 3843	3756 4092 3842 4708	3755	Veto 4090	
551	A bill for an act relating to peace officers; providing for certification of part time peace officers; providing for a change in the composition of the peace officer standards and training board; establishing minimum standards of conduct for peace officers; authorizing only licensed or certified peace officers to carry deadly weapons; authorizing the peace officer standards and training board to prepare and distribute a model code of peace officer standards of conduct for adoption by employers of peace officers; amending Minnesota Statutes 1978, Sections 624.714, Subdivision 1; 626.84; 626.841; 626.843, Subdivisions 1 and 3; 626.845, Subdivision 1; 626.846, Subdivisions 1, 1a and 2; and 626.848.	246							
552	A bill for an act relating to human rights; requiring the commissioner of human rights to follow certain procedures in an investigation of allegations of unfair discriminatory practices; amending Minnesota Statutes 1978, Section 363.06, Subdivision 4.	246	856	820a 1004 923 (H594)					
553	A bill for an act relating to the operation of state government; proposing a constitutional amendment on initiative and referendum.	246							
554	A bill for an act relating to the operation of state government; requiring zero-based budgeting by selected departments and agencies; appropriating money.	247		837a					
555	A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6.	247	1004	966a 1228 1296 (H361)					

a Indicates Amendment

o 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	Chapter
556	A bill for an act relating to taxation; exempting certain home-made vehicles from the motor vehicle excise tax; amending Minnesota Statutes 1978, Sections 297B.01, Subdivision 8; and 297B.03.	247							
557	A bill for an act relating to statutes; providing that selected statutes shall be subject to judicial modification as is common law; amending Minnesota Statutes 1978, Chapter 645, by adding a section.	247							
558	A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37.	247		598					
559	A bill for an act relating to game and fish; authorizing minors to take fish without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1.	247							
560	A bill for an act relating to education; establishing a job and career training grant program for financially disadvantaged students; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.	248		972a					
561	A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978, Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1 and 2.	248		626a(H451)					
562	A bill for an act relating to labor-master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship commit- (Continued next page)	248	856	835 923 1295(H1011)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
562—Continued	tee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.								
563	A bill for an act relating to civil actions; providing for a mail form answer for complaints in consumer civil actions.	248							
564	A bill for an act relating to education; providing for the licensure of school business officials, chief school business officers and district-wide community education directors; requiring licensed chief school business officers in school districts of a certain size; appropriating money; amending Minnesota Statutes 1978, Section 121.11, Subdivision 13.	248							
565	A bill for an act relating to the city of Saint Paul and county of Ramsey; providing for a division of costs to maintain the joint court house and city hall.	249							
566	A bill for an act relating to pollution; establishing in the pollution control agency a lake restoration and protection program; authorizing the agency to make grants to qualified applicants for lake restoration or protection projects; appropriating money; repealing Minnesota Statutes 1978, Sections 378.45, 378.53; and 378.54.	249		295					
567	A bill for an act relating to public buildings; authorizing expenditures for works of art; requiring part of appropriation for building construction be designated for acquisition of works of art; amending Minnesota Statutes 1978, Chapters 16, by adding a section; and 139, by adding a section.	249		624					
568	A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.	249	367	361a 424 638(H396)					
569	A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.	249		(H127)					

a Indicates Amendment

() 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	Chapter	
570	A bill for an act relating to education; allowing certain school districts to receive certain state aids; amending Minnesota Statutes 1978, Section 275.125, Subdivision 2b.	250								
571	A bill for an act relating to education; parents' rights; requiring school boards to furnish parents of pupils access to instructional materials, pupil records and tests; protecting privacy of pupil records.	250								
572	A bill for an act relating to liquor; regulating registration of brand labels; removing certain limitations on the numbers of on-sale licenses which the city of Bloomington may issue.	250	424	420 558	455 642 6117	744 1067 6116*	856 1913	743 6209	6818	583
573	A bill for an act relating to commerce; placing certain restrictions on product liability and related court actions; providing a statute of limitations; allowing installment payments of judgments; providing certain defenses; allowing admission of certain evidence; limiting recovery in certain instances; amending Minnesota Statutes 1978, Section 549.20, by adding a subdivision; repealing Minnesota Statutes 1978, Section 604.02, Subdivision 3.	250								
574	A bill for an act relating to taxation; sales; exempting sales of cigarettes by certain corrections institutions; amending Minnesota Statutes 1978, Section 297.02, Subdivision 6.	250								
575	A bill for an act relating to welfare; establishing a program of subsidies to families caring in the home for certain mentally retarded, autistic and cerebral palsied minor dependents; appropriating money; amending Minnesota Statutes 1978, Chapter 245, by adding a section; repealing Minnesota Statutes 1978, Section 252.27, Subdivision 4.	250		316	338a					
576	A bill for an act relating to the metropolitan airports commission; providing compensation to property owners adversely affected by the expansion of certain minor use airports; amending Minnesota Statutes 1978, Sections 473.121, by adding a subdivision, and 473.217, by adding a subdivision.	251								

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
577	A bill for an act relating to the establishment of local airport zoning authorities; amending Minnesota Statutes 1978, Section 360.063, by adding a subdivision.	251							
578	A bill for an act relating to the metropolitan airports commission; prohibiting the expansion of Anoka county airport.	251							
579	A bill for an act relating to workers' compensation; requiring employer to provide certain podiatric treatment and orthotics; permitting change of podiatrists; amending Minnesota Statutes 1978, Section 176.135, Subdivisions 1 and 2.	251	856	831a 1242a	923	1242	1860	3466	107
580	A bill for an act relating to education; prohibiting teachers on certain extended leaves of absence from receiving retirement service credit for teaching part of a year; amending Minnesota Statutes 1978, Section 354.091.	251		251	364				
581	A bill for an act relating to education; clarifying tuition charges at the Minnesota school for the deaf and the Minnesota braille and sight saving school; amending Minnesota Statutes 1978, Section 120.17, Subdivision 7a.	251		296					
582	A bill for an act relating to the operations of the government; proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; reserving to the people the power to propose laws and constitutional amendments to the legislature; and implementing the constitutional amendment; providing a penalty; amending Minnesota Statutes 1978, Sections 3.20; 3.21; 203A.31, Subdivision 2; and 645.02.	252							
583	A bill for an act relating to taxation: income tax; providing for adjustments of tax brackets for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	252							
584	A bill for an act relating to taxation; changing the income tax rate structure for individuals, estates, and trusts; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.	252		270					

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
585	A bill for an act relating to taxation; income; providing an exclusion of \$10,000 for pension income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	252							
586	A bill for an act relating to taxation; inheritance tax, establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.	252							
587	A bill for an act relating to taxation; sales and use tax; reducing the tax rate on tractors and machines used in agriculture; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.	252							
588	A bill for an act relating to taxation; providing for a senior citizen property tax freeze refund; appropriating money; amending Minnesota Statutes 1978, Sections 290A.15; and 290A.16.	253							
589	A bill for an act relating to taxation; income tax; reducing rates applicable to corporations; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.	253							
590	A bill for an act relating to taxation; sales and use tax; providing an exemption for solar collector subsystems; amending Minnesota Statutes 1978, Chapter 297A, by adding a section.	253		270 593a					
591	A bill for an act relating to taxation; income tax; providing a ten percent credit for the cost of certain solar energy systems; appropriating money; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	253		270					
592	A bill for an act relating to taxation; income tax; extending the credit for members of the National Guard to active members of the reserves; amending Minnesota Statutes 1978, Section 290.06, Subdivision 12.	253		270					
593	A bill for an act relating to taxation; inheritance tax; adjusting the homestead exemption by the annual increase in the statewide average market value of homestead property; amending Minnesota Statutes 1978, Section 291.05.	253							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
594	A bill for an act relating to taxation; gift tax; changing rates and credits; amending Minnesota Statutes 1978, Section 292.07, Subdivisions 1 and 5, and by adding a subdivision.	254							
595	A bill for an act relating to taxation; income tax; increasing credits for certain low income taxpayers; providing an inflation adjustment; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3d.	254							
596	A bill for an act relating to taxation; increasing income tax credits for certain low income taxpayers; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3d.	254							
597	A bill for an act relating to motor vehicles; requiring an identification number on vehicles used in enforcing highway traffic safety regulations; amending Minnesota Statutes 1978, Section 169.98, Subdivision 1.	254	3841	3804a 4158	3876	4250			
598	A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.	254		H493)					
599	A bill for an act relating to initiative and referendum; proposing amendments to the Minnesota Constitution, Article IV, by adding sections; authorizing initiative and referendum on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative and referendum measures; providing for judicial review; providing certain restrictions on the consideration of measures; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivision 2; and 645.02.	254	5730	5418a 5742 5896 (H2304)	5729 5856				
600	A bill for an act relating to natural resources; exempting track racing snowmobiles from registration requirements; amending Minnesota Statutes 1978, Section 84.82, Subdivision 6.	279	556	552a 726	597	858	2764	3473	241
601	A bill for an act relating to trunk highways; requiring reimbursement of local expenses for fighting fires originating in the trunk highway right-of-way; amending Minnesota Statutes 1978, Section 161.465.	279	424	416a 558	455	643	1992	3466	108

a Indicates Amendment

() 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	Chapter
602	A bill for an act relating to education; providing for pilot programs for education for certain gifted or academically talented students; requiring the council on quality education and the state board of education to perform certain functions related to the development of a comprehensive state program for education of certain gifted or academically talented students; appropriating money.	279							
603	A bill for an act relating to courts; sixth judicial district; providing that terms of court no longer shall be held in Ely; authorizing terms of court to be held at places other than Duluth, Hibbing or Virginia; amending Minnesota Statutes 1978, Sections 484.48; 484.50; and Chapter 484, by adding a section.	279	523	316 556	501a 648a	722	803	1061	39
604	A bill for an act relating to life insurance; imposing duties to locate beneficiaries; requiring certain provisions in life insurance applications; imposing penalties.	279							
605	A bill for an act relating to the county of Anoka; authorizing the Anoka county board of commissioners to assume the powers and duties of a human services board.	280	639	617a 719(H568)	682				
606	A bill for an act relating to the operation of state government; publication of the Minnesota Statutes, Supplement and Session Laws by the revisor; correcting certain obsolete provisions; clarifying certain provisions; providing for correction of an erroneous reference with respect to actions for unlawful removal or exclusion; amending Minnesota Statutes 1978, Sections 482.09; 482.11; 487.17; 488A.01, Subdivision 5; 488A.18, Subdivision 6; 648.31, Subdivision 1; 648.32; 648.40; and 648.41, Subdivision 1.	280	455	453 603	476	646 943	943	1326	56
607	A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; providing for therapeutic research program using marijuana; amending Minnesota Statutes 1978, Chapter 144, by adding a section; Section 152.15, by adding a subdivision.	280	597	581a 776	639	861 2505	2505	2505	Veto 3472
608	A bill for an act relating to limitation of actions; exempting town roads from the marketable title act; amending Minnesota Statutes 1978, Section 541.023, by adding a subdivision.	280	770	752 1034	923				

BILLS OF 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 state government; providing an appropriation for state training of assessors.	280							
610	A bill for an act relating to railroads; requiring the use of a caboose on freight trains; providing penalties.	281		524					
611	A bill for an act relating to education; appropriating money for grants to enable certain schools to experiment with a mastery learning methodology to achieve minimum student competency in mathematics and reading.	281							
612	A bill for an act relating to education; providing for four year averaging in the declining pupil unit formula; appropriating money; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.	281							
613	A bill for an act relating to Rock County; providing for the service of deputy assessors.	281							
614	A bill for an act relating to appropriations; converting certain open appropriations of dedicated receipts to direct appropriations; abolishing other open appropriations of dedicated receipts; abolishing certain dedicated funds and accounts; appropriating money; amending Minnesota Statutes 1978, Sections 16.72, Subdivision 1; 18.411; 18.67; 34.07; 69.031, Subdivision 3; 69.55; 84.153; 84.154, Subdivision 5; 84.155, Subdivision 6; 84.86, Subdivision 1; 86.42, Subdivision 1; 89.035; 89.036; 89.21; 94.48; 97.49, Subdivision 7; 115.03, Subdivision 1; 116.41, Subdivision 2; 136A.29, Subdivision 22; 136A.30; 160.285, Subdivision 3; 163.051, Subdivision 2; 168.54, Subdivision 5; 168A.31, Subdivision 1; 192.68, Subdivision 2; 192A.645; 197.02; 197.03; 197.05; 197.06; 246.41, Subdivision 2; 270.077; 299F.21; and 344.03, Subdivision 2; repealing Minnesota Statutes 1978, Sections 1.38; 16A.125, Subdivision 6; 21.114; 94.49; 168.54, Subdivisions 2, 3 and 6; 168A.31, Subdivision 2; 197.04; 197.07; 241.25; 246.41, Subdivisions 1 and 3; 290.60; 360.389; 424.165; 458.50 to 458.60; 626.85, Subdivision 2; and Laws 1961, Chapter 472, Section 4, as added.	281							

a Indicates Amendment

() 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	Chapter
615	A bill for an act relating to retirement; St. Paul teachers retirement fund association; post retirement adjustments for certain retirees and benefit recipients; retirement annuity computation for certain coordinated members; re-computation of disability benefits; augmentation of benefits.	282	1033	1027a 1569a	1228 1570		1860	3466	109
616	A bill for an act relating to education; requiring school board hearings on a schoolhouse closing to be held at the schoolhouse; amending Minnesota Statutes 1978, Section 123.36, Subdivision 11.	282		(H498)					
617	A bill for an act relating to retirement; annuities and benefits under certain public retirement plans; appropriating funds.	282							
618	A bill for an act relating to education; transferring certain functions of teacher licensing from the state board of education, the department of education and the commissioner of education to the board of teaching; eliminating the requirement that certain rules of the board of teaching be approved by the board of education; reducing the membership of the board of teaching; requiring that the board of teaching adopt certain rules pursuant to chapter 15; eliminating certain requirements for rule-making; providing that the expense of administering certain sections be paid for solely from appropriations made to the board of teaching; amending Minnesota Statutes 1978, Sections 125.03, by adding a subdivision; 125.05, Subdivisions 1 and 2; 125.06; 125.08; 125.09, Subdivision 1; 125.121, Subdivision 1; 125.182, Subdivision 2; 125.183, Subdivisions 1 and 3; 125.185, Subdivisions 4, 4a, 6 and 9; and 179.63, Subdivisions 13 and 14; repealing Minnesota Statutes 1978, Section 125.182, Subdivision 4.	282	856	449a 923	811a 1009	1049 3603	2939 3602	2939 3684	345
619	A bill for an act relating to Murray County; allowing the county and local government units to participate in a federal railroad assistance program.	282		(H534)					
620	A bill for an act relating to local government; authorizing the establishment of local government official training programs; appropriating money; amending Minnesota Statutes 1978, Section 471.59, by adding a subdivision.	283	4966	539a 4803a 5532 H1138	1107a 5034 5681				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
621	A bill for an act relating to taxation; sales tax; exempting all newsprint and ink; amending Minnesota Statutes 1978, Sections 297A.14; and 297A.25, Subdivision 1.	283							
622	A bill for an act relating to the county of Hennepin; creating the office of county administrator; providing financial procedures; providing for the operation of county government; providing bonding limits; creating a corrections facility; providing for central purchasing; establishing set aside contracts; providing a penalty; amending Laws 1965, Chapter 533, Section 1, as amended; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 1; Extra Session Laws 1967, Chapter 24, Section 1, Subdivision 2, as amended; Extra Session Laws 1967, Chapter 47, Section 1, as amended; Extra Session Laws 1967, Chapter 47, Section 3, as amended; Laws 1969, Chapter 476, Section 1, as amended; repealing Laws 1951, Chapter 556; Laws 1951, Chapter 598; Laws 1951, Chapter 636, Section 4; Laws 1951, Chapter 702; Laws 1953, Chapter 270; Laws 1953, Chapter 703, Section 1; Laws 1953, Chapter 753; Laws 1955, Chapter 875; Laws 1957, Chapter 671, Section 7; Laws 1957, Chapter 950; Laws 1959, Chapter 200; Laws 1959, Chapter 297; Extra Session Laws 1959, Chapter 17; Extra Session Laws 1961, Chapter 45; Extra Session Laws 1961, Chapter 47; Laws 1963, Chapter 857; Laws 1965, Chapter 294; Laws 1965, Chapter 633; Laws 1965, Chapter 850; Laws 1967, Chapter 441; Laws 1967, Chapter 588; Laws 1967, Chapter 599, Section 4; Laws 1967, Chapter 796; Laws 1969, Chapter 473; Laws 1969, Chapter 692; Laws 1969, Chapter 918; Laws 1969, Chapter 1053; Laws 1971, Chapter 495; Laws 1971, Chapter 744, Section 2; Laws 1973, Chapter 261.	283	523	506a 647 556	724 2507	2506	2506	3470	198
623	A bill for an act relating to insurance; removing certain licensing and regulatory controls from appraisers; amending Minnesota Statutes 1978, Sections 72B.01; 72B.03; 72B.04, Subdivisions 1, 2, 5, and 7; 72B.08, Subdivision 1; and 72B.10; repealing Minnesota Statutes 1978, Section 72B.02, Subdivision 10.	283	1399	1374a 1497 1729 1733a	1733		2283	3467	141

a Indicates Amendment

() 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	Chapter
624	A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage assumptions; regulating private mortgage insurance; regulating various interest rates; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, and by adding subdivisions.	284	924	886a 1033 1296(H564)					
625	A bill for an act relating to education; requiring a school board to grant certain extended leaves of absence; amending Minnesota Statutes 1978, Section 125.60, Subdivision 2.	284							
626	A bill for an act relating to natural resources; recodifying statutes relating to certain conservation areas; abolishing consolidated conservation areas fund; repealing obsolete provisions; appropriating money; amending Minnesota Statutes 1978, Sections 84A.01; 84A.03; 84A.07; 84A.51, Subdivision 4; 84A.52; 84A.55, Subdivisions 1, 3, 6, 8, 9, 10, 11, and 12; 281.23, Subdivision 8; 282.14; 282.16, Subdivision 1, and by adding subdivisions; 282.19; 282.21; and Laws 1961, Chapter 612, Section 1; repealing Minnesota Statutes 1978, Sections 84A.02; 84A.04; 84A.08; 84A.09; 84A.10; 84A.11; 84A.20 to 84A.23; 84A.26 to 84A.33; 84A.36 to 84A.42; 84A.50; 84A.51, Subdivisions 1, 2, and 3; 84A.53; 84A.54; 84A.55, Subdivision 14; and 282.221 to 282.226.	284		591a					
627	A bill for an act relating to labor; requiring employers to provide employees with a meal break.	284							
628	A bill for an act relating to health; establishing community mental health, retardation and chemical dependency services; directing the commissioner of public welfare to make grants to local mental health authorities; requiring comprehensive program evaluation; requiring diagnostic screening of certain applicants for admission to public hospitals; appropriating money; amending Minnesota Statutes 1978, Sections 253A.02, by adding a subdivision; 254.10; 254A.02, Subdivision 12; 254A.07; 254A.12; 254A.14; 254A.16, Subdivision 2; 254A.17; repealing Minnesota Statutes 1978, Sections 245.61; 245.62; 245.63; 245.64; 245.65; 245.651; 245.66; 245.67; 245.68; 245.69; 245.691; and 254A.08.	285		476 542a					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
629	A bill for an act relating to education; eliminating the license requirement for school superintendents; amending Minnesota Statutes 1978, Sections 121.26; 123.35, Subdivision 5; 125.03, Subdivision 1; 125.05, Subdivision 1; 125.08; 125.12, Subdivisions 1, 2 and 6b; 125.13, Subdivision 1; 125.18, Subdivision 1; and 125.61, Subdivision 1.	285							
630	A bill for an act relating to commerce; providing for the licensing and regulation of mobile home dealers; imposing certain duties and prohibiting certain practices; providing penalties; amending Minnesota Statutes 1978, Sections 327.43, Subdivision 1; 327.51, Subdivision 1, and by adding subdivisions: 327.55, Subdivisions 1 and 4; and Chapter 327, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 327.43, Subdivision 2; and 327.44.	285	4360	4351a 4448 4583a 4980a	4981 6355	6355	6354	6820	590
631	A bill for an act relating to Independent School District No. 706, Virginia; permitting it to transfer certain surplus in its debt service fund to its capital expenditure fund for a certain purpose; providing that the amount transferred shall not be used to reduce a certain levy.	285							
632	A bill for an act relating to tax-forfeited land sales; changing procedure for classification of agricultural land by county boards; amending Minnesota Statutes 1978, Sections 282.14; and 282.221, Subdivision 1.	286							
633	A bill for an act relating to taxation; motor vehicle excise; reducing the purchase price of trucks and truck tractors by the amount of federal excise tax imposed; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.	286							
634	A bill for an act relating to commerce; extending an exception for certain loans from the usury laws; amending Minnesota Statutes 1978, Section 334.01, Subdivision 2.	286		(H360)					
635	A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.	286		(H395)					

a Indicates Amendment

() 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	Chapter
636	A bill for an act relating to insurance; regulating homeowner's insurance; requiring insurers to disclose and file information; prescribing certain procedures for an insurer's refusal to renew or to write homeowner's insurance; prohibiting redlining; amending Minnesota Statutes 1978, Section 72A.20, Subdivision 1; and Chapter 65A, by adding sections.	286		2008(H227)					
637	A bill for an act relating to taxation; property tax refund; extending senior citizen benefits to certain surviving spouses; amending Minnesota Statutes 1978, Sections 290A.03, Subdivision 8; 290A.04, Subdivisions 1, 2a, 2b, and 3; and 290A.07, Subdivision 2.	286							
638	A bill for an act relating to marriage dissolution; recodifying the laws of marriage dissolution, child custody and child support; amending Minnesota Statutes 1978, Sections 257.41, 487.19, Subdivision 1; and 518A.09, Subdivision 1; repealing Minnesota Statutes 1978, Chapter 518.	287		316					
639	A bill for an act relating to taxation; income; reducing the minimum tax on preference items; excluding capital gain from preference items; excluding charitable contributions from excess itemized deductions; excluding from the minimum tax certain deferred federal minimum tax; amending Minnesota Statutes 1978, Section 290.091.	287							
640	A bill for an act relating to public television; providing block grants and matching grants for public television stations for certain purposes; providing for certain funds to be included in the calculation of contributions to a station; redefining public station; appropriating money; amending Minnesota Statutes 1978, Sections 139.17, Subdivision 2, and 139.18, Subdivisions 1 and 2.	287		591					
641	A bill for an act relating to crimes; regulating the possession and use of pistols; requiring permits to carry pistols within cities of the fourth class or larger; requiring transferee permits or transfer reports to transfer pistols within cities of the fourth class or larger; prohibiting discrimination in the issuance of permits to carry pistols; providing penalties; amending Minnesota Statutes 1978, Sec. (Continued next page)	298		342					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
641—Continued	tions 624.712, Subdivisions 2, 4 and 5; 624.713, Subdivision 1; 624.7132, Subdivision 16; 624.714, Subdivisions 1, 4, 5, 6, 7, 9 and 10; 624.717; and Chapter 624, by adding a section.								
642	A bill for an act relating to fiscal notes; requiring fiscal notes to accompany certain bills and administrative rules; appropriating money; amending Minnesota Statutes 1978, Section 15.0412, Subdivision 7; and Chapter 3, by adding a section.	301							
643	A bill for an act relating to no-fault automobile insurance; prescribing security requirements for school buses; requiring coverage for drivers and other occupants; amending Minnesota Statutes 1978, Section 65B.47, Subdivision 1.	301							
644	A bill for an act proposing an amendment to the Minnesota Constitution; repealing Article X, Section 6; repealing the taconite amendment.	301							
645	A bill for an act relating to the legislature; providing for the payment only of actual claimed expenses of legislators; making limitations on in-session living expenses permanent; repealing certain redundant provisions; amending Minnesota Statutes 1978, Sections 3.099, Subdivision 1; and 3.102; repealing Minnesota Statutes 1978, Sections 3.101; and 3.103.	301							
646	A bill for an act relating to taxation; repealing the mortgage registration tax; repealing Minnesota Statutes 1978, Sections 287.01 to 287.12.	301							
647	A bill for an act relating to the city of Wadena; increasing payments for firefighters' relief association service pensions; amending Laws 1976, Chapter 208, Section 1.	302							
648	A bill for an act relating to education; prohibiting a school district from making a levy to provide for certain payments into the unemployment compensation fund; amending Minnesota Statutes 1978, Section 275.125, by adding a subdivision.	302							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
649	A bill for an act relating to education; increasing the pupil unit weighting for certain handicapped pupils; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.	302							
650	A bill for an act relating to courts; establishing the appellate division of the district court; providing for the election of judges; prescribing duties; providing for appellate division staff; appropriating money; repealing Minnesota Statutes 1978, Sections 484.63; and 487.39.	302							
651	A bill for an act relating to social services; requiring the commissioner of public welfare and each board of county commissioners to develop a biennial plan relating to the identification, reduction, remedy, and prevention of public social problems; requiring public participation in state and county plan development; setting forth a formula for block grants to be allocated to the counties; establishing a temporary study commission; establishing an experimental program of services for chronically mentally ill persons; appropriating money.	302		1351 1362a 1591 (H368)					
652	A bill for an act relating to courts; requiring conciliation court judgments to be in writing; amending Minnesota Statutes 1978, Section 488A.32, Subdivision 5.	302							
653	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.	303							
654	A bill for an act relating to human services; providing state recognition and financial grants to volunteer programs for retired senior citizens; appropriating money.	303	2364	361a 2360a 2470 2656a	2667 5226	5226	5225	5914	455
655	A bill for an act relating to state lands; directing the exchange of certain public lands bordering on public waters in Mille Lacs County.	303							
656	A bill for an act relating to towns; providing an alternate method of vacating town roads; amending Minnesota Statutes 1978, Section 164.06.	303		(H59)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
657	A bill for an act relating to nuclear fission thermal power plant certificates of need; adding additional conditions; providing changes in rate base computations; amending Minnesota Statutes 1978, Sections 116H.02, by adding subdivisions; 116H.13, by adding a subdivision; and 216B.16, Subdivision 6.	303	1297 3993	1279a 1350 2715 3977 4166 4539 4541 5372a 5595a	5595				
658	A bill for an act relating to education; providing for actions against school districts to restrain violations of the rules and regulations of the state board of education; amending Minnesota Statutes 1978, Section 127.03, by adding a subdivision.	303							
659	A bill for an act relating to health; appropriating money to the University of Minnesota for the Minnesota Regional Sleep Disorders Center.	304		618					
660	A bill for an act relating to corporations; altering quorum requirements; permitting loans and other transactions with officers and employees; empowering corporations to engage in certain transactions; amending Minnesota Statutes 1978, Sections 301.25, Subdivision 7, and by adding a subdivision; 301.32; and 301.36.	304	639	633a 682 776	865		1690	2427	93
661	A bill for an act relating to public welfare; increasing grants under certain state income assistance programs; appropriating money; amending Minnesota Statutes 1978, Section 256D.01, Subdivision 1.	304		989					
662	A bill for an act relating to taxation; providing a basic adjustment and annual adjustments to property tax refund according to rate of change in the cost of living index; change in maximum refund to renters; amending Minnesota Statutes 1978, Section 290A.04, Subdivisions 2, 2a, and 2b, and by adding a subdivision.	304							
663	A bill for an act relating to taxation; providing for annual adjustments of individual income tax brackets, individual and homemaker credits, low income amounts, and maximum standard deductions according to rate of change in the cost of living index; amending Minnesota Statutes 1978, Sections 290.06, Subdivisions 2c, 3c, 3d and 3e, and by adding a subdivision; and 290.09, Subdivision 15.	304							

a Indicates Amendment

() 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	Chapter
664	A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota state transportation bonds; authorizing the expenditure of the proceeds for grants for construction and reconstruction of certain bridges and for certain preliminary studies; appropriating money; amending Minnesota Statutes 1978, Section 174.50, by adding a subdivision.	305	1729	589a 1701a 1967 2364 (H597)					
665	A bill for an act relating to retirement; prescribing retirement benefits for correctional employees; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 3; 352.90; and 352.91, Subdivision 2.	305							
666	A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, by adding a section.	305	856	811a 923 1004 (H523)					
667	A bill for an act relating to corrections; providing for vocational training of the inmates of state correctional facilities; reorganizing and harmonizing the various laws relating to the industrial activities conducted at such facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 7; and 241.27; repealing Minnesota Statutes 1978, Sections 243.19; 243.41; 243.42; 243.43; 243.44; 243.45; 243.46; 243.47; 243.63; 243.66; 243.67; 243.68; 243.80; 243.84; 243.85; 325.45; 325.46; and 325.47.	305	1223	1125 1297 1348 (H998)					
668	A bill for an act relating to Blue Earth, Redwood, Kandiyohi, and Renville Counties; authorizing the counties to enter into various agreements for acquisition of property; amending Laws 1973, Chapter 38, Section 1.	305	597	583 639 683 781a 926a	926 1329	1329	1329	1991	79
669	A bill for an act relating to juveniles; providing for a hearing to determine detrimental relationships involving children; providing for a penalty for those engaging children in detrimental relationships; amending Minnesota Statutes 1978, Section 260.315; and Chapter 260, by adding a section.	306		(H122)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
670	A bill for an act relating to crimes; prohibiting solicitation or inducement concerning prostitution, promoting the prostitution of a person, receiving profit derived from prostitution, engaging in prostitution, and patronizing a prostitute; limiting defenses to prosecution; establishing rules of evidence; establishing immunity from prosecution for certain testimony; providing penalties; repealing Minnesota Statutes 1978, Section 609.32.	306		(H123)					
671	A bill for an act relating to crimes; limiting juvenile court jurisdiction with respect to certain juveniles; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.111, by adding a subdivision.	306							
672	A bill for an act relating to motor vehicles; changing the effective date for certified mailing of certificate of title and security interest release to loans entered into after June 1, 1979; allowing the mailing expense to be included in the loan fee if the borrower agrees and is informed in writing; providing for procedures for the satisfied secured party to follow on loans entered into prior to June 1, 1979; amending Minnesota Statutes 1978, Sections 168.71; and 168A.20, by adding subdivisions.	306							
673	A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a 10 year carryback of products liability losses; allowing adjustments to basis; allowing deductions for employer contributions to simplified employee pension plans; updating the definition of income for property tax refund purposes; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.09, Subdivisions 4 and 28; 290.091; 290.095, by adding a subdivision; 290.14; 290.26, Subdivision 2; 290.971, Subdivision 1; 290.974; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Sections 290.971, Subdivisions 2, 3, 4, 5, and 6; 290.972; 290.973; and 290.975.	306							

a Indicates Amendment

() 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	Chapter
674	A bill for an act relating to motor vehicles; defining the gross weight of a wrecker for the purposes of registration and taxation; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 16; and 168.013, Subdivision 3.	307		(H515)					
675	A bill for an act relating to trespass; redefining "agricultural lands" for the purpose of restricting trespass; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.	307							
676	A bill for an act relating to public utilities; reducing time periods involved in obtaining approval of rate changes; amending Minnesota Statutes 1978, Sections 216B.16, Subdivisions 1 and 2; and 237.075, Subdivisions 1 and 2.	307		342					
677	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 service commission; repealing Minnesota Statutes 1978, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.	307		342					
678	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.	307		3649 4674a					
679	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.	308	770	752a 1398 2660 3467					
680	A bill for an act relating to motor vehicles; defining "fertilizer applicator"; including fertilizer applicators in the definition of implement of husbandry; setting maximum width and braking and lighting requirements for fertilizer applicators; directing the commissioner of transportation to adopt rules providing maximum weights and other safety standards and to adopt a temporary policy on fertilizer applicator operation; providing penalties; amending Minnesota Statutes 1978, Sections 168.012, Subdivision 2; 169.01, Subdivision 55; and by adding a subdivision; and Chapter 169, by adding a section.	308	1351	707a 1346 1398	1735				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
681	A bill for an act relating to game and fish; providing for the licensing and regulation of commercial fishing in inland waters; contracts for removal of rough fish; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision; and Chapter 102, by adding a section; repealing Minnesota Statutes 1978, Section 97.4861.	308	682	678a 719	1232		2764	3473	242
682	A bill for an act relating to game and fish; authorizing the use of handguns in taking small game; amending Minnesota Statutes 1978, Section 100.29, Subdivisions 2, 3 and 9.	308	639	316 633a 769 1243a	1244 6195	5847 6194	5847	6817	576
683	A bill for an act relating to the department of administration; requiring the commissioner of administration to prepare a budget for computer services; requiring a report prior to execution of a contract; amending Minnesota Statutes 1978, Section 16.90; repealing Minnesota Statutes 1978, Section 16.07, Subdivision 14.	308	856	838a 923 1013a	1046				
684	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.	309		342 3730					
685	A bill for an act relating to energy; Minnesota energy assistance act; providing assistance for certain homeowners and renters for costs of energy needed to sustain life; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256.879, Subdivision 3, and by adding subdivisions; and Chapter 290A, by adding sections.	319		416 420a 513a 1634					
686	A bill for an act relating to insurance; regulating policies of automobile insurance providing comprehensive coverage; requiring full coverage of certain glass damage; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.	322							
687	A bill for an act relating to banks and banking; regulating interest rates charged by state banks; amending Minnesota Statutes 1978, Chapter 48, by adding a section.	322	639	637a 682 776	1034		3590	3663	343
688	A bill for an act relating to the environment; requiring the state (Continued next page)	322							

a Indicates Amendment

h 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	Chapter
688	Continued to file an environmental impact statement prior to developing certain trails; amending Minnesota Statutes 1978, Chapter 85, by adding a section.								
689	A bill for an act relating to state lands; providing for the sale of certain former railroad rights-of-way to private persons.	322		586					
690	A bill for an act relating to retirement; authorizing the purchase of prior service by certain county commissioners.	322							
691	A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Section 2, repealing Article IV, Section 3, and adding a new article to provide for congressional and legislative apportionments by a commission; limiting legislative power to change the number of legislators; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.	322		367					
692	A bill for an act relating to parks; requiring the state to reimburse counties for tax-forfeited land within park boundaries; amending Minnesota Statutes 1978, Section 85.012, Subdivision 1.	323							
693	A bill for an act relating to insurance; excepting certain policies from readability requirements; limiting the applicability of readability requirement with respect to certain forms of insurance policies; permitting delays in compliance for certain forms of insurance policies; amending Minnesota Statutes 1978, Sections 72C.03; 72C.09; and 72C.11, Subdivision 1.	323	1005	1000a 1228	1567 3923	3923	3923	4496	353
694	A bill for an act relating to labor; occupational safety and health; making results of certain inspections, studies and tests available to affected workers; providing a penalty; amending Minnesota Statutes 1978, Chapter 182, by adding a section.	323		367					
695	A bill for an act relating to automobile insurance; providing for response to claims for injury to property within 15 days; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.	323							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
696	A bill for an act relating to courts; tenth judicial district; authorizing two additional judges; amending Minnesota Statutes 1978, Section 2.722, Subdivision 1.	323							
697	A bill for an act relating to Independent School District No. 535, Rochester; providing that the funds previously authorized for certain purposes may be spent entirely for one of those purposes.	324	1497	1462 1611	1752				
698	A bill for an act relating to education; authorizing the experimental pairing of Independent School Districts No. 421 and No. 426; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.	324							
699	A bill for an act relating to taxation; income; exempting pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	324							
700	A bill for an act relating to taxation; providing for state reimbursement of cities for tax reduction granted to Title II and certain other property; amending Minnesota Statutes 1978, Sections 273.13, Subdivision 17b; 276.04; and Chapter 273, by adding a section.	324							
701	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; amending Minnesota Statutes 1978, Chapter 145, by adding a section.	324	1004	957a 1228 3467 1226 2365					
702	A bill for an act relating to health; requiring counties to establish local nursing home pre-admission screening teams; prescribing duties of the teams and the commissioner of public welfare; appropriating money; amending Minnesota Statutes 1978, Chapter 256B, by adding a section.	324	2651	747a 1351 2645a 2680 2967a	2967 6136	5553 5577 5677 6133*	5553 6190	6817	575
703	A bill for an act relating to taxation; clarifying the computation of the agricultural homestead credit; amending Minnesota Statutes 1978, Section 273.13, Subdivision 6.	325							
704	A bill for an act relating to savings banks; authorizing certain detached facilities; amending Minnesota Statutes 1978, Chapter 50, by adding a section.	325	856	827a 923	1239 5669	5669	5669	5916	514

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
705	A bill for an act relating to criminal procedure; providing immunity from liability for peace officers who make good faith domestic assault arrests; amending Minnesota Statutes 1978, Section 629.341.	325		(H99)					
706	A bill for an act relating to township mutual fire insurance companies; authorizing indemnification of certain expenses incurred by officers, employees, agents and other individuals; amending Minnesota Statutes 1978, Section 67A.06.	325		(H325)					
707	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 1978, Sections 116E.03, Subdivisions 7, 7a and 8; 174.02, Subdivision 2; and Chapter 174, by adding sections; repealing Minnesota Statutes 1978, Sections 85.20, Subdivision 6; 169.42; and 609.68.	325							
708	A bill for an act relating to natural resources; providing for regulation of the harvest and sale of ginseng; amending Minnesota Statutes 1978, Sections 84.028, Subdivision 1; 97.48, by adding a subdivision; and 98.46, Subdivision 3.	326	597	592a 776	639	862	1690	2427	94
709	A bill for an act relating to game and fish; affording protection to the badger; authorizing a season thereon; amending Minnesota Statutes 1978, Sections 100.26, Subdivision 1; and 100.27, Subdivision 3.	326	639	632a 776	682	864	2918	3474	267
710	A bill for an act relating to taxation; sales tax; excluding certain custom sawmill work; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 3.	326							
711	A bill for an act relating to taxation; income; exempting pension income of nonresidents; amending Minnesota Statutes 1978, Section 290.17, Subdivision 2.	326							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
712	A bill for an act relating to Indians; providing for use of the nomenclature "American Indians" in Minnesota Statutes; amending Minnesota Statutes 1978, Sections 145.922, Subdivision 2; 152.02, Subdivision 2; 254A.02, Subdivision 11; 254A.03; 254A.031; 254A.07, Subdivision 2; 462A.07, Subdivisions 13, 14, and 15; 462A.21, Subdivisions 4c and 4d; and 517.18, Subdivision 4.	326	682	675 776	719	868		2764	3473	243
713	A bill for an act relating to taxation; clarifying charitable exemption from sales tax; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	327								
714	A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 3.	327		4966 (H711)						
715	A bill for an act relating to taxation; motor vehicle excise tax; providing a credit for taxes paid in certain lease transactions; amending Minnesota Statutes 1978, Section 297B.08.	327								
716	A bill for an act relating to crimes; regulating dance halls; removing the limitation on persons under the age of 16; amending Minnesota Statutes 1978, Section 624.49.	327		(H813)						
717	A bill for an act relating to taxation; income; increasing the political contribution credit and allowing a credit for contributions to local and federal candidates; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.	327		1083a						
718	A bill for an act relating to education; modifying the procedures for decisions involving identification, assessment and educational placement of handicapped children; amending Minnesota Statutes 1978, Section 120.17, Subdivision 3b.	327								
719	A bill for an act relating to education; permitting a school district to sell certain buildings at auction; setting conditions for the sale.	328	639	626a 781a	682	926 1992	1992	1992	3466	110

a Indicates Amendment

() 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	Chapter
720	A bill for an act relating to health; requiring prescription drug containers to be labeled with an expiration date for the drug; amending Minnesota Statutes 1978, Section 151.212, Subdivision 1.	328							
721	A bill for an act relating to fiduciaries; providing for replacement of trustees; establishing guidelines for compensation of personal representatives; providing that cost considerations are a factor in the removal of trustees and personal representatives; amending Minnesota Statutes 1978, Sections 501.43; 524.3-611; and 524.3-719.	328	1223	1090a 1297 1497 (H1473)					
722	A bill for an act relating to elections; directing the secretary of state to authorize and direct demonstration projects for the use of punchcard ballots for absent voters.	328	856	827a 923	1249				
723	A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; appropriating money; amending Minnesota Statutes 1978, Section 256D.37, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 256B.06, Subdivision 1; and 256D.37, Subdivision 1.	328	2651 5119	751a 2651a 2680 3467 3993 5114a 5222 5546a 5679 (H160)					
724	A bill for an act relating to taxation; property; changing the definition of class 3b homestead property; increasing the maximum homestead reduction; altering the amount of the state paid agricultural credit for certain property; amending Minnesota Statutes 1978, Sections 273.13, Subdivisions 6, 6a, and 7; and 273.132.	328							
725	A bill for an act relating to taxation; sales; exempting admissions to school activities; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	329							
726	A bill for an act relating to the environment; requiring the environmental quality board and other state agencies which hold hearings concerning environmental impact studies to hold them in certain places; amending Minnesota Statutes 1978, Sections 116C.06, by adding a subdivision; and 116D.04, by adding a subdivision.	329							

BILLS OF 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 highway traffic regulations; authorizing school buses and other authorized emergency vehicles equipped with studded tires to use the public highways between certain dates; amending Minnesota Statutes 1978, Section 169.72, Subdivision 1.	329							
728	A bill for an act relating to crimes; controlling telephone communications with certain offenders; allowing police to prevent unauthorized communications; providing penalties.	329	597	582a 776	639	861	1062	1456	63
729	A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts.	329		(H610)					
730	A bill for an act relating to taxation; altering requirements for qualifying for valuation under Minnesota agricultural property tax law; requiring reports to commissioner of revenue; amending Minnesota Statutes 1978, Section 273.111, Subdivisions 3, 6, 8, 9, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 273.111, Subdivision 13.	329							
731	A bill for an act relating to taxation; increasing the income tax exclusion for pension income; extending the availability of the low income credit; providing for adjustment of income tax brackets, credits, and the maximum standard deduction according to the rate of increase in the consumer price index; increasing personal credits; increasing the maximum standard deduction; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, Subdivisions 2c, 3c and 3d, and by adding a subdivision; and 290.09, Subdivision 15.	330							
732	A bill for an act relating to game and fish; modifying the definitions of rough fish and minnows; amending Minnesota Statutes 1978, Section 97.40, Subdivisions 11 and 12.	330	924	922	1033	1254	2764	3473	244
733	A bill for an act relating to natural resources; providing that the soil and water conservation board shall remain an agency of the department of natural resources; amending Minnesota Statutes 1978, Section 40.03, Subdivision 1.	330							

a Indicates Amendment

• 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	Chapter
734	A bill for an act relating to taxation; excluding from gross income certain amounts earned prior to becoming Minnesota resident; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	346							
735	A bill for an act relating to education; establishing a minimum aid payment to certain school districts; expanding the definition of special state aid; appropriating money; amending Minnesota Statutes 1978, Section 124.65; and Chapter 124, by adding a section.	346							
736	A bill for an act relating to taxation; providing for the distribution of proceeds of taxation of electric transmission and distribution lines; eliminating certain annual payments by utilities; amending Minnesota Statutes 1978, Section 273.42; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 116C.635.	346	2008	2003a 2660a	2376 2676				
737	A bill for an act relating to game and fish; fees for nonresident licenses to hunt raccoon; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Sections 98.46, Subdivision 14; and 100.29, by adding a subdivision.	346	682	678a 1012a	719 1045 1263	1263	1263	1580	73
738	A bill for an act relating to museums; appropriating funds for the science museum of Minnesota.	346							
739	A bill for an act relating to motor vehicles; limiting the issuance of vehicle registration plates or tabs under certain circumstances; authorizing a procedure in lieu of issuing 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 1978, Chapter 168, by adding a section; Sections 169.99, Subdivision 1, and by adding a subdivision; and 171.16, Subdivision 3.	347		1092a					
740	A bill for an act relating to taxation; exempting certain amounts paid for military service from income taxation; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.06, Subdivision 12.	347		397					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
741	A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.	347	639	624a 719 841(H299)					
742	A bill for an act relating to the city of Moorhead; firefighters' relief association benefits and contributions; amending Laws 1955, Chapter 75, Sections 10, Subdivision 3; 14, Subdivision 2; 14, Subdivisions 1, 2, 4, 5, 6, and by adding a subdivision; 16; and 19; as added, amended or renumbered.	347							
743	A bill for an act relating to taxation; increasing the maximum income tax credit for pollution control equipment; exempting pollution control equipment and materials used to operate pollution control equipment from the sales tax; amending Minnesota Statutes 1978, Sections 290.06, Subdivisions 9 and 9a; and 297A.25, Subdivision 1.	347							
744	A bill for an act relating to automobile insurance; regulating damage appraisals, adjustments and related repair practices; prohibiting certain acts by insurers, adjusters and appraisers; amending Minnesota Statutes 1978, Section 72B.02, by adding a subdivision; and Chapter 72B, by adding sections.	348	1004	992a 1228	1564 5227	1591 5227	5227	5914	456
745	A bill for an act relating to game and fish; authorizing a season on mourning doves; setting maximum daily and possession limits; amending Minnesota Statutes 1978, Sections 100.27, Subdivision 6; and 100.28, Subdivision 2.	348		481					
746	A bill for an act relating to the city of Moorhead; contributions and benefits of the police relief association; amending Laws 1967, Chapter 775, Sections 2; 4; 5; 6; and 7; and by adding a section; repealing Laws 1967, Chapter 775, Section 3.	348							
747	A bill for an act relating to taxation; providing an income tax credit to taxpayers with blind dependents; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.	348		398					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
748	A bill for an act relating to taxation; income tax; changing the political contribution credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.	348							
749	A bill for an act relating to education; appropriating money for the Hallenbeck addition to St. Cloud State University.	348		398					
750	A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.	349	5118	618a 5109a 5222 5532 5680 (H729)					
751	A bill for an act relating to commerce; providing attendant services at certain gasoline stations.	349		(H642)					
752	A bill for an act relating to public health; regulating the use of psychosurgery; providing patient rights; providing board of health review; providing a penalty.	349		556					
753	A bill for an act relating to labor; reducing the time at which overtime compensation must be paid; increasing overtime compensation; prohibiting mandatory overtime; providing penalties; amending Minnesota Statutes 1978, Section 177.25, Subdivisions 1 and 2; and Chapter 181, by adding a section.	349							
754	A bill for an act relating to education; allowing not more than ten days used by kindergarten teachers for parent-teacher conferences or teachers' workshops to count as part of the required minimum number of days school is in session; amending Minnesota Statutes 1978, Section 124.19, Subdivision 1.	349		(H728)					
755	A bill for an act relating to the county of Anoka; authorizing the county to enter into agreements with the Anoka State Hospital for community mental health services.	349		665a (H588)					
756	A bill for an act relating to taxation; providing income tax credit for contributions to candidates for federal and local public offices; clarifying application of the tax (Continued next page)	350	856	843a 923 1250a	1250				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
756	Continued credit in certain special elections; amending Minnesota Statutes 1978, Section 290.06, Subdivision 11.								
757	A bill for an act relating to medical assistance; clarifying availability of benefits for treatment of chemical dependency in certain residential treatment programs; amending Minnesota Statutes 1978, Section 256B.02, Subdivisions 7 and 8.	350	719	705 1009	769	1042			
758	A bill for an act relating to motor vehicles; providing for special license plates for former prisoners of war; prescribing penalties; amending Minnesota Statutes 1978, Chapter 168, by adding a section.	350	1657	541a 1752	1634	2009			
759	A bill for an act relating to Indian affairs; expanding the term of office for at large intertribal board members from two years to four years; providing for future at large elections; defining the term of office for at large members; amending Minnesota Statutes 1978, Section 3.922, Subdivision 2.	350	682	675a 776	719	868	4497	5100	374
760	A bill for an act relating to publicly assisted property development; setting a property tax classification; amending Minnesota Statutes 1978, Section 273.13, by adding a subdivision.	350		918a					
761	A bill for an act relating to retirement; granting certain military service credit for teachers; amending Minnesota Statutes 1978, Section 354.53, Subdivisions 1 and 3.	350		523					
762	A bill for an act relating to the state auditor; reducing the number of county audits; amending Minnesota Statutes 1978, Section 6.48.	351							
763	A bill for an act relating to parks; requiring the state to reimburse counties for tax-forfeited land within park boundaries; amending Minnesota Statutes 1978, Section 85.012, Subdivision 1.	351							
764	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 1978, Sections 353.01, Subdivisions 6; and 353.022.	351							

a Indicates Amendment

o 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	Chapter
765	A bill for an act relating to the state civil service; including veterans in the protected group for the purpose of the statewide affirmative action program; amending Minnesota Statutes 1978, Section 43.15, Subdivision 1.	351	1223	351 515 706 886 911a 1222a 1297 1609a	1610 2804	2793 2804	2793	3473	245
766	A bill for an act relating to banks; authorizing the making of loans at detached facilities; amending Minnesota Statutes 1978, Section 47.53.	351	639	455 635a 682 1009	1036 1226	1226			
767	A bill for an act relating to banks; authorizing detached facilities in towns where there are no banks and in airports; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Sections 47.52; and 48.19, Subdivision 1.	352	639	455 635a 682 3467					
768	A bill for an act relating to natural resources; requiring county board or land exchange board approval on the acquisition of wildlife lands by the commissioner of natural resources; amending Minnesota Statutes 1978, Section 97.481.	352	1223	1076a 1297 1575a	1575 5525	3755 3841 4012 5524*	3755 5664	5916	515
769	A bill for an act relating to security guards; providing for the certification and training of security guards; setting forth criteria for the use of deadly force by security guards; prescribing penalties; amending Minnesota Statutes 1978, Sections 326.32, by adding a subdivision; 326.33, Subdivision 1; 326.331; 326.332, Subdivision 1; 326.333; 326.336, Subdivisions 1 and 2, and by adding subdivisions; 326.337, Subdivision 1; and 326.338, Subdivision 2.	352	3993	3806a 3980a 4075 4367a	4486				
770	A bill for an act relating to education; requiring notice to certain parties when a court or state agency places a child in a school district other than his district of residence; increasing participation in the placement decision; amending Minnesota Statutes 1978, Section 124.212, Subdivision 20, and by adding a subdivision.	352	1223	1017 1019 1222 1297	1612				
771	A bill for an act relating to retirement; actuarial reporting law; implementing a procedure to extend the period for the amortization of unfunded liabilities in the event of changes in actuarial assumptions or increases in annuities and benefits; amending Minnesota Statutes 1978, Sec-	352		(H748)					

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
771	Continued tions 356.215, Subdivision 4; 356.22, Subdivision 2; 422A.08, Subdivision 2; and 422A.39, Sub- division 2.								
772	A bill for an act relating to public utilities; providing for advice and assistance to cities operating steam or hot water heating systems; appropriating funds; amending Minnesota Statutes 1978, Section 451.09.	374							
773	A bill for an act relating to wild animals; clarifying conditions under which raccoons can be taken at night; amending Minne- sota Statutes 1978, Section 100.29, Subdivision 10.	374	4075	4022a 4166 4362 4468 (H593)					
774	A bill for an act relating to natural resources; regulating the harvest of ginseng; requiring the licensing of dealers; providing penalties.	374							
775	A bill for an act relating to motor vehicles; providing for taxing and registering modified vehicles manufactured prior to 1949; reg- ulating storage of modified vehi- cles and requiring certain equipment; amending Minnesota Statutes 1978, Section 168.10.	374		(H810)					
776	A bill for an act relating to account- ancy; providing for licensing of public accountants; prohibiting certain practices; appropriating money; providing penalties; amending Minnesota Statutes 1978, Sections 326.17; 326.18; 326.19, Subdivision 2; 326.20, Subdivisions 1 and 2; and Chapter 326, by adding sections; repealing Minnesota Statutes 1978, Sec- tions 326.17 to 326.23.	374	2446	1349a 1901a 2440a 2520 2712 (H703)					
777	A bill for an act relating to public welfare; disregarding certain in- come in determining eligibility for medical assistance; amending Minnesota Statutes 1978, Section 256B.06, Subdivision 1.	375		1125a					
778	A bill for an act relating to re- tirement; disposition of state police aid to municipalities and counties; amending Minnesota Statutes 1978, Section 69.031, Subdivision 5.	375							
779	A bill for an act relating to com- merce; regulating building movers; amending Minnesota Statutes 1978, Chapter 221, by adding a section.	375	639	628a 769 1014a	1040 1664	1359 1664	1359	3466	111

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
780	A bill for an act relating to employment; prohibiting mandatory overtime; providing a penalty.	375							
781	A bill for an act relating to employment; creating the advisory committee on Indian employment; appropriating money.	375							
782	A bill for an act relating to transportation; establishing a public transit capital grant assistance program to aid certain public transit systems to meet federal matching fund requirements for certain federal grants; appropriating money; amending Minnesota Statutes 1978, Chapter 174, by adding a section.	375		551a					
783	A bill for an act relating to landlords and tenants; 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; amending Minnesota Statutes 1978, Sections 566.06; 566.06; 566.09; and 566.11.	376	1223	424 1091a 1297 1574a	1606 1667	1666 1667			
784	A bill for an act relating to retirement; actuarial reporting and financial requirements of nonprofit firefighting corporations; amending Minnesota Statutes 1978, Section 69.774, Subdivision 2.	376							
785	A bill for an act relating to retirement; payment of teachers' annuities; refunds of accumulated contributions; amending Minnesota Statutes 1978, Sections 354.44, by adding a subdivision; and 354.47, Subdivision 1.	376		(H1274)					
786	A bill for an act relating to health; prohibiting applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training; requiring the board of dentistry to promulgate rules establishing requirements for this education and training; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; authorizing the board of dentistry to promulgate rules governing advertising by dentists; establishing penalties; amending Minnesota Statutes (Continued next page)	376		(H644)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
786	Continued 1978, Sections 150A.06, Subdivisions 1, 2 and 2a; 150A.09, Subdivision 3; and 150A.11, Subdivisions 1 and 2.								
787	A bill for an act relating to commerce; creating a business assistance center within the department of economic development; amending Minnesota Statutes 1978, Sections 161.321, Subdivision 1; 362.42; and Chapter 362, by adding sections.	377	2651	886 916a 1221a 1648a 2643a 2680 2758	2758 2839	2839	2838	3473	246
788	A bill for an act relating to agriculture; agreeing to the Interstate Compact on Agricultural Grain Marketing.	377							
789	A bill for an act relating to commerce; renaming the securities division of the department of commerce; registering and regulating continuing care facilities; providing a lien; providing for disclosure; providing a penalty; amending Minnesota Statutes 1978, Sections 45.01; and 82.18.	377	3841	3552 3582 3792a 3876 4162a 4167	4251 5664	5664	5664	5916	516
790	A bill for an act relating to the legislature; creating a Legislative Commission on Science and Technology and a legislative office of science and technology research; defining their powers and duties; and appropriating money.	377							
791	A bill for an act relating to waters; requiring executive council designation of scenic rivers; authorizing legislative review of the designation of scenic rivers; permitting county administration of certain areas within the scenic rivers system; providing for informational meetings prior to adoption of management plans; assisting local governments in preparation and administration of required ordinances; restricting acquisition of lands by the state; protecting landowners rights; amending Minnesota Statutes 1978, Sections 104.31; 104.33, Subdivision 1; 104.34; 104.35, Subdivisions 1, 2 and 3; 104.36, by adding a subdivision; 104.37, Subdivision 1; and 104.40; repealing Minnesota Statutes 1978, Sections 104.35, Subdivision 4; and 104.39.	377	1004	925 984a 1228 1597a	1602				
792	A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.	378		(H627)					

a Indicates Amendment

() 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	Chapter
793	A bill for an act relating to energy; invalidating certificates of need for certain large electric generating plants; amending Minnesota Statutes 1978, Section 116H.13, Subdivision 2.	378							
794	A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the teachers retirement association; appropriating funds.	378		476					
795	A bill for an act relating to taxation; allowing a one-time exclusion of gain up to \$100,000 on the sale of a principal residence of an individual who has attained age 55; allowing an income tax credit for blind dependents; establishing a presumption of ownership for inheritance tax purposes in property held jointly by husband and wife; providing a minimum homestead exemption from the inheritance tax; equalizing inheritance tax exemptions; equalizing gift tax rates and credits between spouses; removing the sales tax from water used for residential use; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, Subdivision 3c; 291.01, Subdivision 4; 291.03; 291.05; 292.07, Subdivisions 1 and 5, and by adding a subdivision; and 297A.01, Subdivision 3.	378							
796	A bill for an act relating to aeronautics; limiting state regulation of certain federally licensed mechanics; amending Minnesota Statutes 1978, Section 360.018, by adding a subdivision.	379							
797	A bill for an act relating to game and fish; authorizing, licensing and regulating nonresidents' fish houses; amending Minnesota Statutes 1978, Section 98.46, Subdivision 15.	379	924	922a 1033	1518		5845	5916	517
798	A bill for an act relating to health; establishing a state coordinated and funded system of services to help maintain certain elderly, physically disabled, mentally ill and developmentally disabled adults in non-institutional settings; prescribing the powers and duties of the commissioner of health and of the county boards in relation to in-home care services; authorizing certain planning grants for counties; appropriating money; repealing Minnesota Statutes 1978, Section 256B.51.	379							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
799	A bill for an act relating to game and fish; revocation of and ineligibility for game and fish licenses upon conviction for game and fish law violations; amending Minnesota Statutes 1978, Section 98.52, Subdivision 1.	379	770	756a 1009	923 1044		2764	3473	247
800	A bill for an act relating to health; establishing a grant program in the department of public welfare for assisting mental health boards in providing services for the chronically mentally ill; requiring the availability of five levels of treatment for the chronically mentally ill; establishing a community residential living program with services; appropriating money.	379		665a					
801	A bill for an act relating to non-alcoholic beverages; requiring laboratory examination of certain beverages; deleting registration exemption for identified beverages; amending Minnesota Statutes 1978, Section 34.05, Subdivision 1; repealing Minnesota Statutes 1978, Section 34.05, Subdivision 2.	380	770	757 1009	923 1043 4564	1993 2299 2300 2377 2508 4563 ^a	1993 4988	5787	411
802	A bill for an act relating to health; regulating the occupation of physical therapist; authorizing the commissioner of health to investigate complaints related to licensed occupations under certain circumstances; amending Minnesota Statutes 1978, Sections 148.65; 148.67; 148.70; 148.71; 148.72; 148.73; 148.74; 148.75; 148.76; 148.77; 148.78; 214.13, by adding subdivisions; and Chapter 148, by adding sections.	380	4154	700 768a 4215	710a 4104a 5011	4449 5011	5011	5787	412
803	A bill for an act relating to crimes; property seized by authorized law enforcement officers; providing for identification and return of seized property; amending Minnesota Statutes 1978, Section 299C.07; repealing Minnesota Statutes 1978, Sections 626.04 and 629.361.	380							
804	A bill for an act relating to the state building code; repealing statewide application of portions of the code; amending Minnesota Statutes 1978, Sections 16.84, Subdivision 3; 16.851, Subdivision 1; and 16.866, Subdivision 1; repealing Minnesota Statutes 1978, Sections 16.84, Subdivisions 2 and 6; 16.851, Subdivision 2; and Laws 1978, Chapter 786, Section 22.	380							

^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
805	A bill for an act relating to state parks; deleting certain land from the boundaries of Father Hennepin state park.	380							
806	A bill for an act relating to the city of Bloomington; placing the chief of police of Bloomington under the public employees police and fire fund.	380							
807	A bill for an act relating to intoxicating liquor; authorizing Washington County to issue an off-sale license in Denmark township.	381	770	767a 1009	923	1045	1457	2283	84
808	A bill for an act relating to waters; redefining public waters; defining wetlands; providing new procedures for the determination of public waters and wetlands; reappropriating money; amending Minnesota Statutes 1978, Sections 105.37, by adding subdivisions; 105.38; 105.39, Subdivision 3; 105.391, Subdivisions 1 and 3, and by adding subdivisions; 105.392, Subdivisions 2 and 5; and 105.42, Subdivision 1; repealing Minnesota Statutes 1978, Sections 105.37, Subdivision 6; and 105.391, Subdivisions 2, and 4 to 8.	381	856	814a 1514a	923	1516 2521	2428 2521 2428	3470	199
809	A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.03, Subdivisions 1 and 3; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1; 353.34, Subdivision 3; 353.35; 353.64, Subdivision 1; 353.65, Subdivision 2; 353.656, Subdivision 2; 353.71, Subdivision 5.	381	1297	1264a 1496 (H747)	1350				
810	A bill for an act relating to retirement; prohibiting membership in a volunteer firefighters' relief association by certain persons.	381	1033	1028a 1604a	1228	1604			
811	A bill for an act relating to retirement; teachers retirement fund associations in cities of the first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections (Continued next page)	381		(H749)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
811—Continued	354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; and 356.32, Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; and 354A.22.								
812	A bill for an act relating to metropolitan government; changing procedures for contesting decisions by the metropolitan council to require modification of local land planning; amending Minnesota Statutes 1978, Section 473.866.	382							
813	A bill for an act relating to agriculture; providing a wetlands property tax credit; providing for state reimbursement of lost local revenues; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 272.59.	382							
814	A bill for an act relating to interstate motor vehicle carriers; eliminating certain registration requirements for certain interstate carriers; amending Minnesota Statutes 1978, Section 221.62.	382		(H715)					
815	A bill for an act relating to building codes; defining "earth sheltered" construction; requiring modification of zoning and building codes and ordinances so as to allow earth sheltered construction; appropriating funds; amending Minnesota Statutes 1978, Sections 394.22, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 462.352, by adding a subdivision; and 462.357, Subdivisions 1 and 6.	382		917a					
816	A bill for an act relating to retirement; teachers retirement association; increase in employer contribution; amending Minnesota Statutes 1978, Sections 354.42, Subdivisions 3 and 5; and 354A.12.	383	2446	1027 2441a 2520 2771 (H746)					
817	A bill for an act relating to metropolitan government; providing for the membership of the metropolitan airports commission; removing mayors from the governing body; setting a residence requirement for the chairman; amending Minnesota Statutes 1978, Sections 473.604; and 473.605, Subdivision 2.	383							

a Indicates Amendment

() 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	Chapter
818	A bill for an act relating to public employment labor relations; expanding the use of arbitration to new contracts in certain situations; setting time deadlines for certain bargaining procedures; providing for mediation in certain instances; amending Minnesota Statutes 1978, Sections 179.64, Subdivision 7; 179.65, Subdivision 7; 179.66, Subdivision 8; and 179.69.	383		455					
819	A bill for an act relating to natural resources; providing payments in lieu of taxes to counties and townships in which certain natural resources lands are located; appropriating money; amending Minnesota Statutes 1978, Section 275.51, Subdivision 3d.	383		455					
820	A bill for an act relating to education; establishing a sparsity aid for certain school districts; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.	383							
821	A bill for an act relating to game and fish; requiring a trout stamp; providing for disposition of the proceeds; appropriating funds; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision.	405		455					
822	A bill for an act relating to highways; prohibiting the use of salt for the removal of snow and ice from highways and streets; amending Minnesota Statutes 1978, Chapter 160, by adding a section; repealing Minnesota Statutes 1978, Section 160.215.	405		405	515				
823	A bill for an act relating to natural resources; requiring the commissioner of natural resources, by eminent domain proceedings, to acquire public access to certain bodies of water in Itasca County.	405		H582					
824	A bill for an act relating to local government; limiting spending for certain cemeteries; amending Minnesota Statutes 1978, Section 471.24; repealing Minnesota Statutes 1978, Section 471.25.	405	1004	987	1228	1568	4092	4497	356
825	A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.	405		455					

BILLS OF THE SENATE--Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
826	A bill for an act relating to courts; authorizing the Itasca County court district to elect an additional judge; amending Minnesota Statutes 1978, Section 487.01, Subdivision 5.	406								
827	A bill for an act relating to taxation; altering the definition of gross income for income tax purposes for individuals, trusts and estates; placing restrictions on certain deductions; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a 10 year carryback of products liability losses; allowing adjustments to basis; allowing deductions for employer contributions to simplified employee pension plans; updating the definition of income for property tax refund purposes; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.09, Subdivisions 4 and 28; 290.091; 290.095, by adding a subdivision; 290.14; 290.26, Subdivision 2; 290.971, Subdivision 1; 290.974; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Sections 290.971, Subdivisions 2, 3, 4, 5, and 6; 290.972; 290.973; and 290.975.	406								
828	A bill for an act relating to elections; allowing employees of the state or its political subdivisions to serve as election judges; amending Minnesota Statutes 1978, Section 204A.18, Subdivision 3; repealing Minnesota Statutes 1978, Section 204A.17, Subdivision 5.	406		(H430)						
829	A bill for an act relating to education; requiring a balanced presentation of theories of origins in public schools; giving the commissioner of education a certain power.	406								
830	A bill for an act relating to education; requiring the state board for vocational education and the higher education coordinating board to review a new program for an area vocational-technical institute within a time limit; amending Minnesota Statutes 1978, Chapter 121, by adding a section; and Section 136A.04.	407	1004	957a 1256	1228	1352 1940	1860 1940	1860	3469	179
831	A bill for an act relating to Hennepin county; providing for the operation of the Hennepin county park reserve district; regulating its tax levies; providing for appointment and election of park (Continued next page)	407	1223	1001a 1297 1731a	1151 1609a	1732 2820	2501 2562 2680 2816*	2501 2918	3475	288

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
831	—Continued commissioners; permitting certain residents of Hennepin county to request reconsideration of certain decisions of the environmental quality board affecting Hennepin county; amending Laws 1967, Chapter 721, Section 2, as amended; repealing Laws 1963, Chapter 883, Section 2.								
832	A bill for an act relating to veterans; increasing the maximum amount of certain educational grants to certain persons; appropriating money; amending Minnesota Statutes 1978, Section 197.75, Subdivision 1.	407		537 538a 596a 957 (H733)					
833	A bill for an act relating to appropriations; providing funds for the programs of the Minnesota International Center.	407		759					
834	A bill for an act relating to taxation; property; altering the assessment dispersion penalty on assessment districts; amending Minnesota Statutes 1978, Section 477A.04, Subdivision 2.	407							
835	A bill for an act relating to courts; county or county municipal court jurisdiction of actions for unlawful removal or exclusion; providing for correction of an erroneous reference; amending Minnesota Statutes 1978, Sections 487.17; 488A.01, Subdivision 5; and 488A.18, Subdivision 6.	407	682	670 719 1009					
836	A bill for an act relating to education; changing the tuition at post-secondary vocational-technical schools; requiring the state board for vocational education to write rules for tuition refunds; amending Minnesota Statutes 1978, Section 124.565, Subdivisions 3 and 4, and by adding a subdivision.	408		455					
837	A bill for an act relating to controlled substances; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Section 152.02, Subdivisions 2, 3, 4, 5 and 6.	408		(H606)					
838	A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.	408	1657	1631a 1752 2007 (H567)					
839	A bill for an act relating to local government; providing for facilities of the jointly owned airport of (Continued next page)	408	682	681 719 1030 (H659)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
839—Continued	the city of Brainerd and Crow Wing County; authorizing the issuance of bonds to finance the acquisition and betterment of airport facilities.								
840	A bill for an act relating to taxation; income; removing the state tax on any federal tax credit for renewable energy systems; amending Minnesota Statutes 1978, Section 290.08, by adding a subdivision.	408		455					
841	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 1978, Section 299D.01, Subdivision 1.	409		(H245)					
842	A bill for an act relating to aeronautics; appropriating and transferring money for construction of hangars.	409	597	589 726	639 775				
843	A bill for an act relating to the city of Duluth; permitting the city to authorize on-sale wine licenses to sell certain beer not exceeding seven percent alcohol by weight.	409	856	810a 1009	923 1048 2507	2507	2507	3470	200
844	A bill for an act relating to welfare; providing state aid through matching grants from the department of public welfare to counties for certain semi-independent living services programs; requiring counties to monitor the services; requiring bonds for private providers of the services; directing the commissioner of public welfare to promulgate rules to implement administration of the grant program; appropriating money.	409	2364	956a 2470	2359a 2654	2668			
845	A bill for an act relating to Ramsey County; changing the day of county board meetings; amending Laws 1974, Chapter 435, Section 2.05, Subdivision 1, as amended.	409	639	637 840 (H740)	682				
846	A bill for an act relating to Ramsey County; providing the age for mandatory retirement of county employees; amending the Ramsey County code by amending the civil service section; providing for certain unclassified employees; abolishing the office of county surveyor and prohibiting election of county superintendent of schools in Ramsey County; repealing certain obsolete laws and provisions; amending Laws 1974, Chapter 435, Sections 3.02, Subdivisions 4, as amended, and 6, as amended. (Continued next page)	409	682	671a 2715	719				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
846	Continued and 3.03; repealing Laws 1969, Chapter 839, Section 1, as amended; and Laws 1974, Chapter 435, Section 3.17.								
847	A bill for an act relating to the humanities; providing support for the Minnesota humanities commission; appropriating money.	410		675					
848	A bill for an act relating to education; providing for the licensure of district-wide community education directors; appropriating money.	410							
849	A bill for an act relating to taxation; dedicating the revenues from the excise tax on new motor vehicles to the trunk highway fund, county state-aid highway fund and municipal state-aid street fund; amending Minnesota Statutes 1978, Section 297B.09.	410							
850	A bill for an act relating to taxation; real property; providing property tax exemptions for certain heat recovery devices; amending Minnesota Statutes 1978, Section 273.11, by adding a subdivision.	410							
851	A bill for an act relating to transportation; authorizing the commissioner of transportation to make grants and guarantee loans to rail users for rail facilities and equipment and certain shipping facilities, to acquire, repair and dispose of rolling stock, and to provide technical assistance to rail users; establishing a state rail bank for abandoned rail lines; establishing an advisory task force on rail service improvement; providing for interest adjustment on certain guaranteed loans; amending Minnesota Statutes 1978, Sections 174.03, Subdivision 4; 222.48; 222.50, Subdivisions 3, 4 and 6, and by adding a subdivision; 222.51; 222.53; 222.55; 222.56, Subdivision 5; 222.57; 222.58, Subdivision 2, and by adding a subdivision; and Chapter 222, by adding a section.	410	1033	456 619a 1023a 1228 1506 1509a	1510	1563 1591			
852	A bill for an act relating to taxation; property tax; clarifying a tax exemption for certain types of public property; amending Minnesota Statutes 1978, Section 272.02, by adding a subdivision.	411							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
853	A bill for an act relating to taxation; abolishing the inheritance tax; imposing an estate tax; repealing the gift tax; amending Minnesota Statutes 1978, Sections 3A.08; 291.005; 291.01; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07, Subdivisions 1 and 2a; 291.08; 291.09, Subdivisions 1, 2, 3, 4, 5 and 7; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivision 3; 291.20, Subdivision 1; 291.21, Subdivision 2; 291.27; 291.33, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.71; 525.74; 525.841; and Chapter 291, by adding sections; repealing Minnesota Statutes 1978, Sections 291.01, Subdivisions 2 and 3; 291.10; 291.11, Subdivisions 5, 6, 7, 8 and 9; 291.12, Subdivision 3; 291.22; 291.24; 291.25; 291.26; 291.29, Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; and 292.15.	411							
854	A bill for an act relating to taxation; gasoline tax; reducing the tax on grain alcohol gasoline; creating the Minnesota agricultural products industrial utilization board and the agricultural alcohol fuel tax fund; appropriating money; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.18, Subdivision 8; and Chapter 24, by adding a section.	411		411 (H8) 515					
855	A bill for an act relating to state holidays; making the anniversary of Minnesota's admission to statehood a holiday; amending Minnesota Statutes 1978, Section 645.44, Subdivision 5.	412							
856	A bill for an act relating to public health; authorizing waiver of minimum health maintenance organization requirements for demonstration projects; amending Minnesota Statutes 1978, Chapter 62D, by adding a section.	412	770	749a 1009 923	1043 2821	1993 2333 2472 2820*	1993 2918	3474	268
857	A bill for an act relating to game and fish; establishing separate licenses and seasons for deer and bear; amending Minnesota Stat- (Continued next page)	412							

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
857	Continued utes 1978, Sections 98.46, Subdivisions 2 and 14; and 100.27, Subdivisions 2 and 9.								
858	A bill for an act relating to local government; fixing a maximum amount for airport revenue certificates; amending Minnesota Statutes 1978, Section 360.71.	412		424					
859	A bill for an act relating to municipal development; limiting the objects and methods of financing residential, industrial, and economic development; regulating the planning and implementation of single family housing programs and multifamily housing developments; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 7a, and by adding a subdivision; and 474.02, by adding a subdivision.	412	924	412 456 515 905a 1033 1397 (H261)					
860	A bill for an act relating to commerce; providing for sale of gasoline to handicapped licensed motor vehicles at certain prices; providing a penalty.	413							
861	A bill for an act relating to energy; prohibiting the operation of electrical appliances on display except under certain circumstances; providing a penalty.	413							
862	A bill for an act relating to education; eliminating tuition and tuition subsidies for a resident pupil at a post-secondary vocational-technical school; repealing Minnesota Statutes 1978, Sections 124.565, Subdivision 3 and 136A.236.	413		456					
863	A bill for an act relating to courts; authorizing the judges of the courts within each judicial district to elect to reorganize to form one unified court.	413							
864	A bill for an act relating to game and fish; authorizing the taking of antlerless deer by elderly licensees; amending Minnesota Statutes 1978, Section 98.47, by adding a subdivision.	413							
865	A bill for an act relating to taxation; providing for a reduction to gross income for Minnesota income tax purposes; providing for a state credit for qualifying energy improvement expenditures; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.06, by adding a subdivision; and 290.14.	413							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
866	A bill for an act relating to county recorders; requiring erroneous entries against real estate to be corrected without charge; amending Minnesota Statutes 1978, Section 357.18, Subdivision 1.	414	682	670a 682 719 776	867				
867	A bill for an act relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, Subdivision 5.	414	597	593a 639 840 (HR43)					
868	A bill for an act relating to landlords and tenants; requiring extended termination notices for long-term residential tenants; amending Minnesota Statutes 1978, Section 504.06; and Chapter 504, by adding a section.	414		456					
869	A bill for an act relating to taxation; income tax; providing a credit for certain costs of insulation and other energy conserving materials; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	414		456					
870	A bill for an act relating to electric utilities; altering provisions for the required condemnation of lands contiguous to sites or routes of electric utilities, clarifying that certain required land condemnations need not be considered in environmental impact statements; amending Minnesota Statutes 1978, Sections 116C.63, Subdivision 4; and 116D.04, by adding a subdivision.	414	4215	3730 4192a 4448 4571	4974				
871	A bill for an act relating to Anoka County; permitting redistricting of commissioner districts to seven for the 1982 election	414	639	638	725		1992	3466	112
872	A bill for an act relating to welfare; limiting the family contribution to cost of care and treatment for mentally retarded, epileptic, or emotionally handicapped children; amending Minnesota Statutes 1978, Section 252.27, Subdivision 2.	415		750a					
873	A bill for an act relating to administration of criminal justice; establishing a criminal justice records code; establishing procedures for information maintained by criminal justice agencies; amending (Continued next page)	415							

a Indicates Amendment

() 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	Chapter
882	A bill for an act relating to counties: fixing the amounts that may be spent for Memorial Day observances: amending Minnesota Statutes 1978, Sections 375.34; and 375.35.	433		(H624)					
883	A bill for an act relating to taxation: providing and modifying certain income tax credits and deductions and modifications of gross income: increasing the state share of the cost of certain local and county programs: reducing certain property tax assessment ratios: providing for valuation of agricultural land for school district and other levy purposes: altering special levy and levy limit provisions: redefining certain property tax exemption provisions: providing a one-time refund of certain property tax increases: increasing metropolitan transit levy authorizations and authorizing added bonding: adjusting property tax refunds upon reclassification: allowing payment of decedent's property tax refund claims: increasing the state tax on gasoline: authorizing state enforcement of gasoline price regulations: eliminating the minimum corporate income tax and the specific credit: providing for taxation of certain utility property on a situs basis: providing for taxation of certain concessions: designating year relating to property taxes: restricting use of proceeds of taconite production tax: clarifying application of taconite occupation tax: reducing rate of tax on certain wine: exempting certain purchases by veterans' organizations from sales tax: providing for taxation of ethyl alcohol: modifying public employee pension provisions and their funding mechanisms: amending Minnesota Statutes 1978, Sections 69.77, Subdivision 2, as amended: 69.775: 124.212. Subdivisions 2, 8a, and 10: 124.46. Subdivision 4: 167.42: 167.50. Subdivision 2: 193.146. Subdivision 4: 272.01. Subdivision 2: 273.135. Subdivision 2: 273.19. Subdivision 1: 273.36: 273.37. Subdivision 2: 275.11. Subdivision 2: 275.28. Subdivision 3: 275.52. Subdivision 2: 276.04: 276.09: 276.10: 276.11: 290.06, and by adding subdivisions: 290.067, Subdivision 2: 290.18, by adding a subdivision: 290A.04, by adding a subdivision: 290A.11, by adding a subdivision: 290A.18: (Continued next page)	433	4966	4563 4640a 5025 5036 (H1121)					

BILLS OF 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—Continued	<p>296.02, Subdivision 1; 296.14, by adding a subdivision; 298.223; 298.28, Subdivision 1; 352.75, Subdivision 3; 352B.26, Subdivision 3; 353.657, Subdivision 3; 353.661, Subdivision 3; 375.192, Subdivision 1; 422A.02; 422A.03, Subdivisions 3 and 5; 422A.05, Subdivisions 1, 3, 5, 6 and by adding subdivisions; 422A.06, Subdivisions 1, 3, 4, 5 and by adding a subdivision; 462.631, Subdivision 1; 475.73, Subdivision 1; 490.123, Subdivision 1; 490.124, Subdivision 1; and Chapters 11: 273; 298; and 477A, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 1; 43.064; 69.772, Subdivision 2a; 256.82; 256D.03, Subdivision 2; 256D.36, Subdivision 1; 272.02, Subdivision 1; 273.13, Subdivisions 6 and 7; 273.42; 275.125, Subdivision 9; 275.50, Subdivision 5; 275.51, Subdivision 3d; 290.01, Subdivision 20; 290.06, Subdivisions 3c, 3d, 3f and 14; 297A.25, Subdivision 1; 353.023; 422A.03, Subdivisions 1 and 2; 422A.08, Subdivision 2; 422A.09, Subdivision 3; 424A.02, by adding a subdivision; 424A.04; 473.596; 473.436, Subdivision 5; 473.446, Subdivision 1; and 477A.01, Subdivisions 1 and 4; and Laws 1979, Chapter 293, Section 10, Subdivision 1 and by adding a subdivision; and Chapter 303, Article II, Section 39; and repealing Minnesota Statutes 1978, Sections 11.01; 11.015; 11.04; 11.05; 11.06; 11.08; 11.10; 11.11; 11.115; 11.117, Subdivisions 1, 2, 3, 5 and 7; 11.12; 11.13; 11.14; 11.15; 11.16; 11.17; 11.18; 11.19; 11.20; 11.21; 11.22; 11.23; 11.24; 11.25; 11.26; 11.27; 11.28; 290.21, Subdivision 2; 360.303; 422A.05, Subdivisions 2 and 4; 422A.07; 458.53; Minnesota Statutes, 1979 Supplement; Sections 11.117, Subdivisions 4 and c; 11.118; 11.145; and Laws 1979, Chapter 293, Section 10, Subdivision 2.</p>								
884	A bill for an act relating to aeronautics; amending Minnesota Statutes 1978, Section 360.71.	433	682	681a 719 840 (H819)					
885	A bill for an act relating to taxation; providing for homestead classification of property owned by certain real estate trusts; amending Minnesota Statutes 1978, Section 273.133, by adding a subdivision.	434							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
886	A bill for an act relating to Olmsted County; permitting the intermittent inundation by flood water and temporary closing of county and town roads.	434		(H823)					
887	A bill for an act relating to game and fish; allowing associations to undertake emergency conservation projects upon petition to the commissioner of natural resources.	434							
888	A bill for an act relating to tuberculosis; eliminating certain obsolete language from tuberculosis statutes; requiring detection and treatment of tuberculosis under certain circumstances; closing the Glen Lake State Sanatorium; requiring the treatment of tuberculosis; allocating costs of tuberculosis treatment for persons in the welfare system; amending Minnesota Statutes 1978, Sections 144.422, Subdivisions 2, 6, 7 and 9; 144.424, Subdivisions 8, 9 and 11; 144.425; 144.45; 144.471; 144.49, Subdivisions 5 and 8; 197.01; 241.07; 241.15; 246.014; 246.28; 251.043, Subdivision 1; 251.053; 251.15, Subdivision 1; and 256.01, Subdivision 2; repealing Minnesota Statutes 1978, Sections 144.42; 144.421; 144.424, Subdivision 10; 144.427; 144.428; 144.429; 144.43; 144.46; 144.47; 144.50, Subdivision 4; 145.13; 145.24, Subdivision 4; 246.014, Subdivision 8; 251.01; 251.011, Subdivisions 2 and 5; 251.02; 251.03; 251.08; 251.09; 251.10; 251.11; 251.12; 251.13; 251.14; 251.16; and 376.18 to 376.54.	434	924	919a 1033 1446a	1448 4010	4010	4010	4497	357
889	A bill for an act relating to Independent School District No. 152, Moorhead; authorizing it to transfer certain funds from its general fund to its capital expenditure fund for the construction of an agricultural shop addition to the Moorhead AVTI; limiting the time for the transfer; limiting district expenditures for the addition; appropriating money.	434							
890	A bill for an act relating to taxation; exempting interspousal transfers from gift and inheritance taxation; amending Minnesota Statutes 1978, Sections 291.01, Subdivision 4; 291.03; 291.05; 291.065; 291.14, Subdivision 2; 291.20, Subdivision 1; 292.04; 292.05, Subdivision 1; and 292.07, Subdivisions 3 and 5; repealing Minnesota Statutes 1978, Sections 291.051 and 292.01, Subdivision 7.	434							

a Indicates Amendment

() 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	Chapter
891	A bill for an act relating to education: authorizing a special state aid to pay certain travel costs for teachers in certain cooperative programs; appropriating money; amending Minnesota Statutes 1978, Section 124.65.	435							
892	A bill for an act relating to migrant labor; providing contract requirements; providing for the recruiting of migrant workers; prescribing penalties; providing for private causes of action; appropriating funds.	435		476					
893	A bill for an act relating to counties; providing for the time for certain welfare board activities; amending Minnesota Statutes 1978, Sections 393.04; and 393.08.	435		(H954)					
894	A bill for an act relating to taxation; lowering the excise tax on natural and artificial sparkling wines on a temporary basis.	435		(H1167)					
895	A bill for an act relating to intoxicating liquor; permitting earlier hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.	435	1004	992a 1256	1228	1301			
896	A bill for an act relating to the state auditor; providing for state payment of county audits; appropriating money; amending Minnesota Statutes 1978, Sections 6.56; and 6.57.	436							
897	A bill for an act relating to the secretary of state; providing for printing and distributing the student edition of the legislative manual; appropriating money; amending Minnesota Statutes 1978, Section 5.09.	436	2446	2435a 2654	2520	2669			
898	A bill for an act relating to retirement; highway patrolmen; extending survivor benefit coverage to certain disabled employees; providing for increased employee and employer contributions and for an annual post retirement increase to certain retirees; amending Minnesota Statutes 1978, Sections 352B.02, Subdivision 1; 352B.11, Subdivision 2; and Chapter 352B, by adding a section.	436							
899	A bill for an act relating to taxation; income tax; providing an additional credit against tax for paraplegics and quadriplegics; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.	436							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
900	A bill for an act relating to waters; providing state funds for improvement of Prior Lake in Scott County; appropriating money.	436							
901	A bill for an act relating to the public employees retirement association; reducing penalty for early retirement; increasing interest on refunds; providing for coordinated survivor benefits and survivor benefits after retirement; increasing the amount retirees may earn in public service without affecting the payment of their annuity; amending Minnesota Statutes 1978, Sections 353.30, Subdivisions 1, 1b, 1c, and 3; 353.31, by adding subdivisions; 353.32, Subdivision 1; 353.34, Subdivision 2; 353.37, Subdivision 1; and 353.657, by adding a subdivision.	436							
902	A bill for an act relating to insurance; providing certain health insurance benefits to employees otherwise ineligible; amending Minnesota Statutes 1978, Section 62E.03, Subdivision 1.	437							
903	A bill for an act relating to the public employees retirement association; authorizing the acquisition of real estate and the construction of a building thereon; authorizing a lease with the state and specifying minimum rents; appropriating money.	437							
904	A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.	437		(H116)					
905	A bill for an act relating to public lands; authorizing the transfer of titles to lands of the state and local units of government; specifying powers and duties of the land exchange board, the commissioner of natural resources, and local units of government in relation to title transfers.	437	597	592 776	639	862 2284	2284	3467	142
906	A bill for an act relating to transportation; authorizing an increase in the approved complement of the department for certain services; providing for reimbursement for the services; appropriating money.	437		524	674a				
907	A bill for an act relating to public welfare; establishing and empowering a Minnesota commis- (Continued next page)	438							

a Indicates Amendment

1 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	Chapter
907—Continued	sion for the blind; transferring all powers and duties of the commissioner and department of public welfare in regard to the blind to the commission; amending Minnesota Statutes 1978, Sections 248.07; and 248.08.								
908	A bill for an act relating to civil service; extending certain optional insurance coverage for otherwise noneligible public employees; amending Minnesota Statutes 1978, Section 43.491, Subdivision 2.	438							
909	A bill for an act relating to financial corporations; requiring payment of interest on certain escrow accounts required by mortgagees of multiple unit residential buildings; amending Minnesota Statutes 1978, Section 47.20, Subdivision 9.	438							
910	A bill for an act relating to game and fish; authorizing the elderly to maintain or utilize fish houses or dark houses without a license; amending Minnesota Statutes 1978, Section 98.47, Subdivision 1.	438							
911	A bill for an act relating to taxation; providing that certain improvements to real property used for a homestead not be added to increased valuation of property; amending Minnesota Statutes 1978, Section 273.11, Subdivision 1, and by adding a subdivision.	438							
912	A bill for an act relating to retirement; directing recalculation of certain annuities and benefits paid by the teachers retirement association; appropriating funds.	439							
913	A bill for an act relating to banks and other financial institutions; regulating open end loan accounts; removing certain restrictions; providing for computation of finance charges; amending Minnesota Statutes 1978, Section 48.185, Subdivisions 2 and 3.	439	924	901 1033 1497 (H859)					
914	A bill for an act relating to human rights; requiring educational institutions and public services to provide equal opportunity for members of both sexes to participate in athletic programs; prescribing powers and duties for the Minnesota state high school league; amending Minnesota Statutes 1978, Section 129.121. (Continued next page)	439		476					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
914—Continued	Subdivision 1. and by adding a subdivision; and Chapter 363, by adding sections; repealing Minnesota Statutes 1978, Section 126.21.								
915	A bill for an act relating to workers' compensation; providing for apportionment in cases of pre-existing conditions; amending Minnesota Statutes 1978, Section 176.021, by adding a subdivision.	439							
916	A bill for an act relating to waters; requiring legislative designation of wild and scenic rivers; amending Minnesota Statutes 1978, Sections 104.34, Subdivision 1; and 104.35, Subdivision 3.	439		476					
917	A bill for an act relating to workers' compensation; changing certain insurance rate making procedures; increasing the membership of the workers' compensation court of appeals; directing certain studies; providing for certain schedules and lists; increasing certain staff; relocating workers' compensation court of appeals; changing availability amounts for certain benefits; changing rehabilitation procedures; changing certain presumptions; changing basis for attorneys' fees; changing notice provisions; establishing a workers' compensation reinsurance association; transferring self-insuring duties to the commissioner of insurance; establishing a reopened case fund; establishing a voluntary group self-insurance association; appropriating money; amending Minnesota Statutes 1978, Sections 79.01, Subdivision 2, and by adding subdivisions; 79.095; 79.10; 79.21; 79.22, by adding a subdivision; 79.25; 175.006, Subdivision 1; 175.08; 176.011, Subdivisions 9 and 15; 176.021, Subdivision 3; 176.061, Subdivision 5; 176.081, Subdivision 5; 176.101, Subdivisions 1, 3 and 4; 176.111, Subdivision 1; 176.131, Subdivisions 3, 10 and by adding a subdivision; 176.135, by adding a subdivision; 176.141; 176.155, Subdivision 2; 176.179; 176.181, Subdivision 2, and by adding a subdivision; 176.191; 176.231, Subdivisions 1 and 2; 176.235, Subdivision 1; 176.241; 176.271; 176.391, Subdivision 2; 176.521, Subdivision 1; Chapters 79, by adding sections; and 176, by (Continued next page)	440	2351	845a 2334a 2376 2447a	2461 3439	2561 2680 2793 3395*	2561		

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	
917	—Continued adding a section; repealing Minnesota Statutes 1978, Sections 79.05; 79.06; 79.07; 175.092; and 176.101, Subdivision 7.									
918	A bill for an act relating to retirement; reductions in Minnesota state retirement system annuities for early retirement; refund applications; disability benefits for covered correctional employees; amending Minnesota Statutes 1978, Sections 352.116, Subdivision 1; 352.22, Subdivisions 1 and 10; and 352.95; repealing Minnesota Statutes 1978, Section 352.22, Subdivision 11.	460								
919	A bill for an act relating to the town of Winona; providing for the employment of a building official by the town of Winona; setting forth time limits for the accrual of certain actions involving construction and improvements to real property; amending Minnesota Statutes 1978, Section 541.051, Subdivisions 1, 2, and 4.	460	770	617 768 927a	637 869	1009 5666	5665	5665	5916	518
920	A bill for an act relating to health; changing provisions related to compensation of members of local boards of health; amending Minnesota Statutes 1978, Section 145.52, Subdivision 1.	460	770	756a 1009	923	1044		4413	5100	368
921	A bill for an act relating to the city of Duluth; providing for a temporary demonstration purpose income tax credit to individuals who use the Duluth transit system for work commuting.	460		460 894a	515					
922	A bill for an act relating to community corrections; crediting counties for the cost of care of certain offenders committed to county correctional facilities or jail; amending Minnesota Statutes 1978, Section 401.13.	461								
923	A bill for an act relating to the city of Duluth; authorizing the issuance of bonds in connection with the municipal steam utility plant; authorizing the governing body to transfer money from the steam division account of the public utility fund to the general fund; authorizing the governing body to delegate the power to make certain purchases for the municipal steam utility to a private management organization.	461	856	817a 1246a	923	1247		1992	3466	113

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
924	A bill for an act relating to education; authorizing cooperation between certain public libraries and school media centers; appropriating money.	461							
925	A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01-270.02, Subdivision 4; 270.10, Subdivision 1; 273.02, Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341, Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 458A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.	461	523	505a 638 (H638)	556				
926	A bill for an act relating to certain political subdivisions; authorizing certain investments; providing a method of purchasing certain equipment.	462	770	462 752	515	869 2733	2733	3474	269
927	A bill for an act relating to local government; providing for certain local improvements and special assessments; amending Minnesota Statutes 1978, Sections 429.011, by adding a subdivision; and 429.021, Subdivision 1.	462	770	752 1003 (H842)	923				

a Indicates Amendment

() 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	Chapter
928	A bill for an act relating to commerce; exempting the sale of motor vehicles from provisions regulating home solicitation sales; amending Minnesota Statutes 1978, Section 325.933, by adding a subdivision.	462		523 (H757)					
929	A bill for an act relating to small businesses; increasing state procurement from small businesses; appropriating money; amending Minnesota Statutes 1978, Section 16.083, Subdivisions 1 and 4.	462		747 753a 923a (H913)					
930	A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1 and 2.	462		(H60)					
931	A bill for an act relating to taxation; inheritance tax; exempting certain estates under \$1,000,000 from the inheritance tax; amending Minnesota Statutes 1978, Section 291.01, Subdivision 1.	463							
932	A bill for an act relating to taxation; deleting requirement of vendor's verification of claim for refund of sales tax paid on electricity used for agricultural purposes; amending Minnesota Statutes 1978, Section 290.501.	463	1497	1466 1611	1736				
933	A bill for an act relating to taxation; income; providing an income tax credit for blind dependents; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3c.	463							
934	A bill for an act relating to education; providing matching grants for small business institutes at certain state colleges and universities; prescribing certain duties for the higher education coordinating board; appropriating money.	463		754 (H869)					
935	A bill for an act relating to the University of Minnesota; requiring establishment of a small business set aside program for certain university procurements.	463	770	754a 923	1233		1580	2283	86
936	A bill for an act relating to adult vocational education; appropriating money to provide adult small business management programs at additional locations.	463		747 753a 924a					
937	A bill for an act relating to liquor; giving local governing authorities exclusive control over process of issuing off-sale licenses without (Continued next page)	464	856	523 841a 923 1249a 1517a	1517				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
937—Continued	review by the commissioner of public safety; requiring filing of off-sale licenses with the commissioner of public safety; canceling appropriations and reducing approved personnel for abolished functions; amending Minnesota Statutes 1978, Sections 299A.02, Subdivision 2; 340.07, Subdivision 5; 340.11, Subdivisions 4, 8, 10, 10a, 11, 13, and 20; 340.119, Subdivision 3; 340.355; 340.485, Subdivisions 2 and 3; 340.492; 340.55; and 340.85, Subdivision 2.								
938	A bill for an act relating to education; establishing primary grade instructional improvement programs; appropriating money; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.	464		600					
939	A bill for an act relating to education; changing the foundation aid formula for certain school years; amending Minnesota Statutes 1978, Section 124.212, Subdivisions 6c and 7c.	464							
940	A bill for an act relating to highways; allowing private landowners to install drainage tiles along and across highway right-of-way under certain conditions; prescribing a penalty; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.	464	1004	984a 1228 1396 (H772)					
941	A bill for an act relating to predators; establishing an incentive program for the control thereof; providing a penalty; appropriating funds.	464							
942	A bill for an act relating to taxation; inheritance; exempting certain payments to a surviving spouse or minor or dependent child; amending Minnesota Statutes 1978, Section 291.065.	465							
943	A bill for an act relating to housing; creating a demonstration program in congregate housing; appropriating money; amending Minnesota Statutes 1978, 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.	465		918a					
944	A bill for an act relating to retirement; authorizing the purchase of prior service credit by certain members of the public employees retirement association.	465							

a Indicates Amendment

⌋ 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	Chapter
945	A bill for an act relating to licensed occupations; term of public liability insurance; amending Minnesota Statutes 1978, Section 326.40, Subdivision 2.	465							
946	A bill for an act relating to the operation of state government; creating a real estate division in the department of commerce; transferring certain powers, duties and functions from the commissioner of securities; amending Minnesota Statutes 1978, Sections 15.06, Subdivision 1; 15A.081, Subdivision 1; 45.01; 45.03; 82.17, Subdivision 3; 82.30, Subdivision 1; 82.34, Subdivision 1; 83.20, Subdivision 4; and 83.21.	465							
947	A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.	465	1004	817 974a 1228 1256a	1302		1860	3466	114
948	A bill for an act relating to labor relations; making collective bargaining agreements binding and enforceable upon transferee employers; defining transferee employer; creating certain exclusions; requiring the disclosure of collective bargaining agreements; providing for enforcement procedures.	466							
949	A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession and furnishing; amending Minnesota Statutes 1978, 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.	466							
950	A bill for an act relating to the city of St. Louis Park; authorizing housing finance programs; providing for the issuance of limited general obligation bonds.	466							
951	A bill for an act relating to small businesses; establishing a uniform definition of small business; amending Minnesota Statutes 1978, Sections 16.085; 161.321, Subdivision 3; and Chapter 645, by adding a section; Minnesota Statutes, 1979 Supplement, Section 161.321, Subdivision 1; repealing Minnesota Statutes 1978, Section 16.082, Subdivisions 2, 3, 4 and 5.	466	770	753a 1238a	923 3924	3924	3924	4544	361

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
952	A bill for an act relating to taxation; reducing the rate of corporate income tax; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.	466		523 754					
953	A bill for an act relating to highways; requiring loads on dump trucks to be covered; providing a penalty; amending Minnesota Statutes 1978, Section 169.81, by adding a subdivision.	466							
954	A bill for an act relating to taxation; gift; qualifying certain trusts for the gifts to minors exclusion; appropriating money; amending Minnesota Statutes 1978, Section 292.04.	467							
955	A bill for an act relating to retirement; providing for a reimbursement for one-half of certain employer contributions made to certain public employee retirement funds; appropriating money; amending Minnesota Statutes 1978, Sections 69.77, by adding a subdivision; 353.28, by adding a subdivision; 353.65, by adding a subdivision; and Chapter 422A, by adding a section.	467							
956	A bill for an act relating to retirement; providing a post retirement increase in certain retirement annuities and benefits; appropriating money.	467	2651	523 1027a 2646a 2680 2825					
957	A bill for an act relating to retirement; providing periodic percentage post retirement increases in certain annuities and benefits; appropriating money.	467							
958	A bill for an act relating to retirement; providing for continued membership in public safety employee pension funds for certain current public safety employees who may not have the power of arrest with a warrant; amending Minnesota Statutes 1978, Sections 352B.01, Subdivision 2; and 353.64, Subdivision 1.	467		(H914)					
959	A bill for an act relating to retirement; judges retirement fund; including the conciliation court of the city of Duluth in certain provisions governing judicial retirement; transferring the obligations and assets of the county and probate court judges survivors' account to the judges retirement fund; amending Minnesota Statutes 1978, Sections 490.121, Subdivision 2; and 490.124, Subdivision 1.	467	1657	1647a 1752 2008 (H907)					

a Indicates Amendment

1 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	Chapter
959—Continued	sion 8; repealing Minnesota Statutes 1978, Section 490.12, Subdivisions 7 and 8.								
960	A bill for an act relating to retirement; various retirement funds; providing for a proportionate annuity at age 65 or older with one year of service; indexing the re-employed annuitant earnings maximum to the social security benefit recipient earnings maximum; clarifying applications for refunds from the Minnesota state retirement system; providing an occupational disability benefit in the Minnesota state retirement system correctional employees retirement plan; establishing qualifications for the executive director of the teachers retirement association; requiring annuitants and benefit recipients of the teachers retirement association to file quarterly evidence of receipt cards; removing the requirement for dependency for entitlement to certain refunds from the teachers retirement association; clarifying the amortization obligation of the metropolitan transit commission to the Minnesota state retirement system; calculating service credit for certain part time transit operating division employees covered by the Minnesota state retirement system; clarifying the provision of minimum disability coverage by the metropolitan transit commission; providing a retirement annuity from the Minnesota state retirement system to certain former transit operating division employees; providing for a purchase of service credit of certain military service leaves of absence for transit operating division employees; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 11 and 16; 352.115, Subdivision 10; 352.22, Subdivisions 1 and 10; 352.95; 353.37, Subdivision 1; 354.05, Subdivision 2; 354.06, Subdivision 2; 354.44, Subdivisions 1a, 5 and by adding a subdivision; 354.47, Subdivision 1; 354A.21; 356.32, Subdivision 1; 473.417; 473.418; and Laws 1978, Chapter 538, Section 21; repealing Minnesota Statutes 1978, Section 352.22, Subdivision 11; and Laws 1978, Chapter 562, Section 35.	468	1657	1645a 2253a 1752	2268 3532	3529 3532	3529	3663	342

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
961	<p>A bill for an act relating to retirement; volunteer firefighters' relief associations and independent nonprofit firefighting corporations; providing for a flexible statutory service pension maximum; providing a procedure for the recognition of a funding surplus in the calculation of the financial requirements of a relief association and the minimum obligation of a municipality; clarifying the calculation of the time period for the amortization of unfunded accrued liabilities of volunteer firefighters' relief associations; clarifying and updating various ambiguous and obsolete provisions regarding the fire state aid program, the authorization of retirement benefits for volunteer firefighters and the mandated guidelines for the financing of volunteer firefighters' relief associations; amending Minnesota Statutes 1978, Sections 69.771; 69.772, Subdivisions 1, 2, 3, 4, 5, 6, and by adding a subdivision; 69.773; and 69.774; and Laws 1963, Chapter 429, Section 1; Laws 1967, Chapters 575, Sections 1, Subdivision 1; and 2; 829, Section 1; Laws 1969, Chapters 526, Section 2a, as added; 664, Section 1; Laws 1971, Chapters 114, Section 10; 127, Section 1; 140, Section 7; and 214, Sections 1, as amended, and 2; Laws 1973, Chapters 304, Section 4; and 472, Section 1, as amended; Laws 1975, Chapter 237, Sections 1 and 2; Laws 1976, Chapter 209, Section 1; Laws 1977, Chapter 374, Sections 41; 50, Subdivision 2; 51; and 57; Laws 1978, Chapter 685, Sections 1 and 4; repealing Minnesota Statutes 1978, Sections 69.04; 69.055; 69.06; 69.22; 69.23; 69.24; 69.66; 69.67; 69.68; 69.691; 424.30; and 424.31; Laws 1959, Chapter 324; Laws 1965, Chapters 592, Section 1; and 598, Section 1; Laws 1967, Chapters 575, Section 1, Subdivision 2; 742, Section 1; 815, Sections 1 and 2, Subdivision 1; and 831; Laws 1969, Chapters 252, Section 1, Subdivisions 1 and 2; 526, Sections 1 and 2; 530; 644, Section 1; 714; 719, Section 1; 877; 1088, Section 2, Subdivision 1; and 1105, Sections 1, 2 and 3; Laws 1971, Chapters 2; 114, Section 3, Subdivision 2; 140, Section 1; 184, Section 1, Subdivisions 1 and 2; 200; and 233; Laws 1973, Chapters 30, Section 1, Subdivision 1; 33; 166; 170; 173; 175; 181; 182; 280; 283, Section 1; 288.</p> <p>(Continued next page)</p>	468	1657	1098a 1635a 1752 2269a	2272 2503	2502	2502	3470	201

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
961	Continued 304, Section 1, Subdivision 2; 311; and 464; Laws 1974, Chapters 112; Laws 1975, Chapters 36; 43; 117; 118; 119; 124; 125; 178; 197; 229, Section 1; 306, Section 33, Subdivisions 1 and 2; and 367; Laws 1976, Chapters 71; 97; 100, Section 1, Subdivisions 1 and 3; 206; 208; 214; 267; 272, Section 2; and 288, Section 1; Laws 1977, Chapters 294; 295; and 374, Section 50, Subdivision 1; Laws 1978, Chapters 599, Section 1, Subdivisions 2 and 3; 606; 617, Section 1; 622; 631; 673; 683, Sections 1 and 2, Subdivision 1; 753, Section 2, Subdivisions 1 and 1a; and 754.								
962	A bill for an act relating to the city of Ham Lake; changing the application of urban district in the Minnesota Highway Traffic Regulation Act.	469	1223	1017 1024a 1222a 1297 1848					
963	A bill for an act relating to the city of Ham Lake, Anoka County; extending scope of subdivision regulations within its corporate boundaries.	469	856	819a 923 1295 (H921)					
964	A bill for an act relating to health; prohibiting discrimination by health maintenance organizations against optometrists; amending Minnesota Statutes 1978, Section 62D.12, by adding a subdivision.	469		523					
965	A bill for an act relating to public welfare; establishing an allocation formula for certain social services funds distributed to counties; authorizing an additional county levy for social services under certain conditions; appropriating money.	469		523					
966	A bill for an act relating to county human services facilities; providing authority to issue and sell general obligation revenue bonds, lease facilities, pledge revenues, and pledge full faith and credit; amending Minnesota Statutes 1978, Chapter 402, by adding a section.	469	2446	747 755a 923a 2436a 2520 2654	2675				
967	A bill for an act relating to regional development; providing a board of directors with final authority over commissions; providing advisory referenda; amending Minnesota Statutes 1978, Section 462.388, Subdivision 5, and by adding a subdivision; and Chapter 462, by adding a section.	470							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
968	A bill for an act relating to game and fish; specifications for commercial gill nets on Lake Superior; amending Minnesota Statutes 1978, Section 102.28, Subdivision 4.	470							
969	A bill for an act relating to unemployment compensation; changing amount of wages used to determine employers' contribution; changing maximum employer contribution rates; increasing benefits; eliminating the waiting period for benefits; providing benefits for certain employees of educational institutions; changing certain disqualification times; changing certain requirements of finding other work; amending Minnesota Statutes 1978, Sections 268.04, Subdivision 25; 268.06, Subdivision 8; 268.07, Subdivision 2; 268.08, Subdivisions 1 and 6; and 268.09, Subdivisions 1, 2, 3, and by adding a subdivision.	470							
970	A bill for an act relating to health; providing for a moratorium on the construction of certain hospital beds; providing for a study of excess hospital bed supply; appropriating money; amending Minnesota Statutes 1978, Chapter 145, by adding a section.	470							
971	A bill for an act relating to creditor's remedies; defining property exempt from legal process; amending Minnesota Statutes 1978, Section 550.37, Subdivisions 4 and 19, and by adding subdivisions.	470	856	598 828a 923 1240a	1242 5847	5847	5847	6811	550
972	A bill for an act relating to metropolitan sports facilities; directing the remodeling of the existing stadium; terminating the on-sale liquor tax; removing restrictions on television blackouts; amending Minnesota Statutes 1978, Sections 473.571, Subdivision 1; and 473.591, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Section 473.568.	471		471 515					
973	A bill for an act relating to local government; authorizing a housing finance program and the issuance of bonds to finance the program in Mankato and North Mankato.	471							
974	A bill for an act relating to the city of Duluth; changing the definition of conflict of interest for the city housing finance agency staff; providing for the issuance of revenue (Continued next page)	483	1297	1279a 1350	1612	2941 2962 3039	2940		

a Indicates Amendment

() 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	Chapter
974—Continued	bonds; amending Laws 1977, Chapter 142, Section 3, Subdivision 1, and by adding a subdivision.								
975	A bill for an act relating to cemeteries; providing for the preservation of burial grounds; eliminating obsolete provisions; imposing penalties; appropriating money; amending Minnesota Statutes 1978, Section 307.08; repealing Minnesota Statutes 1978, Section 149.07.	483	1657	705a 1634a 1752 2011a	2011 5225	5225	5225	5914	457
976	A bill for an act relating to municipalities; authorizing creation of storm sewer reserve funds within storm sewer improvement districts; authorizing special levies in anticipation of capital improvements and bond retirement in storm sewer improvement districts; amending Minnesota Statutes 1978, Chapter 444, by adding a section.	483		(H900)					
977	A bill for an act relating to taxation; providing for the use of tax increment financing of redevelopment, housing and economic development projects; establishing standards and procedures for its use; amending Minnesota Statutes 1978, Sections 458.192, Subdivision 11; 462.545, Subdivision 5; 462.585, Subdivisions 1 and 4; 472A.06; 472A.07, by adding a subdivision; 472A.08, by adding a subdivision; 473F.02, Subdivision 3; 473F.05; 473F.08, Subdivisions 2, 4, and 6; 474.10, Subdivision 2; and Chapter 273, by adding sections; repealing Minnesota Statutes 1978, Sections 458.192, Subdivision 12; 472A.02, Subdivision 3; and 472A.08, Subdivisions 4 and 5.	483	1911	1879a 2251 2293 (H257)					
978	A bill for an act relating to banks and trust companies; allowing substitution of certain banks and trust companies in fiduciary capacities maintained by certain banks and trust companies.	484	3993	3944a 4075 4170a	4255		4795	5662	383
979	A bill for an act relating to health; altering certain accounting practices for nursing homes; providing for the recapture of depreciation costs under certain conditions; establishing efficiency, occupancy and incentive allowances; requiring an overall maximum rate for costs; permitting certain bad debts to be allowable costs; amending Minnesota Statutes (Continued next page)	484							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
979	Continued 1978, Sections 256B.42, by adding subdivisions; 256B.43, Subdivision 3, and by adding a subdivision; 256B.44; 256B.45, Subdivision 1; 256B.46; 256B.47; 256B.48, Subdivision 2; and Chapter 256B, by adding sections.								
980	A bill for an act relating to courts; Hennepin and Ramsey county municipal courts; providing for removal of certain actions to district court; amending Minnesota Statutes 1978, Sections 488A.01, by adding a subdivision; and 488A.18, by adding a subdivision.	484	682	671 776	719	866	1690	2427	95
981	A bill for an act relating to taxation; income tax; increasing the standard deduction; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.	484							
982	A bill for an act relating to taxation; removing property tax refund return check-off provisions from state elections campaign fund law; amending Minnesota Statutes 1978, Sections 10A.31, Subdivisions 1 and 3; and 10A.335.	484							
983	A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.	485	856	835 1013a (H966)	923 1297				
984	A bill for an act relating to savings associations; authorizing savings associations to establish negotiable order of withdrawal accounts; imposing reserve requirements; amending Minnesota Statutes 1978, Chapter 51A, by adding a section.	485	1223	1109a 1924	1297				
985	A bill for an act relating to public employment labor relations; changing provisions for legislative approval of certain wage and benefit agreements; permitting strikes in certain instances; amending Minnesota Statutes 1978, Section 179.74, Subdivision 5.	485							
986	A bill for an act relating to data processing by public bodies; its regulation and control; establishing the Minnesota public data processing board; prescribing its powers and duties; appropriating money; amending Minnesota Statutes 1978, Sections 16.94 and (Continued next page)	485							

a Indicates Amendment

i 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	Chapter
986—Continued	16.95; repealing Minnesota Statutes 1978, Sections 16.90, Subdivisions 1, 2 and 4; 16.91; and 16.911, Subdivision 2.								
987	A bill for an act relating to taxation; providing for an additional homestead credit to be paid on earth-sheltered structures used for homestead purposes; appropriating funds; amending Minnesota Statutes 1978, Section 273.13, Subdivision 15a; and Chapter 273, by adding a section.	485							
988	A bill for an act relating to natural resources; eliminating the requirement for a wild rice processor's license; amending Minnesota Statutes 1978, Section 98.46, Subdivision 18.	486	1497	1470a 1611	1736		2283	2500	104
989	A bill for an act relating to commerce; permitting irrevocable trusts and permitting persons receiving public assistance to deposit funds for a prearranged funeral plan; amending Minnesota Statutes 1978, Section 149.12.	486		1083a					
990	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; requiring a three-fifths majority of each house of the legislature to increase taxes or impose new taxes.	486		3649					
991	A bill for an act relating to electric utilities; modifying the requirements for annual payments to certain landowners; providing that transmission and distribution systems of electric utilities be taxed on a situs basis; amending Minnesota Statutes 1978, Sections 116C.635; 273.36; and 273.38; repealing Minnesota Statutes 1978, Sections 273.37 and 273.42.	486							
992	A bill for an act relating to intoxicating liquor; requiring proof of financial responsibility; amending Minnesota Statutes 1978, Sections 340.11, by adding a subdivision; 340.12; and 340.353, by adding a subdivision.	486	1004 4215	997a 1228 1597 4206a 4448 5533					
993	A bill for an act relating to health; establishing a council on physical fitness, health and nutrition; prescribing its duties; appropriating money.	486		3552a 3722a					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
994	A bill for an act relating to real estate brokers and salespersons; allowing legal education courses to substitute for real estate education courses under certain circumstances; reducing the number of hours of education required for a license; regulating the real estate education, research and recovery fund; setting fees; providing guidelines for the amount of the recovery portion of the fund and for paying claims; amending Minnesota Statutes 1978, Sections 82.22, Subdivisions 6 and 13; 82.34, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, and by adding a subdivision; Minnesota Statutes, 1979 Supplement, Section 82.21, Subdivision 1; repealing Minnesota Statutes 1978, Section 82.34, Subdivision 2.	487	4966	4809a 5034 5539a 5551 5715a	5798				
995	A bill for an act relating to the county of Cass; providing for the acquisition of land; appropriating money.	487							
996	A bill for an act relating to peace officers; regulating part-time and reserve officers; providing an appropriation; amending Minnesota Statutes 1978, Sections 626.84 and 626.841; and Chapter 626, by adding sections.	487	1657	759a 1637a 1752 2848 (H866)					
997	A bill for an act relating to agriculture; exempting foliar fertilizers from certain labeling requirements; amending Minnesota Statutes 1978, Section 17.721, Subdivision 2.	487		598					
998	A bill for an act relating to insurance; providing for cancellation of life insurance contracts providing benefits on a variable basis; amending Minnesota Statutes 1978, Sections 72A.51, Subdivision 3; and 72A.52.	487	1004	997a 1228 1506	1507 3925	1591 3925	3925	4496	354
999	A bill for an act relating to labor; providing special benefits for employees of certain businesses closed by order of federal or state courts or federal agencies; appropriating money; amending Minnesota Statutes 1978, Section 124.572, by adding a subdivision.	487		771 912a					
1000	A bill for an act relating to liquor; permitting an additional wine license near a University of Minnesota campus; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.	488	1005	998a 1228	1567				

a Indicates Amendment

() 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	Chapter
1001	A bill for an act relating to assumed business names; permitting conduct of business under an assumed name; permitting recording of assumed business names; amending Minnesota Statutes 1978, Section 333.01; repealing Minnesota Statutes 1978, Sections 333.02; and 333.06.	488							
1002	A bill for an act relating to the city of Duluth; defining construction powers of the Spirit Mountain Area Authority; amending Laws 1973, Chapter 327, Section 5, Subdivision 3, and by adding a subdivision.	488	856	817 923	1246 2734	2734	2734	3475	270
1003	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 1978, 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; 205.13, Subdivision 1; 205.15; 205.17, Subdivision 2; 205.20, Subdivisions 2 and 5; 206.07, Subdivision 1; 206.185, Subdivision 1; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04; 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; and Chapters 200, 201, 205, and 210A, by adding sections; repealing Minnesota Statutes 1978, Sections 201.231; 201.26; 201.33; 202A.21; 202A.22; 202A.23; 202A.24; 202A.25; 202A.26; 202A.27; 202A.28; 202A.29; 202A.30; 202A.31; 202A.32; 202A.41; 202A.42; 202A.51; 202A.52; 202A.53; 202A.54; 202A.61; 202A.62; 202A.63; 202A.64;	488	1223	1130a 1303a	1353				

(Continued next page)

BILLS OF 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	Continued 202A.65; 202A.66; 202A.67; 202A.68; 202A.69; 202A.70; 202A.71; 202A.72; and 210.22; and Chapters 203A, 204A, and 207.								
1004	A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail passenger service between the Twin Cities and Duluth.	489		(H890)					
1005	A bill for an act relating to corrections; creating a code of corrections; reorganizing various laws relating to corrections, including laws relating to the commissioner, personnel, the ombudsman, compacts, acts, and agreements, institutions, industries, offenders, community-based services, and releases; providing penalties; amending Minnesota Statutes 1978, Sections 244.01, Subdivisions 1 and 2; 244.08; 609.165, Subdivision 1; Chapters 144, by adding a section; 244, by adding a section; and 631, by adding sections; repealing Minnesota Statutes 1978, Sections 260.51; 260.52; 260.53; 260.54; 260.55; 260.56; 260.57; 325.45; 325.46; 325.47; 609.105, Subdivision 2; 609.12; 629.292; 629.294; and Chapters 241; 242; 243; and 401.	489		(H941)					
1006	A bill for an act relating to the Eastern Itasca and Greenway Joint Recreation Boards; regulating their tax levies.	489	1223	556 1151a 1375 1506	1513				
1007	A bill for an act relating to agriculture; allowing certain containers for dairy products; repealing Minnesota Statutes 1978, Sections 116F.21 and 116F.22.	489							
1008	A bill for an act relating to education; data processing; establishing the Minnesota educational computing consortium as a state agency; prescribing powers and duties therefor; repealing Minnesota Statutes 1978, Section 16.93.	489							
1009	A bill for an act relating to taxation; increasing the maximum income tax credit for pollution control equipment; providing an occupation tax credit; amending Minnesota Statutes 1978, Section 290.06, Subdivisions 9 and 9a; and Chapter 298, by adding a section.	490	1297	1293a 1350 1615a	1616				
1010	A bill for an act relating to elections; regulating the financing of political campaigns and disclosure (Continued next page)	490	1004	994a 1228 1565a 1919a	1922 2014 4008	2013 4008	4008	4544	362

a Indicates Amendment

() 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	Chapter
1010—Continued	sure of economic interests by certain candidates and elected officials in Hennepin County; imposing duties on the ethical practices board, county election officials and city clerks; superseding other special laws, home rule charters and local ordinances; imposing late filing fees and criminal penalties; repealing Laws 1977, Chapter 131.								
1011	A bill for an act relating to welfare: medical expenses; providing assistance for certain kidney disease patients; appropriating money.	490		598					
1012	A bill for an act relating to agriculture; increasing the state guarantee under the family farm security program; amending Minnesota Statutes 1978, Section 41.52, Subdivision 9.	490							
1013	A bill for an act relating to elections; prohibiting persons from being in polling places in anticipation of vouching; amending Minnesota Statutes 1978, Section 204A.37.	490	1223	1084a 1925	1297				
1014	A bill for an act relating to insurance; requiring certain agents and solicitors to identify themselves under certain circumstances; prescribing penalties; broadening the rule making power of the commissioner of insurance; amending Minnesota Statutes 1978, Section 72A.19; and Chapter 72A, by adding a section.	491		556					
1015	A bill for an act relating to natural resources; providing a public policy directed to preservation of agricultural lands; establishing a temporary joint legislative committee on agricultural land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.	491		747 924a (H1091)	758a				
1016	A bill for an act relating to highway traffic regulations; passing a stopped school bus displaying stop-arm signals; providing civil remedies; prescribing penalties; amending Minnesota Statutes 1978, Section 169.44, by adding a subdivision.	491		(H317)					
1017	A bill for an act relating to highway traffic regulations; specifying the acts constituting the offense of (Continued next page)	491		(H300)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1017—Continued	hit and run; prescribing penalties; amending Minnesota Statutes 1978, Section 169.09, Subdivision 1; and Chapter 609, by adding a section.								
1018	A bill for an act relating to initiative and referendum; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections; authorizing direct initiative and referendum on laws; providing a comprehensive statute implementing the amendment; providing for the manner of petitioning and voting on initiative and referendum measures; providing for disclosure of campaign costs on ballot issues; providing for judicial review; providing certain restrictions on the consideration of measures; providing penalties; amending Minnesota Statutes 1978, Sections 3.21; 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivision 2; and 210A.26, Subdivision 3.	491							
1019	A bill for an act relating to retirement; teachers; exempting certain part-time area vocational-technical institute instructors from teacher's retirement membership; amending Minnesota Statutes 1978, Section 354.05, Subdivision 2.	529							
1020	A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.	529		(H1023)					
1021	A bill for an act relating to taxation; providing for continuation of homestead classification of property owned by Peace Corps or VISTA volunteer; amending Minnesota Statutes 1978, Section 273.13, Subdivision 10.	529	4448	3517 4444a 4489 4705	5031				
1022	A bill for an act relating to taxation; repealing the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.	529		(H633)					
1023	A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors; requiring interest on delayed payments; providing for recovery of damages.	529		(H206)					

a Indicates Amendment

() 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	Chapter
1024	A bill for an act relating to the collection and dissemination of data; providing that certain data collected by a housing and redevelopment authority be classified as private data on individuals; amending Minnesota Statutes 1978, Chapter 462, by adding a section.	529							
1025	A bill for an act relating to intoxicating liquor; permitting persons to hold more than one on-sale liquor license; amending Minnesota Statutes 1978, Section 340.13, Subdivisions 3 and 7.	530	1033	1017a 1228	1569		2918	3473	249
1026	A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assistance; amending Minnesota Statutes 1978, Sections 256.74, Subdivision 1 and 256D.08, Subdivision 1.	530	1223	1124 1297	1609 2735	2735	2735	3473	250
1027	A bill for an act relating to education; establishing a program in which mobile units are used to provide certain programs and services to elementary and secondary school pupils; appropriating money.	530							
1028	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.	530	4075	3602 4013a 4215 5360a	5579				
1029	A bill for an act relating to education; authorizing a program for high school dropouts and dropout prone high school students; establishing a dropout prevention unit in the department of education and listing its duties; requiring school boards and the boards of educational cooperative service units to consider certain information relating to dropouts and to evaluate the needs of certain dropouts and the dropout prone; appropriating money; amending Minnesota Statutes 1978, Sections 123.58, Subdivision 6; and 123.741, Subdivision 1.	530		598					
1030	A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.	531		(11565)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1031	A bill for an act relating to education; providing for a center for the older adult learner and for an advisory council on the older adult learner; appropriating money; amending Minnesota Statutes 1978, Section 256.975, Subdivision 2; and Chapter 121, by adding sections.	531		4177 4207a 5118a					
1032	A bill for an act relating to open space and recreation; providing for the acquisition and betterment of open space lands, state and local trails, forests, fish and wildlife management, natural and scientific areas, and accesses to public waters; authorizing the issuance of bonds; establishing Tettegouche state park; prescribing the powers and duties of the commissioner of natural resources in relation to Tettegouche state park; appropriating money; amending Laws 1977, Chapter 421, Section 13, Subdivision 3.	531	1911	531 595 1074a 1905a 2251 2565 (H1253)					
1033	A bill for an act relating to crimes; specifying offenses relating to computers; providing penalties.	531							
1034	A bill for an act relating to health; providing for rule making authority to the board of medical examiners in relation to the licensure and regulation of midwives; amending Minnesota Statutes 1978, Chapter 148, by adding a section.	531							
1035	A bill for an act relating to taxation; deed tax; authorizing the commissioner of revenue to provide tax meter machines to replace deed tax stamps; appropriating funds; amending Minnesota Statutes 1978, Section 287.27, by adding a subdivision.	532	2446	2438a 2520 2654	2672				
1036	A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.	532		(H623)					
1037	A bill for an act relating to traffic regulation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, Subdivision 1.	532	1004	988 1228 1295 (H898)					
1038	A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.	532		1591 (H214)					

a Indicates Amendment

() 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	Chapter
1039	A bill for an act relating to transcript fees; providing for court transcript fees; authorizing the supreme court to adopt by rule a uniform transcript fee schedule; authorizing the commissioner of labor and industry to maintain a court reporter system for the workers' compensation division; providing for department transcript fees; amending Minnesota Statutes 1978, Sections 175.101, by adding a subdivision; 176.421, Subdivisions 4, 5 and 7; 488A.05, Subdivision 2; 488A.22, Subdivision 2; 525.11; 525.111; and 525.112; repealing Minnesota Statutes 1978, Section 486.06.	532							
1040	A bill for an act relating to insurance; authorizing use of facsimile signatures on certain insurance policies; amending Minnesota Statutes 1978, Sections 60A.08, Subdivision 5; and 65A.01, by adding a subdivision.	533	1004	993a 1228	1565		1860	3466	115
1041	A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.	533	1657	1639a 2292 (H1037)	1752				
1042	A bill for an act relating to dogs; removing the urban location requirement in actions for damages against a dog owner; amending Minnesota Statutes 1978, Section 347.22.	533	1223	1092a	1297 1575		3755	3922	347
1043	A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending Minnesota Statutes 1978, Sections 301.09; 333.01; 333.04; 333.06; and Chapter 333, by adding sections; repealing Minnesota Statutes 1978, Sections 333.001; 333.035; and 333.055.	533		(H924)					
1044	A bill for an act relating to pollution control; establishing processing procedures for outstanding unpaid charges for solid waste management; providing for certification of certain charges to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.	533	1005	598 1002a 1228 1349 (H882)					
1045	A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; amending Minnesota Statutes 1978, Section 162.09, Subdivision 1.	533		(H982)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1046	A bill for an act relating to banks and banking; providing for publication of certain bank reports; amending Minnesota Statutes 1978, Section 48.48, Subdivision 1.	534		(H713)					
1047	A bill for an act relating to workers' compensation; providing for settlement of claims; amending Minnesota Statutes 1978, Sections 79.21; and 176.521, Subdivision 2.	534	856	834a 923	1243 2822	2428 2471 2508 2821*	2428 2918	3474	271
1048	A bill for an act relating to health; prohibiting misrepresentation on restaurant menus; providing a penalty; appropriating money.	534							
1049	A bill for an act relating to education; expanding a definition of "American Indian child"; extending the deadline for a report required by the American Indian language and culture education act; providing for an advisory task force on American Indian language and culture education programs; amending Minnesota Statutes 1978, Sections 126.47, Subdivision 2; 126.52, Subdivision 10; and Chapter 126, by adding a section; repealing Minnesota Statutes 1978, Section 126.53.	534		(H936)					
1050	A bill for an act relating to economic development; providing for training of certain employees; appropriating money.	534		771 988a 1005					
1051	A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.74, Subdivision 1.	534	1004	988 1228 1256	1301				
1052	A bill for an act relating to employments licensed by the state; prescribing certain duties of the board of architecture, engineering, land surveying and landscape architecture; limiting certain rule making powers of the board, and extending the time limit for the making of the rules; amending Minnesota Statutes 1978, Section 326.06.	535		(H1029)					
1053	A bill for an act relating to health; establishing a THC therapeutic research program in compliance with federal laws and regulations; directing the commissioner of health to make a grant; providing exemptions from criminal sanctions; appropriating money.	535	4966	4185a 4804 5034 5532					

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
1054	A bill for an act relating to Morrison County; allowing free, non-subscription publications to qualify as legal newspapers in Morrison County.	535	3730	556 1596 3723a 3840 3907a	4083		5396	6140	526
1055	A bill for an act relating to health; providing state funds to the Migrants in Action program for health services for certain migrants; appropriating money.	535		811					
1056	A bill for an act relating to education; providing for grants for non-commercial radio stations and for an audit of certain grant recipients; appropriating money.	535		598 1271a					
1057	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; providing that the legislature meet in regular session only in odd numbered years.	535							
1058	A bill for an act relating to flood plain management; defining the rule making power of the commissioner of natural resources; amending Minnesota Statutes 1978, Section 104.05.	536							
1059	A bill for an act relating to education; providing a new state aid for certain school districts; amending Minnesota Statutes 1978, Chapter 124, by adding a section.	536							
1060	A bill for an act relating to the city of Waseca; authorizing a housing finance program; providing for the issuance of revenue bonds to finance the program.	536		536 595					
1061	A bill for an act relating to public transit; providing for certain administrative procedures under the public transit subsidy program; authorizing grants for ongoing paratransit projects; establishing matching fund formulas for paratransit grants; clarifying the purposes of the regular route improvement program; establishing subsidy per passenger levels for the metropolitan transit commission; requiring the metropolitan transit commission to establish a route deficit limit; amending Minnesota Statutes 1978, Sections 174.23, Subdivision 2; 174.24, Subdivisions 2, 3 and 4; 174.25, Subdivision 1; 174.26, Subdivision 1; 174.28, and 473.411, Subdivision 1.	536		895a					
1062	A bill for an act relating to appropriations; appropriating funds for establishment of a music library and interpretive center.	564		759a					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1063	A bill for an act relating to legal assistance programs for Minnesota Sioux Indian communities; appropriating money; amending Minnesota Statutes 1978, Section 16.97, Subdivision 1.	564							
1064	A bill for an act relating to taxation; income tax; increasing the standard deduction; amending Minnesota Statutes 1978, Section 290.09, Subdivision 15.	564							
1065	A bill for an act relating to taxation; income tax; changing amount and removing certain limitations on dependent care credit; amending Minnesota Statutes 1978, Section 290.067, Subdivisions 1 and 2.	564							
1066	A bill for an act relating to highway traffic regulations; requiring the commissioner of education to promulgate rules permitting display of certain signs or lettering on school buses; amending Minnesota Statutes 1978, Section 169.45.	564							
1067	A bill for an act relating to pollution; establishing noise limits for motorboats; appropriating money; amending Minnesota Statutes 1978, Section 361.17.	565	5119	4075 4516a 5112a 5222 5680 (H902)					
1068	A bill for an act relating to insurance; providing for coverage of certain medical benefits under automobile insurance policies; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 2.	565							
1069	A bill for an act relating to real estate; limiting published notice of mortgage foreclosure where there is personal service; amending Minnesota Statutes 1978, Section 580.04.	565							
1070	A bill for an act relating to the legislature; reducing the membership of the senate and house of representatives; amending Minnesota Statutes 1978, Section 2.021.	565							
1071	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 (Continued next page)	565							

a Indicates Amendment

() 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	Chapter
1071	Continued to receive funding; restricting the aids to certain vocational programs which replace non-vocational programs; requiring a report; imposing certain duties on the commissioner of education; eliminating a statement of purpose in an aid section; amending Minnesota Statutes 1978, Section 124.573, Subdivisions 1, 2, and 3, and by adding a subdivision.								
1072	A bill for an act relating to motor vehicles; establishing gross weight limitations on certain highways for certain vehicles and combinations of vehicles; providing an exception; providing maximum limits for weight carried on any motor vehicle tire or wheel; providing for the enforcement of weight limitations and providing penalties; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 3; 169.03, Subdivision 6; 169.80, by adding a subdivision; 169.83, Subdivision 2; 169.832, Subdivision 2, and by adding a subdivision; and 169.85.	566	1004	989 1228 1450a 1506a	1506				
1073	A bill for an act relating to the city of Duluth; increasing the number of directors on the Duluth transit authority and permitting representation of the city of Superior, Wisconsin; amending Laws 1969, Chapter 720, Sections 1, as amended, and 11, Subdivision 3.	566	856	818 923 1295 (H1063)					
1074	A bill for an act relating to elections; increasing compensation for presidential electors; removing archaic language and masculine pronouns; amending Minnesota Statutes 1978, Sections 204A.23; 208.03; 208.04, Subdivision 1; 208.05; 208.06; 208.07; and 208.08.	566	856	826 923	1516 2941	2429 2941	2429	2473	251
1075	A bill for an act relating to insurance; prohibiting certain discrimination on account of disability in the sale of automobile insurance; providing procedures for establishing discrimination in the sale of automobile insurance on the basis of race or disability; providing penalties; amending Minnesota Statutes 1978, Sections 65B.13 and 72A.20, Subdivision 1.	566		(H546)					
1076	A bill for an act relating to banks; authorizing certain branch banks; permitting consolidation of banks in regions; amending Minnesota Statutes 1978, Sections 48.34 and 49.34.	566	3993	3982 4075 5707					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1077	A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment.	567		(H1052)					
1078	A bill for an act relating to the department of administration; providing public television assistance; appropriating money.	567		983a					
1079	A bill for an act relating to education; providing that a certain agreement between the state board for community colleges and the Minnesota Community College Faculty Association shall be implemented for the biennium ending June 30, 1979; eliminating the requirement that the board and the association agree upon a different salary schedule for each fiscal year of the biennium; appropriating money; amending Laws 1977, Chapter 449, Section 5, Subdivision 1.	567		567 770					
1080	A bill for an act relating to taxation; real property; providing for the assessment of certain property at 40 percent of market value; amending Minnesota Statutes 1978, Section 273.13, by adding a subdivision.	567							
1081	A bill for an act relating to judgments; providing that a certificate of satisfaction of judgments be filed within 30 days; amending Minnesota Statutes 1978, Section 548.15.	567							
1082	A bill for an act relating to health care; providing additional protection against catastrophic health expenses; expanding coverage for certain nursing home expenses under the Minnesota catastrophic health expense protection act of 1976; amending Minnesota Statutes 1978, Section 62E.52, Subdivision 3a.	567							
1083	A bill for an act relating to game and fish; providing that a portion of deer license fees shall be used for deer habitat improvement; amending Minnesota Statutes 1978, Section 97.49, by adding a subdivision.	567	5502	3697 4445a 5494a					
1084	A bill for an act relating to economic security; providing for the establishment of placement services for public school employees; appropriating money.	568		1095					

a Indicates Amendment

() 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	Chapter
1085	A bill for an act relating to courts; authorizing certain actions against state officers to be tried in a county other than where the cause of action arose; providing for procedure for removal; amending Minnesota Statutes 1978, Sections 542.03; and 542.18.	568	4448	4433a 4489 5024 (H1095)					
1086	A bill for an act relating to public safety; establishing a ski safety board; providing for the licensing of ski area operators; establishing minimum standards of conduct by ski area operators, skiers and other users of ski area facilities.	568							
1087	A bill for an act relating to liquor; limiting sales in various places; permitting an additional wine license near a University of Minnesota campus; amending Minnesota Statutes 1978, Section 340.14, Subdivision 3.	568							
1088	A bill for an act relating to Lac qui Parle and Big Stone Counties; changing the boundary lines between the counties; amending Laws 1937, Chapter 423, Section 1, as amended.	569		(H499)					
1089	A bill for an act relating to civil actions; modifying damages recoverable under rules of comparative fault; amending Minnesota Statutes 1978, Section 604.01, by adding a subdivision; repealing Minnesota Statutes 1978, Section 604.02.	569							
1090	A bill for an act relating to civil actions; prohibiting the allowance of punitive damages in certain actions; amending Minnesota Statutes 1978, Chapter 549, by adding a section; repealing Minnesota Statutes 1978, Section 549.20.	569							
1091	A bill for an act relating to retirement; annuities and benefits under certain public retirement plans; appropriating funds.	569							
1092	A bill for an act relating to Minnesota retirement funds; concerning the fixed return account; clarifying early redemption valuations for organizational participants; amending Minnesota Statutes 1978, Section 11.18, Subdivision 3a.	569							
1093	A bill for an act relating to courts; second judicial district; providing for an increase in transcript fees; amending Minnesota Statutes 1978, Section 486.06.	569							

BILLS OF 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	A bill for an act relating to taxation; income; increasing the exclusion of certain pensions; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	569								
1095	A bill for an act relating to taxation; income; providing an equalization credit in lieu of the homemaker credit; increasing the amount thereof; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.	570								
1096	A bill for an act relating to aeronautics; clarifying the property tax status of municipal airport property leased to private persons or entities; amending Minnesota Statutes 1978, Section 360.035.	570		(H492)						
1097	A bill for an act relating to health; placing certain restrictions on the sale of hearing aids; establishing a penalty; amending Minnesota Statutes 1978, Chapter 145, by adding a section.	570		640						
1098	A bill for an act relating to claims against the state; providing for claims arising out of various restitution programs to be heard by the legislature; amending Minnesota Statutes 1978, Section 3.738, Subdivision 1.	570	1223	1126a 1349 (H792)	1297					
1099	A bill for an act relating to newspapers; raising the fees for publishing legal notices; amending Minnesota Statutes 1978, Sections 3.21; 331.08; 375.12; and 375.17.	570	1033	925 1228 1508a	1024a 1506	1508	1563 2299	3366	3473	252
1100	A bill for an act relating to education; providing for early childhood and family education programs; appropriating money; repealing Minnesota Statutes 1978, Sections 3.9271; 3.9273; 3.9274; and 3.9275.	570								
1101	A bill for an act relating to taxation; altering the penalty to be imposed upon assessment districts having large coefficients of dispersion; delaying the effective date of imposition of the penalty; amending Minnesota Statutes 1978, Section 477A.04.	571	2008	2001a 2654	2376	2671				
1102	A bill for an act relating to taxation; requiring the payment of interest on certain inheritance tax payments; amending Minnesota Statutes 1978, Section 291.14, Subdivision 2.	571								

a Indicates Amendment

() 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	Chapter
1103	A bill for an act relating to education; providing a public lands allowance to certain school districts; adjusting a levy to take into account the allowance; regulating the allowance and the computation of the payments; authorizing a county auditor to bill a school district for certain expenses; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.	571							
1104	A bill for an act relating to solar energy; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration program; appropriating money; amending Minnesota Statutes 1978, Section 16.32, by adding a subdivision; Chapter 116H, by adding a section; and Section 462A.02, by adding a subdivision.	571		640 720					
1105	A bill for an act relating to education; providing for technical assistance in basic skills instruction for certain teachers; appropriating money.	571							
1106	A bill for an act relating to the issuance of bonds by Independent School District No. 703, St. Louis County; for the acquisition and betterment of school facilities; and the levying of taxes for their payment.	572		640					
1107	A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055, 16A.50, 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.	572		1464a (H1084)					
1108	A bill for an act relating to education; appropriating money to the department of education for the purpose of certain assistance to educational cooperative service units.	572							
1109	A bill for an act relating to natural resources; reducing local match required for dam repair and reconstruction grants; authorizing loans for local share of project costs; authorizing sale of bonds for loan program; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 3 and 5, and by adding a subdivision.	572	1729	757a 1701a 1967 2519 (H1241)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1110	A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.	572	924	720 923 1003 (H1158)					
1111	A bill for an act relating to search warrants; requiring a finding of reasonable possibility that evidence will be concealed or destroyed before the issuance of a search warrant for the premises of persons not suspected of criminal activity; providing for civil penalties and injunctive relief; amending Minnesota Statutes 1978, Section 626.07.	606							
1112	A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 275.14; 275.45; 275.53; 414.01, Subdivision 14; 477A.01, Subdivision 4; and Chapter 477A, by adding a section; repealing Minnesota Statutes 1978, Sections 365.61; and 414.033, Subdivision 8.	606		(H1169)					
1113	A bill for an act relating to statute of limitations; providing a limitation on actions against land surveyors; amending Minnesota Statutes 1978, Chapter 541 by adding a section.	606		3841					
1114	A bill for an act relating to the town of White Bear in Ramsey County; permitting exercise of powers relating to sewers, drains and waterworks.	606	856	818 1350 1614a	1615		4092	4497	358
1115	A bill for an act relating to real estate; changing interest provisions payable in redemption of mortgages; amending Minnesota Statutes 1978, Section 580.23, Subdivision 1.	607	1223	1082a 1297	1572				
1116	A bill for an act relating to peace officers benefits; making certain deaths by heart attack compensable; amending Minnesota Statutes 1978, Section 352E.04.	607		682					

a Indicates Amendment

() 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	Chapter
1117	A bill for an act relating to medical malpractice; providing limited liability for health care providers who disclose medically induced injuries to their patients.	607							
1118	A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.	607							
1119	A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.	607	1591	1586 1621 1708 (H1144)					
1120	A bill for an act relating to education; requiring that the district which provides the instruction to a non-resident handicapped child pay the transportation costs for the child in certain cases; requiring the state to reimburse a district for those costs within the limits provided by law; amending Minnesota Statutes 1978, Section 120.17, Subdivisions 4 and 6.	607							
1121	A bill for an act relating to local government; providing emergency snow removal aid; permitting an emergency levy; appropriating money.	608							
1122	A bill for an act relating to taxation; income tax; changing certain corporate tax rates; amending Minnesota Statutes 1978, Section 290.06, Subdivision 1.	608							
1123	A bill for an act proposing an amendment to the Minnesota Constitution; adding an article to limit state expenditures.	608							
1124	A bill for an act relating to education; authorizing the state board of education to enter a contract to provide certain insurance for students at the Minnesota school for the deaf and the Minnesota braille and sight-saving school; providing for the collection of certain fees and for the payment of certain costs; providing that the payment of certain costs will not make the state board or either school liable for certain injuries; amending Minnesota Statutes 1978, Section 128A.02, by adding a subdivision.	608							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1125	A bill for an act relating to eminent domain; attorney's fees on appeal; amending Minnesota Statutes 1978, Section 117.175, Subdivision 2.	608							
1126	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 1978, Section 290.39, Subdivision 1.	608							
1127	A bill for an act relating to elections; removing party designation from certain offices in cities of the first class; amending Minnesota Statutes 1978, Sections 202A.28; and 205.17, Subdivisions 1 and 3; repealing Minnesota Statutes 1978, Section 205.17, Subdivisions 2 and 4.	609							
1128	A bill for an act relating to retirement; increasing employee contributions to local police and firefighters relief associations; providing for a study of police and firefighter relief associations; providing an exception from an increase in the minimum member contribution rate for the Austin police and firefighters' relief associations; amending Minnesota Statutes 1978, Section 69.77, Subdivision 2; Laws 1973, Chapter 432, Sections 2, by adding a subdivision; 3, Subdivision 1; and 6, Subdivision 1.	609	1223	1108a 1297	1607 3531	3529 3531	3528	3663	341
1129	A bill for an act relating to public welfare; modifying the definition of dependent child; amending Minnesota Statutes 1978, Section 256.12, Subdivision 14; repealing Minnesota Statutes 1978, Section 256.73, Subdivision 5.	609							
1130	A bill for an act relating to education; providing for the removal of a secondary pupil from a class on certain grounds and for the pupil's return to class; adding one definition and modifying another; amending Minnesota Statutes 1978, Section 127.27, Subdivision 2, and by adding a subdivision; and Chapter 127, by adding a section.	609							
1131	A bill for an act relating to crimes; authorizing counties to establish victim support funds and to provide services to victims of crime; providing for an assessment on convicted persons; appropriating money.	609		1351					

a Indicates Amendment

() 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	Chapter
1139	A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; making certain changes in the laws relating to the operation of the agency; establishing a grant program for the construction of three and four bedroom apartment or townhouse units; creating a rehabilitation loan program for certain rental housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, by adding a subdivision, 462A.07, Subdivision 15; 462A.09; 462A.21, by adding subdivisions; and 462A.22, Subdivisions 1, 1a, and 9.	611		1343a (H724)					
1140	A bill for an act relating to agriculture; providing financial assistance for an agricultural interpretive center; appropriating money.	611		1351					
1141	A bill for an act relating to the handicapped; establishing regional service centers and advisory committees to aid the hearing impaired; establishing a statewide interpreter referral service; providing for a program of training and employment; prescribing duties for the commissioners of public welfare and health; requiring certain state agency meetings to be accessible to physically handicapped persons; requiring certain auxiliary aids for physically handicapped participants at state agency meetings; appropriating money; amending Minnesota Statutes 1978, Section 16.85, Subdivisions 1c and 1d; and Chapter 15, by adding a section.	611	2446	896 921a 1221a 1470a 2433a 2520 2654	2669 6121	5556 5596 5615 5618 5677 6118*	5556 6190	6817	574
1142	A bill for an act relating to public welfare; adding an exclusion to the public welfare licensing act in order to allow certain persons 16 years of age or older to receive residential care in unlicensed facilities; amending Minnesota Statutes 1978, Section 245.791.	611							
1143	A bill for an act relating to state lands; providing for conveyance and grant of certain interests to the city of Fergus Falls.	612	856	818 923 1295 (H1268)					
1144	A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 2, 5 and 6; 106.651; and Chapter 106, by adding a section.	612	1004	990a 1228 1256a	1299 5851	5851	5851	6811	552

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
1145	A bill for an act relating to retirement; judges' retirement age and benefits; amending Minnesota Statutes 1978, Sections 490.121, Subdivision 10; and 490.124, Subdivisions 1, 2, 3, and 5, and by adding a subdivision.	612							
1146	A bill for an act relating to crimes; dangerous weapons; broadening definitions and clarifying provisions; prohibiting certain persons from owning, possessing or operating a machine gun or short-barreled shotgun; authorizing the commissioner of public safety to promulgate rules to implement the short-barreled shotgun law; amending Minnesota Statutes 1978, Section 609.67, Subdivisions 1, 3, 6, and by adding subdivisions.	612							
1147	A bill for an act relating to corporations; permitting employee contribution funds for political purposes; amending Minnesota Statutes 1978, Section 210A.34, by adding a subdivision.	612							
1148	A bill for an act relating to education; eliminating the computation of certain pupil units; changing a formula for calculating a district's foundation aid; providing additional foundation aid for certain school districts; modifying certain levies; authorizing an additional levy; modifying certain statutory references because of the new levy and eliminating certain obsolete statutory references; amending Minnesota Statutes 1978, Sections 122.531, Subdivision 3; 124.17, Subdivision 1; 124.212, Subdivision 7c, and by adding a subdivision; and 275.125, Subdivisions 2a, 2b, 6, 9, 11a and 15.	612							
1149	A bill for an act relating to workers' compensation; allowing certain owners and partners of farms or businesses, and their close relatives, to elect workers' compensation coverage; amending Minnesota Statutes 1978, Sections 176.012; and 176.041, Subdivision 1.	613	856	829a 1013a	923	1046 1264	1264	1580	74
1150	A bill for an act relating to corrections; institutions under the control of the commissioner of corrections; designating them as correctional facilities according to geographical location; prescribing the title for the chief executive officer of each institution; authorizing the temporary detention of persons who trespass upon	613	1004	987a 1296 (H969)	1228 1351				

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1150	Continued institution grounds; prescribing penalties; amending Minnesota Statutes 1978, Sections 242.41; 242.51; 243.21; 243.40; 243.48; 243.55; 243.56; 243.59; 243.75; and 243.90; repealing Minnesota Statutes 1978, Sections 243.54 and 243.92.								
1151	A bill for an act relating to retirement; providing determination of service credits; Minneapolis municipal employees retirement fund; increasing the employee contribution rate; amending Minnesota Statutes 1978, Sections 422A.03, Subdivisions 1 and 2; 422A.08, Subdivision 2; and 422A.10, Subdivision 1; and Chapter 355, by adding a section.	613	2299	1110a 2296a 2376 2557a	2558				
1152	A bill for an act relating to weights and measures; providing for inspection of portable pitless scales used for highway and road construction materials; amending Minnesota Statutes 1978, Chapter 209, by adding a section.	613							
1153	A bill for an act relating to taxation; income; providing an equalization credit in lieu of the homemaker credit; allowing employed single parents to qualify for the credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.	613		683					
1154	A bill for an act relating to taxation; income; increasing the maximum dependent care credit and removing income limitations; amending Minnesota Statutes 1978, Section 290.067, Subdivision 2.	614	5502	683 5502a 5577					
1155	A bill for an act relating to education; providing for four year averaging of declining enrollments; establishing an aid for the reduction of class size in grades kindergarten through three; allowing alternative use of the aid funds under certain conditions; requiring a separate account for the aid; requiring a report; increasing the foundation aid formula allowance for the 1979-1980 and 1980-1981 school years; decreasing the maintenance levy for the 1980-1981 school year; appropriating money; amending Minnesota Statutes 1978, Sections 124.17, Subdivision 1; and 124.212, Subdivisions 6c and 7c.	614		683					
1156	A bill for an act relating to education; providing for an increased (Continued next page)	614							

a Indicates Amendment

c) 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	Chapter
1156—Continued	pupil unit count for certain school districts; amending Minnesota Statutes 1978, Section 124.17, Subdivision 1.								
1157	A bill for an act relating to elections; permitting corporations to make contributions and expenditures to promote or defeat ballot questions submitted to the voters; requiring reporting by corporations that make such contributions and expenditures; clarifying prohibitions of corporate contributions and expenditures to promote or defeat a candidate for public office; amending Minnesota Statutes 1978, Section 210A.34, Subdivisions 1 and 8, and by adding subdivisions.	614	1004 4360	968a 1228 1452a 1453 2824 3518 3602 4331a 4489 6195					
1158	A bill for an act relating to children; requiring that adoptive parents and the adoptive child shall be made parties to certain proceedings related to terminating adoptions; prohibiting a presumption that biological parents should be favored in such proceedings; amending Minnesota Statutes 1978, Sections 259.24, Subdivision 6, and by adding a subdivision; and 259.25, Subdivision 2.	647	924	901a 1033 1603a	1603		1392	3466	138
1159	A bill for an act relating to retirement; providing for the membership of certain persons in the public employees police and fire fund.	650							
1160	A bill for an act relating to veterans; creating a tuition exemption program for certain veterans; appropriating money.	650		968a					
1161	A bill for an act relating to taxation; extending and increasing pollution control equipment credits; amending Minnesota Statutes 1978, Section 290.06, Subdivisions 9 and 9a.	650							
1162	A bill for an act relating to statute of limitations; limiting time for certain product liability's actions; amending Minnesota Statutes 1978, Chapter 541, by adding a section.	650							
1163	A bill for an act relating to courts; raising the jurisdictional limit for conciliation court; providing for additional clerk and administrator duties in conciliation court; providing for a procedure to assist in collection of conciliation court judgments; changing certain (Continued next page)	650							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1163—Continued	deadlines; providing penalties; amending Minnesota Statutes 1978, 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; and 488A.34, Subdivisions 2 and 12.								
1164	A bill for an act relating to financial institutions; creating a study commission to study services and regulation of financial institutions; appropriating money.	651		1083a					
1165	A bill for an act relating to courts; providing an executive director and staff for the Minnesota District Judges Association; appropriating money.	651							
1166	A bill for an act relating to elections; providing for the election days of first class cities and school districts principally situated in those cities; providing for extension or reduction of the terms of certain elected officials; amending Minnesota Statutes 1978, Sections 123.51; 410.21; and Chapter 205, by adding a section.	651	1223	1123a 1297	1608				
1167	A bill for an act relating to state land; authorizing the conveyance by the state of certain lands in Mille Lacs County.	651							
1168	A bill for an act relating to taxation; property tax refund; providing a credit for certain taxpayers for the cost of energy utilities and heating fuel; appropriating money; amending Minnesota Statutes 1978, Sections 290A.03, by adding a subdivision; 290A.04, by adding a subdivision; 290A.09; 290A.16; 290A.19; 290A.22; and Chapter 290A, by adding sections.	651		720					
1169	A bill for an act relating to taxation; inheritance; establishing a presumption of contribution by a spouse in property held jointly with the decedent; amending Minnesota Statutes 1978, Section 291.01, Subdivision 4.	651							
1170	A bill for an act relating to legal notice; requiring notice of various matters of public interest to be published in the state register; (Continued next page)	652							

a Indicates Amendment

() 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	Chapter
1170—Continued	amending Minnesota Statutes 1978, Sections 15.051, Subdivision 1; 15.054; 16A.67, Subdivision 4; 18.361, Subdivision 1; 18.371; 25.40, Subdivision 2; 35.05; 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.								
1171	A bill for an act relating to public welfare; authorizing the commissioner of public welfare to make grants to certain types of facilities for the mentally handicapped; exempting such facilities from certain licensing requirements, building code requirements, and minimum wage requirements; appropriating money.	652							
1172	A bill for an act relating to Independent School District No. 22, Detroit Lakes; authorizing it to transfer certain funds from its post-secondary vocational general fund to its post-secondary vocational capital expenditure fund for certain purposes; providing for the duration of the authorization; appropriating money.	652							
1173	A bill for an act relating to education; modifying the uses of the capital expenditure levy proceeds; amending Minnesota Statutes 1978, Section 275.125, Subdivision 11a.	652							
1174	A bill for an act relating to intoxicating liquor; prohibiting municipal stores from extending credit; amending Minnesota Statutes 1978, Sections 340.353, Subdivision 1; and 340.355.	652							
1175	A bill for an act relating to elections; providing for elections to vacancies in the United States senate; amending Minnesota Statutes 1978, Sections 202A.61; 202A.62, Subdivision 2; and 202A.65, Subdivision 3; repealing Minnesota Statutes 1978, Section 202A.71.	652							
1176	A bill for an act relating to taxation; allowing use of lump sum distribution tax computation upon receipt of severance pay in certain instances; amending Minnesota Statutes 1978, Section 290.032, by adding a subdivision.	653	1497	1467 1611	1737	1911			

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1177	A bill for an act relating to state parks; specifying use of money for access road to St. Croix Wild River state park in Chisago County; amending Laws 1973, Chapter 567, Section 8.	653		989					
1178	A bill for an act relating to taxation; property; allowing joint owners of property other than husband and wife to file separate property tax refund claims; amending Minnesota Statutes 1978, Sections 290A.03, Subdivisions 5, 8 and 13; 290A.05 and 290A.08.	653							
1179	A bill for an act relating to taxation; income tax; clarifying apportionment of charitable contribution deduction for certain taxpayers; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.	653		(H213)					
1180	A bill for an act relating to Independent School District No. 786, Bertha-Hewitt; exempting it from certain requirements for obtaining one capital loan from the equalization aid review committee; setting a limit for that loan.	653	1004	964a (H1214)	1295				
1181	A bill for an act relating to taxation; income; providing a tax credit to a Minnesota resident for income taxes paid to a province of Canada; amending Minnesota Statutes 1978, Section 290.081.	654							
1182	A bill for an act relating to banks; including safe deposit box rental as a function of a detached banking facility; altering certain definitions and time limits; amending Minnesota Statutes 1978, Sections 47.51; 47.53; and 47.54.	654		1223 (H988)					
1183	A bill for an act relating to insurance; eliminating the right of an insurer to refuse to renew an automobile insurance policy under certain circumstances; amending Minnesota Statutes 1978, Section 65B.17.	654							
1184	A bill for an act relating to the city of Shakopee; permitting the city to impose an amusement admissions tax; providing for its administration.	654	1033	1018a 2715	1228				
1185	A bill for an act relating to taxation; eliminating the gift tax; repealing Minnesota Statutes 1978, Sections 292.01 to 292.15.	654		720					

a Indicates Amendment

i 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	Chapter
1186	A bill for an act relating to state government; providing for the distribution of state publications and documents; amending Minnesota Statutes 1978, Sections 3.195; 15.047, Subdivision 2; 15.051, Subdivision 4; 15.18; and 648.39, Subdivision 1.	654		911a					
1187	A bill for an act relating to insurance; providing for continuation of waiver of premium benefits for the disabled, regardless of continuation of the master policy; amending Minnesota Statutes 1978, Section 61A.091.	655	3993	3949a 4167	4075 4242		4544	5602	376
1188	A bill for an act relating to insurance; providing that an employer group disability income policy provide coverage for pre-termination claims.	655	3993	3948a 4167	4075 4243		4544	5602	377
1189	A bill for an act relating to labor; public employment labor relations; clarifying definition of essential employee; amending Minnesota Statutes 1978, Sections 179.63, Subdivisions 11 and 17; and 179.65, Subdivision 6.	655	1004	971a 1519a	1228 1524				
1190	A bill for an act relating to the city of Cloquet; appropriating money to reimburse the city for costs incurred by the Cloquet fire department in responding to a trunk highway emergency fire call.	655		972a					
1191	A bill for an act relating to insurance; providing for changes in the operation and funding of the comprehensive health association; requiring identification of certain insurers; setting premium standards; changing the effective dates of certain mandated benefits; amending Minnesota Statutes 1978, Sections 62E.02, Subdivision 10, and by adding a subdivision; 62E.04, Subdivision 4; 62E.06, Subdivision 1; 62E.08; 62E.10; 62E.11; 62E.13, Subdivision 2; 62E.14, Subdivision 1; and Chapter 62E, by adding a section; repealing Minnesota Statutes 1978, Section 62E.10, Subdivision 5.	655	1223	1078a 1957a	1297 2273a	2273 2736	2651 2736	2736 3474	272
1192	A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055; 16A.50; 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.	655							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1193	A bill for an act relating to housing rehabilitation; permitting members of the city council of a city to serve as commissioners of the housing and redevelopment authority in and for that city; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.425, Subdivision 6; 462.445, Subdivision 9; and 462.581.	656	1297	1290a 1350 1616a 1679a	1679 2286	2286	2286	3469	180
1194	A bill for an act relating to agriculture; providing for weight tickets in certain exchanges involving agricultural products; amending Minnesota Statutes 1978, Chapter 239, by adding a section.	656							
1195	A bill for an act proposing an amendment to the Minnesota Constitution, Article VIII, by adding a section; providing for recall of elected state executive and judicial officers and state senators by the voters.	656		5416a					
1196	A bill for an act relating to elections; requiring disclosure of campaign financing information for all county, city and school district elections; requiring disclosure of economic interests by candidates and elected officials of all counties and certain cities and school districts; requiring candidates to form a principal campaign committee; imposing duties on the ethical practices board, county auditors, municipal clerks and chief administrative officers of certain school districts; superseding other general or special laws, charter provisions and local ordinances; imposing late filing fees and criminal penalties; amending Minnesota Statutes 1978, Sections 210A.01, Subdivisions 1, 3, 8 and 9; 210A.05, Subdivision 1; 210A.16; 210A.37; 290.09, Subdivision 2; and Chapter 210A, by adding sections; repealing Minnesota Statutes 1978, Sections 210A.01, Subdivisions 5 and 6; 210A.22 to 210A.33; and Laws 1977, Chapter 131.	656							
1197	A bill for an act relating to workers' compensation; establishing a state compensation insurance agency; appropriating money.	657							
1198	A bill for an act relating to retirement; specifying authorized investments for all public retirement funds; clarifying certain limitations on investments; providing for uniform valuation and (Continued next page)	657							

a Indicates Amendment

() 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	Chapter
1198—Continued	reporting of investment securities; specifying a procedure for the recognition of unrealized equity investment appreciation; providing a procedure for the calculation of a uniform rate of return on investments; requiring a report by the state board of investment in order to implement certain investment limitations; amending Minnesota Statutes 1978, Sections 11.16; 11.18, Subdivisions 2, 3, 3a, 4 and 5; 11.19; 11.25, Subdivisions 2, 4, 5, 6, 7, 8, and 16; 69.051, Subdivision 1; 69.77, Subdivision 2; 69.775; 352.061; 352B.05; 353.06; 354.07, Subdivisions 4 and 5; 354A.08; 356.20, Subdivisions 3 and 4, and by adding subdivisions; 422A.05, Subdivisions 1, 2, 3, and 4; 423.389; 423.60; and 490.123, Subdivision 3; and Chapter 356, by adding a section.								
1199	A bill for an act relating to retirement; state employees; miscellaneous amendments to the state employees, highway patrol officers and unclassified employees retirement plans; providing a retirement allowance for members of the legislature after eight years of service; authorizing the repayment of a refund by certain employees of the university of Minnesota at Duluth; amending Minnesota Statutes 1978, Sections 3A.02, Subdivision 1; 43.051, Subdivision 4; 352.03, Subdivisions 1 and 6; 352.113, Subdivisions 1, 4 and 6; 352.115, Subdivisions 8 and 9; 352.12, Subdivision 2; 352.15, Subdivision 1; 352.23; 352D.02, Subdivision 1; 352D.04, Subdivision 2; and 352D.05, Subdivisions 3 and 4; Laws 1975, Chapter 388, Section 1, as amended, and by adding a subdivision; repealing Minnesota Statutes 1978, Sections 352.115, Subdivision 13; 352B.29; 352D.03; and 352D.10.	657	1223	1140a 1297 1619a 1926a 1927a	1928				
1200	A bill for an act relating to retirement; metropolitan transit commission-transit operating division employees; clarifying the amortization obligation of the metropolitan transit commission to the Minnesota state retirement system; calculating service credit for certain part time transit operating division employees; clarifying the provision of the minimum disability coverage; providing a retirement annuity to certain former transit operating division employees; providing service credit for certain military service (Continued next page)	657		(H1220)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1200	Continued leaves of absence; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 11 and 16; 473.417; 473.418; and Laws 1978, Chapter 538, Section 21.								
1201	A bill for an act relating to retirement; clarifying various ambiguous and erroneous references and provisions affecting various retirement plans and funds; amending Minnesota Statutes 1978, Sections 3A.01, Subdivision 7; 69.031, Subdivision 6; 69.051, Subdivision 1; 69.691, Subdivision 1; 118.01; 275.50, Subdivision 5; 353.36, Subdivision 2; 354.05, Subdivision 25; 354.091; 354.092; 354.094; 354.44, Subdivisions 4, 6 and 7; 354.66; 356.20, Subdivision 2; 356.216; 356.24; 356.25; 356.32, Subdivision 1; 356.60, Subdivision 1; 422A.09, Subdivision 3; 422A.32, Subdivisions 1 and 2; 422A.35, Subdivisions 2 and 3; and 490.121, Subdivision 4; repealing Minnesota Statutes 1978, Section 354.55, Subdivision 6; Laws 1978, Chapter 538, Section 6.	658							
1202	A bill for an act relating to public safety; regulating the transportation of certain radioactive materials; establishing civil penalties.	658							
1203	A bill for an act relating to large energy facilities; establishing certain conditions for the issuance of certificates of need; amending Minnesota Statutes 1978, Section 116H.13, by adding a subdivision.	658							
1204	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.	658							
1205	A bill for an act relating to taxation; property tax; reducing property taxes on certain homesteads; increasing property tax refunds; amending Minnesota Statutes 1978, Sections 273.122; 273.13, Subdivision 7; 290A.03, Subdivision 11; and 290A.04, Subdivisions 2, 2a and 2b.	659							
1206	A bill for an act relating to nursing homes; providing a revised method for determination of nursing home rates under medical assistance; amending Minnesota Statutes 1978, Sections 256B.44; 256B.45; 256B.47, Subdivision 1, and by adding a subdivision; and 256B.48.	659							

a Indicates Amendment

() 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	Chapter
1207	A bill for an act relating to education; authorizing the state board for community colleges to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Section 136.62, by adding a subdivision.	659	4215	3730 4203 4448 4519 (H1090)					
1208	A bill for an act relating to taxation; property tax; providing for reassessment of substantially damaged property; amending Minnesota Statutes 1978, Sections 273.01; 274.01, Subdivision 1; and 274.13, Subdivision 1.	659	4075	4024a 4166 4366 4571					
1209	A bill for an act relating to state credit unions; clarifying borrowing limitations; amending Minnesota Statutes 1978, Sections 52.09, Subdivision 2; and 52.15.	659	1223	1083 1297 1506	1510				
1210	A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.	659	1004	955a 1228 1256	1299				
1211	A bill for an act relating to the city of St. Paul; fixing the rate of the franchise fee for utility supplies to residential dwellings.	660	924	902a 1005 1033 1298 1397 1399 (H1386)					
1212	A bill for an act relating to aeronautics; changing the representation on joint airport zoning boards formed by three or more political subdivisions; clarifying town representation on joint airport zoning boards; providing for allocation of board expenditures; providing additional notice and hearing requirements for adoption or amendment of airport zoning regulations; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; and 360.065, Subdivision 1.	660	1297	683 767 1275a 1350 1496 2962 (H1329)					
1213	A bill for an act relating to collection and dissemination of data; classifying data; extending the period of time during which emergency classifications of data may be made; clarifying the duties of the responsible authority; providing remedies; amending Minnesota Statutes 1978, Sections 15.162, Subdivisions 1 and 2a, and by adding a subdivision; 15.163; and 15.1642, Subdivisions 1, 2, 3 and 5; 15.166; and Chapter 15, by adding sections; repealing Minnesota Statutes 1978, Sections 15.1641; 15.1642, Subdivision 4; and 15.169.	683	1004	980a 1228 2494 (H738)					
1214	A bill for an act relating to metropolitan government; fixing the location of metropolitan sports (Continued next page)	683		1034					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1214—Continued	facilities; amending Minnesota Statutes 1978, Sections 473.556, Subdivision 3; and 473.571, Subdivision 1; repealing Minnesota Statutes 1978, Section 473.571, Subdivisions 2, 3, 4, 5 and 6.								
1215	A bill for an act relating to public safety; prohibiting scuba or skin diving during certain hours and under certain conditions; amending Minnesota Statutes 1978, Section 361.085.	686	924	921a 1254a	1033	1255 4009	4009	4544	363
1216	A bill for an act relating to legal notice; authorizing supplemental publication of legal notice by radio or television broadcast.	686							
1217	A bill for an act relating to taxation; real property; extending the homestead credit, and taconite credit to class 3a property; amending Minnesota Statutes 1978, Sections 273.13, Subdivision 5a; and 273.135, Subdivision 1.	686							
1218	A bill for an act relating to Polk and Norman Counties; permitting the imposition of a tax on removing gravel; providing for its administration; providing a penalty.	686	1297	1270a	1350	1928	3366	3474	273
1219	A bill for an act relating to motor vehicles; defining motorized bicycles; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 27; 169.01, Subdivision 4a; and 171.01, Subdivision 20.	686							
1220	A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.	687		(H677)					
1221	A bill for an act relating to health; providing for state aid to public and nonproprietary hospitals which convert to nursing care facilities; appropriating money.	687							
1222	A bill for an act relating to marriage; eliminating certain information from the marriage license application; providing that only two copies of the marriage certificate be prepared; defining terms; requiring personal service in a dissolution; providing for the court's findings in an uncontested dissolution; providing mutual restraining orders pending a dissolution; providing additional relevant factors for making custody determinations and for awarding (Continued next page)	687		1498 (H643)					

a Indicates Amendment

() 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	Chapter
1222	—Continued maintenance; permitting retroactive modification of support and maintenance orders for inability to pay; amending Minnesota Statutes 1978, Sections 517.03; 517.08. Subdivision 1a; 517.10; 517.101; 518.07; 518.09; 518.10; 518.13; 518.135. Subdivision 2; 518.155; 518.156; 518.165; 518.17. Subdivision 1; 518.176; 518.54. Subdivision 5; 518.552. Subdivision 2; 518.58; 518.64. Subdivision 2; and Chapter 518. by adding a section.								
1223	A bill for an act relating to children; providing for limited retention of report records relating to maltreatment of minors; amending Minnesota Statutes 1978, Section 626.556, Subdivision 11.	687							
1224	A bill for an act relating to state lands; authorizing the conveyance by the state of certain lands in Beltrami County.	687		(H815)					
1225	A bill for an act relating to health; establishing an American Indian advisory board to assist the department of public welfare in formulating policies related to chemical dependency and the abuse of alcohol and other drugs by American Indians; amending Minnesota Statutes 1978, Section 254A.03, Subdivision 2.	688		771					
1226	A bill for an act relating to the city of Minnetonka; volunteer firefighters service pensions; amending Laws 1975, Chapter 118, Section 1.	688							
1227	A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.	688		(H1236)					
1228	A bill for an act relating to fire insurance; repealing certain requirements for examination and appraisal of insured structures; repealing Minnesota Statutes 1978, Section 65A.08, Subdivision 1.	688		(H1256)					
1229	A bill for an act relating to taxation; property tax refund; redefining income for purposes of the property tax refund; allowing certain claimants to elect to take the refund as a credit against income tax; providing that certain claimants may receive direct credit against property tax liability; appropriating money; amending Minnesota Statutes 1978, Sections 290A.03, Subdivision 3; (Continued next page)	688							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1229	Continued 290A.06; and 290A.07, Subdivision 3; and Chapter 290A, by adding a section.								
1230	A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.	688		(H1235)					
1231	A bill for an act relating to transportation; requiring simplified procedures and additional state assistance in applying for public transit grants; allocating certain paratransit funds for special projects in certain municipalities; allowing flexibility in expenditure of grants for special projects; amending Minnesota Statutes 1978, Sections 174.23, by adding a subdivision; and 174.25, by adding a subdivision.	689							
1232	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; amending Minnesota Statutes 1978, Chapter 462, by adding a section; repealing Minnesota Statutes 1978, Section 462.431.	689							
1233	A bill for an act relating to housing; authorizing city housing finance programs; authorizing bond issues for them.	689							
1234	A bill for an act relating to taxation; providing that property tax exemption allowed for pollution control property shall not apply to solid waste disposal sites; amending Minnesota Statutes 1978, Section 272.02, Subdivision 1.	689	2446	2433 2654	2520 2676				
1235	A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1978, Section 435.193.	689	4448	4444a 4489	4449 4705	5031			
1236	A bill for an act relating to energy; providing for an adult and post-secondary energy education plan; requiring certain building energy reports and audits; providing partial funding to school districts, municipalities and counties for energy audits and energy conservation measures; changing energy conservation standards for (Continued next page)	689		1478a (H990)					

a Indicates Amendment

() 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	Chapter
1236—Continued	existing residential buildings; authorizing a weatherization program for low income persons; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; providing for a pilot project in ethanol production; appropriating money; amending Minnesota Statutes 1978, Sections 116H.124; 116H.126; 116H.129, Subdivision 1; 451.09; Chapters 116H, by adding a section; and 268, by adding a section.								
1237	A bill for an act relating to children; establishing a comprehensive child protective services program; prescribing duties of the commissioner of public welfare and county welfare boards; authorizing grants for experimental programs to encourage interagency cooperation; appropriating money.	690							
1238	A bill for an act relating to public health; permitting statewide use of plastic water well casings; repealing Minnesota Statutes 1978, Section 156A.031, Subdivision 2.	690		(H686)					
1239	A bill for an act relating to courts; providing an additional six judges for the Hennepin County District Court; amending Minnesota Statutes 1978, Section 2.722, Subdivision 1.	690							
1240	A bill for an act relating to natural resources; setting forth the rights of property owners whose property is purchased for conservation purposes; revising responsibilities of the commissioner of natural resources and the commissioner of administration in property acquisition; authorizing the commissioner of natural resources, with the approval of the state executive council to convey the interests of the state in lands for the purpose of correcting boundary description errors; amending Minnesota Statutes 1978, Sections 84.0272; 85.012, Subdivision 1; 85.015, Subdivision 1; 85.021, Subdivisions 1 and 2; and 104.37, Subdivision 1.	690	3602	3599a 3778a	3666 3845	3901	5602	5914	458
1241	A bill for an act relating to children; defining and specifying disposition of endangered children; changing procedures relative to termination of parental rights; amending Minnesota Statutes 1978, Sections 260.015, by adding a subdivision; 260.103, Subdivi-	691		925	1005				

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1241—Continued	sion 1; 260.111, Subdivision 1; 260.121, Subdivision 1; 260.131, Subdivision 1; 260.135, Subdivision 3; 260.155, Subdivision 4; 260.191, Subdivisions 1, 4, and by adding a subdivision; 260.221; 260.235; 260.255, Subdivisions 1 and 2; 260.291, Subdivision 1; 260.315; 260.35; 260.36; 260.41; 260.44; and 260.45.								
1242	A bill for an act relating to conciliation court; providing for a uniform filing fee of \$5; amending Minnesota Statutes 1978, Sections 487.31, Subdivision 1; 488A.14, Subdivisions 1 and 5; and 488A.31, Subdivisions 1 and 5.	691							
1243	A bill for an act relating to waters; limiting the rule making power of the commissioner of natural resources in regard to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Sections 104.05, and 275.50, Subdivision 5.	691	1004	991a 1228 1256	1300 2938	2938	2938	3473	253
1244	A bill for an act relating to agriculture; prohibiting certain garbage feeding of animals; providing a penalty; amending Minnesota Statutes 1978, Chapter 35, by adding a section.	691							
1245	A bill for an act relating to city of Duluth; providing for the management and operation of the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Sections 2, Subdivision 2; 5, Subdivision 4; 7, as amended; and 8.	692	856	818a 923 1009	1050 1500	1329 1499 1500	1328	2283	87
1246	A bill for an act relating to game and fish; restricting the power of the commissioner of natural resources to close the season on lake trout.	692							
1247	A bill for an act relating to taxation; providing for reduction of motor vehicle excise tax when purchase price of vehicle is reduced by value of goods traded for vehicle; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.	692							

a Indicates Amendment

() 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	Chapter
1248	A bill for an act relating to guardianship; establishing criteria for the selection of guardians and conservators; amending Minnesota Statutes 1978, Section 525.544.	692	1223	1089 1297	1573 3756	3756	3756	3922	348
1249	A bill for an act relating to juries; requiring the department of public safety to provide jury commissioners with drivers' license lists without fee; amending Minnesota Statutes 1978, Section 593.37, by adding a subdivision.	692		(H912)					
1250	A bill for an act relating to the public service commissioner; regulating commissioners' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.	692		2299 (H222)					
1251	A bill for an act relating to city of New Ulm; authorizing an increase in firefighters service pensions and death and disability benefits; amending Laws 1973, Chapter 182, Section 1, as amended.	693							
1252	A bill for an act relating to taxation; exempting certain amounts paid for military service from income taxation; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.06, Subdivision 12.	693							
1253	A bill for an act relating to taxation; sales; permitting a deduction for costs of collection and remittance; amending Minnesota Statutes 1978, Section 297A.26, by adding a subdivision.	693							
1254	A bill for an act relating to education; providing for scholarships for certain American students of Mexican, Puerto Rican, Cuban or Spanish ancestry; appropriating money.	693		1462					
1255	A bill for an act relating to tax-forfeited land sales; increasing the interest rate on the unpaid balance of the purchase price; amending Minnesota Statutes 1978, Sections 282.01, Subdivision 4; 282.222, Subdivision 4; 282.261; and 282.35, Subdivisions 2 and 3; and Minnesota Statutes, 1979 Supplement, Section 282.15.	693	4448	4446 4583a 4489	4984				
1256	A bill for an act relating to crimes; authorizing application for a permit to carry a pistol to be made either to the local chief of police or county sheriff; amending Minnesota Statutes 1978, Section 624.714, Subdivision 2.	693							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1257	A bill for an act relating to public welfare; requiring certain recipients of state aid for medical care to authorize the commissioner of public welfare to have access to their medical records for certain purposes; authorizing the commissioner to promulgate certain rules related to investigation of fraud perpetrated by health care vendors; authorizing certain sanctions against fraudulent vendors; authorizing the commissioner to institute an action to recover moneys wrongfully paid; amending Minnesota Statutes 1978, Sections 62E.53, by adding a subdivision; 62E.54, Subdivision 1; 256B.04, Subdivision 10, and by adding a subdivision; 256B.064, Subdivision 2, and by adding subdivisions; 256B.27, Subdivisions 3 and 4; 256D.03, Subdivision 3; and 256D.05, by adding a subdivision.	694	1223	1128a 1297 1607a	1608		3755	3922	349
1258	A bill for an act relating to taxation; abolishing the inheritance tax; imposing an estate tax; repealing the gift tax; amending Minnesota Statutes 1978, Sections 291.005, Subdivision 1; 291.01; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivisions 5 and 7, and by adding subdivisions; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivision 3; 291.20, Subdivision 1; 291.27; 291.33, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 524.3-706; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.312; 525.71; 525.74; and 525.841; and Chapter 291, by adding sections; repealing Minnesota Statutes 1978, Sections 3A.08; 291.02; 291.07, Subdivisions 2 and 2a; 291.09, Subdivisions 1, 2, 3 and 4; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 291.12, Subdivision 4; 291.20, Subdivision 3; 291.22; 291.23; 291.24; 291.25; 291.26; 291.29, Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; and 292.15.	694	1563	1525a 1611 1668	1665				
1259	A bill for an act relating to taxation; reducing the assessment ratio applied to seasonal recreational property; amending Minnesota Statutes 1978, Section 273.13, Subdivisions 4 and 5a.	694		771 925 1005					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1260	A bill for an act relating to banks; clarifying that certain branch banks may establish detached facilities; amending Minnesota Statutes 1978, Section 47.51.	694	1223	1079a 1506	1297 1511				
1261	A bill for an act relating to public transit; authorizing the acquisition, betterment, operation and maintenance of a people mover system in St. Paul; establishing a procedure for payment of the operating deficit by the metropolitan transit commission, the city of St. Paul and benefited property owners; providing for assistance by the state; authorizing issuance of capital improvement bonds by the Twin Cities Metropolitan Transit Commission; amending Minnesota Statutes, 1979 Supplement, Section 473.436, by adding a subdivision; repealing Laws 1977, Chapter 454, Section 45.	695	2299	946a 2376 3553a	2296 2556 3561	3562			
1262	A bill for an act relating to the operation of state government; establishing a system of periodic review of the operation of occupational licensing agencies; creating guidelines; establishing legislative review procedures; setting termination dates.	695	4694	3649 4989	4671a 6351				
1263	A bill for an act relating to public defense; 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 1978, Sections 611.23; 611.26, Subdivisions 1, 2, 3, 4 and 5; and Chapter 611, by adding a section; repealing Minnesota Statutes 1978, Sections 480.053; 483.01 and 483.02.	695		695	770				
1264	A bill for an act relating to the operation of state government; abolishing the board of abstractors and transferring its powers and duties; altering the membership, regulatory powers, practices and supervision of certain boards; limiting criteria for issuing licenses; providing for registration rather than licensing of watchmakers; providing for review of certain functions of certain boards; permitting certain occupational advertising; requiring the collection of certain health manpower information; amending Minnesota Statutes 1978, Sections 125.05, Subdivision 1; 147.02, Subdivision 1; 147.021, Subdivision 1; 148.181, Subdivi- (Continued next page)	695		1117a					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1264—Continued	sion 2; 148.191, Subdivision 2; 148.211, Subdivision 1; 148.10, Subdivision 1; 148.271; 148.291, Subdivision 1; 148.295; 148.57, Subdivisions 1 and 3; 148.91, Subdivision 4; 148.93; 150A.06, Subdivisions 1, 2, 2a and 4; 151.10; 153.04; 153.15; 154.05; 154.06; 154.11; 154.12; 155.09, Subdivision 1; 156.02, Subdivision 1; 156.071; 156.072, Subdivision 2; 156.081, Subdivision 2; 214.01, Subdivision 3; 214.04; 214.06; 214.09, Subdivision 2; 214.13, by adding a subdivision; 326.10, Subdivision 1; 326.19, Subdivision 2; 326.332, Subdivision 1; 326.54; 326.546; Chapters 153, by adding a section; 214, by adding sections; and 386, by adding a section; repealing Minnesota Statutes 1978, Sections 147.11; 150A.11, Subdivision 2; 151.28; 341.09; 386.61, Subdivision 3; and 386.63.								
1265	A bill for an act relating to education; providing for computer based education for certain schools; appropriating money.	696		1020a					
1266	A bill for an act relating to the city of Windom; authorizing the purchase of annuity contracts for retiring firefighters.	729		(H1062)					
1267	A bill for an act relating to health; altering certain requirements for members of the board of examiners for nursing home administrators; amending Minnesota Statutes 1978, Section 144A.19, Subdivision 1.	729							
1268	A bill for an act relating to retirement; directing the legislative commission on pensions and retirement to study the 40 year service credit maximum and the appropriate employee contribution rate for public pension fund members affected; requiring report.	729							
1269	A bill for an act relating to education; changing the use of the net proceeds from the lease of a schoolhouse; amending Minnesota Statutes 1978, Section 123.36, Subdivision 10.	729							
1270	A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.	729							
1271	A bill for an act relating to taxation; clarifying the method of (Continued next page)	729							

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
1271—Continued	<p>computing the agricultural credit; clarifying distribution of tax on transmission lines; changing penalties for late payment of property taxes; changing filing requirements for royalty tax; eliminating certain deductions for inheritance tax; clarifying penalties; providing procedures for payment of tax on special fuel; clarifying refund procedures; providing procedure for refunding excise taxes; providing deed tax meters for certain counties; appropriating money; defining certain powers of the commissioner of revenue; amending Minnesota Statutes 1978, Sections 10A.31, Subdivision 5; 272.70; 273.13, Subdivision 6; 273.42; 279.01; 287.27, by adding a subdivision; 291.07, Subdivisions 1, 2 and 3; 292.111, Subdivision 2; 296.12, by adding a subdivision; 296.18, Subdivision 5; 297.01, Subdivision 14; 297.03, Subdivision 8; 299.05; 299.08; 340.485, Subdivision 1; 340.492; 357.021, Subdivision 1a; 477A.04, Subdivision 2; Chapter 270, by adding sections; Chapter 299, by adding a section; Chapter 340, by adding a section; repealing Minnesota Statutes 1978, Sections 299.03 and 299.06.</p>								
1272	<p>A bill for an act relating to the operation of state government; reorganizing the department of commerce; providing for appointment of a commissioner of commerce; prescribing his powers and duties; transferring certain powers and duties from the secretary of state and the commissioners of administration and public safety and from the department of public service; abolishing certain positions and divisions in the departments of commerce, public safety and public service; making necessary revisions; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 15.06, Subdivision 1; 15A.081, Subdivision 1; 46.01; 46.04; 46.05; 46.06; 46.07, Subdivision 1; 46.08; 46.12; 46.131, Subdivisions 1, 2, 3, 4 and 5; 46.23, Subdivision 3; 47.01, by adding a subdivision; 47.0151, Subdivision 2; 47.08; 47.16, Subdivision 1; 47.28; 47.29; 47.30; 47.51; 47.61, Subdivision 2; 48.01, Subdivision 3; 48.15, Subdivision 2; 48.151; 48.89, Subdivision 1; 49.215, Subdivision 3; 49.37; 49.44; 51A.02, Subdivision 3; 51A.03, Subdivisions 1, 3, 4 and 5; 51A.05, Subdi-</p> <p>(Continued next page)</p>	730		3602					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1272—Continued	vision 4; 51A.06, Subdivision 1; 51A.08, Subdivision 2; 53.01; 53.03; 55.01; 59A.02, Subdivision 4; 60A.02, Subdivisions 2 and 16; 60A.03, Subdivisions 2, 3, 5 and 6; 60A.31, Subdivision 1; 60A.051, Subdivision 2; 60A.07, Subdivision 6; 60A.16, Subdivision 2; 60B.03, Subdivision 2; 60C.03, Subdivision 1, and by adding a subdivision; 60D.01, Subdivision 3; 61B.03, Subdivision 14; 62A.01; 62B.02, Subdivision 7; 62C.02, Subdivision 2; 62C.06; 62D.02, Subdivision 2; 62E.02, Subdivision 6; 62F.03, Subdivision 3; 62G.04, Subdivision 2; 62G.08; 64A.09; 65A.06; 65A.33, Subdivision 8; 65B.02, Subdivision 8; 65B.43, Subdivision 14; 66A.08, Subdivision 4; 66A.21, Subdivisions 2 and 3; 67A.40, Subdivision 2; 69.011, Subdivision 1; 70A.03; 72A.18, by adding a subdivision; 72A.34, by adding a subdivision; 72B.02, Subdivision 3; 72C.04, Subdivision 2; 79.01, Subdivision 5; 80B.01, Subdivision 4; 80C.01, Subdivision 3; 82.17, Subdivision 3; 82.34, Subdivision 19; 83.20, Subdivision 4; 116H.12, Subdivision 4; 116H.121, Subdivision 1; 116H.124; 116H.126, 116H.127; 116H.129, Subdivisions 1, 5, 6 and 8; 168.021, Subdivision 2; 214.04, Subdivision 1; 222.09; 222.11; 222.17; 222.21; 222.28; 222.31; 222.32; 238.04, Subdivisions 1 and 7; 239.003; 239.004; 239.01; 239.02; 239.05, Subdivision 1, and by adding a subdivision; 239.06; 239.07; 239.08; 239.09; 239.10; 239.12; 239.23; 239.24; 239.37; 239.52; 299F.011, Subdivision 4; 299F.391, Subdivision 3; 300.026, Subdivision 2; 300.06; 300.07; 300.112, Subdivision 1; 300.114, Subdivision 1; 300.115, Subdivision 1; 300.12, Subdivision 2; 300.14, Subdivision 2; 300.16; 301.05, Subdivisions 3 and 4; 301.06; 301.07; 301.071; 301.14, Subdivision 5; 301.26, Subdivision 11; 301.33, Subdivisions 2 and 3; 301.37, Subdivisions 3 and 4; 325A.06, Subdivision 1; 326.243; 333.01; 333.04; 333.055; 336.6-104; 336.9.401; 340.001, Subdivision 3; 340.02, Subdivision 4; 340.10; 340.401, Subdivision 7; 340.44; 341.12; 462.591, Subdivision 1; 462.595; 462.601; 501.75; 501.76; 501.77; 501.78, Subdivision 4; 507.09; 507.10; 508.61, Subdivision 2; 509.01; 556.12; Chapters 46, by adding a section; 50, by adding a section. (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
1272—Continued	52, by adding a section; 54, by adding a section; 56, by adding a section; 61A, by adding a section; 66A, by adding a section; 67A, by adding a section; 71A, by adding a section; and 80A, by adding a section; repealing Minnesota Statutes 1978, Sections 16.83, 16.84, 16.85, 16.851, 16.852, 16.853, 16.854, 16.86, 16.861, 16.862, 16.863, 16.8632, 16.864, 16.865, 16.866, 16.869, 45.01, 45.02, 45.021, 45.03, 45.031, 45.032, 45.033, 45.034, 45.04, 45.05, 45.06, 45.07, 45.08, 45.15, 45.16, 45.17, 46.03, 46.30, Subdivision 3; 47.16, Subdivision 2; 60A.03, Subdivision 1; 60A.051, Subdivision 4; 67A.44; 80A.14; 80A.19, Subdivision 1; 239.521; 299A.02, and 340.081.								
1273	A bill for an act relating to natural resources: authorizing the commissioner to utilize volunteer services; amending Minnesota Statutes 1978, Chapter 84, by adding a section; and Section 176.011, Subdivision 9; repealing Minnesota Statutes 1978, Section 85.041.	731	1004	990 1228 1256	1300		4587	5662	384
1274	A bill for an act relating to pollution control: authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding a subdivision.	731		(H183)					
1275	A bill for an act relating to education: authorizing certain school districts to make a certain levy; correcting a section reference; amending Minnesota Statutes 1978, Section 122.531, Subdivision 2.	732		(H581)					
1276	A bill for an act relating to retirement; teachers: authorizing purchase of certain prior service credit; amending Minnesota Statutes 1978, Section 354.51, by adding a subdivision.	732							
1277	A bill for an act relating to energy: requiring land authorities to make certain trees and hedges available to the public for use as firewood.	732							
1278	A bill for an act relating to retirement; increasing the vesting period required for legislator's retirement; amending Minnesota Statutes 1978, Section 3A.02, Subdivision 1.	732							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1279	A bill for an act relating to taxation; income; granting a tax credit to certain business firms who contribute to neighborhood organizations primarily engaged in community activities designed to benefit economically disadvantaged persons; prescribing certain duties and responsibilities of the department of revenue and department of economic security; appropriating money.	732		3928a					
1280	A bill for an act relating to mobile homes; regulating space and lot rentals and leases; prohibiting unreasonable park rules and regulations; requiring notice; specifying grounds for eviction and access; prohibiting retaliatory conduct; amending Minnesota Statutes 1978, Sections 327.42, Subdivision 2, and by adding subdivisions: 327.43, Subdivision 2, and by adding a subdivision: 327.44; and Chapter 327, by adding sections.	732	1729	1704a 1967 2295 (H1309)					
1281	A bill for an act relating to public employment labor relations; permitting firefighters to use certain grievance procedures; amending Minnesota Statutes 1978, Section 179.70, Subdivision 1.	733		(H607)					
1282	A bill for an act relating to alcoholic beverages; authorizing the sale of intoxicating liquor and nonintoxicating malt liquor on election days; amending Minnesota Statutes 1978, Sections 340.034, Subdivision 1; and 340.14, Subdivision 1.	733		857					
1283	A bill for an act relating to crime victims reparations; pertaining to the powers of the crime victims reparations board; clarifying and revising the definition of dependent; establishing the power of the board to appoint an executive director in the unclassified civil service; authorizing the board to receive and administer federal funds; amending Minnesota Statutes 1978, Sections 299B.02; and 299B.06.	733							
1284	A bill for an act relating to government regulation; establishing a study commission to assess the economic impact of state regulations on business and industry; appropriating money.	733							
1285	A bill for an act relating to outdoor recreation; authorizing the issuance of state bonds and (Continued next page)	733							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1285—Continued	appropriating the proceeds for the acquisition and betterment of state trails, forests, and fish and wildlife management, natural and scientific areas.								
1286	A bill for an act relating to human services; eliminating certain minimum population requirements related to human services boards; authorizing county boards to be human services boards; amending Minnesota Statutes 1978, Sections 402.01, Subdivision 1, and 402.02.	734							
1287	A bill for an act relating to the operation of state government; raising salaries and salary ranges for certain executive branch employees, metropolitan agency officers, judges and judicial branch employees; eliminating achievement awards for commissioners and deputy commissioners; amending Minnesota Statutes 1978, Sections 15A.081, 15A.083, Subdivisions 1, 2 and 4; 43.062, Subdivision 3; and 43.067, Subdivision 4; repealing Minnesota Statutes 1978, Sections 15A.083, Subdivision 4a; and 43.069.	734							
1288	A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands in Kittson County, under certain conditions, to the Galilee Bible Camp.	734	1004	955a 1228 1256a	1299		2283	3466	116
1289	A bill for an act relating to retirement; authorizing payment of severance pay to retiring employees; validating past payments; amending Minnesota Statutes 1978, Section 356.24; and Minnesota Statutes, 1979 Supplement, Section 465.72.	734	3774	3697 3772a 3775 (H1453)					
1290	A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; providing a one year extension of a reduced gross earnings tax equivalent to ad valorem tax during transition; eliminating the use of limited market valuation in the assessment of property; reducing the classification ratios applied to homesteads and agricultural and seasonal recreational property; increasing the percentage and maximum amount of the homestead credit; providing state aid to local taxing authorities containing reduced assessment property and natural resources land;	734							

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1290	<p>Continued increasing the percentage of rent to be used to compute property tax refunds; increasing maximum amounts of property tax refunds; increasing the amount of local government aid paid by the state; appropriating money; amending Minnesota Statutes 1978, Sections 273.061, Subdivision 8; 273.11, Subdivision 2; 273.13, Subdivisions 4, 6, 7, and 14a; 273.17, Subdivision 1; 275.51, Subdivision 3d; 276.04; 290A.03, Subdivision 11; 290A.04, Subdivisions 2, 2a and 2b; 295.02; 477A.01, Subdivisions 1 and 4; and Chapters 270 and 273, by adding sections: repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.</p>								
1291	<p>A bill for an act relating to taxation: providing for certain adjustments to the levy limit bases of cities and towns; requiring preparation of annual population estimates by the state demographer; providing a means for distributing state aid to local units of government; appropriating money; amending Minnesota Statutes 1978, Sections 275.51, Subdivision 3d; 275.52, Subdivision 4; 275.53, Subdivision 1, and by adding a subdivision: 477A.01, Subdivisions 1, 4 and 4a; repealing Minnesota Statutes 1978, Section 477A.01, Subdivision 3.</p>	735							
1292	<p>A bill for an act relating to wild animals; altering or eliminating certain provisions in regard to the taking, possessing, or transporting of game or fish; amending Minnesota Statutes 1978, Section 97.50, Subdivision 1; 98.45, Subdivision 1; 100.27, Subdivision 4; and 100.29, Subdivisions 7 and 30.</p>	735	1033	1022a 1228 2007 2803 (H1198)					
1293	<p>A bill for an act relating to insurance; providing for certain group coverages to be continued; amending Minnesota Statutes 1978, Chapter 60A, by adding a section.</p>	735	1223	1109a 1297	1571		5396	5914	459
1294	<p>A bill for an act relating to insurance; providing for payments of certain expenses incurred in prosecuting a claim.</p>	735							
1295	<p>A bill for an act relating to contracts; making certain legal proceedings unenforceable unless in writing; providing for the admission of certain evidence.</p>	736	1004	968 1228	1451 5846	5846	5846	6811	553

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
1296	A bill for an act relating to public welfare; authorizing grants for community residential facilities; amending Minnesota Statutes 1978, Section 252.30.	736	1223	1125a 1297 1506	1512 4414	1591 4414	4413	5100	367
1297	A bill for an act relating to insurance; requiring life insurance agents to have errors and omissions coverage; amending Minnesota Statutes 1978, Section 60A.17, by adding a subdivision.	736							
1298	A bill for an act relating to public welfare; limiting emergency temporary general assistance to 30 days within a 12 month period; exceptions; amending Minnesota Statutes 1978, Section 256D.06, Subdivision 2.	736							
1299	A bill for an act relating to sheriffs; requiring licensure within one year of assuming office; amending Minnesota Statutes 1978, Section 387.01.	736	1004	987 1228	1568				
1300	A bill for an act relating to pollution control; authorizing the pollution control agency to enter property to remove pollutants under certain circumstances; amending Minnesota Statutes 1978, Sections 115.01, by adding a subdivision; and 115.061.	736							
1301	A bill for an act relating to hospitals; providing exemption from rate review for certain hospitals; amending Minnesota Statutes 1978, Chapter 144, by adding a section.	737	1004	989a					
1302	A bill for an act relating to health, promoting health care cost savings by encouraging competition; prescribing certain duties for the commissioners of health, public welfare, and insurance; appropriating money; amending Minnesota Statutes 1978, Sections 144.703, by adding subdivisions; 145.75; 145.751; and Chapter 145, by adding a section.	737		1126a					
1303	A bill for an act relating to public welfare; specifying that the cost of certain household task services shall be reimbursable under medical assistance; further explaining the policy of the state with regard to medical assistance; amending Minnesota Statutes 1978, Sections 256B.01; and 256B.02, Subdivision 8.	737							
1304	A bill for an act relating to education; decreasing the number of years of allowable service re- (Continued next page)	737							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1304—Continued	quired for benefits under a teacher mobility provision; amending Minnesota Statutes 1978, Section 354.66, Subdivision 2.								
1305	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 1978, Sections 290.05, Subdivision 1; and 501.76, Subdivision 1.	737							
1306	A bill for an act relating to crime victims reparations; providing that the record of a claim may be used as evidence by the state on its subrogation claim; providing that the state's right of subrogation shall not limit the claimant's right to recover for pain and suffering; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.	737		(H1245)					
1307	A bill for an act relating to courts; conciliation courts; raising the jurisdictional limit; requiring night or weekend sessions of court; prohibiting attorneys from participating in conciliation court hearings; providing costs and disbursements to the prevailing party in a cause removed to county or county municipal court; requiring notification of the opposing party before removal to county or county municipal court; amending Minnesota Statutes 1978, Sections 487.30, Subdivisions 1 and 2, and by adding subdivisions; 488A.12, Subdivision 3; 488A.13, Subdivision 5; 488A.15, Subdivision 2; 488A.17, Subdivisions 2 and 10; 488A.29, Subdivision 3; 488A.30, Subdivision 4; 488A.32, Subdivision 2; and 488A.34, Subdivisions 2 and 9.	738							
1308	A bill for an act relating to taxation; property tax; including homesteads of certain disabled persons in class 3cc; amending Minnesota Statutes 1978, Section 273.13, Subdivision 7.	738							
1309	A bill for an act relating to local government; providing that mileage allowances be set locally; amending Minnesota Statutes 1978, Section 471.665, Subdivision 1.	738	1004	980a 1518a	1228	1519			
1310	A bill for an act relating to children; requiring reports of neglect and sexual abuse of children; amending Minnesota Statutes 1978, Section 626.556, Subdivision 2.	738	1223 1497	1125a 1478a	1227 1611	1735	2283	3467	143

a Indicates Amendment

o 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	Chapter
1311	A bill for an act relating to metropolitan government; removing the city of Northfield from definition of metropolitan areas; adding the city of Northfield to region ten; amending Minnesota Statutes 1978, Sections 473.121, Subdivision 2; 473.123, Subdivision 3; 473.403; 473F.02, Subdivisions 2 and 8.	738	3841	3797 3876 4161a	4250		4544	5602	378
1312	A bill for an act relating to unemployment compensation; providing for conformity with federal requirements; altering certain definitions; altering certain provisions as to employer contributions; altering provisions as to deductions from benefits; altering provisions as to between term denial of benefits to certain educational employees; altering certain provisions for disqualification from benefits; altering certain appeal provisions; removing limitation on certain reciprocal benefit arrangements; amending Minnesota Statutes 1978, Sections 268.04, Subdivisions 10, 12 and 23; 268.06, Subdivisions 5, 8, 21, 22, and by adding a subdivision; 268.08, Subdivisions 3 and 4, and 6, as amended; 268.09, Subdivisions 1, 2 and 3; 268.10, Subdivision 2; 268.12, Subdivision 13; 268.13, Subdivision 2; and 268.18, Subdivisions 1 and 2.	739	924	914a 1033 1253a	1253		2355	3469	181
1313	A bill for an act relating to Beltrami County; providing for disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural and industrial developments; amending Laws 1967, Chapter 558, Section 1, Subdivision 5.	739	924	922 1033 1295 (H1411)					
1314	A bill for an act relating to unemployment compensation; limiting benefits paid to certain owners of employing units; amending Minnesota Statutes 1978, Section 268.07, Subdivision 3.	783	1657	1633a 1752 2007 (H970)					
1315	A bill for an act relating to game and fish; authorizing special bow and arrow deer seasons in certain state waysides during 1979; requiring a stamp; appropriating proceeds.	786							
1316	A bill for an act relating to bingo; changing the filing requirements for organizations conducting bingo; amending Minnesota Statutes 1978, Section 349.21, Subdivision 3.	786		(H1093)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1317	A bill for an act relating to taxation; property tax; providing a computation method for adjusted assessed valuation for school aid purposes; providing for a state reimbursement for certain types of residential housing; changing the assessment ratio on certain types of property; increasing the levy limit base of certain cities; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivisions 1 and 2; 273.13, Subdivision 17b; 275.51, by adding a subdivision; and Chapter 273, by adding a section; repealing Minnesota Statutes 1978, Section 275.51, Subdivision 3d.	786							
1318	A bill for an act relating to education; increasing the vocational foundation aid allowed for certain disadvantaged or handicapped students; amending Minnesota Statutes 1978, Section 124.562, Subdivision 2.	786		925					
1319	A bill for an act relating to the state board of investment; providing for officers, meetings, indemnification and appointment of members of the investment advisory council; requiring certain information in annual reports; amending Minnesota Statutes 1978, Sections 11.117, Subdivisions 4 and 6; 11.118; and 11.145.	787							
1320	A resolution memorializing the President and Secretary of State of the United States to urge the German Federal Republic to abolish or extend the statute of limitations on Nazi war crimes.	787							
1321	A bill for an act relating to taxation; income; providing that certain employment related payments be taxed as a lump sum distribution; amending Minnesota Statutes 1978, Section 290.032, by adding a subdivision.	787							
1322	A bill for an act relating to local government; providing for municipal planning; authorizing regulation of subdivisions; providing a penalty; amending Minnesota Statutes 1978, Sections 462.351, 462.352, by adding subdivisions; 462.355, Subdivision 4; 462.358, by adding subdivisions; 462.36, Subdivision 1; 505.14; repealing Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, 3 and 4.	787	3993	3730 3984a 4075 4363a	4485				

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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
1323	A bill for an act relating to taxation; levy limits; allowing a governmental subdivision to make a supplementary levy equal to the amount by which the levy limitations for certain years exceeds the actual levy for those years; amending Minnesota Statutes 1978, Section 275.50, by adding a subdivision.	787							
1324	A bill for an act relating to the city of Breezy Point; relating to its tax levy for general purposes; repealing Laws 1971, Chapter 110.	787		(H1262)					
1325	A bill for an act relating to health; promoting health maintenance organizations by eliminating certain regulations; allowing development and operation of supplemental health services plans; promoting competition in health care delivery; requiring certain optional and mandatory benefits under certain health care plans; providing increased flexibility in benefit levels; modifying certain benefit requirements under the Minnesota Comprehensive Health Insurance Act of 1976; prescribing certain duties for the commissioners of health, public welfare, and insurance; amending Minnesota Statutes 1978, Sections 62A.043, by adding a subdivision; 62A.149, Subdivision 1, and by adding a subdivision; 62A.15, by adding a subdivision; 62A.151; 62A.152, by adding a subdivision; 62A.153; 62A.16; 62A.17, Subdivision 4; 62D.01, Subdivision 2; 62D.02, Subdivisions 4, 5, 6, and 7, and by adding subdivisions; 62D.03; 62D.04, Subdivisions 1 and 3; 62D.05; 62D.06, Subdivision 1; 62D.07; 62D.08; 62D.10, Subdivisions 1 and 3; 62D.101; 62D.11; 62D.12; 62D.13; 62D.14; 62D.15; 62D.16; 62D.17, Subdivisions 1, 3, and 4; 62D.18; 62D.19; 62D.20; 62D.21; 62D.22, Subdivisions 2, 3, 5, 6, and 8, and by adding a subdivision; 62D.25; 62D.28, Subdivisions 2 and 3; 62E.02, Subdivision 9; 62E.03, Subdivision 1; 62E.16; 72C.03; 144.691, Subdivision 4; 144.692; 144.693, Subdivisions 1 and 2; 144.703, by adding subdivisions; 145.61, Subdivision 5; 256B.59, Subdivision 1; 256B.60, Subdivision 2; Chapters 145, by adding a section; and 256B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 62D.22, Subdivision 7; 62E.06, Subdivision 1; and 145.837, Subdivision 1; repealing Minnesota Statutes 1978, Sections 62D.09 and 62D.10, Subdivision 2.	788	4159	1034 4120a 4448 4450a	4457				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1326	A bill for an act relating to insurance; providing for payment of certain attorney fees in automobile insurance claims; setting limits on fees recoverable by subrogation; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.	788							
1327	A bill for an act relating to commerce; making a variety of changes in the administrative duties of the department of commerce; setting a time limit on requests for hearings on orders denying, revoking or suspending franchises; eliminating certain real estate license examination requirements; transferring and amending certain administrative powers relating to collection agencies; amending Minnesota Statutes 1978, Sections 80C.12, Subdivision 2; 82.21, Subdivision 1; 82.22, Subdivision 1; 332.311; 332.43, Subdivision 1; repealing Minnesota Statutes 1978, Sections 332.31, Subdivisions 4 and 5; and 332.43, Subdivisions 2 and 3.	788	1399	1380a 1497	1734		2283	3467	144
1328	A bill for an act relating to labor; authorizing commissioner of labor and industry to seek restraining orders against certain violators of child labor laws; amending Minnesota Statutes 1978, Section 181A.08, by adding a subdivision.	788	1223	1095	1303		2501	3470	202
1329	A bill for an act relating to highways; appropriating money for the upgrading of county state aid highways in Goodhue County; providing for repayment from the county's state aid allotments.	788		1142					
1330	A bill for an act relating to the legislative audit commission; increasing the membership on the commission; amending Minnesota Statutes 1978, Section 3.97, Subdivision 2.	788							
1331	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 1978, Section 144.343.	789		789 925	924				
1332	A bill for an act relating to commerce; exempting from regulation corporate take-over offers filed with the Securities and Exchange Commission; amending Minnesota Statutes 1978, Section 80B.01, Subdivision 8.	789	4154	4095 4215 4571					

a Indicates Amendment

() 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	Chapter
1333	A bill for an act relating to transportation; establishing the location of certain portions of certain interstate highways in Dakota County, and directing the early construction thereof.	789							
1334	A bill for an act relating to economic security; providing for coordination of certain residential weatherization programs; appropriating money.	789							
1335	A bill for an act relating to taxation; income tax; excluding pensions of non-residents from gross income; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; and 290.17, Subdivision 3.	789							
1336	A bill for an act relating to public welfare; establishing an energy assistance program; providing for installment payments for energy bills; setting penalties; appropriating money.	789		925					
1337	A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates; appropriating money.	790							
1338	A bill for an act relating to workers' compensation; providing fact finding powers to compensation judges; amending Minnesota Statutes 1978, Chapter 176, by adding a section.	790	1223	1095	1302				
1339	A bill for an act relating to insurance premium finance companies; authorizing finance charges at rates permitted by the general usury provisions; amending Minnesota Statutes 1978, Section 59A.09, by adding a subdivision.	790	1399	1379a 2293 (H877)	1497				
1340	A bill for an act relating to motor vehicles; providing for the re-registration of certain motor vehicles; exempting certain vehicles from certain weight limitations; providing for the enforcement of weight limitations and providing penalties; amending Minnesota Statutes 1978, Sections 169.03, Subdivision 6; 169.832, Subdivision 2, and by adding a subdivision 169.85; and Minnesota Statutes, 1979 Supplement, Section 168.013, Subdivision 3.	790	4789	4735a 5540a	4989	5647			
1341	A bill for an act relating to the city of Waterville; clarifying its governing statutes.	790	1004	1001a	1228				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1342	A bill for an act relating to taxation; income; extending the time for which a taxpayer is deemed to have made a contribution to an individual retirement account, annuity or bond for a taxable year, amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	790							
1343	A bill for an act relating to the regulation of securities; exempting certain securities from certain registration and filing requirements; amending Minnesota Statutes 1978, Section 80A.15, Subdivision 1.	791	1591	1587 1752 2005 (H1364)					
1344	A bill for an act relating to minerals; providing for notice and opportunity for hearing prior to forfeiture for failure to file a statement of severed mineral interest, and amending certain laws related thereto; validating certain statements; amending Minnesota Statutes 1978, Sections 93.55; 273.13, Subdivision 2a; and Chapter 93, by adding a section.	791	2364	2359a 2470 2848 (H1499)					
1345	A bill for an act relating to cable communications; regulating the franchising and operating of cable communications systems; amending Minnesota Statutes 1978, Sections 238.01; 238.02, Subdivisions 3, 6 and 8; 238.04, Subdivision 2; 238.05, Subdivisions 2, 7, 10, 11, 16 and 17; 238.06, Subdivision 6; 238.07; 238.08; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; 238.12; and 238.17, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Sections 238.09, Subdivision 10; and 238.17, Subdivision 5.	791		(H1307)					
1346	A bill for an act relating to building contractors; establishing a system for licensing and regulating building contractors.	791							
1347	A bill for an act relating to retirement; extending the combined service annuity to members of the University of Minnesota faculty plan; amending Minnesota Statutes 1978, Section 356.30, Subdivision 3.	791							
1348	A bill for an act relating to regional development; setting a maximum tax levy for region 3.	792		792 924					
1349	A bill for an act relating to taxation; real property; reassessment of real property damaged in a federally declared disaster area.	792							

a Indicates Amendment

() 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	Chapter
1350	A bill for an act relating to tax deductions for employee health benefits; providing tax incentives for employers to offer competitive and cost effective health care benefits; providing for tax deductions; amending Minnesota Statutes 1978, Sections 62E.17, Subdivision 1; and 290.09, Subdivision 2, and by adding a subdivision.	792							
1351	A bill for an act relating to metropolitan government; providing for financing of metropolitan sports facilities; authorizing a revised site determination and establishing conditions for issuance of bonds; changing certain provisions relating to the powers and duties of the metropolitan council and sports facilities commission; providing for appointment of members of the metropolitan sports facilities commission; exempting events sponsored at the metropolitan sports center from the three percent admission tax; providing expedited court procedures; limiting use of the highway user tax distribution fund; authorizing local taxes; appropriating money; amending Minnesota Statutes 1978, Sections 473.553, Subdivisions 2 and 4; 473.556, Subdivisions 4, 6, and 7; 473.581, Subdivisions 2, 3, as amended, 4, as amended, and 5, as amended; 473.595, Subdivision 1, and by adding a subdivision; and Chapter 473, by adding sections.	792	1223	927 1143a 1297 1306a	1317 2757 2954 2956	2285 2333 2472 2745* 2847 2942* 2955	2284 2962	3470	203
1352	A bill for an act relating to human rights; prohibiting discrimination in housing and real property on the basis of familial status or post-secondary student status; prohibiting any person from printing or causing to be printed a discriminatory advertisement; amending Minnesota Statutes 1978, Section 363.01, by adding subdivisions; 363.02, Subdivision 2; 363.03, Subdivision 2; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.	792							
1353	A bill for an act relating to state government; prohibiting certain expense accounts expenditures for alcoholic beverages; amending Minnesota Statutes 1978, Section 16A.16.	793		H774)					
1354	A bill for an act relating to civil service; establishing and empowering a temporary joint legislative and public commission on civil service and public employment policy; appropriating money.	793							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1355	A bill for an act relating to retirement; eliminating corporate common stock as a permissible investment for the Minnesota adjustable fixed benefit fund; providing for an automatic post retirement adjustment mechanism indexed to the consumer price index with certain limitations; amending Minnesota Statutes 1978, Section 11.25, Subdivisions 2, 4, 5, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 11.25, Subdivisions 12, 13, 14, 15 and 16.	793							
1356	A bill for an act relating to agency rules; providing for comparison of state and federal standards; amending Minnesota Statutes 1978, Chapter 15, by adding a section.	793							
1357	A bill for an act relating to municipal liquor stores; prohibiting credit sales; amending Minnesota Statutes 1978, Sections 340.353, Subdivision 1; and 340.355.	793							
1358	A bill for an act relating to insurance; clarifying provisions regarding acquisition of control of domestic insurers; changing the time period after which a hearing must be held under the insurance holding company systems act; changing the time period under which discovery must be completed for these hearings; eliminating an exemption from the insurance holding company systems act; amending Minnesota Statutes 1978, Section 60D.02, Subdivisions 4 and 6.	794	3993	3945a 4167	4075	4244	6048	6811	554
1359	A bill for an act relating to public safety; requiring marking of plowed roads on lakes.	794							
1360	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 1978, Section 216B.02, Subdivision 4.	794							
1361	A bill for an act relating to courts; providing for appeals from probate court; amending Minnesota Statutes 1978, Section 525.712; repealing Minnesota Statutes 1978, Sections 525.713; and 525.72.	794	1223	1087a	1297	1606	3581	3663	344
1362	A bill for an act relating to health; specifying a time limit for district court hearing of appeals under the Minnesota hospitalization and	794	1223	1087a 1397 (H1227)	1297				

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
1362	Continued commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.								
1363	A bill for an act relating to courts; providing that probate court shall have tort action jurisdiction; amending Minnesota Statutes 1978, Section 524.3-105.	794	1223	1088 1297 1395 (H1226)					
1364	A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.	795							
1365	A bill for an act relating to education; creating a school finance study commission; appropriating money.	795							
1366	A bill for an act relating to education; providing for a career information system, for an advisory task force on the system and for a report to the legislature; appropriating money.	795		1468a					
1367	A bill for an act relating to education; providing for pupil support services; appropriating money.	795							
1368	A bill for an act relating to transportation; requiring regulated motor carriers to issue and carry a record of the weight of certain shipments and requiring that the record be available for inspection by law enforcement officers; prohibiting certain persons from unloading overweight shipments transported by motor vehicles and requiring record keeping for shipments unloaded; allowing the use of certain records as prima facie evidence of exceeding vehicle weight limits or unloading overweight vehicles; imposing civil and criminal penalties; amending Minnesota Statutes 1978, Chapter 169, by adding sections; and Chapter 221, by adding a section.	795							
1369	A bill for an act relating to education; authorizing the state board for community colleges to purchase certain insurance and to reimburse members of local advisory committees for expenses; making a substitution for a masculine pronoun; amending Minnesota Statutes 1978, Sections 136.62, by adding a subdivision; 136.63, Subdivision 1; and 136.70, Subdivision 1.	795							
1370	A bill for an act relating to crimes; prohibiting the obtaining or re- (Continued next page)	796	1729	1707a 1967 2292 (H1238)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1370—Continued	taining of a child in violation of a court order; prescribing penalties; amending Minnesota Statutes 1978, Section 609.26.								
1371	A bill for an act relating to the state fire marshal; providing for orders to remove fire hazards; providing procedures to enforce and challenge orders; amending Minnesota Statutes 1978, Sections 299F.10; 299F.13; 299F.14; 299F.15; 299F.16; 299F.17, Subdivision 1; and 299F.18.	796							
1372	A bill for an act relating to employment; providing for paid periods of absence for reserve police, reserve deputy sheriffs and volunteer firefighters; amending Minnesota Statutes 1978, Chapter 181, by adding a section.	796							
1373	A bill for an act relating to the collection and dissemination of data; public records; administration of the state archives and state and local public records; classifying data; providing a penalty; amending Minnesota Statutes 1978, Sections 15.17, Subdivision 1; 138.161; 138.17, Subdivisions 1, 6, and 7, and by adding subdivisions; 138.18; 138.19; 138.20; and 138.21; and Chapter 138, by adding sections; repealing Minnesota Statutes 1978, Section 16.66.	796							
1374	A bill for an act relating to education; providing for pilot programs to reduce sexual stereotyping in education and discrimination on the basis of sex in education; appropriating money.	796							
1375	A bill for an act relating to juveniles; providing for secure detention and transfer of legal custody of certain juveniles to a county home school or the commissioner of corrections; amending Minnesota Statutes 1978, Sections 260.173, Subdivision 3; and 260.185, Subdivision 1.	797							
1376	A bill for an act relating to peace officers; authorizing the peace officers standards and training board to receive complaints, require investigations, and hold revocation hearings with respect to statutes or rules it is empowered to enforce; amending Minnesota Statutes 1978, Section 214.10, Subdivision 3, and by adding subdivisions.	797	1223	1097a 1297	1571		1860	3466	117

a Indicates Amendment

h 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	Chapter
1377	A bill for an act relating to the legislature; removing the requirement that bill requests to the revisor of statutes be signed; changing the confidentiality requirements on bill requests; amending Minnesota Statutes 1978, Sections 482.11; and 482.12, Subdivision 1.	797							
1378	A bill for an act relating to public utilities; requiring utilities to make the use of pre-authorized drafts available to customers; amending Minnesota Statutes 1978, Chapter 216B, by adding a section.	797							
1379	A bill for an act relating to public employees; reimbursing university systems for expenses of certain athletic leaves of absence; amending Minnesota Statutes 1978, Section 15.62, Subdivision 3.	797		(H313)					
1380	A bill for an act relating to health; providing an increased tax rate on certain high tar cigarettes and a decreased tax rate on certain low tar cigarettes; appropriating revenue from increased tax for certain health programs; appropriating money for administration; amending Minnesota Statutes 1978, Sections 297.02, Subdivision 1; 297.03, by adding subdivisions; 297.07, Subdivision 1, and by adding a subdivision; 297.13, Subdivision 1; 297.22, by adding a subdivision; and Chapter 297, by adding sections.	797							
1381	A bill for an act relating to crimes; defining criminal trespass; prohibiting smoking in posted schools; amending Minnesota Statutes 1978, Section 609.605.	798							
1382	A bill for an act relating to crimes; setting the minimum age for the use of tobacco; providing penalties; amending Minnesota Statutes 1978, Sections 325.765, Subdivision 1; and 609.685.	798							
1383	A bill for an act relating to intoxicating liquor; limiting the dramshop liability of licensed bottle clubs; amending Minnesota Statutes 1978, Section 340.95.	798							
1384	A bill for an act relating to aeronautics; excluding parachutes and parachuting from the jurisdiction of the department of transportation; amending Minnesota Statutes 1978, Section 360.013, Subdivisions 2, 3 and 11.	798		1005 1034 (H1272)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1385	A bill for an act relating to health; stipulating compliance with the Minnesota clean indoor air act as a requirement for restaurant licensure; establishing a penalty; amending Minnesota Statutes 1978, Sections 144.417, by adding a subdivision; and 157.09; and Chapter 157, by adding a section.	798		(H184)					
1386	A bill for an act relating to local government; establishing the Moorhead-Clay County area redevelopment authority; terminating the existence of the Moorhead local redevelopment agency and the Clay County local redevelopment agency; granting certain powers to the city of Moorhead and the county of Clay.	799							
1387	A bill for an act relating to state government; providing for legislative review of reorganization orders; modifying the duties of certain state officers and departments; eliminating certain conflicting or obsolete provisions superseded by other provisions of law; eliminating the agricultural slogan and printing requirements relating thereto; modifying the general services and computer services revolving funds and the motorpool revolving account; changing procedures for disposal of certain old buildings; changing certain definitions; establishing procedures for approval of certain revised planning costs; clarifying mailing requirements for certain vehicles; extending use of state employee commuter vans; incorporating provisions of certain reorganization orders; appropriating money; amending Minnesota Statutes 1978, Sections 4.31. Subdivision 1; 15.0412. Subdivision 2; 15.052. Subdivision 6; 16.02. Subdivisions 10, 14, 18, and by adding a subdivision; 16.05; 16.098. Subdivision 9; 16.125; 16.24; 16.243; 16.28; 16.77; 16.80. Subdivision 1; 16.82. Subdivision 1; 16.822. Subdivisions 5 and 9; 16.826, by adding a subdivision; 16.866. Subdivision 1; 16A.126; 43.17. Subdivision 4a; 84.084; 144.08; 155.18. Subdivision 1; 161.06. Subdivision 1; 168.012. Subdivision 1; 176.541. Subdivision 6; 177.28. Subdivision 6; 181A.09. Subdivision 3; 190.095. Subdivision 2; 239.52; 260.311. Subdivision 4; 268.06. Subdivision 26; 268.12. Subdivision 3; 268.15. Subdivi-	799		969a					

(Continued next page)

a Indicates Amendment

h 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	Chapter
1387—Continued	tion 2; 282.38, Subdivision 1; 290.59; 296.01, by adding a subdivision; 296.04; 296.25, Subdivision 1; 296.27; 296.28; 298.22, Subdivision 1; 299C.08; 352.03, Subdivision 6; 352.04, Subdivision 5; 354.06, Subdivision 2a; 360.015, Subdivision 16; 362.125; 574.04; and Chapter 16A, by adding a section; and Laws 1976, Chapter 233, Section 14; repealing Minnesota Statutes 1978, Sections 1.39; 10.31; 10.38; 16.096; 16.51; 16.52; 16.53; 16.56; 93.45; 136.85; 155.18, Subdivision 2; 296.07; and 299A.01, Subdivision 5.								
1388	A bill for an act relating to Hennepin County; establishing an unclassified civil service position of chief civil deputy sheriff; amending Laws 1965, Chapter 855, Section 7, Subdivision 2, as amended.	799	1004	987 1228	1229		1328	1991	80
1389	A bill for an act relating to commerce; limiting projects for municipal industrial development; repealing Minnesota Statutes 1978, Section 474.02, Subdivisions 1a and 1b.	800		924					
1390	A bill for an act relating to taxation; increasing the rate of the excise tax on gasoline and special fuel; amending Minnesota Statutes 1978, Section 296.02, Subdivision 1.	800	2471	1074 1142a 1398a 2439a 2520 2715					
1391	A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.	800	1004	986 1295 (H1436)					
1392	A bill for an act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.	800	1004	1002	1229		1625	2427	96
1393	A bill for an act relating to the city of McGregor; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center.	800	1223	1152 1297 1657 (H1444)					
1394	A bill for an act relating to taxation; real property; providing reduced assessment of certain commercial property; providing reimbursement to taxing districts for revenue lost as a result of the reduced assessment; appropriating money; amending Minnesota Statutes 1978, Section 273.13, by adding a subdivision.		872						

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1395	A bill for an act relating to education; extending the eligibility for secondary vocational education funding; amending Minnesota Statutes 1978, Section 124.573, Subdivision 3.	872							
1396	A bill for an act relating to the city of Maplewood; authorizing the payment of lump sum service pensions by the Maplewood firefighters relief association.	872							
1397	A bill for an act relating to education; providing for school bus safety education; eliminating certain requirements relating to the use of stop signal arms, flashing red signals and school patrol flags and signals in connection with school buses; imposing a duty on the driver of a school bus; amending Minnesota Statutes 1978, Section 169.44, Subdivision 2.	872							
1398	A bill for an act relating to accountancy; providing for the licensing of public accountants; clarifying the law; amending Minnesota Statutes 1978, Sections 326.19, Subdivisions 3 and 4, and by adding a subdivision; Minnesota Statutes, 1979 Supplement, Sections 326.165, Subdivisions 1 and 2; 326.17; 326.18; 326.19, Subdivision 2; 326.211, Subdivisions 3 and 9; 326.212, Subdivision 2; and Laws 1979, Chapter 326, Section 16.	872	4075	3993 4015a 4166 4362	4488		6376	6820	591
1399	A bill for an act relating to education; establishing a basic skills program; appropriating money.	873							
1400	A bill for an act relating to the city of Benson; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical clinic purposes.	873	1005	1001a 1228 1657 (H1433)					
1401	A bill for an act relating to agriculture; providing annual audits for promotional councils; amending Minnesota Statutes 1978, Section 17.58, by adding a subdivision.	873							
1402	A bill for an act relating to elections; regulating campaign financing; prohibiting contributions and loans between principal campaign committees; amending Minnesota Statutes 1978, Section 10A.27, by adding a subdivision.	873							

a Indicates Amendment

() 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	Chapter
1403	A bill for an act relating to workers' compensation; providing that certain farmers shall not be considered employees; amending Minnesota Statutes 1978, Section 176.011, Subdivision 11a, and by adding a subdivision.	873	1223	1096a 1297	1577		4795	5662	385
1404	A bill for an act relating to retirement; authorizing retirement plans for certain ambulance drivers and attendants; providing for the financing thereof.	873							
1405	A bill for an act relating to welfare; establishing a pilot program of subsidies to families caring in the home for certain physically handicapped or developmentally disabled children or for physically impaired or chronically ill persons over the age of 65; appropriating money; amending Minnesota Statutes 1978, Section 256B.51; and Chapter 245, by adding a section.	873							
1406	A bill for an act relating to aeronautics; providing representation for affected communities on airport zoning boards; regulating the process of airport zoning; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; and 360.065.	874		2962					
1407	A bill for an act relating to aeronautics; providing compensation for land takings due to airport zoning; regulating airport zoning; amending Minnesota Statutes 1978, Sections 360.062; 360.066, Subdivision 1a; and 360.067, Subdivision 1.	874							
1408	A bill for an act relating to taxation; motor vehicle excise; exempting used motor vehicle sales; amending Minnesota Statutes 1978, Section 297B.03.	874							
1409	A bill for an act relating to political parties; changing the date for holding precinct caucuses; amending Minnesota Statutes 1978, Section 202A.14, Subdivision 1.	874							
1410	A bill for an act relating to retirement; Minnesota state retirement system correctional employees retirement plan; eliminating the social security offset for certain retired and active correctional officers.	874							
1411	A bill for an act relating to retirement; increasing annuities (Continued next page)	874		1005					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1411—Continued	and benefits for certain annuitants, disabilitants and survivors of the highway patrolmen's retirement fund; appropriating funds.								
1412	A bill for an act relating to retirement; providing a surviving spouse annuity to certain surviving spouses of certain former members of the public employees retirement association.	875							
1413	A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.	875		(H1381)					
1414	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.	875							
1415	A bill for an act relating to taxation; clarifying the taxable status of Title II property owned by a non-profit entity; eliminating obsolete language; increasing the assessment ratio applied to housing for elderly or low and moderate income persons financed by the farmers home administration; amending Minnesota Statutes 1978, Section 273.13, Subdivision 17b; and Minnesota Statutes, 1979 Supplement, Sections 272.02, Subdivision 1; and 273.115, Subdivisions 1, 2, 3 and 6.	875	4360	4262a 4580	4489	5121			
1416	A bill for an act relating to taxation; motor vehicle, excise; providing a credit on the excise tax for the value of a motor vehicle destroyed in an accident in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.	875							
1417	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 non-public school teachers; amending Minnesota Statutes 1978, Chapter 354, by adding a section.	875							
1418	A bill for an act relating to public welfare; changing the definition of "near relative"; regarding notice for commissioner's orders and special review boards; concerning appearances before review boards; concerning petitions for adoption; concerning annual meetings and	876							

a Indicates Amendment

h 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	Chapter
1418	Continued expense estimates of county welfare boards; amending Minnesota Statutes 1978, Sections 252A.02, Subdivision 6, 253A.15, Subdivision 2; 253A.16, Subdivision 2; 259.22, Subdivision 2; 259.24, Subdivision 5; 393.01, Subdivision 2; 393.04; 393.08; repealing Minnesota Statutes 1978, Sections 246.44; 246.45; 246.46; and 260.41 to 260.46.								
1419	A bill for an act relating to public welfare; adjusting certain eligibility requirements for medical assistance and supplemental aid recipients; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; 256D.37, Subdivision 2.	876							
1420	A bill for an act relating to the county of Anoka; authorizing housing finance programs; providing for the issuance of revenue bonds.	876							
1421	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 1978, Section 609.09, Subdivision 1.	876							
1422	A bill for an act relating to public welfare general assistance; changing the county of financial responsibility for social services in certain cases; amending Minnesota Statutes 1978, Section 256D.18, Subdivision 2.	876							
1423	A bill for an act relating to the city of Eagan; authorizing a housing finance program; providing for the issuance of bonds to finance the program.	877							
1424	A bill for an act relating to taxation; sales and use tax; clarifying the definition of a sale; specifying tax on food, meals, drinks, and lodging; providing methods of collecting unpaid taxes; providing requirements for refunds; imposing penalties; providing a credit for sale of automobile in computing motor vehicle excise tax; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision; 297A.35, Subdivision 1, and by adding a subdivision; 297A.39, Subdivision 3; and 297B.01, Subdivision 8.	877							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1425	A bill for an act relating to local government; providing that part of the town of Laketown is in the Lake Minnetonka conservation district for tax purposes.	877	1005	1002 1228	1564		3366	3474	274
1426	A bill for an act relating to the state civil service; clarifying language and statutory references; providing for modern methods of personnel data record keeping; clarifying the salary setting authority of the attorney general and the higher education systems; adding and deleting certain job categories in the unclassified civil service; clarifying the rights of classified employees appointed to newly created unclassified positions; providing managerial benefits to department heads and deputies; modifying the expanded certification procedures; modifying promotional procedures; clarifying the appointment process following reallocation of positions; modifying the emergency and temporary appointment provisions; simplifying the time off in emergencies procedure; coordinating human resource planning with biennial budget preparation; authorizing the commissioner to promulgate rules on special expenses and permitting the commissioner of finance to delegate enforcement of expenses to appointing authorities; clarifying continuance of eligibility for health and life insurance benefits for state employees; removing eligibility for health and life insurance benefits from student workers and interns; removing the governor from approving modifications in social security agreements with the secretary of health, education and welfare; amending Minnesota Statutes 1978, Sections 15A.13; 43.01, Subdivisions 10 and 11, and by adding a subdivision: 43.05, Subdivision 2; 43.051, Subdivision 1; 43.055; 43.062, Subdivision 4; 43.064; 43.09, Subdivisions 2 and 2a; 43.12, Subdivision 15; 43.127, Subdivision 6; 43.15, Subdivision 5; 43.17, Subdivisions 3 and 4a; 43.19; 43.20, Subdivisions 3 and 5; 43.227; 43.32, Subdivision 4; 43.327, Subdivisions 2 and 3; 43.44, Subdivision 2; 43.47, Subdivision 2; 355.12; 355.17; 355.207; 355.23, Subdivision 3; 355.286; 355.295; 355.308; 355.45; 355.60; and 355.76.	877		(H944)					
1427	A bill for an act relating to energy; encouraging municipalities to use diseased trees as firewood	878	1591	1589a 1967 2296 (H1206)					

a Indicates Amendment

() 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	Chapter
1428	A bill for an act relating to hospitalization and commitment; requiring committing courts to establish result oriented evaluation programs for committed persons; appointment of counsel guardians for committed persons; establishing a central agency within the department of public welfare which shall develop a program of statistical analysis relating to treatment of committed persons; appropriating money.	878		4665a					
1429	A bill for an act relating to the city of Cottage Grove; authorizing a housing finance program and providing for the issuance of bonds to finance the program for single family or multiple family housing, or both.	878							
1430	A bill for an act relating to motor vehicles; providing for the proration of taxes on certain vehicles on the basis of the registration period; providing for the issuance and use of certain motor vehicle dealer plates; adjusting the bond provisions for certain dealers; authorizing dealers' licenses for the sale of motorized bicycles; specifying grounds for suspension and revocation of dealers' licenses; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 2; and 168.27, Subdivisions 2, 12, 20, 22 and 24.	878	4154	4113a 4215 4571 5023 (H1408)					
1431	A bill for an act relating to taxation; property; increasing the homestead credit for classes 3b, 3c and 3cc property; amending Minnesota Statutes 1978, Section 273.13, Subdivisions 6 and 7.	879							
1432	A bill for an act relating to the environment; establishing a state program for processing and storing hazardous wastes; establishing a state hazardous waste commission; prescribing the commission's powers and duties; providing for a penalty; appropriating money.	879		1005					
1433	A bill for an act relating to Washington County; providing for the appointment and compensation of probation officers; amending Laws 1978, Chapter 693, Section 2.	879	3582	3582 3876 4158 4215	4458				
1434	A bill for an act relating to metropolitan government; providing for reconciliation of various possible conflicts among plans or programs; amending Minnesota Statutes 1978, Section 473.175, Subdivision 1.	879							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1435	A resolution memorializing the Federal Republic of Germany to repeal the statute of limitations for Nazi crimes.	879	2520	2520	2520	2521	2680	3474	Res. 3
1436	A bill for an act relating to human services; altering provisions related to membership of human services boards; establishing procedures for planning by the boards; prescribing additional duties of the state planning officer; providing for reports by the board; amending Minnesota Statutes 1978, Sections 402.01; 402.02; 402.03; 402.04, Subdivision 1; 402.045; 402.05, by adding a subdivision; 402.06; 402.065; 402.07; and 402.095; and Chapter 402, by adding a section; repealing Minnesota Statutes 1978, Sections 402.046; and 402.05, Subdivision 2.	879	1223	1127a 1506	1297	1512	1992	3466	118
1437	A bill for an act relating to education; teachers; modifying and providing procedures for termination, discharge or demotion of certain teachers; amending Minnesota Statutes 1978, Sections 125.12, Subdivisions 3, 4, 6b, 8 and 11; 125.17, Subdivisions 2 and 5; and Chapter 125, by adding a section; repealing Minnesota Statutes 1978, Sections 125.12, Subdivisions 9 and 10; and 125.17, Subdivisions 6, 7, 8, 9 and 10.	880							
1438	A bill for an act relating to towns; providing for the date and notice of town meetings; amending Minnesota Statutes 1978, Section 365.51.	880	3774	3774a	3845		4092	4497	359
1439	A bill for an act relating to Polk County; regulating fees charged for acquisition and maintenance of the Polk County law library; amending Laws 1967, Chapter 223, Section 1.	880							
1440	A bill for an act relating to public welfare; prohibiting denial or reduction of benefits under certain private health care plans to public assistance recipients; providing subrogation rights for counties to recover costs of services provided; amending Minnesota Statutes 1978, Sections 62A.045; 62C.141; 62E.04, Subdivision 8; 64A.221; and Chapter 393, by adding a section.	880		(H1251)					
1441	A bill for an act relating to taxation; extending the homemaker income tax credit to certain parents of handicapped children; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.	880							

a Indicates Amendment

() 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	Chapter
1442	A bill for an act relating to taxation; sales; exempting goods and services sold by certain charitable organizations; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	881		925					
1443	A bill for an act relating to transportation; providing for a feasibility study and cost analysis of certain modifications of trunk highway marked No. 74 within Whitewater State Park; including within the study the feasibility and cost of relocating certain park facilities; appropriating money.	881							
1444	A bill for an act relating to insurance; providing a deduction for health and accident benefits paid in the taxation of insurance companies; amending Minnesota Statutes 1978, Section 60A.15, Subdivision 1.	881							
1445	A bill for an act relating to taxation; redefining "sales price" to omit federal excise tax on tires for purposes of determining sales tax; amending Minnesota Statutes 1978, Section 297A.01, Subdivision 8.	881							
1446	A bill for an act relating to Ramsey County; fixing the terms of county commissioners; amending Laws 1974, Chapter 435, Section 2.021, as amended.	881	1005	1002					
1447	A bill for an act relating to Independent School District No. 836 (Butterfield-Odin) and Independent School District No. 840 (St. James); providing for a transfer of property between the districts.	881							
1448	A bill for an act relating to insurance; placing certain restrictions on life insurance policies designed to protect certain interests arising out of business relationships; amending Minnesota Statutes 1978, Chapter 61A, by adding a section.	936	4694	4669a 4989					
1449	A bill for an act relating to St. Louis County; providing authority to negotiate public employees wages; amending Laws 1941, Chapter 423, Section 5, as amended.	936	3774	3758 3840 3993 4085 4213 (H1488)					
1450	A bill for an act relating to crimes; requiring the state to pay all costs and expenses in criminal cases where a change of venue has been ordered; appropriating money; amending Minnesota Statutes 1978, Section 627.02.	936							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1451	A bill for an act relating to taxation: income tax and property tax refund; clarifying political check-off provisions; providing that farm loss modification is adjustment to gross income; clarifying elections and filing dates; allowing the commissioner to publish lists; providing penalties; clarifying audit procedures; amending Minnesota Statutes 1978, Sections 10A.31, Subdivision 1; 290.01, Subdivision 20; 290.032, Subdivision 4; 290.17, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.49, Subdivision 10; 290.56, Subdivision 2; 290.61; 290.92, Subdivision 23; 290A.03, Subdivisions 3, 8, and 13; 290A.06; and 290A.11, Subdivision 2.	936		(H897)					
1452	A bill for an act relating to financial institutions: permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.	936		(H1302)					
1453	A bill for an act relating to financial institutions: providing intervals for examination of institutions by state or federal agencies; amending Minnesota Statutes 1978, Section 46.04.	937		(H1377)					
1454	A bill for an act relating to the city of South St. Paul; permitting certain methods of financing equipment purchases.	937							
1455	A bill for an act relating to taxation: changing computation of the homestead base value; increasing the homestead credits; increasing the state paid agricultural credit; increasing the maximum property tax refund; providing an additional credit for certain homeowners; appropriating money; amending Minnesota Statutes 1978, Sections 273.122, Subdivision 2; 273.13, Subdivisions 6, 6a, 7 and 14a; 273.132; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2, 2a, 2b, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 273.122, Subdivision 1.	937							
1456	A bill for an act relating to mines and mining, regulating blasting; establishing air overpressure and ground vibration standards.	937							
1457	A bill for an act relating to transportation: providing for a transportation board; providing for transfer of certain duties, powers (Continued next page)	937	5025	3770a 4013 4070a 4447a 5018a 5222 5520 (H1443)					

a Indicates Amendment

() 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	Chapter
1457—Continued	<p>and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.</p>								
1458	<p>A bill for an act relating to education; establishing a categorical aid formula for English as a second language programs; appropriating money; amending Minnesota Statutes 1978, Chapter 124, by adding a section.</p>	938		3898					
1459	<p>A bill for an act relating to the Minnesota housing finance agency; establishing a veterans' homeownership assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.</p>	938		3517 3690a 3993 4184a					
1460	<p>A bill for an act relating to gambling; raising the compensation allowed persons conducting a bingo occasion; amending Minnesota Statutes 1978, Section 349.17, Subdivision 1.</p>	938		(H976)					
1461	<p>A bill for an act relating to taxation; extending the time for claiming credits against the tax on taconite and iron sulphides; amending Minnesota Statutes 1978, Section 298.24, Subdivision 3.</p>	938		(H1465)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1462	A bill for an act relating to workers' compensation; changing amount of certain attorney's fees; requiring employer to pay certain travel expenses, attorney's fees and payments to social security; requiring annual free chest x-rays; changing time for notice of certain injuries; increasing certain penalties; requiring notice to collective bargaining representatives of employee reassignment; amending Minnesota Statutes 1978, Sections 176.081, Subdivision 7; 176.101, by adding a subdivision; 176.141; 176.221, Subdivision 3; 176.225, Subdivision 1; 176.511, Subdivisions 3 and 5; 182.653, Subdivision 2; and Chapter 176, by adding sections.	939							
1463	A bill for an act relating to marriage; changing liability of spouses for certain debts and expenses; amending Minnesota Statutes 1978, Section 519.05.	939							
1464	A bill for an act relating to crimes; prohibiting non-support of spouse and children; providing penalties; amending Minnesota Statutes 1978, Section 609.375, Subdivision 1.	939							
1465	A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.	939	1297 1729	1292a 1298 1701 1967 2364 (H1111)					
1466	A bill for an act relating to energy; establishing and empowering a commission on nuclear power; appropriating funds.	939							
1467	A bill for an act relating to education; authorizing a district in statutory operating debt to transfer annually certain funds from one account to another; extending the time by which the clerk of an independent school district must file a report with the board; authorizing the state auditor to examine that report at district expense; authorizing the payment of claims against a school district prior to board approval under certain conditions; providing for termination of state aid for extraordinary tax delinquency and for advances outstanding at the time (Continued next page)	940							

a Indicates Amendment

() 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	Chapter
1467—Continued	of termination; eliminating certain requirements relating to the adoption, sale and exchange of textbooks; amending Minnesota Statutes 1978, Sections 121.912, by adding a subdivision: 123.34, Subdivision 8; 123.35, by adding a subdivision: 124.241, Subdivision 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Sections 126.16 and 126.18.								
1468	A bill for an act relating to education; changing the applicability of certain provisions relating to equipment of a school bus, use of the equipment, compliance with certain rules of the state board of education and loading and unloading of school children; requiring unobstructed aisles and exits in school buses; regulating the pulling of trailers by school buses; eliminating provisions dealing with the maximum speed and color of a school bus; amending Minnesota Statutes 1978, Section 169.44, Subdivisions 1 and 2, and by adding subdivisions; repealing Minnesota Statutes 1978, Section 169.44, Subdivisions 5 and 7.	940							
1469	A bill for an act relating to commerce; protecting employed persons; providing for the filing of economic impact statements; prohibiting certain officials from enforcing rules under certain circumstances; granting powers to the governor; appropriating money.	940		2520					
1470	A bill for an act relating to commerce; providing for a rate of interest on business or agricultural loans; amending Minnesota Statutes 1978, Section 334.011, Subdivision 1.	940							
1471	A bill for an act relating to local government; regulating elections in the city of Duluth and Independent School District 709; setting the filing dates in local primary elections back four weeks to allow the city additional time to prepare.	941	3602	3600	3669		4587	5662	386
1472	A bill for an act relating to elections; regulating public financing of election campaigns; requiring loan repayments in an election year to be counted against certain contribution and approved expenditure limits; removing obsolete provisions; amending Minnesota Statutes 1978, Section 10A.32, Subdivision 3.	941							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1473	A bill for an act relating to retirement; mandatory retirement age for corrections officers; optional extensions; social security offset; amending Minnesota Statutes 1978, Section 43.051, Subdivision 3; repealing Minnesota Statutes 1978, Section 352.93, Subdivision 3.	941		1351					
1474	A bill for an act relating to the administration of criminal justice; establishing special inquiry judges and special inquiry judge proceedings; providing for the power to subpoena witnesses; establishing procedures for proceedings; providing for the use of evidence obtained at proceedings.	941							
1475	A bill for an act relating to retirement; providing for the merging of the Minneapolis municipal employees retirement fund into the public employees retirement association; providing an appropriation; amending Minnesota Statutes 1978, Chapters 353, by adding sections; and 355, by adding a section; repealing Minnesota Statutes 1978, Chapter 422A.	941		1298					
1476	A bill for an act relating to banks; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Sections 47.51; and 47.52.	941	1657	1630a 1967a	1752	1967 3394	3394	Veto 3477	
1477	A bill for an act relating to no-fault automobile insurance; providing disability and income loss benefits for certain persons who lose unemployment compensation benefits as a result of accidental injury; amending Minnesota Statutes 1978, Section 65B.44, Subdivision 3.	1009		(H1018)					
1478	A bill for an act relating to agriculture; providing for corn industry promotion; appropriating money.	1016							
1479	A bill for an act relating to taxation; exempting certain taxicabs from gasoline and special fuels tax; amending Minnesota Statutes 1978, Sections 296.01, by adding a subdivision; 296.02, Subdivision 1; 296.025, Subdivision 1; and 296.18, Subdivision 1.	1016							
1480	A bill for an act relating to state land; permitting the sale of certain tax forfeited land in St. Louis County.	1016							

a Indicates Amendment

() 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	Chapter
1481	A bill for an act relating to barbers; providing penalties for barbers who violate certain statutes and rules; authorizing issuance of citations; amending Minnesota Statutes 1978, Chapter 154, by adding a section.	1016							
1482	A bill for an act relating to taxation; increasing the homestead credits; increasing the maximum property tax refund; amending Minnesota Statutes 1978, Sections 273.13, Subdivisions 6, 7 and 14a; 290A.03, Subdivisions 11 and 13; 290A.04, Subdivisions 2a and 2b.	1016							
1483	A bill for an act relating to taxation; providing homestead taxation for certain apartments.	1017							
1484	A bill for an act relating to arson; fire loss information; authorizing certain agencies to request and receive from insurance companies information relating to fire losses; providing for immunity to insurance companies providing fire loss information; providing for confidentiality of released information; providing for testimony in matters under litigation; providing for penalties.	1055	1591	1588a 1621 1729 (H1324)					
1485	A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits; imposing a penalty.	1055	1657	1651a 1967 2295 (H1392)					
1486	A bill for an act relating to taxation; excluding amounts received as child support payments from income for purposes of property tax refund and low income credit; amending Minnesota Statutes 1978, Sections 290.012, Subdivision 3; and 290A.03, Subdivision 3.	1055							
1487	A bill for an act relating to state government; making changes in the powers and duties of the state personnel board; amending Minnesota Statutes 1978, Sections 43.06; 43.062, Subdivision 3; 43.069, Subdivision 1; 43.09, Subdivision 2a; 43.24, Subdivision 1; and 43.323, Subdivision 1.	1055							
1488	A bill for an act relating to game and fish; altering the dates on the season for taking lake trout; amending Minnesota Statutes 1978, Section 101.41, Subdivision 2.	1056							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1489	A bill for an act relating to state lands; providing for a conveyance to the city of Buhl.	1056							
1490	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 1978, Section 144A.10, by adding a subdivision.	1056							
1491	A bill for an act relating to the department of veterans affairs; increasing the bed capacity at the Hastings veterans home; eliminating the requirement of certain informational reports relating to the interment of deceased veterans; amending Minnesota Statutes 1978, Section 198.31; repealing Minnesota Statutes 1978, Section 149.07.	1056		(H1050)					
1492	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, by adding a section; requiring a two thirds majority of each house of the legislature to increase taxes or impose new taxes.	1056							
1493	A bill for an act relating to elections; providing an exception to the party balance requirement for appointment of town officers as election judges when insufficient names are supplied by political parties for appointment as election judges; fixing compensation for county canvassing boards and county and township election judges; amending Minnesota Statutes 1978, Section 204A.17, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 204A.23.	1056	3993	3946a 4170a	4075 4361				
1494	A bill for an act relating to agriculture; transferring certain duties and personnel involved in the sale, storage and transportation of certain agricultural products from the department of public service to the department of agriculture; amending Minnesota Statutes 1978, Sections 223.02; 229.01, Subdivision 2; 229.06; 229.07; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 233.24; 234.02; 234.10; 235.01; 236.01, Subdivision 5.	1057							
1495	A bill for an act relating to eminent domain; enacting the uniform eminent domain act; repealing Minnesota Statutes 1978, Sections 117.011; 117.025; 117.035; (Continued next page)	1057							

a Indicates Amendment

() 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	Chapter
1495—Continued	117.041; 117.042; 117.045; 117.055; 117.065; 117.075; 117.085; 117.086; 117.105; 117.115; 117.125; 117.135; 117.145; 117.155; 117.165; 117.175; 117.185; 117.195; 117.205; 117.215; 117.225; 117.231; 117.232; 117.50; 117.51; 117.52; 117.521; 117.53; 117.54; 117.55 and 117.56.								
1496	A bill for an act relating to retirement; legislators retirement plan; providing for an election to be excluded from retirement coverage; amending Minnesota Statutes 1978, Section 3A.01, Subdivision 3; and Chapter 3A, by adding a section.	1057							
1497	A bill for an act relating to the city of Mound; authorizing a housing finance program and providing for the issuance of revenue bonds to finance the program.	1057							
1498	A bill for an act relating to health; establishing an experimental program related to assessing needs for nursing care in long-term care facilities; appropriating money.	1057							
1499	A bill for an act relating to public health; authorizing waiver of minimum health maintenance organization requirements for certain experimental projects; amending Minnesota Statutes 1978, Chapter 62D, by adding a section.	1058							
1500	A bill for an act relating to motor vehicles; providing for the issuance of handicapped license plates; amending Minnesota Statutes 1978, Section 168.021, Subdivision 1.	1058		(H1101)					
1501	A bill for an act relating to Independent School District No. 279; authorizing the issuance of bonds authorized by the electors.	1058							
1502	A bill for an act relating to usury; redefining actual closing costs on conventional home loans; amending Minnesota Statutes 1978, Section 47.20, Subdivision 2.	1058							
1503	A bill for an act relating to cable communications; exempting systems with fewer than 1,000 subscribers from cable communications board regulation; amending Minnesota Statutes 1978, Section 238.02, Subdivision 3.	1058							

BILLS OF 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 the organization and operation of state government; appropriating money for maintenance of various semi-state activities and for other purposes with certain conditions; authorizing basic life insurance and health benefits coverage for employees of semi-state agencies; amending Minnesota Statutes 1978, Sections 43.43, Subdivision 2: 43.491, Subdivision 2: 84B.11, Subdivision 2: 114A.04, by adding a subdivision; 138.01, by adding a subdivision; 139.10, Subdivision 2: 139.17, Subdivision 2: 139.18, Subdivisions 1 and 2; and 388.19.	1058	1297	1350 1355a	1355 3038	1459 1913 1968 2287 3025*	1459 3367	3478	337
1505	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, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals, with certain conditions; amending Minnesota Statutes 1978, Sections 120.81, Subdivision 2: 123.38, Subdivision 3; and 124.572, by adding a subdivision.	1059	1297	1350 1446 (H1526)					
1506	A bill for an act relating to taxation; providing a tax credit to certain utilities for the cost of criminal damage to property; amending Minnesota Statutes 1978, Chapter 273, by adding a section.	1059							
1507	A bill for an act relating to state government; regulating meetings, indemnification and appointment of the investment advisory council and annual reports of the state board of investment; amending Minnesota Statutes 1978, Sections 11.117, Subdivisions 4 and 6; 11.118 and 11.145.	1059		(H1065)					
1508	A bill for an act relating to public welfare; permitting execution on welfare checks for judgment debts for rent; amending Minnesota Statutes 1978, Section 550.37, Subdivision 14.	1059							
1509	A bill for an act relating to retirement judges; providing for the extension of terms in certain instances; amending Minnesota Statutes 1978, Section 490.124, by adding a subdivision.	1059							
1510	A bill for an act relating to the organization and operation of state government; appropriating money for the general legislative. (Continued next page)	1227	1297	1350 1356a	1356 3226	1582 1912 1968 2429 3142	1582 3366	3478	333

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
1510	Continued								
	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; amending Minnesota Statutes 1978, Sections 4.12, by adding a subdivision; 4.26, Subdivision 1; 5.08, Subdivision 2; 10.31; 15.015, Subdivision 1; 15.191, Subdivision 1; 16.02, by adding subdivisions; 16.822, Subdivision 3; 16.825, Subdivision 1; 16.826, Subdivision 4; 16.866, Subdivision 1; 16.97; 16A.126; 21.55; 43.067, Subdivision 1; 85A.02, Subdivision 12; 85A.03, Subdivisions 4 and 5; 85A.04, Subdivisions 1 and 2; 85A.05, Subdivisions 3, 4 and 6; 97.482, Subdivision 2; 116E.03, Subdivision 4; 168.54, Subdivisions 4 and 5; 168A.31, Subdivision 1; 179.04; 179.72, Subdivision 1; 180.03, Subdivision 2; 197.16; 198.31; 271.06, Subdivision 4; 299C.07; 362.12, by adding a subdivision; 362.20; 362.40, Subdivisions 9, 10 and 11; 472.11, Subdivision 9; 484.54, Subdivision 1; 546.27; Laws 1976, Chapter 233, Section 14; and Chapters 86, by adding a section; 299C, by adding a section; repealing Minnesota Statutes 1978, Sections 85A.04, Subdivisions 1a and 1b; 168.54, Subdivisions 2 and 3; and 345.48, Subdivision 2.								
1511	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, corrections ombudsman, health, health related boards; amending Minnesota Statutes 1978, Sections 145.925, Subdivision 3; and 254A.031; and repealing Minnesota Statutes 1978, Section 256B.44, Subdivision 2.	1227	1297	1350 1446 (H1518)					
1512	A bill for an act relating to taxation; sales tax; exempting certain sales by senior citizens; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.	1260							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1513	A bill for an act relating to unemployment compensation; exempting family corporation shareholder's income from contribution rate; amending Minnesota Statutes 1978, Section 268.04, Subdivision 12.	1260		(H508)					
1514	A bill for an act relating to the city of Coon Rapids; authorizing city housing finance programs; authorizing bond issues for them.	1260							
1515	A bill for an act relating to taxation; income; providing for annual adjustments of income brackets for individuals, estates and trusts according to the impact of inflation at different levels of income; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	1260							
1516	A bill for an act relating to taxation; delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings.	1260							
1517	A bill for an act relating to education; providing textbook substitutes to nonpublic school pupils; appropriating money.	1261							
1518	A bill for an act relating to education; establishing a loan forgiveness program for certain students; eliminating a restriction on the student loan program; appropriating money; repealing Minnesota Statutes 1978, Section 136A.17, Subdivision 11.	1261							
1519	A bill for an act relating to state government; setting wage and fringe benefits to employees in the executive and judicial branches of state government; ratifying certain collective bargaining agreements; making changes in the state civil service and personnel laws; making changes in public employment labor relations law; changing the duties of the public employment relations board; creating a legislative commission on employee relations; providing for a study of state employment and labor relations practices; providing for attrition in state funded personnel positions; transferring certain duties from the public service commission to the department of agriculture; appropriating money; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15A.081; 15A.083, Subdivisions 1, 2, and 4; 15A.13; 16A.123; 43.01. Subdivisions 10, (Continued next page)	1261	2481	2378a 2473a 2520 2634 (H1467)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1519—Continued	<p>11, 14 and by adding a subdivision; 43.05, Subdivision 2; 43.055; 43.064; 43.067, Subdivisions 3 and 4; 43.09, Subdivisions 2 and 2a; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 15, 16, 17, 23, 24, 25 and by adding subdivisions; 43.122, Subdivision 5; 43.126, Subdivision 1; 43.127, Subdivision 6; 43.15, Subdivision 5; 43.17, Subdivisions 3 and 4a; 43.19; 43.20, Subdivisions 3 and 5; 43.227; 43.24; 43.32, Subdivision 4; 43.327, Subdivisions 2 and 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.47, Subdivision 2; 43.491, Subdivision 5; 43.50, Subdivision 1; 43.51; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.64, Subdivisions 5 and 7; 179.65, Subdivision 6; 179.66, Subdivision 1; 179.67, Subdivisions 3, 13 and by adding a subdivision; 179.68, Subdivision 1; 179.72; 179.74, Subdivisions 4 and 5; 223.02; 229.01, Subdivision 2; 229.07; 231.01, Subdivisions 1 and 2; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 234.02; 234.10; 235.01; 236.01, Subdivision 5; 299D.03, Subdivisions 2, 3 and 9; 355.12; 355.17; 355.207; 355.23, Subdivision 3; 355.286; 355.295; 355.308; 355.45; 355.60; 355.76; 645.44, Subdivision 5; Chapter 3, by adding a section; and Chapter 179, by adding a section; repealing Minnesota Statutes 1978, Sections 15A.083, Subdivision 4a; 43.03; 43.06; 43.062; 43.063; 43.064; 43.065; 43.067; 43.068; 43.069; 43.07; 43.09; 43.111; 43.12; 43.121; 43.122; 43.126; 43.127; 43.128; 43.13; 43.14; 43.162; 43.17; 43.18; 43.19; 43.20; 43.21; 43.22; 43.222; 43.223; 43.224; 43.23; 43.24; 43.245; 43.321; 43.322; 43.323; 43.324; 43.326; 43.327; 43.33; 43.44; 43.45; 43.46; 43.48; 43.49; 43.50; 43.51; and 179.72, Subdivision 1a.</p>								
1520	<p>A bill for an act relating to the Minnesota zoological garden; clarifying and supplementing the authority of the Minnesota zoological board concerning penalties; requiring a yearly report; providing power to acquire and dispose of plants and animals; providing for recognition of certain organizations; providing for acquisition of concession interests and for franchise contracts; providing for fees and charges; protecting the (Continued next page)</p>	1261							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1520	Continued name and mark of the zoological garden; deleting certain appropriation and fee requirements; providing penalties; amending Minnesota Statutes 1978, Sections 85A.02, Subdivisions 7, 12, 14, and by adding subdivisions; 85A.03; and Chapter 333, by adding sections; repealing Laws 1977, Chapter 455, Section 29.								
1521	A bill for an act relating to taxation; property tax; exempting improvements to property owned by nonprofit sportsmen's clubs from property tax; reclassifying property owned by and used for purposes of sportsmen's clubs; amending Minnesota Statutes 1978, Sections 272.02, Subdivision 1; and 273.13, Subdivision 4.	1261							
1522	A bill for an act relating to the town of Baytown; providing for its legal status in certain consolidation proceedings.	1262							
1523	A bill for an act relating to the city of Heron Lake; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt.	1262							
1524	A bill for an act relating to the state planning agency; providing assistance for the environmental and economic development of the Duluth harbor; appropriating money.	1262							
1525	A bill for an act relating to public employment labor relations; removing legislative authority to modify certain agreements; amending Minnesota Statutes 1978, Section 179.74, Subdivision 5.	1262							
1526	A bill for an act relating to Independent School District No. 466; permitting the sale of certain land.	1321		(H1778)					
1527	A bill for an act proposing an amendment to the Minnesota Constitution, Article XI, adding a section; providing constitutional limits on state spending.	1321							
1528	A bill for an act relating to education; raising the reimbursement paid G.E.D. testing centers; amending Minnesota Statutes 1978, Section 124.26, Subdivision 3.	1321							

a Indicates Amendment

c 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	Chapter
1529	A bill for an act relating to taxation; inheritance; providing that certain military annuity payments are not attributable to contributions made by the decedent; amending Minnesota Statutes 1978, Section 291.065.	1321							
1530	A bill for an act relating to energy; appropriating funds to the Minnesota energy agency for a study of potential impacts of renewable energy systems.	1321							
1531	A bill for an act relating to taxation; property tax; providing for homestead status for certain non-contiguous agricultural land; amending Minnesota Statutes 1978, Section 273.13, Subdivision 6.	1322							
1532	A bill for an act relating to taxation; inheritance; increasing certain exemptions; adjusting certain rates; amending Minnesota Statutes 1978, Sections 291.03; and 291.05.	1322							
1533	A bill for an act relating to banks and banking; providing for implementation of certain statutes relating to electronic fund transfers; authorizing the commissioner of banks to adopt temporary rules; amending Minnesota Statutes 1978, Section 47.71.	1322		(H1145)					
1534	A bill for an act relating to advertising devices; providing for local regulation of certain devices; requiring compensation for removing certain devices; providing for maintenance of areas; amending Minnesota Statutes 1978, Sections 173.13, Subdivision 1; 173.17; and Chapter 173, by adding a section; repealing Minnesota Statutes 1978, Section 173.08, Subdivision 2.	1322		4013 4036a 4447a					
1535	A bill for an act relating to education; extending the time period for calculating library system grants; altering the percentage of funds distributed on a per capita basis; amending Minnesota Statutes 1978, Section 134.35, Subdivisions 1 and 2.	1322							
1536	A bill for an act relating to banks; raising the amount of an employee loan possible without prior board approval; amending Minnesota Statutes 1978, Section 48.08.	1323	3993	3945a 4075 4214 (H1427)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1537	A bill for an act relating to taxation; income tax; providing a credit for certain costs of renewable energy sources; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	1323							
1538	A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.	1323		6195 (H797)					
1539	A bill for an act relating to transportation; appropriating money for highway development.	1323	1399	1497 1591 (H1519)					
1540	A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes with certain conditions; providing for improvements to access roads to Stillwater state prison and Thistledeew corrections camp; providing for legislative review of requests to expend federal money; amending Minnesota Statutes 1978, Sections 3.30, Subdivision 2; 174.23, Subdivision 2; 174.24, Subdivisions 2, 3, and 4; 174.25, Subdivision 1; 174.26, Subdivision 1; 174.28; 360.015, by adding a subdivision; 473.08, Subdivision 3, and by adding subdivisions; 473.411, Subdivision 1; Chapter 3, by adding a section; and Chapter 174, by adding a section; and amending Laws 1973, Chapter 567, Section 8.	1323	1399	1497 1728 (H1563)					
1541	A bill for an act relating to transportation; abolishing the functions, powers and duties of the department of transportation relating to the inspection, grading, sampling and analysis of hay and straw; clarifying laws relating to the regulation of railroads and removing obsolete and duplicative language; prescribing certain powers of the commissioner of transportation and the public service commission relating to rates and charges; requiring track scales, and regulating the weighing of railroad cars and freight; providing for railroad grade crossing safety devices and other safety devices; prescribing penalties; amending Minnesota Statutes 1978, Sections 218.011, Subdivision 2; 218.021; 218.031.	1455	3898	3866a 3992 4167	4233		5554	5914	460

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1541—Continued	Subdivision 1; 218.041; 219.01; 219.08; 219.10; 219.14; 219.17; 219.19; 219.23; 219.28; 219.383. Subdivision 4; 219.39; 219.40; 219.403; 219.47; 219.50; 219.52; 219.54; 219.64; 219.70; 219.741; 219.85; 219.92; 219.97, Subdivision 7; Chapters 25, by adding sections; 219, by adding sections; and 239, by adding a section; repealing Minnesota Statutes 1978, Sections 219.02; 219.03; 219.04; 219.05; 219.07; 219.11; 219.12; 219.25; 219.43; 219.58; 219.59; 219.60; 219.61; 219.62; 219.63; 219.65; 219.66; 219.67; 219.84; 219.86; 219.87; 219.89; 219.90; 219.91; 219.94; 219.95; 219.96; 219.97, Subdivisions 1, 2, 3, 8, 9, 11, 14, 15 and 16; 222.38; 222.39; 222.40; 222.41; 222.42; 222.43; 222.44; 222.45; 229.01; 229.02; 229.03; 229.04; 229.05; 229.06; 229.07; 229.08; 229.10; 229.11; 229.12; 229.13; 229.14; 229.15; 229.16; 229.17; 229.18; 229.19; 229.20; and 452.14.								
1542	A bill for an act relating to natural resources; authorizing the commissioner of natural resources, with the approval of the state executive council, to convey the interests of the state in lands for the purpose of correcting boundary description errors.	1455							
1543	A bill for an act relating to crimes; creating new crimes relating to assaults on children; providing penalties; amending Minnesota Statutes 1978, Section 609.225, by adding subdivisions.	1456							
1544	A bill for an act relating to public safety; requiring that recurring costs of 911 systems in the metropolitan area be borne by the counties that operate the systems; amending Minnesota Statutes 1978, Section 403.11, Subdivision 4.	1456							
1545	A bill for an act relating to health; changing provisions related to depreciation allowances for certain nursing homes; altering the definition of the term net asset value; removing certain restrictions on the recognition of interest expenses related to capital indebtedness of nursing homes; amending Minnesota Statutes 1978, Sections 256B.42, Subdivision 5; 256B.43, Subdivision 1; and 256B.44.	1456							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1546	A bill for an act proposing an amendment to the Minnesota Constitution, Article X, adding a section; permitting parimutuel wagering on races if authorized by law.	1456							
1547	A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; amending Minnesota Statutes 1978, Section 147.09.	1579		(H1435)					
1548	A bill for an act relating to claims against the state; appropriating money for the payment thereof.	1579	1911	1909 2251	2560		2680	3478	340
1549	A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; amending Minnesota Statutes 1978, Sections 357.18, Subdivision 1; and 508.82.	1579	4215	4200 4448 4694 (H1534)					
1550	A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3; removing the requirement that notaries public be approved by the senate; amending Minnesota Statutes 1978, Section 359.01.	1579	5730	3805a 5728 5742	5885		6780	6820	592
1551	A bill for an act relating to taxation; real property; providing a method for determining the value of agricultural land; amending Minnesota Statutes 1978, Section 273.11, Subdivision 1, and by adding a subdivision.	1579							
1552	A bill for an act relating to the environment; regulating activities of drillers of exploratory borings; specifying the powers and duties of public officers and agencies; providing penalties; amending Minnesota Statutes 1978, Sections 156A.01; 156A.02, Subdivision 1, and by adding subdivisions; 156A.03, Subdivision 1; 156A.04; 156A.08; and Chapter 156A, by adding a section.	1580		4076 (H1513)					
1553	A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; providing for the effective date of Laws 1979, Chapter 56, Section 6; amending Laws 1979, Chapter 63, Section 1, Subdivision 2; Minnesota Statutes 1978, Sections 98.46, Subdivisions 3, as amended, and 18, as amended; 105.391, Subdivision 1, as amended; 550.36, as amended;	1580	2712	2682a 2782	2823 3380	3380	3380	3475	289

(Continued next page)

a Indicates Amendment

• 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	Chapter
1553—Continued	amending a law enacted at the 1979 regular session styled as H.F. No. 1467, Article I, Section 108; amending a law enacted at the 1979 regular session styled as H.F. No. 643, Section 27; and amending a law enacted at the 1979 regular session styled as S.F. No. 59, Section 9.								
1554	A bill for an act relating to public welfare; establishing a code describing certain rights of recipients of mental health and developmental disabilities services; directing the commissioner of public welfare to promulgate rules to implement the code; amending Minnesota Statutes 1978, Section 246.15, Subdivision 1; repealing Minnesota Statutes 1978, Sections 253A.05; and 253A.17.	1624							
1555	A resolution memorializing the United States Congress to repeal the McCarron-Ferguson Act.	1624							
1556	A bill for an act relating to natural resources; requiring sales of state timber land to be by sealed bid; amending Minnesota Statutes 1978, Section 90.101.	1624		1729					
1557	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; prescribing penalties; amending Minnesota Statutes 1978, Chapter 609, by adding a section.	1624							
1558	A bill for an act relating to welfare; defining purposes for which funds appropriated for the Lake Owasso Children's Home may be spent.	1624							
1559	A bill for an act proposing an amendment to the Minnesota constitution; adding a new article to provide for initiative-referendum.	1688							
1560	A bill for an act relating to education; establishing a demonstration educational grant program; appropriating money.	1688							
1561	A bill for an act relating to soil and water conservation; imposing duties upon land occupiers to apply and maintain wind and water (Continued next page)	1688							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1561	Continued erosion control systems in accordance with rules of soil and water conservation districts established within guidelines of the state soil and water conservation board.								
1562	A bill for an act relating to usury; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.	1688	4215	4211a 4448 5510 (H2429)					
1563	A bill for an act relating to education; modifying a subdivision providing for identification, assessment and educational placement of handicapped school children; setting tuition at certain schools for the handicapped and providing for certain tuition reimbursement; establishing which school districts shall claim certain aid; providing for certain participation in and notification of certain child placement decisions; abolishing certain expenditure limitations; amending Minnesota Statutes 1978, Sections 120.17, Subdivisions 3b and 7a; and 124.212, Subdivision 20; repealing Minnesota Statutes 1978, Section 120.171.	1688							
1564	A bill for an act relating to agriculture; providing an income tax exclusion for interest earned on certain family farm security loan transactions; amending Minnesota Statutes 1978, Sections 41.55; 290.01, Subdivision 20, and Chapter 41, by adding a section.	1689		4076					
1565	A bill for an act relating to health; requiring abortion providers to give counseling related to sexual reproduction and birth control methods; providing state aid for those counseling services; appropriating money.	1689							
1566	A bill for an act relating to insurance; requiring certain property owners to file reports; providing for a late report penalty; appropriating money.	1689							
1567	A bill for an act relating to taxation; providing certain modifications of gross income; increasing and extending certain credits against income tax; increasing the maximum standard deduction; providing for computation of charitable contribution deduction; imposing one-month moratorium on withholding of tax from wages; (Continued next page)	1750	1988	1968a (H1495)					

a Indicates Amendment

i 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	Chapter
1567—Continued	<p>providing for valuation of agricultural land for school aids purposes; increasing the state share of certain income maintenance payments; reducing certain property assessment ratios; extending agricultural homestead treatment to noncontiguous land; providing for certain levies; increasing the homestead credit; eliminating the limited market value; increasing certain property tax refund amounts; abolishing the inheritance tax; establishing an estate tax; repealing the gift tax; reducing the rate of sales and use tax on farm machinery; providing sales tax exemptions for certain organizations; reducing the rates of tax on corporate, banks and individual income; providing a property tax credit for commercial property; increasing the amount and providing for the distribution of aids to local governments; providing state assistance for municipal pension costs; altering the tax treatment of railroads; providing for payment in lieu of taxes on certain lands; requiring the commissioner of revenue to administer the Minnesota unfair cigarette sales act; providing retroactive gift tax exemption for certain gifts to minors; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 10; 256.82; 256D.03, Subdivision 2; 256D.36, Subdivision 1; 270.06; 272.02, Subdivision 1; 273.11, Subdivision 2; 273.13, Subdivisions 4, 5a, 6, 7, and 14a, and by adding a subdivision; 273.17, Subdivision 1; 275.125, Subdivision 6a; 275.51, Subdivision 3d; 290.01, Subdivision 20; 290.012, Subdivision 3; 290.06, Subdivisions 1, 2c, 3c, 3d, and 3e, and by adding subdivisions, 290.081; 290.09, Subdivision 15; 290.14; 290.21, Subdivision 3; 290.23, by adding a subdivision; 290.361, Subdivision 2; 290A.03, Subdivisions 3 and 11; 290A.04, Subdivisions 2, 2a, 2b, and 3; 291.005, Subdivision 1; 291.01; 291.03; 291.05; 291.051; 291.06; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivisions 5 and 7, and by adding subdivisions; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivision 3; 291.20, Subdivision 1; 291.27; 291.33, Subdivision 1; 292.04; 295.02; 297A.01, by adding a subdivision; 297A.02; 297A.14;</p> <p>(Continued next page)</p>								

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1567—Continued	297A.24; 297A.25, Subdivision 1; 352.15, Subdivision 1; 353.15; 354.10; 354A.11; 477A.01, Subdivisions 1, 2 and 4; 524.3-706; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.312; 525.71; 525.74; and 525.841; and Chapters 270, 273 and 291, by adding sections; repealing Minnesota Statutes 1978, Sections 3A.08; 273.11, Subdivision 2; 290.06, Subdivision 12; 291.02; 291.07, Subdivisions 2 and 2a; 291.09, Subdivisions 1, 2, 3 and 4; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 291.12, Subdivision 4; 291.19, Subdivision 5; 291.20, Subdivision 3; 291.22; 291.23; 291.24; 291.25; 291.26; 291.29, Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; 292.15; 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; 295.14; and 477A.01, Subdivisions 3 and 4a.								
1568	A bill for an act relating to securities; applying certain provisions regulating sales to investment advisers and investment adviser representatives; exempting other persons from regulation as investment advisers; setting fees; requiring registration of mining right prospect sales; amending Minnesota Statutes 1978, Sections 80A.04, Subdivisions 1 and 3; 80A.05, Subdivisions 1 and 3; 80A.07, Subdivisions 1, 4 and 5; 80A.12, Subdivision 3; 80A.14; 80A.15, Subdivisions 1 and 2; 80A.21, Subdivision 1; 80A.28, Subdivisions 2, 7, and by adding a subdivision; and 80A.30, Subdivision 1.	1857							
1569	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 building bonds; appropriating money.	1857	1911	2251 2778 (H1605)					
1570	A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorize (Continued next page)	1857	1911	2251 2782 (H1606)					

a Indicates Amendment

c Indicates H.C. f Indicates 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	Chapter
1570—Continued									
	ing purchase and sale of public lands and buildings; appropriating money.								
1571	A bill for an act relating to taxes; permitting changes in local mill levies when approved in elections; amending Minnesota Statutes 1978, Section 275.58.	1860							
1572	A bill for an act relating to taxation; assigning administration and enforcement of the Minnesota unfair cigarette sales act to the commissioner of revenue; amending Minnesota Statutes 1978, Section 270.06.	2282							
1573	A bill for an act relating to employment; prohibiting certain cities from establishing residency requirements as a condition of employment.	2282	3730	2365 3724 3775 3840 4001a 4155a	4155 4696	4255 4363a			
1574	A bill for an act relating to motor vehicles; providing for refunds of license fees; amending Minnesota Statutes 1978, Section 168.16.	2282							
1575	A bill for an act relating to state government; establishing and empowering a temporary joint legislative study commission to examine the feasibility of consolidating water management programs into a single agency and abolishing the multiple agencies presently dealing with water management; appropriating money.	2282							
1576	A bill for an act relating to the operation of state government; regulating acquisitions of real property by state agencies and departments; requiring local approval by county boards of commissioners.	2282							
1577	A bill for an act relating to taxation; income; reducing income tax rates; amending Minnesota Statutes 1978, Section 290.06, Subdivision 2c.	2354							
1578	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, 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, Article XI, Section 5, and repealing Article IV, Section 18; providing for unicameral legislature of limited size elected for staggered terms.	2354							

BILLS OF 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 political parties; allowing members of political party committees and delegates to party conventions to take certain leave time from employment; providing penalties; amending Minnesota Statutes 1978, Chapter 202A, by adding a section.	2354	3993	3947a 4075 4214 (H1601)					
1580	A bill for an act relating to solid waste pollution; requiring beverage containers to have certain refund values after a certain date; establishing and regulating local redemption centers; providing penalties.	2427							
1581	A bill for an act relating to welfare; clarifying certain provisions of the general assistance medical care program; establishing an earned income disregard work incentive in the general assistance program; making various other changes in the general assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 256D.01; 256D.02, Subdivisions 4, 9, 10, 11, 12, and by adding a subdivision; 256D.03, Subdivisions 1 and 3; 256D.04; 256D.06, Subdivision 1 and 2; 256D.08, Subdivision 2; 256D.09, Subdivision 1; 256D.10; 256D.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 256D.13, Subdivision 1; 256D.16; and 256D.18, Subdivisions 2 and 4; and Minnesota Statutes, 1979 Supplement, Sections 256D.03, Subdivision 2; 256D.07; and 256D.08, Subdivision 1.	2427	3993 5432	3841 3931a 3994 5411a 5577 5683 (H1603)					
1582	A bill for an act relating to agriculture; establishing a system for collection of disease incidence, morbidity and mortality; appropriating money.	2427	5025	3720a 5017 5222 5532	5649				
1583	A bill for an act relating to economic development; authorizing formation of a general stock ownership corporation to provide venture capital and investment opportunities for the citizens of this state; providing for its operation and funding; providing penalties; amending Minnesota Statutes 1978, Sections 11.015, by adding a subdivision; 11.10, Subdivision 1; and 80A.15, Subdivisions 1 and 2.	2500							
1584	A bill for an act relating to transportation; providing for specific information signing for resorts and recreational camping areas along certain highways.	2500	3602	3595a 3666 3845a	3902 4696	4093 4215 4415 4695*	4093 4988	5787	413

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
1585	A bill for an act relating to taxation; providing for a tax upon the business of removing gravel from pits or deposits; providing for enforcement and prescribing penalties for violations.	2500							
1586	A bill for an act relating to agriculture; regulating wholesale produce dealers; amending Minnesota Statutes 1978, Sections 27.001; 27.01; 27.03; 27.04; 27.041; 27.05; 27.06; and Chapter 27, by adding a section.	2500							
1587	A bill for an act relating to metropolitan government; providing for solid waste disposal planning; permitting designation of waste districts; amending Minnesota Statutes 1978, Sections 473.121, by adding a subdivision; 473.149, Subdivision 3, and by adding a subdivision; 473.516; 473.803; 473.811, Subdivisions 1 and 5; 473.823, Subdivision 3, and by adding a subdivision; 473.851; 473.852, Subdivision 8; 473.855; 473.858, by adding a subdivision; 473.859; and 473.862, Subdivision 1.	2500		2651					
1588	A bill for an act relating to insurance; providing for the operation of the Minnesota life and health insurance guaranty association; correcting certain oversights and ambiguities; making certain improvements; amending Minnesota Statutes 1978, Sections 61B.02, Subdivision 1; 61B.05, by adding a subdivision; 61B.07, Subdivisions 1, 2, 3 and 7; and 61B.15.	2637	3993	3943a 4075 4213 (H1623)					
1589	A bill for an act relating to retirement; disability retirement benefits; clarifying the various statutory provisions governing the entitlement for, payment of and computation of a disability benefit; creating a statewide review committee on disability benefits; appropriating money; amending Minnesota Statutes 1978, Sections 69.41; 69.43; 69.44; 352.01, Subdivisions 17 and 22, and by adding subdivisions; 352.113; 352B.01, by adding subdivisions; 352B.10; 352B.105; 352D.065, Subdivisions 2 and 3; 353.01, Subdivision 19, and by adding a subdivision; 353.33, Subdivisions 1, 2, 3, 4, 5, 6, 6a, 6b, 7, 8, 9 and 11, and by adding subdivisions; 353.656, Subdivisions 1, 3, 4, 5 and 6, and by adding subdivisions; 354.05, Subdivision 14, (Continued next page)	2637							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1589—Continued	and by adding a subdivision; 354.48; 422A.01, by adding subdivisions; 422A.14; 422A.18, Subdivisions 1, 2, 3, 4, 5 and 7, and by adding subdivisions; 422A.34; 423.382; 423.388; 423.52; 423.53; 423.59; 423.801, Subdivision 4, and by adding subdivisions; 423.809, Subdivisions 1, 4, and by adding subdivisions; 424.19; 424.20, 424.25; 490.121, Subdivisions 13, 14 and 15; 490.124, Subdivision 4; and Chapters 69, by adding sections; 352B, by adding sections; 356, by adding sections; 423, by adding sections; and 424, by adding sections; repealing Minnesota Statutes 1978, Sections 353.656, Subdivision 2; and 423.54.								
1590	A bill for an act relating to claims against the state; reimbursing owners for certain damage done by wild animals; appropriating money; amending Minnesota Statutes 1978, Chapter 3, by adding a section.	2638							
1591	A bill for an act relating to retirement; authorizing the Minneapolis teachers retirement fund association to permit the purchase of military service credit by certain members.	2638							
1592	A bill for an act relating to financing of metropolitan government; requiring the metropolitan council to present a unified proposal to the legislature; imposing a sales tax in the metropolitan area; amending Minnesota Statutes 1978, Section 297A.02; and Chapter 473, by adding sections.	2638							
1593	A bill for an act relating to the Minnesota Historical Society; appropriating money for a Mississippi river historical interpretation center.	2678							
1594	A bill for an act relating to the operation of state government; authorizing the governor to appoint a special investigator to follow up on evidence relating to audits of various state agencies and executive branch offices and to institute civil actions to recover state funds or other assets misappropriated; appropriating money; providing penalties.	2792							

a Indicates Amendment

1 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	Chapter
1595	A bill for an act relating to highway traffic regulations; providing procedures for weighing certain suspected overweight motor vehicles; providing a penalty; amending Minnesota Statutes 1978, Section 169.85.	2792							
1596	A bill for an act relating to motor vehicles; requiring mandatory annual inspection of motor vehicles; prescribing powers and duties of the commissioner of public safety and the pollution control agency; imposing fees for inspection; prescribing penalties; appropriating money.	2792							
1597	A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing property tax relief; appropriating money; amending Minnesota Statutes 1978, Section 273.111, Subdivision 6.	2792	5432	2962 4722a 5119 5414a 5577 5657 (H1612)					
1598	A bill for an act relating to financial institutions; permitting industrial loan and thrift companies to take liens on real estate; authorizing a charge for extended first payment periods on loans; permitting deferment charges; amending Minnesota Statutes 1978, Section 53.04, Subdivisions 3 and 4, and by adding a subdivision.	2792							
1599	A bill for an act relating to taxation; property tax; providing for assessment of real property at full market value; limiting property tax on homesteads to one percent of market value; amending Minnesota Statutes 1978, Sections 273.11, Subdivisions 1 and 5; 273.13, by adding a subdivision; and 273.17, Subdivision 1; repealing Minnesota Statutes 1978, Section 273.11, Subdivision 2.	2823							
1600	A bill for an act relating to gambling; authorizing nonprofit organizations to participate in raffle ticket sales with licensed organizations; amending Minnesota Statutes 1978, Section 349.26, Subdivision 12.	2823							
1601	A bill for an act relating to natural gas pipeline safety; transferring powers and duties in the administration of pipeline safety laws from the fire marshal division of the department of public safety to the department of public service; transferring personnel and rec-	3488	4154	4107a 4215 4571	4970				

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1601—Continued									
	ords; appropriating funds; amending Minnesota Statutes 1978, Sections 299F.56, Subdivisions 5, and 6, and by adding a subdivision; 299F.57; 299F.58; 299F.60, Subdivisions 1 and 2; 299F.61, Subdivision 1; 299F.62; 299F.63; and 299F.64.								
1602	A resolution 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.	3488		3731					
1603	A bill for an act relating to commerce; prohibiting producers or refiners of petroleum from operating retail service stations with company personnel; providing for injunctive enforcement.	3488		3531					
1604	A bill for an act relating to taxation; income; excluding certain interest income from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20, as amended.	3489		3504 3517					
1605	A bill for an act relating to elections; providing for a place on tax forms to indicate a desire not to allocate state money to finance election campaigns; amending Minnesota Statutes 1978, Section 10A.31, Subdivision 3.	3489	3730	3518 3727a 3840 3907a	3999				
1606	A bill for an act relating to labor; regulating the use of arbitration in teacher bargaining; amending Minnesota Statutes 1978, Section 179.69, Subdivisions 3, 5 and 6.	3489							
1607	A bill for an act relating to state government; recodifying the laws governing the state board of investment; providing for the appointment of an executive director and detailing his duties and powers; defining terms; establishing standards for the investment of state and pension assets; prescribing duties for the Minneapolis employees retirement board; providing standards for investment; amending Minnesota Statutes 1978, Sections 69.77, Subdivision 2, as amended; 69.775; 124.46, Subdivision 4; 167.42; 167.50, Subdivision 2; 193.146, Subdivision 4; 352.75, Subdivision 3; 352B.26, Subdivision 3; 353.661, Subdivision 3; 422A.02; 422A.03, Subdivisions 3 and 5; 422A.05, Subdivisions 1, 3, 5, and 6, and by adding subdi- (Continued next page)	3489	4694	3518 4598a 4989 5249					

a Indicates Amendment

1 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	Chapter	
1607	Continued visions; 422A.06, Subdivisions 1, 3, 4, and 5, and by adding a subdivision; 462.631, Subdivision 1; 475.73, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 1; 43.064; 353.023; 422A.03, Subdivisions 1 and 2; 422A.08, Subdivision 2; and 422A.09, Subdivision 3; repealing Minnesota Statutes 1978, Sections 11.01 to 11.115; 11.117, Subdivisions 1, 2, 3, 5, and 7; 11.12 to 11.14; 11.15 to 11.28; 360.303; 422A.05, Subdivisions 2 and 4; 422A.07; 458.53; and Minnesota Statutes, 1979 Supplement, Sections 11.117, Subdivisions 4 and 6; 11.118; and 11.145.									
1608	A bill for an act relating to state government; changing certain administrative procedures; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15.0412, Subdivisions 2, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1, 2, and 4; 15.0421; 15.0422; 15.0424, Subdivisions 1, 2, and 6; 15.0425; 15.0426; and 15.052, Subdivisions 1, 2, 3, 4, 5, 7, 8 and 9; repealing Minnesota Statutes 1978, Sections 5.21, and 15.0423.	3489		4215 (H874)						
1609	A bill for an act relating to education; extending the coverage of a grandfather provision allowing certain pupils to attend school in a school district other than the district in which the pupil resides; amending Minnesota Statutes, 1979 Supplement, Section 120.075.	3490	3649	3648a	3669		4497	5100	375	
1610	A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Virginia.	3490		(H1684)						
1611	A bill for an act relating to local government; establishing the Moorhead-Clay County area redevelopment authority; terminating the existence of the Moorhead local redevelopment agency and the Clay County local redevelopment agency; granting certain powers to the city of Moorhead and the county of Clay.	3490	3582	3581a 3743	3607	3776 5399	5399	5398	5914	461
1612	A bill for an act relating to the state building code; providing for majority of county board to decide applicability of state building codes; amending Minnesota Statutes, 1979 Supplement, Section 16.868.	3490		3582						

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1613	A bill for an act relating to Independent School District No. 119, Walker; authorizing it to transfer money from its general fund to its capital expenditure fund for the purpose of constructing a facility for special education.	3490	3898	3864 3992 4167	4232				
1614	A bill for an act relating to retirement; Roseville volunteer firefighters' relief association; authorizing increases in service pensions for retired members; authorizing membership of a retired member on the board of trustees of the relief association.	3491							
1615	A bill for an act relating to transportation; repealing a certain administrative rule of the department of transportation enforcing parallel parking on certain streets and highways.	3491	3841	3804 3992 4167 4359 (H1666)					
1616	A bill for an act relating to state employees; providing bonuses to certain state employees.	3491		4508a					
1617	A bill for an act relating to financial institutions; permitting industrial loan and thrift companies to take liens on real estate; authorizing charges incurred in taking liens on real estate; amending Minnesota Statutes 1978, Section 53.04, Subdivisions 1, 3, and by adding a subdivision.	3491							
1618	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; amending Minnesota Statutes 1978, Section 124.212, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 477A.01, Subdivision 4.	3507	4481	4474a 4541 4706a	5031				
1619	A bill for an act relating to public administration; providing for paratransit grants; providing for contracts between the metropolitan transit commission and socially or economically disadvantaged persons including handicapped persons; regulating transit commission debt; authorizing certain municipal contracts with socially and economically disadvantaged persons; amending Minnesota Statutes, 1979 Supplement, Sections 174.25, Subdivision 1; 471.345, by adding a subdivision; 473.436, Subdivision 5; Minnesota Statutes 1978, Chapter 473, by adding a section.	3507	3667	3664a 3730 3845	3904 5607 5607	5607	5607	5914	462

a Indicates Amendment

() 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	Chapter
1620	A resolution memorializing the President and Vice President of the United States, the United States Congress, and the United States Secretary of Defense to select the Duluth Air Force Base as the Space Shuttle Control Center.	3507		3518 (H1693)					
1621	A bill for an act relating to crimes; prescribing penalties for the possession or sale of drug related devices.	3507							
1622	A bill for an act relating to waters; exempting certain watercraft from requirements related to personal safety devices; amending Minnesota Statutes 1978, Section 361.141, Subdivision 1.	3507							
1623	A bill for an act relating to transportation; requiring any public transit system receiving state financial assistance to provide for public transportation to all persons 65 years of age or over; appropriating money; amending Minnesota Statutes 1978, Sections 174.22, by adding a subdivision; 174.23, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 174.23, Subdivision 2; and 473.408, Subdivision 3.	3507		3551a					
1624	A bill for an act relating to taxation; motor vehicle excise tax; providing that proceeds from the transfer of a motor vehicle shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota statutes 1978, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.	3508							
1625	A bill for an act relating to the town of Greenwood; granting the town the power to specially assess for a bridge improvement.	3508	3667	3664a 3845	3730	3903	4092	4497	360
1626	A bill for an act relating to education; providing free tuition at post-secondary vocational-technical schools for certain veterans; amending Minnesota Statutes 1978, Section 124.565, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 124.565, Subdivision 3.	3508							
1627	A bill for an act relating to taxation; exempting certain interest income from taxation; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	3508		3531					

BILLS OF 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	A bill for an act relating to taxation; motor vehicle excise tax; providing that the proceeds of the tax shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1978, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.	3508							
1629	A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.	3509	4966	3693a 4803a 5034 5511 (H1662)					
1630	A bill for an act relating to the City of Minneapolis; authorizing the establishment of a detached banking facility.	3509	3774	3667 3772 3840 4158	4230		5396	5914	463
1631	A bill for an act relating to energy; establishing a legislative commission on energy; stating energy policy; broadening the scope of state weatherization programs; expanding energy awareness programs; creating a Minnesota biomass center; providing for an ethanol demonstration plant; providing grants and assistance for community energy planning; expanding consumer representation in certain energy hearings; appropriating money; amending Minnesota Statutes 1978, Sections 45.17, by adding subdivisions; 116H.01; 116H.087; 116H.12, Subdivision 11; 116H.129, Subdivision 5; Minnesota Statutes, 1979 Supplement, Sections 116H.13, Subdivision 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.	3509	5577	3667 3727a 3833a 5559a 5621 5629 5659 (H1710)					
1632	A bill for an act relating to taxation; income; providing a credit to certain persons for certain motor vehicle fuel costs; amending Minnesota Statutes 1978, Chapter 290, by adding a section.	3509							
1633	A bill for an act relating to veterans; modifying the duties, authority and scope of operations of the department of veterans affairs; authorizing the commissioner of veterans affairs to accept uncompensated voluntary services; entitling uncompensated voluntary workers to the benefits of workers' compensation; providing for the appointment of the commissioner of veterans affairs as the guardian of an estate; revising the veterans (Continued next page)	3509	3993	3686 3688a 3840a 3980a 4075 4363a	4486		4988	5787	414

a Indicates Amendment

() 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	Chapter
1633—Continued	home eligibility requirements amending Minnesota Statutes 1978, Sections 196.05; 196.051; 197.06; 198.01; and Minnesota Statutes, 1979 Supplement, Section 176.011, Subdivision 9.								
1634	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 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; providing state reimbursement for the costs of administration of the election held on the local government election day; superseding certain inconsistent general and special laws and home rule charter provisions; amending Minnesota Statutes 1978, Sections 40.05, Subdivisions 1, 3 and 4; 40.06, Subdivision 1; 122.23, Subdivisions 12, 17 and 18; 122.25, Subdivision 2; 123.12, Subdivisions 1; 123.32, Subdivisions 9, 13 and 23; 123.33, Subdivisions 1 and 4; 123.34, Subdivision 1; 123.351, Subdivisions 1 and 3; 123.51; 128.01; 200.02, Subdivisions 1, 24, and by adding subdivisions: 201.061, Subdivision 6; 201.071, Subdivisions 1 and 3, and by adding a subdivision; 202A.26, Subdivision 1; 202A.52; 202A.721, Subdivision 4; 203A.17; 203A.31, Subdivision 1; 203A.32; 204A.05, Subdivision 1; 204A.06, Subdivisions 1, 1b and 4, and by adding a subdivision; 204A.09, Subdivision 1; 204A.11, Subdivision 3, and by adding a subdivision; 204A.29; 204A.40, Subdivision 2; 204A.45, Subdivision 1; 204A.47, Subdivision 2; 204A.49, by adding a subdivision; 204A.53, Subdivision 1; 205.01; 205.02; 205.13; 205.14, Subdivisions 1, 2 and 3, and by adding a subdivision; 205.16, Subdivisions 2 and 3; 206.09; 206.21, Subdivision 3; 207.04, Subdivision 1; 207.05, Subdivision 1; 207.085; 207.151; 209.02, Subdivisions 1 and 3; 365.51; 367.33, Subdivision 3, and by adding a subdivision; 375.025, Subdivision 4; 375.03; 375.101, Subdivision 2; 375A.02, Subdivision 1; 375A.09, Subdivi-	3510		3724a					

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1634—Continued	sion 4; 382.01; 389.011. Subdivision 2; 397.06; 397.07; 398.04; 410.21; 412.02. Subdivision 2; 412.021, Subdivision 2; 412.571. Subdivision 5; 447.32. Subdivisions 1 and 2; 487.03, Subdivisions 2 and 5; 488A.021, Subdivision 3; and 488A.19, Subdivision 3; Chapters 204A, by adding a section; 205, by adding sections; and 210A, by adding a section; Minnesota Statutes, 1979 Supplement, Section 204A.51, Subdivision 2; repealing Minnesota Statutes 1978, Sections 123.015, 123.11, Subdivisions 2, 3, 5 and 6; 123.32, Subdivisions 1, 2, 3, 4, 6, 7, 8, 11, 22, 24, 26 and 27; 201.33; 202A.721, Subdivision 5; 205.021; 205.03; 205.07; 205.11; 205.18; 205.19; 205.20; 206.18; 447.32, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Sections 123.11, Subdivision 4; 123.32, Subdivisions 5 and 25; 205.11, Subdivision 4a; and 447.32, Subdivision 4.								
1635	A bill for an act relating to state government; establishing a post retirement investment fund; and appropriating money; amending Minnesota Statutes 1978, Chapter 11, by adding a section; and repealing Minnesota Statutes 1978, Section 11.25.	3510							
1636	A bill for an act relating to state government; requiring certain state-leased space and state agency meetings to be accessible to physically handicapped persons; requiring certain auxiliary aids for physically handicapped participants at state agency meetings; appropriating money; providing penalties; amending Minnesota Statutes 1978, Section 16.85, Subdivisions 1b, 1c, 1d, and by adding a subdivision; and Chapter 15, by adding a section.	3511	4154	4106a 4215 4574a 5371a	5580				
1637	A bill for an act relating to the state building code; requiring municipalities to enforce certain building requirements related to handicapped persons; amending Minnesota Statutes 1978, Section 16.851, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 16.868.	3511							
1638	A bill for an act relating to economic development; regulating the development revolving fund; amending Minnesota Statutes 1978, Section 472.13, Subdivision 1.	3511	5025	5018a 5222 5532	5700				

a Indicates Amendment

o 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	Chapter
1639	A bill for an act relating to state government; providing for a cafeteria operation revolving fund for certain cafeterias; appropriating money; amending Minnesota Statutes 1978, Chapter 16, by adding a section.	3511	5502	4695 5493 5577					
1640	A bill for an act relating to taxation; sales tax; exempting sales of certain woodburning appliances; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1.	3511							
1641	A bill for an act relating to drivers licenses; increasing fees for renewal of motorized bicycle operator permits and fees for drivers licenses; authorizing the issuance of a driver's license without examination to certain persons under certain circumstances; establishing a fee for the Minnesota identification card; providing for uniform application fees; amending Minnesota Statutes 1978, Sections 171.03; 171.06, Subdivisions 1, 2, and 4; 171.07, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 171.02, Subdivision 3.	3511	4075	4038a 4166 4364a	4487				
1642	A bill for an act relating to courts; reducing fees for copies of certain documents; amending Minnesota Statutes 1978, Section 357.021, Subdivision 2.	3512							
1643	A bill for an act relating to probate; requiring certain additional accounting by guardians and conservators; amending Minnesota Statutes 1978, Section 525.58.	3512							
1644	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 1978, Section 117.042.	3512	3552	3549	3583	3993			
1645	A bill for an act relating to courts; providing for hearings on rules proposed by the supreme court; amending Minnesota Statutes 1978, Section 480.054.	3512	3697	3692a	3743		4587	5662	387
1646	A bill for an act relating to executions; providing that issuance of an execution may be made without docketing of the judgment in the county where the money or personal property is owed to the judgment debtor by a third party; amending Minnesota Statutes 1978, Section 550.07.	3512	3552	3549 3607 3698	3742		4587	5662	388

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1647	A bill for an act relating to insurance; regulating automobile insurance renewal, issuance, and rates; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.	3512							
1648	A bill for an act relating to taxation; real property; eliminating tax recapture upon certain sales of qualifying agricultural property; amending Minnesota Statutes 1978, Section 273.111, Subdivision 9, and by adding a subdivision.	3513	4488	4443 4489 4580	4983				
1649	A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.	3513	4448	3582 4445a 4489 4584a	4985	5732 5742 5844	5732		
1650	A bill for an act relating to crimes; prescribing penalties for the possession or sale of drug related devices.	3513							
1651	A bill for an act relating to education; providing for the negotiation and arbitration of collective bargaining agreements between the exclusive representatives and the employers of teachers; extending the applicability of certain sections of PELRA; amending Minnesota Statutes 1978, Sections 179.61; 179.62; 179.63, Subdivisions 1 and 4; 179.64, Subdivision 1; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; and 179.74, Subdivision 2; and Chapter 179, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 179.64, Subdivision 7; 179.65, Subdivision 6; and 179.74, Subdivision 4.	3513							
1652	A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1978, Section 152.15, by adding a subdivision.	3513	3602	3601 3666 3777	3844				
1653	A bill for an act relating to education; providing individualized instructional materials to nonpublic school pupils; increasing the amount which may be spent for certain materials provided to nonpublic school pupils; amending Minnesota Statutes 1978, Sections 123.932, by adding a subdivision; 123.933; and Chapter 123, by adding a section.	3514	3730	3721a 3840 4001	4084				

a Indicates Amendment

h 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	Chapter
1654	A bill for an act relating to the office of secretary of state; adjusting certain fees collected by that office; making them more uniform; amending Minnesota Statutes 1978, Sections 47.16; 53.01; 221.67; 303.13, Subdivision 1; 308.060, Subdivision 4; 317.04, Subdivision 3; 317.67; 540.152; and 543.08.	3514	4154	4098 4215 4691 (H1899)					
1655	A bill for an act relating to education; permitting certain previous nonresident students to be treated as resident students in their district of attendance, and authorizing the state board of education and school superintendents to make these exceptions; amending Minnesota Statutes 1978, Chapter 120, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 120.075, Subdivision 4, and by adding a subdivision.	3514	4481	3531 4473a 4541 4705 4707	5032				
1656	A bill for an act relating to food; exempting certain donors of food from civil and criminal liability in certain circumstances.	3514		3731 (H1699)					
1657	A bill for an act relating to unemployment compensation; regulating benefits for voluntary quitters; amending Minnesota Statutes, 1979 Supplement, Section 268.09, Subdivision 1.	3514							
1658	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 1978, Section 340.11, Subdivision 20.	3514	3774	3770a 3840 4158 4215	4229 4484	4256 4362a			
1659	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 1978, Section 340.11, by adding a subdivision.	3515	3774	3772 3840 4158a	4246				
1660	A bill for an act relating to intoxicating liquor; permitting sales on statewide election days; providing for uniform hours of off-sale statewide; prohibiting off-sale on certain holidays; amending Minnesota Statutes 1978, Section 340.14, Subdivision 1.	3515							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1661	A bill for an act relating to intoxicating liquor: removing limitations on the number of on-sale licenses which cities may issue; permitting counties and cities to set off-sale license fees; amending Minnesota Statutes 1978, Sections 340.11, Subdivisions 3a, 5a, 7a, 10a, 13, 14, and 20; 340.353, Subdivision 5; Minnesota Statutes, 1979 Supplement, Section 340.11, Subdivisions 11 and 11b; and repealing Minnesota Statutes 1978, Section 340.11, Subdivisions 8 and 18.	3515	3774	3772a 3840 4159a 4215	4246				
1662	A bill for an act relating to intoxicating liquor: authorizing holders of off-sale licenses to dispense samples of wine; amending Minnesota Statutes 1978, Section 340.11, Subdivision 15.	3515	3993	3946 4075 4167	4244				
1663	A bill for an act relating to elections; requiring recounts of elections on county, municipal, school district and special purpose district ballot questions under certain conditions; providing for notice of recounts and for opening recounts to the public; amending Minnesota Statutes 1978, Section 123.32, by adding a subdivision; Chapter 204A, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 123.32, Subdivision 3a and 204A.515.	3515							
1664	A bill for an act relating to courts; conforming provisions of law to reflect the abolishment of the office of justice of peace; amending Minnesota Statutes 1978, Sections 37.23; 88.78; 97.50, Subdivision 1; 127.09; 168.46; 169.965, Subdivision 3; 169.966, Subdivision 3; 171.08; 171.16, Subdivision 1; 171.30, Subdivision 1; 219.97, Subdivision 13; 290.58; 297A.42, Subdivision 2; 299D.03, Subdivision 5; 299F.40, Subdivision 5; 332.37; 340.85, Subdivision 2; 340.91; 345.02; 345.03; 345.14; 346.03; 346.04; 346.05; 346.09, Subdivision 1; 347.04; 347.05; 347.06; 351.03; 358.15; 359.061; 359.11; 361.27, Subdivision 2; 365.52; 366.20; 367.11; 367.25, Subdivision 1; 368.01, Subdivision 20; 373.09; 375.24; 390.15; 390.20; 390.32, Subdivisions 4 and 9; 390.33, Subdivisions 2, 3, 4, 5, 6, and 7; 395.23; 412.02, Subdivision 1; 412.021, Subdivision 2; 412.023, Subdivision 5; 412.111; 412.861, Subdivisions 1 and 3; 473.608, Subdivision 17; (Continued next page)	3516							

a Indicates Amendment

h 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	Chapter
1664—Continued	488A.021, Subdivision 4; 488A.09, Subdivision 7; 488A.19, Subdivision 5; 490.18; 514.29; 514.34; 550.17; 566.05; 566.07; 566.08; 566.09; 566.10; 566.11; 566.12; 566.15; 566.16; 574.18; 574.20; 609.135, Subdivision 1; 609.415, Subdivision 1; 617.27; 626.04; 626.05, Subdivision 1; 626.06; 626.09; 626.14; 626.15; 626.17; 629.41; 630.17; 643.01; 643.13; and 648.39, Subdivision 3; Minnesota Statutes, 1979 Supplement, Section 626.11; repealing Minnesota Statutes 1978, Sections 357.14; 357.15; 367.03, Subdivision 4; 367.21; 388.02; 412.02, Subdivision 5; 412.171; 487.36; 492.02, Subdivision 2; 542.15; 549.16; 574.35; 599.21; 609.46; 629.66; and Chapter 625.								
1665	A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6.	3516	3552	3551a 3607 3743	3775 5609	5609	5608	5914	464
1666	A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain duties and powers to school boards, school districts, the state board of education, and others; modifying certain responsibilities of the Minnesota educational computing consortium; modifying the method for districts to qualify for certain levies; changing the method of computing transportation aid and post-secondary vocational aid; changing the school age for certain handicapped children; providing an aid for individualized instructional materials; establishing certain programs; increasing the amount of severance pay available to public employees; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 120.17, Subdivision 1; 121.90; 121.912, by adding a subdivision; 123.36, Subdivision 10, and by adding a subdivision; 123.932, by adding a subdivision; 123.933; 124.11, by adding a subdivision; 124.214, Subdivision 2; 124.48; 124.565, by adding a subdivision; 126.07; 134.03; 275.125, Subdivisions 5, 5a and 12; Chapters 121, by adding sec- (Continued next page)	3516		4280a 4505a (H1781)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1666	<p>Continued tions; 123, by adding a section; and 124, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 16.93; 121.92, Subdivision 2; 122.541, Subdivision 5; 123.937; 124.11, Subdivisions 2a and 2b; 124.223; 124.224, Subdivision 8; 124.225; 124.245, Subdivision 1; 124.271, Subdivisions 1a and 2; 124.562, Subdivisions 3 and 4; 124.5621, Subdivision 11, and by adding a subdivision; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivision 3; 125.61, Subdivision 3a; 126.54, Subdivision 1; 275.125, Subdivisions 7a, 8, 9, and 11a; 465.72; laws 1959, Chapter 690, Section 2, as amended; Laws 1965, Chapter 705, as amended; Laws 1979, Chapter 334, Article 2, Section 15, Subdivisions 2 and 3; Laws 1980, Chapter 345, Section 17; repealing Minnesota Statutes 1978, Sections 122.85, Subdivision 7; 123.34, Subdivision 6; 126.31; 126.32; 126.33; 126.34; 126.35; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6, 7 and 11; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6, and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6, and 7; Minnesota Statutes, 1979 Supplement, Sections 124.222, Subdivision 3; 126.39, Subdivision 10; 126.40, Subdivision 3; and 126.41, Subdivision 1; 126.52, Subdivision 10; Laws 1979, Chapter 334, Article V, Section 32, Subdivision 9.</p>								
1667	<p>A bill for an act relating to health; authorizing the commissioner of health to investigate complaints under certain circumstances; amending Minnesota Statutes 1978, Section 214.13, by adding subdivisions.</p>	3517		(H1844)					
1668	<p>A bill for an act relating to health care; excluding coverage of certain services in the Comprehensive Health Insurance plan; extending the pre-existing condition period; qualifying certain services covered by the Catastrophic Health Expense Protection program; repealing certain provisions; amending Minnesota Statutes 1978, Section 62E.12; 62E.14, Subdivision 3; 62E.53, by adding a subdivision.</p>	3517	5730	4589 4668a 5729a 5825 5855 (H1995)					
1669	<p>A bill for an act relating to transportation; appropriating money for rail service improvement; authorizing issuance of state bonds.</p>	3517	5659	3531 3727 4449 5654a 5705 5784 (H1813)					

a Indicates Amendment

() 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	Chapter
1670	A bill for an act relating to energy; creating a state emergency residential heating grant program; broadening the scope of state weatherization programs; providing a credit for energy conservation expenditures; providing a passthrough of federal energy credits; reimbursing counties; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 268.37; 290.01, Subdivision 20; and 290.06, Subdivision 14.	3517	3602	3530a 3591a 3607a	3633 3677 4537	3715 3841 3859 4520* 4794	3714 4688	Veto 4792	
1671	A bill for an act relating to retirement; granting survivor benefits to a certain surviving spouse of a deceased member of the public employees retirement association.	3520							
1672	A bill for an act relating to taxation; including tax levies to pay certain local election expenses within definition of special levies; amending Minnesota Statutes, 1979 Supplement, Section 275.50, Subdivision 5.	3520							
1673	A bill for an act relating to game and fish; increasing the period of ineligibility for successful applicants for moose or wild turkey licenses; amending Minnesota Statutes, 1979 Supplement, Section 100.271, Subdivision 3a.	3520							
1674	A bill for an act relating to labor; exempting seamen from the fair labor standards act; amending Minnesota Statutes, 1979 Supplement, Section 177.23, Subdivision 7.	3520	3774	3758a 3840 4085	4156 4588 4588	4588	4588	5787	415
1675	A bill for an act relating to taxation; clarifying the provisions of the wetland credit for property tax purposes; providing a property tax exemption and credit for native prairie; providing for payment to the county for revenue lost by the exemption and credit; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 272.02, Subdivision 1; 273.115, Subdivisions 1, 2, 5, 6, and by adding a subdivision.	3520	3774	3764a 3840 4160a	4248 5012 5012	5012	5012	5835	432
1676	A bill for an act relating to taxation; providing an income tax credit for wages paid to certain disadvantaged employees; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	3520		3665					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1677	A bill for an act relating to landlords and tenants; clarifying certain duties of landlords and tenants in relation to the return of security deposits; amending Minnesota Statutes 1978, Section 504.20, Subdivision 3.	3521	4215	4201 4448 5097					
1678	A bill for an act relating to corrections; requiring expiration of the sentencing guidelines commission four years after its establishment; amending Minnesota Statutes 1978, Section 244.09, by adding a subdivision.	3521							
1679	A bill for an act relating to transportation; permitting certain exemptions from motor carrier reporting requirements; requiring driver qualifications and safety requirements for certain carriers; creating a single annual renewal date for holders of multiple permits; permitting issuance of "floater" identification cards to motor carriers; clarifying enforcement powers; amending Minnesota Statutes 1978, Sections 221.031, Subdivision 1; 221.131; 221.221; and Minnesota Statutes, 1979 Supplement, Section 221.011, Subdivision 2.	3521	3993	3521 3666 3971a 4075 4167			5602	5914	465
1680	A bill for an act relating to motor vehicles; setting due dates for installment payments of motor vehicle registration taxes; extending the coroner's reporting time of deaths resulting from motor vehicle accidents; authorizing the use of accident reports by certain agencies for accident prevention purposes; amending Minnesota Statutes 1978, Sections 168.31, Subdivision 4; and 169.09, Subdivisions 11 and 13.	3521	4694	4667a 4989 5073 (H1835)					
1681	A bill for an act relating to transportation; providing for a travel information franchise program, and prescribing the powers and duties of the commissioner of transportation in relation thereto; amending Minnesota Statutes 1978, Sections 160.08, Subdivision 7; 161.23, Subdivision 3; 161.433, Subdivision 2; and 161.434.	3522		(H1706)					
1682	A bill for an act relating to insurance; requiring the issuance of temporary licenses to certain qualified persons; amending Minnesota Statutes 1978, Section 60A.17, by adding a subdivision.	3522		(H1692)					

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
1683	A bill for an act relating to state government; providing for certain historical memorials; providing an appropriation.	3522	4966	3760 4802a 5034 5521 (H1841)					
1684	A bill for an act relating to agriculture; providing for inspection and certification of grain moisture measuring devices and their operators.	3522							
1685	A bill for an act relating to pollution; recognizing the extent and severity of the problem of acid precipitation; appropriating funds and designating state agencies and departments to conduct activities designed to identify, control and abate acid precipitation.	3522	5118	4103a 5111a 5222 5521 (H1665)					
1686	A bill for an act relating to county court district 8C; providing for residency of county court judges in the counties of Big Stone, Grant, Pope, Stevens, Traverse and Wilkin; providing for election of judges in those counties.	3523	4694	4666a 4989 5065 (H1794)					
1687	A bill for an act relating to energy; creating a state emergency residential heating grant program; broadening the scope of state weatherization programs; reimbursing counties; providing remedies for tenants whose landlords have not made required energy improvements; providing income tax credits for certain conservation expenditures; providing certain income tax exemptions; extending tax credits for investments in alternative energy systems; appropriating money; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; and 290.06, Subdivision 14.	3523							
1688	A bill for an act relating to corrections; classifying investigative data; amending Minnesota Statutes 1978, Section 241.06.	3523							
1689	A bill for an act relating to eminent domain; requiring petitioners to reimburse owners for costs and disbursements, including attorney, appraisal and engineering fees, when an eminent domain award exceeds the last offer of the petitioner by a certain percent; amending Minnesota Statutes 1978, Section 117.115, by adding a subdivision.	3523							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1690	A bill for an act relating to state departments; providing for the creation of a state employee assistance program in the department of administration; amending Minnesota Statutes 1978, Section 16.02, by adding a subdivision.	3523	4215	4155 4190a 4448 4580	4977	5025	5554	5914	466
1691	A bill for an act relating to children; requiring reports of neglect and sexual abuse of children; amending Minnesota Statutes, 1979 Supplement, Section 626.556, Subdivision 2.	3524		(H1707)					
1692	A bill for an act relating to transportation; providing for maintenance of railroad crossings; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Sections 219.403; 219.42; and Chapter 219, by adding a section.	3524							
1693	A bill for an act relating to retirement; volunteer firefighters relief associations; authorizing the provision of post retirement increases to retired volunteer firefighters; authorizing the city of Hibbing to establish or maintain separate relief associations for salaried and volunteer firefighters; restriction on volunteer firefighters relief association membership for certain persons; providing a proportionate service pension in certain cases; increasing benefits under Eveleth police and fire trust fund; authorizing retroactive post retirement increases in certain cases; providing for membership of a retired member on a relief association board of trustees; amending Minnesota Statutes, 1979 Supplement, Sections 424A.02, by adding a subdivision; and 424A.04.	3524	4694	4589a 4989 6195					
1694	A bill for an act relating to retirement; providing a post retirement adjustment to certain omitted recipients; transferring certain appropriations; amending Laws 1979, Chapter 293, Section 10, Subdivision 1, and by adding a subdivision; repealing Laws 1979, Chapter 293, Section 10, Subdivision 2.	3524	4694	4672a 4989 6195					
1695	A bill for an act relating to no-fault automobile insurance; increasing the weekly maximum for disability and income loss benefits, survivor's economic loss benefits, and survivor's replacement services loss; amending Minnesota Stat. (Continued next page)	3524	4154	4095 4215 5249					

a Indicates Amendment

o 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	Chapter
1695	Continued								
	utes 1978, Section 65B.44, Subdivisions 6 and 7, and Minnesota Statutes, 1979 Supplement, Section 65B.44, Subdivision 3.								
1696	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.	3524	5730	3795a 5109a 5728 5742 5904a	5904 6193	5916 6193			
1697	A bill for an act relating to insurance; broadening the conversion privilege on group life insurance; amending Minnesota Statutes 1978, Section 61A.09, Subdivision 1.	3525							
1698	A bill for an act relating to insurance; establishing tort threshold limitations on uninsured motorist coverage for motor vehicles; amending Minnesota Statutes 1978, Section 65B.49, Subdivision 4.	3525	4154	4096a 4215 5249					
1699	A bill for an act relating to no-fault automobile insurance; coordinating benefits with medicare and workers' compensation; extending eligibility for the assigned claims plan; providing for mandatory uninsured motorist coverage; eliminating certain mandatory offers; amending Minnesota Statutes 1978, Sections 65B.46, Subdivision 2; 65B.49, by adding a subdivision; 65B.61, Subdivisions 1 and 2, and by adding subdivisions; 65B.64, Subdivision 1; repealing Minnesota Statutes 1978, Section 65B.49, Subdivisions 5 and 6.	3525	4360	3775 4333a 4489 5795 (H1878)					
1700	A bill for an act relating to insurance; regulating suicide provisions in life insurance contracts; amending Minnesota Statutes 1978, Chapter 61A, by adding a section.	3525	3993	3946a 4075 4167 4244 4491	4564				
1701	A bill for an act relating to insurance; providing for allocation of certain automobile insurance benefits; appropriating money; amending Minnesota Statutes 1978, Section 65B.49, Subdivision 3; and Chapter 65B, by adding sections; repealing Minnesota Statutes 1978, Section 65B.53, Subdivision 4; and Minnesota Statutes, 1979 Supplement, Section 65B.53, Subdivision 1.	3525							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1702	A bill for an act relating to education; creating a Hubert H. Humphrey School of Public Affairs Endowment Fund; requiring the deposit of money into the fund; restricting the purposes for which money from the fund can be used; appropriating money.	3526							
1703	A bill for an act relating to motor vehicles; providing for delivery of motor vehicle certificates of title to owners upon satisfaction of a security interest; amending Minnesota Statutes 1978, Section 168A.20, Subdivision 1.	3526	3993	3602 3983 4075 4167 4393 (H1656)					
1704	A bill for an act relating to motor vehicle carriers; defining courier services carrier; providing the procedures for granting permits to courier services carriers; excluding courier service carriers from the term regular route common carrier; amending Minnesota Statutes 1978, Sections 221.011, Subdivision 9, and by adding a subdivision; and 221.121, by adding a subdivision.	3526	4075	3526 3666 4014a 4166 4359 (H1732)					
1705	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.	3526							
1706	A bill for an act establishing the advisory task force on the Minnesota small business conference; providing for its organization, meetings and procedures; appropriating money.	3526	5615	3950a 5613a 5672 5796 (H2046)					
1707	A bill for an act relating to towns; providing for towns to set their own hours for town elections; requiring polls to be open at least three hours; requiring a majority of voters to permit town zoning; clarifying the ballot question; requiring hearing and notice before certain actions; requiring notice of changes; amending Minnesota Statutes 1978, Sections 205.03, Subdivision 3; 366.11; 366.12; 366.13; and 366.15.	3527	3774	3773a 3992 4168a	4252 4795 4795	4795	4795	5787	416
1708	A bill for an act relating to workers' compensation; changing special compensation fund assessment procedures; providing for reimbursement to certain insurers; amending Minnesota Statutes, 1979 Supplement, Sections 176.131, Subdivision 10; and 176.191, Subdivision 3.	3535	3878	3863a 3992 4539	4697	6049 6201	6049		

a Indicates Amendment

() 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	Chapter
1709	A bill for an act relating to corrections; providing for licensing of correctional facilities; regulating inmate earnings; providing for the investment of money in the correctional industries revolving account; authorizing the commissioner of corrections to amend 11 MCAR, sections 2.402 to 2.403; clarifying provisions relating to work release and temporary parole; amending provision concerning good time; limiting the powers of the Minnesota corrections board; amending Minnesota Statutes 1978, Sections 241.021, Subdivision 1; 241.26, Subdivisions 1, 2 and 4; 243.05; 243.18; 243.24, Subdivision 1; 243.88, Subdivision 2; 244.01, Subdivisions 1 and 2; 244.04, Subdivision 2; 244.08; Chapter 244, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 241.27, Subdivision 2; and Laws 1978, Chapter 723, Article I, Section 19.	3535	3697	3582 3686a 3730 3905a	3996 4986	4798 4985	4797	5787	417
1710	A bill for an act relating to real estate; enacting the uniform condominium act; providing for taxation as a separate parcel; regulating eminent domain awards; regulating the creation of condominiums; protecting the purchasers of condominiums; regulating condominium declaration; regulating the management of condominiums.	3536							
1711	A bill for an act relating to taxation; income tax; providing for an investment credit for purchases of farm equipment; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	3536							
1712	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, 1979 Supplement, Sections 354.42, Subdivision 5; and 354A.12, Subdivision 2.	3536							
1713	A bill for an act relating to regional development; providing for the dissolution and property tax levies of regional development commissions; amending Minnesota Statutes 1978, Sections 462.387, by adding a subdivision; and 462.396, Subdivision 2.	3536							
1714	A bill for an act relating to the town of Castle Rock; authorizing the establishment of a detached banking facility.	3537							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1715	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; amending Minnesota Statutes 1978, Section 354.094, Subdivisions 1 and 5; and Minnesota Statutes, 1979 Supplement, Section 354.094, Subdivisions 3 and 6.	3537							
1716	A bill for an act relating to workers' compensation; providing an annual date for adjusting supplementary benefit levels; amending Minnesota Statutes 1978, Section 176.132, by adding a subdivision.	3537	3698	3864a 4167	3992	4232	4795	5662	389
1717	A bill for an act relating to retirement; local police and salaried firefighters relief associations; providing limited annual automatic post retirement adjustments for certain newly employed, active and retired local relief association members with municipal approval.	3537	4519	4509a 5432	4579	5591			
1718	A bill for an act relating to historical interpretive centers; appropriating money.	3537		3760					
1719	A bill for an act relating to taxation; changing settlement dates for property taxes; amending Minnesota Statutes 1978, Sections 276.09; 276.10; and 276.11.	3537	3774	3762a 4160a	3840	4248	5012	5787	418
1720	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; prescribing penalties; amending Minnesota Statutes 1978, Sections 152.01, by adding a subdivision; 152.19, Subdivisions 1 and 3; and Chapter 152, by adding sections.	3538							
1721	A bill for an act relating to unemployment compensation; including certain services as within definition of employment; providing for the noncharging of certain benefits; regulating accounts of successor employers; regulating reimbursements; providing for deductions from benefits; clarifying a certain disqualification from benefits; regulating employer protests; regulating certain interest charges and penalties; providing for adjustments; amending Min- (Continued next page)	3538	4360	4336a 4693 (H2191)	4448				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1721—Continued	Minnesota Statutes 1978, Sections 268.06, Subdivisions 25, 26 and 28; 268.10, Subdivision 1; 268.16, Subdivisions 1, 2 and 6; and Minnesota Statutes, 1979 Supplement, Sections 268.04, Subdivision 12; 268.06, Subdivisions 5, 22 and 33; 268.08, Subdivision 3; and 268.09, Subdivision 1.								
1722	A bill for an act relating to corrections; prescribing penalties for persons who introduce contraband into state hospitals; amending Minnesota Statutes, 1979 Supplement, Section 243.55.	3538	3602	3601a 3777a	3666 3844		4587	5662	390
1723	A bill for an act relating to the city of Minneapolis; exempting arts organizations from the admissions and amusements tax; amending Laws 1969, Chapter 1092, Section 3.	3538							
1724	A bill for an act relating to taxation; exempting admissions to events or premises of nonprofit arts organizations from the sales tax and local admissions or amusement taxes; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1.	3539	5432	3582 5577	5413a 5622a	5622			
1725	A bill for an act relating to education; defining "nonsectarian nonpublic school" and modifying the definition of "neutral site" to include a nonsectarian nonpublic school for purposes of certain sections providing aid to nonpublic school children; amending Minnesota Statutes 1978, Section 123.932, Subdivision 9, and by adding a subdivision.	3539	3730	3720 4001	3840 4084				
1726	A bill for an act relating to children; providing for review of foster care of certain developmentally disabled children; permitting Ramsey and Hennepin County juvenile court referees to hear contested cases with parties' consent; amending Minnesota Statutes 1978, Section 257.071, Subdivision 3, and by adding a subdivision.	3539	3697	3691a 3845	3730 3904 5845	5845	5845	6811	555
1727	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 the presence of a notary public; prescribing penalties; amending (Continued next page)	3539							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
1727	Continued Minnesota Statutes 1978, Section 609.48, Subdivision 1. and by adding a subdivision.									
1728	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 1978, Section 595.02.	3539	3697	3691a 3845	3730	3995				
1729	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, or of driving after cancellation, suspension, or revocation of his driver's license; amending Minnesota Statutes 1978, Sections 169.121, Subdivision 5; and 609.135, Subdivision 1.	3539	3602	3601a 3743	3666	3776				
1730	A bill for an act relating to real estate; prohibiting time shared estates in real property; amending Minnesota Statutes 1978, Chapter 500, by adding a section.	3540								
1731	A bill for an act relating to trade secrets; enacting the uniform trade secrets act.	3540	3993	3978a 4167	4075	4235				
1732	A bill for an act relating to public welfare; allowing county boards to delegate certain powers to county welfare boards; allowing human services boards to appoint a director on a permissive basis; amending Minnesota Statutes, 1979 Supplement, Sections 256E.08, by adding a subdivision; and 402.05, Subdivision 1a.	3540	3898	3875a 4167	3992	4235	4256 4407 4571			
1733	A bill for an act relating to public buildings; appropriating money for the Hormel Institute.	3540								
1734	A bill for an act relating to agriculture; renaming the livestock sanitary board; repealing obsolete language; regulating treatment of diseased animals; eliminating certain local boards; requiring anaplasmosis testing of livestock; providing a penalty; amending Minnesota Statutes 1978, Sections 17A.04, Subdivision 6; 29.051; 29.061; 29.081; 35.01, Subdivisions 1 and 2; 35.02, Subdivision 1; 35.03; 35.05; 35.06; 35.063; 35.065; 35.08; 35.09; (Continued next page)	3540	3730	3719a 3905	3840	3998 5398	5397	5397	5914	467

a Indicates Amendment

() 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	Chapter
	1734—Continued 35.10; 35.11; 35.12; 35.13; 35.15; 35.16; 35.245; 35.67; 35.68; 35.696; 35.70, Subdivision 1, 3 and 4; 35.71, Subdivisions 3 and 7; 35.81; 35.82; 35.822; 35.830; 35.831; 346.26; 347.32; 347.33; 347.34; 347.35; 347.37; 347.38; 347.39; and Chapter 35, by adding a section; repealing Minnesota Statutes 1978, Sections 35.01, Subdivisions 3, 4, 5, 6 and 7; 35.07; 35.131; 35.132; 35.133; 35.134; 35.135; 35.136; 35.137; 35.17; 35.18; 35.19; 35.20; 35.21; 35.22; 35.23; 35.24; 35.25; 35.26; 35.27; 35.28; 35.29; 35.30; 35.31; 35.32; 35.33; 35.34; 35.35; 35.40; 35.41; 35.42; 35.43; 35.44; 35.45; 35.46; 35.47; 35.48; 35.49; 35.50; 35.51; 35.55; 35.56; 35.57; 35.58; 35.60; 35.605; 35.70, Subdivisions 2, 5, 6 and 8; 35.73, Subdivision 2; and 35.821, Subdivision 2.								
1735	A bill for an act relating to courts; tenth judicial district; authorizing appointment of a law clerk for each district court judge; amend- ing Minnesota Statutes 1978, Sec- tion 484.545, Subdivision 1.	3541	4563	4555a 4708 5532					
1736	A bill for an act relating to high- ways; providing a penalty for cer- tain unlawful uses of or actions on public highways; prohibiting the erection of a fence on the right of way of a town road; providing for payment of damages by petition- ers for cartways; amending Min- nesota Statutes 1978, Section 160.27, Subdivision 5; and Minne- sota Statutes, 1979 Supplement, Section 164.08, Subdivision 2.	3541	3774	3774 3840 4085	4157 5577	4798 5577	4798	5914	435
1737	A bill for an act relating to educa- tion; authorizing school districts to provide bus transportation for certain pupils who live within a mile of school; allowing districts to charge a fee for the transporta- tion.	3541		3993					
1738	A bill for an act relating to correc- tions; authorizing the confine- ment of pre-trial detainees and sentenced persons up to 90 days in lockup facilities.	3541							
1739	A bill for an act relating to trans- portation; permitting informa- tional notations on recorded maps and plats; simplifying correction of errors on them; amending Min- nesota Statutes 1978, Section 160.085, Subdivision 1, and by adding a subdivision.	3542		(H1823)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1740	A bill for an act relating to local public employees; increasing the amount of severance pay which may be given to certain employees; improving some of the language in a severance pay law; amending Minnesota Statutes, 1979 Supplement, Section 465.72.	3542	3841	3797 4162a 3876	4251				
1741	A bill for an act relating to motor vehicles; exempting certain retail installment contracts from the Motor Vehicle Installment Sales Act; amending Minnesota Statutes 1978, Section 168.66, Subdivision 4.	3542	3774	3771a 4158 3840	4229				
1742	A bill for an act relating to taxation; income tax; providing a credit for energy conservation expenditures; amending Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 14.	3542							
1743	A bill for an act relating to taxation; real property; providing for the classification and assessment of certain recreational property; amending Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 4.	3542							
1744	A bill for an act relating to recreation; requiring minimum insurance and a certificate of inspection for certain ski lifts, amusement rides, and amusement attractions before their operation; authorizing the commissioner of labor and industry to make the inspections and to prescribe safety rules; authorizing the commissioner to delegate inspection authority to other agencies or political subdivisions; establishing an advisory council; requiring disconnection of hazardous rides and reporting of serious injuries; establishing penalties; appropriating money.	3543		4152a					
1745	A bill for an act relating to counties; providing for publication and examination of accounts; amending Minnesota Statutes 1978, Section 375.26; and Minnesota Statutes, 1979 Supplement, Section 375.17.	3543	4075	4028	4157 4497	4497	4497	5602	379
1746	A bill for an act relating to unemployment compensation; cancelling wage credits for certain employees; amending Minnesota Statutes, 1979 Supplement, Section 268.07, Subdivision 3.	3543							

a Indicates Amendment

() 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	Chapter
1747	A bill for an act relating to taxation; correcting the text of the residential energy income tax credit provision; amending Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 14.	3543							
1748	A bill for an act relating to health; authorizing the commissioner of health to issue orders concerning well water quality; amending Minnesota Statutes 1978, Section 156A.05, by adding a subdivision.	3543		(H2153)					
1749	A bill for an act relating to insurance; providing for the regulation of mass marketed life or health insurance; providing the commissioner with rule-making power on the subject of unfair methods and unfair or deceptive acts and practices; amending Minnesota Statutes 1978, Sections 72A.13; 72A.19; and 72A.41, Subdivision 1.	3543	4360	4337a 4563	4489 4580	4982	5554	5914	436
1750	A bill for an act relating to commerce; regulating the sale of subdivided lands; prescribing certain registration and exemption procedures and requirements; modifying the enforcement powers and procedures of the commissioner of securities; prescribing certain fees; providing certain penalties; amending Minnesota Statutes 1978, Sections 83.23, Subdivision 4; 83.26; 83.27; 83.28, Subdivision 2; 83.29, Subdivision 1; 83.30, Subdivision 2; 83.31; 83.35, Subdivisions 1, 2 and 3; and 83.37, Subdivision 1; repealing Minnesota Statutes 1978, Section 83.35, Subdivision 5.	3544							
1751	A bill for an act relating to highway traffic regulations; providing that the operation of certain motorcycles does not require a two-wheeled vehicle endorsement on the operator's driver's license; amending Minnesota Statutes 1978, Section 169.974, Subdivision 2; and by adding a subdivision.	3544	3898	3865a 4167	3992	4233			
1752	A bill for an act relating to commerce; requiring invoices on certain repairs; amending Minnesota Statutes 1978, Sections 325.972; and 325.976.	3544	4694	4668a 5532	4989	5646			
1753	A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.	3544	4563	4554a 5245 (H1731)	4708				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
1754	A bill for an act creating a legislative commission to study and recommend town zoning and planning laws; appropriating money.	3544								
1755	A bill for an act relating to towns; permitting compensation and providing for mileage of deputy clerks; amending Minnesota Statutes 1978, Section 367.05, Subdivision 2.	3545	3667	3664a	3697 4415	4415	4414	5100	366	
1756	A bill for an act relating to highways; providing that a resolution of a county board revoking a county highway that would revert to a town is not effective until the highway meets county road standards; amending Minnesota Statutes 1978, Section 163.11, Subdivision 5a.	3545	4075	4023a 4359 (H1695)	4166					
1757	A bill for an act relating to motor vehicles; providing for the registration and taxation of certain vehicles for a period of less than 12 months under certain circumstances; amending Minnesota Statutes 1978, Sections 168.012, Subdivision 7; 168.013, Subdivision 6; and 168.017, Subdivision 3.	3545		(H1916)						
1758	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 duties for the commissioner of insurance; amending Minnesota Statutes 1978, Sections 70A.02; 70A.09; 70A.16; 79.09; 79.24; 79.28; 79.29; 79.30; 79.31; 79.32; Chapter 79, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 79.075; 79.21; 79.211; 79.25, Subdivision 1; repealing Minnesota Statutes 1978, Sections 79.08; 79.11; 79.12; 79.13; 79.14; 79.15; 79.16; 79.17; 79.18; 79.19; 79.20; 79.26; 79.27; Minnesota Statutes, 1979 Supplement, Sections 79.01, Subdivision 7; 79.071; 79.072; 79.073; 79.076; 79.10; 79.171; and 79.22.	3545		3582						
1759	A bill for an act relating to counties; providing for the responsibilities and appointments of deputy county treasurers; providing for sheriffs and deputies compensation and expenses; permitting compensation for use of automobiles; authorizing the county board of Dakota County to set amount for expense account; permitting units to contract with each other for police service; amending Minnesota Statutes (Continued next page)	3545	3697	3686a 4001	3840	4083 5668	5667	5667	5916	519

a Indicates Amendment

() 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	Chapter
1759	Continued 1978, Sections 385.02, Subdivision 1; 387.20, Subdivisions 1 and 6; 436.05; and Chapter 387, by adding a section; and Laws 1961, Chapter 249, Section 2, as amended.								
1760	A bill for an act relating to retirement; authorizing membership in the public employees' police and fire fund for the Moorhead police chief.	3546							
1761	A bill for an act relating to health; requiring a study of certain hospital costs by the legislative auditor.	3546							
1762	A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, Article XI, by adding a section; allowing state spending to be a fixed proportion of state personal income; providing a statute implementing the amendment.	3546	5615 5730	5613a 5729	5615 5742	5886			
1763	A bill for an act relating to driver's licenses; providing for the disposition of the county fee in Dakota County.	3546	4154	4101 4562 (H1824)	4489				
1764	A bill for an act relating to taxation; property tax; providing for uncontested hearings for property valuation; clarifying the definition of family farm corporation; information to be included on valuation notices; clarifying the computation of agricultural aid credit; clarifying acreage available for homestead credit; changing date for county board of equalization meeting and transfer of books to treasurer; changing penalty and interest rates; clarifying the role of administrative auditor in fiscal disparities; amending Minnesota Statutes 1978, Sections 270.11, Subdivision 6; 273.111, Subdivision 3; 273.121; 273.13, Subdivision 6a; 273.135, Subdivision 1; 274.13, Subdivision 1; 274.14; 276.01; 279.01; 279.37, Subdivision 2; 282.01, Subdivisions 1 and 4; 282.222, Subdivision 4; 282.261; and 473F.08, by adding a subdivision; Minnesota Statutes, 1979 Supplement, Sections 273.13, Subdivision 6; 279.03 and 282.15; repealing Minnesota Statutes 1978, Sections 275.31; 275.32; 275.33; 275.34; 275.35; and 473F.08, Subdivisions 7 and 8.	3546	3649	3647a 3666	3649 3846a	3903 5524	5507 5523	5506 5914	437

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1765	A bill for an act relating to taxation; income tax; providing that certain unemployment compensation be included in gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	3547							
1766	A bill for an act relating to agriculture; requiring the preparation of agricultural impact statements for certain public projects; appropriating money.	3547							
1767	A bill for an act relating to retirement; providing for the amortization of the unfunded accrued liability of the St. Cloud firefighters' relief association.	3547							
1768	A bill for an act relating to energy; establishing a program of annual monetary awards for ideas in the fields of alternative energy sources and energy conservation; appropriating funds.	3547							
1769	A bill for an act relating to general assistance; authorizing and setting minimum limits for allowances for personal needs in certain cases; amending Minnesota Statutes 1978, Section 256D.06, by adding a subdivision.	3547		3666					
1770	A bill for an act relating to health; requiring certain immunizations for children; requiring certain schools to maintain immunization records and make certain reports; amending Minnesota Statutes 1978, Section 123.70.	3548		4286 (H2075)					
1771	A bill for an act relating to highway traffic regulations; regulating speed in certain speed zones; authorizing local authorities to establish speed limits within high pedestrian conflict zones; amending Minnesota Statutes, 1979 Supplement, Section 169.14, Subdivision 5a.	3548		3582					
1772	A bill for an act relating to highway traffic regulations; authorizing an annual permit for certain oversize vehicles transporting implements of husbandry; prescribing limitations on the use of the vehicles; amending Minnesota Statutes 1978, Section 169.80, Subdivision 1.	3548	3602	3594a 3666 3667 3846a	3902		5554	5914	438
1773	A bill for an act relating to intoxicating liquor; authorizing the production and sale of table or sparkling wines produced by a Minnesota farm winery; providing for the taxation thereof.	3548		3949a					

a Indicates Amendment

• 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	Chapter	
1774	A bill for an act relating to energy; establishing state programs for emergency energy assistance, administration of federal grants, supplementing federal weatherization grants, reimbursing counties for home heating expenditures, and emergency energy conservation grants; appropriating funds.	3548								
1775	A bill for an act relating to workers' compensation; creating a fund to meet the expenses of certain intervenors in workers' compensation rate hearings; revising the procedure for division of payroll; defining family farm; 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; amending Minnesota Statutes 1978, Section 176.011, Subdivision 11a; and Minnesota Statutes, 1979 Supplement, Sections 79.071, by adding subdivisions; 79.211, Subdivision 2; 79.34; 79.35; 79.36; 79.37; and 79.38; repealing Minnesota Statutes, 1979 Supplement, Sections 79.41 and 79.42.	3565	3774	3758a 4085	3840	4156 5850	5849	5849	6811	556
1776	A bill for an act relating to unemployment compensation; providing for the non-charging of benefits to nonprofit organizations who continue to provide part-time employment to individuals terminated by their full-time employers; amending Minnesota Statutes 1978, Section 268.06, Subdivision 28; and Minnesota Statutes, 1979 Supplement, Section 268.06, Subdivision 33.	3565								
1777	A resolution memorializing the Civil Aeronautics Board and the President of the United States to authorize non-stop service by Northwest Airlines between Minneapolis-St. Paul and London.	3565		(H1715)						
1778	A bill for an act relating to claims against the state; appropriating money for the payment thereof.	3565	5025	5019a 5655 (H1963)	5222					
1779	A bill for an act relating to taxation; income; excluding certain interest income from gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	3565								

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1780	A bill for an act appropriating money to pay certain construction and engineering costs incurred by the city of Minnetonka on a temporary trunk highway.	3566							
1781	A bill for an act relating to health; assisting rural health cooperatives; appropriating money.	3566		3875a					
1782	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, 1979 Supplement, Sections 354A.011, Subdivision 11; 354A.092; 354A.093; 354A.12, Subdivisions 1 and 2; 354A.24; 354A.32; 354A.39; and 354A.41.	3566							
1783	A bill for an act relating to elections; providing for hearings of contested legislative elections; amending Minnesota Statutes 1978, Sections 209.02, Subdivision 4a; 209.09; and 209.10, Subdivision 1.	3566	4075	4026a 4539	4166 4700				
1784	A bill for an act relating to taxation; income tax; excluding certain interest income from gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	3566							
1785	A bill for an act relating to game and fish; authorizing moose seasons in the discretion of the commissioner; amending Minnesota Statutes 1978, Section 100.27, Subdivision 2.	3566	3993	3978 5246 (H1818)	4075				
1786	A bill for an act relating to taxation; real property; reducing the assessment ratio for certain property; amending Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 7.	3567							
1787	A bill for an act relating to elections; amending certain provisions regulating campaign finance contribution and expenditure limits and disclosure; eliminating the income tax check-off and establishing a matching system for public financing of political campaigns; appropriating money; amending Minnesota Statutes 1978, Sections 10A.20, Subdivision 3; 10A.25, Subdivision 2; 10A.27, Subdivisions 1 and 2; 10A.30, Subdivision 1; and (Continued next page)	3567		4339a					

a Indicates Amendment

() 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	Chapter
1787	—Continued								
	Chapter 10A, by adding a section; repealing Minnesota Statutes 1978, Sections 10A.30, Subdivision 2; 10A.31; 10A.32, Subdivisions 1, 2, 3a and 4; and 10A.335.								
1788	A bill for an act relating to education; modifying certain rule making procedures and the tuition exemption authority of the state university board; allowing a change in the placement service registration fee at state universities; eliminating a reporting duty of the state university board and a reporting duty of state university presidents; eliminating a provision governing state university rules which conflict with the provisions of certain collective bargaining contracts; amending Minnesota Statutes 1978, Sections 136.11, Subdivisions 1 and 8; and 136.14; repealing Minnesota Statutes 1978, Sections 136.148 and 136.15.	3567	3730 4075	3723a 3731 4072a 4166 4691 (H1884)					
1789	A bill for an act relating to taxation; estate tax; making technical adjustments and clarifying certain provisions; amending Minnesota Statutes 1978, Sections 290.077, Subdivision 4; 291.07, Subdivision 3; 291.111, Subdivision 2; 291.15; 291.18; 291.32, Subdivision 1; 291.33, by adding a subdivision; 501.211, Subdivision 3, and by adding a subdivision; 524.3-505; 524.3-1003; 525.532, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; 290.14; 291.005, Subdivision 1; 291.01; 291.015; 291.03; 291.05; 291.051; 291.06; 291.07, Subdivision 1; 291.075; 291.09, Subdivisions 1a and 4a; 291.11, Subdivision 1; 291.132; 291.14; 291.215, Subdivision 1; 291.33, Subdivision 1; 291.48; 524.3-105; and 524.3-1001; repealing Minnesota Statutes 1978, Sections 291.17; 291.19, Subdivisions 1, 2 and 4; 291.20, Subdivision 4; and Minnesota Statutes, 1979 Supplement, Sections 291.111, Subdivision 1; and 291.19, Subdivision 3.	3567	3730	3602 3715a 3840 3906a 3993	3997		5505	5914	439
1790	A bill for an act relating to the county attorney; requiring the county attorney to prosecute persons under certain circumstances; excepting Hennepin County; amending Minnesota Statutes 1978, Chapter 388, by adding a section.	3568							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1791	A bill for an act relating to the environment; requiring the pollution control agency to promulgate a separate set of rules for solid waste control in rural areas; amending Minnesota Statutes 1978, Section 116.07. Subdivisions 2 and 4.	3568							
1792	A bill for an act relating to game and fish; prohibiting the taking of raccoon by nonresidents; amending Minnesota Statutes, 1979 Supplement, Sections 98.46. Subdivision 14; and 100.27. Subdivision 3.	3568							
1793	A bill for an act relating to government meetings; clarifying application of the open meeting law to town supervisors; amending Minnesota Statutes 1978, Section 471.705, Subdivision 1.	3568							
1794	A bill for an act relating to state lands; authorizing the sale at public auction of lands and interests in lands located in Mower and Fillmore Counties.	3569	4154	4102a 4571	4215	4969			
1795	A bill for an act relating to children; authorizing a multi-purpose declaration of parentage; amending Minnesota Statutes 1978, Chapter 257, by adding a section.	3569	4215	4209a 5249	4448				
1796	A bill for an act relating to economic development; regulating development loans to Indians; amending Minnesota Statutes 1978, Section 362.40, Subdivisions 2 and 8; Minnesota Statutes, 1979 Supplement, Section 362.40, Subdivision 9; repealing Minnesota Statutes 1978, Section 362.40, Subdivision 3.	3569	3898	3864 4167	3992	4231	4795	5662	391
1797	A bill for an act relating to the Minnesota zoological garden; supplementing and clarifying the authority of the zoological garden board in regard to penalties for rule violations; regulating the use of the name or mark of the garden; providing penalties; amending Minnesota Statutes 1978, Section 85A.02, Subdivision 7; and Chapter 333, by adding sections.	3569	3993	3952a 4491	4075	4566	5100	5835	433
1798	A bill for an act relating to the military; extending indefinitely the duration of the authority of the adjutant general to acquire lands for military training from funds available in the military land fund; repealing certain obsolete provisions relating to the (Continued next page)	3569	3993	3952 4468 (H2119)	4075				

a Indicates Amendment

() 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	Chapter
1798	Continued military land fund; amending Minnesota Statutes 1978, Sections 190.25; 190.26, Subdivision 1; 190.29; 190.30, Subdivisions 1, 5 and 6; and repealing Minnesota Statutes 1978, Sections 190.26, Subdivisions 2 and 3; and 190.27.								
1799	A bill for an act relating to judicial procedures; changing the procedures and circumstances under which guardians and conservators may be appointed; changing the powers and duties of guardians and conservators; providing for the appointment, powers, and duties of guardians and conservators of minors; amending Minnesota Statutes 1978, Sections 525.54; 525.541; 525.542; 525.543; 525.544; 525.55; 525.56; 525.57; 525.58; 525.581; 525.583; 525.59; 525.591; 525.60, Subdivision 1; 525.62; 525.63; 525.67; 525.69; 525.83; and Chapter 525, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 525.551; and 525.61; repealing Minnesota Statutes 1978, Sections 525.60, Subdivision 2; 525.611; 525.612; 525.613; 525.614; and 525.621.	3569		(H1779)					
1800	A bill for an act relating to food; exempting charitable donors of distressed food and charitable organizations from liability for injuries in certain circumstances; amending Minnesota Statutes 1978, Section 31.495, by adding a subdivision.	3570							
1801	A bill for an act relating to the family; changing certain procedures and criteria for termination of parental rights; amending Minnesota Statutes 1978, Sections 260.221; 260.241, Subdivisions 1 and 2; and Chapter 260, by adding a section.	3570	4215	4212a 4571	4448 4978				
1802	A bill for an act relating to foreign corporations; removing certain deficiencies and ambiguities; defining certain 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 1978, Sections 303.02, Subdivision 3; 303.03; 303.04; and 303.25.	3570	3730	3729a 3907a	3840 3999				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1803	A bill for an act relating to commerce; restricting the scope of the corporate take-over statute; amending Minnesota Statutes 1978, Sections 80B.02, Subdivision 5; 80B.03, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Sections 80B.02, Subdivision 8; and 80B.03, Subdivisions 4 and 5.	3570	4154	4098 4215 4571	4971				
1804	A bill for an act relating to unemployment compensation; changing certain provisions relating to disqualification from benefits; amending Minnesota Statutes 1978, Section 268.09, Subdivisions 1, as amended, and 2, as amended, and by adding a subdivision.	3571							
1805	A bill for an act relating to education; designating the birthday of Martin Luther King as a special observance day in public schools; eliminating a reference to the amount of time that may be spent for certain instruction and programs on a special observance day; amending Minnesota Statutes 1978, Section 126.10.	3571	4075	4070 4166 4705	5026				
1806	A bill for an act relating to economic development; creating a small business finance agency with authority to issue and sell tax exempt obligations to provide loans for small business and pollution control projects; requiring reports.	3571	5615	3798a 4272a 5611a 5692 5790 (H2045)					
1807	A bill for an act relating to taxation; income; property tax refund; deleting obsolete and unnecessary provisions and references; amending Minnesota Statutes 1978, Sections 290.03; 290.07, Subdivision 4; 290.071, Subdivision 1; 290.073; 290.077, Subdivision 4; 290.08, Subdivisions 3, 8 and 13; 290.09, Subdivisions 5, 13 and 25; 290.095, Subdivisions 3 and 8; 290.131, Subdivision 1; 290.18, Subdivision 1; 290.28, Subdivision 3; 290.311, Subdivisions 1 and 2; 290.32; 290.361, Subdivision 2; 290.38; 290.40; 290.49, Subdivision 1; 290.62; 290.65, Subdivisions 2, 7, 9, 13 and 16; 290.92, Subdivisions 2a, 5, 13 and 15; 290.93, Subdivisions 5 and 9; 290.931, Subdivision 1; 290.932, Subdivision 1; 290.936; 290.97; 290.972, Subdivisions 2 and 3; 290A.07, Subdivision 1; Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; and 290A.03. Sub- (Continued next page)	3571	3730	3718a 3840 4158	4228		4798	5787	419

a Indicates Amendment

() 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	Chapter
1807—Continued									
	divisions 3 and 13; repealing Minnesota Statutes 1978, Sections 290.06, Subdivisions 2b, 3a and 3b; 290.08, Subdivisions 4 and 5; 290.086; 290.087; 290.09, Subdivisions 11 and 20; 290.095, Subdivision 6; 290.31, Subdivision 28; 290.34, Subdivision 4; 290.361, Subdivision 4; 290.363; 290.45, Subdivision 2a; 290.49, Subdivision 9; 290.53, Subdivision 6; 290.65, Subdivisions 8, 14 and 15; 290.66; 290.68; 290.69; 290.93, Subdivision 12; 290.932, Subdivision 5; 290.95; 290.96; and 290.972, Subdivision 7.								
1808	A bill for an act relating to commerce; providing penalties for usurious contracts; amending Minnesota Statutes 1978, Section 334.02; repealing Minnesota Statutes 1978, Sections 334.03 and 334.05.	3572							
1809	A bill for an act relating to taxation, real property; providing that boards of review and equalization shall not increase certain assessments; amending Minnesota Statutes 1978, Sections 274.01, Subdivision 1, and 274.13, Subdivision 1.	3572							
1810	A bill for an act relating to motor vehicles; registration and taxation; exempting certain tax exempt vehicles from special markings; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.	3572	3993	3952 4075 4167	4240				
1811	A bill for an act relating to transportation; excluding minor pipeline relocations from certain easement or right-of-way agreement provisions; amending Minnesota Statutes, 1979 Supplement, Section 116I.01, Subdivision 2.	3572	3898	3865a 3992 4169a	4252		5554	5914	440
1812	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 1978, Section 168.012, Subdivision 1.	3572	3774	3760 3840 4085 4213 (H2110)					
1813	A bill for an act relating to mobile homes; permitting the sale of mobile homes from a residence; amending Minnesota Statutes 1978, Section 327.55, Subdivision 1.	3572	3993	3982 4075 4170a	4255 5605	5605	5605	5914	441

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1814	A bill for an act relating to commerce; authorizing floating interest rates for contracts for deed on residential property.	3573							
1815	A bill for an act relating to commerce; providing for service of legal process on nonresident brokers and salespersons licensed to do business in Minnesota; amending Minnesota Statutes 1978, Section 82.31, Subdivision 3.	3573	4215	4201	4458 4796	4796	4796	5787	420
1816	A bill for an act relating to taxation; abolishing the office of the St. Louis County assessor; providing for the assessment of property in St. Louis County by local assessors; amending Minnesota Statutes 1978, Sections 273.052 and 273.063.	3573							
1817	A bill for an act relating to education; permitting the state board of education to award scholarships to Indian students attending a college preparatory school; amending Minnesota Statutes 1978, Section 124.48.	3573							
1818	A bill for an act relating to occupations and professions; providing for licensing of public accountants; amending Minnesota Statutes, 1979 Supplement, Section 326.191.	3573	3993	3945a 4167 (H1769)	4075 4359				
1819	A bill for an act relating to state departments; requiring final approval from the legislature for rules promulgated under the administrative procedure act; amending Minnesota Statutes 1978, Sections 15.0412, 15.0413, Subdivision 1; and 15.052, Subdivision 4.	3573							
1820	A bill for an act relating to highway traffic regulations; speed limits; authorizing cities to establish speed limits on streets and highways under their jurisdiction; placing restrictions on such limits; amending Minnesota Statutes 1978, Section 169.14, Subdivision 5.	3574							
1821	A bill for an act relating to highway traffic regulations; authorizing an annual permit for vehicles equipped with more than four axles and prescribing a fee therefor; providing that certain axles registered after a certain date shall not be deemed a trailer; amending Minnesota Statutes 1978, Section 169.86, by adding a subdivision; and Chapter 169, by adding a section.	3574							

a Indicates Amendment

() 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	Chapter
1822	A bill for an act relating to the Minnesota-Wisconsin boundary area commission; providing that the terms of commissioners shall be staggered; amending Minnesota Statutes 1978, Section 1.33.	3574		(H1871)					
1823	A bill for an act relating to intoxicating liquor; expressly allowing negligence actions based upon illegal sale or furnishing; amending Minnesota Statutes 1978, Section 340.95.	3574							
1824	A bill for an act relating to retirement; payments of contributions by and on behalf of teachers on extended leaves; amending Minnesota Statutes 1978, Section 354.094, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 354.094, Subdivision 3.	3574							
1825	A bill for an act relating to state government; permitting payroll deductions for the Minnesota Benefit Association; amending Minnesota Statutes 1978, Section 10.39, Subdivision 1.	3575	3993	3981 4167	4075 4245				
1826	A bill for an act relating to probate; changing certain time limits for a personal representative to file an inventory and appraisal; amending Minnesota Statutes, 1979 Supplement, Section 524.3-706.	3575	4215	4205a 4571	4448 4979				
1827	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; adding a provision to allow the legislature to call a special session.	3575	5730	3796a 5728 5873a	5107a 5742	5883			
1828	A bill for an act relating to state hospitals; preliminary plans for modifications to Fergus Falls state hospital; appropriating money.	3575	5432	3687a	5412a				
1829	A bill for an act relating to education; providing special instruction and services to certain handicapped children beginning from birth; appropriating money; amending Minnesota Statutes 1978, Section 120.17, Subdivision 1.	3575							
1830	A bill for an act relating to public welfare; providing access to criminal conviction data of certain applicants for licenses; amending Minnesota Statutes 1978, Section 245.783, Subdivision 3.	3576		(H1769)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1831	A bill for an act relating to intoxicating liquor: permitting municipalities to issue on-sale licenses to veterans' organizations in existence at least two years; amending Minnesota Statutes, 1979 Supplement, Section 340.11, Subdivision 11.	3576							
1832	A bill for an act relating to public utilities and telephone companies: regulating delinquency charges on customer or subscriber accounts.	3576	4215	4206a 4571	4448	4977			
1833	A bill for an act relating to crimes: prescribing penalties for the possession or sale of drug related devices.	3576							
1834	A bill for an act relating to taxation: deed tax: creating a state registered land assurance account: appropriating money: amending Minnesota Statutes 1978, Sections 287.21, Subdivision 2; 287.25; 287.29, Subdivision 1; 508.77; and Chapter 508, by adding a section.	3576							
1835	A bill for an act relating to education: clarifying a term and removing obsolete language in provisions governing school district dissolution and attachment procedure, the consolidation procedure, the procedure for reorganizing a common school district, the procedure for calling special meetings in common school districts, actions against certain school board members, actions against certain school employees, and the establishment of certain libraries: amending Minnesota Statutes 1978, Section 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.25, Subdivision 1; 123.11, Subdivision 7; 127.09; 127.11; and 134.08.	3576	4481	4471a 5249	4579	5590			
1836	A bill for an act relating to courts: second judicial district: providing for the appointment of the juvenile court clerk: amending Laws 1951, Chapter 653, Section 1, as amended.	3577	4215	4201 (H1798)	4468				
1837	A bill for an act relating to elections: providing for towns to set their own hours for town elections; requiring polls to be open at least three hours: amending Minnesota Statutes 1978, Section 205.03, Subdivision 3.	3577	3993	3602 4075	3928 4362	4485			
1838	A bill for an act relating to industrial development: extending the (Continued next page)	3577	4075	4073a 4539	4166	4702			

a Indicates Amendment

() 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	Chapter
1838—Continued	industrial development law to all towns; requiring authorization for certain agricultural projects; amending Minnesota Statutes 1978, Sections 474.02, Subdivision 2, and 474.04.								
1839	A bill for an act relating to education; extending the eligibility for a teacher's early retirement incentive; providing that each school district will determine the amount of the early retirement incentive within certain limits; increasing the percent of the incentive paid by the state; eliminating the added early retirement incentive for teachers in school districts implementing certain desegregation plans; amending Minnesota Statutes, 1979 Supplement, Section 125.61, Subdivisions 1, 3, 4 and 4b; repealing Minnesota Statutes, 1979 Supplement, Section 125.61, Subdivision 3a.	3577							
1840	A bill for an act relating to agriculture; protecting agricultural operations from nuisance suits under certain circumstances; amending Minnesota Statutes 1978, Chapter 561, by adding a section.	3578		3993					
1841	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; repealing Minnesota Statutes 1978, Sections 239.001; 239.002; 239.003; and 239.004.	3578							
1842	A bill for an act relating to agriculture; clarifying definition of warehouseman; requiring denaturing and labeling of certain foods; adopting certain federal food regulations; changing certain procedures; amending Minnesota Statutes 1978, Section 31.02; and Minnesota Statutes, 1979 Supplement, Sections 31.101, Subdivision 8; and 231.01, Subdivision 5.	3578	3730	3720a 3905 3840	3998 5606 5606	5606	5606	5914	442
1843	A bill for an act relating to transportation; establishing a state rail bank for abandoned rail lines; providing for the sale of certain abandoned railway lines in certain counties; providing for the purchase or lease of certain bridges by counties, authorizing toll charges (Continued next page)	3578	3774	3667 3760a 3840 4085a 4159a	4247 5911	5397 5577 5676 5909*	5397 6038	6817	558

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1843—Continued	for vehicular use thereof, and specifying the purposes for which the revenue may be used; providing for employment preferences for certain rail employees under certain circumstances; amending Minnesota Statutes 1978, Chapter 222, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 174.03, Subdivision 4; 222.50, Subdivision 7; and 222.65.								
1844	A bill for an act relating to advertising devices; permitting advertising devices in certain places under certain circumstances; repealing Minnesota Statutes 1978, Section 173.08, Subdivision 2.	3578	4075	4027a 4166 5025 5523 (H1790)					
1845	A bill for an act relating to taxation; real property; providing for the assessment of property used for residential purposes; amending Minnesota Statutes 1978, Sections 273.08 and 273.20.	3678							
1846	A bill for an act relating to crimes; prohibiting the sale of drug related devices, cigarette paper or the means for making cigarettes to minors and to any person if there is knowledge or reason to believe that the items will be used in violation of the controlled substance law; prohibiting the sale of objects which when assembled would constitute a drug related device; prohibiting owners of real property to lease or otherwise permit the use of their property for the retail sale of drug related devices; prescribing penalties.	3579							
1847	A bill for an act relating to Blue Earth County; authorizing the county to contract for the completion of the improvement of county ditch No. 27; setting limits on the expenditure of money for the improvement; providing for financing; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and Section 2, as amended.	3579	4360	3650 4261a	4490		4988	5787	421
1848	A bill for an act relating to veterans; creating an outreach program for Vietnam era disabled veterans in the department of economic security's employment service; amending Minnesota Statutes 1978, Section 268.14, by adding a subdivision.	3579	3697	3690 3742a	3742	3775	3859	4090	350
1849	A bill for an act relating to retirement; authorizing the purchase (Continued next page)	3585		3650 3667					

⌋ 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
1849	—Continued chase of service credit by teachers for certain periods of military service; amending Minnesota Statutes 1978, Section 354.53, Subdivisions 1 and 3; and Minnesota Statutes, 1979 Supplement, Section 354A.093.								
1850	A bill for an act relating to courts; providing for travel expenses of district court judges; amending Minnesota Statutes 1978, Section 484.54, Subdivision 2.	3585							
1851	A bill for an act relating to state parks; excluding land from Whitewater State Park; providing for scenic easements in land excluded.	3585							
1852	A bill for an act relating to state government; altering the encumbrance requirements on contractual obligations incurred for the construction, improvement and maintenance of the trunk highway system; amending Minnesota Statutes 1978, Section 16A.15, by adding a subdivision.	3585							
1853	A bill for an act relating to taxation; removing limitations on the admissibility of sales ratio studies; providing that certain documents be made available to the petitioner and providing for their admittance as evidence; providing that tax court judgments will not include penalties; amending Minnesota Statutes 1978, Sections 278.01, Subdivision 1; 278.05; and 278.08; Minnesota Statutes, 1979 Supplement, Section 124.212, Subdivision 11.	3585	4360	4356a 4580	4489 4982 5506	5506	5505	5914	443
1854	A bill for an act relating to commerce; clarifying the definition of a "sale of goods" as it applies to consumer credit sales to make it clear that it includes certain terminable bailments or leases; clarifying the interests of the respective parties; providing for a certain contract provision; amending Minnesota Statutes 1978, Sections 325.94, Subdivision 5; and 325.941, by adding subdivisions.	3586	4075	4013a 4362	4166 4487				
1855	A bill for an act relating to state government; creating an office of bond counsel in the office of the attorney general; restricting the use of private bond counsels by state agencies and political subdivisions; prescribing duties; appropriating money.	3586							

BILLS OF 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	A bill for an act relating to labor; permitting employers to refuse to hire spouses of those already employed; permitting employers to adopt and enforce work rules on assignment of spouses to certain jobs; amending Minnesota Statutes 1978, Section 363.03, by adding a subdivision.	3586							
1857	A bill for an act relating to veterans; prohibiting discrimination against Vietnam veterans; appropriating money; amending Minnesota Statutes 1978, Sections 43.15, Subdivision 6; 363.01, by adding a subdivision; 363.03, Subdivisions 1, 2, 3, 4 and 5; Minnesota Statutes, 1979 Supplement, Section 43.15, Subdivision 1.	3586							
1858	A bill for an act relating to snowmobiles; authorizing use in trapping related activities in certain counties; amending Minnesota Statutes, 1979 Supplement, Section 100.29, Subdivision 30.	3586	4360	4260 4448 4691 (H1723)					
1859	A bill for an act relating to the environment; changing the membership of the environmental quality board; eliminating the citizens advisory committee; amending Minnesota Statutes 1978, Section 116C.03, Subdivision 2; repealing Minnesota Statutes 1978, Sections 116C.03, Subdivision 2a; 116C.04, Subdivisions 8 and 9; and 116C.05.	3586							
1860	A bill for an act relating to taxation; income tax; allowing lending institutions and original sellers to qualify as tenant-stockholders of cooperative apartment corporations; amending Minnesota Statutes 1978, Section 290.09, Subdivision 17, and by adding a subdivision.	3587							
1861	A bill for an act relating to education; changing the term "community schools" to "community education"; amending Minnesota Statutes 1978, Sections 120.76; 121.85; 121.86; 121.87; 121.88, Subdivisions 1, 2 and 3; and 124.271, Subdivision 4; Minnesota Statutes, 1979 Supplement, Sections 3.9279, Subdivision 7; 124.271, Subdivisions 1a, 2 and 5; and 275.125, Subdivision 8.	3587	4215	4203 4448 4705	5027				
1862	A bill for an act relating to retirement; local police relief associations in cities of the third class; defining permissible investments; amending Minnesota Statutes 1978, Section 423.389.	3587							

a Indicates Amendment

() 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	Chapter
1863	A bill for an act relating to courts; raising the jurisdictional limit for conciliation court; providing for additional clerk and administrator duties in conciliation court; providing for a procedure to assist in collection of conciliation court judgments; changing certain deadlines; providing penalties; amending Minnesota Statutes 1978, 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; and 488A.34, Subdivisions 2 and 12.	3587	3841	3814a 3876 4160a 4167a	4249				
1864	A bill for an act relating to no-fault automobile insurance; authorizing certain persons to elect to exclude basic economic loss benefits coverage from plans of reparation security covering certain motor vehicles; limiting the scope of the election; requiring plans of reparation security to contain notice; amending Minnesota Statutes 1978, Sections 65B.48, by adding subdivisions; and 65B.49, Subdivisions 1 and 2.	3588							
1865	A bill for an act relating to motor vehicles; clarifying penalty provisions for certain traffic violations; clarifying provisions which prohibit the operation of a motor vehicle while a driver's license is revoked or suspended; amending Minnesota Statutes 1978, Sections 169.141, Subdivision 2; 169.89, Subdivision 1; 171.20, Subdivision 2; and 171.24.	3588	4215	3993 4204a 4448 4571	4978 5672 5672	5672	5671	5916	520
1866	A bill for an act relating to mines and mining; regulation of exploratory boring for minerals by county and town boards under standards of the department of health; providing for penalties, injunctive relief and civil damages.	3588		3697					
1867	A bill for an act relating to occupations and professions; allowing legal education courses to substitute for real estate education courses under certain circumstances; amending Minnesota Statutes 1978, Section 82.22, Subdivision 13.	3588	4215	4205a 4448 4571	4979				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter		
1868	A bill for an act relating to health; authorizing the commissioner of health to investigate complaints under certain circumstances; amending Minnesota Statutes 1978, Section 214.13, by adding subdivisions.	3588									
1869	A bill for an act relating to economic development; creating an iron range country program for tourism and other purposes; amending Minnesota Statutes 1978, Section 298.22, Subdivision 1.	3588		3607							
1870	A bill for an act relating to local government; permitting subdivision regulation of unplatted parcels; amending Minnesota Statutes 1978, Section 462.358, by adding a subdivision.	3589	4215	4201 5532	4448						
1871	A bill for an act relating to elections; providing that the cost of special elections may be discharged by special local levies.	3581									
1872	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; clarifying amortization of historic property as a preference item for purposes of the minimum tax; providing for the treatment of gain realized on the sale of historic structures; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 20; 290.09, by adding a subdivision; 290.091; and 290.16, by adding a subdivision.	3589		3731							
1873	A bill for an act relating to taxation; income tax; excluding the first \$15,000 of pension income from gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	3589		5247							
1874	A bill for an act relating to workers' compensation insurance; permitting certain local units of government to join the reinsurance association; amending Minnesota Statutes, 1979 Supplement, Section 79.34, Subdivision 1.	3589									
1875	A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.	3590	3774	3607 3876	3760 4160a	4249 6122	5610 5676	5618 6121*	5610 6191	6818	584

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
1876	A bill for an act relating to financial institutions; excluding certain loans made by credit unions in calculating outstanding loan and risk assets for reserve fund purposes; amending Minnesota Statutes 1978, Section 52.17.	3590	4563	4554a 4708 5245 (H1765)					
1877	A bill for an act relating to labor; regulating migrant labor; requiring employers and recruiters to provide statements of hire to migrant workers; setting requirements for statements of hire and for payments of wages to migrant workers; providing for private causes of action.	3590	4075	4066a 4215 4540a	4704				
1878	A bill for an act relating to the legislature; establishing a council on the economic status of minorities; appropriating money.	3590		4075					
1879	A bill for an act relating to workers' compensation; abolishing duties of the rating bureau; transferring certain functions; amending Minnesota Statutes 1978, Sections 79.07, 79.08, 79.09, 79.21, 79.22, 79.24, 79.25, 79.28, 79.29, 79.30; and 79.31; repealing Minnesota Statutes 1978, Sections 79.11, 79.12, 79.13, 79.14, 79.15, 79.16, 79.17, 79.18, 79.26, 79.27; and 79.32.	3635							
1880	A bill for an act relating to the environment; altering the funding formula for certain studies done by the environmental quality board; amending Minnesota Statutes 1978, Section 116C.69, Subdivision 3.	3635							
1881	A resolution memorializing the United States Congress to enact legislation to extend the deadline for states to comply with recent amendments to the National Health Planning and Resources Development Act.	3635		(H1764)					
1882	A bill for an act relating to public employment; clarifying the definition of essential employees; amending Minnesota Statutes, 1979 Supplement, Section 179.63, Subdivision 11.	3635							
1883	A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; providing for an information retrieval system; providing for nursing home dental health programs; appropriating money; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.	3635	5119	3667 4188a 5112a 5222 5684 (H1847)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1884	A bill for an act relating to education; increasing the bonding authority of the higher education coordinating board; amending Minnesota Statutes, 1979 Supplement, Section 136A.171.	3636	4966	3667 4804 5034 5521 (H1763)					
1885	A bill for an act relating to courts; second and fourth judicial districts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; amending Minnesota Statutes 1978, Section 484.70, by adding a subdivision.	3636		(H1910)					
1886	A bill for an act relating to animals; prohibiting the transfer of certain animals for experimental purposes; amending Minnesota Statutes 1978, Section 35.71.	3636							
1887	A bill for an act relating to taxation; redefining "family farm corporation" for purposes of the agricultural property tax law; amending Minnesota Statutes 1978, Section 273.111, Subdivision 3.	3636	3774	3667 3762a 3840 4158	4247				
1888	A bill for an act relating to commerce; regulating use of assumed names by commercial businesses; exempting certain businesses from filing requirements; amending Minnesota Statutes 1978, Chapter 333, by adding a section.	3636							
1889	A bill for an act relating to intoxicating liquor; authorizing the use of wine catalogs by off-sale dealers; amending Minnesota Statutes 1978, Section 340.15, Subdivision 1.	3636	3993	3948a 4075 4167	4243				
1890	A bill for an act relating to energy conservation; authorizing the Minnesota energy agency to administer and supervise a program of loans to municipalities for establishing and improving district heating systems; authorizing the issuance of state bonds; authorizing cities to operate district heating systems; appropriating money; amending Minnesota Statutes 1978, Sections 412.321, Subdivision 1; 412.351; 412.361, Subdivision 3; Chapter 116H, by adding a section; and Chapter 465, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 429.021, Subdivision 1.	3637	5432	3873a 5401a 5577					
1891	A bill for an act relating to taxation; authorizing exemptions from real estate tax for property used for manufacturing or commercial purposes; amending Minnesota Statutes 1978, Section 272.02, by adding a subdivision.	3637							

a Indicates Amendment

() 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	Chapter
1892	A bill for an act relating to workers' compensation; allowing flexibility in election of insurance coverage for certain businesses, partnerships and corporations; amending Minnesota Statutes, 1979 Supplement, Section 176.012.	3637	3898	3863 4167	3992	4231	4795	5662	392
1893	A bill for an act relating to driver's licenses; allowing the commissioner of public safety to waive behind-the-wheel testing for certain applicants; amending Minnesota Statutes 1978, Sections 169.974, Subdivision 2; and 171.13, by adding a subdivision.	3637							
1894	A bill for an act relating to corrections; altering the provisions related to the granting of furloughs for persons on work release; clarifying the provisions relating to the accrual of good time by inmates of state correctional facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 3; and 244.04 Subdivisions 1 and 2.	3637							
1895	A bill for an act relating to communications; establishing a program of special grants to noncommercial radio stations; appropriating money; amending Minnesota Statutes 1978, Chapter 139, by adding a section.	3638		3927a					
1896	A bill for an act relating to crimes; requiring sentencing courts to submit information as the sentencing guidelines commission requires which is reasonably related to monitoring application of sentence guidelines; amending Minnesota Statutes 1978, Section 244.09, Subdivision 6.	3638		(H2142)					
1897	A bill for an act relating to crimes; requiring inclusion of information on presentence investigation reports deemed necessary by the sentencing guidelines commission; amending Minnesota Statutes, 1979 Supplement, Section 609.115, Subdivision 1.	3638		(H2141)					
1898	A bill for an act relating to crimes; permitting limited use of juvenile records for sentencing purposes in adult court; amending Minnesota Statutes 1978, Sections 260.161, Subdivision 1; and 260.211, Subdivision 1.	3638							
1899	A bill for an act relating to obscenity; prohibiting the dissemination of intrusively offensive sexual (Continued next page)	3638							

BILLS OF 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—Continued	material by cable communication companies; providing penalties; amending Minnesota Statutes 1978, Section 238.11, by adding subdivisions; and Chapter 617, by adding sections.								
1900	A bill for an act relating to financial institutions; authorizing certain additional facilities for banks; amending Minnesota Statutes 1978, Section 47.52.	3639	3993	3982a 4167	4075 4239		5396	5914	444
1901	A bill for an act relating to taxation; providing a property tax credit for owners of property containing pipelines; amending Minnesota Statutes 1978, Chapter 273, by adding a section.	3939							
1902	A bill for an act relating to health; altering certain guidelines for health and developmental screening programs established by school boards; amending Minnesota Statutes 1978, Section 123.702, Subdivisions 2, 4 and 6; and Minnesota Statutes, 1979 Supplement, Section 123.702, Subdivision 1.	3639							
1903	A bill for an act relating to energy; modifying certain planning and zoning statutes to remove barriers to biomass energy production; prohibiting the destruction of certain biomass usable as fuel; amending Minnesota Statutes, 1979 Supplement, Sections 394.25, Subdivision 3; and 394.27, Subdivision 7; 462.357, Subdivisions 1 and 6.	3639	3898	3667 3992	3872 4492a	4565			
1904	A bill for an act relating to Independent School District No. 535, Rochester; providing that its school board may organize at a time other than the time required for the organization of the board of an independent district; amending Laws 1969, Chapter 193, Section 3, as amended.	3639	4215	4209 (H1932)	4443				
1905	A bill for an act relating to the Nine Mile Creek Watershed District and the Riley-Purgatory Creek Watershed District; providing for the establishment of a district water maintenance and repair fund; authorizing a tax levy for water maintenance and repair purposes.	3640		4177a (H1904)					
1906	A bill for an act relating to watershed districts; regulating drainage systems in the metropolitan area; regulating administration of the Nine Mile Creek Watershed (Continued next page)	3640	5502	4102a 5577	5494a 5638a	5639			

a Indicates Amendment

() 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	Chapter
1906	Continued District, the Riley-Purgatory Creek Watershed District and the Red Lake Watershed District; authorizing an ad valorem tax for certain purposes.								
1907	A bill for an act relating to state government; revising the civil service law; amending Minnesota Statutes 1978, Section 43.30.	3640		3860 3861a 4447a					
1908	A bill for an act relating to financial institutions; removing restrictions on services that may be offered at detached facilities; changing the penalty for usurious loans made by state banks and savings banks; amending Minnesota Statutes 1978, Sections 47.53; 47.55; 334.02; 334.03; and Chapter 48, by adding a section.	3640							
1909	A bill for an act relating to banks and banking; removing certain restrictions on services that may be offered at detached facilities; amending Minnesota Statutes 1978, Section 47.53.	3640	4215	4204 4448 4691 (H753)					
1910	A bill for an act relating to public debt; providing a maximum interest rate on certain obligations; amending Minnesota Statutes 1978, Section 475.55, Subdivision 1.	3640		3775					
1911	A bill for an act relating to public debt; providing for interest rates on certain obligations; amending Minnesota Statutes 1978, Section 475.55, Subdivision 1.	3641		3775					
1912	A bill for an act relating to families; designating an American family day.	3641							
1913	A bill for an act relating to energy; authorizing the establishment of county or city energy conservation boards; prescribing their powers and duties; appropriating funds.	3641							
1914	A bill for an act relating to highway traffic regulations; authorizing certain identification rights on motor vehicles operated by certificated volunteer ambulance drivers; amending Minnesota Statutes 1978, Section 169.58, by adding a subdivision.	3641	4075	4023 4215 4468 (H1846)					
1915	A bill for an act relating to drivers licenses; requiring the suspension of licenses of certain uninsured persons; providing a penalty; amending Minnesota Statutes 1978, Chapter 171, by adding sections.	3641							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1916	A bill for an act relating to public depositories; changing collateral requirements; providing that depositories pool losses; requiring security by collateral in the general depository law; appropriating money; amending Minnesota Statutes 1978, Sections 9.031; 11.10, Subdivision 1; 11.16, Subdivision 14; 11.17; 37.07; 118.005, Subdivision 2; 118.01; 124.05, Subdivision 2; 427.01; 427.02; 427.09; 458.12; 462.396, Subdivision 6; and 473.10; and Chapter 118, by adding sections; repealing Minnesota Statutes 1978, Sections 118.10 and 118.11.	3641		4155					
1917	A bill for an act relating to health care; regulating benefits made available under certain health care plans; requiring coverage for reconstructive surgery under certain conditions; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1, as amended, and Chapter 62A, by adding a section.	3642		(H1800)					
1918	A bill for an act relating to retirement; Minneapolis police and firefighters relief associations; providing for an increase in member contributions; providing a health and welfare benefit for retiring members.	3642							
1919	A bill for an act relating to public welfare; establishing pilot programs for registration of certain supplemental child day care providers; appropriating money.	3642							
1920	A bill for an act relating to electricity; providing for the payment of electrical inspection costs; appropriating money; amending Minnesota Statutes 1978, Section 326.241, Subdivision 3.	3642							
1921	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.	3642	3841	3798a 4169a	4075 4253				
1922	A bill for an act relating to financial institutions; permitting banks or trust companies to invest up to 20 percent of their capital and surplus in certain agricultural credit corporations; amending Minnesota Statutes 1978, Section 48.61, Subdivision 1.	3643	3993	3982 4167	4075 4245		5554	5914	445
1923	A bill for an act relating to state government; directing the department— (Continued next page)	3643		3667					

a indicates Amendment

() 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	Chapter
1923	—Continued ment of administration to provide gasohol for state owned vehicles; amending Minnesota Statutes 1978, Chapter 16, by adding a section.								
1924	A bill for an act relating to taxation; real property; providing for the classification of certain mobile homes as real property for assessment purposes; amending Minnesota Statutes 1978, Sections 168.012, Subdivision 9; and 273.13, Subdivision 3.	3643							
1925	A bill for an act relating to names; changing residence requirements for change of name proceedings; amending Minnesota Statutes 1978, Section 259.10.	3643							
1926	A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota state transportation bonds; appropriating the proceeds for the payment of state and local shares of the cost of interstate highway segments and substitution projects; amending Minnesota Statutes 1978, Section 174.50, Subdivision 1.	3643							
1927	A bill for an act relating to transportation; providing for the financing of certain transportation services; providing for the distribution of the motor vehicle excise tax and providing that certain portions of the proceeds be used by certain political subdivisions for optional transportation purposes; creating a contingent bond retirement account; reducing the excise tax on gasoline and special fuel used in producing power to propel motor vehicles on the public highways; imposing an additional excise tax on gasoline and special fuel based on net price; providing for refunds; appropriating money; amending Minnesota Statutes 1978, Sections 168.27, Subdivision 16; 296.02, Subdivision 1; 296.18, Subdivisions 4 and 5; 297B.035, Subdivision 2; 297B.09; Chapter 296, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 296.18, Subdivisions 1 and 2.	3643							
1928	A bill for an act relating to education; providing for school transportation; authorizing state transportation aid for additional purposes (Continued next page)	3644		3731					

BILLS OF 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—Continued									
	poses; modifying the transportation aid entitlement formula; requiring certain fund transfers by school districts; changing the location of the transportation aid payment schedule; providing a levy for mobile units and bus reconditioning; modifying the levy to compensate districts for certain transportation costs resulting from the lease of a school in another district; requiring the revisor of statutes to renumber a section; creating an experimental mobile unit program; appropriating money; amending Minnesota Statutes 1978, Section 275.125, Subdivisions 5 and 5a; Minnesota Statutes, 1979 Supplement, Sections 124.223; 124.225, Subdivisions 1, 2, 3, 5, 6 and 10, and by adding a subdivision; and Laws 1979, Chapter 334, Article 2, Section 15, Subdivisions 2 and 3; repealing Minnesota Statutes, 1979 Supplement, Section 124.222, Subdivision 3.								
1929	A bill for an act relating to retirement; teachers; exempting certain part-time area vocational-technical institute instructors from teacher's retirement membership; amending Minnesota Statutes 1978, Section 354.05, Subdivision 2.	3653							
1930	A bill for an act relating to housing; providing the housing finance agency with authority to make grants and loans to certain sponsors of housing used for temporary shelter; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.	3653		3697 3977 (H2100)					
1931	A bill for an act relating to children; providing for venue for child custody proceedings; amending Minnesota Statutes, 1979 Supplement, Section 518.156, Subdivision 1.	3653	4215	4205a 4448 4571	4976				
1932	A bill for an act relating to taxation; mortgage registry tax; exempting certain executory contracts for sale of land; amending Minnesota Statutes 1978, Section 287.02.	3653							
1933	A bill for an act relating to public employees; clarifying the definition of public employees; amending Minnesota Statutes 1978, Section 179.63, Subdivision 7.	3653	4519	4500a 4708 5165 (H2237)					

a Indicates Amendment

() 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	Chapter	
1934	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; amending Minnesota Statutes 1978, Chapter 524, by adding sections; repealing Minnesota Statutes 1978, Sections 525.13 to 525.16; 525.17; 525.171; 525.173 to 525.202; 525.212 to 525.216; and Minnesota Statutes, 1979 Supplement, Section 525.172.	3653								
1935	A bill for an act relating to metropolitan government; establishing fare policy for the metropolitan transit commission; providing free fares for certain persons during certain hours; appropriating money; amending Minnesota Statutes, 1979 Supplement, Section 473.408, Subdivision 3.	3654								
1936	A bill for an act relating to taxation; income tax; extending the exclusion from gross income of family farm security loan interest to loans executed prior to January 1, 1978; amending Minnesota Statutes 1978, Section 290.08, Subdivision 24.	3654	5025	5016						
1937	A bill for an act relating to drivers licenses; authorizing instruction permit holders to operate a motor vehicle while receiving behind the wheel training when accompanied by licensed adults; providing for distinctive Minnesota identification cards and driver's licenses for senior citizens and providing for their use for certain identification purposes; amending Minnesota Statutes 1978, Sections 171.05, Subdivision 2; and 171.07, Subdivision 1, and by adding a subdivision.	3654	3993	3951a 4167	4075	4240 5605	5604	5604	5914	446
1938	A bill for an act relating to energy; creating the Minnesota state energy fund; authorizing the Minnesota energy agency to administer and supervise programs of loans for public improvements of a capital nature relating to the construction of energy systems utilizing renewable resources and for efficient energy delivery and use; allowing municipalities to create a program of aid to small businesses in the large scale conversion to energy systems using renewable resources and otherwise making the use of existing systems more efficient; estab-	3654		3697	5211a					

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1938—Continued	lishing a loan program for persons of low and moderate income; authorizing the issuance of state bonds pursuant to Article XI of the Minnesota Constitution; appropriating money.								
1939	A bill for an act relating to elections; changing the time for precinct caucuses; amending Minnesota Statutes 1978, Section 202A.14, Subdivision 1.	3655							
1940	A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account; prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 160.27, Subdivision 5; 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 161.51; 169.305, Subdivision 1; 169.42, Subdivision 1; and 505.03, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 1161.01, Subdivision 2.	3655	4789	4738a 4989 5073 (H1190)					
1941	A bill for an act relating to corrections; creating an advisory task force; appropriating money for local correctional facility construction; authorizing issuance of state bonds; amending Minnesota Statutes 1978, Section 241.022, Subdivision 3.	3655	5432	3875a 5408a 5577	5903				

a Indicates Amendment

() 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	Chapter
1942	A bill for an act relating to natural resources; requiring county board approval before department of natural resources purchase of wildlife lands; amending Minnesota Statutes 1978, Section 97.481.	3655							
1943	A bill for an act relating to public welfare; requiring reporting of abuse or neglect of vulnerable adults; requiring certain facilities to establish abuse prevention plans; establishing penalties; appropriating money; amending Minnesota Statutes 1978, Chapter 626, by adding a section; repealing Minnesota Statutes 1978, Sections 245.813; and 626.555.	3655	5118	4465a 5111a 5222 5689 (H1942)					
1944	A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lockups and workhouses; repealing provisions concerning correctional or work farms; amending Minnesota Statutes 1978, Sections 241.022, Subdivision 1; 243.91; 401.02, Subdivision 3; 588.10; 609.105, Subdivision 3; 609.135, Subdivision 4; 631.461; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 643.01; 643.02; and 643.29; repealing Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.	3656	4694	4482 4593a 4989 5072 (H1816)					
1945	A bill for an act relating to motor vehicles; authorizing personalized license plates bearing radio or television station call signals or letters; amending Minnesota Statutes 1978, Section 168.12, Subdivision 2a.	3656		4360 (H2012)					
1946	A bill for an act relating to health; appropriating money for fellowships and research grants related to certain areas of health and health care.	3656							
1947	A bill for an act relating to waters; apportionment of costs of maintaining highways providing access to public access sites; amending Minnesota Statutes 1978, Section 97.48, Subdivision 15.	3656							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1948	A bill for an act relating to corrections; clarifying the provisions relating to the introduction of contraband and dangerous weapons into correctional facilities; amending Minnesota Statutes 1978, Section 641.165, Subdivision 2.	3657							
1949	A bill for an act relating to public waters; changing the procedure for the designation of public waters; amending Minnesota Statutes, 1979 Supplement, Section 105.391, Subdivision 1.	3657							
1950	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.	3657	4075	4027a 4539	4215 4704				
1951	A bill for an act relating to public employees; expanding the right of public employees to strike; requiring joint requests for arbitration; amending Minnesota Statutes 1978, Sections 179.61; 179.65, Subdivision 7; 179.66, Subdivision 8; 179.69, Subdivisions 3, 5 and 6; 179.72, Subdivisions 6 and 10; and Minnesota Statutes, 1979 Supplement, Section 179.64, Subdivision 7.	3657							
1952	A bill for an act relating to employment; requiring contractors to make efforts to hire disadvantaged workers in certain construction projects of state and metropolitan agencies; requiring cooperation and coordination of public agencies for the employment and training of disadvantaged workers in public construction projects; imposing duties on the commissioner of economic security.	3657							
1953	A bill for an act relating to employment; requiring employment of at least 50 percent poverty level youth in state summer employment programs; providing for reallocation of funds to certain organizations and agencies; authorizing adoption of rules; amending Minnesota Statutes 1978, Section 268.35.	3657							
1954	A bill for an act relating to health; authorizing the registration of nursing pools; imposing requirements for registration; requiring the promulgation of rules; providing penalties for violations; requiring the establishment of max- (Continued next page)	3658							

a Indicates Amendment

() 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	Chapter
1954—Continued									
	imum reimbursement rates for nursing pools; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.								
1955	A bill for an act relating to the arts; providing for a payment to the artist and to the board of the arts upon the sale of certain works of fine art; providing for the use of the payments by the board; authorizing an action for damages if a payment is not made; appropriating money.	3658		3971a					
1956	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.	3658		3731					
1957	A bill for an act relating to transportation; exempting certain substituted aircraft from payment of the aircraft registration tax; limiting refunds under certain circumstances; clarifying the penalty assessed for late payment of registration tax; amending Minnesota Statutes 1978, Sections 360.55, by adding a subdivision; and 360.61.	3658	3993	3975a 4075 4167 4236a	4236		4798	5787	422
1958	A bill for an act relating to air pollution; allowing local option to permit certain open burning; amending Minnesota Statutes 1978, Section 116.07, Subdivision 4.	3659							
1959	A bill for an act relating to natural resources; authorizing additional conservation officers; appropriating money.	3659		3978					
1960	A bill for an act relating to Aitkin county; authorizing combination on-sale and off-sale intoxicating liquor licenses.	3659							
1961	A bill for an act relating to the city of Nashauk; police relief widows benefits; officers of association; amending Laws 1943, Chapter 196, Section 4, as amended.	3659							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1962	A bill for an act relating to the environment; altering the procedure for environmental review; providing for alternative forms of environmental review; amending Minnesota Statutes 1978, Section 116D.04, by adding subdivisions; repealing Minnesota Statutes 1978, Section 116D.04, Subdivisions 1, 2, 3, 4, and 5.	3659	4215	4178a 4448 4706a	5028 5554	5554	5554	5914	447
1963	A bill for an act relating to local government; fixing compensation for county canvassing boards and county and township election judges; eliminating mandatory assessors meetings; amending Minnesota Statutes 1978, Sections 273.03, Subdivision 1; 273.04; and Minnesota Statutes, 1979 Supplement, Sections 204A.23; 270.06; and 273.061, Subdivision 8.	3659	4448	4443	4491 4797	4797	4797	5787	423
1964	A bill for an act relating to motor vehicles; permitting the use of foreign state dealer plates in certain circumstances; restricting sales of new motor vehicles by wholesalers; authorizing the use of in-transit plates on used vehicles; amending Minnesota Statutes 1978, Sections 168.181, Subdivision 2; 168.27, Subdivisions 6 and 17.	3660	4154	4097a 4215 4571 5024 (H1962)					
1965	A bill for an act relating to retirement; local police and salaried firefighters' relief associations; authorizing certain municipalities to modify retirement coverage and benefits for certain police officers and firefighters by local action; establishing a local police and salaried firefighters' relief association amortization state aid program; authorizing the governing body of a municipality to make certain modifications in the benefit of police and firefighters relief associations; establishing benefits and contribution levels in the city of Minneapolis; appropriating money; amending Minnesota Statutes 1978, Sections 69.77, Subdivision 2, as amended; and 353.657, Subdivision 3.	3660		3834a					
1966	A bill for an act relating to education; clarifying responsibility for certain educational programs in chemical dependency day-treatment centers; providing funds to school districts for chemical dependency leadership activities; appropriating money; amending Minnesota Statutes 1978, Section 120.17, by adding a subdivision; and Chapter 124, by adding a section.	3660							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1967	A bill for an act relating to the environment; providing for public notice of certain applications to the pollution control agency; amending Minnesota Statutes 1978, Section 116.07, Subdivisions 5 and 8.	3660							
1968	A bill for an act relating to towns; making authority to exercise certain powers optional with certain towns; amending Minnesota Statutes 1978, Section 368.01, Subdivision 1.	3660							
1969	A bill for an act relating to unemployment compensation; regulating the payment of benefits; amending Minnesota Statutes 1978, Section 268.07, by adding a subdivision.	3661							
1970	A bill for an act relating to transportation; requiring reflectors on railroad cars and cabooses; prescribing penalties; amending Minnesota Statutes 1978, Chapter 219, by adding a section.	3661		3731					
1971	A bill for an act relating to retirement; authorizing escalation of pension benefits of retired members of the Worthington Fire Department Relief Association.	3661							
1972	A bill for an act relating to metropolitan transit; permitting employers to purchase passes for resale to employees at discount; amending Minnesota Statutes, 1979 Supplement, Section 473.408, Subdivision 7.	3661							
1973	A bill for an act relating to police and firefighters' relief associations; providing for per diems for officers and members of the board of trustees of a police, salaried firefighters' or volunteer firefighters' relief association; amending Minnesota Statutes 1978, Section 69.80.	3661							
1974	A bill for an act relating to retirement; purchase of prior service credit in the public employees retirement association; amending Minnesota Statutes 1978, Section 353.36, Subdivision 2.	3661							
1975	A bill for an act relating to housing; prohibiting unfair treatment in housing and real property on the basis of familial status; setting a penalty; amending Minnesota Statutes 1978, Sections 363.01, Subdivision 24, and by (Continued next page)	3662		3662 3841 (H1012)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1975—Continued	adding subdivisions: 363.02, Subdivision 2; 363.03, Subdivision 2; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.								
1976	A bill for an act relating to motor vehicles; defining the term "motor vehicle" for the purposes of no-fault automobile insurance; amending Minnesota Statutes 1978, Section 65B.43, Subdivision 2.	3662		(H1207)					
1977	A bill for an act relating to public holidays; regulating the observance of Memorial Day; amending Minnesota Statutes 1978, Section 465.50; and Minnesota Statutes, 1979 Supplement, Section 645.44, Subdivision 5.	3662	3898	3862a 3993					
1978	A bill for an act relating to veterans; authorizing a memorial to Minnesota's war dead in Arlington National Cemetery; appropriating money.	3662	4966	3697 3860 4803 5034 5079	5248				
1979	A bill for an act relating to state forests; altering the boundaries of Badoura State Forest; amending Minnesota Statutes 1978, Section 89.021, Subdivision 2.	3662	3993	3979 4075 4167	4242		4988	5787	424
1980	A bill for an act relating to waste management; establishing a waste management board and a legislative commission; providing for a state government resource recovery program; providing for solid waste planning assistance and demonstration programs; providing for the issuance of state bonds; providing for the establishment of solid waste management districts; requiring hazardous waste management planning and development; establishing procedures for the review and approval of permits for waste facilities; providing that certain solid waste disposal sites are not exempt from real property taxes; authorizing debt; appropriating money; amending Minnesota Statutes 1978, Sections 116.06, Subdivisions 9, 10, 13, and by adding subdivisions; 116.07, Subdivisions 2, 4, 4a, and by adding subdivisions; 116.081, Subdivision 1; 116.101; 116.41; 272.02, Subdivision 1; 400.03, Subdivision 1; 400.04; 400.06; 400.07; 400.13; 400.16; 400.161; 473.121, by adding a subdivision; 473.149; 473.502; 473.516; 473.802; 473.803; 473.811; 473.813; 473.823, Subdivision 3, and by adding a subdi-	3662	5577	3877a 4709a 5571a 5640 (H2023)					

(Continued next page)

a Indicates Amendment

Ⓜ 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	Chapter
1980	—Continued vision; Chapter 400, by adding a section; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2, 3, 4, 5, 6, and 7; 473.121, Subdivisions 27, 28, 29, 31, 31a, 31b, and 31c; 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 728, Section 7.								
1981	A bill for an act relating to housing; appropriating money for American Indian housing; amending Minnesota Statutes 1978, Section 462A.21, Subdivision 4c.	3672		3974a					
1982	A bill for an act relating to mines and mining; regulation of exploratory boring for minerals by county and town boards under standards of the department of health; providing for penalties, injunctive relief and civil damages.	3672							
1983	A bill for an act relating to commerce; limiting product liability actions against non-manufacturers.	3672		(H1730)					
1984	A bill for an act relating to attachment, garnishment and executions; exempting certain insurance contracts, employee benefits and rights of action from garnishment or attachment; amending Minnesota Statutes 1978, Section 550.37, by adding subdivisions.	3672	4215	4209a 4448 5249	5583				
1985	A bill for an act relating to municipal industrial development; requiring consideration of certain policy matters; defining projects; amending Minnesota Statutes 1978, Section 474.02, Subdivision 1b; and Minnesota Statutes, 1979 Supplement, Section 474.01, Subdivision 7a.	3672	3993	3981 4075 4491	4568				
1986	A bill for an act relating to historic sites and monuments; adding property to Split Rock Lighthouse historic site; reestablishing Traverse des Sioux historic site as a state monument; authorizing a memorial to Minnesota's war dead in Arlington National Cemetery; memorializing Congress to pass H.R. 1918, a service pension for veterans of World War One and their surviving spouses; appropriating funds; amending Minnesota Statutes 1978, Sections 138.025, Subdivision 10; and (Continued next page)	3672	4966	3979 4804 5034 5540a 5690 (H2035)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
1986	Continued 138.585, by adding a subdivision; repealing Minnesota Statutes 1978, Section 138.55, Subdivision 5.								
1987	A bill for an act relating to taxation; providing a property tax exemption for alcohol fuel production equipment; amending Minnesota Statutes 1978, Section 273.11, Subdivision 6.	3673		4100					
1988	A bill for an act relating to waters; exempting rural water user districts from certain fluoridation requirements; amending Minnesota Statutes 1978, Section 144.145.	3673							
1989	A bill for an act relating to cooperative associations; allowing board of directors to elect an executive committee; prescribing certain powers of the executive committee and board; amending Minnesota Statutes, 1979 Supplement, Section 308.11.	3673							
1990	A bill for an act relating to agriculture; clarifying certain requirements for authorized farm corporations; amending Minnesota Statutes 1978, Section 500.24, Subdivision 2.	3673	4360	4259a 4519 (H1814)	4448				
1991	A bill for an act relating to human rights; further defining certain unfair discriminatory practices related to reprisals; defining the scope of a class for class action suits; increasing a penalty by increasing allowable punitive damages; amending Minnesota Statutes 1978, Sections 363.03, Subdivision 7; 363.071, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 363.06, Subdivision 4.	3673		(H1895)					
1992	A bill for an act relating to elections; providing for preparation of consolidated primary election ballots by counties at state expense; providing rulemaking authority to the secretary of state; appropriating money; amending Minnesota Statutes 1978, Section 203A.23, Subdivision 1.	3674		4024a					
1993	A bill for an act relating to economic development; requiring that a majority of the members of the iron range resources and rehabilitation board represent legislative districts containing taconite tax relief areas; amending Minnesota Statutes 1978, Section 298.22, Subdivision 2.	3674	4075	4039 4539	4215	4283			

a Indicates Amendment

() 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	Chapter
1994	A bill for an act relating to taxation; income tax; excluding certain interest income from gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	3674							
1995	A bill for an act relating to municipal industrial revenue bonds; providing for reports; amending Minnesota Statutes 1978, Chapter 474, by adding a section.	3674	3993	3731 4075	3979a 4491	4566			
1996	A bill for an act relating to the city of Minneapolis; providing for a position in the unclassified service; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding a subdivision.	3674	3841	3797a 4158	3876	4230	5396	5914	448
1997	A bill for an act relating to the city of Austin and Cook County; authorizing the establishment and financing of the capital cost of a solid waste disposal system and program in the city of Austin; providing for steam line construction agreements for Cook County and Independent School District No. 166.	3674	4075	4028a 4575a	4166	4967	5554	5914	449
1998	A bill for an act relating to unemployment compensation; regulating the contribution rate of employers; amending Minnesota Statutes, 1979 Supplement, Section 268.06, Subdivision 8.	3675							
1999	A bill for an act relating to children; specifying rights of stepparents to visit certain children.	3675		(H1825)					
2000	A bill for an act relating to education; removing a limitation on the state board for vocational education's authority to approve certain fund transfers for post-secondary vocational-technical schools; modifying the procedure for allocating categorical aid to those schools; amending Minnesota Statutes, 1979 Supplement, Sections 121.912, Subdivision 1 and 124.563, Subdivision 1.	3675							
2001	A bill for an act relating to transportation; requiring the department of transportation to conduct a survey of certain communities to determine certain information; appropriating money.	3675							
2002	A bill for an act relating to taxation; real property; increasing the number of acres of agricultural land subject to homestead re- (Continued next page)	3675							

BILLS OF 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—Continued	Amending Minnesota Statutes 1978, Section 273.13, Subdivision 6a; and Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 6.								
2003	A bill for an act relating to public welfare: clarifying duties of the commissioner of public welfare regarding approval of public and private mental health centers and clinics for certain purposes; mandating additional rulemaking; amending Minnesota Statutes, 1979 Supplement, Section 245.69.	3676	5119	4155 4422 4422a 5118a 5222 5692 (H2149)					
2004	A bill for an act relating to financial institutions; granting certain lending powers to savings associations and savings and loan associations; amending Minnesota Statutes 1978, Section 51A.21, by adding a subdivision.	3676							
2005	A bill for an act relating to education: exempting certain adult vocational-technical school teachers from a license requirement and from participation in certain retirement programs; including additional persons in teachers retirement; amending Minnesota Statutes 1978, Section 354.05, Subdivision 2; and Chapter 125, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 353.01, Subdivision 2b.	3676							
2006	A bill for an act relating to drivers' licenses; authorizing the issuance of a driver's license without examination to certain persons under certain circumstances; amending Minnesota Statutes 1978, Section 171.03.	3676							
2007	A bill for an act relating to courts; changing the responsibility for prosecution of certain offenses; providing for the division of fines and penalties among various authorities; amending Minnesota Statutes 1978, Sections 299D.03, Subdivision 5; 487.25, Subdivision 10; 487.33, Subdivision 5; 488A.10, Subdivision 11; 488A.20, Subdivision 4; 488A.27, Subdivision 11; and Minnesota Statutes, 1979 Supplement, Section 388.051; repealing Minnesota Statutes 1978, Sections 487.33, Subdivision 6; and 488A.101.	3676							
2008	A bill for an act relating to education; excluding the mandatory participation of certain part-time adult vocational education in- (Continued next page)	3677							

a Indicates Amendment

() 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	Chapter
2008—Continued	structors in various state retirement systems; amending Minnesota Statutes 1978, Section 354.05, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 353.01, Subdivision 2b; and 354A.011, Subdivision 27.								
2009	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 1978, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.	3677		4076					
2010	A bill for an act relating to taxation; income tax; providing a deduction from gross income for certain post secondary school tuition expenses; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.	3677							
2011	A bill for an act relating to juveniles; amending provisions relating to the detention and disposition of juveniles charged with contempt; amending Minnesota Statutes 1978, Sections 260.015, Subdivision 5; 260.173, Subdivision 3; and 260.185, Subdivision 1.	3677							
2012	A bill for an act relating to cooperatives; authorizing the board of directors by resolution to allow stockholders to elect members of the board by mail vote; amending Minnesota Statutes 1978, Section 308.07, Subdivision 10.	3677							
2013	A bill for an act relating to public safety; regulating boilers, other apparatus and their operators; providing penalties; amending Minnesota Statutes 1978, 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; 183.52; 183.53; 183.54; 183.545; 183.56; 183.57; 183.59; 183.60; 183.61; 183.62; and Chapter 183, by adding sections; repealing Minnesota Statutes 1978, Section 183.39, Subdivision 2.	3677							
2014	A bill for an act relating to housing; appropriating money to the Minnesota housing finance agency for the purpose of subsidizing certain loan origination fees; requiring a report.	3678	5502	3872a 5577	5494 5659				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2015	A bill for an act relating to drivers licenses; providing that certain application forms include a place for applicants to indicate their desire to make an anatomical gift; requiring persons authorized to accept drivers license and renewal applications and applications for Minnesota identification cards to inquire of applicants whether they desire to make an anatomical gift; amending Minnesota Statutes 1978, Sections 171.06, Subdivision 3, and by adding a subdivision; and 171.07, Subdivision 3.	3678		(H1812)					
2016	A bill for an act relating to appropriations; providing for a traffic light at an intersection near the state capitol; appropriating money.	3678							
2017	A bill for an act relating to municipal industrial development; defining projects appropriate for development; amending Minnesota Statutes 1978, Section 474.02, Subdivision 1c.	3678	4075	4069 4166 4539	4702				
2018	A bill for an act relating to civil actions; limitations of actions; providing that actions for malpractice against chiropractors be commenced within two years; amending Minnesota Statutes 1978, Section 541.07.	3679							
2019	A bill for an act relating to cable communications; authorizing joint municipal franchising; amending Minnesota Statutes 1978, Section 238.08, by adding a subdivision.	3679							
2020	A bill for an act relating to retirement; authorizing purchase of allowable service credit in the public employees police and fire fund by a certain former police officer in the city of St. Louis Park.	3679							
2021	A bill for an act relating to agriculture; establishing a program of loans and loan guarantees for development of fuel from agricultural resources; authorizing the issuance of bonds; appropriating money.	3679		3731 4426a					
2022	A bill for an act relating to state government; providing for the publication of certain agency data and for notice of vacancies on boards, commissions, councils, task forces, and similar agencies; appropriating money; amending Minnesota Statutes 1978, Section 15.0597, Subdivisions 3, 4, 5, 6 and 7.	3679		3796a					

a Indicates Amendment

h 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	Chapter
2023	A bill for an act relating to emergency services; providing for a nuclear power plant emergency response plan; providing for assessment of costs to nuclear power plants; requiring the departments of public safety and health to monitor, provide training, and prepare plans for nuclear power plant incidents; changing zoning laws; requiring a study; appropriating money; amending Minnesota Statutes 1978, Chapter 12, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 12.03, Subdivision 4; and 12.21, Subdivisions 1 and 4.	3679	5659	4732a 5652a 5825 5855 (H1842)					
2024	A bill for an act relating to water; establishing a water policy committee within the environmental quality board; assigning duties; appropriating money; amending Minnesota Statutes 1978, Chapter 116C, by adding a section; repealing Minnesota Statutes 1978, Section 105.401.	3680							
2025	A bill for an act relating to water resources; continuing the water planning board; changing its membership and duties; appropriating money; amending Minnesota Statutes 1978, Section 105.401; and Laws 1979, Chapter 333, Section 31, Subdivision 5.	3680	4966	4032a 4502a 5034 5523 (H2353)					
2026	A bill for an act relating to licensed public accountants; extending the period for obtaining a license; amending Minnesota Statutes, 1979 Supplement, Section 326.191.	3680							
2027	A bill for an act relating to public welfare; authorizing certain payments to shelter facilities for battered women; requiring direct payments to shelter facilities from general assistance; amending Minnesota Statutes 1978, Section 256D.05, Subdivision 3.	3680	5025	4099a 5017a 5222 5599 (H1981)					
2028	A bill for an act relating to energy; providing for a community development and assistance program; requiring inspection of combustion air intakes; regulating rates of cogenerating power plants; authorizing tax levies for energy conservation measures; authorizing income tax credits for commuter van purchases; inspection of insulation materials; renewable energy grants, ride sharing, fuelwood management, ethanol plant demonstration; appropriating funds; amending Minne-	3680							

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2028	Continued Minnesota Statutes 1978, Sections 116H.087, 116H.12, Subdivision 1; 116H.129, Subdivision 5; and by adding a subdivision; 275.125, by adding a subdivision; 275.50, by adding a subdivision; 290.06, by adding a subdivision; and 325.986, by adding subdivisions; Chapters 116H and 216B, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 116H.02, Subdivision 5; and 116H.22; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.								
2029	A bill for an act relating to insurance; extending the temporary joint underwriting association act for an additional two year period; amending Minnesota Statutes 1978, Section 62F.01, Subdivision 2.	3681		(H1837)					
2030	A bill for an act relating to juveniles; amending the definitions of "delinquent", "dependent" and "neglected" child; providing for appointment of a referee to juvenile court by the chief judge of the judicial district; providing for alternative residential placement for children who are in conflict with their families; providing peace officers with authority to take runaway children into limited custody; providing penalties; amending Minnesota Statutes 1978, Sections 260.015, Subdivisions 2, 3, 5, 6, 7, 10, and by adding a subdivision; 260.031, Subdivisions 1, 2, and 4; 260.101; 260.111, Subdivision 1; 260.125; 260.135, Subdivisions 1, 2, and 5; 260.141, Subdivision 1; 260.145; 260.151, Subdivision 2; 260.155, Subdivisions 1, 2, 4, and by adding a subdivision; 260.165, Subdivision 1; 260.173, Subdivision 2; 260.191, Subdivision 1; 260.251, Subdivision 2; and Chapter 260, by adding sections; repealing Minnesota Statutes 1978, Sections 260.015, Subdivision 9; 260.103; and 260.173, Subdivision 3.	3681							
2031	A bill for an act relating to taxation; real property; increasing the state paid agricultural credit for certain agricultural and recreational property; amending Minnesota Statutes, 1979 Supplement, Section 273.132.	3681							
2032	A bill for an act relating to municipal electric power; permitting (Continued next page)	3682		(H1985)					

a Indicates Amendment

() 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	Chapter
2032	Continued municipal power agencies to contract and do business with foreign entities; amending Minnesota Statutes 1978, Section 453.52, Subdivision 9.								
2033	A bill for an act relating to state government; stating the legislative intent on the financing of the zoo ride at the Minnesota Zoological Garden; establishing programs to defend the state's ability to incur debt due to any bankruptcy of the zoo ride; appropriating money.	3682							
2034	A bill for an act relating to education; adjusting certain aid payments for post-secondary vocational education; removing the requirement of an annual student count for purposes of aid computation; requiring the state board for vocational education to establish certain rules; clarifying terms in the management of funds and equipment; modifying the existing contingency fund and creating a fund for adult new jobs; amending Minnesota Statutes 1978, Section 124.11, by adding a subdivision; and Chapter 124, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 124.11, Subdivisions 2a and 2b; 124.562, Subdivisions 3 and 4; 124.5621, Subdivision 11, and by adding a subdivision; 124.5624, Subdivision 6; and 124.5625; repealing Laws 1979, Chapter 334, Article V, Section 29, Subdivision 4.	3682							
2035	A bill for an act relating to taxation; authorizing the revenue department to set off tax refunds due a debtor against debts owed to the state or to county welfare boards; providing for notice and hearing procedures; establishing priorities for claims; providing for an exemption to data privacy requirements and imposing a penalty for misuse of data; authorizing the promulgation of rules; appropriating money.	3701							
2036	A bill for an act relating to courts; providing that courts may acquire electronic data processing services through supreme court contracts; amending Minnesota Statutes 1978, Chapter 480, by adding a section.	3701	4215	4204a 4468 (H1892)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2037	A bill for an act relating to motor vehicles; eliminating restrictions on the issuance of personalized license plates bearing words or letters used for commercial advertising; amending Minnesota Statutes 1978, Section 168.12, Subdivision 2a.	3701							
2038	A bill for an act relating to taxation; changing settlement dates for property taxes; amending Minnesota Statutes 1978, Sections 276.09; 276.10; and 276.11.	3701							
2039	A bill for an act relating to privacy; providing for the collection and dissemination of government data; classifying data as private, confidential, nonpublic or public; amending Minnesota Statutes 1978, Sections 15.162, Subdivisions 3 and 5a, and by adding subdivisions; 15.165, Subdivision 3, and by adding a subdivision; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.1621, by adding a subdivision; 15.1642, Subdivisions 5 and 5a; 15.166, Subdivision 4; 15.1691, Subdivision 3; 15.1692, Subdivisions 1 and 2; 15.1693, Subdivision 2; and 15.1698, Subdivision 1, and by adding a subdivision; and Laws 1978, Chapter 790, Section 5, Subdivision 2; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4.	3701	5008	4076 4999a 5222 5655 (H2040)					
2040	A bill for an act relating to local government; authorizing issuance of general obligation bonds to finance construction of a community hall.	3702	3993	3931 4075 4167	4241 4545	4545	4544	5662	393
2041	A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, Subdivisions 1 and 2.	3702	5615	3805a 5612 5692 5794 (H2019)					
2042	A bill for an act relating to the port authority of Winona; providing powers and conditions of debt; amending Laws 1967, Chapter 541, Section 1, as amended.	3702	4215	4202 4448 4571	4975				
2043	A bill for an act relating to public safety; authorizing the appointment of two assistant chief super- (Continued next page)	3702							

a Indicates Amendment

† 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	Chapter
2043—Continued	visors in the division of highway patrol; amending Minnesota Statutes 1978, Sections 299D.01, Subdivisions 2 and 3; 299D.03, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 299D.03, Subdivision 2.								
2044	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 1978, 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 1978, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 193.144, Subdivision 4; 222.42; and 643.06.	3702	4215	3731 4193a .4448 4706a	5029				
2045	A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Owatonna.	3703	4154	4103a	4361 5668	5668	5668	5916	521
2046	A bill for an act relating to commerce; providing for the qualification of free distribution newspapers as legal newspapers; amending Minnesota Statutes 1978, Section 331.02, Subdivisions 1 and 8.	3703		3994 (H1286)					
2047	A bill for an act relating to taxation; real property; clarifying the treatment of cooperatives and charitable corporations; amending Minnesota Statutes 1978, Section 273.133, Subdivision 1.	3703	4448	4443a 4489 5245 (H1838)					
2048	A bill for an act relating to metropolitan government; changing the method for election of metropolitan council members; amending Minnesota Statutes 1978, Sections 473.121, by adding a subdivision; 473.123; and 473.141, Subdivisions 3 and 5.	3703							
2049	A bill for an act relating to public health; providing for the establishment of programs for oral and dental health for nursing home residents; appropriating money.	3703		4189a					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2050	A bill for an act relating to taxation; establishing an income tax credit for certain taxpayers using wood to heat their residences; extending the residential energy credit to wood burning stoves and furnaces; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 14.	3703							
2051	A bill for an act relating to education; establishing an experimental chemical dependency resource specialist program; imposing duties on the state board of education, the department of education, and school districts; appropriating money.	3704							
2052	A bill for an act relating to elections; eliminating broadcast exception from prohibition of defamatory statements about candidates; amending Minnesota Statutes 1978, Section 210A.04, Subdivisions 1 and 2.	3704							
2053	A bill for an act relating to elections; requiring certain employers to attempt to let employees make up time taken off for certain public meetings; amending Minnesota Statutes 1978, Section 210A.09, Subdivision 2.	3704	4075	4026a 4468 (H2051)	4166				
2054	A bill for an act relating to the environment; providing that the legislature be the sole approval authority for critical areas; designating the state planning agency as the approval authority for plans and regulations related to critical areas; permanently designating the Mississippi River Corridor Critical Area; amending Minnesota Statutes 1978, Sections 116G.06, Subdivision 2; 116G.07; 116G.08; 116G.09; 116G.10; 116G.12, Subdivision 4; and 116G.14; and Chapter 116G, by adding a section.	3704		4155					
2055	A bill for an act relating to commerce; regulating water conditioning installers and contractors; providing a state bonding and insurance procedure; amending Minnesota Statutes 1978, Chapter 326, by adding a section.	3704		3775					
2056	A bill for an act relating to snowmobiles; providing compensation for the victims of snowmobile accidents; requiring owners of snowmobiles to provide security (Continued next page)	3705							

a Indicates Amendment

() 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	Chapter
2056	Continued for payment of basic economic loss benefits; prescribing minimum benefits payable without regard to fault; requiring deduction of no-fault benefits from tort recoveries for snowmobile injuries; authorizing certain deductibles, exclusions and conditions; providing for arbitration of disputes; authorizing certain subrogation rights; establishing an assigned claims plan; requiring certain insurers to offer no-fault snowmobile insurance; prescribing penalties for failure to provide security; prescribing certain duties of the commissioners of insurance, natural resources and public safety; amending Minnesota Statutes 1978, Section 84.82, Subdivision 1.								
2057	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.	3705							
2058	A bill for an act relating to public safety; prohibiting the sale of general admission tickets to certain public events.	3705							
2059	A bill for an act relating to the city of Hibbing; authorizing development and administration of a housing program within the city, including that part of the city which formerly comprised the town of Stuntz.	3705	4154	4101 4215 4562 (H2024)					
2060	A bill for an act relating to state government; creating a state council on Black Minnesotans; appropriating money.	3705		3898					
2061	A bill for an act relating to health; requiring health maintenance organizations to provide chiropractic care; amending Minnesota Statutes 1978, Section 62D.02, Subdivision 7.	3706							
2062	A bill for an act relating to financial institutions; providing for interest rates on certain installment loans and open end loan account arrangements; granting certain lending powers to savings associations and savings and loan associations; amending Minnesota Statutes 1978, Sections 48.153; 51A.21, by adding a subdivision, and 52.14.	3706	4448	4431a 4489 4580	4983 5672	5671 5672	5671	5916	522

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2063	A bill for an act relating to unemployment compensation; limiting disqualification from benefits of certain persons involved in labor disputes; amending Minnesota Statutes, 1979 Supplement, Section 268.09, Subdivision 3.	3706							
2064	A bill for an act relating to cooperatives; prohibiting stockholder signature lines on the face of ballots received by mail; amending Minnesota Statutes 1978, Section 308.07, Subdivision 10.	3706							
2065	A bill for an act relating to energy; appropriating money for a wood fuel conversion consortium between Independent School Districts Nos. 692, 696, 708 and Vermillion Community College.	3706		4076 4261					
2066	A bill for an act relating to retirement; contributions and benefits of judges and survivors under the uniform retirement and survivors' annuities law; amending Minnesota Statutes 1978, Sections 490.123, Subdivision 1; and 490.124, Subdivision 1.	3706	4215	4190a 4448 6184					
2067	A bill for an act relating to motor vehicles; increasing the maximum interest rate on certain loans under the Motor Vehicle Retail Installment Sales Act; amending Minnesota Statutes 1978, Section 168.72.	3707	3993	3775 3983 4075 4170a 4253a	4254		5664	5914	451
2068	A bill for an act relating to elections; requiring date of birth on voter registration cards; requiring election judges to initial voter registration cards submitted on election day; amending Minnesota Statutes 1978, Sections 201.061, by adding a subdivision; and 201.071, Subdivisions 1 and 3.	3707							
2069	A bill for an act relating to public welfare; authorizing the department of vocational rehabilitation to provide funds for power assisted wheelchairs to handicapped persons under certain circumstances; appropriating money; amending Minnesota Statutes 1978, Chapter 129A, by adding a section.	3707							
2070	A bill for an act relating to taxation; real property; limiting the wetlands exemption and credit to certain taxpayers; amending Minnesota Statutes, 1979 Supplement, Section 272.02, Subdivision 1.	3707							
2071	A bill for an act relating to financial institutions; providing that (Continued next page)	3707	4154	4098 4215 4575a	4970		5664	5916	523

a Indicates Amendment

h 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	Chapter
2071	Continued certain agreements taken by a bank and subject to a certain percentage limitation will not constitute a liability against it; providing for a different percentage limitation in certain cases; amending Minnesota Statutes 1978, Section 48.24, Subdivision 3.								
2072	A bill for an act relating to children; providing for commencement of certain paternity actions by alleged father; amending Minnesota Statutes 1978, Section 257.252.	3708							
2073	A bill for an act relating to taxation; increasing the percentage for indexing the taxable net income brackets; amending Minnesota Statutes, 1979 Supplement, Section 290.06, subdivision 2d.	3708		3775					
2074	A bill for an act relating to industrial development; permitting hearings by a committee of the governing body; amending Minnesota Statutes, 1979 Supplement, Section 474.01, Subdivision 7b.	3708	4075	4028a 4571	4448 4973				
2075	A bill for an act relating to public employees; specifying deputy sheriffs as essential employees; amending Minnesota Statutes, 1979 Supplement, Section 179.63, Subdivision 11.	3708		3775 3841					
2076	A bill for an act relating to water; altering the membership of the soil and water conservation board; designating the board as the water resources coordinating body; assigning responsibilities; assigning staff; appropriating money; amending Minnesota Statutes 1978, Section 40.03, Subdivision 1, and Chapter 40, by adding a section.	3708							
2077	A bill for an act relating to interest; regulating rates of interest on loans for business and agricultural transactions; removing certain deficiencies and ambiguities; amending Minnesota Statutes, 1979 Supplement, Section 334.011, Subdivision 1.	3708	3993	3982a 4167	4075 4254				
2078	A bill for an act relating to public utilities; requiring the public service commission to promulgate rules for energy conservation expenditures; restricting issuance of certificates of need for large energy facilities; amending Minnesota Statutes 1978, Chapters 116H, by adding a section; and 216B, by adding a section.	3709							

BILLS OF 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	A bill for an act relating to public utilities; deregulating certain business activities of public utilities; amending Minnesota Statutes 1978, Chapter 216B, by adding a section.	3709							
2080	A bill for an act relating to transportation; providing grants for paratransit projects; amending Minnesota Statutes, 1979 Supplement, Section 174.25, Subdivision 1.	3709	4360	4262a 4448 4580					
2081	A bill for an act relating to energy; promoting energy conservation by prohibiting smoking in public places; providing a penalty.	3709		3775					
2082	A bill for an act appropriating money to the department of transportation for certain transit purposes.	3709							
2083	A bill for an act relating to intoxicating liquor; authorizing the issuance of Sunday sales licenses by county boards in unorganized territory without voter approval; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.	3709	4154	4098 4215 5522 (H2090)					
2084	A bill for an act relating to meeting of public authorities; requiring notice of certain meetings; clarifying a penalty provision; amending Minnesota Statutes 1978, Section 471.705.	3710							
2085	A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.111; 43.18, Subdivision 4; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivisions 7 and 8; 179.64, Subdivisions 1, 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74. (Continued next page)	3710	5247	4039a 5230a 5577 5742a	5782 6413	6349 6350 6354 6379* 6413 6414	6349 6615	6821	617

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
2085	Continued Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.555; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.								
2086	A bill for an act relating to public welfare; establishing a grant program for brain injured persons for participation in a program of neurological stimulation; appropriating money.	3710		3874a					
2087	A bill for an act relating to towns; removing a property tax levy limit on certain towns; repealing Minnesota Statutes 1978, Sections 275.31; 275.32; 275.33; 275.34 and 275.35.	3710							
2088	A bill for an act relating to transportation; providing for statewide park and ride facilities; appropriating money; amending Minnesota Statutes 1978, Chapter 174, by adding sections.	3711		3775 3976a					
2089	A bill for an act relating to retirement; providing an exception to the 40 year maximum in computation of public pensions; amending Minnesota Statutes 1978, Section 356.60, Subdivision 3.	3711							
2090	A bill for an act relating to transportation; allowing the use of certain documents as relevant evidence of exceeding vehicle weight limits; requiring record keeping for shipments unloaded; imposing civil penalties; amending Minnesota Statutes 1978, Chapter 169, by adding sections.	3711	3993	3975a 4075 4167 4236a	4237 5604	5604	5603	5916	485
2091	A bill for an act relating to metropolitan government; providing for election of the members of the metropolitan council; amending Minnesota Statutes 1978, Sections 10A.20, Subdivisions 3 and 5; 10A.22, Subdivision 5; and 473.123, Subdivisions 3 and 5, and (Continued next page)	3711		3775					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2091—Continued	by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Section 10A.01, Subdivision 5; repealing Minnesota Statutes 1978, Section 473.123, Subdivision 2.								
2092	A bill for an act relating to state parks; clarifying the law governing state acquisitions and landowners' rights; hunting and fishing within boundaries; amending Minnesota Statutes 1978, Sections 85.0115; and 99.25, Subdivision 1.	3711	4448	4444a 4489 4705 4707	5030				
2093	A bill for an act relating to juveniles; modifying dispositions available to juvenile court judges; increasing civil liability of parents for intentional acts of their children; changing the definitions of "delinquent" and "dependent" children; modifying statutory provisions relating to records of convictions and adjudications of delinquency; making the rules of evidence applicable in juvenile proceedings; providing for open hearings for juveniles in certain cases; providing for the promulgation of statewide juvenile court rules; providing for a juvenile dispositional guidelines commission and the promulgation and application of guidelines; modifying the jurisdiction of the juvenile courts; modifying the provisions for reference of juveniles for adult prosecution; expanding the coverage of the provisions requiring preparation of a case plan for children placed in foster care; repealing the statute prohibiting underage smoking; appropriating money; amending Minnesota Statutes 1978, Sections 257.071, Subdivision 1; 260.011, Subdivision 2; 260.015, Subdivisions 5 and 6; 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivisions 1 and 3; 260.125; 260.155, Subdivision 1; 260.173, Subdivisions 2 and 3; 260.181, Subdivision 4; 260.185, Subdivisions 1 and 2, and by adding subdivisions; 260.191, Subdivision 1; 260.193; 260.211, Subdivision 1; 540.18, Subdivision 1; and Chapter 244, by adding a section; Chapter 260, by adding a section; and Chapter 480, by adding a section; repealing Minnesota Statutes 1978, Section 609.685.	3711							
2094	A bill for an act relating to game and fish; excluding bears from the (Continued next page)	3712	4075	4033a 4166 4364a 4492a	4568				

a Indicates Amendment

() 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	Chapter
2094—Continued	definition of fur bearing animals; requiring licenses of persons providing guide services for bear hunters; specifying fees; requiring tagging of bears taken in the state; providing for free fishing licenses for certain mentally retarded and disabled residents; extending the muskrat trapping season; changing the times of day during which certain wild animals may be taken; authorizing a season for taking sandhill cranes; regulating bear baiting; allowing sale of bear hides and claws; altering the end date of certain fishing seasons; allowing possession of dip nets under certain circumstances; amending Minnesota Statutes 1978, Sections 97.40, Subdivision 7; 98.46, Subdivisions 4, 16 and 22; 98.47, Subdivisions 15 and 16; 100.27, Subdivision 5; 100.29, Subdivisions 1 and 31; 100.30; 101.41, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 100.27, Subdivision 4; and 101.42, Subdivision 18.								
2095	A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 15, as amended, and 16; and Laws 1979, Chapter 198, Article I, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.	3712	3898	3871a 3992 4167	4234 6124	5667 5705 5844 6122*	5667 6191	6817	573
2096	A bill for an act proposing an amendment to the Minnesota Constitution, Article VIII, by adding a section; providing for recall of elected state executive and judicial officers and state senators by the voters.	3712		3928					
2097	A bill for an act relating to transportation; creating an interim study commission on transportation; financing the divisions of highway patrol and driver's license from the general fund; authorizing the issuance and sale of Minnesota state transportation bonds for certain purposes; requiring the commissioner of transportation to conduct a survey of certain communities to determine (Continued next page)	3713		4556a					

BILLS OF 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	certain information; providing grants for certain purposes; increasing the tax levy and borrowing authority of the metropolitan transit commission; modifying certain duties and report requirements of the metropolitan transit commission; appropriating money; amending Minnesota Statutes 1978, Sections 174.03, by adding a subdivision; 174.50, Subdivision 1; 299D.02, Subdivision 1; 299D.04; 299D.05, Subdivision 3; 473.408, by adding a subdivision; 473.435; Chapters 171, by adding a section; and 299D, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 473.436, Subdivision 5; and 473.446, Subdivision 1.								
2098	A bill for an act relating to crimes; delaying implementation of sentencing guidelines; amending Minnesota Statutes 1978, Sections 244.04, Subdivision 2; 244.08, Subdivision 1; 244.09, Subdivision 12, and by adding a subdivision; and Laws 1978, Chapter 723, Article 1, Section 20, Subdivision 2.	3713							
2099	A bill for an act relating to housing; permitting an increase in certain grants made by the housing finance agency; authorizing limitations on the assumability of mortgages made or purchased by a state or local agency; creating a veteran's housing assistance program; modifying the program for moderate rehabilitation of rental properties; changing municipal housing rehabilitation programs; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 17, and by adding a subdivision; 462A.06, Subdivision 11; 462A.21, by adding a subdivision and Minnesota Statutes, 1979 Supplement, Sections 462A.05, Subdivision 15; 462A.21, Subdivision 11; 462C.03, by adding a subdivision; and 462C.05, Subdivision 1.	3746	4215	4183a 4448 5373a	5581		6376	6820	593
2100	A bill for an act relating to trade regulations; providing limits on formaldehyde concentrations emitted from building materials and insulation; prohibiting certain transactions; enacting the uniform trade secrets act; providing remedies; prescribing penalties.	3746	4966	3841 4816a 5034 5546a 5649a	5649		6353	682	594

a Indicates Amendment

o 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
2101	A bill for an act relating to state government; raising the limit on the balance allowed to remain in the state auditor's revolving fund; empowering the state auditor to establish a personnel recruitment, hiring, promotional, and salary plan with the approval of the commissioner of the department of personnel; amending Minnesota Statutes 1978, Section 6.58; and Chapter 6, by adding a section.	3746	4075	4069a 4215 4572a 5023 (H2047)					
2102	A bill for an act relating to the city of Melrose; authorizing the issuance of general obligation bonds for a fire hall and community center.	3746	3998	3931 4075 4167	4241		4988	5787	425
2103	A bill for an act relating to courts; providing for an additional probate judge for Hennepin county; amending Minnesota Statutes 1978, Section 525.04.	3746							
2104	A bill for an act relating to state lands; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1978, Section 92.06, Subdivision 1.	3747	3993	3983a 4075 4167	4239	6378 6414 6606 6747	6378		
2105	A bill for an act relating to courts; transfer of persons committed as dangerous to the public or found to have a psychopathic personality; providing for notice of hearing to the county attorney of the county of proposed transfer; amending Minnesota Statutes 1978, Section 253A.14, Subdivision 2.	3747		3842					
2106	A bill for an act relating to retirement; authorizing certain persons to purchase prior service credit.	3747		3842					
2107	A bill for an act relating to energy; requiring public utilities to make available residential energy audits; allowing for costs thereof; providing for standards and qualifications of personnel.	3747							
2108	A bill for an act relating to education; eliminating the requirement that a treasurer of an independent school district provide a corporate surety bond to the state; repealing Minnesota Statutes 1978, Section 123.34, Subdivision 6.	3747							
2109	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 revenue bonds to fi-	3747	4075	4023 4166 4365a 4489a	4569				

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2109—Continued	nance their cost; amending Minnesota Statutes 1978, Chapter 165, by adding a section.								
2110	A bill for an act relating to metropolitan government; providing for the maximum amount of the borrowing authorization of the metropolitan airports commission; setting deadlines for design selection and installation of aircraft noise suppressing equipment; amending Minnesota Statutes 1978, Sections 473.608, Subdivision 20; and 473.667, Subdivision 2.	3748	3993	3971 4167	4075	4238 5609	5609	5914	450
2111	A bill for an act relating to counties; providing for the responsibilities and appointments of deputy county treasurers; amending Minnesota Statutes 1978, Section 385.02, Subdivision 1.	3748	4075	4027 4539	4166	4701			
2112	A bill for an act relating to elections; fixing compensation for county canvassing boards and county and township election judges; amending Minnesota Statutes, 1979 Supplement, Section 204A.23.	3748							
2113	A bill for an act relating to education; modifying the employment status of certain substitute teachers; amending Minnesota Statutes 1978, Section 123.35, Subdivision 5.	3748	4481	4464a 5249	4579	5589			
2114	A bill for an act relating to the legislature; establishing a temporary joint legislative study commission and empowering it to examine the educational programs for primary patient care of the University of Minnesota Medical School; appropriating money.	3748		4073a	4500a				
2115	A bill for an act relating to tax increment financing; providing for approval of a majority of local taxing districts prior to establishment or modification of a tax increment financing district; providing for approval of a majority of local taxing districts prior to deferred property taxation for private redevelopment; amending Minnesota Statutes, 1979 Supplement, Sections 273.74, Subdivisions 2 and 3; and 273.86, Subdivision 1.	3748							
2116	A bill for an act proposing an amendment to the Minnesota Constitution, Article X, Section 6; (Continued next page)	3749	5730	4552 5728 6196	5106 5742				

a Indicates Amendment

o 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	Chapter
2116	Continued removing restrictions upon the power to tax the mining, production or beneficiation of copper, copper-nickel or nickel.								
2117	A bill for an act relating to commerce; providing for investments in certain loans by savings banks and savings associations; defining terms; exempting savings associations from licensing and bonding requirements of safe deposit companies; deleting the dollar limitation on examination fees; amending Minnesota Statutes 1978, Sections 50.14, Subdivision 5; 51A.02, Subdivisions 8 and 17, and by adding a subdivision; 51A.37, Subdivision 3; 55.06, Subdivision 1; and 55.095.	3749	4360	4268a 4581a 4489	4981 5704	5704	5704	5916	524
2118	A bill for an act relating to retirement; authorizing the purchase of prior service by certain members of the public employees retirement association.	3749							
2119	A bill for an act relating to Carver county; applying the provisions of the municipal housing and redevelopment act to Carver county; providing for local approval of projects.	3749	4154	4101 4691 (H2152) 4215					
2120	A bill for an act appropriating money for restoration projects and educational programs at Murphy's Landing in Scott County.	3749		3952					
2121	A bill for an act relating to courts; second judicial district; requiring fees to be taxed to the state in certain criminal prosecutions; requiring the state and city of St. Paul to pay civil fees; amending Minnesota Statutes 1978, Sections 488A.20, Subdivision 4; and 488A.23, Subdivision 6.	3750							
2122	A bill for an act relating to elections; providing for redistricting of Hennepin County commissioner districts; authorizing time off from work for election judges; amending Minnesota Statutes 1978, Section 204A.17, by adding a subdivision.	3750	3993	3947a 4367a 4075 4539	4698 5828	5608 5920 5828 6048	5608	Veto 5918	
2123	A bill for an act relating to Dakota County; providing for the expenses of the county commissioners; amending Laws 1961, Chapter 249, Section 2, as amended.	3750	4075	4028	4158				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2124	A bill for an act relating to privacy; modifying the provisions for consent to disclosure of private data; amending Minnesota Statutes, 1979 Supplement, Section 15.163, Subdivision 4.	3750							
2125	A bill for an act relating to privacy; providing for classification of certain welfare data; amending Minnesota Statutes, 1979 Supplement, Section 15.1691, Subdivision 3.	3750							
2126	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.	3750							
2127	A bill for an act relating to taxation; distribution of taconite taxes among school districts; amending Minnesota Statutes 1978, Section 298.23, Subdivision 1.	3751		3751 3841					
2128	A bill for an act relating to taxation; clarifying the apportionment of income from taconite producers to Minnesota; amending Minnesota Statutes 1978, Chapter 298, by adding a section.	3751	4563	4552a 4989 5532	5697				
2129	A bill for an act relating to natural resources; regulating the use of state funded trails; providing a penalty; amending Minnesota Statutes 1978, Section 84.90, Subdivision 4; and Chapter 85, by adding a section.	3751							
2130	A bill for an act relating to industrial development; providing for various energy related projects; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 4; and 474.02, by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Section 474.03.	3751		(H1996)					
2131	A bill for an act relating to local government; permitting local governmental bodies to set mileage allowances for officers and employees; amending Minnesota Statutes 1978, Section 471.665, Subdivision 3; and Minnesota Statutes, 1979 Supplement, Section 471.665, Subdivision 1.	3751	3993	3931 4075 4167 4172	4240				
2132	A bill for an act relating to state government; renaming the securities division of the department of commerce; amending Minnesota Statutes 1978, Section 45.01.	3751							

a Indicates Amendment

() 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	Chapter
2133	A bill for an act relating to state government; separating the department of public service from the public service commission; changing the name of the commission to the public utilities commission; removing obsolete language; clarifying powers and duties; transferring certain funds previously appropriated; amending Minnesota Statutes 1978, Sections 216.16; 216A.01; 216A.04; 216A.05, Subdivisions 2, 4 and 5; 216A.07; 216B.08; 216B.12, Subdivision 1; 216B.15; 216B.62, Subdivisions 2 and 3; repealing Minnesota Statutes 1978, Section 216B.62, Subdivision 1.	3752							
2134	A bill for an act relating to natural resources; providing for analysis of hydroelectric generating capacity of publicly owned dams; clarifying provisions relating to the administration of and authorization for dam repair and reconstruction grants; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 1 and 4; Minnesota Statutes, 1979 Supplement, Section 105.482, Subdivisions 3 and 5a; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5.	3752	4154	4104a 4448 4577a	4974 6133	5552 5577 5675 6132*	5552 6191	6818	585
2135	A bill for an act relating to retirement; judicial service credit for referees in juvenile court; amending Minnesota Statutes 1978, Section 490.121, Subdivision 4.	3752							
2136	A bill for an act relating to elections; changing certain procedures and the effect of absentee ballots.	3752	4075	4026a 4166 4576a	4966				
2137	A bill for an act relating to the Knife Lake Improvement District in Kanabec County; authorizing Kanabec County to finance the cost of a certain improvement within the district.	3753	4215	4204a 4448 4839 5523 (H2185)					
2138	A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1978, Sections 205.10; and 412.02, Subdivision 2, and by adding a subdivision.	3753	4075	4025 4166 4840 (H2082)					
2139	A bill for an act relating to communications; providing funds for the purchase of studio and production equipment by Northern Minnesota Public Television; appropriating money.	3753		3842					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2140	A bill for an act relating to the Fergus Falls state hospital; providing for cooperative use of solid waste by local units of government and the state welfare department; appropriating money.	3753		4260a					
2141	A bill for an act relating to historic sites; designating the Canadian National Depot in Warroad as an historic site; requiring notice to the Minnesota historical society when the state or a political subdivision of the state acquires certain property; amending Minnesota Statutes 1978, Section 138.59.	3753		(H1795)					
2142	A bill for an act relating to state finances; providing for the return of surplus money in the general fund to the taxpayers; making an appropriation.	3753		3842 4216					
2143	A bill for an act relating to crimes; establishing the crime of commercial bribery; prescribing penalties.	3781							
2144	A bill for an act relating to crimes; repealing the laws relating to fornication and consensual sodomy; repealing Minnesota Statutes 1978, Sections 609.293 and 609.34.	3781							
2145	A bill for an act relating to peace officers; altering membership in the board of peace officer standards and training to include mayors or city council members from municipalities outside the metropolitan area; amending Minnesota Statutes, 1979 Supplement, Section 626.841.	3781							
2146	A bill for an act relating to public welfare; providing that certain relatives of children receiving aid to families with dependent children are not responsible for contributions; amending Minnesota Statutes 1978, Section 256.87, Subdivision 1.	3781	4154	4098 4215 4468 (H2135)					
2147	A bill for an act relating to courts; providing senior citizen priority on the civil calendar; amending Minnesota Statutes 1978, Section 546.07.	3781							
2148	A bill for an act relating to education; requiring a school board to grant an extended leave of absence to certain teachers; eliminating the requirement of certain reports for denials of the leaves; amending Minnesota Statutes 1978, Section 125.60, Subdivision (Continued next page)	3782							

a Indicates Amendment

1 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
2148	Continued 7; and Minnesota Statutes, 1979 Supplement, Section 125.60, Subdivision 2; repealing Minnesota Statutes 1978, Section 125.60, Subdivision 2a.								
2149	A bill for an act relating to juveniles and corrections; modifying dispositions available to juvenile court judges; increasing civil liability of parents for intentional acts of their children; changing the definitions of "delinquent" and "dependent" children; modifying statutory provisions relating to records of convictions and adjudications of delinquency; making the rules of evidence applicable in juvenile proceedings; providing for open hearings for juveniles in certain cases; modifying procedures in juvenile court; providing for informed consent by juveniles to waiver of rights; providing for the promulgation of statewide juvenile court rules; providing for a juvenile dispositional guidelines commission and the promulgation and application of guidelines; modifying the jurisdiction of the juvenile courts; modifying the provisions for reference of juveniles for adult prosecution; expanding the coverage of the provisions requiring preparation of a case plan for children placed in foster care; repealing the statute prohibiting underage smoking; amending Minnesota Statutes 1978, Sections 257.071, Subdivision 1; 260.011, Subdivision 2; 260.015, Subdivisions 5 and 6; 260.031, Subdivision 4; 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; 260.125; 260.135, Subdivisions 1, 2, and 5; 260.141, Subdivision 1; 260.155, Subdivisions 1, 2, 4 and by adding a subdivision; 260.161, Subdivision 1; 260.173, Subdivisions 2 and 3; 260.181, Subdivision 4; 260.185, Subdivision 1, and by adding subdivisions; 260.191, Subdivision 1; 260.193; 260.211, Subdivision 1; 540.18, Subdivision 1; and Chapters 260, by adding a section; 480, by adding a section; and 609, by adding a section; repealing Minnesota Statutes 1978, Section 609.685.	3782	4694	4155 4645a 4989 5067 (H1896)					
2150	A bill for an act relating to children; increasing parental liability for damage done by children; amending Minnesota Statutes 1978, Section 540.18, Subdivision 1.	3782							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2151	A bill for an act relating to public welfare; exempting certain payments from consideration when determining levels of general assistance; amending Minnesota Statutes 1978, Section 256D.06, by adding a subdivision.	3782							
2152	A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in the city of Brooklyn Center.	3782	4360	4261a 4562 (H2187)	4489				
2153	A bill for an act relating to local government; clarifying basis for certain sewer charges; amending Minnesota Statutes 1978, Section 444.075, Subdivision 3.	3782	4215	4202	4448				
2154	A bill for an act relating to game and fish; prohibiting the sale or use of leghold traps in the territory included in Ramsey County; providing penalties.	3783							
2155	A bill for an act relating to juveniles; changing procedures with regard to detention and disposition; amending Minnesota Statutes 1978, Sections 260.172, Subdivision 4, and by adding a subdivision; 260.185, Subdivision 4; and 260.191, Subdivision 2.	3783							
2156	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.	3783	4154	4101 4468 (H1931)	4215				
2157	A bill for an act relating to taxation; motor vehicle, excise; providing a credit on the excise tax for the value of a motor vehicle destroyed in an accident in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.	3783							
2158	A bill for an act relating to taxation; real property; providing a credit for certain property along wild and scenic rivers; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section.	3783							
2159	A bill for an act relating to taxation; property; requiring property tax refunds be claimed on the income tax return; amending Minnesota Statutes 1978, Sections 290A.06 and 290A.07, Subdivision 2; repealing Minnesota Statutes 1978, Section 290A.07, Subdivisions 3 and 4.	3783							

a Indicates Amendment

() 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	Chapter
2160	A bill for an act relating to crimes; appropriating money for the investigation of narcotics offenses; amending Minnesota Statutes, 1979 Supplement, Section 299C.065, Subdivision 1.	3784							
2161	A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; amending Minnesota Statutes 1978, Section 46.24; and Minnesota Statutes, 1979 Supplement, Section 46.04.	3784	4215	4210a 4448 5509 (H2268)					
2162	A bill for an act relating to retirement; Duluth police; definition of "spouse" for purposes of survivor benefits; amending Laws 1953, Chapter 91, Section 1, Subdivision 7, as amended.	3784							
2163	A bill for an act relating to public safety; regulating boilers, other apparatus and their operators; providing penalties; amending Minnesota Statutes 1978, 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; 183.52; 183.53; 183.54; 183.545; 183.56; 183.57; 183.59; 183.60; 183.61; 183.62; and Chapter 183, by adding sections; repealing Minnesota Statutes 1978, Section 183.39, Subdivision 2.	3784							
2164	A bill for an act relating to local government; providing for the financial reports of certain municipal hospitals and nursing homes; amending Minnesota Statutes, 1979 Supplement, Sections 471.697, Subdivision 1; and 471.698, Subdivision 1.	3784							
2165	A bill for an act relating to natural resources; appropriating money for a demonstration project to utilize sewage sludge in forest management.	3785							
2166	A bill for an act relating to the cities of Minneapolis, Bloomington and Winona; authorizing the creation of an economic development and redevelopment agency or department; granting powers of the port authority to the city of Bloomington; providing powers and conditions of debt for the port authority of Winona; providing for hearings for the issuance of in-	3785	4154	4114a 4215 5366a	5617 6210	6210	6209	6820	595

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2166—Continued	Industrial revenue bonds; amending Minnesota Statutes 1978, Section 458.192, Subdivision 1, and by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Sections 462C.07, Subdivision 3; and 474.01, Subdivision 7b.								
2167	A bill for an act relating to public safety; providing for fire alarm and sprinkler systems in schools.	3785							
2168	A bill for an act relating to historic sites; designating additional historic sites; requiring notice to the Minnesota Historical Society when the state or a political subdivision acquires certain property; amending Minnesota Statutes 1978, Sections 138.56, by adding a subdivision; and 138.59.	3785	4075	4029 4539a	4166	4702	5224	5835	434
2169	A bill for an act relating to metropolitan government; providing for legal services to the metropolitan council and metropolitan agencies; amending Minnesota Statutes 1978, Sections 8.06; 473.129, Subdivisions 2 and 3; and 473.141, Subdivision 13.	3785		3994					
2170	A bill for an act relating to taxation; providing adjustments to property tax refund due to granting of abatements on claimant's homestead; amending Minnesota Statutes 1978, Sections 290A.11, by adding a subdivision; and 375.192, Subdivision 1.	3785	5025	5017 5532	5222	5700			
2171	A bill for an act relating to education; authorizing the council on quality education to fund certain programs for adults; appropriating money.	3786							
2172	A bill for an act relating to the Moose Lake-Windemere Sewer District; definitions; board membership and compensation; powers; amending Laws 1974, Chapter 400, Sections 3, Subdivisions 5 and 12; 4, Subdivisions 2 and 9; and 8, by adding a subdivision.	3786	4075	4074a 4539	4166	5025			
2173	A bill for an act relating to courts; Hennepin and Ramsey county district courts, juvenile divisions; authorizing appointment of district court judges to hear cases arising under the juvenile court act for terms up to six years; amending Minnesota Statutes 1978, Section 260.019, Subdivision 3.	3786		(H1890)					

— Indicates Amendment

— 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	Chapter
2174	A resolution memorializing the President and Congress to take all actions necessary to effect changes in regulations of the Department of Health, Education, and Welfare so that physician visits to medically stable residents of certain health care facilities are required only quarterly or semi-annually.	3786		4099 (H2295)					
2175	A bill for an act relating to juveniles; requiring notice to non-custodial parents of filing of petitions for dependency, delinquency, neglect, or neglected and in foster care; amending Minnesota Statutes 1978, Sections 260.135, Subdivision 2; and 260.251, Subdivision 1.	3786		(H2198)					
2176	A bill for an act relating to education; requiring school districts to develop a policy and procedures to minimize chemical use problems; appropriating money.	3787							
2177	A bill for an act relating to unemployment compensation; restoring eligibility to certain employees of Minnesota school for the deaf and Minnesota braille and sight saving school; amending Minnesota Statutes 1978, Section 268.08, Subdivision 6.	3787							
2178	A bill for an act relating to local government in Ramsey county; providing for the membership and dues of the Ramsey county league of local governments; amending Laws 1963, Chapter 728, Section 1, as amended.	3787		(H1873)					
2179	A bill for an act relating to the Valley Branch Watershed District; providing for representation of Ramsey County on the board of managers for the Valley Branch Watershed District.	3787							
2180	A bill for an act relating to highway traffic regulations; requiring certain vehicles operated at a speed of 25 miles per hour or less to display flashing warning lights while traveling on certain highways; amending Minnesota Statutes 1978, Chapter 169, by adding a section.	3787							
2181	A bill for an act relating to taxation; sales; exempting sales of sand, gravel, and crushed rock used in road construction; amending Minnesota Statutes, 1979 (Continued next page)	3787	5247	5244a 5740a	5577	5741			

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2181	Continued Supplement, Section 297A.25, Subdivision 1; repealing Minnesota Statutes 1978, Section 297A.25, Subdivision 4.								
2182	A bill for an act relating to health; directing the commissioner of health to undertake studies for determining health and environmental effects of high voltage transmission lines; appropriating money.	3788	5118	4076 4099 4154 5110a 5222 5532	5650				
2183	A bill for an act relating to gambling devices; clarifying certain definitions; amending Minnesota Statutes 1978, Section 349.26, Subdivisions 4, 5, and 15.	3788	4075	4029a 4166 4571	4967				
2184	A bill for an act relating to Special School District No. 1; modifying the district's responsibility to develop a long range building plan and providing certain bonding authority; amending Laws 1963, Chapter 645, Section 3, Subdivision 5; and Laws 1959, Chapter 462, Section 3, Subdivision 7, as amended and renumbered.	3788	4075	4070a 4484 4571	4973		5675	5916	525
2185	A bill for an act relating to data privacy; extending temporary classifications of law enforcement data for one year; establishing a task force to develop law enforcement related data privacy legislation; clarifying provisions relating to arrest information; amending Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.1642, by adding a subdivision; 15.1695, Subdivision 1, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 15.162, Subdivision 1a.	3788							
2186	A bill for an act relating to public utilities; establishment of rates for cogenerating power plants; amending Minnesota Statutes 1978, Chapter 216B, by adding a section.	3788							
2187	A bill for an act relating to transportation; granting an income tax credit for commuter van purchases; establishing a Minnesota rideshare program; appropriating funds; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	3789							
2188	A bill for an act relating to the environment; altering definitions relating to environmental coordination procedures; eliminating some certification requirements (Continued next page)	3789							

a Indicates Amendment

h 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	Chapter
2188	Continued for certain environmental projects; reducing time requirements related to environmental hearings and decisions; amending Minnesota Statutes 1978, Sections 116C.24, Subdivisions 5 and 7; 116C.25; 116C.26, Subdivisions 1, 3 and 5; 116C.27; 116C.28; 116C.31; 116C.32; and 116C.33, by adding a subdivision.								
2189	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; prescribing certain fees; amending Minnesota Statutes 1978, Sections 80A.05, Subdivision 1; 80A.07, Subdivision 1; 80A.12, Subdivision 3; 80A.14; 80A.15, Subdivision 2; 80A.16; 80A.21, Subdivision 1; 80A.28, Subdivisions 2, 7, and by adding a subdivision; and 80A.30, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 80A.15, Subdivision 1.	3789							
2190	A bill for an act relating to the city of Saint Paul; permitting employment of certain persons pursuant to a training program; correcting gender references in the St. Paul police retirement law; amending Laws 1955, Chapter 151, Sections 1, Subdivision 5, as amended; 3, Subdivision 2; 13, as amended; and 16.	3789	4154	4101 4572a	4215 5710				
2191	A bill for an act relating to state government; creating the Minnesota institute for public foresight; requiring the identification and analysis of trends affecting the state; appropriating money.	3789		3899					
2192	A bill for an act relating to local government; regulating financial reports of certain municipal hospitals and nursing homes; amending Minnesota Statutes, 1979 Supplement, Sections 471.697, Subdivision 1; and 471.698, Subdivision 1.	3790	4215	4200a 4692 (H1987)	4448				
2193	A bill for an act relating to commerce; establishing certain time price differentials on retail installment sales of mobile homes; amending Minnesota Statutes 1978, Section 168.72.	3790	4215	4210a 4580a	4448	4980			
2194	A bill for an act relating to education; modifying the aid and levy (Continued next page)	3790							

BILLS OF 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	Continued for community education to take into account certain payments; amending Minnesota Statutes, 1979 Supplement, Section 124.271, Subdivisions 1a and 2; and 275.125, Subdivision 9.								
2195	A bill for an act relating to employment agencies; exempting certain medical doctor placement services from licensing provisions; amending Minnesota Statutes 1978, Section 184.21, Subdivision 2.	3790	4154	4101 4571	4215	4969	5554	5914	452
2196	A bill for an act relating to intoxicating liquor; maximum fee for municipal licenses issued to clubs; amending Minnesota Statutes, 1979 Supplement, Section 340.11, Subdivision 11.	3790							
2197	A bill for an act relating to education; modifying and providing certain procedures for the termination, discharge and demotion of certain teachers; amending Minnesota Statutes 1978, Section 125.12, Subdivisions 2, 3, 4, 8, 9, 10, 11, and by adding a subdivision.	3790	4448	4435a 5119	4489				
2198	A bill for an act relating to privacy; collection and dissemination of government data; classifying data as private, confidential and non-public; providing penalties; amending Minnesota Statutes 1978, Section 15.162, Subdivisions 1a, 3, 5a, and by adding subdivisions; 15.165, Subdivision 3, and by adding a subdivision; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.163, Subdivision 9; 15.166, Subdivision 4; 15.1692, Subdivision 2, and by adding a subdivision; 15.1693, by adding a subdivision; 15.1695, Subdivision 1, and by adding a subdivision; 15.1698, Subdivision 1, and by adding subdivisions; repealing Minnesota Statutes 1978, Section 299C.13; and Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4.	3791							
2199	A bill for an act relating to privacy; collection and dissemination of government data; classifying data as private, confidential and non-public; amending Minnesota Statutes 1978, Sections 15.162, Subdivisions 3, 4, 5a, 5b, and by adding subdivisions; 15.165, by adding a (Continued next page)	3791							

a Indicates Amendment

() 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	Chapter
2199	—Continued subdivision; 241.021, Subdivision 1; 272.70; 297A.431; 390.11, by adding a subdivision; 600.23, Subdivision 3; Chapter 15, by adding sections; Chapter 134, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 15.163, Subdivision 6; 15.1692, Subdivision 4, and by adding a subdivision; and 15.1698, by adding a subdivision.								
2200	A bill for an act relating to education; improving education by creating a program of educational research and development by school districts; appropriating money.	3791							
2201	A bill for an act relating to public debt; fixing maximum interest rates on public obligations and assessments; excepting certain obligations from public sale requirements; amending Minnesota Statutes 1978, Sections 474.06; 475.55; and 475.60, Subdivision 2.	3791	4360	4266a 4695	4489				
2202	A bill for an act relating to legal services; providing that the attorney general may render bond counsel services to state agencies and political subdivisions; appropriating money.	3844	5615	4201 5612a 5692					
2203	A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.	3850	5730	4259 4407 5728 5898 (H2289)	4261 5106 5742				
2204	A bill for an act relating to local government; providing for compensation for use of private automobiles; amending Minnesota Statutes, 1979 Supplement, Section 471.665, Subdivision 1.	3850							
2205	A bill for an act relating to courts; providing for appointment of clerks of court by district administrators; transferring clerks of court to the state judicial system; requiring the state court administrator to establish a judicial position, classification, and compensation system for nonjudicial personnel; requiring the state court administrator to promulgate and administer uniform standards and procedures relating to personnel matters for nonjudicial personnel; amending Minnesota Statutes 1978, Sections 485.01; 485.018, Subdivisions 6 and 7; Chapters 480, by adding a section; (Continued next page)	3850							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2205	Continued and 485, by adding a section; Minnesota Statutes, 1979 Supplement, Section 43.43, Subdivision 2; repealing Minnesota Statutes 1978, Sections 485.018, Subdivisions 1, 2, 2a, and 4; and 485.12.								
2206	A bill for an act relating to education; extending the applicability of an early retirement incentive for teachers employed by school districts implementing certain desegregation plans; amending Minnesota Statutes, 1979 Supplement, Section 125.61, Subdivision 3a.	3850							
2207	A bill for an act relating to Special Independent School District No. 1, Minneapolis, and Independent School District No. 709; authorizing certain agreements between Special School District No. 1 and the exclusive representative of its teachers about teacher terminations; expanding the definition of teachers in the same authorization for Independent School District No. 709; amending Laws 1974, Chapter 237, Section 1.	3850							
2208	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, 1979 Supplement, Section 356.60.	3851							
2209	A bill for an act relating to education; encouraging school boards to use school-based management; amending Minnesota Statutes 1978, Section 123.741, by adding a subdivision.	3851							
2210	A bill for an act relating to taxation; increasing the amount of value of a 3cc homestead that qualifies for reduced assessment; amending Minnesota Statutes, 1979 Supplement, Sections 273.122 and 273.13, Subdivision 7.	3851	4448	4443 4489 5532					
2211	A bill for an act relating to Cook County and Independent School District No. 166; providing for certain agreements relating to the sale of excess steam from the existing wood fueled steam generating plant of the district; giving certain parties to the agreement certain powers.	3851							
2212	A bill for an act relating to commerce; regulating consumer credit and related finance charges, in- (Continued next page)	3851							

a Indicates Amendment

() 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	Chapter
2212—Continued	insurance, loans and other conditions of credit; enacting the uniform consumer credit code; providing penalties; repealing Minnesota Statutes 1978, Sections 48.153; 48.154; 48.155; 48.156; 48.157; 48.185, as amended; 52.14; 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; and 334.012; and Chapter 56.								
2213	A bill for an act relating to state government; providing for parking surcharges for certain state employees; providing for payment of certain surplus land sale costs; amending Minnesota Statutes 1978, Section 94.16; and Minnesota Statutes, 1979 Supplement, Section 16.723.	3852							
2214	A bill for an act relating to local government; authorizing governing bodies of local governmental units to set mileage allowances for officers and employees; repealing Minnesota Statutes, 1979 Supplement, Section 471.665, Subdivision 1.	3852							
2215	A bill for an act relating to the city of Duluth; providing for review of assessments by the county assessor.	3852							
2216	A bill for an act relating to taxation; real property; extending class 3cc standing to qualified persons who make their homestead in mobile homes; amending Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 7.	3852							
2217	A bill for an act relating to taxation; restricting the use of certain proceeds of the taconite production tax; providing for state replacement of certain eliminated payments; appropriating funds; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 8a; 273.135, Subdivision 2; 298.223 and 298.28, Subdivision 1; Chapters 273, by adding a section; and 477A, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 9.	3852	5118	5101a 5532	5222	5701			
2218	A bill for an act relating to peace officers; exempting municipalities with a population of less than or equal to 5,000 from part-time officer licensing by the board of (Continued next page)	3853	4448	4013 4446a	4030a				

BILLS OF 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	peace officer standards and training; authorizing such municipalities to adopt part-time officer licensing ordinances; amending Minnesota Statutes 1978, Chapter 626, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 626.84; and 626.8461.								
2219	A bill for an act relating to Independent School District No. 748, Sartell; authorizing an additional levy for special assessments.	3853							
2220	A bill for an act relating to education; adding the commissioner of agriculture to the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.	3853	4215	4203 4489 4562 (H1834)					
2221	A bill for an act relating to public utilities; revision of rates pending approval by the public service commission; amending Minnesota Statutes 1978, Sections 216B.16, Subdivision 1, and by adding subdivisions; and 237.075, Subdivisions 1 and 2, and by adding subdivisions.	3853							
2222	A bill for an act relating to public utilities; regulating assigned service areas of telephone companies; city authority to purchase and operate telephone plants; amending Minnesota Statutes 1978, Chapter 237, by adding a section; and Section 237.16, Subdivisions 3, 4, and 6, and by adding subdivisions; repealing Minnesota Statutes 1978, Sections 237.16, Subdivisions 1 and 2, and 237.19.	3853							
2223	A bill for an act relating to the state building code; providing for payment of portion of state building code permit fee surcharge to commissioner of health for certain administration costs; appropriating money; amending Minnesota Statutes, 1979 Supplement, Section 16.866, Subdivision 1.	3853							
2224	A bill for an act relating to taxation; individual and corporate income tax, withholding, and property tax refunds; clarifying definitions; providing for administrative changes; amending Minnesota Statutes 1978, Sections 290.01, Subdivision 21; 290.06, Subdivision 3e; 290.067, Subdivision 2; 290.09, Subdivisions 10 and 29; 290.10; 290.13, Subdivision 5; 290.136, Subdivision 9; 290.16, (Continued next page)	3854	5502	5500a 5577 6351					

a Indicates Amendment

o 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	Chapter
2224	Continued Subdivisions 3, 7, 9 and 12; 290.17, by adding a subdivision; 290.31, Subdivisions 2 and 27; 290.39, Subdivision 1; 290.41, Subdivision 2; 290.49, Subdivision 1; 290.92, Subdivisions 5 and 6; 290.934, Subdivisions 4 and 5; 290A.08; 290A.17; Minnesota Statutes, 1979 Supplement, Sections 290.01, Subdivision 20; 290.06, Subdivisions 3c, 3f, 3g and 14; 290.09, Subdivision 15; 290.095, Subdivision 1; 290.17, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.37, Subdivision 1; 290A.03, Subdivision 3; repealing Minnesota Statutes, 1979 Supplement, Section 290.23, Subdivision 16.								
2225	A bill for an act relating to taxation; providing for the assessment of electric transmission and distribution lines; revising the limit on the amount of the transmission line property tax credit; amending Minnesota Statutes 1978, Sections 273.36; 273.37, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 273.42; and 275.51, Subdivision 3d; and Laws 1979, Chapter 303, Article II, Section 39.	3854	4694	4687a 4989 5119					
2226	A bill for an act relating to Hennepin County providing for redistricting of county commissioner districts.	3854	4360	4076 4357a 4489					
2227	A bill for an act relating to public indebtedness; fixing the maximum interest rates on public obligations; amending Minnesota Statutes 1978, Section 475.55.	3854		3994					
2228	A bill for an act relating to transportation; providing for the financing of certain transportation services; providing for the distribution of the motor vehicle excise tax and providing that certain portions of the proceeds be used by certain political subdivisions for optional transportation purposes; creating a contingent bond retirement account; increasing the excise tax on gasoline and special fuel used in producing power to propel motor vehicles on the public highways; creating a study commission on transportation financing; appropriating money; amending Minnesota Statutes 1978, Sections 168.27, Subdivision 16; 296.02, Subdivision 1; 297B.035, Subdivision 2; and 297B.09.	3855		4076					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2229	A bill for an act relating to the public employees retirement association; providing for an exemption from membership therein for certain public employees; amending Minnesota Statutes 1978, Chapter 353, by adding a section.	3855							
2230	A bill for an act relating to public employees; regulating appropriate bargaining units.	3855		3855 4448					
2231	A bill for an act relating to retirement; public safety employee retirement funds; corrections officers; coverage and mandatory retirement for the correctional employees retirement plan; Moorhead police chief; membership in the public employees police and fire fund; amending Minnesota Statutes 1978, Sections 352.90; 352.91, Subdivisions 1 and 2, and by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 43.051, Subdivision 3.	3855	4075	4069 4166 4407 4571a	4967				
2232	A bill for an act relating to taxation; real property; limiting certain preferential assessment ratios to structures owned by a nonprofit entity; amending Minnesota Statutes 1978, Section 273.13, Subdivision 17a; and Minnesota Statutes, 1979 Supplement, Section 273.13, Subdivision 17c.	3855							
2233	A bill for an act relating to insurance; providing participation eligibility for state insurance coverages for certain employees; amending Minnesota Statutes, 1979 Supplement, Section 43.491, Subdivision 2.	3856							
2234	A bill for an act relating to insurance; authorizing business trusts to exchange reciprocal or interinsurance contracts; amending Minnesota Statutes 1978, Section 71A.01, Subdivision 1.	3856	4154	4097 4215 4468 (H2222)					
2235	A bill for an act relating to retirement; the city of Hibbing; authorizing the establishment or maintenance of separate relief associations for salaried and volunteer firefighters.	3856							
2236	A bill for an act relating to retirement; making members of the Redwood soil and water conservation district members of the public employees retirement association; allowing purchase of prior service credit.	3856							

a Indicates Amendment

o 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	Chapter
2237	A bill for an act relating to employment; regulating employee inventions related to energy; amending Minnesota Statutes 1978, Section 181.78, by adding a subdivision.	3856							
2238	A bill for an act relating to taxation; sales and use tax; exempting admissions to square dance club dances; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1.	3856							
2239	A bill for an act relating to welfare; changing certain eligibility requirements for aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.73, Subdivision 2.	3857		4099					
2240	A bill for an act relating to taxation; levy limits; providing for a special levy for the decrease in revenue attributable to the change from inheritance tax to estate tax; amending Minnesota Statutes, 1979 Supplement, Section 275.50, Subdivision 5.	3857							
2241	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.	3857							
2242	A bill for an act relating to libraries; authorizing a school board to transfer the responsibility for maintaining a library to a city under certain conditions; amending Minnesota Statutes 1978, Section 134.03.	3857							
2243	A bill for an act relating to taxation; clarifying the limitations on city tax levies; amending Minnesota Statutes 1978, Section 275.11, Subdivision 2.	3857							
2244	A bill for an act relating to Independent School Districts Nos. 279 (Osseo) and 286 (Brooklyn Center); providing for transfers of territory between the districts.	3857	4481	4463a 5249	4541	5588			
2245	A bill for an act relating to the city of Edina; authorizing a temporary short term on-sale liquor license for a certain civic or charitable festival.	3858	4154	4097 4468 (H2287)	4215				

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2246	A bill for an act relating to the environmental quality board; authorizing intervention in the proceedings of other states and provinces relating to certain energy facilities; clarifying considerations to be made in adopting site and route criteria and standards; authorizing the environmental quality board to consider upgrading of existing facilities; specifying amounts of application 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 permits; requiring the promulgation of emergency rules; amending Minnesota Statutes 1978, 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, Subdivisions 2, 2a, and 3.	3858							
2247	A bill for an act relating to crimes; changing the definition of "complainant" for purposes of certain provisions relating to sex crimes; amending Minnesota Statutes, 1979 Supplement, Section 609.341, Subdivision 13.	3858							
2248	A bill for an act relating to taxation; sales and use tax; exempting used farm machinery; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1.	3858	5118	5107					
2249	A bill for an act relating to taxation; providing for interest on certain generally tax exempt obligations; amending Minnesota Statutes 1978, Section 475.55, by adding a subdivision.	3858		3994					
2250	A bill for an act appropriating money to Independent School District No. 274, Hopkins, to reimburse the district for certain consolidation costs.	3859							
2251	A bill for an act relating to crimes; providing that the status of marriage or an ongoing voluntary sexual relationship of cohabiting adults shall not be a defense to prosecution for criminal sexual conduct; amending Minnesota Statutes 1978, Section 609.349.	3859							

a Indicates Amendment

c 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	Chapter
2252	A bill for an act relating to public employees; establishing an advisory task force on the teachers retirement fund; requiring reports; appropriating money.	3908		4472a					
2253	A bill for an act relating to state agencies; altering certain procedures of the capitol area architectural and planning board; adding members to the board; amending Minnesota Statutes 1978, Sections 15.50, Subdivisions 1 and 2; and 16.02, Subdivision 10.	3910	4519	4501a 4579 5532					
2254	A bill for an act relating to arrest records; providing for the return of arrest records to unconvicted persons; providing for the sealing of arrest records when convictions are set aside; amending Minnesota Statutes 1978, Sections 299C.11; 609.166; 609.167, Subdivision 3; and 609.168.	3910							
2255	A bill for an act relating to local government; providing for mileage allowances of officers and employees; amending Minnesota Statutes, 1979 Supplement, Section 471.665, Subdivision 1.	3910							
2256	A bill for an act relating to taxation; motor fuels tax; providing for the payment of tax on ethyl alcohol produced for personal use; amending Minnesota Statutes 1978, Section 296.14, by adding a subdivision.	3910							
2257	A bill for an act relating to housing; authorizing certain housing and redevelopment authorities to plan, implement, and finance single family housing rehabilitation loan and grant programs; authorizing the planning, implementation and financing of multifamily moderate rehabilitation loan and grant programs; authorizing the planning, implementation and financing of single family housing mortgage programs in conjunction with municipal redevelopment and revitalization; authorizing the planning, implementation and financing of the construction of multifamily rental housing; defining terms; amending Minnesota Statutes 1978, Sections 462.421, Subdivision 14, and by adding subdivisions; and 462.445, by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Section 462.445, Subdivision 9.	3910							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
2258	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.	3911								
2259	A bill for an act relating to judicial commitment requiring an investigation and report by county welfare prior to filing a commitment petition; amending Minnesota Statutes 1978, Chapter 253A, by adding a section.	3911								
2260	A bill for an act relating to commerce; prohibiting certain indemnification clauses in construction contracts.	3911								
2261	A bill for an act relating to crimes; prohibiting the sale of drug related devices to minors; prohibiting the possession of drug related devices by minors; prescribing penalties.	3911		4076						
2262	A bill for an act relating to insurance; providing direct liability of certain insurers to persons entitled to recovery; permitting a direct action against the insurer; amending Minnesota Statutes 1978, Section 60A.08, by adding a subdivision; and Chapter 540, by adding a section.	3911								
2263	A bill for an act relating to education; requiring a school board to provide certain teachers on extended leaves of absence with certain health care benefits under certain conditions; amending Minnesota Statutes 1978, Section 125.60, by adding a subdivision.	3912	4481	4464a 5249	4579	5589				
2264	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 1978, Chapter 645, by adding a section.	3912	4215	4201 4571	4448	4975	5025			
2265	A bill for an act relating to the city of Bloomington; permitting the establishment of a port authority.	3912	4215	4202 4577a	4448	4975 5603	5603	5602	5914	453
2266	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 department of education approval; allowing additional counties to join a regional public library system pursuant to the joint powers provision; amending Minnesota Statutes 1978, Section 375.335, Subdivision 1.	3912								

a Indicates Amendment

() 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	Chapter
2267	A bill for an act relating to juveniles; establishing a commission to plan a program for the secure diagnosis and treatment of serious juvenile offenders; appropriating money.	3912		3912 4448					
2268	A bill for an act relating to taxation; income; providing a deduction for carpool and vanpool commuting costs; amending Minnesota Statutes 1978, Section 290.09, Subdivision 2.	3912							
2269	A bill for an act relating to taxation; income; providing a deduction for commuting costs; amending Minnesota Statutes 1978, Section 290.09, Subdivision 2.	3913							
2270	A bill for an act relating to state universities; appropriating funds for faculty salary increases.	3913							
2271	A bill for an act relating to drainage; regulating drainage systems in the metropolitan area.	3913							
2272	A bill for an act relating to financial institutions; providing for interest rates on certain installment loans; amending Minnesota Statutes 1978, Section 48.153.	3913							
2273	A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 5; permitting a state lottery if authorized by law.	3913							
2274	A bill for an act relating to open meetings; providing for the award of costs and disbursements; amending Minnesota Statutes 1978, Section 471.705, by adding a subdivision.	3913							
2275	A bill for an act relating to retirement; deferral of benefits and age and service requirements for certain justices of the supreme court; amending Minnesota Statutes 1978, Section 490.025, Subdivisions 2 and 3.	3913							
2276	A bill for an act relating to education; providing for training teachers and producers in the method of producing agriculturally derived alcohol fuels; appropriating money.	3914		4155 4259					
2277	A bill for an act relating to cooperatives; providing for open cooperative meetings; amending Minnesota Statutes 1978, Section 308.09, by adding a subdivision.	3914		4076					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2278	A bill for an act relating to children; limiting time during which consents to adoption or placement agreements may be withdrawn or revoked; clarifying effect of certain provisions relating to adoption and placement proceedings; amending Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6, and 259.25, Subdivision 2.	3914							
2279	A bill for an act relating to public safety; crime victims reparations; authorizing the appointment of an unclassified executive secretary; amending Minnesota Statutes 1978, Section 299B.06, Subdivision 1.	3914							
2280	A bill for an act relating to local government; permitting the acquisition and financing of data processing equipment by Local Government Information Systems and its members.	3914	4215	4202 4448					
2281	A bill for an act relating to taxation; imposing penalties for failure to file returns for Kittson, Marshall, Clay, Becker and Wilkin counties' gravel tax; amending Laws 1961, Chapter 605, Section 3; Laws 1963, Chapter 475, Section 3; Laws 1977, Chapters 112, Section 3; and 117, Section 3.	3914	5432	5414a 5577 5717a	5801				
2282	A bill for an act relating to retirement; teachers retirement association; authorizing the retroactive payment of certain omitted retirement annuity amounts to certain persons.	3915							
2283	A bill for an act relating to local improvements; providing for certain hearings and appeals on special assessments; amending Minnesota Statutes 1978, Sections 429.061, Subdivisions 1 and 2; and 429.081.	3915	4215	4203a 4448 5534a	5643				
2284	A bill for an act relating to financial institutions; requiring all checks and drafts drawn on certain accounts to clearly display the month and year the account was opened.	3915	4694	4670a 4989 5066 (H2302)					
2285	A bill for an act relating to public welfare; eliminating authorization for Minnesota State Children's Center; repealing Minnesota Statutes 1978, Sections 260.41 to 260.46.	3915		(H1653)					
2286	A bill for an act relating to the environment; providing for student (Continued next page)	3915		4076					

a Indicates Amendment

• 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	Chapter
2286—Continued	ies of potential soil and ground water contamination in cases where there is actual or potential danger to drinking water supplies resulting from the disposal of hazardous wastes; authorizing the attorney general to recover the costs of the studies under certain circumstances; appropriating money.								
2287	A bill for an act relating to state lands; providing for the conveyance to the county of Anoka of a leasehold interest in certain state property.	3915							
2288	A bill for an act relating to the city of Fertile; authorizing the issuance of bonds authorized at a special election.	3916	4215	4202 4448 4571					
2289	A bill for an act relating to taxation; allowing a carryforward of the political contribution income tax credit; amending Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 11.	3916							
2290	A bill for an act relating to education; appropriating money for the purpose of providing facilities for the education of residents of state hospitals; imposing certain conditions on receipt of the money by a school district; authorizing the sale of bonds.	3916							
2291	A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition and sales in relation thereto; discontinuing Traverse des Sioux state park; repealing Minnesota Statutes 1978, Section 85.012, Subdivision 56.	3916	4694	4679a 4989 5078 (H1451)					
2292	A bill for an act relating to regional railroad authorities; providing for their organization and governmental purpose, powers and duties.	3916	5502	4549 5492a 5577 5689 (H1945)					
2293	A bill for an act relating to crimes; authorizing the court to reduce certain public offenses to petty misdemeanors; prescribing penalties.	3916							
2294	A bill for an act relating to crimes; providing for admissibility of evidence of alcohol or controlled substance in blood, breath or urine in certain cases; amending Minnesota Statutes 1978, Section 169.121, Subdivision 2.	3917							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2295	A bill for an act relating to insurance; increasing the maximum limits on the insuring or reinsuring of a single risk of certain companies; defining a term; amending Minnesota Statutes 1978, Section 60A.09, Subdivision 1, and by adding a subdivision.	3917	4563	4555 4989 5066 (H2122)					
2296	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.	3917							
2297	A bill for an act relating to crimes; prohibiting the setting of certain traps; increasing the penalties for the setting of certain devices; amending Minnesota Statutes 1978, Section 609.665.	3917							
2298	A bill for an act relating to workers' compensation; permitting the commissioner of labor and industry to enter reciprocity agreements with workers' compensation agencies of other states; amending Minnesota Statutes 1978, Section 176.041, by adding a subdivision.	3917							
2299	A bill for an act relating to occupations and professions; allowing the board of cosmetology to waive certain license requirements for manager-operators with licenses from other states; amending Minnesota Statutes 1978, Section 155.14.	3917		(H1796)					
2300	A bill for an act relating to retirement; police survivor benefits in the city of Thief River Falls.	3918							
2301	A bill for an act relating to the state transportation system; permitting transportation bond proceeds to be used for certain railroad improvements; amending Minnesota Statutes 1978, Section 174.51, Subdivision 1.	3918							
2302	A bill for an act relating to taxation; exempting certain income of elderly persons from taxation; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	3918							
2303	A bill for an act relating to human rights; prohibiting certain discrimination; amending Minnesota Statutes 1978, Sections 363.01, by adding a subdivision; and 363.03, Subdivisions 1, 2, 5 and 8.	3918							

a Indicates Amendment

() 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	Chapter
2304	A bill for an act relating to crimes; modifying procedures for granting parole; amending Minnesota Statutes 1978, Section 243.05.	3918							
2305	A bill for an act relating to energy; expanding energy awareness programs; providing for certain renewable energy grant programs; requiring certain motor vehicle manufacturers to offer for sale alcohol fueled vehicles after a certain date; creating a Minnesota biomass center; providing for an ethanol demonstration plant; authorizing municipal bond issues to finance energy improvements without voter approval; appropriating money; amending Minnesota Statutes 1978, Sections 116H.087; 116H.12, Subdivision 11; 116H.129, Subdivision 5; 462A.06, Subdivision 11; Chapter 475, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 116H.22; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.	3918		4155 4343a					
2306	A bill for an act relating to taxation; sales and use; exempting certain sales made by persons age 60 or over; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1.	3918							
2307	A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Kandiyohi county for the purpose of correcting conveyancing errors.	3919	4519	4503 4691 (H1349)					
2308	A bill for an act relating to natural resources; authorizing the commissioner of natural resources to enter into agreements with the Leech Lake and White Earth Bands of Minnesota Chippewa Tribe in regard to licenses and fees for hunting, fishing, trapping, and taking of minnows and other bait on the Leech Lake and White Earth Indian reservations by non-Indians; amending Minnesota Statutes 1978, Sections 97.431, Subdivision 4; and 97.432; and Chapter 97, by adding a section.	3919		4424a					
2309	A bill for an act relating to waters; creating a South Dakota-Minnesota boundary waters commission; assigning duties and powers; amending Minnesota Statutes 1978, Section 114.13. (Continued next page)	3919							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2309	Continued Subdivisions 1, 2, 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 114.13, Subdivision 3.								
2310	A bill for an act relating to taxation; property tax refund; providing an additional credit for certain homeowners; appropriating money; amending Minnesota Statutes 1978, Section 290A.04, by adding a subdivision.	3919							
2311	A bill for an act relating to the cities of Coon Rapids in Anoka County and Vadnais Heights in Ramsey County; financing housing programs; amending Laws 1979, Chapter 306, Section 14, Subdivision 3.	3919							
2312	A bill for an act memorializing the President and Congress to adopt federal legislation concerning the destruction of certain energy facilities.	3920		4185					
2313	A bill for an act relating to the city of Rochester; granting investment jurisdiction over funds of the Rochester fire department relief association to the governing board of the association; repealing Laws 1959, Chapter 131, Section 25, as amended.	3920							
2314	A bill for an act relating to taxation; providing that the calculation of the special levy allowed for a decrease in certain operating revenues shall include an inflation adjustment; amending Minnesota Statutes, 1979 Supplement, Section 275.50, Subdivision 5.	3920							
2315	A bill for an act relating to financial institutions; providing for investment in certain loans by savings associations; defining terms; amending Minnesota Statutes 1978, Sections 51A.02, Subdivisions 4, 8, and 17; and 51A.37, Subdivision 3.	3920							
2316	A bill for an act relating to retirement; authorizing an increase in retirement and survivor benefits payable by the Eveleth police and firefighters relief associations.	3920							
2317	A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; (Continued next page)	3920	4360	4349a 4489 4694 (H2369)					

^a Indicates Amendment

^() 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	Chapter
2317—Continued	eliminating certain redundant, conflicting and superseded provisions; reenacting a law; amending Minnesota Statutes 1978, Sections 15.052, Subdivision 9; 16.851, Subdivision 1; 16A.26; 25.31; 25.32; 25.33, Subdivisions 1 and 5; 25.34, Subdivision 3; 25.36; 25.40; 25.41, Subdivisions 1 and 5; 25.42; 25.43; 25.44; 28A.15, Subdivision 4; 89.35; 89.36, Subdivision 1; 89.39; 93.45, Subdivision 2; 111.21, Subdivision 1; 112.46; 116.02, Subdivision 2; 116.16, Subdivision 2; 116C.65; 116H.06; 120.17, Subdivision 9; 122.531, Subdivision 2; 123.42; 124.212, Subdivision 8a; 124.46, Subdivision 3; 125.12, Subdivision 4; 126.41, Subdivision 2; 128A.04; 136.148; 136.501; 136.503, Subdivision 1; 136.506; 144.225, Subdivision 1; 144A.01, Subdivision 5; 144A.10, Subdivision 1; 144A.24; 145.22; 147.073, Subdivision 1; 161.171, Subdivision 5; 161.173; 162.02, Subdivision 11; 168B.02, Subdivisions 1 and 2; 168B.05; 168B.07, Subdivision 2; 168B.08, Subdivision 3; 169.751; 169.99, Subdivision 3; 179.61; 179.62; 179.63, Subdivisions 1 and 4; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; 179.74, Subdivision 2; 181.12; 197.17; 202A.61; 238.01; 238.02, Subdivisions 1 and 4; 238.03; 238.04, Subdivision 9; 238.06, Subdivision 2; 238.08, Subdivision 4; 238.10; 238.16, Subdivision 2; 241.08, Subdivision 2; 241.44, Subdivision 1a; 242.37; 243.07; 243.12; 245.813, Subdivision 9; 256.09; 256.736, Subdivision 3; 256.76, Subdivision 2; 256.78; 256D.10; 256D.13; 260.251, Subdivision 3; 268.013, Subdivision 6; 296.01, Subdivision 1; 296.11; 296.15, Subdivision 2; 296.17, Subdivisions 1 and 5; 296.19; 296.20; 296.24; 301.511, Subdivision 2; 325.01, Subdivision 1; 325.907, Subdivision 1; 326.33, Subdivision 1; 333.055, Subdivision 2; 340.07, Subdivision 11; 340.11, Subdivision 9; 340.12; 340.14, Subdivision 5; 352.116; 352.1191; 352E.01, Subdivision 1; 352E.04; 352E.045; 354.44, Subdivision 5; 359.07, Subdivision 2; 360.018, Subdivisions 7 and 9; 363.02, Subdivision 3; 365.22; 367.33, Subdivision 3; 387.45; 390.23; 394.24, Subdivision 3; 394.25, Subdivision 5a; 401.02, Subdivision 1;								

(Continued next page)

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2317—Continued	412.251; 419.07; 419.075, Subdivision 2; 422A.06, Subdivision 2; 422A.11, Subdivision 1; 429.061, Subdivision 1; 435.191; 440.40; 459.14, Subdivision 7; 462.352, Subdivision 10; 462.36, Subdivision 1; 465.56, Subdivision 2; 471.591, Subdivision 1; 473.163, Subdivision 3; 473.223; 473F.02, Subdivision 21; 474.02, Subdivision 1b; 485.018, Subdivision 4; 485.021; 505.178, Subdivision 2; 525.72; 546.10; 626.556, Subdivision 11; 628.41, Subdivision 6; Chapter 390, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 10A.01, Subdivision 11; 62A.02, Subdivision 3; 69.771, Subdivision 1; 179.74, Subdivision 4; 256B.06, Subdivision 1; 273.73, Subdivision 6; 273.76, Subdivision 2; 273.77; 273.86, Subdivision 4; 275.125, Subdivision 9; 290.06, Subdivisions 3g and 14; 326.211, Subdivision 9; 354A.094, Subdivisions 2, 3, 8, and by adding a subdivision; 354A.38, Subdivision 3; 402.01, Subdivision 1; 424A.06, Subdivision 2; 462A.22, Subdivision 1a; 519.11, Subdivision 1; 549.09, Subdivision 1; 609.341, Subdivision 13; Laws 1979, Chapters 134, Section 2; 333, Sections 26, and 31, Subdivision 3; 335, Section 3, Subdivision 20; and reenacting Laws 1979, Chapter 303, Article I, Section 14; Repealing Minnesota Statutes 1978, Sections 239.27; 325.01, Subdivisions 8, 9, 10, 11 and 12; 354A.22, as amended by Laws 1979, Chapter 334, Article VII, Sections 23 to 26; 390.33, Subdivision 7; Laws 1976, Chapters 155, Section 1; 222, Sections 30 and 31; 348, Section 15; Laws 1977, Chapter 323, Section 1; Laws 1979, Chapters 31, Section 2; 217, Section 11; and 316, Section 11.								
2318	A bill for an act relating to counties; removing a limit on certain park maintenance expenses; amending Minnesota Statutes 1978, Section 375.26.	3922	4215	4202a 4571	4448				
2319	A bill for an act relating to local government; permitting units to contract with each other for police service; amending Minnesota Statutes 1978, Section 436.05.	4003							
2320	A bill for an act relating to game and fish; requiring field identification of big game licensees; amending Minnesota Statutes 1978, Section 98.46, by adding a subdivision.	4003							

a Indicates Amendment

o 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	Chapter
2321	A bill for an act relating to public utilities; prohibiting advance billing for gas or electric service.	4003							
2322	A bill for an act relating to real property; providing for certification of taxes paid before recording instruments; amending Minnesota Statutes 1978, Sections 272.14, 508.47, Subdivision 4; and Chapter 272, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 272.12.	4003							
2323	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 1978, Section 290.09, Subdivision 10.	4003							
2324	A bill for an act relating to public utilities; removing municipal utilities from public service commission jurisdiction and granting an option in regard thereto; amending Minnesota Statutes 1978, Section 216B.11; and Chapter 216B, by adding a section; repealing Minnesota Statutes 1978, Sections 216B.10, Subdivision 6; 216B.12, Subdivision 2; and 216B.13, Subdivision 2.	4003							
2325	A bill for an act relating to crimes; creating a new category of offense for criminal negligence; reclassifying criminal negligence in degrees; providing for revocation of drivers' licenses; prescribing penalties; amending Minnesota Statutes 1978, Sections 169.11; 171.17; 609.21; and Chapter 609, by adding sections.	4004							
2326	A bill for an act relating to taxation; abolishing the minimum tax on tax preference income; repealing Minnesota Statutes, 1979 Supplement, Section 290.091.	4004							
2327	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.	4004							
2328	A bill for an act relating to retirement; correcting gender references in the St. Paul police retirement law; amending Laws 1955, Chapter 151, Sections 1, Subdivision 5, as amended; 3, Subdivision 2; 13, as amended; and 16.	4004							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2329	A bill for an act relating to public welfare; directing the commissioner of public welfare to establish and maintain personnel standards on a merit basis for certain employees of county boards, county welfare boards, and human services boards; amending Minnesota Statutes 1978, Chapter 256, by adding a section.	4004		4076					
2330	A bill for an act relating to the state ceremonial building; creating the state ceremonial building board; amending Minnesota Statutes 1978, Section 16.872.	4005		(H2374)					
2331	A bill for an act relating to children; establishing a photographic state adoption exchange; requiring certain children to be listed on the exchange; appropriating money.	4005	5432	4550 5401a 5577 6196					
2332	A bill for an act relating to taxation; providing that local taxes on admissions and amusements shall not apply to admissions to premises of and events sponsored by arts organizations.	4005							
2333	A bill for an act relating to financial institutions; authorizing the acquisition of a bank or trust company located in this state by a foreign bank holding company under certain prescribed conditions; defining terms.	4005							
2334	A bill for an act relating to waters; prescribing certain procedures related to water appropriation permits; setting a penalty; amending Minnesota Statutes 1978, Sections 105.41, Subdivisions 1a and 5; and 105.416, Subdivision 3.	4005							
2335	A bill for an act relating to metropolitan government; permitting loans from the metropolitan council to purchase highway rights-of-way; appropriating money; amending Minnesota Statutes 1978, Chapter 473, by adding a section.	4005		4005 4448					
2336	A bill for an act relating to retirement; extending coverage in the public employees retirement association to certain employees; amending Minnesota Statutes, 1979 Supplement, Section 353.01, Subdivision 2a.	4006							
2337	A bill for an act relating to appropriations; providing a reimbursement to the city of Fergus Falls for local improvements that benefit state property	4006	5025	5017a 5222 5532	5650				

a Indicates Amendment

() 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	Chapter
2338	A bill for an act relating to zoning; providing for notice of hearings; changing notice provisions for variance hearings; amending Minnesota Statutes 1978, Section 394.26, Subdivision 2.	4006	4563	4556a 4708 5066 (H1949)					
2339	A bill for an act relating to retirement; fiduciary duties and liabilities for the administration of all public employee pension funds; providing penalties; repealing Minnesota Statutes 1978, Section 352.03, Subdivision 7.	4006							
2340	A bill for an act relating to local government; providing for public dedications in land subdivisions; amending Minnesota Statutes 1978, Section 462.358, Subdivision 2.	4006							
2341	A bill for an act relating to highway traffic regulations; including a constable within the meaning of the definition of peace officer in the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 1.	4006	4563	4550 4708 5023 (H2262)					
2342	A bill for an act relating to pollution; providing for a pilot pollution control project in the pollution control agency; appropriating money.	4007							
2343	A bill for an act relating to education; imposing duties on certain test agencies; providing a penalty for failure to perform the duties.	4007							
2344	A bill for an act relating to the city of Redwood Falls; authorizing the issuance of general obligation revenue bonds to finance improvements to the electric utility of the city.	4007							
2345	A bill for an act relating to state lands; authorizing the sale of certain tax-forfeited land.	4007							
2346	A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession and furnishing; amending Minnesota Statutes 1978, 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.	4007		4549 4556 (H1661)					
2347	A bill for an act relating to real estate; providing for a state land registration assurance fund; com- (Continued next page)	4007		(H1956)					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2347—Continued	binning the tax forfeited land assurance account with the land registration assurance fund; eliminating separate county assurance funds; appropriating money; amending Minnesota Statutes 1978, Sections 284.28, Subdivisions 8, 9 and 10; 508.75; 508.77; 508.79; 508.82; and 508.83.								
2348	A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivision 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; and 259.27, Subdivision 4; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.	4008	4448	4360 4458 4489 4693 (H1727)					
2349	A bill for an act relating to taxation; excluding sick pay from gross income; amending Minnesota Statutes 1978, Section 290.01, Subdivision 20.	4087							
2350	A bill for an act relating to outdoor advertising; authorizing privately owned directional devices to be erected and maintained in areas adjacent to the right-of-way of interstate and other trunk highways; restricting the purposes for which they may be erected and maintained; providing for their regulation by rule; prescribing a fee; amending Minnesota Statutes 1978, Sections 173.02, Subdivision 6; 173.13, Subdivision 4; and Chapter 173, by adding a section.	4087							
2351	A bill for an act relating to waters; changing watercraft license fees; amending Minnesota Statutes 1978, Section 361.03, Subdivision 3.	4087	4519	4504a 4579 5394a 5682 (H1201)					
2352	A bill for an act relating to courts; increasing the salary of official court reporters; amending Minnesota Statutes 1978, Section 486.05, Subdivision 1.	4088		4216					
2353	A bill for an act relating to financial institutions; modifying director's residence requirements for industrial loan and thrift com- (Continued next page)	4088	4694	4672a 4989 5066 (H2067)					

a Indicates Amendment

() 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	Chapter
2353—Continued	panies; providing for a report to the commissioner in the event of a change of control; requiring insurance or guarantee of certificates of indebtedness sold or issued for investment; exempting certificates of indebtedness from the regulation of securities; amending Minnesota Statutes 1978, Sections 53.06; 53.09, Subdivision 2; Chapter 53, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 80A.15, Subdivision 1.								
2354	A bill for an act relating to pollution control; authorizing state use of up to two percent of federal construction grant funds to administer the federal water pollution control act; amending Minnesota Statutes 1978, Section 116.16, Subdivision 10.	4088	4519	4504 4691 (H942)					
2355	A bill for an act relating to Independent School Districts No. 273, Edina, and 274, Hopkins; establishing a procedure for transferring certain territory from one school district to the other; permitting a district from which territory was transferred to enroll certain students from the transferred territory under certain conditions.	4088							
2356	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.	4088							
2357	A bill for an act relating to state government; clarifying benefits of employees of former Hastings state hospital.	4089		(H2028)					
2358	A bill for an act relating to natural resources; establishing a new state wildlife management area; appropriating money.	4089							
2359	A bill for an act relating to elections; providing for a presidential primary election; regulating the selection of convention delegates.	4089							
2360	A bill for an act relating to courts; providing for an automatic procedure for docketing conciliation court judgments in municipal, county and district courts; providing a simplified procedure for docketing county or municipal (Continued next page)	4089							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2360—Continued	court judgments in district court; amending Minnesota Statutes 1978, Sections 487.30, by adding a subdivision; 488A.09, Subdivision 7; 488A.16, Subdivision 8; 488A.26, Subdivision 4; and 488A.33, Subdivision 7.								
2361	A bill for an act relating to taxation; income; providing that persons with limited employment income qualify for the homemaker credit; amending Minnesota Statutes 1978, Section 290.06, Subdivision 3e.	4089							
2362	A bill for an act relating to taxation; increasing the maximum pension exclusion and eliminating the income offset; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	4089		4695					
2363	A bill for an act relating to metropolitan government; providing for a metropolitan rail transit program; providing financing; appropriating money; amending Minnesota Statutes 1978, Sections 473.401, by adding subdivisions; 473.402, by adding a subdivision; and Chapter 473, by adding sections.	4090		4090 4448					
2364	A bill for an act relating to water resources; creating water management districts; establishing their duties; transferring state water management functions to water management districts; continuing the water planning board; changing its membership and duties; appropriating money; amending Minnesota Statutes 1978, Section 105.401; and Laws 1979, Chapter 333, Section 31, Subdivision 5.	4090		4090 4448					
2365	A bill for an act relating to taxation; allowing an investment credit deduction; amending Minnesota Statutes 1978, Section 290.09, Subdivision 24.	4090							
2366	A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Thief River Falls.	4174							
2367	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 and to implement the program.	4174							

a Indicates Amendment

() 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	Chapter
2368	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 1978, Sections 297.02, Subdivision 1; 297.13; and Chapter 176, by adding a section.	4174							
2369	A bill for an act relating to the city of Duluth; providing for certain city tax revenues; repealing Laws 1973, Chapter 461, as amended; and Laws 1977, Chapter 438, as amended.	4174	5025	5016a 5222 5615 (H2436)					
2370	A bill for an act relating to education; appropriating money for a program for continuing education for registered nurses.	4175							
2371	A bill for an act relating to taxation; providing for reduction of motor vehicle excise tax when purchase price of vehicle is reduced by value of goods traded for vehicle; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.	4175							
2372	A bill for an act relating to drivers licenses; providing for distinctive Minnesota identification cards for senior citizens and prescribing the fee; providing for its use for certain identification purposes; authorizing its issuance to holders of drivers licenses; amending Minnesota Statutes 1978, Section 171.07, by adding a subdivision.	4258							
2373	A bill for an act relating to state lands; providing for the conveyance to the county of Anoka of a leasehold interest.	4258							
2374	A bill for an act relating to military affairs; permitting the purchase of property from Independent School District No. 623 by the adjutant general; appropriating money.	4258							
2375	A bill for an act relating to taxation; clarifying provisions of the Minnesota tax increment financing act; authorizing assessment agreements; amending Minnesota Statutes 1978, Section 472A.02, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 273.73, Subdivisions 7, 8, 10, 11 and 12; 273.74, Subdivision 3; 273.75, Subdivi-	4258	5118	5107a 5222 5716a	5800				

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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
2375—Continued	sions 1, 2, 5 and 6; 273.76, Subdivisions 1, 2 and 3, and by adding subdivisions; 273.77; 273.78; 273.86. Subdivision 4; and 473F.08, Subdivision 6.								
2376	A resolution memorializing the President and Congress to enact legislation or take other appropriate action to open the St. Lawrence Seaway for shipping as early as possible.	4259							
2377	A bill for an act relating to health care; further defining "qualified expense" as it relates to catastrophic health expense protection; amending Minnesota Statutes 1978, Section 62E.52, Subdivision 3.	4259		4449					
2378	A bill for an act relating to game and fish; restrictions upon the taking and possession of certain fur bearing animals; amending Minnesota Statutes 1978, Section 98.47, Subdivision 7; and Minnesota Statutes, 1979 Supplement, Section 100.27, Subdivisions 3 and 4.	4410							
2379	A bill for an act relating to taxation; providing an exclusion from gross income for certain interest and dividend income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	4410							
2380	A bill for an act relating to game and fish; possession of firearms in a motor vehicle; amending Minnesota Statutes 1978, Section 100.29, Subdivision 5.	4410							
2381	A bill for an act relating to traffic regulations; authorizing licensed tow truck operators to deliver vehicles picked up within the boundaries of the licensing unit of government to a destination anywhere within the state without penalty; superseding inconsistent local ordinances.	4410							
2382	A bill for an act relating to licensed occupations; removing license renewal requirements; setting license fees; providing for competency hearings; amending Minnesota Statutes 1978, Chapters 15, by adding a section; and 214, by adding a section; and Sections 60A.14, Subdivision 1; 60A.17, Subdivisions 2 and 7; 80A.04, Subdivision 4; 80A.06, Subdivision 1; 82.20, Subdivisions 7 and 11; 82.22, Subdivisions 3, 8	4410							

(Continued next page)

a Indicates Amendment

() 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	Chapter
2382	—Continued and 13; 82.34, Subdivisions 3 and 4; 125.08; 154.065, Subdivision 1; 154.10; 154.16; 154.17; 154.18; 154.24; 155.02, Subdivision 7a; 155.09, Subdivision 5; 155.15; 183.545; 326.10, Subdivision 1; 326.12, Subdivision 2; 326.15; 326.241, Subdivision 2; 326.242, Subdivisions 7, 8 and 9; 326.331; 326.334, Subdivision 6; 326.40, Subdivision 5; 326.42; 326.50; 326.544; 326.546; 326.62; 386.66 and 386.69; and Minnesota Statutes, 1979 Supplement, Sections 82.21, Subdivision 1; 326.20, Subdivisions 1 and 2; repealing Minnesota Statutes 1978, Sections 80A.05, Subdivision 2; 82.20, Subdivisions 8 and 14; 82.22, Subdivision 10; 154.15; 326.10, Subdivision 5; and 326.22, Subdivision 2.								
2383	A bill for an act relating to taxation; real property; exempting certain privately owned public airport property; amending Minnesota Statutes 1978, Chapter 273, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 272.02, Subdivision 1.	4411							
2384	A bill for an act relating to taxation; changing the eligibility of the election by small business corporations; amending Minnesota Statutes 1978, Section 290.972, Subdivision 1.	4411							
2385	A bill for an act relating to the legislative auditor; clarifying access to data; amending Minnesota Statutes 1978, Section 3.97, by adding subdivisions.	4411	4519	4505 4579 4839 (H2314)					
2386	A bill for an act relating to communications; providing funds for the building or purchase of office, studio and transmission facilities and the purchase of studio, production and transmission equipment by West Central Minnesota Educational Television; appropriating money.	4461							
2387	A bill for an act relating to employment; requiring that the balance of state CETA program be maintained as a separate and distinct program within the department of economic security; amending Minnesota Statutes 1978, Section 268.013, Subdivision 6.	4461		4520					

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2388	A resolution memorializing Congress to pass H. R. 1918, a Service Pension for veterans of World War One and their surviving spouses.	4461		4520					
2389	A bill for an act relating to taxation; income; providing for the nonrecognition of gain or loss from sales or exchanges certified by the Federal Communications Commission; amending Minnesota Statutes 1978, Section 290.13, by adding a subdivision.	4461	5118	4966 5107 5222 5532	5802				
2390	A bill for an act relating to education; establishing procedures for the regulation of school bus drivers who might be under the influence of alcohol or a controlled substance.	4496							
2391	A bill for an act relating to retirement; including employees of the Suburban Public Health Nursing Services in the membership of the public employees retirement association; amending Minnesota Statutes, 1979 Supplement, Section 353.01, Subdivision 2a.	4496							
2392	A bill for an act relating to education; authorizing the rental or lease of vacant classrooms in operating schoolhouses; requiring school boards to adopt written policies governing certain rentals or leases; providing for a district advisory committee; amending Minnesota Statutes 1978, Section 123.36, Subdivision 10, and by adding a subdivision.	4496							
2393	A bill for an act relating to taxation; increasing the homestead base value; changing percentages for certain property tax classifications; providing an additional property tax refund for certain homeowners; appropriating money; amending Minnesota Statutes 1978, Section 290A.04, by adding a subdivision; Minnesota Statutes, 1979 Supplement, Sections 273.122 and 273.13, Subdivisions 4, 6, 7, and 19.	4543							
2394	A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.	4543	4694	4708 5553 (H2470)					

a Indicates Amendment

() 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	Chapter
2395	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 1978, Section 174.50, Subdivision 1.	4543	4694	4708					
2396	A resolution memorializing the United States Congress to support the efforts of the Mississippi Headwaters Board to protect the Upper Mississippi River.	4543							
2397	A bill for an act relating to retirement; Minneapolis teachers retirement fund association; providing for an ad hoc post retirement adjustment to certain benefit recipients; increasing percentage automatic annual post retirement adjustments for active members; increasing member contribution rate; authorizing amendment of articles of incorporation.	4578							
2398	A bill for an act relating to retirement; Fridley volunteer firefighters' relief association; authorizing increases in service pensions for retired members; authorizing membership of a retired member on the board of trustees of the relief association.	4579							
2399	A bill for an act relating to banking; creating the bank of Minnesota.	4579							
2400	A bill for an act relating to taxation; income; providing an exclusion for certain income earned for service on a school board, town board or certain city councils; amending Minnesota Statutes 1978, Section 290.08, by adding a subdivision.	4579	4694	4708 5553 (H2476)					
2401	A bill for an act relating to state government; regulating state set-aside procurement programs; amending Minnesota Statutes 1978, Sections 16.084; and 16.098, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 16.083, Subdivision 4.	4792							
2402	A bill for an act relating to public welfare; appropriating money for construction of a detoxification center on the White Earth Indian reservation.	4792							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2403	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, 1979 Supplement, Section 297A.25, Subdivision 1.	4792							
2404	A bill for an act relating to unemployment compensation; regulating contribution rates of employers; amending Minnesota Statutes 1978, Sections 268.04, Subdivision 25; Minnesota Statutes, 1979 Supplement, Sections 268.06, Subdivision 8; and 268.09, Subdivision 1.	4792							
2405	A bill for an act relating to taxation; income; providing a credit for certain sales of recycled materials; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.	5010							
2406	A bill for an act relating to county conciliation courts; clarifying that the court has jurisdiction of certain replevin actions; amending Minnesota Statutes 1978, Section 487.30, by adding a subdivision.	5010							
2407	A bill for an act relating to energy; providing for solar energy system loans; providing insurance for loans; providing a tax incentive; appropriating money; amending Minnesota Statutes 1978, Sections 48.19, Subdivision 3; 273.11, Subdivision 1; 462A.06, Subdivision 4; Chapters 273, by adding a section; and 462A, by adding sections.	5010							
2408	A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; limiting the time and subjects of legislative sessions.	5010							
2409	A bill for an act relating to commerce; providing for the regulation of motor vehicle franchises; prohibiting certain practices by motor vehicle manufacturers; providing for injunctive relief and civil actions; repealing Minnesota Statutes 1978, Section 168.27, Subdivision 21.	5010							
2410	A bill for an act relating to human rights; prohibiting employment discrimination based on activity in a local human rights commission; amending Minnesota Statutes 1978, Section 363.03, Subdivision 1.	5099							

a Indicates Amendment

c 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	Chapter
2411	A bill for an act relating to education; creating a commission to study equalization of the compensation of teachers at community colleges, state universities and the University of Minnesota; appropriating money.	5099							
2412	A resolution memorializing the United States Congress and the President of the United States to enact legislation providing a franking privilege for official mail connected with voter's registration and absentee ballots.	5099							
2413	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, 1978, Sections 124.15, Subdivision 2; and 125.12, Subdivision 6b.	5099							
2414	A bill for an act relating to taxation; income; increasing the amount of exclusion for pension income; providing that the maximum exclusion shall be indexed to the cost of living; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	5099		5247					
2415	A bill for an act memorializing the Congress and President of the United States to continue and increase the funding of the food stamp program.	5224							
2416	A bill for an act relating to elections; making certain changes in the form of certain ballots and ballot labels; clarifying certain ballot preparation procedures; amending Minnesota Statutes 1978, Sections 203A.11, Subdivision 1; 203A.12, Subdivision 2; 206.07, Subdivision 1; 206.09; and Chapter 206, by adding a section.	5505							
2417	A bill for an act relating to taxation; providing for taxation of certain hydroelectric property; amending Minnesota Statutes 1978, Sections 272.01, Subdivision 3; and 273.19, by adding a subdivision.	5505							
2418	A bill for an act relating to unemployment compensation; creating (Continued next page)	5662							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter	
2418	—Continued an acute local unemployment benefits program; establishing eligibility for such benefits; imposing duties upon the commissioner of economic security; appropriating money; amending Minnesota Statutes 1978, Chapter 268, by adding a section.									
2419	A bill for an act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; amending Minnesota Statutes 1978, Section 118.01, Subdivision 1, as amended at the 1980 regular session by S. F. No. 1132; Minnesota Statutes, 1979 Supplement, Sections 204A.23; 354.094, Subdivision 3, as amended; Laws 1978, Chapter 723, Article 1, Section 19, as amended; Laws 1979, Chapter 300, Section 4, Subdivision 2; Laws 1980, Chapters 341, Section 8; 357, Section 21; 358, Section 2; 361, Section 6; 471, Section 1; and 485, Section 2; amending laws enacted at the 1980 regular session styled as S. F. No. 1865, by adding a section; S. F. No. 2117, Sections 1 and 2; H. F. No. 1710, Section 15; H. F. No. 1878, Section 8; H. F. No. 1942, Section 3; H. F. No. 1662, Section 5; H. F. No. 1942, Section 3; H. F. No. 874, Section 1; H. F. No. 2040, Section 2; H. F. No. 1842, Section 6; H. F. No. 2028, Section 1; H. F. No. 2045, Section 3, Subdivision 6; H. F. No. 1896, Section 1, and the title thereof by deleting from the title "241.021" and inserting "245.802".	5662	6048	6040a 6624a	6346	6631 6780	6780	6779	6821	618
2420	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.	5786								

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2421	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 1978, Sections 87.021, Subdivisions 2 and 3; 87.0221; 87.023; 87.025; and 87.03; repealing Minnesota Statutes 1978, Section 87.022.	5834							
2422	A bill for an act relating to no-fault automobile insurance; providing additional penalties for failure to insure under certain circumstances; amending Minnesota Statutes 1978, Section 65B.67, by adding a subdivision.	5834							
2423	A bill for an act relating to taxation; motor vehicle excise tax; providing that the proceeds from the transfer of a new motor vehicle shall be deposited in the highway user tax distribution fund for highway purposes; amending Minnesota Statutes 1978, Sections 168.27, Subdivision 16; 297B.035, Subdivision 2; and 297B.09.	5895							
2424	A bill for an act relating to taxation; recodifying the income tax laws; deleting obsolete provisions; amending Minnesota Statutes 1978, as amended by Laws of Minnesota by adding sections; repealing Minnesota Statutes 1978, Chapter 290, as amended.	5895							
2425	A bill for an act memorializing the President and Congress to take immediate action to provide necessary and adequate credit to the American farmer to ensure timely spring planting.	5896							
2426	A bill for an act relating to taxation; income tax; excluding certain interest income from gross income; amending Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20.	5896							
2427	A bill for an act relating to taxation; income tax; providing a credit for contributions to institutions of higher education; amending Minnesota Statutes 1978, Chapter 290, by adding a section.	5896							
2428	A bill for an act relating to natural resources; providing for a legislative study commission to study the effect of the increasing use of firewood on the forests of the state; appropriating money.	5896							

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2429	A bill for an act relating to transportation; requiring the early construction of trunk highway marked No. 60 between Worthington and St. James.	5896							
2430	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.	5896							
2431	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 1978, Section 210A.39.	6139							
2432	A bill for an act relating to trade regulations; redefining certain elements of the franchise relationship; broadening the exemption from registration for certain transactions; amending Minnesota Statutes 1978, Sections 80C.01, Subdivisions 4, 9, and by adding subdivisions; and 80C.03	6139							
2433	A bill for an act relating to estates; removing authority for certain dispositions of multiparty accounts by will; amending Minnesota Statutes 1978, Section 52A.05.	6139							
2434	A bill for an act relating to gifts, changing the age of minority in uniform gifts to minors act; amending Minnesota Statutes 1978, Sections 527.01, Subdivisions 2 and 14; 527.04, Subdivision 4; and 527.07, Subdivision 4	6139							
2435	A bill for an act relating to conservatorships; providing for a limited conservatorship for an individual who is chemically dependent and receiving public benefits; providing for a hearing to determine the need for a conservatorship; providing for termination of the conservatorship.	6140							

c Indicates Amendment

h Indicates House File Substitute

BILLS OF THE SENATE—Continued.

S. F. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2436	A bill for an act relating to taxation; income tax; altering the treatment of capital gains for individuals; providing graduated corporate rates; providing a deduction for corporations for the amount of the federal investment credit; abolishing the minimum tax on tax preference income; amending Minnesota Statutes 1978, Sections 290.06, Subdivision 1; 290.09, by adding a subdivision; 290.361, Subdivision 2; Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20; and repealing Minnesota Statutes, 1979 Supplement, Section 290.091.	6140							
2437	A bill for an act relating to insurance; regulating anticipated loss ratios on certain policies; amending Minnesota Statutes 1978, Section 62A.02, Subdivision 3.	6140							
2438	A bill for an act relating to malt liquor; restricting sales of certain liquors at sports facilities.	6204		6346					
2439	A bill for an act relating to the environment; authorizing state waste management bonds for a solid waste demonstration program in Fergus Falls; appropriating money.	6345							

Senate Record of House Bills

1979-80 SESSION

INDEX

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
3	A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to the District of Columbia.	415	416	455	454 477a	476 477	478	Res. 1
8	A bill for an act relating to taxation; gasoline tax; increasing the tax on gasoline; prohibiting use of proceeds of gas tax for access routes to the metropolitan sports facility; amending Minnesota Statutes 1978, Section 296.02, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 473.596.	1582	1583	6036	6036	6036a	6037	608
9	A bill for an act relating to education; authorizing the pairing of certain independent school districts; extending the time for pairing; amending Minnesota Statutes 1978, Section 122.85, Subdivision 1.	385	386	455	454	457	479	10
13	A bill for an act relating to obscenity; prohibiting the showing of obscene motion pictures at drive-in theatres; prescribing penalties.	354	354	455	453a 928a	476 1034 2937	1331 1968 2782 2921 1912 2713 2920* 2936	290
31	A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1978, Section 117.47; repealing Minnesota Statutes 1978, Sections 117.46; and 117.461.	744	744	1297	1277	1350	1932	145
48	A bill for an act relating to the city of Austin; authorizing an on-sale liquor license for Riverside Arena.	332	332	367	366a		396	7
52	A bill for an act relating to physically handicapped persons; providing parking privileges for the physically handicapped; authorizing parking privileges for operators of vehicles used in transporting the physically handicapped; amending Minnesota Statutes 1978, Sections 169.345, Subdivisions 3 and 4; and 169.346, Subdivision 1.	578	580	639	638a		720	31

*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	
59	A bill for an act relating to towns in Houston County; providing a method for determining whether to open or maintain certain town roads.	415	415	1657	1651a	1914		146	
60	A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivisions 1, 2, 4, 7, and 9.	615	615	1351	1334a 1937a	1398 1938 2842	2332 2744	2377 2840*	291
67	A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and Section 2, as amended.	578	580	1297	1278	1354		75	
87	A bill for an act relating to highways; providing for bus shelters and benches on streets and highways; authorizing road authorities to grant franchises; amending Minnesota Statutes 1978, Section 160.27, Subdivision 2.	415	415	639	626 2654	682 2670		275	
90	A bill for an act relating to taxation; inheritance tax; changing provisions for commissioner's certification of satisfaction of tax lien on affidavits or instruments of conveyance; amending Minnesota Statutes 1978, Section 291.14, Subdivisions 1a, 2, and by adding a subdivision.	1860	1860						
99	A bill for an act relating to criminal procedure; providing immunity from liability for peace officers who make good faith domestic assault arrests; amending Minnesota Statutes 1978, Section 629.341.	493	493	1657	1632 2012a	1752 2013		204	
102	A bill for an act relating to children; changing liability of parents for damage done by their minor children; amending Minnesota Statutes 1978, Section 540.18, Subdivision 1.	415	416	5730	4589 5729	4597a 5825			
103	A bill for an act relating to highway traffic regulations; allowing loads of round baled hay with a width of 11½ feet to be transported pursuant to permit; amending Minnesota Statutes 1978, Chapter 169, by adding a section.	744	744	857	840	1009 1035		44	

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
107	A bill for an act relating to constables; exempting certain constables from licensing requirements; amending Minnesota Statutes 1978, Section 367.41, Subdivision 2.	257	258	1498	1463a 1611	1950		254
116	A bill for an act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.	415	416	770	766a 923 1051	1051		64
122	A bill for an act relating to juveniles; providing for a hearing to determine detrimental relationships involving children; providing for a penalty for those engaging children in detrimental relationships; amending Minnesota Statutes 1978, Section 260.315; and Chapter 260, by adding a section.	744	744					
123	A bill for an act relating to crimes; prohibiting solicitation or inducement concerning prostitution, promoting the prostitution of a person, receiving profit derived from prostitution, engaging in prostitution, and patronizing a prostitute; limiting defenses to prosecution; establishing rules of evidence; providing penalties; amending Minnesota Statutes 1978, Sections 626.556, Subdivision 2; and 626A.05, Subdivision 2; repealing Minnesota Statutes 1978, Section 609.32.	1066	1072	1657	1652a 1752 2301a	2302		255
127	A bill for an act relating to the Minnesota historical society; repealing Minnesota Statutes 1978, Section 138.02.	385	386	639	624	726		32
143	A bill for an act relating to taxation; inheritance tax; clarifying certain deductions; amending Minnesota Statutes 1978, Section 291.07, Subdivision 2.	1626	1626					
145	A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; providing for an expiration date; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.	385	386	720	705 769 1013a	1043 2744	1330 1912 1968 2743*	292
148	A bill for an act relating to the city of New Hope; firefighters' pension, disability and survival benefits; amending Laws 1971, Chapter 114, Sections 2, Subdivision 5; 3, Subdivisions 2, 3 and 4; 4; 5, Subdivisions 1 and 2; 6, Subdivision 2; and 7, Subdivisions 1 and 2.	1066	1071	1498	1471	1660		97

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
157	A bill for an act relating to labor and employment; prohibiting mandatory retirement of public and private employees before the age of 70; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 1; 125.12, Subdivision 5; 181.81; 181.811; 354.44, Subdivision 1a; 354.49, Subdivision 3; 354A.05; 354A.21; 356.32, Subdivision 1; 423.076; 473.419; and Chapter 181, by adding a section.	415	416	523	505 556 726	773		40
160	A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; appropriating money; amending Minnesota Statutes 1978, Section 256D.37, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 256B.06, Subdivision 1; and 256D.37, Subdivision 1.	5556	5557	5692	5679a	5801		527
167	A bill for an act relating to the city of Virginia; extending an eligibility deadline for special funding for the improvement of a segment of a certain municipal state-aid street within the city.	443	443	639	617 1009	682 1038		45
177	A bill for an act relating to taxation; providing for an ad valorem tax on railroads in lieu of the gross earnings tax; amending Minnesota Statutes 1978, Chapter 270, by adding sections; Sections 272.02, Subdivision 1; and 295.02; repealing Minnesota Statutes 1978, Sections 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; and 295.14.	944	946					
183	A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Section 115.03, by adding subdivisions; and 474.03.	944	944	1297	1292 1350	1934		147
184	A bill for an act relating to St. Louis County; requiring that restaurants comply with certain health laws.	4175	4176					
186	A bill for an act relating to metropolitan government; providing for the debt of the metropolitan transit commission; amending Minnesota Statutes 1978, Section 473.446, Subdivision 1; and Chapter 473, by adding a section; repealing Minnesota Statutes 1978, Section 473.438, Subdivisions 5 and 6.	354	354	639	444 514a 682 448a 625a 781a	865		46

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	
191	A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Hastings; providing for the conveyance of certain land to the city of Ely.	315	616	1297	1278a 1665	1350 1677a	1678	119	
192	A bill for an act relating to retirement; providing pension coverage for certain firefighters in the city of Cottage Grove in the public employees police and fire fund; authorizing a purchase of prior service; specifying that the employer is a political subdivision for purposes of certain employment benefit programs.	1066	1071	1498	1471a		1661	120	
198	A bill for an act relating to tort liability; requiring political subdivisions to indemnify officers and employees for certain judgments and settlements; amending Minnesota Statutes 1978, Section 466.07, by adding a subdivision.	944	945	1498	1478a	1611	1957	205	
201	A bill for an act relating to political subdivisions; regarding public officers; permitting contracts between hospital district boards and board members; amending Minnesota Statutes 1978, Section 471.88, Subdivision 1.	385	386	455	454a	558a	602	20	
206	A bill for an act relating to construction contracts; requiring distribution of partial payments to subcontractors or material suppliers; requiring interest on delayed payments.	615	616						
213	A bill for an act relating to taxation; income tax; clarifying apportionment of charitable contribution deduction for certain taxpayers; amending Minnesota Statutes 1978, Section 290.21, Subdivision 3.	1860	1861						
214	A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.	615	616	1297	1294	1497	1948	148	
218	A bill for an act relating to telephone companies; requiring telephone cooperatives and municipalities to obtain prior approval of rates only if they elect to be so regulated by the public service commission; giving the public service commission the power to in-	443	443	1657	1628a 2317a	1967	2318 2801	2509 2562 2799*	319

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
218—Continued	investigate and determine cases upon complaint against telephone cooperatives and municipals; amending Minnesota Statutes 1978, Sections 237.075, by adding a subdivision; and 237.081, Subdivision 4, and by adding a subdivision.							
219	A bill for an act relating to electricians; establishing an additional class of installers license; amending Minnesota Statutes 1978, Sections 326.01, Subdivision 6b; and 326.242, Subdivision 3.	664	664	1223	1017 1223 1297 1665 1676a	1677		121
220	A bill for an act relating to prearranged funeral plans; relating to state credit unions; clarifying borrowing limitations; authorizing deposit of trust funds in credit unions; amending Minnesota Statutes 1978, Sections 52.04, Subdivision 1; 52.09, Subdivision 2; 52.15; 149.12; and 149.13.	1066	1071	1351	1348 1935a	1937		149
222	A bill for an act relating to the public service commission and public service department; regulating commissioners' and employees' conflicts of interest; amending Minnesota Statutes 1978, Section 216A.035.	944	944	1657	1631a 2279a	1752 2279		206
223	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 powers and duties to school districts, the commissioner of education, the department of education, the state board of education and others; changing the method of computing foundation aid, levy limitations, transportation aid and post-secondary vocational aid; changing procedures for decisions concerning the education of handicapped children; increasing tuition at area vocational-technical institutes; appropriating money; amending Minnesota Statutes 1978, Sections 3.924, Subdivision 1; 3.925; 16.93; 120.075; 120.17, Subdivisions 3b, 4, 6 and 7a; 120.80, Subdivision 1; 121.21, Subdivision 6; 121.49; 121.912, Subdivision 1; 121.917, by adding a subdivision; 121.92, Subdivision 2; 122.85, Subdivisions 1, as amended, and 6; 123.34, Subdivision 8; 123.35, by adding a subdivision; 123.58, Subdivision 6, and by adding a subdivision; 123.702, Subdivision 1, and by adding a subdivision; 123.703, Subdivi-	1685	1685	1753	1686 1752 1753	1941 3140	2286 2289 2333 3039*	334
	(Continued next page)							

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
223—Continued	<p>sions 1 and 3; 123.705; 123.741, Subdivision 1; 123.79, Subdivision 1; 123.80, Subdivision 1; 123.937; 124.01; 124.11, Subdivisions 2, 4, 5, and by adding subdivisions; 124.14; 124.17, Subdivision 1; 124.19, by adding a subdivision; 124.212, Subdivisions 1, 6c, 7c, 11, 20, and by adding subdivisions; 124.222, Subdivision 3; 124.223; 124.245, Subdivisions 1 and 2; 124.271, Subdivisions 2, 5, and by adding a subdivision; 124.32, Subdivisions 1, 1a, 5, 7 and 10; 124.561, Subdivisions 2, 3a, and by adding a subdivision; 124.562, Subdivisions 1, 2, 3 and 4; 124.563, Subdivision 1; 124.565, Subdivisions 1, 3, 4, and by adding a subdivision; 124.566; 124.572, Subdivisions 1, 2 and 3; 124.573, Subdivision 1; 124.574, Subdivision 2; 124.646, Subdivision 1; 125.60, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 125.61, Subdivisions 1, 2, 3, 4, and by adding subdivisions; 126.39, Subdivision 10; 126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; 126.53, Subdivision 3; 126.54, Subdivision 1; 128A.02, Subdivision 6; 134.30, Subdivision 1, and by adding a subdivision; 134.32, Subdivision 5; 134.33, Subdivision 1; 134.34, Subdivisions 1 and 2; 134.35, Subdivisions 1 and 2; 169.44, Subdivisions 1, 2, and by adding subdivisions; 275.125, Subdivisions 1, 2a, 2b, 8, 9, 11a, 15, and by adding subdivisions; 354.094, Subdivisions 3 and 6; 354.66, Subdivisions 2, 3, 8, and by adding a subdivision; 354A.091, Subdivisions 1, 3 and 6; 354A.22, Subdivisions 2, 3, 8, and by adding a subdivision; 465.72; 471.38, by adding a subdivision; 471.61, Subdivision 1b, and Chapters 3, by adding sections; 121, by adding a section; 124, by adding sections; and 134, by adding sections; repealing Minnesota Statutes 1978, Sections 3.9271; 3.9272; 3.9273; 3.9274; 3.9275; 120.171; 124.11, Subdivision 2; 124.212, Subdivisions 6b and 7b; 124.213; 124.222, Subdivisions 1a, 1b, 2a, 2b and 6; 124.241; 124.561, Subdivision 3; 124.562, Subdivisions 1 and 2; 124.563; 126.16; 126.18; 134.33, Subdivision 2; 169.44, Subdivisions 5 and 7; and 275.125, Subdivisions 6, 7 and 13.</p>							

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	
227	A bill for an act relating to insurance; regulating homeowner's insurance; requiring insurers to disclose and file information; prescribing certain procedures for an insurer's refusal to renew or to write homeowner's insurance; prohibiting redlining; amending Minnesota Statutes 1978, Sections 62A.02, Subdivision 3; 65A.35, Subdivision 5; 72A.20; 72A.23, Subdivision 1; and Chapter 65A, by adding sections.	1066	1071	1399	1382a 1949a	1497 1950		207	
229	A bill for an act relating to the administration of criminal justice; establishing a program for the undercover investigation of cross jurisdictional criminal activity through the purchase of narcotics, stolen property and information; providing for the restoration or disposal of stolen property; amending Minnesota Statutes 1978, Section 299C.07; and Chapter 299C, by adding a section.	578	580						
235	A bill for an act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park and Judge C. R. Magney State Park; adding lands to the boundaries of Split Rock Lighthouse State Park and Afton State Park; expanding the boundaries of Lake Bemidji State Park; conveying the state's interests in certain lands.	744	746	925	922 1846a	1843a 1847		320	
245	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 1978, Section 299D.01, Subdivision 1.	443	443						
248	A bill for an act relating to banks and banking; authorizing state banks to lease personal property under certain conditions; authorizing service corporations for mutual savings banks; amending Minnesota Statutes 1978, Section 48.152; and Chapter 50, by adding a section.	744	747	1223	1220 1852a	1852 2738	2332 2377 2737*	2333 2736	321
251	A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; amending Minnesota Statutes 1978, Sections 60A.23, by adding a subdivision; 471.616, Subdivision 1; and Chapter 471, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Section 471.61, Subdivision 1b.	5228	5228	5796	5523 5817	5791a 5818		528	

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
253	A bill for an act relating to Washington County; authorizing the commissioner of public safety under certain circumstances to appoint an agent to assist the clerk of the district court in Washington County in accepting applications for drivers licenses and permits; repealing Minnesota Statutes 1978, Section 171.06, Subdivision 5.	744	745	1498	1473 1611	1951		150
257	A bill for an act relating to taxation; providing standards and procedures for tax increment financing; authorizing the issuance of bonds; authorizing tax increment financing for the payment of principal and interest on such bonds; providing limitation on extent of districts to which tax increment financing applies; authorizing deferred property taxation for private redevelopment; amending Minnesota Statutes 1978, Sections 362A.05; 458.192, Subdivision 11; 462.545, Subdivision 5; 462.585, Subdivisions 2, 3 and 4; 472A.06; 472A.07, by adding a subdivision; 473F.02, Subdivision 3; 473F.05; 473F.08, Subdivisions 2, 4 and 6; 474.10, Subdivisions 2 and 3; and Chapter 273, by adding sections; repealing Minnesota Statutes 1978, Sections 458.192, Subdivision 12; 472A.02, Subdivision 3; 472A.07, Subdivision 4; and 472A.08.	1995	1996	2299	2251 2293a 2367a	2369 3463	2509 2510 2561 3440*	322
259	A bill for an act relating to cooperative associations; providing for boards of directors; prescribing the minimum number of directors governing a cooperative apartment corporation; amending Minnesota Statutes 1978, Section 308.11.	385	386	455	447a 647	476	721	33
260	A bill for an act relating to health; providing for health planning; requiring certificates of need for construction or modification of certain health care facilities and services; amending Minnesota Statutes 1978, Chapter 144, by adding a section; repealing Minnesota Statutes 1978, Sections 145.71 to 145.831.	944	946	1033	1030a 1670a	1665 2741	1672 1994 2377 2738*	323
261	A bill for an act relating to municipal development; limiting the objects and methods of financing residential, industrial, and economic development; regulating the planning and implementation of single-family housing programs and multifamily housing developments and housing rehabi- (Continued next page)	1331	1332	1399	1397a 1738a	1749 3393	1995 2333 3381*	306

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
261—Continued	litigation programs; authorizing and regulating the effectuation and financing of existing single family housing projects and undertaken by the cities of Coon Rapids in Anoka County and Vadnais Heights in Ramsey County; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 7a, and by adding a subdivision; 474.02, by adding a subdivision; 474.03; and 474.12.							
262	A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; appropriating money; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.	5228	5228	5796	5792a 5817	5817		529
263	A bill for an act relating to juvenile court referees; authorizing referees to hear contested trials, hearings, or motions unless objection is made; amending Minnesota Statutes 1978, Section 484.70, Subdivision 3.	443	443					
268	A bill for an act relating to children; establishing a program in the department of public welfare to allow subsidized adoptions under certain circumstances; appropriating money; amending Minnesota Statutes 1978, Chapter 259, by adding a section; repealing Minnesota Statutes 1978, Section 393.07, Subdivision 1a.	2763	2764	2771	2771	2771		256
270	A bill for an act relating to education; changing definition of textbook to include certain text substitutes; amending Minnesota Statutes 1978, Section 123.932, Subdivision 1b.	578	580	639	638a	721		34
272	A bill for an act relating to public welfare; child care services; defining a sliding fee schedule payment plan for child care; appropriating money; amending Minnesota Statutes 1978, Section 245.84, Subdivision 2.	2763	2764	2803	2803	2803		307
277	A bill for an act relating to shade tree disease control; authorizing grants for municipal shade tree removal and reforestation programs; amending Minnesota Statutes 1978, Sections 18.023, Subdivisions 1 and 3a; and 275.50, Subdivision 6.	1995	1996	2299	2294a 2366a	2367 2373	2373a	257

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
279	A bill for an act relating to the county of St. Louis; providing rights to suspended classified service employees; amending Laws 1941, Chapter 423, Section 22.	578	580	1498	1463 1611	1951		151
282	A bill for an act relating to game and fish; establishing a procedure for selection of applicants for licenses to take wild turkeys; providing a penalty; amending Minnesota Statutes 1978, Section 100.271.	944	944	1591	1585a 1731a 1621	1731		122
294	A bill for an act relating to private passenger vehicle insurance; prohibiting certain premium increases attributable to relatives living in the same household; amending Minnesota Statutes 1978, Chapter 65B, by adding a section.	944	945					
295	A bill for an act relating to nursing homes; requiring notice of rate increases to residents who are not recipients of medical assistance; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.	385	386	476	475a 560a	603		35
296	A bill for an act relating to flood plain management; authorizing counties within the southern Minnesota river basin area II to levy an additional tax for flood control, improved water quality and erosion and sediment control; amending Minnesota Statutes 1978, Section 275.50, Subdivision 5.	1626	1626					
297	A bill for an act relating to the city of Chisholm; exempting volunteer firefighters from civil service commission jurisdiction.	493	494	639	617 1009 682	1038		47
299	A bill for an act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.	744	745	857	841a 1009	1039		65
300	A bill for an act relating to highway traffic regulations; specifying the acts constituting the offense of hit and run; prescribing penalties; amending Minnesota Statutes 1978, Section 169.09, Subdivision 1; and Chapter 609, by adding a section.	471	472					

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
303	A bill for an act validating and legalizing certain state assignment certificates.	443	443	523	506a	558		19
313	A bill for an act relating to public employees; reimbursing university systems for expenses of certain athletic leaves of absence; amending Minnesota Statutes 1978, Section 15.62, Subdivision 3.	1066	1068	1657	1648a 2275a	1752 2275		208
317	A bill for an act relating to highway traffic regulations; passing a stopped school bus displaying stop arm signals; providing remedies; prescribing penalties; amending Minnesota Statutes 1978, Section 169.44, by adding a subdivision.	1066	1072	1729	1702a	1967 2326 2844	2473 2844*	2562 308
318	A bill for an act relating to real estate; providing for the conveyance and limiting the severance of joint tenancy interests; permitting certain contracts and conveyances between husband and wife; amending Minnesota Statutes 1978, Sections 500.19, Subdivision 2, and by adding subdivisions; 507.02; and 519.06.	884	884	1005	1004a 1850a	1850		123
323	A bill for an act relating to labor; requiring certain employers to provide employees with chest x-rays, hearing tests and lung tests; amending Minnesota Statutes 1978, Section 182.653, by adding a subdivision.	1626	1628					
325	A bill for an act relating to township mutual fire insurance companies; authorizing indemnification of certain expenses incurred by officers, employees, agents and other individuals; amending Minnesota Statutes 1978, Section 67A.06.	332	332	1351	1335 1398	1933		152
330	A bill for an act relating to courts; eliminating erroneous and ambiguous references relating to municipal courts outside Hennepin and Ramsey counties; amending Minnesota Statutes 1978, Sections 480.055, Subdivision 1; 487.01, Subdivision 8; 487.16; 487.38; 488A.113; 488A.282; 525.011, Subdivision 1; 525.013, Subdivisions 1 and 8; and 525.014.	385	386	523	500 726	556 772		41
340	A bill for an act relating to the town of Leota in Nobles county; authorizing the establishment of a detached banking facility.	443	443	1657	1632 1752	2010		182
357	A bill for an act relating to professional regulation; regulating architects, engineers, surveyors, and landscape architects; amending Minnesota Statutes 1978, Section 326.02, Subdivision 4.	804	805	1498	1465a 1611	1952		209

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	
360	A bill for an act relating to commerce; extending an exception for certain loans from the usury laws; amending Minnesota Statutes 1978, Section 334.01, Subdivision 2.	493	494	639	637 2786a	682 2789 3232	2939 3232a	3231	276
361	A bill for an act relating to public contracts; providing for progress payments; authorizing alternative means of securing full performance; amending Minnesota Statutes 1978, Sections 161.322; 162.04; 162.10; and 429.041, Subdivision 6.	944	945	1297	1296a 1943a	1918a	1944	2300	
368	A bill for an act relating to community social services; requiring the commissioner of public welfare and each board of county commissioners to develop and update biennially a plan relating to the identification, reduction, remedy, and prevention of public social problems; requiring public participation in state and county plan development; establishing a formula for allocating state and federal funds to counties for the administration and provision of community social services; providing for community social service tax levies; prescribing the duties of county boards and the commissioner of public welfare; establishing an experimental program of services for chronically mentally ill persons; appropriating money; amending Minnesota Statutes 1978, Sections 245.61; 245.62; 245.63; 245.64; 245.66; 245.68; 245.69; 245.84, Subdivisions 1 and 5; 245.85; 245.87; 252.21; 252.22; 252.24, Subdivisions 1, 3 and 4; 252.25; 252.26; 252.261; 253A.02, by adding a subdivision; 253A.07, Subdivisions 1 and 7; 253A.09, Subdivision 1; 253A.10, Subdivision 4; 253A.14, Subdivision 1; 253A.15, Subdivisions 6, 11, 12 and 13; 254A.05, Subdivision 1; 254A.07, Subdivisions 1 and 2; 254A.08, Subdivision 1; 254A.12; 254A.14; and 254A.16, Subdivision 2; repealing Minnesota Statutes 1978, Sections 245.65; 245.651; 245.691; 254A.07, Subdivision 3; 254A.08, Subdivision 3; and 254A.17.	1995	1995	2712	2684a 2826a	2782	2832		324
370	A bill for an act relating to hospitals; providing for payment of election judges; providing hospital board members with travel and other expenses incurred in the performance of their duties; authorizing hospital boards to set compensation for board members;	493	493	1498	1474a	1611	1951		210

(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
370—Continued	amending Minnesota Statutes 1978, Section 447.32, Subdivision 4, and by adding a subdivision; and Laws 1961, Chapter 115, Section 2, Subdivision 1.							
373	A bill for an act relating to agriculture; allowing food products grown, processed or manufactured in Minnesota to be so labeled; amending Minnesota Statutes 1978, Chapter 17, by adding a section.	354	354	476	472 647	556 725		36
384	A bill for an act relating to game and fish; authorizing certain non-resident minors to be treated as Minnesota residents for the purpose of taking wild game; amending Minnesota Statutes 1978, Section 98.45, Subdivision 6.	700	700	857	841a	1009 1042		66
386	A bill for an act relating to the range association of municipalities and schools; providing for the court standing of the association; amending Minnesota Statutes 1978, Section 471.58.	1066	1068	1297	1295	1853		124
389	A bill for an act relating to towns; removing certain levy limitations; amending Minnesota Statutes 1978, Section 164.041; repealing Minnesota Statutes 1978, Section 275.10.	744	745	1223	1151	1297 1927		153
395	A bill for an act relating to state historic sites; authorizing management contracts with counties, municipalities, or county or local historical societies.	385	386	682	675	719 1844		125
396	A bill for an act relating to welfare; altering the conditions under which a day care facility will be considered a single family residential use of property for zoning purposes; amending Minnesota Statutes 1978, Section 245.812, Subdivision 3.	578	581	639	638a	726 771		42
399	A bill for an act relating to health; prohibiting family planning funds to any corporation which performs abortions; prohibiting counties or cities from contracting with any corporation, agency, individual or entity which performs abortions; providing that certain provisions of law are nonseverable under certain conditions; amending Minnesota Statutes 1978, Sections 145.912, Subdivision 9; 145.92, Subdivision 1; and 145.925, Subdivision 2.	804	804					

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		
416	A bill for an act relating to legal process; providing for replevin of personal property before and after a hearing; providing for bonds; providing a penalty; amending Minnesota Statutes 1978. Sections 542.06; and 546.23; repealing Minnesota Statutes 1978. Sections 565.01; 565.02; 565.03; 565.04; 565.05; 565.06; 565.07; 565.08; 565.09; 565.10; and 565.11.	443	444	476	474a 557a	557		18		
430	A bill for an act relating to elections; allowing employees of the state or its political subdivisions to serve as election judges; amending Minnesota Statutes 1978. Section 204A.18, Subdivision 3; repealing Minnesota Statutes 1978. Section 204A.17, Subdivision 5.	1066	1070	1591	1586a 1621 1965a	1966	Veto			
444	A bill for an act relating to intoxicating liquor; allowing municipalities to set license fees in excess of \$100 for club on-sale licenses; allowing the cities of Spring Lake Park, Hermantown and Waseca to issue on-sale licenses to clubs in existence for less than 15 years; amending Minnesota Statutes 1978. Section 340.11, Subdivision 11.	471	472	523	514a 558	642 2796	1330 1968 2794*	1912 2432	325	
451	A bill for an act relating to parking privileges for handicapped persons; defining terms; extending the uses, in relation to parking privileges, of the special license plates issued to physically handicapped persons and clarifying the meaning of unauthorized use of those plates; recognizing parking certificates, insignia or license plates issued to handicapped persons by other jurisdictions; modifying the criteria for posted signs designating handicapped parking spaces; imposing penalties; amending Minnesota Statutes 1978. Sections 168.021, Subdivisions 3 and 5, and by adding a subdivision; 169.345; and 169.346, Subdivisions 1, as amended, 2 and 3.	615	616	2008	1998a 2655a	2376	2666		277	
455	A bill for an act relating to education; providing equal opportunity for members of both sexes to participate in certain athletics; modifying the coverage and terms of the current law providing for equal opportunity in certain athletics; requiring the state board of education after consultation with the commissioner of human rights to promulgate certain rules; providing for the rights of (Continued next page)	884	884	1399	1391a 1680a	1497	1684 4080	2289 2333 4076~	2290 4012	355

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
455—Continued	certain parties in the case of certain sex discrimination charges; requiring the Minnesota state high school league to transact business in an open meeting; amending Minnesota Statutes 1978, Sections 126.21; 129.121, by adding a subdivision; and 363.02, Subdivision 3.							
472	A bill for an act urging the President, Congress and the Secretary of Transportation to retain the Amtrak North Coast Hiawatha in the National Amtrak Transportation System.	471	472	599	581 599	595 599		Res. 2
475	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 1978, Sections 144.55; and 144.50, Subdivision 1.	944	945	4694	4596a 5165a	4989	5200 5732 5825	
479	A bill for an act relating to health maintenance organizations; declaring legislative intent and public policy favoring childbirth and family planning over abortion; eliminating any requirements that health maintenance organizations provide elective, induced abortions; requiring the organizations to notify enrollees if elective, induced abortions are eliminated from coverage; amending Minnesota Statutes 1978, Sections 62D.01, by adding a subdivision; 62D.02, Subdivision 7; 62D.07, Subdivision 4; and 62D.20.	744	745					
486	A bill for an act relating to usury; extending the expiration date on the law authorizing flexible interest rates on home loans; regulating assumptions of certain mortgages; amending Minnesota Statutes 1978, Section 47.20, Subdivisions 4, 6 and 9.	664	664	719	719a 776a	858		48
487	A bill for an act relating to education; authorizing school districts to discontinue certain grades and provide instruction by contract with other districts; providing for calculation of aids, levies and tuition agreements; providing for the employment rights of teachers in participating districts; amending Minnesota Statutes 1978, Sections 122.41; 122.43, Subdivision 1; 122.44, Subdivision 1; and Chapter 122, by adding a section.	578	581	857	807a 1851a	923 1851		211

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
492	A bill for an act relating to aeronautics; clarifying the property tax status of municipal airport property leased to private persons or entities; amending Minnesota Statutes 1978, Section 360.035.	1626	1627					
493	A bill for an act relating to the city of Bemidji; authorizing the issuance of bonds authorized at a special election.	493	493	682	680 684	684		28
498	A bill for an act relating to education; requiring hearings on school-house closings to be held at the school absent a compelling reason for another location; amending Minnesota Statutes 1978, Section 123.36, Subdivision 11.	385	386					
499	A bill for an act relating to Lac qui Parle and Big Stone Counties; changing the boundary lines between the counties; amending Laws 1937, Chapter 423, Section 1, as amended.	804	805	1498	1475 1611	1952		154
508	A bill for an act relating to unemployment compensation; exempting family corporation shareholder's income from contribution rate; amending Minnesota Statutes 1978, Section 268.04, Subdivision 12.	1066	1068	1591	1586 1752 2275a	2275		212
515	A bill for an act relating to motor vehicles; defining the gross weight of a wrecker for the purposes of registration and taxation; amending Minnesota Statutes 1978, Sections 168.011, Subdivision 16; and 168.013, Subdivision 3.	578	580	1657	1650 1967	2319		213
519	A bill for an act relating to motor vehicles; limiting the authority of the registrar of motor vehicles to refuse to issue certificates of title in certain circumstances; amending Minnesota Statutes 1978, Sections 168A.23, by adding a subdivision; and 297B.06.	944	945	1033	1029 1665	1665		126
521	A bill for an act relating to domestic abuse; authorizing judicial intervention to provide protection from domestic abuse; prescribing penalties.	615	616	1729	1703a 1967 2319a	2320		214
523	A bill for an act relating to public health; prescribing fees for diagnostic laboratory services provided by the department of health; providing exemptions for charging fees; authorizing the commissioner of health to promulgate rules; amending Minnesota Statutes 1978, Chapter 144, by adding a section.	804	805	1005	1004a 1014a	1048		49

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
534	A bill for an act relating to Murray and Goodhue Counties; allowing the county and local government units to participate in a federal railroad assistance program.	578	581	1657	1651a 2253a	1752 2253		278
546	A bill for an act relating to insurance; prohibiting discrimination in the sale of automobile insurance solely on the basis of a disability; amending Minnesota Statutes 1978, Section 65B.13; repealing Minnesota Statutes 1978, Section 65B.131.	1331	1332	1657	1632	1752 2304		215
555	A bill for an act relating to crimes; specifying the crime of offering substances purporting to be prohibited for sale; creating a new category of offense for assault; reclassifying assaults by degrees; specifying the crime of interference with privacy; reclassifying the pecuniary categories of the crime of theft; redefining certain felonies; authorizing agents of the bureau of criminal apprehension to obtain search warrants; clarifying the locus of venue; providing penalties; amending Minnesota Statutes 1978, Sections 609.02, by adding subdivisions: 609.11; 609.25, Subdivision 2; 609.341, Subdivisions 3 and 13, and by adding a subdivision: 609.343; 609.344; 609.345; 609.52, Subdivision 3; 609.562; 609.563; 609.595, Subdivision 1; 611.033; 626.05, Subdivision 2; 626.11; 626.13; 627.01; Chapter 609, by adding sections; repealing Minnesota Statutes 1978, Sections 246.43; 609.116; 609.22; and 609.225.	804	804	1911	1903a	2251 2365		258
564	A bill for an act relating to financial institutions; providing a new interest index for conventional home loans; regulating mortgage assumptions; regulating private mortgage insurance; regulating various interest rates; amending Minnesota Statutes 1978, Sections 47.20, Subdivisions 2, 3, 4, 6, 7, and 13, and by adding a subdivision.	1066	1074	1297	1296a	1450a 1450		279
567	A bill for an act relating to privacy of communications; permissible monitoring; amending Minnesota Statutes 1978, Section 626A.02, Subdivision 2.	1860	1862	2008 4563	2007a 3467 4708	2664a 4554a 6347	6348	
568	A bill for an act relating to the county of Anoka; authorizing the Anoka county board of commissioners to assume the powers and duties of a human services board.	578	581	719	719a	1843a 1843		155

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
581	A bill for an act relating to education; authorizing certain school districts to make a certain levy; correcting a section reference; amending Minnesota Statutes 1978, Section 122.531, Subdivision 2.	1066	1070					
582	A bill for an act relating to natural resources; requiring the commissioner of natural resources, by eminent domain proceedings, to acquire public access to certain bodies of water in Itasca County.	1460	1461					
588	A bill for an act relating to the public welfare; authorizing the county to enter into agreements with the Anoka State Hospital for community mental health services; raising eligibility limits for medical assistance; amending Minnesota Statutes 1978, Sections 256B.06, Subdivision 1; and 256B.07.	744	745	1657	1634 2657a	1752, 2674 3465	2958 3039 3464*	309
593	A bill for an act relating to wild animals; clarifying conditions under which raccoons can be taken at night; amending Minnesota Statutes 1978, Section 100.29, Subdivision 10.	4416	4419	4481	4468a	4538		394
594	A bill for an act relating to human rights; requiring the commissioner of human rights to follow certain procedures in an investigation of allegations of unfair discriminatory practices; amending Minnesota Statutes 1978, Section 363.06, Subdivision 4.	744	747	1005	1004a	1849		156
597	A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota state transportation bonds; authorizing the expenditure of the proceeds for grants for construction and reconstruction of certain bridges and for certain preliminary studies; appropriating money; amending Minnesota Statutes 1978, Section 174.50, by adding a subdivision.	2286	2290	2365	2364a 2654a	2666		280
606	A bill for an act relating to controlled substances; amending the definition of Cannabis; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Sections 152.01, Subdivision 9; and 152.02, Subdivisions 2, 3 and 4.	804	805	1297	1289 1398	1946		157
607	A bill for an act relating to public employment labor relations; permitting certain public employees (Continued next page)	1066	1071	1498	1464a 1611	1962		183

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	
607	—Continued to use certain grievance procedures; amending Minnesota Statutes 1978, Section 179.70, Subdivision 1.								
610	A bill for an act relating to marriage; setting out requirements and effect of antenuptial contracts; repealing Minnesota Statutes 1978, Section 519.08.	578	578	682	670a 1012a	719	1039	67	
614	A bill for an act relating to civil actions; statutes of limitations; providing for limits on time certain real estate actions accrue; amending Minnesota Statutes 1978, Section 541.051, Subdivisions 1, 2, and 4.	1066	1072						
623	A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.	804	805	1297	1278	1350	1932	158	
624	A bill for an act relating to counties; fixing the amounts that may be spent for Memorial Day observances; amending Minnesota Statutes 1978, Sections 375.34; and 375.35.	744	745	1498	1475 2009a	1611	2010 2742	2430 2471 2742	310
627	A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.	700	700	1297	1278a	1350	1931	159	
633	A bill for an act relating to taxation; extending the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.	578	580	2365	1279 2470	2360	3038	311	
638	A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating duplicate, redundant, conflicting and superseded provisions; amending Minnesota Statutes 1978, Sections 5.06; 15.0411, Subdivision 2; 16.723; 16A.71; 18.023, Subdivision 3a; 43.224; 52.04, Subdivision 1; 61A.245, Subdivisions 4, 7, and 12; 112.87; 122.531, Subdivision 4; 124.17, Subdivision 1; 150A.06, Subdivision 2a; 168.041, Subdivision 2; 168A.01, Subdivisions 18 and 19; 176.611, Subdivision 6a; 179.70, Subdivision 1; 192A.25, Subdivision 2; 192A.555; 221.011, Subdivision 22; 237.295, Subdivision 3; 270.01; 270.02, Subdivision 4; 270.10, Subdivision 1; 273.02. (Continued next page)	578	579	639	638a	726	857	50	

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
638—Continued	Subdivisions 2 and 3; 273.061, Subdivision 8; 274.18; 276.07; 279.03; 281.275; 282.15; 282.341. Subdivision 2; 290.01, Subdivision 20; 294.26; 326.48, Subdivision 2; 352B.11, Subdivision 2; 352D.02, Subdivision 1; 352E.01, Subdivision 2; 353.16; 354.44, Subdivisions 4 and 6; 355.56; 356.20, Subdivision 2; 356.60, Subdivision 1; 414.033, Subdivision 1; 414.035; 420.06; 422A.09, Subdivision 3; 423.076; 456A.03, Subdivision 2; 458A.06, Subdivisions 1 and 4; 462A.05, Subdivision 16; 462A.21, Subdivision 5; 507.09; 507.10; 507.13; 507.14; 518.005, Subdivisions 3 and 4; 524.3-303; 648.31, Subdivision 1; Laws 1975, Chapter 339, Section 10; repealing Minnesota Statutes 1978, Section 144.49, Subdivisions 2, 3 and 4; Laws 1977, Chapter 11, Section 8; 412, Section 2; Laws 1978, Chapters 538, Section 6; and 720, Section 5.							
642	A bill for an act relating to commerce; providing attendant services at certain gasoline stations.	493	493	1351	1337a 1398 1934a	1934		160
643	A bill for an act relating to marriage; providing for procedures and remedies in actions for dissolution and legal separation; defining terms; requiring personal service in a dissolution; providing for the court's findings in an uncontested dissolution; providing mutual restraining orders pending a dissolution; providing additional relevant factors for making custody determinations and for awarding maintenance; permitting retroactive modification of support and maintenance orders for inability to pay; providing penalties; amending Minnesota Statutes 1978, Sections 517.03; 518.005, Subdivision 3; 518.06, Subdivisions 1 and 3; 518.07; 518.09; 518.10; 518.12; 518.13; 518.145; 518.155; 518.156; 518.165; 518.166; 518.17, Subdivision 1; 518.175, Subdivisions 1 and 3; 518.176; 518.18; 518.27; 518.54, Subdivision 5; 518.55; 518.551; 518.552; 518.58; 518.611; 518.612; 518.62; 518.64, Subdivision 2; 518.66; 518A.09, Subdivision 1; and Chapter 518, by adding sections; repealing Minnesota Statutes 1978, Sections 518.135 and 518.16.	578	579	1911	1862a 2251 2328a 2371a	2372		259
644	A bill for an act relating to licensed occupations; allowing the (Continued next page)	944	946	3649 4520	3648a 3650 4518a 4579 5542a	5696 6216	6038 6137 6210*	596

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
644—Continued	board of dentistry by rule to prohibit applicants for certain dental licenses who fail a clinical examination twice from further taking the examination without additional education and training specified by the board in the rule; requiring licensed dentists, dental hygienists and registered dental assistants to inform the board of dentistry when changing addresses; setting standards for the names under which dentists may practice; requiring the issuance of temporary licenses to certain qualified persons to act as insurance agents; extending the temporary joint underwriting association act for an additional two year period; extending the termination date of certain insurance policies; providing for rules on advertising by licensed professionals; establishing penalties; amending Minnesota Statutes 1978, Chapter 214, by adding a section; Sections 60A.17, by adding a subdivision; 62F.01, Subdivision 2; 62F.06, Subdivision 1; 150A.06, Subdivisions 1 and 2; 150A.09, Subdivision 3; 150A.11, Subdivision 1; and Minnesota Statutes, 1979 Supplement, Section 150A.06, Subdivision 2a.							
656	A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.	744	746	1351	1335 1398	1945		161
659	A bill for an act relating to local government; providing for facilities of the jointly owned airport of the city of Brainerd and Crow Wing County; authorizing the issuance of bonds to finance the acquisition and betterment of airport facilities; repealing Laws 1965, Chapter 152.	944	945	1033	1030a	1842 1846	1846a	127
677	A bill for an act relating to courts; providing for the interest rate on verdicts and judgments; amending Minnesota Statutes 1978, Sections 549.09 and 550.36.	615	616	1498	1477a 1954a	1611 1954		105
686	A bill for an act relating to public health; permitting use of plastic water well casings in additional counties; amending Minnesota Statutes 1978, Section 156A.031, Subdivisions 1 and 2.	1066	1073	1498	1476a	1611 1962 2847	2510 2845* 2562 2846	312

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
699	A bill for an act relating to labor; increasing the minimum wage; providing for future increases; amending Minnesota Statutes 1978, Sections 177.23, Subdivision 7; and 177.24, Subdivision 1.	1691	1691	1911	1910a 2758 2782 2783a	2784		281
703	A bill for an act relating to accountancy; providing for licensing of public accountants; prohibiting certain practices; appropriating money; providing penalties; amending Minnesota Statutes 1978, Sections 326.17; 326.18; 326.19, Subdivision 2; 326.20, Subdivisions 1 and 2; and Chapter 326, by adding sections; repealing Minnesota Statutes 1978, Sections 326.17 to 326.23.	2432	2432	2712	2710a 2790	2790		326
711	A bill for an act relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purpose of determining the presence of alcohol or controlled substances under the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 3.	944	946	3667	3665 3876 4491	4565		395
713	A bill for an act relating to banks and banking; providing for publication of certain bank reports; amending Minnesota Statutes 1978, Section 48.48, Subdivision 1.	615	616	1351	1338	1658		98
715	A bill for an act relating to interstate motor vehicle carriers; eliminating certain registration requirements for certain interstate carriers; amending Minnesota Statutes 1978, Section 221.62.	615	616	1351	1338	1659		99
724	A bill for an act relating to housing; providing for an increase in the authorization for bonds and notes for the housing finance agency; making certain changes in the laws relating to the operation of the agency; establishing a grant program for the construction of three and four bedroom apartment or townhouse units; creating a grant program for accessible housing; creating a rehabilitation loan program for certain rental housing; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, Subdivision 15, and by adding subdivisions; 462A.07, Subdivision 15; 462A.09; 462A.21, Subdivision 6, and by adding subdivisions; and 462A.22, Subdivisions 1, 1a, and 9.	1582	1582	2520	2513a 2680 2784 2785a	2785		327

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
728	A bill for an act relating to education; allowing not more than ten days used by kindergarten teachers for parent-teacher conferences or teachers' workshops to count as part of the required minimum number of days school is in session; amending Minnesota Statutes 1978, Section 124.19, Subdivision 1.	804	806	1297	1282 1350	1933		162
729	A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.	5556	5559	5692	5679a 5702	5702 6083	5838 5897 6082*	563
733	A bill for an act relating to veterans; increasing the maximum amount of certain educational grants to certain persons; appropriating money; amending Minnesota Statutes 1978, Sections 197.11; and 197.75, Subdivision 1.	5399	5400					
738	A bill for an act relating to collection and dissemination of data; establishing a presumption that government data is public; classifying data; extending the period of time during which emergency classifications of data may be made; clarifying the duties of the responsible authority; providing for temporary classification of data; providing remedies; amending Minnesota Statutes 1978, Sections 15.162, Subdivision 1, 2a, 6, and by adding subdivisions: 15.163; 15.1642, Subdivisions 1, 2, 3, 5, and by adding a subdivision; 15.166; 15.17, Subdivision 4; and Chapter 15, by adding sections; repealing Minnesota Statutes 1978, Sections 15.1641; 15.1642, Subdivision 4; and 15.169.	1858	1858	1989	1989 2483a	2494 2915	2510 2511 2562 2901*	328
740	A bill for an act relating to Ramsey County; changing the day of county board meetings; amending the Ramsey County code by amending the civil service section; providing for certain unclassified employees; defining purposes for which funds appropriated for the Lake Owasso Children's Home may be spent; authorizing non-profit organizations to participate in raffle ticket sales with licensed organizations; amending Laws 1974, Chapter 435, Sections 2.05, Subdivision 1, as amended; 3.02, Subdivision 6, as amended; and 349.26, Subdivision 12.	744	746	857	840 2963a 2966a	2966		313

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
746	A bill for an act relating to retirement; various retirement funds; increasing employer contributions to the teachers retirement association and the teacher retirement fund associations in cities of the first class; increasing the employee contribution rate to the Minneapolis municipal employees retirement fund; providing a post retirement adjustment to certain retirees and benefit recipients of various retirement funds; appropriating money; amending Minnesota Statutes 1978, Sections 354.42, Subdivisions 3 and 5; 354A.12; 422A.03, Subdivisions 1 and 2; 422A.08, Subdivision 2; 422A.10, Subdivision 1; and Chapter 355, by adding a section.	2763	2764	2765	2765a	2771		293
747	A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law; contributions and benefits of the Moorhead police and firefighters' relief associations; amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.03, Subdivisions 1 and 3; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1; 353.34, Subdivision 3; 353.35; 353.64, Subdivision 1; 353.65, Subdivision 2; 353.656, Subdivision 2; 353.71, Subdivision 5; Laws 1967, Chapter 775, Sections 2, 4, 5, 6; and 7; and by adding a section; Laws 1955, Chapter 75, Sections 10, Subdivision 3; 14, Subdivisions 1, 2, 4, 5, 6, and by adding a subdivision; 16; and 19, as added, amended or renumbered; repealing Laws 1967, Chapter 775, Section 3.	1066	1069	1498	1298 1493a 2307a	2317		216
748	A bill for an act relating to retirement; actuarial reporting law; implementing a procedure to extend the period for the amortization of unfunded liabilities in the event of changes in actuarial assumptions or increases in annuities and benefits; amending Minnesota Statutes 1978, Sections 356.215, Subdivision 4; 356.22, Subdivision 2; 422A.08, Subdivision 2; and 422A.39, Subdivision 2.	884	885	1657	1645 1752	2274		184
749	A bill for an act relating to retirement; teachers retirement fund associations in cities of the (Continued next page)	884	885	1498	1466a 1611	1955		217

a Indicates Amendment

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
749—Continued	first class; codification of a coordinated program for the Minneapolis and St. Paul teachers retirement fund associations; recodification of the law governing first class city teachers retirement fund associations; amending Minnesota Statutes 1978, Sections 354A.05; 354A.08; 354A.09; 354A.091; 354A.11; 354A.12; 354A.21; 356.32, Subdivision 2; and Chapter 354A by adding sections; repealing Minnesota Statutes 1978, Sections 354A.01; 354A.02; 354A.03; 354A.04; 354A.10; 354A.13; 354A.22; Laws 1976, Chapter 238, Section 12; and Laws 1977, Chapter 429, Section 60.							
753	A bill for an act relating to banks and banking; removing certain restrictions on services that may be offered at detached facilities; amending Minnesota Statutes 1978, Section 47.53.	4545	4546	4694	4691 5249	5583		468
757	A bill for an act relating to commerce; exempting certain sales of motor vehicles from provisions regulating home solicitation sales; amending Minnesota Statutes 1978, Section 325.933, Subdivision 2.	744	746	857	828 923	1851		128
768	A bill for an act relating to agriculture; changing certain fees and expenses; eliminating certain bonding requirements; revising anti-freeze registration procedures; adopting certain federal food regulations; amending Minnesota Statutes 1978, Sections 17B.13, Subdivision 1, 21.54, Subdivisions 2 and 3; 24.25, Subdivision 2; and 31.101, Subdivision 8; repealing Minnesota Statutes 1978, Sections 17B.08; 17B.09; and 21.114.	744	745	857	841a 1009	1035		68
772	A bill for an act relating to highways; allowing private landowners to install drainage tiles along and across highway right-of-way under certain conditions; prescribing a penalty; amending Minnesota Statutes 1978, Section 160.20, by adding a subdivision.	1331	1332	1399	1395a 1676a 1665	1676 2798	1994 2333 2796*	294
774	A bill for an act relating to state government; prohibiting certain expense accounts expenditures for alcoholic beverages; amending Minnesota Statutes 1978, Section 16A.16.	1066	1070					
792	A bill for an act relating to claims against the state; providing for (Continued next page)	1066	1073	1351	1348a 1941a	1942		260

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
792—Continued	claims arising out of various restitution programs to be heard by the legislature; amending Minnesota Statutes 1978, Section 3.738, Subdivision 1; and Chapter 3, by adding a section.							
797	A bill for an act relating to juveniles; juvenile traffic offenders; requiring prosecution of juveniles who commit minor traffic offenses under laws controlling adult offenders; amending Minnesota Statutes 1978, Sections 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; and 260.193.	1331	1333	1729	1704a 2327a	1967 2327 6184	2471 5741 6180a 6228 6346	
810	A bill for an act relating to motor vehicles; providing for taxing and registering modified vehicles manufactured prior to 1949; regulating storage of modified vehicles and requiring certain equipment; providing for use of original plates on certain vehicles; providing that private motor vehicle mileage allowances be set locally, authorizing county auditor to appoint deputy registrar without regard to registrar's county of residence; providing for revocation of dishonored instrument; amending Minnesota Statutes 1978, Sections 168.10, 168.33, Subdivision 2; and 471.665, Subdivision 1.	664	664	925	886a 1854a	1033 1856 2922	2745 2922*	2782 329
813	A bill for an act relating to crimes; regulating dance halls; removing the limitation on persons under the age of 16; amending Minnesota Statutes 1978, Section 624.49.	804	806	1498	1473 1953a	1611 1953	Veto	
815	A bill for an act relating to state lands; authorizing the sale of certain lands within Beltrami County.	1066	1067					
819	A bill for an act relating to aeronautics; amending Minnesota Statutes 1978, Section 360.71.	744	746	857	840a 1845a	1845		163
823	A bill for an act relating to Olmsted County; permitting the intermittent inundation by flood water and temporary closing of county and town roads.	744	746	1498	1475	1661		100
842	A bill for an act relating to local government; providing for certain local improvements and special assessments; providing for appointment of home rule charter commission members; providing (Continued next page)	804	806	1005	1003 2662a	2677		330

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
842—Continued	for the preparation of financial reports by certain cities; amending Minnesota Statutes 1978, Sections 410.05, Subdivision 2; 429.011, by adding a subdivision; 429.021, Subdivision 1; 471.697, Subdivision 1; and 471.698, Subdivision 1.							
843	A bill for an act relating to housing and redevelopment authorities; providing that by agreement a housing and redevelopment authority may exercise powers in a county or municipality which has no active housing and redevelopment authority; amending Minnesota Statutes 1978, Section 462.445, Subdivision 5.	744	746	857	840 1009	1036		51
852	A bill for an act relating to schools; requiring school boards to allow official representatives of military forces reasonable access to certain school facilities for recruitment presentations; amending Minnesota Statutes 1978, Section 123.36, by adding a subdivision.	1331	1333	1591	1587a 1621 2825a 2965	2965		295
859	A bill for an act relating to banks and other financial institutions; regulating open end loan accounts; removing certain restrictions; providing for computation of finance charges; requiring banks which offer a certain credit card program to offer another program with a specified finance charge; amending Minnesota Statutes 1978, Section 48.185, Subdivisions 2, 3 and by adding a subdivision.	1360	1360	1498	1360 1497a 1665 1672a	1675		101
866	A bill for an act relating to peace officers; regulating part-time officers; appropriating money; amending Minnesota Statutes 1978, Sections 626.84 and 626.841; and Chapter 626, by adding sections.	2512	2513	2848	2513 2848	2848		282
869	A bill for an act relating to education; providing matching grants for small business institutes at certain state colleges and universities; prescribing certain duties for the higher education coordinating board; appropriating money.	2763	2764					
870	A bill for an act relating to education; requiring that certain schools provide a prospective student with a school catalog before accepting the student; providing in certain cases for tuition refunds from private business, trade, and	1331	1333	1591 4215	1587 1621 2657a 3467 4206a 4448	5901		559

(Continued next page)

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		
870—Continued	correspondence schools that do not use written contracts; providing for certain exemptions under the private business, trade and correspondence school act; amending Minnesota Statutes 1978, Sections 141.25, Subdivision 9; 141.271, Subdivision 3, and by adding a subdivision; and 141.35.									
874	A bill for an act relating to state government; changing certain administrative procedures; providing for the compilation of agency rules and their publication by the revisor of statutes; amending Minnesota Statutes 1978, Sections 3.965; 15.0412, Subdivisions 1, 2, 3, 4, 5, and by adding subdivisions; 15.0413, Subdivisions 1 and 2; 15.0418; 15.0419, Subdivisions 1, 2 and 4; 15.0422; 15.0424, Subdivisions 1, 2 and 6; 15.0425; 15.0426; 15.047, Subdivision 2; 15.05; 15.051, Subdivisions 1, 2 and 3; 15.052, Subdivisions 1, 2, 3, 4, 5, 7, 8 and 9; 15.1691, Subdivision 3; 179.71, Subdivision 5; 179.72, Subdivision 3; 268.12, Subdivision 3; 299A.03, Subdivision 8; 648.31, by adding a subdivision; 648.43; and Minnesota Statutes, 1979 Supplement, Section 15.0411, Subdivision 2; and Chapter 648, by adding a section; repealing Minnesota Statutes 1978, Sections 5.21; 15.0423; and 15.047.	1625	1628	3993	3953a 5386a	4075 5446a	5695 6775	5838 6747*	5897	615
877	A bill for an act relating to insurance premium finance companies; authorizing finance charges at rates permitted by the general usury provisions; amending Minnesota Statutes 1978, Section 59A.09, by adding a subdivision.	1995	1996	2299	2293a		2377			261
882	A bill for an act relating to pollution control; establishing processing procedures for outstanding unpaid charges for solid waste management; providing for certification of certain charges to county auditors for collection of taxes upon the lands served; amending Minnesota Statutes 1978, Section 400.08.	1066	1067	1351	1298 1349a 1919a		1919			164
890	A bill for an act relating to transportation; appropriating money for the operation of Amtrak rail passenger service between the Twin Cities and Duluth.	2763	2764							
897	A bill for an act relating to taxation; income tax and property tax (Continued next page)	1860	1861							

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
897	—Continued refund; clarifying political check-off provisions; providing that farm loss modification is adjustment to gross income; clarifying filing dates; providing penalties; clarifying audit procedures; amending Minnesota Statutes 1978, Sections 10A.31, Subdivision 1; 290.01, Subdivision 20; 290.17, Subdivision 1; 290.41, Subdivision 2; 290.42; 290.49, Subdivision 10; 290.56, Subdivision 2; 290.92, Subdivision 23; 290A.03, Subdivision 3; 290A.06; and 290A.11, Subdivisions 2 and 4.							
898	A bill for an act relating to traffic regulation; authorizing establishment of senior citizen crossing in conformance with uniform specifications adopted by the commissioner of transportation; allowing an authorized emergency vehicle to use an oscillating white light; amending Minnesota Statutes 1978, Section 169.55, Subdivision 1; and Chapter 169, by adding a section.	1066	1068	1297	1295 1917a	1918		185
900	A bill for an act relating to municipalities; authorizing creation of storm sewer reserve funds within storm sewer improvement districts; authorizing special levies in anticipation of capital improvements and bond retirement in storm sewer improvement districts; amending Minnesota Statutes 1978, Chapter 444, by adding a section.	1066	1070		1462 1474 2351			
902	A bill for an act relating to pollution; establishing noise limits for motorboats; appropriating money; amending Minnesota Statutes 1978, Section 361.17.	5556	5557	5692	5680a	5814		530
907	A bill for an act relating to retirement; judges retirement fund; including the conciliation court of the city of Duluth in certain provisions governing judicial retirement; transferring the obligations and assets of the county and probate court judges survivors' account to the judges retirement fund; mandatory retirement requirements for correctional officers; amending Minnesota Statutes 1978, Sections 43.051, Subdivision 3; 490.121, Subdivision 2; and 490.124, Subdivision 8; repealing Minnesota Statutes 1978, Section 490.12, Subdivisions 7 and 8.	1860	1861	2008	2008a 2307 2306a 2323a	2326 2925 2635 2680 2923'		296

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	A bill for an act relating to juries; requiring the department of public safety to provide jury commissioners with drivers' license lists at a reasonable fee; amending Minnesota Statutes 1978, Section 593.37, by adding a subdivision.	1066	1073	1911	1473 1910 2251	2366		218
913	A bill for an act relating to small businesses; increasing state procurement from small businesses; amending Minnesota Statutes 1978, Section 16.083, Subdivisions 1 and 4.	1066	1071	2365	1472a 2470	2361a 2654	2672	283
914	A bill for an act relating to retirement; providing for continued membership in public safety employee pension funds for certain current public safety employees who may not have the power of arrest with a warrant; amending Minnesota Statutes 1978, Sections 352B.01, Subdivision 2; and 353.64, Subdivision 1.	884	885	1498	1464 1956a	1611	1956 2960 2511 2562 2358*	262
921	A bill for an act relating to the city of Ham Lake, Anoka County; extending scope of subdivision regulations within its corporate boundaries; changing the application of urban district in the Minnesota Highway Traffic Regulation Act.	1066	1071	1297	1295	1847a	1848	165
924	A bill for an act relating to commerce; regulating conduct of business under assumed business names; amending Minnesota Statutes 1978, Sections 333.055, Subdivision 3; and 333.13.	3590	3591	4154	4096a 4571	4215	4972	396
936	A bill for an act relating to education; expanding a definition of "American Indian child", providing for membership on the American Indian language and culture education advisory task force; amending Minnesota Statutes 1978, Section 126.47, Subdivision 2; and Chapter 126, by adding a section; repealing Minnesota Statutes 1978, Section 126.53.	804	806	1399	1361a	1497	1949	219
941	A bill for an act relating to corrections; creating a code of corrections; reorganizing various laws relating to corrections, including laws relating to the commissioner, personnel, the ombudsman, compacts, acts, and agreements, institutions, industries, offenders, community-based services, and releases; providing penalties; amending Minnesota Statutes 1978, Sections 244.01, Subdivisions 1 and 2; 244.08; 609.165, Subdivision 1; Chapters 144, by (Continued next page)	3685	3685					

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
941—Continued	adding a section; 244, by adding a section; and 631, by adding sections; repealing Minnesota Statutes 1978, Sections 241.01; 241.02; 241.021; 241.022; 241.045; 241.05; 241.06; 241.07; 241.08; 241.09; 241.10; 241.11; 241.13; 241.14; 241.15; 241.16; 241.17; 241.18; 241.19; 241.20; 241.21; 241.22; 241.23; 241.25; 241.251; 241.26, Subdivisions 1 to 6; 241.271; 241.28; 241.29; 241.30; 241.31; 241.32; 241.41; 241.42; 241.43; 241.44; 241.45; 241.51; 241.52; 241.53; 241.55; 241.56; 241.57; 241.58; 241.61; 241.62; 241.63; 241.64; 241.65; 241.66; 241.69; 242.09; 242.10; 242.14; 242.18; 242.19; 242.20; 242.21; 242.22; 242.23; 242.24; 242.31; 242.32; 242.37; 242.375; 242.385; 242.43; 242.44; 242.45; 242.46; 242.47; 242.48; 242.52; 242.53; 242.55; 243.05; 243.06; 243.07; 243.09; 243.10; 243.12; 243.14; 243.15; 243.16; 243.17; 243.18; 243.20; 243.211; 243.22; 243.23; 243.24; 243.25; 243.26; 243.465; 243.49; 243.50; 243.51; 243.52; 243.53; 243.57; 243.58; 243.61; 243.62; 243.64; 243.78; 243.87; 243.88; 243.91; 260.51; 260.52; 260.53; 260.54; 260.55; 260.56; 260.57; 609.105, Subdivision 2; 609.12; 629.292; 629.294; and Chapter 401; and Minnesota Statutes, 1979 Supplement, Sections 241.023; 241.024; 241.26, Subdivision 7; 241.27; 241.41; 242.51; 243.21; 243.40; 243.48; 243.55; 243.56; 243.59; 243.75; and 243.90.							
942	A bill for an act relating to pollution control; authorizing state use of up to two percent of federal construction grant funds to administer the federal water pollution control act; amending Minnesota Statutes 1978, Section 116.16, Subdivision 10.	4415	4416	4694	4691	4987		397
944	A bill for an act relating to the state civil service; clarifying language and statutory references; providing for modern methods of personnel data record keeping; clarifying the salary setting authority of the attorney general, the chief hearing examiner and the higher education systems; adding and deleting certain job categories in the unclassified civil service; clarifying the rights of classified employees appointed to newly created unclassified positions; providing managerial ben- (Continued next page)	1360	1360					

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
944—Continued	<p>efits to department heads and deputies; modifying the expanded certification procedures; modifying promotional procedures; clarifying the appointment process following reallocation of positions; modifying the emergency and temporary appointment provisions; simplifying the time off in emergencies procedure; coordinating human resource planning with biennial budget preparation; authorizing the commissioner to promulgate rules on special expenses and permitting the commissioner of finance to delegate enforcement of expenses to appointing authorities; clarifying continuance of eligibility for health and life insurance benefits for state employees; removing eligibility for health and life insurance benefits from student workers and interns; excluding hearing examiners from appropriate units; removing the governor from approving modifications in social security agreements with the secretary of health, education and welfare; transferring certain duties and personnel involved in the sale, storage, and transportation of certain agricultural products from the department of public service to the department of agriculture; amending Minnesota Statutes 1978, Sections 15A.13; 43.01, Subdivisions 10 and 11, and by adding a subdivision; 43.05, Subdivision 2; 43.055; 43.062, Subdivision 4; 43.064; 43.09, Subdivisions 2 and 2a; 43.12, Subdivision 15; 43.127, Subdivision 6; 43.15, Subdivision 5; 43.17, Subdivisions 3 and 4a; 43.19; 43.20, Subdivisions 3 and 5; 43.227; 43.32, Subdivision 4; 43.327, Subdivisions 2 and 3; 43.44, Subdivision 2; 43.47, Subdivision 2; 179.74, Subdivision 4; 223.02; 229.01, Subdivision 2; 229.07; 232.01, Subdivision 1; 233.01, Subdivision 1; 233.03; 234.02; 234.10; 235.01; 236.01, Subdivision 5; 355.12; 355.17; 355.207; 355.23, Subdivision 3; 355.286; 355.295; 355.308; 355.45; 355.60; and 355.76.</p>							
954	<p>A bill for an act relating to counties; providing for the time for certain welfare board activities; amending Minnesota Statutes 1978, Sections 393.04; and 393.08.</p>	1066	1067	1498	1473a 1611	1961		186

a Indicates Amendment

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
966	A bill for an act relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties; amending Minnesota Statutes 1978, Section 176.061, Subdivisions 5 and 6.	1066	1069	1297	1297a	1351		81
969	A bill for an act relating to corrections; institutions under the control of the commissioner of corrections; designating them as correctional facilities according to geographical location; prescribing the title for the chief executive officer of each institution; authorizing the temporary detention of persons who trespass upon institution grounds; prescribing penalties; amending Minnesota Statutes 1978, Sections 242.41; 242.51; 243.21; 243.40; 243.48; 243.55; 243.56; 243.59; 243.75; and 243.90; repealing Minnesota Statutes 1978, Sections 243.54 and 243.92.	1066	1072	1297	1296a 1506	1507		102
970	A bill for an act relating to unemployment compensation; limiting benefits paid to certain owners of employing units; amending Minnesota Statutes 1978, Section 268.07, Subdivision 3.	1860	1861	2008	2007a 2317a 2321a	2321	2512 2679	284
976	A bill for an act relating to bingo; raising the compensation allowed persons conducting a bingo occasion; amending Minnesota Statutes 1978, Section 349.17, Subdivision 1.	804	806	1399	1390 1497	1949		166
982	A bill for an act relating to transportation; authorizing an increase in the mileage of the municipal state-aid street system; authorizing the commissioner to grant variances from county state-aid highway and municipal state-aid street rules and engineering standards subject to contested case procedures; requiring the commissioner to adopt certain rules; amending Minnesota Statutes 1978, Sections 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, Subdivision 1, and by adding a subdivision; and 162.13, Subdivision 2.	804	806	1657	1650 1913 1915a	1917		167
988	A bill for an act relating to banks; altering certain definitions relating to detached facilities; amending Minnesota Statutes 1978, Section 47.51.	700	700	1351	1336a 1398	1940		220
990	A bill for an act relating to energy; clarifying the procedures for de- (Continued next page)	1460	1461	2471	2462a 2520 2716a	2729	2802 2843	

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—Continued	<p>declaring an energy emergency; prescribing the powers of the governor and executive council in an emergency; providing for the issuance of emergency rules by the director of the energy agency; prescribing additional elements of the energy emergency conservation and allocation plan; providing for earth sheltered construction zoning variances; prohibiting local governments from banning earth sheltered construction; requiring certain building energy reports and audits; providing for an adult and post-secondary energy education plan; limiting the time for application for certain variances; providing a method for determining certain efficiencies for air conditioners; providing partial funding to school districts, municipalities and counties for energy audits and energy conservation measures; requiring the commissioner of administration to prepare plans for new buildings that utilize alternative energy sources; establishing a state building solar demonstration program; requiring notice to the Minnesota energy agency of the proposed discontinuance of municipal steam heat systems; appropriating funds to the energy agency for various energy related purposes; prescribing a penalty; authorizing a weatherization program for low-income persons; amending Minnesota Statutes 1978, Sections 12.02, Subdivision 1; 12.03, Subdivision 4, and by adding a subdivision; 12.21, Subdivisions 1 and 3, and by adding a subdivision; 12.28; 12.32; 16.32, by adding a subdivision; 116H.02, Subdivisions 3 and 5, and by adding subdivisions; 116H.08; 116H.09, Subdivisions 1, 4, and 5; 116H.11; 116H.12, Subdivisions 1a, 1b, 3a, 3b, and 10; 116H.122; 116H.123; 116H.124; 116H.126; 116H.13; 116H.15; 120.78, Subdivision 1; 325.989, by adding a subdivision; 394.25, Subdivision 3; 394.27, Subdivision 7; 451.09; 462.357, Subdivisions 1 and 6; 462A.02, by adding a subdivision; and Chapter 116H, by adding a section; and Chapter 268, by adding a section; repealing Minnesota Statutes 1978, Section 116H.125.</p>							
994	<p>A bill for an act relating to courts; providing court commissioners with the judicial powers of a judge (Continued next page)</p>	3757	3757					

a Indicates Amendment

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
994	Continued of the county court or the county municipal court; authorizing counties the option of abolishing the office of court commissioner; amending Minnesota Statutes 1978, Section 489.02 and Chapter 489, by adding a section.							
998	A bill for an act relating to corrections; providing for vocational training of the inmates of state correctional facilities; reorganizing and harmonizing the various laws relating to the industrial activities conducted at such facilities; amending Minnesota Statutes 1978, Sections 241.26, Subdivision 7; and 241.27; repealing Minnesota Statutes 1978, Sections 243.19; 243.41; 243.42; 243.43; 243.44; 243.45; 243.46; 243.47; 243.63; 243.66; 243.67; 243.68; 243.80; 243.84; 243.85; 325.45; 325.46; and 325.47.	1066	1073	1351	1348	1925		129
1011	A bill for an act relating to labor; master and apprentice; identifying the ex officio member of the advisory council; authorizing equal opportunity in employment standards; providing for reciprocity recognition of certain programs; changing the terms of apprenticeships; changing the range in apprenticeship committee membership; amending Minnesota Statutes 1978, Sections 178.02, Subdivision 1; 178.03, Subdivision 3, and by adding a subdivision; 178.05, Subdivision 2; and 178.06.	1066	1067	1297	1295	1845		130
1012	A bill for an act relating to housing; prohibiting unfair treatment in housing and real property on the basis of familial status; providing for restrictions on eviction on the basis of familial status; appropriating money; amending Minnesota Statutes 1978, Sections 363.01, Subdivision 24, and by adding subdivisions; 363.02, Subdivision 2; 363.03, Subdivision 2; 363.05, Subdivision 1; 363.11; 363.115; 363.12, Subdivision 1; and Chapter 504, by adding a section.	4093	4095	5577	4997a 5576a 5621 5818a	5823		531
1018	A bill for an act relating to no-fault automobile insurance; providing for coverage of certain medical benefits under automobile insurance policies; providing disability and income loss benefits for certain persons who lose unemployment compensation benefits as a result of accidental injury; amending Minnesota Statutes 1978, Section 65B.44, Subdivisions 2 and 3.	1066	1070	1657	1632 1752 2276a	2278		221

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
1020	A bill for an act relating to crimes; providing for admission into evidence of certain certificates of analysis.	3757	3757					
1023	A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.	1066	1067	1591	1587 1621	1964		168
1029	A bill for an act relating to employments licensed by the state; prescribing certain duties of the board of architecture, engineering, land surveying and landscape architecture; limiting certain rule making powers of the board, and extending the time limit for the making of the rules; amending Minnesota Statutes 1978, Section 326.06; and Laws 1978, Chapter 577, Section 4.	700	700	1351	1337a 1398	1943		222
1033	A bill for an act relating to wrongful death; a clarification of the time limitations for maintaining an action for death by intentional wrongful act where the act responsible for the death constitutes the crime of murder; amending Minnesota Statutes 1978, Section 573.02, Subdivision 1.	744	747	1351	1335a 1945a 1398	1945		
1037	A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.	1460	1460	2299	2251 2292	2373		223
1047	A bill for an act relating to county and county regional jails; providing for establishment and use of county jails and county regional jails and the financing thereof by county contributions and bonds and municipal revenue bonds and leases; amending Minnesota Statutes 1978, Sections 385.18, Subdivision 3; 474.01, Subdivisions 7a and 8, and by adding a subdivision; 474.02, by adding a subdivision; 641.23; 641.24; 641.262, Subdivision 1; 641.263, Subdivision 2; 641.264, Subdivision 1; 641.265; and 642.04.	5228	5229	5692	5680a 6350a	6350		597
1050	A bill for an act relating to the department of veterans affairs; increasing the bed capacity at the Hastings veterans home; eliminating the requirement of certain informational reports relating to the interment of deceased veterans; amending Minnesota Statutes 1978, Section 198.31; repealing Minnesota Statutes 1978, Section 149.07.	1995	1996					

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
1052	A bill for an act relating to retirement; Eveleth joint retired police and firefighters retirement trust fund; providing for a post retirement adjustment; providing post retirement increase for certain benefit recipients from the Chisholm police and firefighters' relief associations.	1331	1332	1498	1472 1659a	1660		131
1062	A bill for an act relating to local government; authorizing the purchase of annuity contracts for retiring Windom firefighters; legalizing proceedings precedent to the issuance of certain Heron Lake general obligation bonds and excluding them from the net debt computation.	1066	1070	1657	1648a 1752 2302a	2303		224
1063	A bill for an act relating to the city of Duluth; increasing the number of directors on the Duluth transit authority and permitting representation of the city of Superior, Wisconsin; providing for directors' terms; amending Laws 1969, Chapter 720, Sections 1, as amended; 2; and 11, Subdivision 3.	1066	1068	1297	1295 1848a	1849		169
1065	A bill for an act relating to state government; regulating meetings, indemnification and appointment of the investment advisory council and annual reports of the state board of investment; amending Minnesota Statutes 1978, Sections 11.117, Subdivisions 4 and 6; 11.118 and 11.145.	884	885	1498	1472a 1611	1955		187
1074	A bill for an act relating to courts; tenth judicial district; authorizing the position of civil commitment referee in Washington County; amending Minnesota Statutes 1978, Section 253A.21, by adding a subdivision; and Chapter 484, by adding a section.	3590	3591					
1084	A bill for an act relating to financial reports; requiring the preparation of annual reports on state finances; appropriating money; amending Minnesota Statutes 1978, Sections 16A.055, 16A.50, 16A.55, Subdivision 1; repealing Minnesota Statutes 1978, Section 16A.55, Subdivisions 2 to 9.	2286	2290	2651	2643a 2680	2824		314
1090	A bill for an act relating to education; authorizing the state boards for community colleges and for vocational education to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Sections 136.62, by adding a subdivision; and 121.21, by adding a subdivision.	4416	4420	4520	4519a 4705a	5027		469

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	
1091	A bill for an act relating to natural resources; providing a public policy directed to preservation of agricultural lands; establishing a temporary joint legislative committee on agricultural land preservation; requiring studies and reports by the state planning agency; providing for staffing of the joint legislative committee.	1582	1583	2351	2351a 2655a	2376	2667	315	
1093	A bill for an act relating to bingo; changing the filing requirements for organizations conducting bingo; amending Minnesota Statutes 1978, Section 349.21, Subdivision 3.	1066	1070	1591	1586	1621	1965	188	
1095	A bill for an act relating to courts; providing for venue for child custody proceedings; authorizing the appointment of a law clerk for each district court judge in the tenth judicial district; authorizing certain actions against state officers to be tried in a county other than where the cause of action arose; providing for procedure for removal; providing penalties; amending Minnesota Statutes 1978, Sections 484.545, Subdivision 1; 542.03; and 542.18; and Minnesota Statutes, 1979 Supplement, Section 518.156, Subdivision 1.	4799	4800	5025	5024a 5435a	5378a	5587 6219	5735 5897 6216*	598
1097	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 1978, Section 500.221, Subdivisions 1, 3, and by adding a subdivision.	1460	1462						
1101	A bill for an act relating to motor vehicles; providing for the issuance of handicapped license plates; amending Minnesota Statutes 1978, Section 168.021, Subdivision 1.	1066	1068	1498	1462a	1611	1961	225	
1111	A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.	2286	2290	2365	2364	2654	2673	285	
1121	A bill for an act relating to the operation and financing of state (Continued next page)	5014	5014	5036	5015 5036a	5034 5079a	5094 6601	5210 5222 6036 6415*	607 (Item 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
1121—Continued	<p>and local government; adopting certain federal income tax changes; allowing a subtraction of certain interest and dividend income; increasing the pension exclusion; adopting technical and conforming amendments to income tax and property tax refund provisions; providing an income tax credit for contributions to candidates for federal offices; providing a definition of "quadriplegic"; increasing low income credit amounts, eliminating indexing of that credit, and allowing it to be taken as an alternative tax; modifying provisions of the renewable energy source credit; authorizing deduction of certain interest; increasing the dependent care credit; allowing involuntary conversion treatment of divestitures required by the F.C.C.; authorizing a non-game wildlife income tax refund checkoff; providing for treatment of small business corporations; providing for taxation of mobile homes; increasing the state share of certain income maintenance payments; providing for taxation of airport concessions; eliminating certain property tax exemptions; adjusting property tax classifications and assessment ratios; increasing the homestead credit; allowing homestead of surviving spouse to retain 3cc classification; adjusting levy limitations; requiring study of agricultural land valuations; modifying the administration of the property tax refund; providing relief for substantial homestead net property tax increases in 1981; requiring state reimbursement of local taxing districts for reduced property tax revenue due to reduced assessment properties; providing certain state and local sales tax exemptions; authorizing certain carriers to be treated as common carriers; providing technical and conforming amendments to tax increment financing provisions; providing for adjustments to captured assessed values and original assessed values; authorizing assessment agreements; restricting use of proceeds of taconite production tax to the taconite relief area; providing for membership of IRRRB; altering source and distribution of certain payments related to taconite taxes; restating apportionment of imputed income under occupation tax provisions; adjusting maximum interest rates on industrial</p> <p>(Continued next page)</p>							

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
1121—Continued	revenue bonds and municipal bonds; increasing limit on issues requiring public sales; eliminating minimum tax on corporations and specific exemption for corporations; providing for taxation of utility property on situs basis; adjusting computation of credit paid to owners of rights of way; restricting procedure for appeals of special assessments; requiring collection of certain debts owed to the state by taking tax refunds; increasing the metropolitan transit levy authorization; creating a joint commuter rail study commission; providing for a study of light rail transit; recodifying the laws governing the state board of investment; altering standards for the investment of state and pension assets; modifying public employee pension provisions and funding mechanisms; making certain changes in the Minneapolis employees retirement fund; authorizing contributions by corporations in relation to ballot questions; allowing deductions from state employees salaries for the Minnesota benefit association; restricting interest related to condemnation actions; providing for taxation of ethyl alcohol; reducing the excise tax on gasohol; authorizing heat-applied cigarette tax stamps; providing county option to impose gravel tax; authorizing licensure of farm wineries and providing for excise tax on wine produced on farm wineries; making reduction of excise tax on sparkling wines permanent; allowing local government to set mileage reimbursement rates; appropriating funds; providing penalties; amending Minnesota Statutes 1978, Sections 10.39, Subdivision 1; 10A.01, Subdivisions 7, 7a, 7b, 10, 10c, 15, 16, and by adding a subdivision; 10A.12, Subdivision 1; 10A.20, Subdivisions 3 and 6; 10A.32, Subdivision 3; 69.77, Subdivision 2, as amended; 69.775; 117.155; 124.212, Subdivisions 2 and 8a; 124.46, Subdivision 4; 167.42; 167.50, Subdivision 2; 168.012, Subdivision 9; 193.146, Subdivision 4; 210A.26, Subdivision 3, and by adding a subdivision; 210A.34, Subdivision 1, and by adding subdivisions; 272.01, Subdivision 2; 273.13, Subdivisions 3, 8a, 9, and 17b; 273.135, Subdivision 2; 273.19, Subdivision 1; 273.36; 273.37, Subdivision 2; 275.11, Subdivi- (Continued next page)							

a Indicates Amendment

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
1121—Continued	<p> aion 2; 275.28, Subdivision 3; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5; 276.04; 290.01, by adding a subdivision; 290.06, Subdivision 1; 290.067, Subdivision 2; 290.068, Subdivision 24; 290.09, Subdivisions 2 and 28; 290.095, by adding a subdivision; 290.13, by adding a subdivision; 290.17, by adding a subdivision; 290.26, Subdivision 2; 290.49, Subdivision 10; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3 and 5; 290A.04, by adding a subdivision; 290A.06; 290A.11, by adding a subdivision; 290A.17; 290A.18; 290A.19; 296.01, by adding a subdivision; 296.02, by adding a subdivision; 296.14, by adding a subdivision; 297.03, Subdivision 6; 297A.01, Subdivision 4; 297A.211, Subdivision 1; 298.17; 298.22, Subdivision 2; 298.223; 298.28, Subdivision 1; 340.47, Subdivisions 1 and 1a; 352.115, Subdivision 8; 352.23; 352.75, Subdivision 3; 352E.26, Subdivision 3; 352D.04, Subdivision 2; 352D.05, Subdivisions 3 and 4; 353.657, Subdivision 3; 353.661, Subdivision 3; 375.192, Subdivision 1; 422A.02; 422A.03, Subdivisions 3 and 5; 422A.05, Subdivisions 1, 3 and 5, and by adding subdivisions; 422A.06, Subdivisions 1, 3, and 5; 429.061, Subdivisions 1 and 2; 429.081; 462.631, Subdivision 1; 471.665, Subdivision 3; 472A.02, by adding a subdivision; 474.06; 475.55; 475.60, Subdivision 2; 475.73, Subdivision 1; 490.123, Subdivision 1; 490.124, Subdivision 1; and Chapters 273; 290; 298; and 477A, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 1; 43.064; 256.82; 256D.03, Subdivision 2; 256D.36, Subdivision 1; 272.02, Subdivision 1; 273.13, Subdivisions 4, 5a, 6, 7, 14a and 19; 273.42; 273.73, Subdivisions 7, 8, 10, 11 and 12; 273.74, Subdivision 3; 273.75, Subdivisions 1, 2, 5 and 6; 273.76, Subdivisions 1, 2, 3, and by adding subdivisions; 273.77; 273.78; 273.86, Subdivision 4; 275.125, Subdivision 9; 275.50, Subdivision 5; 275.51, Subdivision 3d; 290.01, Subdivision 20; 290.06, Subdivisions 11, 3c, 3d, 3f, and 14; 290.067, Subdivision 1; 290.081; 290.09, Subdivision 3; 290.091; 290.095, Subdivision 1; 290.14; 290.17, Subdivision 1; 290.37, Subdivision 1; 290A.03, </p>							

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
1121—Continued	Subdivision 3; 297A.25, Subdivision 1; 352D.02, Subdivision 1; 353.023; 422A.03, Subdivisions 1 and 2; 422A.08, Subdivision 2; 422A.09, Subdivision 3; 424A.02, by adding a subdivision; 424A.04; 471.665, Subdivision 1; 473.446, Subdivision 1; and 473F.08, Subdivision 6; and Laws 1979, Chapter 293, Section 10, Subdivision 1, and by adding a subdivision; and Chapter 303, Article II, Section 39; and repealing Minnesota Statutes 1978, Sections 11.01; 11.015; 11.04; 11.05; 11.06; 11.08; 11.10; 11.11; 11.115; 11.117, Subdivisions 1, 2, 3, 5 and 7; 11.12; 11.13; 11.14; 11.15; 11.16; 11.17; 11.18; 11.19; 11.20; 11.21; 11.22; 11.23; 11.24; 11.25; 11.26; 11.27; 11.28; 290.21, Subdivision 2; 290.971, Subdivision 5; 360.303; 422A.06, Subdivisions 2 and 4; 422A.07; 458.53; Minnesota Statutes, 1979 Supplement, Sections 11.117, Subdivisions 4 and 6; 11.118; 11.145; 273.122; 290.23, Subdivision 16; 340.47, Subdivision 1b; and Laws 1979, Chapter 293, Section 10, Subdivision 2.							
1123	A bill for an act relating to taxation; sales and use tax; clarifying the definition of a sale; specifying tax on food, meals, drinks, and lodging; providing methods of collecting unpaid taxes; amending Minnesota Statutes 1978, Sections 297A.01, Subdivision 3; 297A.14; 297A.33, Subdivision 1, and by adding a subdivision.	1626	1627					
1126	A bill for an act relating to state parks; authorizing the acquisition of certain lands for Afton State Park by eminent domain.	1331	1333	1591	1585a 1966a	1621 1966		170
1138	A bill for an act relating to local government; authorizing the establishment of local government official training programs; appropriating money; amending Minnesota Statutes 1978, Section 471.59, by adding a subdivision.	5556	5558	5692	5681a	5797		532
1144	A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.	1460	1461	1729	1591	1708 1963		171
1145	A bill for an act relating to banks and banking and electronic fund transfers; providing for implementation of certain statutes relating to electronic fund transfers; authorizing the commissioner of banks to adopt temporary rules; (Continued next page)	3757	3757	4694	4595a 5532	4989 5648		486

a Indicates Amendment

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
1145—Continued	permitting counties to make electronic fund transfers; amending Minnesota Statutes 1978, Sections 47.71; and 385.07.							
1158	A bill for an act relating to Independent School District No. 275; providing for the consolidation of Independent School District No. 275.	804	806	1005	925 1003	1228		69
1167	A bill for an act relating to taxation; lowering the excise tax on natural and artificial sparkling wines on a temporary basis.	1626	1627	2008	2003 2376 2559	2560		297
1169	A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; removing references to a state census; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 123.32, Subdivision 12; 275.14; 275.45; 275.53, Subdivisions 2 and 3, and by adding a subdivision; 275.59; 326.40, Subdivision 1; 326.60, Subdivision 1; 368.03; 375.025, Subdivision 1; 376.31; 396.08; 414.01, Subdivision 14; 447.34, Subdivision 1; 641.264, Subdivision 2; 645.44, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 275.53, Subdivision 1; 462C.07, Subdivision 2; 471.697, Subdivision 1; 471.698, Subdivision 1; and repealing Minnesota Statutes 1978, Sections 366.61; 414.033, Subdivision 8; and Minnesota Statutes, 1979 Supplement, Section 275.53, Subdivision 1a.	3590	3591	3841	3823a 3876 4539	4697	5396 5678	487
1190	A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk (Continued next page)	4545	4547	5079	5073a 5539a	5699		533

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	
1190—Continued	highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account; prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 160.27, Subdivision 5; 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 161.51; 169.305, Subdivision 1; 169.42, Subdivision 1; and 505.03, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 1161.01, Subdivision 2.								
1198	A bill for an act relating to wild animals; altering or eliminating certain provisions in regard to the taking, possessing, or transporting of game or fish; amending Minnesota Statutes 1978, Sections 98.46, Subdivision 1; 100.27, Subdivisions 4 and 6; 100.29, Subdivisions 7, 19, and 30; and 101.42, Subdivision 18, and by adding a subdivision.	1860	1861	2008	2005a 2656a	2670 2929	2760 2926*	2782	298
1201	A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; altering certain safety requirements; providing an outline for distributing water safety enforcement funds; amending Minnesota Statutes 1978, Sections 361.02, by adding subdivisions; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.18; 361.20; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; and 361.27, Subdivision 1; repealing Minnesota Statutes 1978, Section 361.15, Subdivision 2.	5556	5559	5692	5681a	5796 6093	5836 6091*	5897	568

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
1206	A bill for an act relating to energy; encouraging municipalities to make maximum utilization of diseased shade trees.	1626	1627	2299	2295a	2378 2931	2512 2562 2930*	299
1207	A bill for an act relating to motor vehicles; excluding owners of certain trailers from the requirement to furnish evidence of security; amending Minnesota Statutes 1978, Section 65B.68, Subdivision 2.	3925	3926	4482	4463 4705	4541 5033		426
1212	A bill for an act relating to Ramsey County; providing for court and probation services in the county; amending Laws 1974, Chapter 435, by adding a section; repealing Minnesota Statutes 1961, Sections 636.09; 636.10; 636.11; 636.12; 636.14; 636.19; and 636.21; and Laws 1923, Chapter 289, Sections 1, as amended; 2, as amended; 3, as amended; 4, as amended; 6, as amended; 11, as amended; and 13, as amended; and Laws 1965, Chapter 469, Section 8, as amended.	1331	1333					
1214	A bill for an act relating to Independent School District No. 786, Bertha-Hewitt; exempting it from certain requirements for obtaining one capital loan from the equalization aid review committee; setting a limit for that loan.	1066	1071	1297	1295	1352		76
1216	A bill for an act relating to liquor and nonintoxicating malt beverage; registration of labels; amending Minnesota Statutes 1978, Section 340.62.	4093	4095					
1220	A bill for an act relating to retirement; metropolitan transit commission-transit operating division employees; clarifying the amortization obligation of the metropolitan transit commission to the Minnesota state retirement system; calculating service credit for certain part time transit operating division employees; clarifying the provision of the minimum disability coverage; providing a retirement annuity to certain former transit operating division employees; providing service credit for certain military service leaves of absence; amending Minnesota Statutes 1978, Sections 352.01, Subdivisions 11 and 16; 473.417; 473.418; and Laws 1978, Chapter 538, Section 21.	1066	1073					
1226	A bill for an act relating to courts; providing that probate court shall have tort action jurisdiction; amending Minnesota Statutes 1978, Section 524.3-105.	884	885	1399	1351 1394	1924		132

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
1227	A bill for an act relating to health; adding a time limit for district court hearing of appeals under the Minnesota hospitalization and commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.	884	885	1399	1351 1396a	1924		172
1235	A bill for an act relating to real estate; setting effective dates for provisions regulating the validation of foreclosure sales; amending Minnesota Statutes 1978, Section 582.27.	884	886	1657	1632	1914		133
1236	A bill for an act relating to the town of Forest Lake; exempting it from certain tax levy limitations.	1626	1627	2365	2360 2654 2470	2669		286
1238	A bill for an act relating to crimes; prohibiting taking, detaining, or failing to return a child in violation of a court order; prescribing penalties; amending Minnesota Statutes 1978, Section 609.26.	1860	1861	2299	2292 2374a	2374 2446	2446a	263
1241	A bill for an act relating to natural resources; reducing local match required for dam repair and reconstruction grants; authorizing loans for local share of project costs; authorizing sale of bonds for loan program; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 3 and 5, and by adding a subdivision.	2432	2432	2520	2519a 2657a	2674 2917	2749 2782 2916*	300
1245	A bill for an act relating to crime victims reparations; providing that the record of a claim may be used as evidence by the state on its subrogation claim; providing that the state's right of subrogation shall not limit the claimant's right to recover for other damages; amending Minnesota Statutes 1978, Sections 299B.10; and 299B.14.	884	886	1351	1336 1398	1946		173
1251	A bill for an act relating to public welfare; prohibiting denial or reduction of benefits under certain private health care plans to public assistance recipients; providing subrogation rights for counties to recover costs of services provided; amending Minnesota Statutes 1978, Sections 62A.045; 62C.141; 62E.04, Subdivision 8; 64A.221; and Chapter 393, by adding a section.	1066	1072	1351	1338a 1398	1948		174
1253	A bill for an act relating to open space and recreation; providing for the acquisition and betterment of open space lands, state trails, forests, fish and wildlife management. (Continued next page)	2512	2513	2562	2513 2563a 2562	2564		301

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
1253	Continued ment, natural and scientific areas, and accesses to public waters; payments to counties in lieu of taxes on public hunting grounds and game refuges; establishing Tettegouche State Park; prescribing the powers and duties of the commissioner of natural resources in relation to Tettegouche State Park; establishing a citizen's advisory task force on the Boundary Waters Canoe Area; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1978, Section 97.49, Subdivision 3; and Laws 1977, Chapter 421, Section 13, Subdivision 3.							
1256	A bill for an act relating to fire insurance; repealing certain requirements for examination and appraisal of insured structures; repealing Minnesota Statutes 1978, Section 65A.08, Subdivision 1.	1066	1069	1351	1338a 1398	1947		175
1262	A bill for an act relating to the city of Breezy Point; relating to its tax levy for general purposes; repealing Laws 1971, Chapter 110.	4798	4800	5502	5493	5597		470
1268	A bill for an act relating to state lands; authorizing the conveyance of certain lands in Otter Tail County to the city of Fergus Falls; directing the conveyance of certain lands in Clay County.	1066	1068	1297	1295 1665a	1666		134
1272	A bill for an act relating to aeronautics; excluding parachutes and parachuting from the jurisdiction of the department of transportation; amending Minnesota Statutes 1978, Section 360.013, Subdivisions 2, 3 and 11.	3715	3715	4563	4550 4708 5532	5643		488
1274	A bill for an act relating to retirement; teachers retirement association; qualifications for executive director; definition of teacher; application of proportionate annuity; payment of teachers' annuities; refunds of accumulated contributions; amending Minnesota Statutes 1978, Sections 354.05, Subdivision 2; 354.06, Subdivision 2; 354.44, Subdivision 1a, and by adding a subdivision; and 354.47, Subdivision 1.	1331	1331					
1286	A bill for an act relating to commerce; providing for the qualification of free distribution newspapers as legal newspapers; amending Minnesota Statutes 1978, Section 331.02, Subdivisions 1 and 6; repealing Minnesota Statutes 1978, Sections 16.61 and 331.09.	4175	4176	4563	4553a 5532	4708	5644	471

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
1302	A bill for an act relating to commerce; permitting banks, trust companies and mutual savings banks to take junior liens under certain circumstances; requiring availability of bank ownership information; requiring the commissioner of banks to report on federal usury preemption; providing a federal preemption override; establishing certain time price differentials on retail installment sales of mobile homes; exempting certain insurance contracts, employee benefits and rights of action from garnishment or attachment; amending Minnesota Statutes 1978, Sections 48.19, Subdivision 1; 50.14, Subdivision 5; and 168.72; 550.37, by adding subdivisions; and Chapter 47, by adding sections; repealing Minnesota Statutes, 1979 Supplement, Section 48.185, Subdivision 2.	3925	3926	4694	4593a 5540a	4989 5700 6614	5837 5897 6610*	599
1307	A bill for an act relating to cable communications; regulating the franchising and operating of cable communications systems; amending Minnesota Statutes 1978, Sections 238.02, Subdivisions 3, 6 and 8; 238.05, Subdivision 17; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2.	3715	3715					
1309	A bill for an act relating to mobile homes; regulating space and lot rentals and leases; regulation of mobile home parks; prohibiting unreasonable park rules and regulations; requiring notice; specifying grounds for eviction and access; prohibiting retaliatory conduct; amending Minnesota Statutes 1978, Sections 327.20, by adding a subdivision; 327.42, Subdivision 2, and by adding subdivisions; 327.43, Subdivision 2, and by adding a subdivision; 327.44; and Chapter 327, by adding sections.	1860	1862	2299	2295a 2375a	2375		264
1324	A bill for an act relating to arson; fire loss information; authorizing certain agencies to request and receive from insurance companies information relating to fire losses; providing for immunity to insurance companies providing fire loss information; providing for confidentiality of released information; providing for testimony in matters under litigation; providing for penalties.	1460	1461	1729	1591 1963a	1728a 1964		226

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
1329	A bill for an act relating to aeronautics; changing the representation on joint airport zoning boards for cities of the first class; clarifying town representation on joint airport zoning boards; requiring the metropolitan airports commission to establish separate zoning boards for each airport under its control; providing additional notice and hearing requirements for adoption or amendment of airport zoning regulations; requiring the metropolitan airports commission to consider the St. Cloud municipal airport as the site of an additional airport; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; 360.065; and 473.608, by adding a subdivision.	1066	1069	1498	1496a 1928a	1931 2936	2430 2470 2932*	302
1349	A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Kandiyohi county for the purpose of correcting conveyancing errors.	4415	4417	4694	4691	4986		398
1353	A bill for an act relating to motor vehicles; establishing fees for motorized bicycle operator permits; excepting motorized bicycles from seat belt requirements; amending Minnesota Statutes 1978, Sections 169.223, Subdivision 1; 169.685, Subdivision 1; and 171.02, Subdivision 3.	1066	1073	1657	1650 1752	2303		227
1364	A bill for an act relating to the regulation of securities; exempting certain securities from certain registration and filing requirements; amending Minnesota Statutes 1978, Section 80A.15, Subdivision 1.	1860	1861	2005	2005	2304		228
1377	A bill for an act relating to financial institutions; providing intervals for examination of institutions by state or federal agencies; amending Minnesota Statutes 1978, Section 46.04.	1066	1069	1351	1336a 1398	1947		229
1381	A bill for an act relating to the county of St. Louis; permitting the sale of certain tax-forfeited land.	1066	1068					
1386	A bill for an act relating to the city of St. Paul; fixing the rate of the franchise fee for utility supplies to residential dwellings.	1331	1332	1399	1397a	1853 2252	1940 2252a	189
1392	A bill for an act relating to labor; requiring operators of motor vehicles to stop and proceed with caution at certain entrances and exits; imposing a penalty.	1626	1628	2299	2295a 2654	2671		331

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
1394	A resolution memorializing the Legislature and Governor of the state of Wisconsin to amend the Wisconsin statute governing tuition reciprocity payments.	1331	1333					
1408	A bill for an act relating to motor vehicles; providing for the proration of taxes on certain vehicles on the basis of the registration period; providing for the issuance and use of certain motor vehicle dealer plates; adjusting the bond provisions for certain dealers; authorizing dealers' licenses for the sale of motorized bicycles; specifying grounds for suspension and revocation of dealers' licenses; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 2, and 168.27, Subdivisions 2, 12, 20, 22 and 24.	4799	4800	5025	5023	5120		427
1411	A bill for an act relating to Beltrami County; providing for disposition of the proceeds from the sale or rental of tax forfeited lands or from the sale of their products; increasing the amount that may be spent for promotion of tourist, agricultural and industrial developments; amending Laws 1967, Chapter 558, Section 1, Subdivision 5.	1066	1069	1297	1295	1854		135
1427	A bill for an act relating to banks; raising the amount of an employee loan possible without prior board approval; amending Minnesota Statutes 1978, Section 48.08.	3925	3926	4215	4214 4491	4567		399
1433	A bill for an act relating to certain political subdivisions; authorizing the issuance of revenue bonds for the acquisition and installation of equipment for hospital and medical purposes; authorizing the issuance of general obligation bonds for the construction of a municipal library and community center.	1582	1583	1657	1657a 1922a	1923		136
1435	A bill for an act relating to health; exempting out of state physicians from licensing regulations under certain conditions; abolishing the hospital administrator registration program; amending Minnesota Statutes 1978, Section 147.09; repealing Minnesota Statutes 1978, Sections 144.59 to 144.65.	4012	4013	4520	4512 4579 5384a 5532	5641 6085	5734 5826 6084*	567
1436	A bill for an act relating to the city of Currie in Murray County; authorizing the city to convey lands to a private individual, group or corporation.	1066	1069	1297	1295	1353		77

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	A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.	5228	5228	5523	5512a 5716a	5798		534
1444	A bill for an act relating to the city of McGregor; authorizing the issuance of bonds for the acquisition and betterment of a municipal fire hall and community center.	1582	1583	1657	1656a	1939		230
1451	A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition and sales in relation thereto; discontinuing Traverse des Sioux state park; repealing Minnesota Statutes 1978, Section 85.012, Subdivision 56.	4416	4421	5079	4482 5073a 5538a	5698		489
1453	A bill for an act relating to retirement; changing the provisions governing and the coverage of various state and local public employee retirement plans; authorizing the payment of severance pay to retiring employees; amending Minnesota Statutes 1978, Sections 352.90; 352.91, Subdivisions 1 and 2, and by adding a subdi-	3757	3757	3993	3779 3981 4075 4491 4570 4705a 5361a	5579 5733 6376 6366*	5826	600

(Continued next page)

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	
1453—Continued	vision: 352B.08, Subdivision 2; 356.24; 473.417, as amended; and Minnesota Statutes, 1979 Supplement, Sections 43.051, Subdivision 3; and 465.72; and Laws 1953, Chapter 91, Section 1, Subdivision 7, as amended; Laws 1955, Chapter 151, Sections 1, Subdivision 5, as amended; 3, Subdivision 2; 13, as amended; and 16; and repealing Laws 1959, Chapter 131, Section 25, as amended; and Laws 1969, Chapter 641, Section 5.								
1465	A bill for an act relating to taxation; extending the time for claiming credits against the tax on taconite and iron sulphides; amending Minnesota Statutes 1978, Section 298.24, Subdivision 3.	1626	1627	2446	2433 2848	2520			
1467	A bill for an act relating to state government; setting wage and fringe benefits to employees in the executive and judicial branches of state government; ratifying certain collective bargaining agreements; making changes in the state civil service and personnel laws; making changes in public employment labor relations law; creating a legislative commission on employee relations; providing for a study of state employment and labor relations practices; providing for attrition in state funded personnel positions; transferring certain duties from the public service commission to the department of agriculture; appropriating money; amending Minnesota Statutes 1978, Sections 15.0411, Subdivision 2; 15A.081; 15A.083, Subdivisions 1, 2, and 4; 15A.13; 16A.123; 43.01, Subdivisions 10, 11, 14 and by adding a subdivision; 43.05, Subdivision 2; 43.055; 43.064; 43.09, Subdivisions 2 and 2a; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 15, 16, 17, 23, 24, 25 and by adding subdivisions; 43.122, Subdivision 5; 43.126, Subdivision 1; 43.127, Subdivision 6; 43.15, Subdivision 5; 43.17, Subdivisions 3 and 4a; 43.19; 43.20, Subdivisions 3 and 5; 43.227; 43.24; 43.32, Subdivision 4; 43.327, Subdivisions 2 and 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.47, Subdivision 2; 43.491, Subdivision 5; 43.50, Subdivision 1; 43.51; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.64, Subdivision 7; 179.65, Subdivision 6; 179.66, Subdivision 1; 179.67, by adding a subdivision; 179.72, by (Continued next page)	2432	2432	2565	2556 2565a	2634 3023	2713 2967*	2716	332

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
1467	—Continued adding subdivisions; 179.74, Subdivisions 4 and 5; 223.02; 229.01. Subdivision 2; 229.07; 231.01. Subdivisions 1 and 2; 232.01. Subdivision 1; 233.01. Subdivision 1; 233.03; 234.02; 234.10; 235.01; 236.01. Subdivision 5; 299D.03. Subdivisions 2, 3 and 9; 355.12; 355.17; 355.207; 355.23. Subdivision 3; 355.286; 355.295; 355.308; 355.45; 355.60; 355.76; 645.44. Subdivision 5; and Chapter 3, by adding a section; repealing Minnesota Statutes 1978, Sections 15A.083, Subdivision 4a; 43.03; 43.06; 43.062; 43.063; 43.064; 43.065; 43.067; 43.068; 43.069; 43.07; 43.09; 43.111; 43.12; 43.121; 43.122; 43.126; 43.127; 43.128; 43.13; 43.14; 43.162; 43.17; 43.18; 43.19; 43.20; 43.21; 43.22; 43.222; 43.223; 43.224; 43.23; 43.24; 43.245; 43.321; 43.322; 43.323; 43.324; 43.326; 43.327; 43.33; 43.44; 43.45; 43.46; 43.48; 43.49; 43.50; and 43.51.							
1473	A bill for an act relating to fiduciaries; providing for replacement of trustees; establishing guidelines for compensation of personal representatives; providing that cost considerations are a factor in the removal of trustees and personal representatives; amending Minnesota Statutes 1978, Sections 501.43; 524.3-611; and 524.3-719.	1360	1360	1498	1497a 1925a	1925		137
1488	A bill for an act relating to St. Louis County; providing authority to negotiate public employees wages; amending Laws 1941, Chapter 423, Section 5, as amended.	4093	4093	4215	4213	4360		365
1495	A bill for an act relating to taxation; providing certain modifications of gross income; increasing and extending certain credits against income tax; adjusting the individual income tax brackets, credits and maximum standard deduction for inflation; increasing the maximum standard deduction; providing for computation of charitable contribution deduction; providing for allocation of out-of-state income; increasing maximum political contribution credits; providing for treatment of severance pay as a lump sum distribution; increasing the state share of certain income maintenance payments; clarifying a tax exemption for certain types of public property; reducing certain property assessment ratios; pro-	1995	1996	2015	1998 2015a	2250 3364	2321 2323 2333 3233*	303

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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
1495	<p>Continued viding for assessment of certain subsidized housing; extending agricultural homestead treatment to noncontiguous land; providing for certain levies; increasing the homestead credit; eliminating the limited market value; providing a property tax credit for owners of property containing transmission lines; providing a property tax credit and exemption for wetlands; clarifying the property tax status of municipal airport property; making various adjustments in the computation of levy limits; delaying the effect of the coefficient of dispersion penalty; increasing certain property tax refund amounts; abolishing the inheritance tax; establishing an estate tax; repealing the gift tax; extending the pollution control equipment credit; providing a residential energy credit; increasing the amount and providing for the distribution of aids to local governments; providing state assistance for municipal pension costs; altering the tax treatment of railroads; providing for payment in lieu of taxes on certain lands; providing a sales tax exemption for sewer and water charges; requiring the commissioner of revenue to administer the Minnesota unfair cigarette sales act; providing for notice and hearing regarding forfeiture of severed mineral rights; extending a credit against the taconite tax; authorizing contracts made by the city of Minneapolis; allowing a levy for storm sewers by the cities of Golden Valley and Plymouth; extending the term of members of a citizens' committee; providing retroactive gift tax exemption for certain gifts to minors; appropriating money; amending Minnesota Statutes 1978, Sections 93.55; 121.904, Subdivision 11b; 256.82; 256D.03, Subdivision 2; 256D.36, Subdivision 1; 256D.37, Subdivision 1; 270.06; 272.02, Subdivision 1, and by adding a subdivision; 273.11, Subdivision 2; 273.122, Subdivisions 1 and 2; 273.13, Subdivisions 2a, 4, 5a, 6, 7, 14a, 19, and by adding a subdivision; 273.132; 273.17, Subdivision 1; 273.42; 275.125, Subdivision 6a; 275.50, Subdivision 6; 275.51, Subdivision 3d; 275.52, Subdivision 4; 275.53, Subdivision 1, and by adding a subdivision; 290.01, Subdivision 20; 290.012, Subdivision 3; 290.032.</p> <p>(Continued next page)</p>							

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
1495—Continued	Subdivision 3, and by adding a subdivision; 290.06, Subdivisions 2c, 3c, 3d, 9, 9a, 11, and by adding subdivisions; 290.067, Subdivision 1; 290.081; 290.09, Subdivisions 4 and 15; 290.091, 290.095, Subdivision 1; 290.14; 290.17, Subdivisions 1 and 2; 290.21, Subdivision 3; 290.23, by adding a subdivision; 290.37, Subdivision 1; 290A.03, Subdivisions 3, 11 and 13; 290A.04, Subdivisions 2, 2a, 2b, and 3; 291.005, Subdivision 1; 291.01; 291.03; 291.05, 291.051; 291.06; 291.065; 291.07, Subdivision 1; 291.08; 291.09, Subdivisions 5 and 7, and by adding subdivisions; 291.11, Subdivision 1; 291.111, Subdivision 1; 291.132; 291.14; 291.19, Subdivision 3; 291.20, Subdivision 1; 291.27; 291.33, Subdivision 1; 292.04; 295.02; 296.18, Subdivisions 1, 2, 3 and 8; 297A.01, Subdivision 3; 298.24, Subdivision 3; 352.15, Subdivision 1; 353.01, Subdivision 2a; 353.15; 354.10; 354A.11; 360.035; 422A.10, Subdivision 1; 473.595, Subdivision 1; 475.53, Subdivision 4; 477A.01, Subdivisions 1, 2 and 4; 477A.03; 477A.04, Subdivision 2; 524.3-706; 524.3-916; 524.3-1001; 525.091, Subdivisions 1 and 2; 525.312; 525.71; 525.74; and 525.841; and Chapters 93; 270; 273; 291; 298; 353; 355 and 422A, by adding sections; Laws 1977, Chapter 423, Article VIII, Section 1, Subdivision 10; repealing Minnesota Statutes 1978, Sections 3A.08; 116C.635; 272.59; 273.11, Subdivision 2; 272.59; 290.06, Subdivision 12; 291.02; 291.07, Subdivisions 2 and 2a; 291.09, Subdivisions 1, 2, 3 and 4; 291.10; 291.11, Subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 291.12, Subdivision 4; 291.19, Subdivision 5; 291.20, Subdivision 3; 291.21, Subdivision 2; 291.22; 291.23; 291.24, 291.25; 291.26; 291.29, Subdivisions 1, 2, 3 and 4; 291.30; 291.34; 291.35; 291.36; 291.37; 291.38; 291.39; 291.40; 292.01; 292.02; 292.03; 292.031; 292.04; 292.05; 292.06; 292.07; 292.08; 292.09; 292.105; 292.111; 292.112; 292.12; 292.125; 292.14; 292.15; 295.01, Subdivisions 2 and 3; 295.02; 295.03; 295.04; 295.05; 295.12; 295.13; 295.14; and 477A.01, Subdivisions 3 and 4a.							
1499	A bill for an act relating to minerals; providing for notice and opportunity for hearing prior to forfeiture for failure to file a statement of severed mineral interest. (Continued next page)	2512	2513		2513			

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	and amending certain laws related thereto; validating certain statements; amending Minnesota Statutes 1978, Sections 93.55; 273.13, Subdivision 2a; and Chapter 93, by adding a section.							
1507	A bill for an act relating to appropriations; abolishing certain standing appropriations; amending Minnesota Statutes 1978, Sections 9.061, Subdivision 5; and 638.08; repealing Minnesota Statutes 1978, Section 7.07.	3549	3549	5659	5653 5825	6607	Veto	
1513	A bill for an act relating to the environment; regulating activities of drillers of exploratory borings; specifying the powers and duties of public officers and agencies; providing penalties; amending Minnesota Statutes 1978, Sections 156A.01; 156A.02, Subdivision 1, and by adding subdivisions; 156A.03, Subdivision 1; 156A.04; 156A.06, Subdivision 1; 156A.08; and Chapter 156A, by adding a section.	4175	4177	5119	4500 4514a 5117a 5222 5737a	5739		535
1518	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, corrections ombudsman, health, health related boards; repealing Minnesota Statutes 1978, Section 256B.44, Subdivision 2.	1331	1331	1419	1332 1418 1419a	1445 2877	1460 1582 1913 1968 2849*	336
1519	A bill for an act relating to transportation; appropriating money for highway development.	1331	1332	1505	1446 1505a	1505		103
1526	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 1978, Sections 120.81, Subdivision 2; 123.38, Subdivision 3; and 124.572, by adding a subdivision; repealing Minnesota Statutes 1978, Section 197.78, Subdivision 2.	1331	1332	1400	1332 1399 1400a	1418 2900	1459 1912 1968 2878*	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
1534	A bill for an act relating to real estate; increasing certain fees charged by the county recorder and registrar of titles; providing that the county recorder be notified of deferred assessments; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 11; 357.18, Subdivision 1; 375.14; 429.061, Subdivision 2; 462.358, by adding a subdivision; and 508.82.	4545	4548	4694	4693a 5375a	5582 6082	5837 6081*	5897 560
1563	A bill for an act relating to the organization and operation of state government; appropriating money for the department of transportation and for other purposes with certain conditions; amending Minnesota Statutes 1978, Sections 161.123; 174.24, Subdivision 3; 360.015, by adding a subdivision; and Laws 1973, Chapter 567, Section 8; repealing Minnesota Statutes 1978, Section 174.28.	1626	1627	1729	1709a 2522a	2556	2760 2782	
1577	A bill for an act relating to real property; empowering the commissioner of banks to clear certain title defects involving a defunct state agency.	4415	4417					
1601	A bill for an act relating to political parties; allowing members of political party committees and delegates to party conventions to take certain leave time from employment; providing penalties; amending Minnesota Statutes 1978, Chapter 202A, by adding a section.	3925	3926	4215	4214a 4491	4566		400
1603	A bill for an act relating to welfare; clarifying certain provisions of the general assistance medical care program; establishing an earned income disregard work incentive in the general assistance program; making various other changes in the general assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 256D.01; 256D.02, Subdivisions 4, 9, 10, 11, 12, and by adding a subdivision; 256D.03, Subdivisions 1 and 3; 256D.04; 256D.06, Subdivisions 1 and 2; 256D.08, Subdivision 2; 256D.09, Subdivision 1; 256D.10; 256D.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 256D.13, Subdivision 1; 256D.16; and 256D.18, Subdivisions 2 and 4; and Minnesota Statutes, 1979 Supplement, Sections 256D.03, Subdivision 2; 256D.07; and 256D.08, Subdivision 1.	5556	5558	5692	5682a 5829a	5829		536

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
1605	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 building bonds; appropriating money, and authorizing a special levy.	2641	2642	2772	2772a	2778 3375	2837 2843 3368*	338
1606	A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.	2641	2642	2779	2778 2779a	2781 3379	2837 2843 3376*	339
1612	A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing for municipal planning; authorizing regulation of subdivisions; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Sections 462.351; 462.352, by adding subdivisions; 462.355, Subdivision 4; 462.358, Subdivision 4, and by adding subdivisions; repealing Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2 and 3.	5507	5508	5659	5655a 5803a	5814 6081	5835 5897 6064*	566
1619	A bill for an act proposing an amendment to the Minnesota Constitution, Article V, Section 3, removing the requirement that notaries public be approved by the senate; amending Minnesota Statutes 1978, Section 359.01.	6040	6040		6040			
1623	A bill for an act relating to insurance; providing for the operation of the Minnesota life and health insurance guaranty association; correcting certain oversights and ambiguities; making certain improvements; amending Minnesota Statutes 1978, Sections 61B.02, Subdivision 1; 61B.05, by adding a subdivision; 61B.07, Subdivisions 1, 2, 3 and 7; and 61B.15.	4093	4093	4215	4213a 4492a	4567		401
1653	A bill for an act relating to public welfare; eliminating authorization for Minnesota State Children's Center; repealing Minnesota Statutes 1978, Sections 260.41 to 260.46.	4012	4013	4520	4512 4579 5432	5592		472
1655	A bill for an act relating to pollution; recognizing the extent and severity of the problem of acid pre- (Continued next page)	5399	5400	5523	5520a 5827a	5827		490

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
1655	Continued cipitation; appropriating funds and designating state agencies and departments to conduct activities designed to identify, control and abate acid precipitation.							
1656	A bill for an act relating to motor vehicles; providing for delivery of motor vehicle certificates of title to owners upon satisfaction of a security interest; amending Minnesota Statutes 1978, Section 168A.20, Subdivision 1.	4175	4176	4360	4359	4484		369
1661	A bill for an act relating to alcoholic beverages; increasing the age for licensing, sale, consumption, possession and furnishing; establishing minimum period of license revocation for certain persons convicted of driving while intoxicated, refusing or failing chemical test; increasing and changing penalties for furnishing alcoholic beverages to certain persons; amending Minnesota Statutes 1978, Sections 169.121, Subdivision 3; 169.123, Subdivisions 2 and 4; 340.02, Subdivision 8; 340.035, Subdivisions 1 and 2; 340.119, Subdivision 2; 340.13, Subdivision 12; 340.14, Subdivision 1a; 340.403, Subdivision 3; 340.73, Subdivisions 1 and 3; 340.731; 340.78; 340.79; 340.80; and 340.81.	4799	4801					
1662	A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.	5228	5228	5523	5510a	5706 6086	5839 6086*	5897 572
1666	A bill for an act relating to transportation; repealing a certain administrative rule of the department of transportation enforcing parallel parking on certain streets and highways.	4175	4176	4360	4359	4483		370
1684	A bill for an act relating to state lands; providing for the conveyance of certain land to the cities of Virginia and Thief River Falls.	3757	3757	4563	4550a 5532	4708 5644 5706a	5692 5706a	473
1692	A bill for an act relating to insurance; requiring the issuance of temporary licenses to certain qualified persons; amending Minnesota Statutes 1978, Section 60A.17, by adding a subdivision.	4175	4176					
1693	A resolution memorializing the President and Vice President of the United States, the United States Congress, and the United States (Continued next page)	3685	3685					

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
1693—Continued	States Secretary of Defense to select the Duluth Air Force Base as the Space Shuttle Control Center.							
1695	A bill for an act relating to highways; providing that a resolution of a county board revoking a county highway that would revert to a town is not effective until the highway meets county road standards; amending Minnesota Statutes 1978, Section 163.11, Subdivision 5a.	4175	4176	4360	4359a 4539	4700		402
1699	A bill for an act relating to food; exempting certain donors of food from civil and criminal liability in certain circumstances.	4416	4421					
1706	A bill for an act relating to transportation; providing for a travel information franchise program, and prescribing the powers and duties of the commissioner of transportation in relation thereto; amending Minnesota Statutes 1978, Sections 160.08, Subdivision 7; 161.23, Subdivision 3; 161.433, Subdivision 2; and 161.434.	4545	4547					
1707	A bill for an act relating to children; requiring reports of neglect and sexual abuse of children; amending Minnesota Statutes, 1979 Supplement, Section 626.556, Subdivision 2.	4093	4094					
1710	A bill for an act relating to energy; establishing a legislative commission on energy; stating energy policy; broadening the scope of state weatherization programs; creating a state emergency residential heating program; expanding energy awareness programs; creating a Minnesota biomass center; providing for an ethanol demonstration plant; providing grants and assistance for community energy planning; expanding consumer representation in certain energy hearings; regulating delinquency charges on customer or subscriber accounts; providing guidelines for a state plan for spending federal money; reimbursing counties for emergency energy assistance expenses; providing education on building energy efficiency; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending (Continued next page)	5228	5229	5629	5523 5628 5691a	5637 6033	5673 5705 6010*	579

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	
1710—Continued	Minnesota Statutes 1978, Sections 45.17, by adding a subdivision; 90.195, 116H.01; 116H.087; 116H.12, Subdivision 11; 116H.129, Subdivision 5; 216B.16, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.								
1715	A resolution memorializing the Civil Aeronautics Board and the President of the United States to authorize non-stop service by Northwest Airlines between Minneapolis-St. Paul and London.	3685	3685		3791 4448	3804			
1723	A bill for an act relating to snow-mobiles; authorizing use in trapping related activities in certain counties; amending Minnesota Statutes, 1979 Supplement, Section 100.29, Subdivision 30.	4498	4498	4694	4691	5249	5584	474	
1727	A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; authorizing a multi-purpose declaration of parentage; providing counsel for certain minor parents; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; changing certain procedures and criteria for termination of parental rights; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivisions 2 and 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; 259.27, Subdivision 4; 260.221; 260.241, Subdivisions 1 and 2; and Chapters 257 and 260, by adding sections; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.	4545	4548	4694	4692a	5379a	5588 6064	5675 5705 6056*	561
1730	A bill for an act relating to commerce; limiting product liability actions against non-manufacturers.	4798	4800						
1731	A bill for an act relating to labor; regulating certain steam engines and boilers and steam engine and boiler operators; amending Minnesota Statutes 1978, Chapter 183, by adding a section.	4498	4498	5247	5119 5534a	5245 5551	5642 6227	5840 6226*	6036 601

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
1732	A bill for an act relating to motor vehicle carriers; defining courier services carrier; providing the procedures for granting permits to courier services carriers; excluding courier service carriers from the term regular route common carrier; amending Minnesota Statutes 1978, Sections 221.011, Subdivision 9, and by adding a subdivision; and 221.121, by adding a subdivision.	4175	4176	4380	4359a 4539	4699		428
1742	A bill for an act relating to highway traffic regulations; authorizing pickup trucks used for certain purposes to draw two trailers under certain circumstances and within limited areas; amending Minnesota Statutes 1978, Section 169.81, by adding a subdivision.	4416	4421	4563	4550 4708 5532	5645		491
1763	A bill for an act relating to education; increasing the bonding authority of the higher education coordinating board; amending Minnesota Statutes, 1979 Supplement, Section 136A.171.	5399	5400	5523	5521a	5739		537
1764	A resolution memorializing the United States Congress to enact legislation to extend the deadline for states to comply with recent amendments to the National Health Planning and Resources Development Act.	4012	4013		4513a			
1765	A bill for an act relating to financial institutions; excluding certain loans made by credit unions in calculating outstanding loans and risk assets for reserve fund purposes; amending Minnesota Statutes 1978, Section 52.17.	4415	4417	5247	4520 5245 5532	5642		492
1768	A bill for an act relating to partition fences; exempting certain lands from the provisions of chapter 344; providing that when only one owner or occupant is benefited by a fence he shall be assigned the entire expenses of the fence; amending Minnesota Statutes 1978, Section 344.03, Subdivision 1; and Chapter 344, by adding sections.	5100	5101	5247	5246a 5538a 6048			
1769	A bill for an act relating to public welfare; providing access to criminal conviction data of certain applicants for licenses; amending Minnesota Statutes 1978, Section 245.783, Subdivision 3.	4416	4420					
1774	A bill for an act relating to juries; authorizing the trial court in civil actions to seat a jury of 12 persons; amending Minnesota Statutes 1978, Section 593.01, by adding a subdivision.	4415	4417					

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
1778	A bill for an act relating to Independent School District No. 466; permitting the sale of certain land.	3860	3860	4481	4464	4570		403
1779	A bill for an act relating to judicial procedures; changing the procedures and circumstances under which guardians and conservators may be appointed; clarifying the powers and duties of guardians and conservators; providing for the appointment, powers, and duties of guardians and conservators of minors; amending Minnesota Statutes 1978, Sections 525.54; 525.541; 525.542; 525.543; 525.544; 525.55; 525.56; 525.57; 525.58; 525.581; 525.583; 525.59; 525.591; 525.60, Subdivision 1; 525.62; 525.63; 525.651; 525.67; 525.69; 525.83; and Chapter 525, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 525.551; and 525.61; repealing Minnesota Statutes 1978, Sections 525.60, Subdivision 2; 525.611; 525.612, 525.613; 525.614; and 525.621.	4416	4421	4966	4818a 5618a	5034 5620		493
1781	A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the state board of education, and others; providing aid for the education of students of limited English proficiency; providing individualized instructional materials for nonpublic school pupils; increasing the amount of severance pay available to public employees; clarifying provisions governing education management information systems; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 121.90; 121.902, Subdivision 1; 121.906, Subdivision 2; 121.908, Subdivision 1; 121.912, Subdivision 2, and by adding a subdivision; 121.914, Subdivision 1; 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.25, Subdivision 1; 122.531, by adding subdivisions; 123.11, Subdivision 7; 123.35, Subdivision 5; 123.36, Subdivision 10, and by adding a subdivision; 123.51; 123.932, Subdivision 9, and by adding subdivisions; 123.933; 124.11, by adding a subdivision; 124.20; 124.214, Subdivision 2; 124.565, by adding a subdivision; 124.572, Subdivision 7; 124.65; 125.12, Subdivisions 2 and 9; 125.182.	4498	4499	4789	4741a 4990a	4989 4996 6324	5013 5118 6229*	609 (Item veto)

(Continued next page)

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
1781—Continued	<p>Subdivision 1; 125.60, by adding a subdivision; 126.07; 126.10; 126.36, Subdivisions 1, 3, 4 and 5; 126.52, Subdivision 5, and by adding a subdivision; 126.54, Subdivisions 5 and 6; 127.09; 127.11; 127.21; 134.03; 134.08; 275.125, Subdivisions 5, 5a, 12, and by adding a subdivision; 354.05, Subdivision 2, as amended; Chapters 16, by adding a section; 120, by adding sections; 121, by adding sections; 123, by adding a section; 124, by adding a section; 125, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 3.9279, Subdivision 13; 120.075, Subdivision 4, as amended, and by adding subdivisions; 121.912, Subdivision 1; 121.917, Subdivision 4; 122.541, Subdivision 5; 123.937; 124.11, Subdivisions 2a and 2b; 124.19, Subdivision 4; 124.212, Subdivision 7d; 124.223; 124.224, Subdivision 8; 124.225; 124.245, Subdivisions 1 and 2; 124.247, Subdivisions 3 and 4; 124.271, Subdivisions 1a and 2; 124.561, Subdivision 3a; 124.562, Subdivisions 3 and 4; 124.5621, Subdivision 11, and by adding a subdivision; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivisions 3 and 6; 124.566; 124.572, Subdivisions 2 and 7; 126.54, Subdivision 1; 275.125, Subdivisions 2a, 2b, 7a, 7b, 8, 9, 11a and 20; 353.01, Subdivision 2b; 354A.011, Subdivision 27; Laws 1959, Chapter 462, Section 3, as amended; Laws 1965, Chapter 705, as amended; Laws 1977, Chapter 85, Section 1, as amended; Laws 1979, Chapter 69, Sections 2 and 5; Chapter 334, Article V, Section 32, Subdivisions 6 and 7; Chapter 334, Article VIII, Section 29; Laws 1980, Chapter 345, Section 17; repealing Minnesota Statutes 1978, Sections 121.92, Subdivision 1; 122.531, Subdivision 3; 122.85, Subdivision 7; 123.34, Subdivision 6; 123.39, Subdivision 3; 123.65; 125.61, Subdivisions 1a and 6; 126.31; 126.32; 126.33; 126.34; 126.35; 126.36, Subdivision 6; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8 and 9; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6 and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6 and 7; 127.22; Minnesota Statutes, 1979 Supplement, Sections 16.93; 121.92, Subdivision 2; 124.222, Subdivision 3; 125.61, Subdivisions 1, 2, 3, 3a, 4, 4a and 4b; 126.39, Subdivision 10; (Continued next page)</p>							

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
1781	Continued							
	126.40, Subdivision 3; 126.41, Subdivision 1; 126.52, Subdivision 10; and Laws 1979, Chapter 334, Article V, Section 29, Subdivision 4.							
1789	A bill for an act relating to occupations and professions; providing for licensing of public accountants; amending Minnesota Statutes, 1979 Supplement, Section 326.191.	3860	3860	4360	4256 4359	4537		380
1790	A bill for an act relating to advertising devices; authorizing advertising devices within 500 feet of local parks under certain circumstances; providing for a travel information franchise program, and prescribing the powers and duties of the commissioner of transportation in relation thereto; amending Minnesota Statutes 1978, Sections 160.08, Subdivision 7; 161.23, Subdivision 3; 161.433, Subdivision 2; 161.434; and 173.08, Subdivision 2.	4989	4989	5025	5024a 5543a	5375a 5642		494
1794	A bill for an act relating to county court district 8C; providing for residency of county court judges in the counties of Big Stone, Grant, Pope, Stevens, Traverse and Wilkin; providing for election of judges in those counties.	4798	4800	5079	5065a	5532 5647		495
1795	A bill for an act relating to historic sites; designating the Canadian National Depot in Warroad as an historic site; requiring notice to the Minnesota historical society when the state or a political subdivision of the state acquires certain property; amending Minnesota Statutes 1978, Section 138.59.	4415	4416					
1796	A bill for an act relating to occupations and professions; allowing the board of cosmetology to waive certain license requirements for manager-operators with licenses from other states; amending Minnesota Statutes 1978, Section 155.14.	4416	4419					
1798	A bill for an act relating to courts; second judicial district; providing for the appointment of the juvenile court clerk; amending Laws 1951, Chapter 653, Section 1, as amended.	4415	4416	4481	4468	4538		381
1800	A bill for an act relating to health care; regulating benefits made available under certain health care plans; requiring coverage for reconstructive surgery under cer- (Continued next page)	3925	3926	4520	4502a 5432	4579 5591		496

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
1800	Continued certain conditions; exempting certain policies from requiring benefits for alcoholism, chemical dependency or drug addiction; amending Minnesota Statutes 1978, Section 62A.149, Subdivision 1; Chapter 62A, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 62E.06, Subdivision 1.							
1812	A bill for an act relating to drivers licenses; requiring certain applicants for drivers' licenses, instruction permits and Minnesota identification cards to submit certified copies of their birth certificates; providing that certain application forms include a place for applicants to indicate their desire to make an anatomical gift; requiring persons outside the metropolitan area who are authorized to accept drivers license and renewal applications and applications for Minnesota identification cards to inquire of applicants whether they desire to make an anatomical gift; requiring only one witness to a donor's signature; providing for a study; amending Minnesota Statutes 1978, Sections 171.06, Subdivision 3, and by adding a subdivision; and 171.07, Subdivisions 3 and 5.	4589	4589					
1813	A bill for an act relating to transportation; appropriating money for rail service improvement; authorizing issuance of state bonds.	5556	5557	5719	5719 5719a	5727 6608	5841 6036 6607*	610
1814	A bill for an act relating to agriculture; altering the definition of family farm corporation for the purpose of the Minnesota agricultural property tax law; clarifying certain requirements for authorized farm corporations; limiting liability of donors of distressed food; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 3; and 500.24, Subdivision 2.	4416	4419	4520	4519a 4580a 4980 5249a	5578		497
1816	A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lockups and workhouses; clarifying provisions penalizing the possession of contraband in local correctional facilities; repealing provisions concerning correctional or work farms; amending Minnesota Statutes 1978, Sections 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; (Continued next page)	4416	4421	5079	4695 5067a 5541a	5698 6225	5842 5897 6224*	602

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
1816	Continued 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.							
1818	A bill for an act relating to game and fish; excluding bears from the definition of fur bearing animals; providing that a portion of deer license fees shall be used for the purpose of deer habitat improvement; requiring licenses of persons providing guide services for bear hunters; specifying fees; requiring tagging of bears taken in the state; removing certain restrictions on the trapping of beaver; providing for free fishing licenses for certain mentally retarded and disabled residents; authorizing moose seasons at the discretion of the commissioner; granting landowners preference for moose licenses; extending the muskrat trapping season; changing the times of day during which certain wild animals may be taken; regulating bear baiting; allowing sale of bear hides and claws; altering the end date of certain fishing seasons; amending Minnesota Statutes 1978, Sections 97.40, Subdivision 7; 97.49, by adding a subdivision; 98.46, Subdivisions 4, 16 and 22; 98.47, Subdivisions 7, 15 and 16; 100.27, Subdivision 2; 100.29, Subdivisions 1 and 31; 100.30; 101.41, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 100.27, Subdivision 4; and 100.271, Subdivision 1.	5100	5101	5247	5246a 5533a 5577 5622a	5627 6066	5734 5825 6050*	571
1823	A bill for an act relating to transportation; permitting informational notations on recorded maps and plats; simplifying correction of errors on them; amending Minnesota Statutes 1978, Section 160.085, Subdivision 1, and by adding a subdivision.	4415	4416	5615	5614 5692	5905		538

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
1824	A bill for an act relating to driver's licenses; providing for the disposition of the county fee in Dakota County.	4416	4420	4563	4562 4705	5248		475
1825	A bill for an act relating to children; specifying rights of stepparents to visit certain children.	4798	4800					
1834	A bill for an act relating to education; adding the commissioner of agriculture to the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.	4093	4094	4563	4562 4705	5030		429
1835	A bill for an act relating to motor vehicles; setting due dates for installment payments of motor vehicle registration taxes; extending the coroner's reporting time of deaths resulting from motor vehicle accidents; authorizing the use of accident reports by certain agencies for accident prevention purposes; requiring bumpers on certain motor vehicles; allowing cities and towns to declare segments of city streets and town roads to be urban districts and to post urban district speed limits on them; amending Minnesota Statutes 1978, Sections 168.31, Subdivision 4; 169.09, Subdivisions 11 and 13; and 169.14, by adding a subdivision; 169.73, Subdivisions 1 and 2; repealing Minnesota Statutes 1978, Section 169.73, Subdivisions 3, 4 and 5.	4799	4801	5079	5073a 5549a	5647		498
1837	A bill for an act relating to insurance; requiring the issuance of temporary licenses to certain qualified persons; extending the temporary joint underwriting association act for an additional two year period; extending the termination date of certain insurance policies; prohibiting changes in workers' compensation insurance rates until a new petition is filed by the rating association containing certain information; amending Minnesota Statutes 1978, Sections 60A.17, by adding a subdivision; 62F.01, Subdivision 2; and 62F.06, Subdivision 1; and Chapter 79, by adding a section.	4093	4094	4482	4463 5383a 5549a 4541 5523	5599	Veto	
1838	A bill for an act relating to taxation; real property; providing for the assessment of neighborhood real estate trusts; clarifying the treatment of cooperatives and charitable corporations; allowing lending institutions and original sellers to qualify as tenant-stockholders of cooperative apartment (Continued next page)	5014	5015	5247	5245 5906a	5908		562

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
1838	Continued corporations; amending Minnesota Statutes 1978, Sections 273.13, by adding a subdivision; 273.133, Subdivision 1; and 290.09, Subdivision 17, and by adding a subdivision.							
1841	A bill for an act relating to state government; providing for certain historical memorials; providing an appropriation.	5399	5400	5523	5521a	5621		499
1842	A bill for an act relating to nuclear safety; providing for a nuclear power plant emergency response plan; providing for assessment of costs to nuclear power plants; requiring the department of public safety and health to monitor, provide training, and prepare plans for nuclear power plant incidents; requiring a study; appropriating money; amending Minnesota Statutes 1978, Chapter 12, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 12.03, Subdivision 4; and 12.21, Subdivisions 1 and 4.	5556	5559	5856	5615 6196a	5852a 6201		611
1844	A bill for an act relating to health; authorizing the commissioner of health to investigate complaints under certain circumstances; amending Minnesota Statutes 1978, Section 214.13, by adding subdivisions.	4415	4416					
1846	A bill for an act relating to highway traffic regulations; authorizing certain identification rights on motor vehicles operated by certificated volunteer ambulance drivers; amending Minnesota Statutes 1978, Section 169.58, by adding a subdivision.	4415	4416	4481	4468 4639	4704		404
1847	A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; providing for an information retrieval system; providing for nursing home dental health programs; requiring result-oriented treatment programs and counsel guardians for persons committed to hospitals; requiring the commissioner to collect and prepare statistical data; appropriating money; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision; and Chapter 253A, by adding a section.	5556	5558	5692	5683a 5815a	5816 6114	5842 6110*	5897 570
1871	A bill for an act relating to boundary waters; changing the terms of office of the Minnesota-Wisconsin (Continued next page)	3860	3860	4482	4469a 4707a	4541	5093	476

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
1871—Continued	boundary area commission; providing that the terms of commissioners shall be staggered; creating the South Dakota-Minnesota boundary waters commission; changing the duties of the commissioner of natural resources; amending Minnesota Statutes 1978, Sections 1.33; 114.13, Subdivisions 1, 2, and 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 114.13, Subdivision 3.							
1873	A bill for an act relating to local government; regulating zoning of certain facilities; authorizing certain actions by the city of Saint Paul; setting conditions of employment for certain Washington county employees; providing for the membership and dues of the Ramsey county league of local governments; amending Minnesota Statutes 1978, Sections 245.812, Subdivision 2; and 252.28, Subdivision 3; and Laws 1959, Chapter 690, Section 2, as amended; and Laws 1963, Chapter 728, Section 1, as amended.	4093	4094	4563	4552a 4708 5714a 6775a	6779		612
1878	A bill for an act relating to no-fault automobile insurance; coordinating benefits with medicare and workers' compensation; extending eligibility for the assigned claims plan; eliminating certain mandatory offers; amending Minnesota Statutes 1978, Sections 65B.46, Subdivision 2; 65B.61, Subdivisions 1 and 2, and by adding subdivisions; 65B.64, Subdivision 1; repealing Minnesota Statutes 1978, Section 65B.49, Subdivisions 5 and 6.	5678	5693	5796	5794a 5887a	5887		539
1884	A bill for an act relating to education; modifying certain rule making procedures and the tuition exemption authority of the state university board; allowing a change in the placement service registration fee at state universities; eliminating a reporting duty of state university presidents; eliminating a provision governing state university rules which conflict with the provisions of certain collective bargaining contracts; amending Minnesota Statutes 1978, Sections 136.11, Subdivisions 1 and 8; and 136.14; repealing Minnesota Statutes 1978, Sections 136.148 and 136.15.	4545	4545	4694	4692a 5249	5617		500
1890	A bill for an act relating to courts; Hennepin and Ramsey County (Continued next page)	4798	4800					

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
1890	Continued district courts, juvenile divisions; authorizing appointment of district court judges to hear cases arising under the juvenile court act for terms up to six years; amending Minnesota Statutes 1978, Section 260.019, Subdivision 3.							
1892	A bill for an act relating to courts; providing that courts may acquire electronic data processing services through supreme court contracts; amending Minnesota Statutes 1978, Chapter 480, by adding a section.	4415	4417	4481	4468	4539		382
1895	A bill for an act relating to human rights; defining an unfair employment practice; further defining certain unfair discriminatory practices related to reprisals; defining the scope of a class for class action suits; increasing a penalty by increasing allowable punitive damages; amending Minnesota Statutes 1978, Sections 363.03, Subdivisions 1 and 7; 363.071, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 363.06, Subdivision 4.	4415	4417	4694	4596 5711a	4989 5713		540
1896	A bill for an act relating to juveniles and corrections; modifying dispositions available to juvenile court judges; increasing civil liability of parents for intentional acts of their children; modifying statutory provisions relating to records of adjudications of delinquency; making the rules of evidence applicable in certain juvenile proceedings; modifying procedures in juvenile court; providing for informed consent by juveniles to waiver of rights; providing for the promulgation of statewide juvenile court rules; modifying the jurisdiction of the juvenile courts; modifying the provisions for reference of juveniles for adult prosecution; expanding the coverage of the provisions requiring preparation of a case plan for children placed in foster care; providing for maximum capacities for group homes; authorizing juvenile court referees in the second and fourth judicial districts to hear contested trials, hearings, or motions unless objection is made; amending Minnesota Statutes 1978, Sections 241.021, Subdivision 1; 257.071; 260.011, Subdivision 2; 260.111, Subdivision 1; 260.115, Subdivision 1; 260.121, Subdivision 3; 260.125; 260.135, Subdivisions 1, 2, and 5; 260.141. (Continued next page)	4545	4546	5079	5066a 5201a	5209 6109	5507 6094*	5577 580

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
1896—Continued								
	Subdivision 1; 260.155, Subdivisions 1, 2, 4 and by adding a subdivision; 260.161, Subdivision 1; 260.185, Subdivision 1; 260.193; 260.211, Subdivision 1; 484.70, by adding a subdivision; 540.18, Subdivision 1; and Chapter 480, by adding a section.							
1899	A bill for an act relating to the office of secretary of state; adjusting certain fees collected by that office; making them more uniform; amending Minnesota Statutes 1978, Sections 47.16; 53.01; 221.67; 303.13, Subdivision 1; 308.06, Subdivision 4; 317.04, Subdivision 3; 317.67; 540.152; and 543.08.	4545	4546	4694	4691 5371a	5596		541
1904	A bill for an act relating to the Nine Mile Creek and Riley-Purgatory Creek Watershed Districts; providing for the establishment of district water maintenance and repair funds; authorizing tax levies for water maintenance and repair purposes.	4093	4094	5502	4216 5493 5577 5715	5801		501
1910	A bill for an act relating to courts; second and fourth judicial districts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; amending Minnesota Statutes 1978, Section 484.70, by adding a subdivision.	3925	3925					
1916	A bill for an act relating to motor vehicles; providing for the registration and taxation of certain vehicles for a period of less than 12 months under certain circumstances; amending Minnesota Statutes 1978, Sections 168.013, Subdivision 6; and 168.017, Subdivision 3.	4545	4548					
1931	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.	4415	4417	4481	4468 4574a 5707a	5710	5843 5897	
1932	A bill for an act relating to Independent School District No. 535, Rochester; providing that its school board may organize at a time other than the time required for the organization of the board of an independent district; amending Laws 1969, Chapter 193, Section 3, as amended.	4093	4094	4449	4443	4489		371
1942	A bill for an act relating to public welfare; requiring reporting of abuse or neglect of vulnerable adults; requiring certain facilities (Continued next page)	5556	5558	5692	5685a 5735a	5737		542

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
1942	Continued to establish abuse prevention plans; establishing a penalty; appropriating money; amending Minnesota Statutes 1978, Chapter 626, by adding a section; repealing Minnesota Statutes 1978, Sections 245.813 and 626.555.							
1945	A bill for an act relating to regional railroad authorities; providing for their organization and governmental purpose, powers and duties; providing for audits.	5014	5015	5692	5689a 5830a	5830 5831	5831	
1949	A bill for an act relating to zoning; providing for notice of hearings; changing notice provisions for variance hearings; amending Minnesota Statutes 1978, Section 394.26, Subdivision 2.	4798	4799	5079	5066 5432	5594		477
1956	A bill for an act relating to real estate; providing for a state land registration assurance fund; combining the tax forfeited land assurance account with the land registration assurance fund; eliminating separate county assurance funds; empowering the commissioner of banks to clear certain title defects involving a defunct state agency; appropriating money; amending Minnesota Statutes 1978, Sections 284.28, Subdivisions 8, 9 and 10; 508.75; 508.77; 508.79; 508.82; and 541.024, Subdivision 1; and Laws 1980, Chapter 373, Section 8; repealing Minnesota Statutes 1978, Section 508.83.	4175	4177	4563	4553a 4708 5534a	5697		543
1962	A bill for an act relating to motor vehicles; permitting the use of foreign state dealer plates in certain circumstances; restricting sales of new motor vehicles by wholesalers; authorizing the use of in-transit plates on used vehicles; amending Minnesota Statutes 1978, Sections 168.181, Subdivision 2; 168.27, Subdivisions 6 and 17.	4799	4801	5025	5023a	5120		478
1963	A bill for an act relating to claims against the state; appropriating money for the payment thereof.	4545	4546	5659	5655 5659	5659		479
1981	A bill for an act relating to crimes; authorizing certain payments to shelter facilities for battered women; requiring direct payments to shelter facilities from general assistance; providing that the status of marriage or an ongoing voluntary sexual relationship of cohabiting adults shall not be a defense to most prosecution. (Continued next page)	5556	5557	5599	5598 5740a 5783a	5784		544

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
1981—Continued	tion for criminal sexual conduct; amending Minnesota Statutes 1978, Sections 256D.05, Subdivision 3; and 609.349.							
1985	A bill for an act relating to municipal electric power; permitting municipal power agencies to contract and do business with foreign entities; amending Minnesota Statutes 1978, Section 453.52, Subdivision 9.	3860	3860	4563	4553	4987		405
1987	A bill for an act relating to local government; regulating financial reports of certain municipal hospitals and nursing homes; amending Minnesota Statutes, 1979 Supplement, Sections 471.697, Subdivision 1; and 471.698, Subdivision 1.	4498	4498	4694	4692a 5249	5582		502
1995	A bill for an act relating to health care; excluding coverage of certain services in the Comprehensive Health Insurance Plan; qualifying certain services covered by the Catastrophic Health Expense Protection program; repealing certain provisions; amending Minnesota Statutes 1978, Sections 62E.12; 62E.53, by adding a subdivision; and Laws 1979, Chapter 272, Section 12.	4415	4418	5856	4695 5855a 5904a	5905		565
1996	A bill for an act relating to industrial development, providing for various energy related projects; amending Minnesota Statutes 1978, Sections 474.01, Subdivision 4; and 474.02, by adding subdivisions; and Minnesota Statutes, 1979 Supplement, Section 474.03.	4175	4177	4482	4464 5432 4579	5592		480
2012	A bill for an act relating to motor vehicles; authorizing personalized license plates bearing radio or television station call signals or letters; amending Minnesota Statutes 1978, Section 168.12, Subdivision 2a.	3925	3926	4449	4442	4490		372
2019	A bill for an act relating to education; the maximum effort school aid law; changing the definition of "maximum effort debt service levy"; authorizing the sale of bonds for the maximum effort school loan fund; appropriating money; amending Minnesota Statutes 1978, Sections 124.38, Subdivision 7; 124.43, Subdivisions 1 and 2.	4545	4546	5796	5523 5794a	5888		545
2023	A bill for an act relating to waste management; establishing a (Continued next page)	5507	5508	5640	5639 5640a	5640 6009	5674 5705 5920*	564

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
2023	Continued waste management board and a legislative commission; establishing a state government resource recovery program; establishing solid waste planning assistance and demonstration programs; providing for the issuance of state waste management bonds; providing for the establishment of solid waste management districts; requiring solid and hazardous waste management planning and development; establishing state and metropolitan procedures for the review and approval of permits for waste facilities; providing that certain solid waste disposal facilities are not exempt from real property taxes; authorizing the acquisition of property by purchase and eminent domain; authorizing debt; appropriating money; amending Minnesota Statutes 1978, Sections 116.06, Subdivisions 9, 10, 13, and by adding subdivisions; 116.07, Subdivisions 2, 4, 4a, and by adding subdivisions; 116.081, Subdivision 1; 116.101; 116.41; 272.02, Subdivision 1; 400.03, Subdivision 1; 400.04; 400.06; 400.07; 400.13; 400.15; 400.161; 473.121, by adding a subdivision; 473.149; 473.502; 473.516; 473.801, Subdivision 1; 473.802; 473.803; 473.811; 473.813; 473.823, Subdivision 3, and by adding subdivisions; Chapter 400, by adding a section; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2 to 7; 473.121, Subdivisions 27 to 31c; 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 728, Section 7.							
2024	A bill for an act relating to the city of Hibbing; authorizing development and administration of a housing program within the city, including that part of the city which formerly comprised the town of Stuntz.	4093	4094	4563	4562 4705	5026		430
2028	A bill for an act relating to state government; clarifying benefits of employees of former Hastings state hospital.	4093	4095	4482	4464 4541 4705	5033		481
2035	A bill for an act relating to historic sites and monuments; adding property to Split Rock Lighthouse historic site; reestablishing Traverse des Sioux historic site as a state monument; authorizing a (Continued next page)	5556	5557	5692	5689a	5797		546

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
2035—Continued	memorial to Minnesota's war dead in Arlington National Cemetery; memorializing Congress to pass H.R. 1918, a service pension for veterans of World War One and their surviving spouses; appropriating funds; amending Minnesota Statutes 1978, Sections 138.025, Subdivision 10; and 138.585, by adding a subdivision; repealing Minnesota Statutes 1978, Section 138.55, Subdivision 5.							
2040	A bill for an act relating to privacy; providing for the collection and dissemination of government data; classifying data as private, confidential, nonpublic or public; amending Minnesota Statutes 1978, Sections 15.162, Subdivision 3, and by adding subdivisions; 15.165, Subdivision 3; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.1621, by adding a subdivision; 15.1642, Subdivisions 1, 5, 5a, and by adding a subdivision; 15.166, Subdivision 4; 15.1691, Subdivision 3; 15.1692, Subdivisions 1 and 2; 15.1693, Subdivision 2; and 15.1698, Subdivision 1, and by adding a subdivision; and Laws 1978, Chapter 790, Section 5, Subdivision 2; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4; and 15.1698, Subdivision 2.	4796	4799	5659	5655a 5717a	5718 6366	5840 5897 6356*	603
2045	A bill for an act relating to economic development; creating a small business finance agency with authority to issue and sell tax exempt obligations to provide loans for small business and pollution control projects; requiring reports.	5399	5400	5796	5523 5787a 5889a	5891		547
2046	A bill for an act establishing the Minnesota small business conference; providing for its organization, meetings and procedures; appropriating money.	5556	5559	5796	5615 5795a 6196 6623	6623		613
2047	A bill for an act relating to state government; raising the limit on the balance allowed to remain in the state auditor's revolving fund; empowering the state auditor to establish a personnel recruitment, hiring, promotional, and salary plan with the approval of the commissioner of the department of personnel; amending Minnesota Statutes 1978, Section 6.58; and Chapter 6, by adding a section.	4798	4799	5025	5023	5119		431

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
2051	A bill for an act relating to elections; requiring certain employers to attempt to let employees make up time taken off for certain public meetings; amending Minnesota Statutes 1978, Section 210A.09, Subdivision 2.	4415	4418	4481	4468 4539	4701		406
2067	A bill for an act relating to financial institutions; modifying director's residence requirements for industrial loan and thrift companies; providing for a report to the commissioner in the event of a change of control; requiring insurance or guarantee of certificates of indebtedness sold or issued for investment; exempting certificates of indebtedness from the regulation of securities; amending Minnesota Statutes 1978, Sections 53.06; 53.09, Subdivision 2; Chapter 53, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 80A.15, Subdivision 1.	4798	4799	5079	5066 5532	5646		503
2075	A bill for an act relating to health; requiring certain immunizations for children; requiring certain schools to maintain immunization records and make certain reports; amending Minnesota Statutes 1978, Section 123.70.	4416	4419	4520	4513a 5435a	4579	5594	504
2077	A bill for an act relating to public welfare; clarifying zoning requirements for licensed residential facilities; increasing the required distances between certain facilities; amending Minnesota Statutes 1978, Sections 245.812, Subdivision 2; and 252.28, Subdivision 3.	4498	4498					
2082	A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1978, Sections 205.10; 205.17, Subdivision 1; and 412.02, Subdivision 2, and by adding a subdivision.	4589	4589	4966	4839a 5250a	5616	5824 5897 5856	
2090	A bill for an act relating to intoxicating liquor; setting a maximum fee for on-sale licenses for veterans organizations and fraternal clubs; validating the issuance of a Sunday on-sale intoxicating liquor license in Lake County; authorizing combination on-sale and off-sale intoxicating liquor licenses in Aitkin County; amending Minnesota Statutes, 1979 Supplement, Section 340.11, Subdivision 11.	5399	5400	5523	5521a 6187a 5894a	6189		581

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
2100	A bill for an act relating to housing; providing the housing finance agency with authority to make grants and loans to certain sponsors of housing used for temporary shelter; appropriating money; amending Minnesota Statutes 1978, Sections 462A.05, by adding a subdivision; and 462A.21, by adding a subdivision.	5556	5558					
2110	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 1978, Section 168.012, Subdivision 1.	4093	4095	4215	4213	4360		364
2119	A bill for an act relating to the military; extending indefinitely the duration of the authority of the adjutant general to acquire lands for military training from funds available in the military land fund; repealing certain obsolete provisions relating to the military land fund; amending Minnesota Statutes 1978, Sections 190.25; 190.26, Subdivision 1; 190.29; 190.30, Subdivisions 1, 5 and 6; and repealing Minnesota Statutes 1978, Sections 190.26, Subdivisions 2 and 3; and 190.27.	4415	4418	4481	4468 4539	4698		407
2122	A bill for an act relating to insurance; increasing the maximum limits on the insuring or reinsuring of a single risk of certain companies; defining a term; amending Minnesota Statutes 1978, Section 60A.09, Subdivision 1, and by adding a subdivision.	4415	4418	5079	4570 5066 5532	5645		505
2135	A bill for an act relating to public welfare; providing that certain relatives of children receiving aid to families with dependent children are not responsible for contributions; amending Minnesota Statutes 1978, Section 256.87, Subdivision 1.	4416	4419	4481	4468 4575a	4971		408
2141	A bill for an act relating to crimes; requiring inclusion of information on presentence investigation reports deemed necessary by the sentencing guidelines commission; amending Minnesota Statutes, 1979 Supplement, Section 609.115, Subdivision 1.	4416	4420					
2142	A bill for an act relating to crimes; requiring sentencing courts to submit information as the sentencing guidelines commission requires which is reasonably related to monitoring application of sentence guidelines; amending Minnesota Statutes 1978, Section 244.09, Subdivision 6.	4416	4420					

a Indicates Amendment

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
2149	A bill for an act relating to public welfare; clarifying duties of the commissioner of public welfare regarding approval of public and private mental health centers and clinics for certain purposes; providing for additional rulemaking; appropriating money; amending Minnesota Statutes, 1979 Supplement, Section 245.69.	5556	5557	5692	5690a 5717a	5800		506
2152	A bill for an act relating to Carver county; applying the provisions of the municipal housing and redevelopment act to Carver county; providing for local approval of projects.	4498	4499	4694	4563 4691 5249	5580		482
2153	A bill for an act relating to health; authorizing the commissioner of health to issue orders concerning well water quality; amending Minnesota Statutes 1978, Section 156A.05, by adding a subdivision.	4416	4419					
2185	A bill for an act relating to public improvements; authorizing Kanabec County to finance the cost of a certain improvement within the Knife Lake Improvement District in Kanabec County; changing definitions, board membership, compensation, and powers of the Moose Lake-Windemere Sewer District; amending Laws 1974, Chapter 400, Sections 3, Subdivisions 5 and 12; 4, Subdivisions 2 and 9; and 8, by adding a subdivision.	4589	4589	4966	4839 5376a	5584		507
2187	A bill for an act relating to local government; authorizing conveyance of certain parcels of land in the city of Brooklyn Center; permitting the acquisition and financing of data processing equipment by Local Government Information Systems and its members; providing for sewer charges by the city of Brooklyn Center on an equitable basis.	4415	4418	4563	4562a 5432a	5585 6090	5732 5897 6087*	569
2191	A bill for an act relating to unemployment compensation; including certain services as within definition of employment; providing for the noncharging of certain benefits; regulating accounts of successor employers; regulating reimbursements; providing for deductions from benefits; clarifying a certain disqualification from benefits; regulating employer protests; regulating certain interest charges and penalties; providing for adjustments; amending Minnesota Statutes 1978, Sections 268.06, Subdivisions 25, 26 and 28; 268.10, Subdivision 1; 268.16. (Continued next page)	4545	4547	4694	4693a 5378a	5585		508

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
2191—Continued	Subdivisions 1, 2 and 6; and Minnesota Statutes, 1979 Supplement, Sections 268.04, Subdivision 12; 268.06, Subdivisions 5, 22 and 33; 268.08, Subdivision 3; and 268.09, Subdivision 1.							
2198	A bill for an act relating to juveniles; requiring notice to non-custodial parents of filing of petitions for dependency, delinquency, neglect, or neglected and in foster care; amending Minnesota Statutes 1978, Sections 260.135, Subdivision 2; and 260.251, Subdivision 1.	4416	4419					
2222	A bill for an act relating to insurance; authorizing business trusts to exchange reciprocal or interinsurance contracts; amending Minnesota Statutes 1978, Section 71A.01, Subdivision 1.	4415	4418	4481	4468 4571	4968		409
2237	A bill for an act relating to public employees; clarifying the definition of public employees; providing for the negotiation and arbitration of collective bargaining agreements between the exclusive representatives and employers of teachers; establishing the conditions under which teachers have a right to strike; extending the applicability of certain sections of PELRA; amending Minnesota Statutes 1978, Sections 179.61; 179.62; 179.63, Subdivisions 1, 4 and 7; 179.64, Subdivision 1; 179.65, Subdivision 1; 179.66, Subdivisions 5, 6 and 9; 179.67, Subdivision 1; 179.68; 179.71, Subdivisions 2, 4 and 5; and 179.74, subdivision 2; and Chapter 179, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 179.64, Subdivision 7; 179.65, Subdivision 6; and 179.74, Subdivision 4.	5610	5611					
2262	A bill for an act relating to highway traffic regulations; including a constable within the meaning of the definition of peace officer in the implied consent law; amending Minnesota Statutes 1978, Section 169.123, Subdivision 1.	4799	4801	5025	5023 5432	5593		483
2268	A bill for an act relating to financial institutions; authorizing examinations of certain bank holding companies; providing for the institution of cease and desist proceedings and the issuance of temporary orders; requiring commissioner to report on federal usury preemption; amending Minnesota (Continued next page)	5228	5229	5523	5509a 5894a 6185a	6187 6609	6227 6346 6602 6609	604

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
2268	Continued Statutes 1978, Section 46.24; Chapter 47, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 46.04.							
2287	A bill for an act relating to the city of Edina; authorizing a temporary short term on-sale liquor license for a certain civic or charitable festival.	4416	4420	4481	4468 4571	4968		410
2289	A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.	5824	5825	5884	5825 5884 5884a	5885		549
2295	A resolution memorializing the President and Congress to take all actions necessary to effect changes in regulations of the Department of Health, Education, and Welfare so that physician visits to medically stable residents of certain health care facilities are required only quarterly or semi-annually.	4416	4419					
2302	A bill for an act relating to financial institutions; requiring all checks and drafts drawn on certain accounts to clearly display the month and year the account was opened; specifying exclusions; providing a penalty.	4416	4420	5079	4695 5066a 5902a	5903 6347	5916 6346a	605
2304	A bill for an act relating to elections; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections, to provide for initiative and referendum; proposing an amendment to the Minnesota Constitution, Article VII, by adding a section, to require certain election campaign expenditures to be limited and disclosed by law; 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; increasing the campaign spending limits and the income tax check-off or repealing spending limits contingent on adoption or rejection of a constitutional amendment; imposing duties on certain officials; providing penalties; appropriating money; amending Minnesota Statutes 1978, Sections 10A.01, Subdivisions 7, 7a, 7b, 10, 15, 16, (Continued next page)	5852	5852	5856	5852 5856 5856a	5872 6809	6035 6036 6780*	587

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
2304—Continued	and by adding a subdivision; 10A.12, Subdivision 1; 10A.20, Subdivisions 3, 6 and by adding a subdivision; 10A.31, Subdivisions 1, 3 and 5; 10A.32, Subdivision 4; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 210A.26, Subdivision 3 and by adding a subdivision; 210A.34, Subdivision 1 and by adding subdivisions; 290.09, Subdivision 2; 645.02; Chapter 10A, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 204A.53, Subdivision 3; and 290.21, Subdivision 3; repealing Minnesota Statutes 1978, Sections 10A.25, Subdivisions 2 to 7 and 10; 10A.28, Subdivision 1; and 10A.32, Subdivisions 3 and 3b.							
2314	A bill for an act relating to the legislative auditor; clarifying access to data; amending Minnesota Statutes 1978, Section 3.97, by adding subdivisions.	4545	4546	4966	4839 5249	5590		484
2353	A bill for an act relating to water resources; continuing the water planning board; changing its membership and duties; appropriating money; amending Minnesota Statutes 1978, Section 105.401; and Laws 1979, Chapter 333, Section 31, Subdivision 5.	5399	5400	5523	5522a 5826a	5826		548
2369	A bill for an act relating to Minnesota Statutes; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating certain redundant, conflicting and superseded provisions; reenacting a law; amending Minnesota Statutes 1978, Sections 15.052, Subdivision 9; 16.851, Subdivision 1; 16A.26; 25.31; 25.32; 25.33, Subdivisions 1 and 5; 25.34, Subdivision 3; 25.36; 25.40; 25.41, Subdivisions 1 and 5; 25.42; 25.43; 25.44; 28A.15, Subdivision 4; 89.35; 89.36, Subdivision 1; 89.39; 93.45, Subdivision 2; 111.21, Subdivision 1; 112.46; 116.02, Subdivision 2; 116.16, Subdivision 2; 116C.65; 116H.06; 120.17, Subdivision 9; 122.531, Subdivision 2; 123.42; 124.212, Subdivision 8a; 124.46, Subdivision 3; 125.12, Subdivision 4; 126.41, Subdivision 2; 128A.04; 136.148; 136.501; 136.503, Subdivision 1; 136.506; 144.225, Subdivision 1; 144A.01, Subdivision 5; 144A.10, Subdivision 1; 144A.24; 145.22; 147.073, Subdivision 1; 161.171, Subdivision 5; 161.173; 162.02, Subdivision 11; 168B.02. (Continued next page)	4545	4548	4694	4694a 5378a	5586		509

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
2369—Continued	Subdivisions 1 and 2: 168B.05; 168B.07, Subdivision 2: 168B.08, Subdivision 3: 169.751; 169.99, Subdivision 3: 179.61; 179.62; 179.63, Subdivisions 1 and 4: 179.65, Subdivision 1: 179.66, Subdivisions 5, 6 and 9: 179.67, Subdivision 1: 179.68; 179.71, Subdivisions 2, 4 and 5: 179.74, Subdivision 2: 181.12; 197.17; 202A.61; 238.01; 238.02, Subdivisions 1 and 4: 238.03; 238.04, Subdivision 9: 238.06, Subdivision 2: 238.08, Subdivision 4: 238.10; 238.16, Subdivision 2: 241.08, Subdivision 2: 241.44, Subdivision 1a: 242.37; 243.07; 243.12; 245.813, Subdivision 9: 256.09; 256.736, Subdivision 3: 256.76, Subdivision 2: 256.78; 256D.10; 256D.13; 260.251, Subdivision 3: 268.013, Subdivision 6: 296.01, Subdivision 1: 296.11; 296.15, Subdivision 2: 296.17, Subdivisions 1 and 5: 296.19; 296.20; 296.24; 301.511, Subdivision 2: 325.01, Subdivision 1: 325.907, Subdivision 1: 326.33, Subdivision 1: 333.055, Subdivision 2: 340.07, Subdivision 11: 340.11, Subdivision 9: 340.12; 340.14, Subdivision 5: 352.116; 352.1191; 352E.01, Subdivision 1: 352E.04; 352E.045; 354.44, Subdivision 5: 359.07, Subdivision 2: 360.018, Subdivisions 7 and 9: 363.02, Subdivision 3: 365.22; 367.33, Subdivision 3: 387.45; 390.23; 394.24, Subdivision 3: 394.25, Subdivision 5a: 401.02, Subdivision 1: 412.251; 419.07; 419.075, Subdivision 2: 422A.06, Subdivision 2: 422A.11, Subdivision 1: 429.061, Subdivision 1: 435.191; 440.40; 459.14, Subdivision 7: 462.352, Subdivision 10: 462.36, Subdivision 1: 465.56, Subdivision 2: 471.591, Subdivision 1: 473.163, Subdivision 3: 473.223; 473F.02, Subdivision 21: 474.02, Subdivision 1b: 485.018, Subdivision 4: 485.021; 505.178, Subdivision 2: 525.72; 546.10; 626.556, Subdivision 11: 628.41, Subdivision 6; Chapter 390, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 10A.01, Subdivision 11: 62A.02, Subdivision 3: 69.771, Subdivision 1: 179.74, Subdivision 4: 256B.06, Subdivision 1: 273.73, Subdivision 6: 273.76, Subdivision 2: 273.77; 273.86, Subdivision 4: 275.125, Subdivision 9: 290.06, Subdivisions 3g and 14: 326.211, Subdivision 9: 354A.094, Subdivisions 2, 3, 8, and by adding a subdivision.							

(Continued next page)

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	
2369—Continued	354A.38, Subdivision 3; 402.01, Subdivision 1; 424A.06, Subdivision 2; 462A.22, Subdivision 1a; 519.11, Subdivision 1; 549.09, Subdivision 1; 626.556, Subdivision 2; Laws 1979, Chapters 134, Section 2; 333, Sections 26, and 31, Subdivision 3; 335, Section 3, Subdivision 20; and reenacting Laws 1979, Chapter 303, Article 1, Section 14; repealing Minnesota Statutes 1978, Sections 239.27; 325.01, Subdivisions 8, 9, 10, 11 and 12; 354A.22, as amended by Laws 1979, Chapter 334, Article VII, Sections 23 to 26; 390.33, Subdivision 7; Laws 1976, Chapters 155, Section 1; 222, Sections 30 and 31; 348, Section 15; Laws 1977, Chapter 323, Section 1; Laws 1979, Chapters 31, Section 2; 217, Section 11; and 316, Section 11.								
2374	A bill for an act relating to the state ceremonial building; creating the state ceremonial building council; amending Minnesota Statutes 1978, Section 16.872.	4416	4421	4520	4503a 5435a	4579	5593	510	
2429	A bill for an act relating to financial institutions; granting certain lending powers to savings associations and savings and loan associations; providing for interest rates on certain installment loans; changing the penalty for usurious loans made by banks, savings banks, savings associations, credit unions and certain other lenders; amending Laws 1980, Chapter 522, Section 1; Minnesota Statutes 1978, Sections 334.02; 334.03; and Chapter 48, by adding a section.	5228	5229	5523	5509a 5891a	5710a	5893 6223	6039 6114 6137 6219*	606
2436	A bill for an act relating to the city of Duluth; providing for certain city tax revenues; repealing Laws 1973, Chapter 461, as amended; and Laws 1977, Chapter 438, as amended.	5507	5508	5615	5615	5715	5799	511	
2458	A resolution memorializing the President and Congress of the United States to block a plan of the Department of Energy to adopt rules prohibiting the weekend use of motorboats during the present energy crisis.	6040	6040						
2470	A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing (Continued next page)	5064	5065	5526	5065 5526a	5526 5702a	5703	5839 5897	

^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
2470—Continued	ing purchase and sale of public lands and buildings; appropriating money.							
2476	A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; imposing conditions on the expenditure of public money; creating, abolishing, modifying, and transferring agencies and functions; fixing and limiting fees; altering conditions of public employment; authorizing purchase, sale, and transfer of public lands; authorizing certain public improvements of a capital nature; requiring studies and reports; limiting liability in certain civil actions; exempting certain motor vehicle sales transactions from regulation by the banking commissioner; regulating drainage systems in the metropolitan area; regulating administration of the Nine Mile Creek Watershed District, the Riley-Purgatory Creek Watershed District and the Red Lake Watershed District; authorizing an ad valorem tax for certain purposes; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 10A.01, Subdivision 10c; 11.15, Subdivision 4; 15.0597, Subdivisions 3, 4, 5, 6 and 7; 15.50, Subdivisions 1 and 2; 16.02, Subdivision 10; 16.854, Subdivision 1; 16A.131; 16A.67, Subdivision 1; 16A.721; 43.05, Subdivision 2; 43.062, Subdivisions 1 and 2; 43.065; 43.067, Subdivision 2; 43.068; 43.09, Subdivision 2a; 43.323, Subdivision 1; 43.324, Subdivision 2; 43.35; 62D.12, by adding a subdivision; 82.34; 90.195; 94.10, Subdivision 1; 94.16; 97.431; 97.432; 106.471, by adding a subdivision; 116C.63, Subdivision 4; 116D.04, by adding a subdivision; 136.81, Subdivision 1; 145.913, Subdivision 3; 155.14; 168.66, Subdivision 4; 174.03, by adding a subdivision; 197.75, Subdivision 1; 214.06, Subdivision 1; 216.16; 216A.01; 216A.03, Subdivision 3, and by adding a subdivision; 216A.04, Subdivisions 1 and 3, and by adding a subdivision; 216A.05, Subdivisions 4 and 5; 216A.07; 216B.17, Subdivision 1; 216B.19; 216B.54; 216B.62; 216B.64; 237.02; 237.12;	5064	5064	5122	5065 5121 5122a 5463a	5492 6746	5596 5618 6632*	614 (Item Veto)

(Continued next page)

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
2476—Continued	<p>237.295, Subdivisions 1 and 2; 238.08, by adding a subdivision; 245.814; 246.014; 256.73, Subdivision 2; 256D.06, by adding a subdivision; 352.01, Subdivision 2B; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 355.46, Subdivision 3; 355.50; 401.02, Subdivision 3; 403.11, Subdivision 3; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; 473.408, Subdivision 3; 473.435; 473.641, by adding a subdivision; 490.123, Subdivision 1; Chapters 16, by adding sections; 16A, by adding sections; 97, by adding a section; 112, by adding a section; 138, by adding a section; 152, by adding a section; 216A, by adding a section; 246, by adding a section; 253, by adding a section; 256, by adding a section; 259, by adding a section; 326, by adding a section; 544, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 3.005, Subdivision 4; 15A.083, Subdivision 4; 16A.126; 43.062, Subdivision 3; 43.15, Subdivision 1; 43.24; 82.21, Subdivision 1; 174.28, Subdivision 2; 180.03, Subdivision 2; 299D.03, Subdivision 2; 354A.12, Subdivision 2; 422A.101, Subdivision 3; 465.72; Laws 1959, Chapter 690, Section 2, as amended; and Laws 1979, Chapter 332, Article I, Section 115, Subdivision 2; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 43.03; 43.06; 216B.62, Subdivision 1; 352.73, Subdivision 4; 354.43, Subdivision 2; 490.025, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 16.965 and 43.067, Subdivision 4; Laws 1977, Chapter 454, Section 45; Laws 1979, Chapter 217, Section 11; and a law enacted at the 1980 regular session styled as H. F. No. 1121, Article XIII, Section 1; reenacting Minnesota Statutes, 1979 Supplement, Section 473.446, Subdivision 1.</p>							

SENATE RECORD
OF COMPANION BILLS

SENATE RECORD OF COMPANION BILLS AS INTRODUCED
(SENATE FILES NUMERICALLY)

S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
1	189	58		115	338
2	11*	59	977	116	90
3		60		117	743
4	53*	61	540	118	1233
5		62		119	1562
6		63	744	120	
7	3	64	1098	121	2475
8	314	65		122	545
9	918	66	452	123	1232
10		67	392	124	925
11		68		125	12
12		69		126	
13		70		127	836
14	201	71	873	128	92
15		72	385	129	38
16		73		130	1028
17	34	74	1520	131	
18		75	301	132	
19		76	73	133	789
20	1	77	94	134	1522
21	1378	78	173	135	
22	292	79	447	136	
23	2	80	972	137	
24	422	81	89	138	142
25	239	82		139	280
26	24	83	316	140	544
27	106	84	16	141	
28	195	85		142	
29		86	353	143	
30	1486	87	48	144	460
31		88	49	145	
32		89	47	146	458
33		90	590	147	682
34		91	9	148	
35		92	10	149	641
36		93	140	150	
37	54	94		151	339
38	72	95	679	152	435
39	315	96	27	153	318
40	67	97		154	46
41		98		155	84
42		99		156	
43	108	100		157	812
44	134	101	143	158	550
45	254	102	383	159	486
46		103	525	160	210
47		104		161	
48	18	105	187	162	13
49	858	106	188	163	487
50	55	107	1506	164	71
51	332	108	329	165	22
52	742	109	103	166	
53		110		167	81
54	331	111	93	168	1048
55		112	161	169	773
56		113	846	170	91
57	413	114	600		

*See Supplemental List

SENATE RECORD OF COMPANION BILLS AS INTRODUCED
(SENATE FILES NUMERICALLY)

S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
171	139	228	130	285	500
172		229		286	477
173		230	369	287	
174		231	125	288	636
175	397	232	126	289	308
176	330	233	128	290	
177		234	109	291	251
178		235	111	292	154
179	416	236	276	293	45
180	158	237	114	294	167
181	136	238	889	295	
182	21	239	171	296	
183		240		297	288
184	179	241	205	298	640
185	1587	242		299	327
186	1022	243		300	
187	203	244	558	301	320
188	51	245	25	302	296
189		246	428	303	258
190		247	429	304	233
191		248		305	194
192		249	309	306	1019
193	221	250	115	307	231
194	36	251	2273	308	1269
195	596	252	821	309	
196	61	253	19	310	436
197	98	254		311	133
198	343	255	311	312	163
199		256	159	313	42
200		257		314	68
201		258	217	315	223
202	155	259	145	316	
203	228	260	151	317	229
204	449	261	100	318	440
205	421	262	241	319	923
206		263	211	320	248
207	152	264	355	321	
208	6	265	157	322	250
209	86	266	272	323	197
210	693	267	340	324	212
211	178	268	377	325	193
212		269	148	326	
213	52	270	219	327	246
214	521	271	196	328	141
215	97	272	255	329	524
216	563	273	805	330	423
217	57	274	156	331	459
218	847	275		332	376
219	234	276	917	333	
220		277		334	305
221	28	278		335	169
222		279		336	
223		280		337	182
224		281	153	338	270
225	237	282	165	339	690
226	85	283	129	340	374
227	220	284	547	341	

SENATE RECORD OF COMPANION BILLS AS INTRODUCED
(SENATE FILES NUMERICALLY)

S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
342	357	399	4	456	
343	23	400	259	457	
344	256	401	40	458	105
345	667	402	1183	459	341
346	181	403	262	460	480
347	216	404		461	1332
348	5	405	1243	462	1088
349	236	406	29	463	934
350	235	407	2350	464	981
351	758	408	297	465	
352	699	409		466	865
353		410	616	467	
354	342	411	291	468	1360
355	504	412	370	469	389
356	926	413	275	470	763
357		414	346	471	781
358	479	415	87	472	437
359	694	416	303	473	589
360		417		474	1021
361	176	418	295	475	838
362	244	419	279	476	814
363	1064	420	406	477	260
364	848	421		478	1249
365	135	422	565	479	399
366	44	423	1175	480	448
367	112	424	362	481	265
368	191	425	350	482	543
369	124	426	328	483	662
370	372	427	505	484	948
371	177	428	323	485	
372	218	429		486	1454
373		430		487	
374	322	431	1172	488	
375	274	432	1479	489	1337
376	1047	433	892	490	
377		434	387	491	496
378	287	435	381	492	555
379		436	1404	493	704
380	344	437	345	494	431
381	388	438	461	495	
382	537	439	1000	496	
383		440	107	497	1374
384	162	441		498	520
385		442	1365	499	439
386	707	443	334	500	614
387	829	444	620	501	414
388	290	445	386	502	192
389	409	446	1475	503	198
390	705	447	872	504	393
391	434	448	253	505	
392	263	449	56	506	
393	1457	450		507	
394	*	451	257	508	
395	373	452	282	509	519
396	354	453		510	268
397	30	454	491	511	321
398	31	455	1216	512	186

*See Supplemental List

SENATE RECORD OF COMPANION BILLS AS INTRODUCED
(SENATE FILES NUMERICALLY)

S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
513	490	570		627	415
514	180	571	964	628	574
515	1543	572	356	629	
516	756	573	367	630	615
517	358	574		631	556
518		575	626	632	608
519	277	576	208	633	660
520	472	577	209	634	360
521	351	578		635	395
522		579	70	636	227
523	1911	580	553	637	
524	427	581	554	638	
525	384	582		639	
526	455	583	476	640	683
527	1507	584	426	641	371
528	513	585	412	642	484
529	442	586	467	643	
530	481	587	424	644	
531		588	470	645	433
532	185	589	482	646	652
533	835	590	404	647	575
534	734	591	468	648	
535	267	592	539	649	599
536	1006	593	572	650	632
537	50	594	432	651	*
538	408	595	469	652	587
539		596	425	653	791
540	466	597		654	1131
541	335	598	493	655	647
542	628	599	2304	656	59
543	398	600		657	378
544	1464	601	483	658	1346
545	443	602	518	659	1663
546	444	603	503	660	731
547		604	562	661	
548	684	605	568	662	464
549	853	606	778	663	510
550	762	607	1529	664	597
551	366	608	542	665	1030
552	594	609	509	666	523
553		610	382	667	998
554	1193	611	1073	668	579
555	361	612	1109	669	122
556	453	613	400	670	123
557	1437	614		671	1049
558		615	863	672	
559		616	498	673	
560	602	617	1189	674	515
561	451	618	584	675	
562	*	619	534	676	302
563		620	1138	677	138
564		621	375	678	1585
565		622	1135	679	601
566	868	623	536	680	571
567	104	624	564	681	631
568	396	625	803	682	613
569	127	626		683	1559

SENATE RECORD OF COMPANION BILLS AS INTRODUCED
(SENATE FILES NUMERICALLY)

S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
684	621	741	299	798	
685	787	742	687	799	910
686	689	743		800	760
687	639	744	535	801	716
688	144	745	653	802	1491
689	119	746	688	803	1299
690	495	747	551	804	
691		748	598	805	646
692		749	517	806	405
693	1687	750	729	807	710
694	583	751	642	808	1178
695	603	752	273	809	747
696	522	753	637	810	750
697	549	754	728	811	749
698	465	755	588	812	390
699		756	984	813	269
700	326	757	531	814	715
701	1478	758	822	815	880
702	785	759	1040	816	746
703		760	932	817	
704	629	761	676	818	570
705	99	762		819	904
706	325	763	702	820	784
707	712	764	1001	821	893
708	771	765	709	822	895
709	511	766	1258	823	582
710		767		824	701
711		768	860	825	619
712	1323	769	938	826	727
713		770	617	827	
714	711	771	748	828	430
715	541	772	672	829	678
716	813	773	593	830	419
717		774	826	831	489
718		775	810	832	733
719	993	776	703	833	856
720	457	777	735	834	1163
721	1473	778	879	835	
722	670	779	307	836	766
723	160	780	1242	837	606
724	1137	781		838	567
725		782	1026	839	659
726	665	783	804	840	730
727	538	784	830	841	245
728	691	785	1274	842	986
729	610	786	644	843	1113
730		787	996	844	1067
731	1358	788	2354	845	740
732	732	789	887	846	739
733		790	1442	847	825
734	983	791	1180	848	
735	1104	792	627	849	759
736	700	793		850	532
737	592	794	146	851	922
738	560	795	271	852	777
739	1134	796	202	853	989
740		797	319	854	8

*See Supplemental List

SENATE RECORD OF COMPANION BILLS AS INTRODUCED
 (SENATE FILES NUMERICALLY)

S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
855	347	912		969	867
856	150	913	859	970	1319
857	530	914	298	971	1199
858		915		972	
859	261	916	963	973	935
860		917	946	974	995
861	775	918	1002	975	834
862	576	919	832	976	900
863	841	920	839	977	973*
864		921	1185	978	2229
865	552	922		979	806
866	1533	923	971	980	1338
867	843	924	1010	981	1497
868	881	925	638	982	2391
869	685	926	1170	983	966
870	765	927	842	984	1141
871	780	928	757	985	958
872	827	929	913	986	951
873	1292	930	60	987	1463
874	675	931		988	899
875	937	932		989	1009
876	585	933	718	990	1079
877		934	869	991	
878	816	935	845	992	1372
879	488	936	894	993	348
880	1074	937	1118	994	929
881	526	938	930	995	1016
882	624	939	1075	996	866
883	1121	940	*	997	605
884	819	941	1053	998	943
885	401	942	767	999	1574
886	823	943	1008	1000	
887	1288	944		1001	
888	1573	945	1218	1002	1494
889	824	946	697	1003	968
890	864	947	878	1004	890
891		948	1439	1005	941
892	35	949		1006	931
893	954	950	945	1007	1080
894	1167	951	1092	1008	1038
895	794	952	857	1009	906
896	654	953	905	1010	1550
897		954	831	1011	1532
898	737	955		1012	
899	1124	956		1013	1505
900	850	957		1014	
901	1273	958	914	1015	1091
902	833	959	907	1016	317
903		960	915	1017	300
904	116	961	928	1018	1151
905	1024	962	920	1019	987
906	940	963	921	1020	1023
907	862	964	764	1021	1042
908	861	965	911	1022	633
909	1306	966	1094	1023	206
910	680	967	664	1024	1628
911	807	968	663	1025	1502

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
1026	1325	1083	1152	1140	1140
1027	997	1084	1106	1141	851
1028	1035	1085	1095	1142	1115
1029	855	1086	1139	1143	1268
1030	656	1087	1440	1144	1154
1031	1191	1088	499	1145	1136
1032	1253	1089		1146	446
1033	1003	1090		1147	1403
1034	1085	1091	1041	1148	
1035	817	1092	1061	1149	1157
1036	623	1093	1100	1150	969
1037	898	1094	456	1151	1077
1038	214	1095		1152	1166
1039	725	1096	492	1153	
1040	1165	1097	1086	1154	1117
1041	1037	1098	792	1155	
1042	1450	1099	1234	1156	
1043	924	1100		1157	1541
1044	*	1101		1158	1119
1045	982	1102	1043	1159	1044
1046	713	1103	1083	1160	1758
1047	1351	1104		1161	
1048	793	1105	1432	1162	
1049	936	1106	1148	1163	
1050	991	1107	1084	1164	
1051	1359	1108	1072	1165	820
1052	1029	1109	1241	1166	1127
1053	1188	1110	1158	1167	1128
1054	1031	1111		1168	1056
1055		1112	1169	1169	242
1056	1078	1113	1108	1170	1658
1057	645	1114	1146	1171	1248
1058		1115		1172	1200
1059	1017	1116	876	1173	
1060	1005	1117		1174	
1061		1118		1175	985
1062	1081	1119	1144	1176	1297
1063		1120		1177	
1064	1501	1121	1120	1178	204
1065	1500	1122	1215	1179	213
1066		1123	1099	1180	1214
1067	902	1124		1181	1280
1068	875	1125	1514	1182	988
1069	1103	1126	1162	1183	1339
1070		1127	723	1184	1260
1071		1128	1192	1185	
1072		1129	1291	1186	1405
1073	1063	1130	959	1187	1142
1074	1096	1131		1188	1143
1075	1089*	1132	1130	1189	1045
1076	1032	1133	1321	1190	1217
1077	1052	1134	1768	1191	1246
1078	788	1135	368	1192	1184
1079	1231	1136	1097	1193	1271
1080		1137	720	1194	
1081		1138	1153	1195	512
1082	1344	1139	724	1196	1557

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
1197	1224	1254	1496	1311	1355
1198	1210	1255	1160	1312	1350
1199	1221	1256	1252	1313	1411
1200	1220	1257	1289	1314	970
1201	1219	1258	1303	1315	1363
1202	648	1259	1393	1316	1093
1203	650	1260	1327	1317	1087
1204	649	1261	1257	1318	
1205	1187	1262	2444	1319	1025
1206	1181	1263	1318	1320	1295
1207	1090	1264	1290	1321	
1208		1265	1476	1322	1352
1209	1230	1266	1062	1323	1320
1210	1266	1267		1324	1262
1211	1386	1268	1315	1325	1523
1212	1237*	1269	1055	1326	1071
1213	*	1270		1327	1313
1214	611	1271	978	1328	
1215	1455	1272	1630	1329	1369
1216		1273	1511	1330	
1217	1298	1274	183	1331	1498
1218	1254	1275	581	1332	
1219	891	1276	1448	1333	1517
1220	677	1277	1282	1334	
1221		1278	1535	1335	215
1222	643	1279	1412	1336	979
1223	1301	1280	1309	1337	719
1224	815	1281	607	1338	
1225	1264	1282	1314	1339	877
1226	1565	1283		1340	1373
1227	1236	1284	790	1341	1548
1228	1256	1285	1421	1342	1388
1229		1286	1300	1343	1364
1230	1235	1287	1554	1344	1499
1231		1288	1540	1345	1307
1232	1222	1289	1453	1346	967
1233	1247	1290	1129	1347	1402
1234		1291		1348	1375
1235	1566	1292	1198	1349	324
1236	990	1293	1203	1350	1524
1237		1294	1225	1351	561
1238	686	1295	1438	1352	888
1239	783	1296	1173	1353	774
1240	1590	1297	1149	1354	
1241	2324	1298	1310	1355	
1242	1150	1299		1356	1389
1243	1326	1300	174	1357	
1244	1027	1301		1358	
1245	1279	1302	1525	1359	1383
1246	1384	1303		1360	1370
1247	1472	1304		1361	
1248	1492	1305		1362	*
1249	912	1306	1245	1363	*
1250	222	1307		1364	1371
1251	1261	1308	312	1365	1013
1252		1309	1376	1366	
1253	609	1310	1308	1367	

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
1368		1425	1430	1482	1449
1369	1305	1426	944	1483	1311
1370	1238	1427	1206	1484	1324
1371	1366	1428	1441	1485	1392
1372		1429	1424	1486	
1373	1466	1430	1408	1487	1059
1374	1480	1431	1051	1488	1270
1375	695	1432	1391	1489	1544
1376	1379	1433	1385	1490	
1377		1434	1423	1491	1050
1378		1435	1244	1492	
1379	313	1436		1493	506
1380	168	1437		1494	1125
1381	132	1438	1477	1495	754
1382	131	1439		1496	1294
1383		1440	1251	1497	1503
1384	1272	1441	1461	1498	
1385	184	1442	1447	1499	
1386	1382	1443	1418	1500	1101
1387	1429	1444	1445	1501	1452
1388	1431	1445		1502	1635
1389	1110	1446	1416	1503	1265
1390	1328	1447	1458	1504	*
1391	1436	1448	1400	1505	*
1392	1417	1449	1488	1506	1474
1393	1444	1450	1460	1507	1065
1394	1468	1451	897	1508	
1395	706	1452	1302	1509	1531
1396	849	1453	1377	1510	*
1397	2352	1454	1395	1511	*
1398	2223	1455	1368	1512	
1399	1399	1456	1469	1513	508
1400	1433	1457	1443	1514	1567
1401	1422	1458	1602	1515	1493
1402		1459	1182	1516	1561
1403	1471	1460	976	1517	1596
1404	1456	1461	1465	1518	1485
1405		1462	516	1519	1467
1406	1329	1463		1520	
1407	1335	1464		1521	
1408	14	1465	1111	1522	1547
1409	1414	1466	1331	1523	1539
1410	1159	1467	1347	1524	1543
1411	474	1468	1263	1525	450
1412	622	1469		1526	1778
1413	1381	1470	1413	1527	1545
1414	782	1471	1487	1528	1250
1415	1255	1472	1482	1529	
1416	121	1473		1530	770
1417	1462	1474		1531	
1418	779	1475	1132	1532	58
1419	692	1476	573	1533	1145
1420		1477	1018	1534	2315
1421		1478	1066	1535	1267
1422	1312	1479	1356	1536	1427
1423	1069	1480		1537	668
1424		1481	980	1538	797

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
1539	*	1596	1637	1653	1776
1540	*	1597	1612	1654	1899
1541	1591	1598	1640	1655	1864
1542	1015	1599	755	1656	1699
1543	1156	1600		1657	1792
1544	1569	1601	1667	1658	2435
1545	1556	1602		1659	2263
1546	284	1603	1645	1660	
1547	1435	1604	1726	1661	2144
1548	1578	1605		1662	2416
1549	1534	1606		1663	2014
1550	1619	1607	1915	1664	
1551	1582	1608	874	1665	
1552	1513	1609	1994	1666	1781
1553	1593	1610	1684	1667	1844
1554	1576	1611		1668	1995
1555		1612	1704	1669	1813
1556	1240	1613	1672	1670	1744
1557	1592	1614	1752	1671	1197
1558	1575	1615	1666	1672	1674
1559		1616	1805	1673	1691
1560	1568	1617	1700	1674	1724
1561	1211	1618	1678	1675	2003
1562	2429	1619	1802	1676	1797
1563	752	1620	1693	1677	2167
1564	1428	1621	1785	1678	2162
1565		1622	1711	1679	2331
1566	1551	1623	1754	1680	1835
1567	*	1624	1948	1681	1706
1568		1625	1713	1682	1692
1569	*	1626	1757	1683	1841
1570	*	1627	1756	1684	2249
1571	1611	1628		1685	1655
1572	1495	1629	1662	1686	1794
1573	1407	1630	1680	1687	1716
1574	1595	1631	1710	1688	
1575		1632	1685	1689	2126
1576	1598	1633	2441	1690	2086
1577	1599	1634		1691	1707
1578		1635	1914	1692	1728
1579	1601	1636	2020	1693	2085
1580	1597	1637	1923	1694	1786
1581	1603	1638	2180	1695	1875
1582	1527	1639		1696	
1583	1632	1640	1750	1697	1902
1584	1036	1641	2428	1698	1876
1585	1621	1642		1699	1878
1586	1560	1643		1700	1897
1587	1610	1644	2345	1701	
1588	1623	1645	1997	1702	
1589	1622	1646	2277	1703	1656
1590	1616	1647		1704	1732
1591	1614	1648	1705	1705	2309
1592	1633	1649	1649	1706	2046
1593	1629	1650		1707	1908
1594	1644	1651	1740	1708	2037
1595	1627	1652	2071	1709	1929

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
1710	1966	1767	1739	1824	
1711	293	1768		1825	2442
1712	2293	1769	1829	1826	2348
1713	170	1770	2075	1827	1849
1714	2400	1771	1677	1828	1833
1715	1697	1772	1877	1829	1880
1716	1976	1773	2244	1830	1769
1717	2112	1774	1787	1831	
1718	2403	1775	1780	1832	2366
1719		1776	1751	1833	1673
1720	1762	1777	1715	1834	
1721	2191	1778	1963	1835	
1722	1702	1779	1712	1836	1798
1723		1780	1870	1837	1972
1724		1781	2359	1838	1921
1725	1955	1782	1770	1839	1917
1726	2346	1783	2385	1840	
1727		1784	1736	1841	
1728	2342	1785	1818	1842	1799
1729		1786	1737	1843	1898
1730	2278	1787	2094	1844	1790
1731	1888	1788	1884	1845	1861
1732	1999	1789	1848	1846	1694
1733	1718	1790	1775	1847	2168
1734	1679	1791	1811	1848	1858
1735	1708	1792	1817	1849	
1736	1906	1793	1745	1850	2098
1737	1659	1794	1801	1851	1581
1738	1664	1795		1852	1147
1739	1823	1796	1749	1853	2404
1740	1852	1797	1822	1854	1958
1741	2011	1798	2119	1855	
1742	1766	1799	1779	1856	
1743		1800	1860	1857	2377
1744	1959	1801	2347	1858	1723
1745	1735	1802	2338	1859	
1746		1803	2344	1860	2139
1747	1832	1804	1947	1861	2453
1748	2153	1805	2452	1862	1820
1749	1810	1806	2045	1863	1893
1750		1807	1722	1864	1867
1751	2231	1808		1865	1925
1752	1755	1809		1866	
1753	1731	1810	2066	1867	1938
1754	1907	1811	2111	1868	
1755	1759	1812	2110	1869	
1756	1695	1813	1941	1870	
1757	1916	1814	2128	1871	1961
1758	1717	1815		1872	
1759	1853	1816	1862	1873	
1760	1725	1817	2092	1874	1928
1761	1771	1818	1789	1875	2069
1762	2495	1819	1784	1876	1765
1763	1824	1820	1743	1877	2036
1764	1975	1821	2209	1878	
1765	1729	1822	1871	1879	1788
1766		1823		1880	1791

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
1881	1764	1938	1753	1995	
1882	2056	1939	1979	1996	2034
1883	1847	1940	1190	1997	2022
1884	1763	1941	1965	1998	
1885	1910	1942	2250	1999	1825
1886	2072	1943	1942	2000	2079
1887		1944	1816	2001	
1888		1945	2012	2002	
1889	2013	1946	2248	2003	2149
1890	1761	1947		2004	2341
1891	2251	1948	2138	2005	2109
1892	1946	1949		2006	2131
1893	1809	1950	1974	2007	
1894	1930	1951	2018	2008	
1895	2055	1952		2009	1390
1896	2142	1953		2010	
1897	2141	1954	1953	2011	1903
1898	2143	1955	2317	2012	2058
1899	2083	1956		2013	1891
1900	1675	1957	*	2014	1738
1901		1958	1986	2015	1812
1902	2486	1959	2015	2016	
1903	1927	1960	2073	2017	2054
1904	1932	1961	2008	2018	1855
1905	1904	1962	2211	2019	1977
1906	1905	1963	1660	2020	2305
1907	2026	1964	1962	2021	2104
1908		1965	2033	2022	2115
1909	753	1966	1954	2023	1842
1910	2235	1967	1901	2024	
1911		1968	2120	2025	2353
1912	1701	1969		2026	
1913	1748	1970		2027	1981
1914	1846	1971	2009	2028	1984
1915	1668	1972	1968	2029	1837
1916	2146	1973	1988	2030	
1917	1800	1974	1863	2031	
1918	2155	1975	*	2032	1985
1919	634	1976	1207	2033	
1920	1926	1977		2034	
1921	2049	1978	2107	2035	1866
1922	1856	1979	2172	2036	1892
1923	1828	1980	2023	2037	
1924	1703	1981	2060	2038	2063
1925	1967	1982		2039	2040
1926	2068	1983	1730	2040	2081
1927	1934	1984	2329	2041	2019
1928		1985	2070	2042	2076
1929		1986	2035	2043	
1930	2100	1987	1992	2044	1908
1931	2001	1988		2045	2042
1932		1989	2007	2046	1286
1933	2237	1990	1814	2047	1838
1934		1991	1895	2048	2116
1935	1681	1992	1859	2049	1989
1936	1827	1993	2221	2050	1943
1937	1957	1994	1969	2051	2175

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
2052	2062	2109	2334	2166	2320
2053	2051	2110	2156	2167	2207
2054	2402	2111	2190	2168	2197
2055	1887	2112	1936	2169	
2056		2113	2118	2170	2087
2057		2114	1336	2171	
2058		2115	2219	2172	2184
2059	2024	2116	2105	2173	1890
2060	2099	2117	2356	2174	2295
2061	2255	2118	2163	2175	2198
2062	2101	2119	*	2176	2127
2063	1854	2120	2236	2177	1940
2064	2113	2121	2157	2178	1873
2065	2091	2122	2043	2179	1683
2066	2078	2123	2147	2180	1886
2067	2121	2124		2181	2179
2068	722	2125		2182	2332
2069	1982	2126	2257	2183	2230
2070		2127	2245	2184	2303
2071	2286	2128	2290	2185	
2072		2129	2150	2186	2340
2073	1815	2130	1996	2187	2339
2074	2004	2131	2318	2188	2238
2075		2132	2061	2189	2132
2076		2133	2151	2190	2459
2077	2360	2134	2253	2191	2472
2078		2135		2192	1987
2079	2281	2136	2368	2193	2297
2080	2158	2137	2185	2194	
2081	2137	2138	2082	2195	2206
2082	2269	2139	2247	2196	
2083	2090	2140	2177	2197	2272
2084		2141	1795	2198	
2085	2154	2142		2199	
2086	2181	2143	2336	2200	
2087	2227	2144	2443	2201	2242
2088	2148	2145	2161	2202	
2089	1168	2146	2135	2203	2289
2090	2208	2147	2129	2204	2178
2091	2440	2148	1922	2205	2266
2092	2261	2149	1896	2206	2017
2093	2173	2150	1978	2207	2016
2094	2189	2151	2415	2208	2220
2095	2183	2152	2187	2209	2225
2096		2153	2186	2210	2241
2097	2224	2154	1686	2211	2292
2098	2182	2155	2093	2212	
2099	1991	2156	1931	2213	
2100	2088	2157	2038	2214	2200
2101	2047	2158	2084	2215	2300
2102	2123	2159		2216	2396
2103	2145	2160	2319	2217	2291
2104	2032	2161	2268	2218	2376
2105	1773	2162		2219	2213
2106	2103	2163	2312	2220	1834
2107	2164	2164	1983	2221	2102
2108		2165	2271	2222	2408

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
2223		2280	2389	2337	2407
2224		2281	2326	2338	1949
2225	2455	2282	2243	2339	2395
2226	2306	2283	2239	2340	
2227	2214	2284	2302	2341	2262
2228	2252	2285	1653	2342	2430
2229	2375	2286	2321	2343	2169
2230		2287	2254	2344	2351
2231	2218	2288		2345	
2232		2289	2423	2346	1661
2233	2080	2290	2267	2347	1956
2234	2222	2291	1451	2348	1727
2235	2210	2292	1945	2349	896
2236	2226	2293	2421	2350	2260
2237		2294	2420	2351	1201
2238	1869	2295	2122	2352	
2239	1830	2296	2322	2353	2067
2240	2216	2297	2333	2354	942
2241	908	2298	2381	2355	2401
2242	2296	2299	1796	2356	
2243	2280	2300	2361	2357	2028
2244	2265	2301	2393	2358	2397
2245	2287	2302	2434	2359	2140
2246	2367	2303	2299	2360	
2247		2304	2399	2361	2432
2248		2305	2411	2362	
2249	2325	2306	2343	2363	2363
2250	2328	2307	1349	2364	
2251	1362	2308	2417	2365	2433
2252	1964	2309	2372	2366	
2253	2270	2310	2382	2367	2365
2254	2232	2311	2390	2368	2313
2255	2233	2312	2371	2369	2436
2256	2264	2313	2275	2370	2438
2257	2283	2314		2371	
2258	2308	2315		2372	1872
2259	1229	2316	2387	2373	2439
2260	2379	2317	2369	2374	2394
2261	1709	2318		2375	2284
2262	2212	2319	2259	2376	2418
2263	2160	2320	2025	2377	
2264	2388	2321	2409	2378	
2265	2134	2322	1741	2379	1734
2266		2323	2215	2380	
2267	2258	2324	2386	2381	2410
2268	2310	2325	2406	2382	1783
2269	2311	2326	2383	2383	
2270	2298	2327	2349	2384	2364
2271		2328	2380	2385	2314
2272	2199	2329	2000	2386	2451
2273	1990	2330	2374	2387	
2274	2412	2331	2228	2388	2478
2275	2108	2332	2445	2389	1819
2276	2188	2333		2390	2447
2277	1459	2334	2398	2391	2413
2278		2335	2117	2392	
2279		2336	2039	2393	2457

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
2394	*	2410	2307	2426	1881
2395	*	2411	2337	2427	2465
2396		2412	2489	2428	1879
2397	2431	2413		2429	2193
2398	2463	2414	2426	2430	2493
2399	2460	2415	2482	2431	
2400	*	2416	2484	2432	
2401		2417	2483	2433	
2402	2467	2418	2384	2434	
2403	2468	2419	2487	2435	
2404	2466	2420	2490	2436	2499
2405	2461	2421	2492	2437	2464
2406	2064	2422		2438	2501
2407	2449	2423		2439	2498
2408	2477	2424			
2409	2471	2425	2491		

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
1	20	58	1532	115	250
2	23	59	656	116	904
3	7*	60	930	117	
4	399	61	196	118	
5	348	62		119	689
6	208	63		120	
7		64		121	1416
8	854*	65		122	669
9	91	66		123	670
10	92	67	40	124	369
11	2*	68	314	125	231
12	125	69		126	232
13	162	70	579	127	569
14	1408	71	164	128	233
15		72	38	129	283
16	84	73	76	130	228
17		74		131	1382
18	48	75		132	1381
19	253	76		133	311
20		77		134	44
21	182	78		135	365
22	165	79		136	181
23	343	80		137	
24	26	81	167	138	677
25	245	82		139	171
26		83		140	93
27	96	84	155	141	328
28	221	85	226	142	138
29	406	86	209	143	101
30	397	87	415	144	688
31	398	88		145	259
32		89	81	146	794
33		90	116	147	
34	17	91	170	148	269
35	892	92	128	149	
36	194	93	111	150	856
37		94	77	151	260
38	129	95		152	207
39		96		153	281
40	401	97	215	154	292
41		98	197	155	202
42	313	99	705	156	274
43		100	261	157	265
44	366	101		158	180
45	293	102		159	256
46	154	103	109	160	723
47	89	104	567	161	112
48	87	105	458	162	384
49	88	106	27	163	312
50	537	107	440	164	
51	188	108	43	165	282
52	213	109	234	166	
53	4*	110		167	294
54	37	111	235	168	1380
55	50	112	367	169	335
56	449	113		170	1713
57	217	114	237	171	239

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
172		229	317	286	
173	78	230		287	378
174	1300	231	307	288	297
175		232		289	
176	361	233	304	290	388
177	371	234	219	291	411
178	211	235	350	292	22
179	184	236	349	293	1711
180	514	237	225	294	
181	346	238		295	418
182	337	239	25	296	302
183	1274	240		297	408
184	1385	241	262	298	914
185	532	242	1169	299	741
186	512	243		300	1017
187	105	244	362	301	75
188	106	245	841	302	676
189	1	246	327	303	416
190		247		304	
191	368	248	320	305	334
192	502	249		306	
193	325	250	322	307	779
194	305	251	291	308	289
195	28	252		309	249
196	271	253	448	310	
197	323	254	45	311	255
198	503	255	272	312	1308
199		256	344	313	1379
200		257	451*	314	8
201	14	258	303	315	39
202	796	259	400	316	83
203	187	260	477	317	1016
204	1178	261	859	318	153
205	241	262	403	319	797
206	1023	263	392	320	301
207		264		321	511
208	576	265	481	322	374
209	577	266		323	428
210	160	267	535	324	1349
211	263	268	510	325	706
212	324	269	813	326	700
213	1179	270	338	327	299
214	1038	271	795	328	426
215	1335	272	266	329	108
216	347	273	752	330	176
217	258	274	375	331	54
218	372	275	413	332	51
219	270	276	236	333	
220	227	277	519	334	443
221	193	278		335	541
222	1250	279	419	336	
223	315	280	139	337	
224		281		338	115
225		282	452	339	151
226		283		340	267
227	636	284	1546	341	459
228	203	285		342	354

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
343	198	400	613	457	720
344	380	401	885	458	146
345	437	402		459	331
346	414	403		460	144
347	855	404	590	461	438
348	993	405	806	462	
349		406	420	463	
350	425	407		464	662
351	521	408	538	465	698
352		409	389	466	540
353	86	410		467	586
354	396	411		468	591
355	264	412	585	469	595
356	572	413	57	470	588
357	342	414	501	471	
358	517	415	627	472	520
359		416	179	473	
360	634	417		474	1411
361	555	418		475	
362	424	419	830	476	583
363		420		477	286
364		421	205	478	
365		422	24	479	358
366	551	423	330	480	460
367	573	424	587	481	530
368	1135*	425	596	482	589
369	230	426	584	483	601
370	412	427	524	484	642
371	641	428	246	485	
372	370	429	247	486	159
373	395	430	828	487	163
374	340	431	494	488	879
375	621	432	594	489	831
376	332	433	645	490	513
377	268	434	391	491	454
378	657	435	152	492	1096
379		436	310	493	598
380		437	472	494	
381	435	438		495	690
382	610	439	499	496	491
383	102	440	318	497	
384	525	441		498	616
385	72	442	529	499	1088
386	445	443	545	500	285
387	434	444	546	501	
388	381	445		502	
389	469	446	1146	503	603
390	812	447	79	504	355
391		448	480	505	427
392	67	449	204	506	1493
393	504	450	1525	507	
394		451	561	508	1513
395	635	452	66	509	609
396	568	453	556	510	663
397	175	454		511	709
398	543	455	526	512	1195
399	479	456	1094	513	528

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
514		571	680	628	542
515	674	572	593	629	704
516	1462	573	1476	630	
517	749	574	628	631	681
518	602	575	647	632	650
519	509	576	862	633	1022
520	498	577		634	1919
521	214	578		635	
522	696	579	668	636	288
523	666	580		637	753
524	329	581	1275	638	925
525	103	582	823	639	687
526	881	583	694	640	298
527		584	618	641	149
528		585	876	642	751
529		586		643	1222
530	857	587	652	644	786
531	757	588	755	645	1057
532	850	589	473	646	805
533		590	90	647	655
534	619	591		648	1202
535	744	592	737	649	1204
536	623	593	773	650	1203
537	382	594	552	651	
538	727	595		652	646
539	592	596	195	653	745
540	61	597	664	654	896
541	715	598	748	655	
542	608	599	649	656	1030
543	482	600	114	657	
544	140	601	679	658	
545	122	602	560	659	839
546	*	603	695	660	633
547	284	604		661	
548		605	997	662	483
549	697	606	837	663	968
550	158	607	1281	664	967
551	747	608	632	665	726
552	865	609	1253	666	
553	580	610	729	667	345
554	581	611	1214	668	1537
555	492	612		669	
556	631	613	682	670	722
557		614	500	671	
558	244	615	630	672	772
559		616	410	673	
560	738	617	770	674	
561	1351	618		675	874
562	604	619	825	676	761
563	216	620	444	677	1220
564	624	621	684	678	829
565	422	622	1412	679	95
566		623	1036	680	910
567	838	624	882	681	
568	605	625		682	147
569		626	575	683	640
570	818	627	792	684	548

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
685	869	742	52	799	
686	1238	743	117	800	
687	742	744	63	801	
688	746	745		802	
689	686	746	816	803	625
690	339	747	809	804	783
691	728	748	771	805	273
692	1419	749	811	806	979
693	210	750	810	807	911
694	359	751		808	
695	1375	752	1563	809	
696		753	1909	810	775
697	946	754	1495	811	
698		755	1599	812	157
699	352	756	516	813	716
700	736	757	928	814	476
701	824	758	351	815	1224
702	763	759	849	816	878
703	776	760	800	817	1035
704	493	761		818	
705	390	762	550	819	884
706	1395	763	470	820	1165
707	386	764	964	821	252
708		765	870	822	758
709	765	766	836	823	886
710	807	767	942	824	889
711	714	768	*	825	847
712	707	769		826	774
713	1046	770	1530	827	872
714		771	708	828	
715	814	772	*	829	387
716	801	773	169	830	784
717		774	1353	831	954
718	933	775	861	832	919
719	1337	776		833	902
720	1137	777	852	834	975
721		778	606	835	533
722	2068	779	1418	836	127
723	1127	780	871	837	
724	1139	781	471	838	475
725	1039	782	1414	839	920
726		783	1239	840	
727	826	784	820	841	863
728	754	785	702	842	927
729	750	786		843	867
730	840	787	685	844	
731	660	788	1078	845	935
732	732	789	133	846	113
733	832	790	1284	847	218
734	534	791	653	848	364
735	777	792	1098	849	1396
736		793	1048	850	900
737	898	794	895	851	1141
738	*	795		852	
739	846	796		853	549
740	845	797	1538	854	
741		798		855	1029

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856	833	912	1249	969	1150
857	952	913	929	970	1314
858	49	914	958	971	923
859	913	915	960	972	80
860	768	916		973	977*
861	908	917	276	974	
862	907	918	9	975	
863	615	919		976	1460
864	890	920	962	977	59
865	466	921	963	978	1271
866	996	922	851	979	1336
867	969	923	319	980	1481
868	566	924	1043	981	464
869	934	925	124	982	1045
870		926	356	983	734
871		927		984	756
872	447	928	961	985	1175
873	71	929	994	986	842
874	1608	930	938	987	1019
875	1068	931	1006	988	1182
876	1116	932	760	989	853
877	1339	933		990	1236
878	947	934	463	991	1050
879	778	935	973	992	
880	815	936	1049	993	719
881	868	937	875	994	
882	*	938	769	995	974
883		939		996	787
884		940	906	997	1027
885		941	1005	998	667
886		942	2354	999	
887	789	943	998	1000	439
888	1352	944	1426	1001	764
889	238	945	950	1002	918
890	1004	946	917	1003	1033
891	1219	947		1004	
892	433	948	484	1005	1060
893	821	949		1006	536
894	936	950		1007	
895	822	951	986	1008	943
896	2349	952		1009	989
897	1451	953		1010	924
898	1037	954	893	1011	*
899	988	955		1012	*
900	976	956		1013	1365
901		957		1014	
902	1067	958	985	1015	1542
903		959	1130	1016	995
904	819	960		1017	1059
905	953	961		1018	1477
906	1009	962		1019	306
907	959	963	916	1020	
908	2241	964	571	1021	474
909		965		1022	186
910	799	966	983	1023	1020
911	965	967	1346	1024	905
		968	1003		

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
1025	1319	1082		1139	1086
1026	782	1083	1103	1140	1140
1027	1244	1084	1107	1141	984
1028	130	1085	1034	1142	1187
1029	1052	1086	1097	1143	1188
1030	665	1087	1317	1144	1119
1031	1054	1088	462	1145	1533
1032	1076	1089	1075*	1146	1114
1033		1090	1207	1147	1852
1034		1091	1015	1148	1106
1035	1028	1092	951	1149	1297
1036	1584	1093	1316	1150	1242
1037	1041	1094	966	1151	1018
1038	1008	1095	1085	1152	1083
1039		1096	1074	1153	1138
1040	759	1097	1136	1154	1144
1041	1091	1098	64	1155	
1042	1021	1099	1123	1156	1543
1043	1102	1100	1093	1157	1149
1044	1159	1101	1500	1158	1110
1045	1189	1102		1159	1410
1046		1103	1069	1160	1255
1047	376	1104	735	1161	
1048	168	1105		1162	1126
1049	671	1106	1084	1163	834
1050	1491	1107		1164	
1051	1431	1108	1113	1165	1040
1052	1077	1109	612	1166	1152
1053	941	1110	1389	1167	894
1054		1111	1465	1168	2089
1055	1269	1112		1169	1112
1056	1168	1113	843	1170	926
1057		1114		1171	
1058		1115	1142	1172	431
1059	1487	1116		1173	1296
1060		1117	1154	1174	
1061	1092	1118	937	1175	423
1062	1266	1119	1158	1176	
1063	1073	1120	1121	1177	
1064	363	1121	883	1178	808
1065	1507	1122		1179	
1066	1478	1123		1180	791
1067	844	1124	899	1181	1206
1068		1125	1494	1182	1459
1069	1423	1126		1183	402
1070		1127	1166	1184	1192
1071	1326	1128	1167	1185	921
1072	1108	1129	1290	1186	
1073	611	1130	1132	1187	1205
1074	880	1131	654	1188	1053
1075	939	1132	1475	1189	617
1076		1133		1190	1940
1077	1151	1134	739	1191	1031
1078	1056	1135	622	1192	1128
1079	990	1136	1145	1193	554
1080	1007	1137	724	1194	
1081	1062	1138	620	1195	

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1196		1253	1032	1310	1298
1197	1671	1254	1218	1311	1483
1198	1292	1255	1415	1312	1422
1199	971	1256	1228	1313	1327
1200	1172	1257	1261	1314	1282
1201	2351	1258	766	1315	1268
1202		1259		1316	
1203	1293	1260	1184	1317	
1204		1261	1251	1318	1263
1205		1262	1324	1319	970
1206	1427	1263	1468	1320	1323
1207	1976	1264	1225	1321	1133
1208		1265	1503	1322	
1209		1266	1210	1323	712
1210	1198	1267	1535	1324	1484
1211	1561	1268	1143	1325	1026
1212		1269	308	1326	1243
1213		1270	1488	1327	1260
1214	1180	1271	1193	1328	1390
1215	1122	1272	1384	1329	1406*
1216	455	1273	901	1330	
1217	1190	1274	785	1331	1466
1218	945	1275		1332	461
1219	1201	1276		1333	
1220	1200	1277		1334	
1221	1199	1278		1335	1407
1222	1232	1279	1245	1336	2114
1223		1280	1181	1337	489
1224	1197	1281		1338	980
1225	1294	1282	1277	1339	1183
1226	*	1283		1340	
1227	*	1284		1341	
1228		1285		1342	
1229	2259	1286	2046	1343	
1230	1209	1287		1344	1082
1231	1079	1288	887	1345	
1232	123	1289	1257	1346	658
1233	118	1290	1264	1347	1467
1234	1099	1291	1129	1348	
1235	1230	1292	873	1349	2307
1236	1227	1293		1350	1312
1237	1212*	1294	1496	1351	1047
1238	1370	1295	1320	1352	1322
1239		1296		1353	
1240	1556	1297	1176	1354	
1241	1109	1298	1217	1355	1311
1242	780	1299	803	1356	1479
1243	405	1300	1286	1357	
1244	1435	1301	1223	1358	731
1245	1306	1302	1452	1359	1051
1246	1191	1303	1258	1360	468
1247	1233	1304		1361	
1248	1171	1305	1369	1362	2251
1249	478	1306	909	1363	1315
1250	1528	1307	1345	1364	1343
1251	1440	1308	1310	1365	442
1252	1256	1309	1280	1366	1371

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
1367		1424	1429	1481	
1368	1455	1425		1482	1472
1369	1329	1426		1483	
1370	1360	1427	1536	1484	
1371	1364	1428	1564	1485	1518
1372	992	1429	1387	1486	30
1373	1340	1430	1425	1487	1471
1374	497	1431	1388	1488	1449
1375	1348	1432	1105	1489	
1376	1309	1433	1400	1490	
1377	1453	1434		1491	802
1378	21	1435	1547	1492	1248
1379	1376	1436	1391	1493	1515
1380		1437	557	1494	1002
1381	1413	1438	1295	1495	1572*
1382	1386	1439	948	1496	1254
1383	1359	1440	1087	1497	981
1384	1246	1441	1428	1498	1331
1385	1433	1442	790	1499	1344
1386	1211	1443	1457	1500	1065
1387		1444	1393	1501	1064
1388	1342	1445	1444	1502	1025
1389	1356	1446		1503	1497
1390	2009	1447	1442	1504	
1391	1432	1448	1276	1505	1013
1392	1485	1449	1482	1506	107
1393	1259	1450	1042	1507	527
1394		1451	2291	1508	
1395	1454	1452	1501	1509	
1396		1453	1289	1510	
1397		1454	486	1511	1273
1398		1455	1215	1512	
1399	1399	1456	1404	1513	1552
1400	1448	1457	393	1514	1125
1401		1458	1447	1515	
1402	1347	1459	2277	1516	
1403	1147	1460	1450	1517	1333
1404	436	1461	1441	1518	*
1405	1186	1462	1417	1519	*
1406		1463	987	1520	74
1407	1573	1464	544	1521	
1408	1430	1465	1461	1522	134
1409		1466	1373	1523	1325
1410		1467	1519	1524	1350
1411	1313	1468	1394	1525	1302
1412	1279	1469	1456	1526	*
1413	1470	1470		1527	1582
1414	1409	1471	1403	1528	
1415		1472	1247	1529	607
1416	1446	1473	721	1530	
1417	1392	1474	1506	1531	1509
1418	1443	1475	446	1532	1011
1419		1476	1265	1533	866
1420		1477	1438	1534	1549
1421	1285	1478	701	1535	1278
1422	1401	1479	432	1536	
1423	1434	1480	1374	1537	

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
1538		1595	1574	1652	
1539	1523	1596	1517	1653	2285
1540	1288	1597	1580	1654	
1541	1157	1598	1576	1655	1685
1542		1599	1577	1656	1703
1543	1524	1600		1657	
1544	1489	1601	1579	1658	1170
1545	1527	1602	1458	1659	1737
1546	515	1603	1581	1660	1963
1547	1522	1604		1661	2346
1548	1341	1605	*	1662	1629
1549		1606	*	1663	659
1550	1010	1607		1664	1738
1551	1566	1608		1665	
1552	*	1609		1666	1615
1553	*	1610	1587	1667	1601
1554	1287	1611	1571	1668	1915
1555		1612	1597	1669	
1556	1545	1613		1670	
1557	1196	1614	1591	1671	
1558		1615		1672	1613
1559	683	1616	1590	1673	1833
1560	1586	1617		1674	1672
1561	1516	1618		1675	1900
1562	119	1619	1550	1676	
1563	*	1620		1677	1771
1564		1621	1585	1678	1618
1565	1226	1622	1589	1679	1734
1566	1235	1623	1588	1680	1630
1567	1514	1624		1681	1935
1568	1560	1625		1682	
1569	1544	1626		1683	2179
1570		1627	1595	1684	1610
1571		1628	1024	1685	1632
1572		1629	1593	1686	2154
1573	888	1630	1272	1687	693
1574	999	1631		1688	
1575	1558	1632	1583	1689	
1576	1554	1633	1592	1690	
1577		1634		1691	1673
1578	1548	1635	1502	1692	1682
1579		1636		1693	1620
1580		1637	1596	1694	1846
1581	1851	1638		1695	1756
1582	1551	1639		1696	
1583		1640	1598	1697	1715
1584		1641		1698	
1585	678	1642		1699	1656
1586		1643		1700	1617
1587	185	1644	1594	1701	1912
1588		1645	1603	1702	1722
1589		1646		1703	1924
1590	1240	1647		1704	1612
1591	1541	1648		1705	1648
1592	1557	1649	1649	1706	1681
1593	1553	1650		1707	1691
1594		1651		1708	1735

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
1709	2261	1766	1742	1823	1739
1710	1631	1767		1824	1763
1711	1622	1768	1134	1825	1999
1712	1779	1769	1830	1826	
1713	1625	1770	1782	1827	1936
1714		1771	1761	1828	1923
1715	1777	1772		1829	1769
1716	1687	1773	2105	1830	2239
1717	1758	1774		1831	
1718	1733	1775	1790	1832	1747
1719		1776	1653	1833	1828
1720		1777		1834	2220
1721		1778	1526	1835	1680
1722	1807	1779	1799	1836	
1723	1858	1780	1775	1837	2029
1724	1674	1781	1666	1838	2047
1725	1760	1782		1839	
1726	1604	1783	2382	1840	
1727	2348	1784	1819	1841	1683
1728	1692	1785	1621	1842	2023
1729	1765	1786	1694	1843	
1730	1983	1787	1774	1844	1667
1731	1753	1788	1879	1845	
1732	1704	1789	1818	1846	1914
1733		1790	1844	1847	1883
1734	2379	1791	1880	1848	1789
1735	1745	1792	1657	1849	1827
1736	1784	1793		1850	
1737	1786	1794	1686	1851	
1738	2014	1795	2141	1852	1740
1739	1767	1796	2299	1853	1759
1740	1651	1797	1676	1854	2063
1741	2322	1798	1836	1855	2018
1742		1799	1842	1856	1922
1743	1820	1800	1917	1857	
1744	1670	1801	1794	1858	1848
1745	1793	1802	1619	1859	1992
1746		1803		1860	1800
1747		1804		1861	1845
1748	1913	1805	1616	1862	1816
1749	1796	1806		1863	1974
1750	1640	1807		1864	1655
1751	1776	1808	2044	1865	
1752	1614	1809	1893	1866	2035
1753	1938	1810	1749	1867	1864
1754	1623	1811	1791	1868	
1755	1752	1812	2015	1869	2238
1756	1627	1813	1669	1870	1780
1757	1626	1814	1990	1871	1822
1758	1160	1815	2073	1872	2372
1759	1755	1816	1944	1873	2178
1760		1817	1792	1874	
1761	1890	1818	1785	1875	1695
1762	1720	1819	2389	1876	1698
1763	1884	1820	1862	1877	1772
1764	1881	1821		1878	1699
1765	1876	1822	1797	1879	2428

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
1880	1829	1937		1994	1609
1881	2426	1938	1867	1995	1668
1882		1939		1996	2130
1883		1940	2177	1997	1645
1884	1788	1941	1813	1998	
1885		1942	1943	1999	1732
1886	2180	1943	2050	2000	2329
1887	2055	1944		2001	1931
1888	1731	1945	2292	2002	
1889		1946	1892	2003	1675
1890	2173	1947	1804	2004	2074
1891	2013	1948	1624	2005	
1892	2036	1949	2338	2006	
1893	1863	1950		2007	1989
1894		1951		2008	1961
1895	1991	1952		2009	1971
1896	2149	1953	1954	2010	
1897	1700	1954	1966	2011	1741
1898	1843	1955	1725	2012	1945
1899	1654	1956	2347	2013	1889
1900		1957	1937	2014	1663
1901	1967	1958	1854	2015	1959
1902	1697	1959	1744	2016	2207
1903	2011	1960		2017	2206
1904	1905	1961	1871	2018	1951
1905	1906	1962	1964	2019	2041
1906	1736	1963	1778	2020	1636
1907	1754	1964	2252	2021	
1908	1707	1965	1941	2022	1997
1909		1966	1710	2023	1980
1910	1885	1967	1925	2024	2059
1911	523	1968	1972	2025	2320
1912		1969	1994	2026	1907
1913		1970	*	2027	
1914	1635	1971		2028	2357
1915	1607	1972	1837	2029	
1916	1757	1973		2030	
1917	1839	1974	1950	2031	
1918		1975	1764	2032	2104
1919		1976	1716	2033	1965
1920		1977	2019	2034	1996
1921	1838	1978	2150	2035	1986
1922	2148	1979	1939	2036	1877
1923	1637	1980		2037	1708
1924		1981	2027	2038	2157
1925	1865	1982	2069	2039	2336
1926	1920	1983	2164	2040	2039
1927	1903	1984	2028	2041	
1928	1874	1985	2032	2042	2045
1929	1709	1986	1958	2043	2122
1930	1894	1987	2192	2044	
1931	2156	1988	1973	2045	1806
1932	1904	1989	2049	2046	1706
1933		1990	2273	2047	2101
1934	1927	1991	2099	2048	
1935		1992	1987	2049	1921
1936	2112	1993		2050	

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
2051	2053	2108	2275	2165	
2052		2109	2005	2166	
2053		2110	1812	2167	1677
2054	2017	2111	1811	2168	1847
2055	1895	2112	1717	2169	2343
2056	1882	2113	2064	2170	
2057		2114		2171	
2058	2012	2115	2022	2172	1979
2059		2116	2048	2173	2093
2060	1981	2117	2335	2174	
2061	2132	2118	2113	2175	2051
2062	2052	2119	1798	2176	
2063	2038	2120	1968	2177	2140
2064	2406	2121	2067	2178	2204
2065		2122	2295	2179	2181
2066	1810	2123	2102	2180	1638
2067	2353	2124		2181	2086
2068	1926	2125		2182	2098
2069	1875	2126	1689	2183	2095
2070	1985	2127	2176	2184	2172
2071	1652	2128	1814	2185	2137
2072	1886	2129	2147	2186	2153
2073	1960	2130		2187	2152
2074		2131	2006	2188	2276
2075	1770	2132	2189	2189	2094
2076	2042	2133		2190	2111
2077		2134	2265	2191	1721
2078	2066	2135	2146	2192	
2079	2000	2136		2193	2429
2080	2233	2137	2081	2194	
2081	2040	2138	1948	2195	
2082	2138	2139	1860	2196	
2083	1899	2140	2359	2197	2168
2084	2158	2141	1897	2198	2175
2085	1693	2142	1896	2199	2272
2086	1690	2143	1898	2200	2214
2087	2170	2144	1661	2201	
2088	2100	2145	2103	2202	
2089		2146	1916	2203	
2090	2083	2147	2123	2204	
2091	2065	2148	2088	2205	
2092	1817	2149	2003	2206	2195
2093	2155	2150	2129	2207	2167
2094	1787	2151	2133	2208	2090
2095		2152		2209	1821
2096		2153	1748	2210	2235
2097		2154	2085	2211	1962
2098	1850	2155	1918	2212	2262
2099	2060	2156	2110	2213	2219
2100	1930	2157	2121	2214	2227
2101	2062	2158	2080	2215	2323
2102	2221	2159		2216	2240
2103	2106	2160	2263	2217	
2104	2021	2161	2145	2218	2231
2105	2116	2162	1678	2219	2115
2106		2163	2118	2220	2208
2107	1978	2164	2107	2221	1993

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
2222	2234	2279		2336	2143
2223	1398	2280	2243	2337	2411
2224	2097	2281	2079	2338	1802
2225	2209	2282		2339	2187
2226	2236	2283	2257	2340	2186
2227	2087	2284	2375	2341	2004
2228	2331	2285		2342	1728
2229	978	2286	2071	2343	2306
2230	2183	2287	2245	2344	1803
2231	1751	2288		2345	1644
2232	2254	2289	2203	2346	1726
2233	2255	2290	2128	2347	1801
2234		2291	2217	2348	1826
2235	1910	2292	2211	2349	2327
2236	2120	2293	1712	2350	407
2237	1933	2294		2351	2344
2238	2188	2295	2174	2352	1397
2239	2283	2296	2242	2353	2025
2240		2297	2193	2354	788
2241	2210	2298	2270	2355	
2242	2201	2299	2303	2356	2117
2243	2282	2300	2215	2357	
2244	1773	2301		2358	
2245	2127	2302	2284	2359	1781
2246		2303	2184	2360	2077
2247	2139	2304	599	2361	2300
2248	1946	2305	2020	2362	
2249	1684	2306	2226	2363	2363
2250	1942	2307	2410	2364	2384
2251	1891	2308	2258	2365	2367
2252	2228	2309	1705	2366	1832
2253	2134	2310	2268	2367	2246
2254	2287	2311	2269	2368	2136
2255	2061	2312	2163	2369	2317
2256		2313	2368	2370	
2257	2126	2314	2385	2371	2312
2258	2267	2315	1534	2372	2309
2259	2319	2316		2373	
2260	2350	2317	1955	2374	2330
2261	2092	2318	2131	2375	2229
2262	2341	2319	2160	2376	2218
2263	1659	2320	2166	2377	1857
2264	2256	2321	2286	2378	
2265	2244	2322	2296	2379	2260
2266	2205	2323		2380	2328
2267	2290	2324	1241	2381	2298
2268	2161	2325	2249	2382	2310
2269	2082	2326	2281	2383	2326
2270	2253	2327		2384	2518
2271	2165	2328	2250	2385	1783
2272	2197	2329	1984	2386	2324
2273	251	2330		2387	2316
2274		2331	1679	2388	2264
2275	2313	2332	2182	2389	2280
2276		2333	2297	2390	2311
2277	1646	2334	2109	2391	982
2278	1730	2335		2392	

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
2393	2301	2430	2342	2467	2402
2394	2374	2431	2397	2468	2403
2395	2339	2432	2361	2469	*
2396	2216	2433	2365	2470	*
2397	2358	2434	2302	2471	2409
2398	2334	2435	1658	2472	2191
2399	2304	2436	2369	2473	
2400	1714	2437		2474	
2401	2355	2438	2370	2475	121
2402	2054	2439	2373	2476	*
2403	1718	2440	2091	2477	2408
2404	1853	2441	1633	2478	2388
2405		2442	1825	2479	
2406	2325	2443	2144	2480	
2407	2337	2444	1262	2481	
2408	2222	2445	2332	2482	2415
2409	2321	2446		2483	2417
2410	2381	2447	2390	2484	2416
2411	2305	2448		2485	
2412	2274	2449	2407	2486	1902
2413	2391	2450		2487	2419
2414		2451	2386	2488	
2415	2151	2452	1805	2489	2412
2416	1662	2453	1861	2490	2420
2417	2308	2454		2491	2425
2418	2376	2455	2225	2492	2421
2419		2456		2493	2430
2420	2294	2457	2393	2494	
2421	2293	2458		2495	1762
2422		2459	2190	2496	
2423	2289	2460	2399	2497	
2424		2461	2405	2498	2439
2425		2462		2499	2436
2426	2414	2463	2398	2500	
2427		2464	2437	2501	2438
2428	1641	2465	2427	2502	
2429	1562	2466	2404		

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S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number
2	3	1212	1329	1540	1563
4	8	1213	738	1567	1495
394	768	1362	1227	1569	1605
562	1011	1363	1226	1570	1606
651	368	1504	1552	1957	1970
940	772	1505	1526	1975	1012
977	257	1510	1553	2394	2470
1044	882	1511	1518	2395	2469
1075	546	1539	1519	2400	2476

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H.F. Number	S.F. Number	H.F. Number	S.F. Number	H.F. Number	S.F. Number
3	2	1011	562	1552	1504
8	4	1012	1975	1553	1510
257	977	1226	1363	1563	1540
368	651	1227	1362	1605	1569
546	1075	1329	1212	1606	1570
738	1213	1495	1567	1970	1957
768	394	1518	1511	2469	2395
772	940	1519	1539	2470	2394
882	1044	1526	1505	2476	2400

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OF CHAPTER NUMBERS**

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Chapter Number	File Number	Chapter Number	File Number
1	SF 225	59	SF 340
2	SF 231	60	SF 361
3	SF 88	61	SF 384
4	SF 92	62	SF 493
5	SF 187	63	SF 728
6	SF 388	64	HF 116
7	HF 48	65	HF 299
8	SF 67	66	HF 384
9	SF 411	67	HF 610
10	HF 9	68	HF 768
11	SF 81	69	HF 1158
12	SF 138	70	SF 218
13	SF 203	71	SF 362
14	SF 39	72	SF 538
15	SF 287	73	SF 737
16	SF 389	74	SF 1149
17	SF 207	75	HF 67
18	HF 416	76	HF 1214
19	HF 303	77	HF 1436
20	HF 201	78	SF 466
21	SF 198	79	SF 668
22	SF 204	80	SF 1388
23	SF 254	81	HF 966
24	SF 288	82	SF 236
25	SF 327	83	SF 478
26	SF 20	84	SF 807
27	SF 298	85	SF 876
28	HF 493	86	SF 935
29	SF 72	87	SF 1245
30	SF 530	88	SF 345
31	HF 52	89	SF 444
32	HF 127	90	SF 484
33	HF 259	91	SF 144
34	HF 270	92	SF 276
35	HF 295	93	SF 660
36	HF 373	94	SF 708
37	SF 51	95	SF 980
38	SF 307	96	SF 1392
39	SF 603	97	HF 148
40	HF 157	98	HF 713
41	HF 330	99	HF 715
42	HF 396	100	HF 823
43	SF 322	101	HF 859
44	HF 103	102	HF 969
45	HF 167	103	HF 1519
46	HF 186	104	SF 988
47	HF 297	105	HF 677
48	HF 486	106	SF 255
49	HF 523	107	SF 579
50	HF 638	108	SF 601
51	HF 843	109	SF 615
52	SF 52	110	SF 719
53	SF 63	111	SF 779
54	SF 122	112	SF 871
55	SF 346	113	SF 923
56	SF 606	114	SF 947
57	SF 57	115	SF 1040
58	SF 61	116	SF 1288

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Chapter Number	File Number	Chapter Number	File Number
117	SF 1376	175	HF 1256
118	SF 1436	176	SF 117
119	HF 191	177	SF 233
120	HF 192	178	SF 427
121	HF 219	179	SF 830
122	HF 282	180	SF 1193
123	HF 318	181	SF 1312
124	HF 386	182	HF 340
125	HF 395	183	HF 607
126	HF 519	184	HF 748
127	HF 659	185	HF 898
128	HF 757	186	HF 954
129	HF 998	187	HF 1065
130	HF 1011	188	HF 1093
131	HF 1052	189	HF 1386
132	HF 1226	190	SF 59
133	HF 1235	191	SF 182
134	HF 1268	192	SF 219
135	HF 1411	193	SF 228
136	HF 1433	194	SF 332
137	HF 1473	195	SF 333
138	SF 1158	196	SF 363
139	SF 334	197	SF 529
140	SF 491	198	SF 622
141	SF 623	199	SF 808
142	SF 905	200	SF 843
143	SF 1310	201	SF 961
144	SF 1327	202	SF 1328
145	HF 31	203	SF 1351
146	HF 59	204	HF 99
147	HF 183	205	HF 198
148	HF 214	206	HF 222
149	HF 220	207	HF 227
150	HF 253	208	HF 313
151	HF 279	209	HF 357
152	HF 325	210	HF 370
153	HF 389	211	HF 487
154	HF 499	212	HF 508
155	HF 568	213	HF 515
156	HF 594	214	HF 521
157	HF 606	215	HF 546
158	HF 623	216	HF 747
159	HF 627	217	HF 749
160	HF 642	218	HF 912
161	HF 656	219	HF 936
162	HF 728	220	HF 988
163	HF 819	221	HF 1018
164	HF 882	222	HF 1029
165	HF 921	223	HF 1037
166	HF 976	224	HF 1062
167	HF 982	225	HF 1101
168	HF 1023	226	HF 1324
169	HF 1063	227	HF 1353
170	HF 1126	228	HF 1364
171	HF 1144	229	HF 1377
172	HF 1227	230	HF 1444
173	HF 1245	231	SF 26
174	HF 1251	232	SF 118

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Chapter Number	File Number	Chapter Number	File Number
233	SF 130	291	HF 60
234	SF 186	292	HF 145
235	SF 303	293	HF 746
236	SF 420	294	HF 772
237	SF 432	295	HF 852
238	SF 435	296	HF 907
239	SF 436	297	HF 1167
240	SF 450	298	HF 1198
241	SF 600	299	HF 1206
242	SF 681	300	HF 1241
243	SF 712	301	HF 1253
244	SF 732	302	HF 1329
245	SF 765	303	HF 1495
246	SF 787	304	SF 188
247	SF 799	305	SF 521
248	SF 874	306	HF 261
249	SF 1025	307	HF 272
250	SF 1026	308	HF 317
251	SF 1074	309	HF 588
252	SF 1099	310	HF 624
253	SF 1243	311	HF 633
254	HF 107	312	HF 686
255	HF 123	313	HF 740
256	HF 268	314	HF 1084
257	HF 277	315	HF 1091
258	HF 555	316	SF 202
259	HF 643	317	SF 486
260	HF 792	318	SF 528
261	HF 877	319	HF 218
262	HF 914	320	HF 235
263	HF 1238	321	HF 248
264	HF 1309	322	HF 257
265	SF 27	323	HF 260
266	SF 481	324	HF 368
267	SF 709	325	HF 444
268	SF 856	326	HF 703
269	SF 926	327	HF 724
270	SF 1002	328	HF 738
271	SF 1047	329	HF 810
272	SF 1191	330	HF 842
273	SF 1218	331	HF 1392
274	SF 1425	332	HF 1467
275	HF 87	333	SF 1510
276	HF 360	334	HF 223
277	HF 451	335	HF 1526
278	HF 534	336	HF 1518
279	HF 564	337	SF 1504
280	HF 597	338	HF 1605
281	HF 699	339	HF 1606
282	HF 866	340	SF 1548
283	HF 913	341	SF 1128
284	HF 970	342	SF 960
285	HF 1111	343	SF 687
286	HF 1236	344	SF 1361
287	SF 549	345	SF 618
288	SF 831	346	SF 285
289	SF 1553	347	SF 1042
290	HF 13	348	SF 1248

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Chapter Number	File Number	Chapter Number	File Number
349	SF 1257	406	HF 2051
350	SF 1848	407	HF 2119
351	SF 54	408	HF 2135
352	SF 482	409	HF 2222
353	SF 693	410	HF 2287
354	SF 998	411	SF 801
355	HF 455	412	SF 802
356	SF 824	413	SF 1584
357	SF 888	414	SF 1633
358	SF 1114	415	SF 1674
359	SF 1438	416	SF 1707
360	SF 1625	417	SF 1709
361	SF 951	418	SF 1719
362	SF 1010	419	SF 1807
363	SF 1215	420	SF 1815
364	HF 2110	421	SF 1847
365	HF 1488	422	SF 1957
366	SF 1755	423	SF 1963
367	SF 1296	424	SF 1979
368	SF 920	425	SF 2102
369	HF 1656	426	HF 1207
370	HF 1666	427	HF 1408
371	HF 1932	428	HF 1732
372	HF 2012	429	HF 1834
373	SF 273	430	HF 2024
374	SF 759	431	HF 2047
375	SF 1609	432	SF 1675
376	SF 1187	433	SF 1797
377	SF 1188	434	SF 2168
378	SF 1311	435	SF 1736
379	SF 1745	436	SF 1749
380	HF 1789	437	SF 1764
381	HF 1798	438	SF 1772
382	HF 1892	439	SF 1789
383	SF 978	440	SF 1811
384	SF 1273	441	SF 1813
385	SF 1403	442	SF 1842
386	SF 1471	443	SF 1853
387	SF 1645	444	SF 1900
388	SF 1646	445	SF 1922
389	SF 1716	446	SF 1937
390	SF 1722	447	SF 1962
391	SF 1796	448	SF 1996
392	SF 1892	449	SF 1997
393	SF 2040	450	SF 2110
394	HF 593	451	SF 2067
395	HF 711	452	SF 2195
396	HF 924	453	SF 2265
397	HF 942	454	SF 210
398	HF 1349	455	SF 654
399	HF 1427	456	SF 744
400	HF 1601	457	SF 975
401	HF 1623	458	SF 1240
402	HF 1695	459	SF 1293
403	HF 1778	460	SF 1541
404	HF 1846	461	SF 1611
405	HF 1985	462	SF 1619

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Chapter Number	File Number	Chapter Number	File Number
463	SF 1630	521	SF 2045
464	SF 1665	522	SF 2062
465	SF 1679	523	SF 2071
466	SF 1690	524	SF 2117
467	SF 1734	525	SF 2184
468	HF 753	526	SF 1054
469	HF 1090	527	HF 160
470	HF 1262	528	HF 251
471	HF 1286	529	HF 262
472	HF 1653	530	HF 902
473	HF 1684	531	HF 1012
474	HF 1723	532	HF 1138
475	HF 1824	533	HF 1190
476	HF 1871	534	HF 1443
477	HF 1949	535	HF 1513
478	HF 1962	536	HF 1603
479	HF 1963	537	HF 1763
480	HF 1996	538	HF 1823
481	HF 2028	539	HF 1878
482	HF 2152	540	HF 1895
483	HF 2262	541	HF 1899
484	HF 2314	542	HF 1942
485	SF 2090	543	HF 1956
486	HF 1145	544	HF 1981
487	HF 1169	545	HF 2019
488	HF 1272	546	HF 2035
489	HF 1451	547	HF 2045
490	HF 1655	548	HF 2353
491	HF 1742	549	HF 2289
492	HF 1765	550	SF 971
493	HF 1779	551	SF 1132
494	HF 1790	552	SF 1144
495	HF 1794	553	SF 1295
496	HF 1800	554	SF 1358
497	HF 1814	555	SF 1726
498	HF 1835	556	SF 1775
499	HF 1841	557	SF 407
500	HF 1884	558	SF 1843
501	HF 1904	559	HF 870
502	HF 1987	560	HF 1534
503	HF 2067	561	HF 1727
504	HF 2075	562	HF 1838
505	HF 2122	563	HF 729
506	HF 2149	564	HF 2023
507	HF 2185	565	HF 1995
508	HF 2191	566	HF 1612
509	HF 2369	567	HF 1435
510	HF 2374	568	HF 1201
511	HF 2436	569	HF 2187
512	SF 49	570	HF 1847
513	SF 523	571	HF 1818
514	SF 704	572	HF 1662
515	SF 768	573	SF 2095
516	SF 789	574	SF 1141
517	SF 797	575	SF 702
518	SF 919	576	SF 682
519	SF 1759	577	SF 480
520	SF 1865	578	SF 364

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Chapter Number	File Number	Chapter Number	File Number
579	HF 1710	612	HF 1873
580	HF 1896	613	HF 2046
581	HF 2090	614	HF 2476
582	SF 133	615	HF 874
583	SF 572	616	SF 507
584	SF 1875	617	SF 2085
585	SF 2134	618	SF 2419
586	SF 251		
587	HF 2304	Resolution No. 1	HF 3
588	SF 129	Resolution No. 2	HF 472
589	SF 134	Resolution No. 3	SF 1435
590	SF 630		
591	SF 1398	SPECIAL SESSION	
592	SF 1550	S.S. CH. 1	HF 1
593	SF 2099	S.S. CH. 2	SF 2
594	SF 2100	S.S. CH. 3	SF 1
595	SF 2166		
596	HF 644	1979 VETOES	
597	HF 1047	SF 498	
598	HF 1095	SF 607	
599	HF 1302	SF 1476	
600	HF 1453	HF 430	
601	HF 1731	HF 813	
602	HF 1816		
603	HF 2040	1980 VETOES	
604	HF 2268	SF 550	
605	HF 2302	SF 1670	
606	HF 2429	SF 2122	
607	HF 1121	HF 1121 (Line Items)	
608	HF 8	HF 1507	
609	HF 1781	HF 1781 (Line Items)	
610	HF 1813	HF 1837	
611	HF 1842	HF 2476 (Line Items)	

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S.F. Number	Chapter Number	S.F. Number	Chapter Number
2	See HF	236	82
4	See HF	251	586
14	See HF	254	23
20	201	255	106
26	26	259	See HF
27	231	265	145
39	265	266	See HF
40	14	267	See HF
49	See HF	269	See HF
51	67	270	See HF
52	512	273	373
54	37	276	92
57	52	285	346
59	351	287	15
61	57	288	24
63	190	291	See HF
67	58	294	See HF
72	53	298	27
81	8	303	235
87	29	307	38
88	11	315	See HF
91	See HF	320	See HF
92	48	322	43
109	3	327	25
117	See HF	332	194
118	9	333	195
122	4	334	139
129	See HF	338	See HF
130	103	340	270
133	176	342	59
134	232	345	See HF
138	54	346	88
144	588	350	55
153	233	352	See HF
159	582	361	See HF
162	589	362	60
163	12	363	71
176	91	364	196
179	See HF	368	578
182	See HF	372	See HF
186	See HF	376	See HF
187	318	384	1047
188	See HF	388	61
198	See HF	389	6
202	See HF	394	16
203	See HF	395	See HF
204	See HF	398	See HF
207	See HF	400	See HF
210	See HF	403	See HF
213	See HF	407	768
214	See HF	408	See HF
218	See HF	411	See HF
219	See HF	412	See HF
225	See HF	415	See HF
227	See HF	416	See HF
228	See HF	418	See HF
231	See HF	419	See HF
233	See HF	420	See HF

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S.F. Number	Chapter Number	S.F. Number	Chapter Number
427	178	620	See HF 1138
432	237	622	198
435	238	623	141
436	239	624	See HF 564
440	See HF 107	630	590
444	89	634	See HF 360
445	See HF 386	635	See HF 395
448	See HF 253	636	See HF 227
450	240	651	See HF 368
451	See HF 257	654	455
452	See HF 282	656	See HF 59
466	78	660	93
469	See HF 389	664	See HF 597
477	See HF 260	666	See HF 523
478	83	667	See HF 998
480	577	668	79
481	266	670	See HF 123
482	352	674	See HF 515
484	90	681	242
486	317	682	576
491	140	687	343
492	See HF 555	693	353
493	62	702	575
502	See HF 192	704	514
503	See HF 198	705	See HF 99
507	616	706	See HF 325
509	See HF 519	708	94
510	See HF 268	709	267
512	See HF 186	712	243
519	See HF 277	714	See HF 711
520	See HF 472	719	110
521	305	721	See HF 1473
523	513	723	See HF 160
525	See HF 384	728	63
526	See HF 455	729	See HF 610
528	318	732	244
529	197	737	73
530	30	741	See HF 299
538	72	744	456
546	See HF 444	750	See HF 729
549	287	751	See HF 642
552	See HF 594	754	See HF 728
561	See HF 451	755	See HF 588
562	See HF 1011	759	374
568	See HF 396	765	245
569	See HF 127	768	515
572	583	771	See HF 748
579	107	773	See HF 593
598	See HF 493	775	See HF 810
599	See HF 2304	776	See HF 703
600	241	779	111
601	108	786	See HF 644
603	39	787	246
605	See HF 568	789	516
606	56	792	See HF 627
615	109	797	517
618	345	799	247
619	See HF 534	801	411

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S.F. Number	Chapter Number	S.F. Number	Chapter Number
802	412	1002	270
807	84	1010	362
808	199	1015	See HF 1091
809	See HF 747	1016	See HF 317
811	See HF 749	1020	See HF 1023
814	See HF 715	1022	See HF 633
816	See HF 746	1025	249
824	356	1026	250
830	179	1030	See HF 656
831	288	1032	See HF 1253
837	See HF 606	1036	See HF 623
839	See HF 659	1037	See HF 898
843	200	1038	See HF 214
845	See HF 740	1040	115
854	See HF 8	1041	See HF 1037
856	268	1042	347
859	See HF 261	1043	See HF 924
867	See HF 843	1044	See HF 882
871	112	1045	See HF 982
874	248	1046	See HF 713
876	85	1047	271
882	See HF 624	1049	See HF 936
883	See HF 1121	1052	See HF 1029
884	See HF 819	1054	526
886	See HF 823	1067	See HF 902
888	357	1073	See HF 1063
893	See HF 954	1074	25F
894	See HF 1167	1075	See HF 546
904	See HF 116	1077	See HF 1052
905	142	1085	See HF 1095
913	See HF 859	1088	See HF 499
919	518	1098	See HF 792
920	368	1099	252
923	113	1107	See HF 1084
925	See HF 638	1109	See HF 1241
926	269	1110	See HF 1158
927	See HF 842	1112	See HF 1169
928	See HF 757	1114	358
929	See HF 913	1119	See HF 1144
930	See HF 60	1128	341
935	86	1132	551
940	See HF 772	1135	See HF 368
947	114	1139	See HF 724
951	361	1141	574
958	See HF 914	1143	See HF 1268
959	See HF 907	1144	552
960	342	1149	74
961	201	1150	See HF 969
963	See HF 921	1158	138
971	550	1180	See HF 1214
975	457	1182	See HF 988
977	See HF 257	1187	376
978	383	1188	377
980	95	1191	272
983	See HF 966	1193	180
988	104	1207	See HF 1090
996	See HF 866	1211	See HF 1386
998	354	1212	See HF 1329

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S.F. Number	Chapter Number	S.F. Number	Chapter Number
1213	See HF 738	1430	See HF 1408
1215	363	1436	118
1218	273	1438	359
1220	See HF 677	1440	See HF 1251
1222	See HF 643	1449	See HF 1488
1227	See HF 1236	1452	See HF 1302
1228	See HF 1256	1453	See HF 1377
1230	See HF 1235	1457	See HF 1443
1238	See HF 686	1460	See HF 976
1240	458	1465	See HF 1111
1243	253	1471	386
1245	87	1477	See HF 1018
1248	348	1484	See HF 1324
1249	See HF 912	1485	See HF 1392
1250	See HF 222	1500	See HF 1101
1257	349	1504	337
1266	See HF 1062	1505	See HF 1526
1273	384	1507	See HF 1065
1274	See HF 183	1510	333
1280	See HF 1309	1511	See HF 1518
1281	See HF 607	1513	See HF 508
1288	116	1519	See HF 1467
1289	See HF 1453	1526	See HF 1778
1292	See HF 1198	1533	See HF 1145
1293	459	1536	See HF 1427
1295	553	1539	See HF 1519
1296	367	1541	460
1306	See HF 1245	1547	See HF 1435
1310	143	1548	340
1311	378	1549	See HF 1534
1312	181	1550	592
1313	See HF 1411	1552	See HF 1513
1314	See HF 970	1553	289
1316	See HF 1093	1562	See HF 2429
1324	See HF 1262	1567	See HF 1495
1327	144	1569	See HF 1605
1328	202	1570	See HF 1606
1339	See HF 877	1572	See HF 1495
1343	See HF 1364	1579	See HF 1601
1351	203	1581	See HF 1603
1358	554	1584	413
1361	344	1588	See HF 1623
1362	See HF 1227	1597	See HF 1612
1363	See HF 1226	1608	See HF 874
1370	See HF 1238	1609	375
1376	117	1610	See HF 1684
1379	See HF 313	1611	461
1384	See HF 1272	1615	See HF 1666
1388	80	1619	462
1391	See HF 1436	1625	360
1392	96	1629	See HF 1662
1393	See HF 1444	1630	463
1398	591	1631	See HF 1710
1400	See HF 1433	1633	414
1403	385	1645	387
1406	See HF 1329	1646	388
1425	274	1654	See HF 1899
1427	See HF 1206	1665	464

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S.F. Number	Chapter Number	S.F. Number	Chapter Number
1666	See HF 1781	1853	443
1668	See HF 1995	1858	See HF 1723
1669	See HF 1813	1865	520
1674	415	1875	584
1675	432	1876	See HF 1765
1679	465	1883	See HF 1847
1680	See HF 1835	1884	See HF 1763
1683	See HF 1841	1892	392
1685	See HF 1655	1900	444
1686	See HF 1794	1904	See HF 1932
1690	466	1905	See HF 1904
1699	See HF 1878	1909	See HF 753
1703	See HF 1656	1914	See HF 1846
1704	See HF 1732	1917	See HF 1800
1706	See HF 2046	1922	445
1707	416	1937	446
1709	417	1940	See HF 1190
1716	389	1943	See HF 1942
1719	418	1944	See HF 1816
1721	See HF 2191	1945	See HF 2012
1722	390	1957	422
1726	555	1962	447
1734	467	1963	423
1736	435	1964	See HF 1962
1739	See HF 1823	1975	See HF 1012
1745	379	1976	See HF 1207
1749	436	1979	424
1753	See HF 1731	1980	See HF 2023
1755	366	1986	See HF 2035
1756	See HF 1695	1990	See HF 1814
1759	519	1991	See HF 1895
1763	See HF 1824	1996	448
1764	437	1997	449
1770	See HF 2075	2003	See HF 2149
1772	438	2023	See HF 1842
1775	556	2025	See HF 2353
1778	See HF 1963	2027	See HF 1981
1785	See HF 1818	2032	See HF 1985
1788	See HF 1884	2036	See HF 1892
1789	439	2039	See HF 2040
1796	391	2040	393
1797	433	2041	See HF 2019
1798	See HF 2119	2045	521
1799	See HF 1779	2046	See HF 1286
1806	See HF 2045	2047	See HF 1838
1807	419	2053	See HF 2051
1811	440	2059	See HF 2024
1812	See HF 2110	2062	522
1813	441	2067	451
1815	420	2071	523
1818	See HF 1789	2083	See HF 2090
1822	See HF 1871	2085	617
1836	See HF 1798	2090	485
1842	442	2095	573
1843	558	2099	593
1844	See HF 1790	2100	594
1847	421	2101	See HF 2047
1848	350	2102	425

1979-1980 CHAPTERS (HOUSE FILES)

H.F. Number	Chapter Number	H.F. Number	Chapter Number	H.F. Number	Chapter Number
8	608	340	182	746	293
9	10	357	209	747	216
13	290	360	276	748	184
31	145	368	324	749	217
48	7	370	210	753	468
52	31	373	36	757	128
59	146	384	66	768	68
60	291	386	124	772	294
67	75	389	153	792	260
87	275	395	125	810	329
99	204	396	42	819	163
103	44	416	18	823	100
107	254	444	325	842	330
116	64	451	277	843	51
123	255	455	355	852	295
127	32	486	48	859	101
145	292	487	211	866	282
148	97	493	28	870	559
157	40	499	154	874	615
160	527	508	212	877	261
167	45	515	213	882	164
183	147	519	126	898	185
186	46	521	214	902	530
191	119	523	49	907	296
192	120	534	278	912	218
198	205	546	215	913	283
201	20	555	258	914	262
214	148	564	279	921	165
218	319	568	155	924	396
219	121	588	309	936	219
220	149	593	394	942	397
222	206	594	156	954	186
223	334	597	280	966	81
227	207	606	157	969	102
235	320	607	183	970	284
248	321	610	67	976	166
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BY AUTHORS

SEVENTY-FIRST SESSION

1979-1980

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* after Senate file number indicates principal author.

(H file number) following a bill description indicates a House file introduced into the Senate for which there is no official Senate companion. The bill is listed for the senator who carried it on the floor.

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2023	Waste Management Act of 1980	5674, 5705, 5920*, 6008 6009	564
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2082	Special elections to fill vacancies in statutory city offices	5824, 5856, 5897	
2085	Public employment labor relations ..	6349, 6350, 6354, 6379* 6413, 6413, 6414, 6615	617
2095	Hennepin County personnel system ..	5667, 5705, 5844, 6122* 6124, 6191	573
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2187	Conveyance of state land to Brooklyn Center; LOGIS	5732, 5897, 6087*, 6090	569

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2476 Supplemental and deficiency appropriations	5596, 5618, 6632*, 6746	614

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Name	Received	Other	Confirmed
Aadelen, Dr. Richard J.	60	99	126
Achterhof, Carole R.	883	1394	1504
Adams, Salisbury	1061	5219	6812
Alexander, Joseph N.	331	718	1007
Allen, Clyde	536	840	1008
Alstad, Richard	56	99	125
Andersen, Dr. Howard	1324		
Anderson, Robert D.	801		
Antell, Will	1625	5658	5694
Arndt, Richard M.	1060	1493	1595
Arneson, Thomas G.	740	5221	6813
Avery, Eugene	739		
Barbeau, William	53	198	239
Barker, Anna	53	1491	1595
Barnhart, Rochelle	58		
Barrett, Robert A.	882	1347	1502
Belsheim, Rod	57		
Bennett, Marcia L.	697	3839	3900
Bentz, Frederick J.	802	1491	1595
Birmingham, Mary	57	1590, 1662	1663
Bissett, Elwood	4462		
Bonine, Robert W.	4586	5657	5695
Bormann, Jim	801	942	
Braun, Richard	208	595	1006
Brinkman, Paul D.	573	1492	1595
Brooks, Gladys S.	696	3839	3900
Brophy, Mary Alice	209	423	526
Bruton, James H., Jr.	3580	4075	4483
Burggraaff, Wayne	255	5220	6813
Campbell, Robert V.	740	1347	1501
Cardona, Raul	5652		
Carey, John W.	58	333	398
Carlson, Jack W.	3527		
Carter, Dr. Geraldine	54	1347	1502
Casmey, Howard B.	575, 576	1590, 1662, 1663	1663
Chase, Nadine H.	573	1492	1595
Childs, Homer A.	882	1589	1658
Christensen, Glenn K.	1324	5220	6814
Coleman, David	56	718	1007
Dahlvang, George C.	696	3839	3900
Danage-Scott, Loria	59	1491	1595
Davies, Patricia	1060	1493	1596
De Bethke, Irene Gomez	5652		
De Enos, JoAnn Cardenas	1991	5658	5693
De Fischer, Fidelina Lopez	1991	5658	5694
De Vries, Dirk	56, 697	3839	3900
Dunn, Richard J.	4586	5657	5695
Ebbott, Elizabeth	3713	3983	4082
Erickson, Emil A.	55	1347	1502
Feinberg, Sidney S.	1690	5219	6812
Ferderer, Robert J.	3644	3876	3904
Flaherty, William B.	1324	5220	6814
Fritsche, Christine P.	4412		
Fuhr, Alison D.	537	1493	1596
Gaines, Maxine	55	1347	1502
Gallegos, Alex Frank	1991	5658	5694
Gray, Florence	60	99	126
Green, Charles A.	4412		
Greencrow, Henry	3580	4075	4483
Griesgraber, Robert J.	882	1347	1502
Gustafson, Dan W.	3683	4446	4482

EXECUTIVE APPOINTMENTS—CONTINUED

Name	Received	Other	Confirmed
Hamersly, Marjory Luett	1625	5658	5694
Hansen, Robyn Lee	1326	1655	1730
Hanson, Roger	287	315	524
Harriman, Dr. Benjamin Ramage	440	1492	1596
Harris, Richard E.	61	99	126
Hasselmo, Patricia J.	3581	3840	3901
Herrick, Virgil C.	574, 4462	1656	3899
Hetland, James L., Jr.	1060	1493	1596
Hiniker, James.	574	5220	
Hobbs, Patt	5651		
Hoffman, Marcelle (Terry)	353	2519	2790
Jensen, Karen J.	575	1655, 1730	1730
Johnson, Algernon H.	384	1295	1500
Johnson, Eunice	55	1347	1503
Johnson, Paul O.	697	1590, 1662	1663
Johnson, Robert W.	4462		
Kalitowski, Thomas	124	682	1007
Kamper, Carol J.	4586	5657	5695
Karnis, Dr. Eugene	52	198	239
Kaufmann, Geoffrey L.	61	99	126
Kegel, Fred W., Jr.	1325	5220	6813
Kellogg, Martin N.	696	3839, 3900, 3901	3901
Kinneberg, Glenn A.	3645		
Knapp, John	1325	2363	2521
Kraft, Kenneth D.	740	1347	1501
Krause, James W.	537	1348	1503
Lackore, Lucille E.	3528, 5651		
Lancaster, Herbert G.	883	1347	1502
Lindberg, Lois-Elaine	52	198	239
Lindstrom, Ernest A.	696	3839	3900
Loffler, Gene C., II	59, 4412		
Lyght, John R.	1325	2805	2806
McClure, Marilyn	740	771, 2805	2805
McGauley, Patrick J.	801	1492	1596
Madson, Hugh G.	4586	5657	5695
Maher, William	58	198	239
Markman, Michael	441	2709	2838
Marshall, James B., Jr.	1325	5220	6813
Mason, Mark E.	6204		
Middleton, Rolf	574	769	1008
Miller, Donald M.	147	333	525
Miller, Dr. Johanna B.	801, 3528	2805, 5117	2806, 5247
Milligan, Paralee	1324	5220	6814
Mroczek, Russell	57	124	151
Mueller, Van D.	1625	5658	5694
Murphy, Katherine	802	1394	1503
Nelson, Dr. Wallace W.	4462		
Noblitt, Harding C.	4586	5657	5695
Noot, Arthur	441	1347	1501
Notaries Public	6345	6345	6345
Obermeyer, Peter	615	769	1008
Olsen, Karen A.	883	5219	
O'Neill, Joseph T.	1625	5658	5694
Otto, James R.	3645	4562, 5095, 5503	
Peterson, Geneva M.	697	1590, 1662	1663
Peterson, Harry D.	384		
Pettersen, Dr. George.	195, 4462	332	368
Pint, Michael	255	423	526
Plowman, Brad	59		
Printy, David L.	195	333	525

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Name	Received	Other	Confirmed
Rafferty, Charles L.	696	3839	3900
Ramsland, Maxwell O., Jr.	660	1492	1595
Rappana, Duane	384	1655	3899
Reichert, Dr. Thomas G.	54	100, 124	151
Replinger, Jean	53	198	239
Ridder, Kathleen C.	697	3839	3900
Rieke, Paul V.	3645	4446	4482
Rivera, Arturo	5652		
Roy, Judy Lawrence	53, 5652	1491	1595
Rypka, Jerry	1324		
Sanda, Krista	255	454	527
Savelkoul, Henry J.	5651	5729	6142
Saxton, Neil	3754		
Scherer, Roger H.	574	3840	3900
Seetin, Mark	147	333, 372	368, 525
Sillman, William T.	60	198	239
Solem, James J.	309	453	600
Sopsic, John P.	3527	5658	5693
Starr, F. Robert	54		
Sullivan, Dennis	61	198	239
Sundquist, Barbara	175	556	1005
Swanger, Mary B.	54	124	151
Tempel, Norman F.	4586	5657	5695
Thomas, Randy Roger	441	1590, 1662	1663
Tovar, Efren	1991	5658	5694
Van Dyck, Shirley	1060, 3528	1656, 3876	3025, 3995
Verdeja, Samuel O.	61	99	125
Wallraff, John C.	3645	4446	4482
Warren-Lazenberry, Lillian F.	58	316	524
Weaver, Charles	492	3839	3899
Weber, Patricia	1326	1591, 1663	1663
White, Jonathan P.	697	3984	
Worthington, Robert A.	660	3876	3995
Wunsch, John D.	4462		
Wychor, James J.	440	1492	1596
Yngve, John A.	537	573, 681	1006
Young, Jack G.	309	423	527
Young, Juanita	56	718	1007
Ziemer, Lorraine	1061	1491	1595
Zollman, Dr. Paul E.	1060	1493	1596

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Adjournment— April 11, 1979 to April 16, 1979 (Coleman)	S. Con. Res. #9	599	699	599
May 21, 1979 to January 22, 1980 (Coleman)	S. Con. Res. #12	2836		2836
May 21, 1979 to January 22, 1980 (Rules Committee)	H. Con. Res. #8	2963		2963
February 21, 1980 to February 28, 1980 — House (Coleman)	S. Con. Res. #13	3731	3755	3731
Arrowhead Bridge; con- struction between Superior, Wisconsin, and Duluth, Minne- sota (Johnson, Solon)	S. Res. #43	3582	3667	
Bills— Deliver to Governor after final adjournment (Coleman)	S. Con. Res. #14	6208	6814	6209
Engrossment and en- rollment (Coleman)	S. Con. Res. #7	425	471	425
Capitol parking for legislators, staff (Coleman)	S. Con. Res. #2	25	85	25
Certified professional secretaries; incentives for achievement (Long, et al.)	H. Con. Res. #6	1460		
Closing resolutions; in- terim business, employ- ees, administrative activities (Coleman)	S. Res. #36	2832	2834 2835 3481	2835
(Coleman)	S. Res. #67	6205		6207
Commendations— Albany "Huskies"; state high school Class A girls basketball championship (Omann)	S. Res. #59	5221		

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Subject and Author	Number	Introduction	Other Proceedings	Adoption
Baker, William "Bill"; XIII Olympic Winter Games U.S. Hockey Team (Lessard)	S. Res. #52	4696		
Barnes, Thelma; 1979 Minnesota Mother (Moe)	S. Res. #23	770		
Bird Island-Lake Lillian High School; state high school Class C football and Class A basket- ball championships (Setzepfandt)	S. Res. #50	4482		
Bloomington Aquatic Club; American Athletic Union's state championship swim meet (Frederick, Benedict, Bang)	S. Res. #64	5692		
Costentino, Dr. Louis C.; one of America's Ten Outstanding Young Men for 1980 (Staples)	S. Res. #44	3602		
Dion, Frances; upon her retirement from state service (Stokowski, A.)	S. Res. #68	6209		
Edina-East High School; state high school Class AA girls gymnastics championship (Bang)	S. Res. #54	4707		
Fridley High School; state high school Class AA wrestling championship (Schaaf)	S. Res. #19	556		
Gaylord "Spartans"; state high school Class A girls volleyball championship, 1979 (Renneke)	S. Res. #66	5796		
Grand Rapids High School; state high school hockey championship, 1980 (Lessard)	S. Res. #56	5025		

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Subject and Author	Number	Intro- duction	Other Pro- ceedings	Adoption
Guse, Todd; 105 pound individual Class AA wrestling championship (Nelson)	S. Res. #49	4082		
Hamline University; 125th anniversary (Dieterich)	S. Res. #17	342	342	
Highway Patrol; 50th anniversary (Coleman, Ashbach)	S. Res. #26	1223		1223
Hill-Murray High School "Pioneers"; state high school Class AA girls basketball tournament and hockey tournament (Hughes)	S. Res. #65	5695		
Inver Hills Community College; state community college women's basketball championship (Vega)	S. Res. #55	4989		
Irondale High School; state high school hockey tournament (Schaaf)	S. Res. #20	556		
Johnson, Arv; political and governmental reporter (Coleman)	S. Res. #35	2652		2652
Karvonen, Janet; state high school record for the most points scored in a career (Peterson)	S. Res. #48	3994		
Kubes, Mike; Minnesota State Swimming Meet (Vega)	S. Res. #60	5221		
Liedahl, Sharon; Secretary of the Year (Gunderson)	S. Res. #27	1224		1224
Litchfield; "sister city" program with Hartford, Alabama (Bernhagen)	S. Res. #42	3552		

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Logar, Mrs. Ana; Slovenian Mother of the Year (Perpich)	S. Res. #31	1658		
Mankato State University; NCAA Division II National Ice Hockey Championship (Ueland, A.)	S. Res. #53	4707		
Minneapolis North High School "Polars"; state high school Class AA basketball champ- ionship (Tennessee)	S. Res. #51	4520		
Minneapolis North High School "Polars"; state high school Class AA girls basketball cham- pionship, 3rd place (Tennessee)	S. Res. #57	5079		
Moose Lake High School "Lakers"; state high school Class A girls basketball tournament (Chmielewski)	S. Res. #62	5248		
Novak, Edward G.; contribution to criminal justice (Schaaf)	S. Res. #28	1399		1399
Radermacher, Tim; National Elementary School Chess Championship (Staples, Humphrey)	S. Res. #30	1498		
Robbinsdale Lincoln; National Elementary School Chess Cham- pionship (Staples, Humphrey)	S. Res. #29	1498		

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Subject and Author	Number	Introduction	Other Proceedings	Adoption
Rochester Lourdes High School; state high school Class A cross country title, 1979 (Brataas)	S. Res. #45	3604		
Rochester Lourdes High School; state high school Class A football championship (Brataas)	S. Res. #46	3604		
St. Cloud Technical High School; state high school Class AA basketball tournament, runner-up champion (Kleinbaum)	S. Res. #61	5247		
St. Louis Park High School "Orioles"; state high school Class AA basketball tournament, 3rd place (Stern)	S. Res. #63	5248		
St. Paul Central; state high school basketball tournament (Dieterich, Coleman)	S. Res. #18	456		
St. Paul Central; state high school Class AA girls basketball championship (Dieterich)	S. Res. #21	639		
St. Paul Companies, Inc.; supporting a new state history (Staples, Pillsbury)	S. Res. #15	237		
St. Paul Harding; state high school hockey tournament (McCutcheon, Chenoweth)	S. Res. #22	684		
Skrowaczewski, Stanislaw; contribution to the state (Tennessen; Coleman; Stokowski; E. Sikorski; Chmielewski; Staples)	S. Res. #32	1989	2642	

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Weston, Reiko; Small Business Person of the Year (Laufenburger; Staples; Keefe, S.; Brataas; Spear)	S. Res. #34	2446		
Winona; All-American City (Laufenburger)	S. Res. #24	771		
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Attendance of members of standing committees; expenses (Coleman)	S. Res. #13	88		88
Mileage committee (Coleman)	S. Res. #4	19	112	19
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Notify Governor that Senate is ready to adjourn sine die (Coleman)	S. Res. #69	6811	6814	6811
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(Coleman)	S. Res. #37	3496		3496
Standing committees; schedule (Coleman)	S. Res. #10	29		29
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(Coleman)	unnumbered	4082		4082
To escort Governor to Joint Convention, January 4, 1979 (Coleman)	S. Res. #9	29	29	29

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Subject and Author	Number	Intro- duction	Other Pro- ceedings	Adoption
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Employees—				
See also Miscellaneous Index: Rules—Permanent Rules of the Senate				
Appointments (Coleman)	S. Res. #5	19		19
(Coleman)	S. Res. #38	3497		3497
Appointments, transfers (Coleman)	15 unnumbered		86,138 239,425 523,598 770,925 1,225,2651 3,606,3842 4,449,5119 6209	
Positions, salaries (Coleman)	S. Res. #2 (Temp. Rule #62)	9 (12)	86,136	9
Expenses—				
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(Coleman)	S. Res. #40	3503		3503
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Law Day; May 1st (Knoll)	S. Con. Res. #10	1223	1361 1398	1399
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Temporary rules of the Senate (Coleman)	S. Res. #2	9	86 136	9
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(Den Ouden, et al.)	H. Con. Res. #3	578	600 747 767 771	771
Vietnam Veterans' Awareness Week (Chmielewski)	S. Con. Res. #11	1658		
(Swanson, et al.)	H. Con. Res. #7	2431	2431	2431
Violence and vandalism in Stearns and Pope counties (Carlson, D.)	H. Con. Res. #5	944	944, 2008 2716, 2764	2765

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