

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1979

FIFTY-THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, MAY 14, 1979

The House of Representatives convened at 1:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Aasness	Drew	Jude	Nelsen, M.	Searles
Adams	Eken	Kahn	Nelson	Sherwood
Ainley	Elioff	Kaley	Niehaus	Sieben, H.
Albrecht	Ellingson	Kalis	Norman	Sieben, M.
Anderson, B.	Enebo	Kelly	Norton	Simoneau
Anderson, D.	Erickson	Kempe	Novak	Stadum
Anderson, G.	Esau	Knickerbocker	Nysether	Stoa
Anderson, I.	Evans	Kostohryz	Olsen	Stowell
Anderson, R.	Ewald	Kroening	Onnen	Sviggum
Battaglia	Faricy	Kvam	Osthoff	Swanson
Begich	Fjoslien	Laidig	Otis	Thiede
Berglin	Forsythe	Lehto	Patton	Tomlinson
Berkelman	Friedrich	Levi	Pavlak	Valan
Biersdorf	Fritz	Long	Pehler	Valento
Blatz	Fudro	Ludeman	Peterson	Vanasek
Brinkman	Greenfield	Luknic	Piepho	Voss
Byrne	Halberg	Mann	Pleasant	Waldorf
Carlson, D.	Haukoos	McCarron	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Crandall	Jaros	Moe	Rose	Wynia
Dean	Jennings	Munger	Rothenberg	Zubay
Dempsey	Johnson, C.	Murphy	Sarna	Speaker Searle
Den Ouden	Johnson, D.	Nelsen, B.	Schreiber	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. Stowell moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 277 and S. F. Nos. 831, 481, 697, 618 and 1351 have been placed in the members' files.

S. F. No. 831 and H. F. No. 489, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Ellingson moved that the rules be so far suspended that S. F. No. 831 be substituted for H. F. No. 489 and that the House File be indefinitely postponed. The motion prevailed.

CALL OF THE HOUSE

On the motion of Sieben, H., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Drew	Kahn	Nelson	Sherwood
Adams	Elioff	Kaley	Niehaus	Sieben, H.
Ainley	Ellingson	Kalis	Norman	Sieben, M.
Albrecht	Enebo	Kelly	Norton	Simoneau
Anderson, B.	Erickson	Kempe	Novak	Stadum
Anderson, D.	Esau	Knickerbocker	Nysether	Stoa
Anderson, G.	Evans	Kostohryz	Olsen	Stowell
Anderson, I.	Ewald	Kroening	Onnen	Sviggum
Anderson, R.	Faricy	Kvam	Osthoff	Swanson
Battaglia	Fjoslien	Laidig	Otis	Thiede
Begich	Forsythe	Lehto	Patton	Tomlinson
Berglin	Friedrich	Levi	Pavlak	Valan
Berkelman	Fritz	Long	Pehler	Valento
Biersdorf	Fudro	Ludeman	Peterson	Vanasek
Blatz	Greenfield	Luknic	Piepho	Voss
Brinkman	Halberg	Mann	Pleasant	Waldorf
Byrne	Haukoos	McCarron	Prahl	Weaver
Carlson, D.	Heap	McDonald	Redalen	Welch
Carlson, L.	Heinitz	McEachern	Reding	Welker
Casserly	Hoberg	Mehrkens	Rees	Wenzel
Clark	Hokanson	Metzen	Reif	Wieser
Clawson	Jacobs	Minne	Rice	Wigley
Corbid	Jaros	Moe	Rose	Wynia
Crandall	Jennings	Munger	Rothenberg	Zubay
Dean	Johnson, C.	Murphy	Sarna	Speaker Searle
Dempsey	Johnson, D.	Nelsen, B.	Schreiber	
Den Ouden	Jude	Nelsen, M.	Searles	

Sieben, H., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

PETITIONS AND COMMUNICATIONS

The following communications were received:

53rd Day]

MONDAY, MAY 14, 1979

2245

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

May 14, 1979

The Honorable Rod Searle
Speaker of the House
State of Minnesota

Dear Speaker Searle:

I have the honor to inform you that I received, approved, signed and deposited in the Office of the Secretary of State the following House File.

H. F. No. 966, relating to workers' compensation; providing employer's action for recovery of insurance premiums against certain third parties.

Sincerely,

ALBERT H. QUIE
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

May 10, 1979

The Honorable Rod Searle
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 1979 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:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1979</i>	<i>Date Filed 1979</i>
	67	75	May 10	May 10
	1214	76	May 10	May 10
	1436	77	May 10	May 10
466		78	May 10	May 10

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1979</i>	<i>Date Filed 1979</i>
668		79	May 10	May 10
1388		80	May 10	May 10

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

A communication was received from the Honorable Robert J. Sheran, Chief Justice, Supreme Court, State of Minnesota: "In the Matter of the Contest of General Election Held on November 7, 1978, for the Purpose of Electing a State Representative in the Counties of Ramsey and Dakota, State of Minnesota; James Scheibel, et al, contestants, Appellants, v. Robert Pavlak, contestee, Respondent."

Sieben, H., moved that Pavlak be precluded from voting on any substantive or procedural issues concerning his election contest.

A roll call was requested and properly seconded.

POINT OF ORDER

Peterson raised a point of order pursuant to rule 1.12 that the Sieben, H., motion was not in order. The Speaker ruled the point of order not well taken.

Crandall moved to amend the Sieben, H., motion as follows:

After "election contest" insert "and further that Representative Kempe be precluded from voting on any matters concerning the election contest"

A roll call was requested and properly seconded.

The question was taken on the Crandall amendment to the Sieben, H., motion and the roll was called.

Those who voted in the affirmative were:

Aasness	Crandall	Ewald	Heinitz	Levi
Ainley	Dean	Fjoslien	Hoberg	Ludeman
Albrecht	Dempsey	Forsythe	Jennings	Luknic
Anderson, D.	Den Ouden	Friedrich	Johnson, D.	McDonald
Anderson, R.	Drew	Fritz	Kaley	Mehrkens
Biersdorf	Erickson	Halberg	Knickerbocker	Nelsen, B.
Blatz	Esau	Haukoos	Kvam	Niehaus
Carlson, D.	Evans	Heap	Laidig	Norman

Nysether	Pleasant	Schreiber	Thiede	Wigley
Olsen	Redalen	Searles	Valan	Zubay
Onnen	Rees	Sherwood	Valento	Speaker Searle
Pavlak	Reif	Stadum	Weaver	
Peterson	Rose	Stowell	Welker	
Piepho	Rothenberg	Svigum	Wieser	

Those who voted in the negative were:

Adams	Corbid	Kalis	Murphy	Sieben, M.
Anderson, B.	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kempe	Nelson	Stoa
Anderson, I.	Ellingson	Kostohryz	Norton	Swanson
Battaglia	Enebo	Kroening	Novak	Tomlinson
Begich	Faricy	Lehto	Osthoff	Vanasek
Berglin	Fudro	Long	Otis	Voss
Berkelman	Greenfield	Mann	Patton	Waldorf
Brinkman	Hokanson	McCarron	Pehler	Welch
Byrne	Jacobs	McEachern	Prahl	Wenzel
Carlson, L.	Jaros	Metzen	Reding	Wynia
Casserly	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	

POINT OF ORDER

Crandall raised a point of order pursuant to rule 2.5 that Representative Kempe not be allowed to vote on the Crandall amendment to the Sieben, H., motion. The Speaker ruled the point of order not well taken.

There were 67 yeas and 67 nays. The motion did not prevail and the Crandall amendment to the Sieben, H., motion was not adopted.

The question recurred on the Sieben, H., motion and the roll was called.

Those who voted in the affirmative were:

Adams	Corbid	Kalis	Murphy	Sieben, M.
Anderson, B.	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kempe	Nelson	Stoa
Anderson, I.	Ellingson	Kostohryz	Norton	Swanson
Battaglia	Enebo	Kroening	Novak	Tomlinson
Begich	Faricy	Lehto	Osthoff	Vanasek
Berglin	Fudro	Long	Otis	Voss
Berkelman	Greenfield	Mann	Patton	Waldorf
Brinkman	Hokanson	McCarron	Pehler	Welch
Byrne	Jacobs	McEachern	Prahl	Wenzel
Carlson, L.	Jaros	Metzen	Reding	Wynia
Casserly	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	

Those who voted in the negative were:

Aasness	Biersdorf	Dempsey	Evans	Fritz
Ainley	Blatz	Den Ouden	Ewald	Halberg
Albrecht	Carlson, D.	Drew	Fjoslien	Haukoos
Anderson, D.	Crandall	Erickson	Forsythe	Heap
Anderson, R.	Dean	Esau	Friedrich	Heinitz

Hoberg	Luknic	Pavlak	Schreiber	Weaver
Jennings	McDonald	Peterson	Searles	Welker
Johnson, D.	Mehrkens	Piepho	Sherwood	Wieser
Kaley	Nelsen, B.	Pleasant	Stadum	Wigley
Knickerbocker	Niehaus	Redalen	Stowell	Zubay
Kvam	Norman	Rees	Svigum	Speaker Searle
Laidig	Nysether	Reif	Thiede	
Levi	Olsen	Rose	Valan	
Ludeman	Onnen	Rothenberg	Valento	

POINT OF ORDER

Vanasek raised a point of order pursuant to rule 2.5 and Minnesota Statutes, Section 209.10 that Representative Pavlak not be allowed to vote on the Sieben, H., motion. The Speaker deferred his decision pursuant to Section 244 of "Mason's Manual of Legislative Procedure."

REPORTS OF STANDING COMMITTEES

Norton from the Committee on Appropriations to which was referred:

H. F. No. 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; 326.20, Subdivisions 1 and 2; and Chapter 326, by adding sections.

Reported the same back with the following amendments:

Page 16, line 4, after "\$" insert "66,000"

Page 16, line 5, delete "July 1" and insert "June 30"

Page 16, line 6, after the period insert "*The complement of the state board of accountancy is increased by two positions.*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 928, 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; revising the administration of the fire state aid program; transferring the financial examination, regulatory, supervisory and enforcement functions of the police and fire state aid program to the state auditor; providing a procedure for the recognition of a funding surplus in the calcu-

lation 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, Section 69.011, Subdivisions 1, 2, 3 and 5; 69.021, Subdivisions 1, 2, 4, 5, 6, 7 and 9; 69.031, Subdivisions 1, 3, 4, 5 and 6; 69.051, Subdivisions 1, 2, 3 and 4; 69.77, Subdivision 1; 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, Chapter 575, Sections 1, Subdivision 1; and 2; 829, Section 1; Laws 1969, Chapter 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 69.011, Subdivision 4; 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; 304, Section 1, Subdivision 2; 311; and 464; Laws 1974, Chapter 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.

Reported the same back with the following amendments:

Page 2 through 27, delete sections 1 to 21

Page 28, line 23, delete the new language

Page 28, delete lines 24 and 25

Page 28, line 26, delete "and the"

Page 29, line 4, after "The" reinstate the stricken language

Page 29, line 5, reinstate the stricken language and delete "*state auditor*"

Page 29, line 25, delete "33" and insert "12"

Page 30, line 12, delete "33" and insert "12"

Page 30, line 16, delete "40" and insert "19"

Page 31, line 13, delete "33" and insert "12"

Page 33, line 14, delete "33" and insert "12"

Page 40, line 10, delete "33" and insert "12"

Page 47, line 23, delete "33" and insert "12"

Page 47, line 29, after "*included*" delete the balance of the line

Page 47, line 30, before "*in*" delete the new language and strike the old language

Page 49, line 17, delete "36" and insert "15"

Page 49, line 30, delete "32 to 40" and insert "11 to 19"

Page 49, line 32, delete "32 to 40" and insert "11 to 19"

Page 50, line 11, delete "32 to 40" and insert "11 to 19"

Page 58, line 16, delete "32 to 40" and insert "11 to 19"

Page 61, line 12, delete "36" and insert "15"

Page 62, line 12, delete "*state auditor*" and insert "*commissioner of insurance*"

Page 62, line 14, delete "*state auditor*" and insert "*commissioner of insurance*"

Page 62, line 23, delete "*state auditor*" and insert "*commissioner of insurance*"

Page 63, line 23, after "*be*" delete the balance of the line

Page 63, delete lines 24 to 26

Page 63, line 27, delete "4, shall not be"

Page 67, line 22, delete "33" and insert "12"

Page 67, line 23, delete "32 to 40" and insert "11 to 19"

Page 68, line 25, delete "33" and insert "12"

Page 68, line 29, delete "32" and insert "11"

Page 68, line 30, delete "40" and insert "19"

Page 69, line 20, delete "32 to 40" and insert "11 to 19"

Page 70, line 5, delete "33" and insert "12"

Page 70, delete section 41

Page 71, line 1, after "state" insert "*as of December 31 of year preceding the filing of the report*"

Page 71, delete lines 27 to 29

Page 71, line 30, delete "(13)" and insert "(10)"

Page 71, line 31, delete "(14)" and insert "(11)"

Page 71, line 32, delete "(15)" and insert "(12)"

Page 71, delete line 33

Page 72, delete lines 1 and 2

Page 72, line 3, delete "(18)" and insert "(13)"

Page 72, line 4, delete "(19)" and insert "(14)"

Page 72, line 5, delete "(20)" and insert "(15)"

Page 72, delete lines 6 and 7

Page 72, line 8, delete "(22)" and insert "(16)"

Page 72, line 10, delete "(23)" and insert "(17)"

Page 72, line 11, delete "(24)" and insert "(18)"

Page 72, line 13, delete "(25)" and insert "(19)"

Page 72, line 15, delete "(26)" and insert "(20)"

Page 72, line 17, delete "(27)" and insert "(21)"

Page 72, delete lines 18 and 19

Page 73, line 16, delete "33" and insert "12"

Page 74, line 10, delete "36" and insert "15"

Page 74, line 17, delete "36" and insert "15"

Page 75, line 1, delete "32 to 40" and insert "11 to 19"

Page 76, line 10, delete "32 to 40" and insert "11 to 19"

Page 77, line 2, delete "36" and insert "15"

Page 78, line 6, delete "36" and insert "15"

Page 78, line 30, delete "36" and insert "15"

Page 79, line 6, delete "36" and insert "15"

Page 79, line 24, delete "36" and insert "15"

Page 80, line 21, delete "36" and insert "15"

Page 81, line 19, delete "36" and insert "15"

Page 82, line 1, delete "33" and insert "12"

Page 82, line 16, delete "35" and insert "14"

Page 83, line 21, delete "33" and insert "12"

Page 85, line 11, delete "36" and insert "15"

Page 87, line 4, delete "33" and insert "12"

Page 87, after line 9, insert a section to read:

"Sec. 43. [NEW ULM VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATION.] *Subdivision 1. Notwithstanding any provisions of section 12 to the contrary, the bylaws of the New Ulm volunteer firefighters' relief association may provide that whenever the amount of the service pension is increased for active members of the relief association, the amount of the service pension payable to each retired member receiving a service pension as of the effective date of the bylaw amendment may be*

increased by the same amount per year of service credit as the amount of the service pension for active members is increased.

Subd. 2. This section shall be effective upon the approval by the governing body of the city of New Ulm and upon compliance with the provisions of Minnesota Statutes, Section 645.021."

Page 87, line 11, delete "69.011, Subdivision 4;,"

Page 88, delete lines 2 and 3

Page 88, line 4, before "The" insert "Sec. 44. [TEMPORARY PROVISION.]"

Page 88, line 5, delete "26" and insert "5"

Page 88, line 8, delete "30" and insert "9"

Page 88, line 19, delete "state auditor" and insert "commissioner of insurance"

Page 88, line 21, delete "25" and insert "4"

Page 88, line 22, delete "33" and insert "12"

Page 88, after line 29, insert:

"Sec. 45. [EFFECTIVE DATE.] *This act is effective July 1, 1979.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 6 to 9

Page 1, line 10, delete "state auditor;,"

Page 1, line 24, after "Sections" delete the balance of the line

Page 1, delete lines 25 to 27

Page 2, line 2, delete "69.011, Subdivision 4;,"

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

H. F. No. 1132, 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, Section 353.06; Chapters 353, by adding sections; and 355, by adding a section; repealing Minnesota Statutes 1978, Chapter 422A.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Governmental Operations.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 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.

Reported the same back with the following amendments:

Page 3, line 7, delete "*The*"

Page 3, delete lines 8 to 16

Page 3, line 17, delete everything before the period and insert "*Each local unit of government receiving a dam safety loan shall levy for the loan payment in that year and each year thereafter, until its loan is paid, (a) the amount of its annual loan payment, or (b) the amount of the required loan payment levy less the amount the local unit certifies is available from other sources for the loan payment*"

Page 4, line 6, delete "*general*" and insert "*state building*"

Page 4, line 11, delete "*general*" and insert "*state building*"

Page 4, line 29, delete "*subdivision*" and insert "*subdivisions 2, 3 and*"

Page 4, line 31, delete "\$1,396,350" and insert "\$3,275,000"

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

H. F. No. 1467, A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; amending Minnesota Statutes 1978, Sections 43.01, Subdivision 14; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 16, 17, 23, 24, 25, and by adding subdivisions; 43.122, Subdivision 5; 43.17, Subdivision 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.50, Subdivision 1; 43.51; and 645.44, Subdivision 5.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 1550, A bill for an act relating to elections; regulating the financing of political campaigns and disclosure of economic interests by certain candidates and elected officials in Hennepin county and certain adjoining municipalities and school districts; imposing duties on the ethical practices board, county election officials, city clerks and school district administrators; superseding other special laws, home rule charters and local ordinances; imposing late filing fees and criminal penalties; repealing Laws 1977, Chapter 131.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [CAMPAIGN FINANCING, DISCLOSURE OF ECONOMIC INTERESTS; HENNEPIN COUNTY AND CERTAIN OTHER ELECTIONS.] Sections 1 to 17 apply to the financing of campaigns for county elections in Hennepin County and for city and school district elections in home rule charter cities, statutory cities and school districts located wholly within Hennepin County and having a population of 5,000 or more and to disclosure of economic interests by candidates and elected public officials of those jurisdictions. The provisions of Minnesota Statutes, Sections 210A.22 to 210A.33 do not apply to the financing of campaigns for elections subject to the provisions of sections 1 to 17.

Sec. 2. [DEFINITIONS.] Subdivision 1. For the purposes of sections 1 to 17, the terms defined in this section have the meanings given them. The terms defined in Minnesota Statutes, Chapter 200, also apply to sections 1 to 17, unless a different meaning is specified in this section.

Subd. 2. "Advance of credit" means any money owed for goods provided or services rendered. An advance of credit is an expenditure in the year in which the goods or services are used or consumed. "Advance of credit" does not mean "loan" as defined in subdivision 12.

Subd. 3. "Association" means a business, corporation, firm, partnership, committee, labor organization, club, or any other group of two or more persons, which includes more than an immediate family, acting in concert.

Subd. 4. "Business with which he is associated" means any association in connection with which the individual is compensated in excess of \$50 except for actual and reasonable expenses in any month as a director, officer, owner, member, partner, employer or employee, or is a holder of securities worth \$2,500 or more at fair market value.

Subd. 5. "Candidate" means an individual who seeks nomination or election to any county office in Hennepin county or to any city or school district office in any home rule charter city, statutory city or school district located wholly within Hennepin county and having a population of 5,000 or more.

Subd. 6. "City" means any statutory or home rule charter city located wholly within Hennepin county and having a population of 5,000 or more.

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, if that 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.

"Contribution" does not include services provided without compensation by an individual volunteering his time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 8. "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 outcome of an election.

Subd. 9. "Election" means any election held to nominate or elect any candidate or to decide any question on a county ballot

in Hennepin county or on the ballot of any home rule charter city, statutory city or school district located wholly within Hennepin county and having a population of 5,000 or more.

Subd. 10. "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 outcome of any election. "Expenditure" does not include services provided without compensation by an individual volunteering his time on behalf of a candidate, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Subd. 11. "Filing officer" means the official responsible under law for administration of the election laws for Hennepin county.

Subd. 12. "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee.

Subd. 13. "Political committee" means any political party, association or person other than an individual that seeks as its major purpose to influence the outcome of any election.

Subd. 14. "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 outcome of any election.

Subd. 15. "Principal campaign committee" means the single political committee designated by a candidate.

Subd. 16. "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 outcome of any election.

Sec. 3. [POLITICAL COMMITTEES; HENNEPIN COUNTY AND CERTAIN OTHER ELECTIONS.] Subdivision 1. [OFFICERS.] Every political committee shall have a chairman and a treasurer, who may be the same individual. The treasurer may designate deputy treasurers and shall be responsible for their accounts. The treasurer shall designate a single depository and account for all contributions received by the political committee.

Subd. 2. [PROHIBITIONS; ACCEPTANCE OF CERTAIN CONTRIBUTIONS; COMMINGLING OF FUNDS.] No contribution shall be accepted and no expenditure shall be made by or on behalf of a political committee while the office of trea-

suror is vacant. No anonymous contribution in excess of \$20 shall be retained by the political committee but shall be forwarded to the state ethical practices board and deposited in the general fund. No funds of the political committee shall be commingled with the personal funds of any officer, member or associate of the committee. Any individual who violates a provision of this subdivision is guilty of a misdemeanor.

Sec. 4. [POLITICAL FUNDS.] Subdivision 1. [WHEN REQUIRED.] 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 expenditure unless the transfer or expenditure is made from a political fund.

Subd. 2. [TREASURER; COMMINGLING OF FUNDS; ANONYMOUS CONTRIBUTIONS.] Each association which has a political fund, shall elect or appoint a treasurer of the political fund. No contributions to the political fund shall be accepted and no expenditures from the fund shall be made while the office of treasurer is vacant. The contents of the political fund shall not be commingled with any other funds or with the personal funds of any officer or member of the fund. No anonymous contribution in excess of \$20 shall be retained by the political fund but shall be forwarded to the state ethical practices board and deposited in the general fund.

Subd. 3. [USE OF DUES AND MEMBERSHIP FEES.] Notwithstanding subdivision 1, the association may, if not prohibited by other law, deposit in its political fund money derived from dues or membership fees. The treasurer of the fund, in any report required by section 9, shall disclose the name of any member whose dues, membership fees and contributions deposited in the political fund in any one year exceed \$50 in the aggregate.

Subd. 4. [PENALTY.] Any person who knowingly violates the provisions of this section is guilty of a misdemeanor.

Sec. 5. [PRINCIPAL CAMPAIGN COMMITTEE.] Every candidate who receives contributions or makes expenditures in excess of \$100 shall designate and cause to be formed a single political committee which shall be known as the candidate's principal campaign committee. The candidate shall make expenditures only through his principal campaign committee. The candidate may be the chairman and treasurer of his principal campaign committee.

Sec. 6. [REGISTRATION OF POLITICAL COMMITTEES AND POLITICAL FUNDS.] Subdivision 1. [FILING OFFICE; DEADLINE.] Every political committee, political fund and principal campaign committee shall register with the filing officer within 14 days after the date by which the committee or fund has received contributions or made expenditures in excess

of \$100. A political committee or political fund other than a principal campaign committee shall register with the filing officer of each jurisdiction holding an election the outcome of which that committee or fund seeks to influence.

Subd. 2. [STATEMENT REQUIRED.] A political committee or fund registers by filing a statement of organization that includes:

- (a) The name and address of the political committee or fund;
- (b) The name and address of the chairman, the treasurer, and any deputy treasurers;
- (c) The name and address of the depository used by the committee or fund;
- (d) The name and address of any supporting association of a political fund; and
- (e) A statement as to whether the committee is a principal campaign committee.

The statement of organization shall be filed by the treasurer of the political committee, political fund or principal campaign committee.

Sec. 7. [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. [CONTRIBUTIONS; EXPENDITURES; TRANSFERS.] The treasurer of any political committee, political fund or principal campaign committee shall keep an account of:

- (a) The sum of all contributions, except any donation in kind valued at \$20 or less, made to the political committee or fund;
- (b) The name and address of each source of a transfer or donation in kind in excess of \$20, together with the date and amount;
- (c) Each expenditure made by or on behalf of the committee together with the date and amount; and
- (d) The name and address of each political committee or fund to which transfers in excess of \$20 have been made, together with the date and amount.

Subd. 2. [AUTHORIZATION OF EXPENDITURES; RECEIPTS.] Each expenditure by a political committee, political fund or principal campaign committee shall be authorized by the treasurer. The treasurer may authorize not more than \$20 per week as petty cash for miscellaneous expenditures. The treasurer shall obtain a receipted bill stating the particulars for every ex-

penditure of more than \$100 made by or on behalf of the political committee or fund, and for any expenditure of a lesser amount if the aggregate amount of lesser expenditures to the same individual or association during a year exceeds \$100.

Sec. 8. [CAMPAIGN REPORTS.] Subdivision 1. [COMMITTEES REQUIRED TO REPORT; DEADLINES.] The treasurer of any political committee, political fund or principal campaign committee required to register pursuant to section 6 shall also file campaign reports with the filing officer. Campaign reports shall be filed ten days before any regular primary or regular election. The treasurer of a principal campaign committee shall file additional reports ten days before a special primary or other special election and 30 days after a special election. The reports shall cover the period from the last day of the previous reporting period to seven days before the filing date. An additional campaign report shall be filed by all treasurers on January 31 of the each year covering the period from the last day of the previous reporting period to December 31 of the preceding calendar year.

Subd. 2. [CONTENT OF REPORTS.] Each campaign report required 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, committee or political fund that made transfers or donations in kind to the political committee in an aggregate amount or value in excess of \$50, together with the amount and date;

(c) The sum of all contributions made to the political committee or political fund;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, 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. A loan made to a political committee or political fund which is forgiven or is repaid by an entity other than that political committee or fund shall be reported as a contribution;

(e) The sum of all receipts, including all contributions and loans, during the reporting period;

(f) The name and address of each person to whom aggregate expenditures have been made by or on behalf of the political committee or fund within the year in excess of \$100, the amount, date and purpose of each expenditure and the ballot question or the

name and address of the candidate supported or opposed by the expenditure;

(g) The sum of all expenditures made by the political committee or fund;

(h) The amount and nature of any advance of credit incurred by the political committee or fund continuously reported until paid or forgiven. An advance of credit incurred by a political committee or fund which is forgiven or is paid by an entity other than that political committee or fund shall be reported as a donation in kind;

(i) The name and address of each political committee or fund to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(j) The sum of all transfers made to political committees or funds; and

(k) The sum of all disbursements not made to influence the outcome of an election.

Subd. 3. Expenditures by a political party as defined in Minnesota Statutes, Section 200.02, Subdivision 7, or a substate unit of such a party, for the preparation, display and distribution of an official party sample ballot containing the names of three or more individuals whose names are to appear on the ballot shall not be considered contributions or expenditures on behalf of any candidate.

Subd. 4. [TERMINATION REPORTS.] A political committee or political fund may dissolve upon filing of a termination report indicating that the committee or fund has settled all of its debts and disposed of all assets in excess of \$100. The termination report shall include all information required in a periodic campaign report.

Sec. 9. [EXPENDITURES BY INDIVIDUALS.] Subdivision 1. [REPORTS.] Except as provided in subdivision 2, any individual who makes expenditures to influence the outcome of any election in an aggregate amount of \$100 or more in any year, which expenditures are not required to be reported by any political committee or fund as contributions to that political committee or fund, shall file campaign reports in the form required by section 8 with respect to those expenditures.

Subd. 2. [EXCEPTION; INDEPENDENT EXPENDITURES.] An individual shall not be required to report any expenditure which is made without the cooperation or express or implied consent of any candidate, political committee or

agent of a candidate or political committee, unless the expenditure expressly advocates the election or defeat of a clearly identified candidate or the approval or rejection of a clearly identified ballot question in any election.

Sec. 10. [ADDITIONAL INFORMATION TO BE DISCLOSED.] Subdivision 1. [EARMARKED CONTRIBUTIONS.] Any individual, political committee or political fund that receives a contribution from any person or association in an aggregate in excess of \$50 with the express or implied condition that the contribution or any part of it be directed to a particular candidate shall disclose to the ultimate recipient and in any report required by section 8, the original source of the contribution, the fact that it was earmarked and the candidate to whom it is directed. The ultimate recipient of any earmarked contribution shall also disclose the original source and the individual, political committee or political fund through which it was directed. Any individual, political committee or political fund that knowingly accepts earmarked funds and fails to make the disclosure required by this subdivision is guilty of a misdemeanor.

Subd. 2. [BILLS WHEN RENDERED AND PAID.] Every person who has a bill, charge or claim against any political committee or political fund for any expenditure shall render in writing to the treasurer of the committee or fund the bill, charge or claim within 60 days after the material or service is provided. Failure to present the bill, charge or claim as required by this subdivision is a petty misdemeanor.

Sec. 11. [CIRCUMVENTION PROHIBITED.] Any person who attempts to circumvent disclosure of the source or amount of contributions or expenditures by redirecting funds through or contributing funds on behalf of another person is guilty of a misdemeanor.

Sec. 12. [ECONOMIC REPRISALS PROHIBITED.] No individual or association shall engage in economic reprisals or threaten loss of employment or physical coercion against any individual or association because of the political contributions or political activity of that individual or association. This subdivision does not apply to compensation for employment or loss of employment when the political affiliation or viewpoint of the employee is a bona fide occupational qualification of the employment. Any individual or association that violates this subdivision is guilty of a misdemeanor.

Sec. 13. [ECONOMIC INTEREST DISCLOSURE.] Subdivision 1. [OFFICIALS REQUIRED TO FILE; DEADLINES.] Every candidate for county office, every elected official of Hennepin county, every candidate for city or school district office and every elected official of a home rule charter

city, statutory city or school district located wholly within Hennepin county and having a population of 5,000 or more shall file statements of economic interest as required by this section with the filing officer. A candidate shall file an original statement within 14 days of the filing of an affidavit or petition to appear on the ballot. All elected officials in office on the effective date of this act shall file an original statement of economic interest 60 days after forms for disclosure are provided to the filing officer. Every individual required to file a statement shall file a supplementary statement on April 15 of each year in which he remains a candidate or elected official.

Subd. 2. [CONTENT OF STATEMENT.] An individual required to file a statement of economic interest shall disclose:

(a) His name, address, occupation and principal place of business;

(b) The name of each business with which he is associated and the nature of that association; and

(c) A listing of all real property within the state, excluding homestead property, in which he holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, and which interest has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more;

(d) A listing of all real property within the state in which a partnership of which he is a member holds: (i) a fee simple interest, a mortgage, a contract for deed as buyer or seller, or an option to buy, whether direct or indirect, if his share of the partnership interest has a market value in excess of \$2,500 as shown on the real estate tax statement for the property or (ii) an option to buy, which property has a fair market value of \$50,000 or more; and

(e) In supplementary statements only, the amount of each honorarium in excess of \$50 received since the last statement, together with the name and address of the source.

Any listing under clause (c) or (d) shall indicate the street address and the municipality or the section, township range and approximate acreage, whichever applies, and the county wherein the property is located.

Sec. 14. [REPORTS AND STATEMENTS; REQUIREMENTS.] Subdivision 1. [CERTIFICATION.] A report or statement required by sections 6 to 14 shall be signed and certified as true by the individual required to file the report. Any individual who signs and certifies to be true a report or statement

which he knows contains false information or who knowingly omits required information is guilty of a gross misdemeanor.

Subd. 2. The filing officer shall promptly transmit to the appropriate city or school district a copy of each statement and report filed by a candidate for city or school district office, a political committee or fund that discloses contributions or expenditures to influence a city or school district election or an elected city or school district official.

Subd. 3. [CHANGES AND CORRECTIONS.] Any material changes in information previously submitted and any corrections to a report or statement shall be reported in writing to the filing officer within ten days following the date of the event prompting the change or the date upon which the individual filing became aware of the inaccuracy. The change or correction shall identify the form and the paragraph containing the information to be changed or corrected. Any individual who willfully fails to report a material change or correction is guilty of a misdemeanor.

Subd. 4. [RECORD KEEPING.] Each individual required to file any report or statement or to keep any account pursuant to sections 6 to 14 shall maintain and preserve for four years the records, including any vouchers, cancelled checks, bills, invoices, worksheets and receipts, that will provide in sufficient detail the necessary information from which the accounts and the filed reports and statements may be verified, explained, clarified and checked for accuracy and completeness.

Subd. 5. [PENALTIES.] The filing officer shall notify by certified mail or personal service any individual who fails to file a statement or report required by sections 6 to 14. Except for any campaign report of a principal campaign committee due before an election, if an individual fails to file any statement or report within seven days after receiving a notice, the filing officer may impose a late filing fee of \$5 per day, not to exceed \$100, commencing on the eighth day after receiving notice. If a treasurer of a principal campaign committee fails to file a campaign report due before an election within three days of the date due, regardless of whether the treasurer has received any notice, the filing officer may impose a late filing fee of \$50 per day, not to exceed \$500, commencing on the fourth day after the date the statement was due. The filing officer shall further notify by certified mail or personal service any individual who fails to file any statement or report within 21 days after receiving a first notice that the individual may be subject to a criminal penalty for failure to file the statement or report. An individual who knowingly fails to file the statement or report within seven days after receiving a second notice from the filing officer is guilty of a misdemeanor. A filing officer who violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 6. [RECOVERY OF LATE FILING FEES.] A filing officer may bring an action in the Hennepin county municipal court to recover any late filing fee imposed pursuant to subdivision 5. All money recovered shall be deposited in the general fund of Hennepin County.

Subd. 7. [REPORTS OF VIOLATIONS.] If any individual other than a county official or candidate for county office fails to file the required statement or report within seven days after a second notice as provided in subdivision 5, the filing officer shall inform the Hennepin county attorney that a second notice was sent and that the individual failed to file the required statement or report. If a county official or candidate fails to file a report or statement after a second notice as provided in subdivision 4, the filing officer shall notify the attorney general.

Subd. 8. Any deputy, clerk, employee or other subordinate of a filing officer who has knowledge or reason to believe that a violation of sections 1 to 17 has occurred, shall immediately transmit a report of his knowledge or belief to that filing officer, together with any evidence of the violation coming into his possession. Any filing officer who has knowledge or reason to believe that a violation of sections 1 to 17 has occurred shall immediately transmit a report of his knowledge or belief to the county attorney of the county in which the violation is thought to have occurred, together with any evidence of the violation coming into his possession. The filing officer shall also immediately send a copy of the report to the ethical practices board. A violation of this subdivision is a misdemeanor.

Sec. 15. [DUTIES OF ETHICAL PRACTICES BOARD; FILING OFFICERS.] Subdivision 1. The state ethical practices board shall:

(a) Develop forms for all statements and reports required to be filed under sections 6 to 14 and furnish the forms to the county filing officer in Hennepin county;

(b) Issue and publish advisory opinions concerning the requirements of sections 1 to 17 upon application in writing by the filing officer or any individual or association who wishes to use the opinion to guide his or its own conduct; and

(c) Exempt any individual or association required to disclose information under sections 6 to 10 from any requirement of those sections in the same manner as it exempts any individual or association from disclosure requirements under Minnesota Statutes, Chapter 10A. An individual or association exempted from the disclosure provisions of Minnesota Statutes, Chapter 10A, shall also be exempt from the disclosure provisions of sections 6 to 10.

Subd. 2. The county filing officer in Hennepin county shall furnish sufficient copies of the forms provided by the ethical practices board to all other filing officers with whom candidates or elected officials are required to file reports under sections 6 to 14.

Subd. 3. Every filing officer shall furnish the necessary forms to individuals required to file statements or reports with that filing officer and shall receive, preserve, and make available for public inspection any statement or report filed by those individuals for a period of five years. A filing officer shall mail or deliver a copy of each form required to be filed by a candidate to each candidate who files an affidavit, application or petition of candidacy with that officer or other officer of that jurisdiction, or for whom a write-in vote is cast on the ballot of that jurisdiction. Any filing officer who fails to carry out the duties imposed by this subdivision is guilty of a misdemeanor.

Sec. 16. [PENALTIES.] Except as expressly provided to the contrary in sections 1 to 15, a violation of sections 1 to 15 is not a crime.

Sec. 17. [PROSECUTION OF VIOLATIONS.] Except as otherwise provided in this section, a violation of a criminal provision of sections 1 to 16 shall be prosecuted by the Hennepin County attorney in the Hennepin County municipal court. A violation by a county official or candidate shall be prosecuted by the attorney general in the district court of Ramsey County.

Sec. 18. [LOCAL ORDINANCES AND CHARTERS SUPERSEDED.] Except as provided in this section, sections 1 to 16 supersede the provisions of any ordinance or resolution of a jurisdiction governed by sections 1 to 16 or any existing special law or home rule charter provision requiring disclosure of information related to the financing of election campaigns or requiring disclosure of economic interests by candidates and elected officials of that jurisdiction. The governing body of Hennepin county, and the governing body of any home rule charter city, statutory city or school district located wholly within Hennepin county and having a population of 5,000 or more may adopt or continue in force ordinances or resolutions that:

(a) Impose limits on the amount that any individual or association may contribute to any candidate for elected office in that jurisdiction;

(b) Require disclosure of economic interests in addition to those required to be disclosed under section 13; or

(c) Require other public officials of that jurisdiction to make such disclosure. Any home rule charter city that adopts a charter provision modifying or superseding any provision of

sections 1 to 16 shall file a copy of the charter provision with the ethical practices board within 60 days of its adoption.

Sec. 19. [APPLICATION.] Sections 1 to 17 apply to the county of Hennepin and to home rule charter cities, statutory cities and school districts located wholly within Hennepin County and having a population of 5,000 or more.

Sec. 20. [REPEALER.] Laws 1977, Chapter 131, is repealed.

Sec. 21. [EFFECTIVE DATE.] This act is effective the day following its final enactment but shall apply only to elections as defined in section 2 for which the filing period opens on or after July 1, 1979."

Further, delete the title in its entirety and insert:

"A bill for an act relating to elections; regulating the financing of political campaigns and disclosure of economic interests by certain candidates and elected officials in Hennepin county; imposing duties on the ethical practices board, county election officials, city clerks and school district administrators; superseding other special laws, home rule charters and local ordinances; imposing late filing fees and criminal penalties; repealing Laws 1977, Chapter 131."

With the recommendation that when so amended the bill pass.

The report was adopted.

Enebo from the Committee on Governmental Operations to which was referred:

H. F. No. 1584, A bill for an act relating to state employees; providing salaries for certain members of the Minnesota state patrol; ratifying collective bargaining agreements; amending Minnesota Statutes 1978, Section 299D.03, Subdivisions 2, 3 and 9.

Reported the same back with the following amendments:

Page 2, line 3, strike "such"

Page 3, line 11, after "*supervisor*" insert "*and the lieutenant colonel*"

Page 6, line 18, strike "such" and insert "*that*"

Page 6, line 25, strike "his" and insert "*the*"

Page 6, line 30, after "making" strike "the" and insert "them."

Page 6, line 31, strike "same, which" and insert "The"

Page 6, line 32, strike "same" and insert "written charges"

Page 6, line 33, strike "shall be of the opinion that such" and insert "determines that the"

Page 7, line 1, strike "he" and insert "the commissioner"

Page 7, line 2, strike "thereon" and insert "on them" and strike "such" and insert "the"

Page 7, line 3, strike "and" and insert ". The commissioner"

Page 7, line 4, strike "such" and insert "the" and strike "he" and insert "the commissioner"

Page 7, line 9, strike "his" and insert "the employee's"

Page 7, line 10, strike "If"

Page 7, line 11, strike "orders a hearing he" and strike "such" and insert "the"

Page 7, line 12, strike "his" and insert "the commissioner's" and strike "such" and insert "the"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. 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 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, *county and county municipal* 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. *A county or county municipal judge may act as a district judge to hear the contest.* 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."

Delete the title and insert:

"A bill for an act relating to elections; allowing county and municipal court judges to hear election contests; amending Minnesota Statutes 1978, Section 209.02, Subdivision 4a."

With the recommendation that when so amended the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

S. F. No. 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.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

S. F. No. 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.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Sieben, H., from the Committee on Taxes to which was referred:

S. F. No. 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; establishing a pipeline property tax credit; 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.

Reported the same back with the following amendments:

Pages 10 and 11, delete sections 8 and 9 and insert:

"Sec. 8. [ANNUAL PAYMENTS.] Any person constructing or operating a pipeline shall make annual payments to the owners of land defined as class 3, 3a, 3b, 3c, 3cc, 3d, or 3f pursuant to section 273.13 listed on the records of the county auditor or treasurer through which there is located any part of a pipeline constructed after the effective date of this section. These payments shall be in an amount determined by multiplying a fraction, the numerator of which is the length of the pipeline located on that parcel and the denominator of which is the total length of that pipeline located on all property within the county, by ten percent of the tax revenue derived from the tax on that pipeline pursuant to section 273.33. Prior to August

1 of each year, the county auditor shall send a statement to the owner of the pipeline specifying the amount of the payment to be made to each qualifying owner of land within the county pursuant to this section. Where a right of way width is shared by more than one property owner, the numerator shall be adjusted by multiplying the length of pipeline on the parcel by the proportion of the total width on the parcel owned by that property owner. The amount of payment for which the property qualifies pursuant to this subdivision shall not exceed 20 percent of the gross tax on the parcel prior to deduction of the state paid agricultural credit and the state paid homestead credit. The payments of this section shall be made to each affected landowner by the appropriate pipeline owner on or before October 1 of each year after 1979 based upon the tax levied in the previous year and shall not reduce any payment pursuant to a voluntary agreement or an eminent domain proceeding."

Renumber the remaining sections in order

Further, amend the title as follows:

Page 1, line 13, after the semicolon, delete the remainder of the line

Page 1, line 14, delete "credit" and insert "requiring annual payments to owners of property crossed by a pipeline"

With the recommendation that when so amended the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 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.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Norton from the Committee on Appropriations to which was referred:

S. F. No. 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.

Reported the same back with the following amendments:

Page 2, line 22, delete "*except*"

Page 2, delete lines 23 and 24

Page 2, line 25, delete "*of their drainage area*"

Page 6, line 28, delete "*person*" and insert "*board member of the local soil and water conservation district or districts within the county*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 1074, A bill for an act relating to elections; increasing compensation for presidential electors; amending Minnesota Statutes 1978, Section 204A.23.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on General Legislation and Veterans Affairs to which was referred:

S. F. No. 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.

Reported the same back with the following amendments:

Page 1, line 18, after "in" and before "city" delete "the" and insert "a" and after "city" insert "of the first class"

Page 3, after line 5 insert:

"Sec. 4. Notwithstanding any provisions of law to the contrary, sections 1 and 2 of this act 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."

Page 3, line 7, delete "council" and insert "councils" and delete "city" and insert "cities"

Page 3, line 7, after "Paul" insert "and South St. Paul"

Page 3, line 8, delete "that city" and insert "those cities"

Page 3, line 15, after "Paul" insert "and the school district principally situated in the city of South St. Paul"

Page 3, line 19, after "approved" insert "by the respective cities"

Page 3, line 21, after "Paul" insert "and South St. Paul"

Page 3, line 27, after "Paul" insert "and the school district principally situated in the city of South St. Paul"

Page 3, line 29, after "Paul" insert "and South St. Paul"

Renumber the remaining section accordingly.

Amend the title as follows:

Page 1, line 4, after the semi-colon, insert "providing the city and school district election day for South St. Paul and the school district located in South St. Paul;"

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 703, 928, 1241, 1467, 1550 and 1584 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 831, 74, 182, 188, 332, 333, 808, 1074 and 1166 were read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House File was introduced:

Pehler introduced:

H. F. No. 1596, A bill for an act relating to education; providing textbook substitutes to nonpublic school pupils; appropriating money.

The bill was read for the first time and referred to the Committee on Education.

HOUSE ADVISORIES

The following House Advisory was introduced:

Jaros, Berglin, Niehaus, Berkelman and Heinitz introduced:

H. A. No. 37, A proposal to study ways to prevent, control and treat high blood pressure.

The advisory was referred to the Committee on Health and Welfare.

REPORTS FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., from the Committee on Rules and Legislative Administration to which was referred:

House Resolution No. 23, A house resolution relating to Handicapped Awareness Week.

Reported the same back with the recommendation that the resolution be adopted.

The report was adopted.

HOUSE RESOLUTION NO. 23

A house resolution relating to Handicapped Awareness Week.

Whereas, many disabled Minnesotans are prevented from living independently and fully participating in their communities

due to physical, programmatic, social, attitudinal and recreational barriers; and,

Whereas, a significant effort must be made throughout Minnesota to eliminate barriers to employment, housing, transportation, education, public services and public accommodations; and,

Whereas, lawmakers, law enforcement officials, other professionals and the general public need public education programs examining accessibility problems which people with disabilities confront in their daily life activities; and,

Whereas, the examination and demonstration of aids to the handicapped such as walkers, crutches, hearing aids, wheelchairs and electric larynx serve an important function in educating the public and the handicapped communities as to some of the aids available to the handicapped person, and that the attitudes towards the handicapped and demonstration of these aids help for a better understanding of the problems associated with the handicapped; *Now, Therefore*,

Be It Resolved by the House of Representatives of the State of Minnesota:

(1) The week of May 13-19, 1979, is proclaimed to be Handicapped Awareness Week.

(2) The Minnesota State Council for the Handicapped and the St. Cloud Area Council for the Handicapped are commended for making Minnesota more open and attentive to the needs of her handicapped citizens.

(3) The Chief Clerk of the House of Representatives is directed to prepare enrolled copies of this resolution and deliver them to the Minnesota State Council for the Handicapped and the St. Cloud Area Council for the Handicapped.

Pehler moved that House Resolution No. 23 be now adopted. The motion prevailed and House Resolution No. 23 was adopted.

Anderson, I., from the Committee on Rules and Legislative Administrative to which was referred:

House Concurrent Resolution No. 2, A house concurrent resolution urging the Food and Drug Administration and the National Cancer Institute to proceed with scientific testing of laetrile.

Reported the same back with the following amendments:

Page 2, after line 3, insert the following:

"Be It Further Resolved, that approval of this resolution shall not be construed to indicate a position other than complete neutrality as to whether or not laetrile is beneficial for the treatment of cancer."

With the recommendation that when so amended the resolution be adopted.

The report was adopted.

HOUSE CONCURRENT RESOLUTION NO. 2

A house concurrent resolution urging the Food and Drug Administration and the National Cancer Institute to proceed with scientific testing of laetrile.

Whereas, more than 6,000 Minnesotans die from various forms of cancer each year; and,

Whereas, death from cancer is the second leading cause of death among Americans; and,

Whereas, a controversy exists over the safety and efficacy of a preparation, commonly known as laetrile, among scientists, medical doctors and concerned individuals; and,

Whereas, conclusive scientific proof which would settle this controversy to the satisfaction of many persons suffering from cancer does not presently exist; and,

Whereas, testing of laetrile on terminally ill cancer patients is necessary to conclusively determine whether laetrile is safe and effective for human use; and,

Whereas, such testing has not yet begun; now, therefore,

Be It Resolved, by the House of Representatives of the State of Minnesota, the Senate concurring therein, that the United States Food and Drug Administration and the National Cancer Institute are urged to proceed with scientific testing of laetrile on terminally ill humans.

Be It Further Resolved, that approval of this resolution shall not be construed to indicate a position other than complete neutrality as to whether or not laetrile is beneficial for the treatment of cancer.

Be It Further Resolved, that the Chief Clerk of the House be instructed to deliver copies of this resolution to the Secretary of Health, Education and Welfare, the Commissioner of the United States Food and Drug Administration, the Surgeon General, and the Director of the National Cancer Institute.

Zubay moved that House Concurrent Resolution No. 2 be now adopted. The motion prevailed and House Concurrent Resolution No. 2 was adopted.

Anderson, I., from the Committee on Rules and Legislative Administration, pursuant to rule 1.9, designated the following bills as a Special Order to be acted upon immediately following Special Orders for today, Monday, May 14, 1979:

S. F. Nos. 1002, 27, 130, 273, 436, 600, 681, 712, 732, 799, 486 and 895.

Pavlak was excused for the remainder of today's session.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 656, A bill for an act relating to probate; clarifying certain witness requirements for inheritance by illegitimates; amending Minnesota Statutes 1978, Section 525.172.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 1023, A bill for an act relating to Independent School District No. 911; providing for the sale of certain land.

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House Files, herewith returned:

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1126, A bill for an act relating to state parks; authorizing the acquisition of certain lands for Afton State Park by eminent domain.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 1144, A bill for an act relating to state lands; authorizing conveyance of certain land to Independent School District No. 281.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 444, 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.

The Senate has appointed as such committee Messrs. Schaaf, Chenoweth and Mrs. Brataas.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 1526, A bill for an act relating to the organization and operation of state government; appropriating money for education and related purposes with certain conditions, including the department of education, aids to libraries, higher education coordinating board, state universities, community colleges, and the university of Minnesota and its hospitals; amending Minnesota Statutes 1978, Section 120.81, Subdivision 2; and 124.572, by adding a subdivision.

The Senate has appointed as such committee Messrs. Moe, Tennesen, Stumpf, Ogdahl and Renneke.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

CALL OF THE HOUSE LIFTED

Berglin moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 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; amending Minnesota Statutes 1978, Sections 145.917, by adding a subdivision; and 145.921, by adding subdivisions; repealing Minnesota Statutes 1978, Section 145.921, Subdivisions 2 and 4.

The Senate has appointed as such committee Messrs. Moe, Perpich, Spear, Kirchner and Solon.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 145, A bill for an act relating to health; changing requirements for school employee tuberculosis examinations; amending Minnesota Statutes 1978, Section 123.69, Subdivision 1.

The Senate has appointed as such committee Messrs. Nelson, Kirchner and Davies.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 13, 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.

The Senate has appointed as such committee Messrs. Menning, Nelson and Ulland, J.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McCarron moved that the House concur in the Senate amendments to H. F. No. 568 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Kahn	Nelson	Simoneau
Adams	Drew	Kaley	Niehaus	Stadum
Ainley	Eken	Kalis	Norman	Stoa
Albrecht	Elioff	Kelly	Norton	Stowell
Anderson, B.	Ellingson	Kempe	Novak	Sviggum
Anderson, D.	Enebo	Knickerbocker	Nysether	Swanson
Anderson, G.	Erickson	Kostohryz	Olsen	Thiede
Anderson, I.	Esau	Kroening	Onnen	Tomlinson
Anderson, R.	Evans	Laidig	Osthoff	Valan
Battaglia	Ewald	Lehto	Otis	Valento
Begich	Faricy	Levi	Patton	Vanasek
Berglin	Fjoslien	Long	Pehler	Voss
Berkelman	Forsythe	Ludeman	Piepho	Waldorf
Biersdorf	Friedrich	Luknic	Plesant	Weaver
Blatz	Fritz	Mann	Prahl	Welch
Brinkman	Fudro	McCarron	Redalen	Welker
Byrne	Greenfield	McDonald	Reding	Wenzel
Carlson, D.	Halberg	McEachern	Rees	Wieser
Carlson, L.	Haukoos	Mehrkens	Rice	Wigley
Casserly	Heinitz	Metzen	Rose	Wynia
Clark	Hokanson	Minne	Sarna	Zubay
Clawson	Jacobs	Moe	Schreiber	Speaker Searle
Corbid	Jaros	Munger	Searles	
Crandall	Jennings	Murphy	Sherwood	
Dean	Johnson, C.	Nelsen, B.	Sieben, H.	
Dempsey	Jude	Nelsen, M.	Sieben, M.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in

which amendment the concurrence of the House is respectfully requested:

H. F. No. 819, A bill for an act relating to local government; fixing a maximum amount for airport revenue certificates; amending Minnesota Statutes 1978, Section 360.71.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Ludeman moved that the House concur in the Senate amendments to H. F. No. 819 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 819, A bill for an act relating to aeronautics; amending Minnesota Statutes 1978, Section 360.71.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Thoes who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Munger	Sieben, H.
Adams	Drew	Johnson, D.	Murphy	Sieben, M.
Ainley	Eken	Jude	Nelsen, B.	Simoneau
Albrecht	Elioff	Kahn	Nelsen, M.	Stadum
Anderson, B.	Ellingson	Kaley	Niehaus	Stoa
Anderson, D.	Enebo	Kalis	Norman	Stowell
Anderson, G.	Erickson	Kelly	Norton	Sviggum
Anderson, I.	Esau	Kempe	Novak	Swanson
Anderson, R.	Evans	Knickerbocker	Nysether	Thiede
Battaglia	Ewald	Kostohryz	Olsen	Tomlinson
Begich	Faricy	Kroening	Onnen	Valan
Berglin	Fjoslien	Kvam	Otis	Valento
Berkelman	Forsythe	Laidig	Patton	Vanasek
Biersdorf	Friedrich	Lehto	Pehler	Voss
Blatz	Fritz	Levi	Peterson	Waldorf
Brinkman	Fudro	Long	Piepho	Weaver
Byrne	Greenfield	Ludeman	Prahl	Welch
Carlson, D.	Halberg	Luknic	Redalen	Welker
Carlson, L.	Haukoos	Mann	Reding	Wenzel
Casserly	Heap	McCarron	Rees	Wieser
Clark	Heinitz	McDonald	Rice	Wigley
Clawson	Hoberg	McEachern	Rose	Wynia
Corbid	Hokanson	Mehrkens	Rothenberg	Zubay
Crandall	Jacobs	Metzen	Sarna	Speaker Searle
Dean	Jaros	Minne	Schreiber	
Dempsey	Jennings	Moe	Searles	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Battaglia moved that the House concur in the Senate amendments to H. F. No. 235 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Aasness	Clark	Halberg	Kvam	Norman
Adams	Clawson	Haukoos	Laidig	Norton
Ainley	Corbid	Heap	Lehto	Novak
Albrecht	Crandall	Heinitz	Levi	Nysether
Anderson, B.	Dean	Hoberg	Long	Olsen
Anderson, D.	Dempsey	Hokanson	Ludeman	Onnen
Anderson, G.	Drew	Jacobs	Luknie	Otis
Anderson, I.	Eken	Jaros	Mann	Patton
Anderson, R.	Elioff	Jennings	McCarron	Pehler
Battaglia	Ellingson	Johnson, C.	McDonald	Peterson
Begich	Enebo	Johnson, D.	McEachern	Piepho
Berglin	Erickson	Jude	Mehrkens	Pleasant
Berkelman	Esau	Kahn	Metzen	Prahl
Biersdorf	Evans	Kaley	Minne	Redalen
Blatz	Ewald	Kalis	Munger	Reding
Brinkman	Fjoslien	Kelly	Murphy	Rees
Byrne	Forsythe	Kempe	Nelsen, B.	Rice
Carlson, D.	Friedrich	Knickerbocker	Nelsen, M.	Rothenberg
Carlson, L.	Fudro	Kostohryz	Nelson	Sarna
Casserly	Greenfield	Kroening	Niehaus	Schreiber

Searles	Stoa	Valan	Welch	Zubay
Sherwood	Stowell	Valento	Welker	Speaker Searle
Sieben, H.	Sviggum	Vanasek	Wenzel	
Sieben, M.	Swanson	Voss	Wieser	
Simoneau	Thiede	Waldorf	Wigley	
Stadum	Tomlinson	Weaver	Wynia	

Those who voted in the negative were:

Den Ouden	Faricy	Fritz	Osthoff
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The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Weaver moved that the House concur in the Senate amendments to H. F. No. 594 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, R.	Berglin	Blatz
Ainley	Anderson, D.	Battaglia	Berkelman	Brinkman
Albrecht	Anderson, G.	Begich	Biersdorf	Byrne

Carlson, D.	Greenfield	Lehto	Olsen	Stadum
Carlson, L.	Halberg	Levi	Onnen	Stoa
Cassery	Haukoos	Long	Osthoff	Stowell
Clark	Heap	Ludeman	Otis	Svigum
Corbid	Heinitz	Luknic	Patton	Thiede
Dean	Hoberg	Mann	Pehler	Tomlinson
Dempsey	Hokanson	McCarron	Peterson	Valan
Den Ouden	Jacobs	McDonald	Piepho	Valento
Drew	Jaros	McEachern	Pleasant	Vanasek
Eken	Jennings	Mehrken	Prahl	Voss
Elioff	Johnson, C.	Metzen	Redalen	Waldorf
Ellingson	Johnson, D.	Minne	Reding	Weaver
Enebo	Jude	Moe	Rees	Welch
Erickson	Kahn	Munger	Rice	Welker
Esau	Kaley	Murphy	Rose	Wenzel
Evans	Kalis	Nelsen, B.	Rothenberg	Wieser
Ewald	Kelly	Nelsen, M.	Sarna	Wigley
Faricy	Kempe	Nelson	Schreiber	Wynia
Fjoslien	Knickerbocker	Niehaus	Searles	Zubay
Forsythe	Kostohryz	Norman	Sherwood	Speaker Searle
Friedrich	Kroening	Norton	Sieben, H.	
Fritz	Kvam	Novak	Sieben, M.	
Fudro	Laidig	Nysether	Simoneau	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 921, A bill for an act relating to the city of Ham Lake, Anoka County; extending scope of subdivision regulations within its corporate boundaries.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Weaver moved that the House concur in the Senate amendments to H. F. No. 921 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Johnson, D.	Nelsen, B.	Schreiber
Adams	Eken	Jude	Nelsen, M.	Searles
Ainley	Elioff	Kahn	Nelson	Sherwood
Albrecht	Ellingson	Kaley	Niehau	Sieben, H.
Anderson, B.	Enebo	Kalis	Norman	Simoneau
Anderson, D.	Erickson	Kelly	Norton	Stadum
Anderson, G.	Esau	Kempe	Novak	Stoa
Anderson, I.	Evans	Knickerbocker	Nysether	Stowell
Anderson, R.	Ewald	Kostohryz	Olsen	Sviggum
Battaglia	Faricy	Kroening	Onnen	Swanson
Begich	Fjoslien	Kvam	Osthoff	Thiede
Berglin	Forsythe	Laidig	Otis	Tomlinson
Berkelman	Friedrich	Lehto	Patton	Valan
Biersdorf	Fritz	Levi	Pehler	Valento
Blatz	Fudro	Long	Peterson	Vanasek
Brinkman	Greenfield	Ludeman	Piepho	Voss
Byrne	Halberg	Luknic	Pleasant	Waldorf
Carlson, D.	Haukoos	Mann	Prahl	Weaver
Carlson, L.	Heap	McDonald	Redalen	Welch
Casserly	Heinitz	McEachern	Reding	Welker
Clark	Hoberg	Mehrkens	Rees	Wenzel
Clawson	Hokanson	Metzen	Reif	Wieser
Corbid	Jacobs	Minne	Rice	Wigley
Dean	Jaros	Moe	Rose	Wynia
Dempsey	Jennings	Munger	Rothenberg	Zubay
Den Ouden	Johnson, C.	Murphy	Sarna	Speaker Searle

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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; amending Laws 1969, Chapter 720, Sections 1, as amended, and 11, Subdivision 3.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Lehto moved that the House concur in the Senate amendments to H. F. No. 1063 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sieben, M.
Adams	Elioff	Kaley	Niehaus	Simoneau
Ainley	Ellingson	Kalis	Norman	Stadum
Albrecht	Enebo	Kelly	Norton	Stoa
Anderson, B.	Erickson	Kempe	Novak	Stowell
Anderson, D.	Esau	Knickerbocker	Olsen	Sviggum
Anderson, G.	Evans	Kostohryz	Onnen	Swanson
Anderson, I.	Ewald	Kroening	Osthoff	Thiede
Anderson, R.	Faricy	Kvam	Otis	Tomlinson
Battaglia	Fjoslien	Laidig	Patton	Valan
Begich	Forsythe	Lehto	Pehler	Valento
Berglin	Friedrich	Levi	Peterson	Vanasek
Berkelman	Fritz	Long	Piepho	Voss
Biersdorf	Fudro	Ludeman	Pleasant	Waldorf
Blatz	Greenfield	Luknic	Prahl	Weaver
Brinkman	Halberg	Mann	Redalen	Welch
Byrne	Haukoos	McCarron	Reding	Welker
Carlson, D.	Heap	McDonald	Rees	Wenzel
Carlson, L.	Heinitz	McEachern	Reif	Wieser
Casserly	Hoberg	Mehrkins	Rice	Wigley
Clark	Hokanson	Metzen	Rose	Wynia
Clawson	Jacobs	Minne	Rothenberg	Zubay
Crandall	Jaros	Moe	Sarna	Speaker Searle
Dean	Jennings	Munger	Schreiber	
Dempsey	Johnson, C.	Murphy	Searles	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	
Drew	Jude	Nelsen, M.	Sieben, H.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 898, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Kaley moved that the House concur in the Senate amendments to H. F. No. 898 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, B.	Sherwood
Adams	Elioff	Kahn	Nelsen, M.	Sieben, H.
Ainley	Ellingson	Kaley	Nelson	Sieben, M.
Albrecht	Enebo	Kalis	Niehaus	Simoneau
Anderson, B.	Erickson	Kelly	Norman	Stadum
Anderson, D.	Esau	Kempe	Norton	Stoa
Anderson, G.	Evans	Knickerbocker	Novak	Stowell
Anderson, I.	Ewald	Kostohryz	Olsen	Sviggum
Anderson, R.	Faricy	Kroening	Onnen	Swanson
Battaglia	Fjoslien	Kvam	Osthoff	Thiede
Begich	Forsythe	Laidig	Otis	Tomlinson
Berglin	Friedrich	Lehto	Patton	Valan
Berkelman	Fritz	Levi	Pehler	Valento
Blatz	Fudro	Long	Peterson	Vanasek
Brinkman	Greenfield	Ludeman	Pleasant	Voss
Byrne	Halberg	Luknic	Prahl	Waldorf
Carlson, D.	Haukoos	Mann	Redalen	Weaver
Carlson, L.	Heap	McCarron	Reding	Welch
Casserly	Heinitz	McDonald	Rees	Welker
Clark	Hoberg	McEachern	Reif	Wenzel
Clawson	Hokanson	Mehrkens	Rice	Wieser
Corbid	Jacobs	Metzen	Rose	Wigley
Crandall	Jaros	Minne	Rothenberg	Wynia
Dean	Jennings	Moe	Sarna	Zubay
Den Ouden	Johnson, C.	Munger	Schreiber	Speaker Searle
Drew	Johnson, D.	Murphy	Searles	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1227, A bill for an act relating to health; adding a time limit for hearing appeals under the hospitalization and commitment act; amending Minnesota Statutes 1978, Section 253A.21, Subdivision 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Jude moved that the House concur in the Senate amendments to H. F. No. 1227 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelson	Sieben, M.
Adams	Eken	Kaley	Niehaus	Simoneau
Ainley	Elioff	Kalis	Norman	Stadum
Albrecht	Ellingson	Kelly	Norton	Stoa
Anderson, B.	Enebo	Kempe	Novak	Stowell
Anderson, D.	Erickson	Knickerbocker	Olsen	Sviggum
Anderson, G.	Esau	Kostohryz	Onnen	Swanson
Anderson, I.	Evans	Kroening	Osthoff	Thiede
Anderson, R.	Ewald	Kvam	Otis	Tomlinson
Battaglia	Faricy	Laidig	Patton	Valan
Begich	Fjoslien	Lehto	Pehler	Valento
Berglin	Forsythe	Levi	Peterson	Vanasek
Berkelman	Friedrich	Long	Piepho	Voss
Biersdorf	Fritz	Ludeman	Pleasant	Waldorf
Blatz	Fudro	Luknic	Prahl	Weaver
Brinkman	Greenfield	Mann	Redalen	Welch
Byrne	Halberg	McCarron	Reding	Welker
Carlson, D.	Haukoos	McDonald	Rees	Wenzel
Carlson, L.	Heap	McEachern	Reif	Wieser
Casserly	Heinitz	Mehrkins	Rice	Wigley
Clark	Hoberg	Metzen	Rose	Wynia
Clawson	Hokanson	Minne	Rothenberg	Zubay
Corbid	Jacobs	Moe	Sarna	Speaker Searle
Crandall	Jaros	Munger	Schreiber	
Dean	Jennings	Murphy	Searles	
Dempsey	Johnson, C.	Nelsen, B.	Sherwood	
Den Ouden	Johnson, D.	Nelsen, M.	Sieben, H.	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 982, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vanasek moved that the House concur in the Senate amendments to H. F. No. 982 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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, Section 162.02, by adding a subdivision; 162.07, Subdivision 2; 162.09, Subdivision 1, and by adding a subdivision; and 162.13, Subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, L.	Fjoslien	Kahn	McEachern
Adams	Casserly	Forsythe	Kaley	Mehrkens
Aimley	Clark	Friedrich	Kalis	Metzen
Albrecht	Clawson	Fritz	Kelly	Minne
Anderson, B.	Corbid	Fudro	Kempe	Moe
Anderson, D.	Dean	Greenfield	Knickerbocker	Munger
Anderson, G.	Dempsey	Halborg	Kostohryz	Murphy
Anderson, I.	Den Ouden	Haukoos	Kroening	Nelsen, B.
Anderson, R.	Drew	Heap	Kvam	Nelsen, M.
Battaglia	Eken	Heinitz	Laidig	Nelson
Begich	Elioff	Hoberg	Lehto	Niehaus
Berglin	Ellingson	Hokanson	Levi	Norman
Berkelman	Enebo	Jacobs	Long	Norton
Biersdorf	Erickson	Jaros	Ludeman	Novak
Blatz	Esau	Jennings	Luknic	Nysether
Brinkman	Evans	Johnson, C.	Mann	Olsen
Byrne	Ewald	Johnson, D.	McCarron	Onnen
Carlson, D.	Faricy	Jude	McDonald	Osthoff

Otis	Reding	Sieben, H.	Thiede	Welch
Patton	Rees	Sieben, M.	Tomlinson	Welker
Pehler	Reif	Simoneau	Valan	Wenzel
Peterson	Rice	Stadum	Valento	Wieser
Piepho	Rothenberg	Stoa	Vanasek	Wigley
Pleasant	Sarna	Stowell	Voss	Wynia
Prahl	Searles	Sviggum	Waldorf	Zubay
Redalen	Sherwood	Swanson	Weaver	Speaker Searle

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Begich moved that the House concur in the Senate amendments to H. F. No. 882 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Anderson, B.	Anderson, R.	Berkelman	Byrne
Adams	Anderson, D.	Battaglia	Biersdorf	Carlson, D.
Ainley	Anderson, G.	Begich	Blatz	Carlson, L.
Albrecht	Anderson, I.	Berglin	Brinkman	Casserly

Clark	Halberg	Lehto	Olsen	Simoneau
Clawson	Haukoos	Levi	Onnen	Stowell
Corbid	Heap	Long	Osthoff	Svigum
Crandall	Heinitz	Ludeman	Otis	Swanson
Dean	Hoberg	Luknic	Patton	Thiede
Dempsey	Hokanson	Mann	Pehler	Tomlinson
Den Ouden	Jacobs	McCarron	Peterson	Valan
Drew	Jaros	McDonald	Piepho	Valento
Eken	Jennings	McEachern	Pleasant	Voss
Elioff	Johnson, C.	Mehrkens	Prahl	Waldorf
Ellingson	Johnson, D.	Metzen	Redalen	Weaver
Enebo	Jude	Minne	Reding	Welch
Erickson	Kahn	Munger	Rees	Welker
Esau	Kaley	Murphy	Reif	Wenzel
Evans	Kalis	Nelsen, B.	Rice	Wieser
Ewald	Kelly	Nelsen, M.	Rose	Wigley
Fjoslien	Kempe	Nelson	Rothenberg	Wynia
Forsythe	Knickerbocker	Niehaus	Sarna	Zubay
Friedrich	Kostohryz	Norman	Searles	Speaker Searle
Fritz	Kroening	Norton	Sherwood	
Fudro	Kvam	Novak	Sieben, H.	
Greenfield	Laidig	Nysether	Sieben, M.	

Those who voted in the negative were:

Faricy

The bill repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 220, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Greenfield moved that the House concur in the Senate amendments to H. F. No. 220 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, M.	Sieben, H.
Adams	Elioff	Kahn	Nelson	Sieben, M.
Ainley	Ellingson	Kaley	Niehaus	Simoneau
Anderson, B.	Enebo	Kalis	Norman	Stadum
Anderson, D.	Erickson	Kelly	Norton	Stoa
Anderson, G.	Esau	Kempe	Novak	Stowell
Anderson, I.	Evans	Knickerbocker	Nysether	Sviggum
Anderson, R.	Ewald	Kostohryz	Olsen	Swanson
Battaglia	Faricy	Kroening	Onnen	Thiede
Begich	Fjoslien	Kvam	Osthoff	Tomlinson
Berglin	Forsythe	Laidig	Otis	Valento
Berkelman	Friedrich	Lehto	Patton	Vanasek
Biersdorf	Fritz	Levi	Pehler	Voss
Blatz	Fudro	Long	Peterson	Waldorf
Brinkman	Greenfield	Luknic	Piepho	Weaver
Byrne	Halberg	Mann	Pleasant	Welch
Carlson, D.	Haukoos	McCarron	Redalen	Welker
Carlson, L.	Heap	McDonald	Reding	Wenzel
Casserly	Heinitz	McEachern	Rees	Wieser
Clark	Hoberg	Mehrkens	Reif	Wigley
Clawson	Hokanson	Metzen	Rice	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Dean	Jaros	Moe	Rothenberg	Speaker Searle
Dempsey	Jennings	Munger	Sarna	
Den Ouden	Johnson, C.	Murphy	Searles	
Drew	Johnson, D.	Nelsen, B.	Sherwood	

Those who voted in the negative were:

Ludeman

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Wieser moved that the House concur in the Senate amendments to H. F. No. 59 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 126 yeas and 5 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kaley	Norman	Simoneau
Adams	Elioff	Kalis	Norton	Stadum
Ainley	Ellingson	Kelly	Novak	Stoa
Albrecht	Enebo	Kempe	Nysether	Stowell
Anderson, B.	Erickson	Knickerbocker	Olsen	Sviggum
Anderson, D.	Esau	Kostohryz	Onnen	Swanson
Anderson, I.	Evans	Kvam	Otis	Thiede
Anderson, R.	Ewald	Laidig	Patton	Tomlinson
Battaglia	Fjoslien	Lehto	Pehler	Valan
Begich	Forsythe	Levi	Peterson	Valento
Berglin	Friedrich	Long	Piepho	Vanasek
Berkelman	Fritz	Ludeman	Pleasant	Voss
Biersdorf	Fudro	Mann	Prahl	Waldorf
Blatz	Greenfield	McCarron	Redalen	Weaver
Brinkman	Halberg	McDonald	Reding	Welch
Byrne	Haukoos	McEachern	Rees	Welker
Carlson, D.	Heap	Mehrkens	Reif	Wenzel
Carlson, L.	Heinitz	Metzen	Rice	Wieser
Casserly	Hoberg	Minne	Rose	Wigley
Clark	Hokanson	Moe	Rothenberg	Wynia
Clawson	Jacobs	Munger	Sarna	Zubay
Corbid	Jaros	Murphy	Schreiber	Speaker Searle
Dean	Jennings	Nelsen, B.	Searles	
Dempsey	Johnson, D.	Nelsen, M.	Sherwood	
Den Ouden	Jude	Nelson	Sieben, H.	
Drew	Kahn	Niehaus	Sieben, M.	

Those who voted in the negative were:

Anderson, G. Faricy Johnson, C. Kroening Osthoff

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 642, A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Berkelman moved that the House concur in the Senate amendments to H. F. No. 642 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 642, A bill for an act relating to commerce; providing attendant services at certain gasoline stations.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, M.	Searles
Adams	Elioff	Kahn	Nelson	Sherwood
Ainley	Ellingson	Kalis	Niehaus	Sieben, H.
Albrecht	Enebo	Kelly	Norman	Sieben, M.
Anderson, B.	Erickson	Kempe	Norton	Simoneau
Anderson, D.	Esau	Knickerbocker	Novak	Stadum
Anderson, G.	Evans	Kostohryz	Nysether	Stoa
Anderson, I.	Ewald	Kroening	Olsen	Stowell
Anderson, R.	Faricy	Kvam	Onnen	Sviggum
Battaglia	Fjoslien	Laidig	Osthoff	Swanson
Begich	Forsythe	Lehto	Otis	Thiede
Berglin	Friedrich	Levi	Patton	Tomlinson
Berkelman	Fritz	Long	Pehler	Valan
Biersdorf	Fudro	Ludeman	Peterson	Valento
Blatz	Greenfield	Luknic	Piepho	Vanasek
Brinkman	Halberg	Mann	Pleasant	Voss
Byrne	Haukoos	McCarron	Prahl	Waldorf
Carlson, D.	Heap	McDonald	Redalen	Weaver
Carlson, L.	Heinitz	McEachern	Reding	Welch
Cassery	Hoberg	Mehrkens	Rees	Welker
Clark	Hokanson	Metzen	Reif	Wenzel
Clawson	Jacobs	Minne	Rice	Wieser
Corbid	Jaros	Moe	Rose	Wigley
Dean	Jennings	Munger	Rothenberg	Wynia
Dempsey	Johnson, C.	Murphy	Sarna	Zubay
Drew	Johnson, D.	Nelsen, B.	Schreiber	Speaker Searle

Those who voted in the negative were:

Den Ouden

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Forsythe moved that the House concur in the Senate amendments to H. F. No. 627 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 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.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Corbid	Heap	Long	Onnen
Adams	Dean	Heinitz	Ludeman	Osthoff
Ainley	Dempsey	Hoberg	Luknic	Otis
Albrecht	Den Ouden	Hokanson	Mann	Patton
Anderson, B.	Drew	Jacobs	McCarron	Pehler
Anderson, D.	Eken	Jaros	McDonald	Peterson
Anderson, G.	Elioff	Jennings	McEachern	Piepho
Anderson, I.	Ellingson	Johnson, C.	Mehrkens	Pleasant
Anderson, R.	Enebo	Johnson, D.	Metzen	Prahl
Battaglia	Erickson	Jude	Minne	Redalen
Begich	Esau	Kahn	Moe	Reding
Berglin	Evans	Kaley	Munger	Rees
Berkelman	Ewald	Kalis	Murphy	Reif
Biersdorf	Faricy	Kelly	Nelsen, B.	Rose
Blatz	Fjoslien	Kempe	Nelsen, M.	Rothernberg
Brinkman	Forsythe	Knickerbocker	Nelson	Sarna
Byrne	Friedrich	Kostohryz	Niehaus	Schreiber
Carlson, D.	Fritz	Kroening	Norman	Searles
Carlson, L.	Fudro	Kvam	Norton	Sherwood
Casserly	Greenfield	Laidig	Novak	Sieben, H.
Clark	Halberg	Lehto	Nysether	Sieben, M.
Clawson	Haukoos	Levi	Olsen	Simoneau

Stadum	Thiede	Voss	Wenzel	Speaker Searle
Stoa	Tomlinson	Waldorf	Wieser	
Stowell	Valan	Weaver	Wigley	
Sviggum	Valento	Welch	Wynia	
Swanson	Vanasek	Welker	Zubay	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate wishes to recall for the purpose of further consideration House File No. 1386.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wynia moved that the House accede to the request of the Senate for the return of H. F. No. 1386. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 248, 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.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wieser moved that the House refuse to concur in the Senate amendments to H. F. No. 248, that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a conference committee, and that the House requests that a conference committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 60, A bill for an act relating to natural resources; modifying certain trespass laws; amending Minnesota Statutes 1978, Section 100.273, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wieser moved that the House refuse to concur in the Senate amendments to H. F. No. 60, that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a conference committee, and that the House requests that a conference committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 219, A bill for an act relating to state government; abolishing achievement awards for commissioners and deputy constitutional officers; 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.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Nelson, Chenoweth and Ashbach have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Reding moved that the House accede to the request of the Senate for the appointment of a Conference Committee except that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a Conference Committee to meet with the committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 219. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 521, A bill for an act relating to the city of St. Cloud; authorizing sale of liquor at the Municipal Sports Complex.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Kleinbaum, Bang and Dieterich have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Patton moved that the House accede to the request of the Senate for the appointment of a Conference Committee except that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a Conference Committee to meet with the committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 521. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 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; 138.01, by adding a subdivision; 139.10, Subdivision 2; 139.17, Subdivision 2; and 139.18, Subdivision 1.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Moe, Kleinbaum, Menning, Pillsbury and Ashbach have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House accede to the request of the Senate for the appointment of a Conference Committee except that the Speaker shall appoint 3 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 3 members to a Conference Committee to meet with the committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1504. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 1510, A bill for an act relating to the organization and operation of state government; appropriating money for the general administrative and judicial 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; 10.31; 16.02, by adding a subdivision; 16.97, Subdivision 1; 16A.126; 43.067, Subdivision 1; 85A.02, Subdivision 12; 116E.03, Subdivision 4; 179.04; 180.03, Subdivision 2; 197.16; 198.31; 299C.07; 361.12, by adding a subdivision; 362.20; 362.40, Subdivisions 9, 10 and 11; 546.27; Chapters 86, by adding a section; and 299C, by adding a section.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Humphrey; Willet; Keefe, S.; Dunn and Chenoweth have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Norton moved that the House accede to the request of the Senate for the appointment of a Conference Committee except that the Speaker shall appoint 3 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 3 members to a Conference Committee to meet with the committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1510. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendment to:

S. F. No. 118, A bill for an act relating to crimes; defining the crime of receiving stolen property; amending Minnesota Statutes 1978, Section 609.53, Subdivision 2.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Davies, Sikorski and Bernhagen have been appointed as such committee on the part of the Senate.

Said Senate File is herewith transmitted to the House with the request that the House appoint a committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Laidig moved that the House accede to the request of the Senate for the appointment of a Conference Committee except that the Speaker shall appoint 2 members and the Chairman of the Committee on Rules and Legislative Administration shall appoint 2 members to a Conference Committee to meet with the committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 118. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1218.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 1199.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 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.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 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.

The bill was read for the first time.

Moe moved that S. F. No. 1199 and H. F. No. 1221, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

CONSENT CALENDAR

S. F. No. 1047 was reported to the House.

There being no objection, S. F. No. 1047 was continued on the Consent Calendar until Wednesday, May 16, 1979.

S. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Byrne	Esau	Jacobs	Lehto
Adams	Carlson, D.	Evans	Jaros	Levi
Ainley	Carlson, L.	Ewald	Jennings	Long
Albrecht	Cassery	Faricy	Johnson, C.	Ludeman
Anderson, B.	Clark	Fjoslien	Johnson, D.	Luknic
Anderson, D.	Clawson	Forsythe	Jude	Mann
Anderson, G.	Corbid	Friedrich	Kahn	McCarron
Anderson, I.	Crandall	Fritz	Kaley	McDonald
Anderson, R.	Dempsey	Fudro	Kalis	McEachern
Battaglia	Den Ouden	Greenfield	Kelly	Mehrkens
Begich	Drew	Halberg	Kempe	Metzen
Berglin	Eken	Haukoos	Knickerbocker	Minne
Berkelman	Elioff	Heap	Kostohryz	Moe
Biersdorf	Ellingson	Heinitz	Kroening	Munger
Blatz	Enebo	Hoberg	Kvam	Murphy
Brinkman	Erickson	Hokanson	Laidig	Nelsen, B.

Nelsen, M.	Patton	Rose	Stowell	Weaver
Nelson	Peterson	Rothenberg	Swiggum	Welch
Niehaus	Piepho	Sarna	Swanson	Welker
Norman	Pleasant	Schreiber	Thiede	Wenzel
Norton	Prahl	Searles	Tomlinson	Wieser
Novak	Redalen	Sherwood	Valan	Wigley
Nysether	Reding	Sieben, H.	Valento	Wynia
Olsen	Rees	Simoneau	Vanasek	Zubay
Onnen	Reif	Stadum	Voss	Speaker Searle
Otis	Rice	Stoa	Waldorf	

The bill was passed and its title agreed to.

S. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sieben, H.
Adams	Eken	Kahn	Nelson	Sieben, M.
Ainley	Elioff	Kaley	Niehaus	Simoneau
Albrecht	Ellingson	Kalis	Norman	Stadum
Anderson, B.	Enebo	Kelly	Norton	Stoa
Anderson, D.	Erickson	Kempe	Novak	Stowell
Anderson, G.	Esau	Knickerbocker	Nysether	Swiggum
Anderson, I.	Evans	Kostohryz	Olsen	Swanson
Anderson, R.	Ewald	Kroening	Onnen	Thiede
Battaglia	Faricy	Kvam	Osthoff	Tomlinson
Begich	Fjoslien	Laidig	Otis	Valan
Berglin	Forsythe	Lehto	Patton	Valento
Berkelman	Friedrich	Levi	Pehler	Vanasek
Biersdorf	Fritz	Long	Peterson	Voss
Blatz	Fudro	Ludeman	Piepho	Waldorf
Brinkman	Greenfield	Luknic	Pleasant	Weaver
Byrne	Halberg	Mann	Prahl	Welch
Carlson, D.	Haukoos	McCarron	Redalen	Welker
Carlson, L.	Heap	McDonald	Reding	Wenzel
Casserly	Heinitz	McEachern	Rees	Wieser
Clark	Hoberg	Mehrkins	Reif	Wigley
Clawson	Hokanson	Metzen	Rice	Wynia
Corbid	Jacobs	Minne	Rose	Zubay
Crandall	Jaros	Moe	Rothenberg	Speaker Searle
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Searles	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 1288, A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey cer-

tain lands in Kittson County, under certain conditions, to the Galilee Bible Camp.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Munger	Rothenberg
Adams	Drew	Johnson, D.	Murphy	Sarna
Ainley	Eken	Jude	Murphy, B.	Searles
Albrecht	Elioff	Kahn	Nelsen, M.	Sherwood
Anderson, B.	Ellingson	Kaley	Nelson	Sieben, H.
Anderson, D.	Enebo	Kalis	Niehaus	Sieben, M.
Anderson, G.	Erickson	Kelly	Norman	Simoneau
Anderson, I.	Esau	Kempe	Norton	Stadum
Anderson, R.	Evans	Knickerbocker	Novak	Stoa
Battaglia	Ewald	Kostohryz	Nysether	Stowell
Begich	Faricy	Kroening	Olsen	Sviggum
Berglin	Fjoslien	Kvam	Onnen	Thiede
Berkelman	Forsythe	Laidig	Osthoff	Tomlinson
Biersdorf	Friedrich	Lehto	Otis	Valan
Blatz	Fritz	Levi	Patton	Valento
Brinkman	Fudro	Long	Pehler	Vanasek
Byrne	Greenfield	Ludeman	Peterson	Voss
Carlson, D.	Halberg	Luknic	Piepho	Waldorf
Carlson, L.	Haukoos	Mann	Pleasant	Weaver
Casserly	Heap	McCarron	Prahl	Welch
Clark	Heinitz	McDonald	Redalen	Wenzel
Clawson	Hoberg	McEachern	Reding	Wieser
Corbid	Hokanson	Mehrkens	Rees	Wigley
Crandall	Jacobs	Metzen	Reif	Wynia
Dean	Jaros	Minne	Rice	Zubay
Dempsey	Jennings	Moe	Rose	Speaker Searle

Those who voted in the negative were:

Swanson Welker

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Norton requested immediate consideration of H. F. Nos. 597, 1084 and 1111.

H. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sherwood
Adams	Eken	Kahn	Nelson	Sieben, H.
Ainley	Elioff	Kaley	Niehaus	Sieben, M.
Albrecht	Ellingson	Kalis	Norman	Simoneau
Anderson, B.	Enebo	Kelly	Norton	Stadum
Anderson, D.	Erickson	Kempe	Novak	Stoa
Anderson, G.	Esau	Knickerbocker	Nysether	Stowell
Anderson, I.	Evans	Kostohryz	Olsen	Sviggum
Anderson, R.	Ewald	Kroening	Onnen	Swanson
Battaglia	Faricy	Kvam	Osthoff	Thiede
Begich	Fjoslien	Laidig	Otis	Tomlinson
Berglin	Forsythe	Lehto	Patton	Valan
Berkelman	Friedrich	Levi	Pehler	Valento
Biersdorf	Fritz	Long	Peterson	Vanasek
Blatz	Fudro	Ludeman	Piepho	Voss
Brinkman	Greenfield	Luknic	Pleasant	Waldorf
Byrne	Halberg	Mann	Prahl	Weaver
Carlson, D.	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Munger	Sarna	Speaker Searle
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	

The bill was passed and its title agreed to.

H. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, I.	Blatz	Clawson	Elioff
Adams	Anderson, R.	Brinkman	Corbid	Ellingson
Ainley	Battaglia	Byrne	Crandall	Enebo
Albrecht	Begich	Carlson, D.	Dean	Erickson
Anderson, B.	Berglin	Carlson, L.	Dempsey	Esau
Anderson, D.	Berkelman	Casserly	Drew	Evans
Anderson, G.	Biersdorf	Clark	Eken	Ewald

Faricy	Kahn	Mehrkens	Peterson	Stoa
Fjoslien	Kaley	Metzen	Piepho	Stowell
Forsythe	Kalis	Minne	Pleasant	Sviggum
Friedrich	Kelly	Moe	Prahl	Swanson
Fritz	Kempe	Murphy	Redalen	Tomlinson
Fudro	Knickerbocker	Nelsen, B.	Reding	Valan
Greenfield	Kostohryz	Nelsen, M.	Rees	Valento
Halberg	Kroening	Nelson	Reif	Vanasek
Haukoos	Kvam	Niehaus	Rice	Voss
Heap	Laidig	Norman	Rose	Waldorf
Heinitz	Lehto	Norton	Rothenberg	Weaver
Hoberg	Levi	Novak	Sarna	Welch
Hokanson	Long	Nysether	Schreiber	Welker
Jacobs	Ludeman	Olsen	Searles	Wenzel
Jaros	Luknic	Onnen	Sherwood	Wieser
Jennings	Mann	Osthoff	Sieben, H.	Wigley
Johnson, C.	McCarron	Otis	Sieben, M.	Wynia
Johnson, D.	McDonald	Patton	Simoneau	Zubay
Jude	McEachern	Pehler	Stadum	Speaker Searle

Those who voted in the negative were:

Den Ouden Thiede

The bill was passed and its title agreed to.

H. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Carlson, L.	Faricy	Kahn	McEachern
Adams	Casserly	Forsythe	Kaley	Mehrkens
Ainley	Clark	Friedrich	Kalis	Metzen
Albrecht	Clawson	Fritz	Kelly	Minne
Anderson, B.	Corbid	Fudro	Kempe	Moe
Anderson, D.	Crandall	Greenfield	Knickerbocker	Munger
Anderson, G.	Dean	Halberg	Kostohryz	Murphy
Anderson, I.	Dempsey	Haukoos	Kroening	Nelsen, B.
Anderson, R.	Den Ouden	Heap	Kvam	Nelsen, M.
Battaglia	Drew	Heinitz	Laidig	Nelson
Begich	Eken	Hoberg	Lehto	Niehaus
Berglin	Elioff	Hokanson	Levi	Norman
Berkelman	Ellingson	Jacobs	Long	Norton
Biersdorf	Enebo	Jaros	Ludeman	Novak
Blatz	Erickson	Jennings	Luknic	Nysether
Brinkman	Esau	Johnson, C.	Mann	Olsen
Byrne	Evans	Johnson, D.	McCarron	Onnen
Carlson, D.	Ewald	Jude	McDonald	Osthoff

Otis	Rees	Sieben, H.	Tomlinson	Wenzel
Patton	Reif	Sieben, M.	Valan	Wieser
Pehler	Rice	Simoneau	Valento	Wynia
Peterson	Rose	Stadum	Vanasek	Zubay
Piepho	Rothenberg	Stoa	Voss	Speaker Searle
Pleasant	Sarna	Stowell	Waldorf	
Prahl	Schreiber	Sviggum	Weaver	
Redalen	Searles	Swanson	Welch	
Reding	Sherwood	Thiede	Welker	

The bill was passed and its title agreed to.

Berkelman, Elioff and Murphy were excused between the hours of 4:55 p.m. and 6:15 p.m.

Pursuant to rule 1.10, Sieben, H., requested immediate consideration of S. F. No. 1351.

S. F. No. 1351 was reported to the House.

Patton moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 2, line 18, delete "8" and insert "9"

Page 4, line 13, delete everything after the period

Page 4, delete lines 14 to 17

Page 4, line 18, delete everything through the period

Page 4, line 26, delete "8" and insert "9"

Page 6, line 28, delete "8" and insert "9"

Page 9, line 3, delete "8" and insert "9"

Page 9, line 3, delete "clause" and insert "subdivision"

Page 9, line 15, delete "8" and insert "9"

Page 10, line 23, delete "8" and insert "9"

Page 10, line 24, delete "8" and insert "9"

Page 12, line 8, before "city" insert "or"

Page 12, line 9, delete "or county"

Page 12, line 21, delete "8" and insert "9"

Page 14, line 14, delete "473.561" and insert "473.564"

Page 15, line 24, delete "473.561" and insert "473.564"

Page 16, line 10, delete "8" and insert "9"

The motion prevailed and the amendment was adopted.

Patton moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 10, after line 7, insert:

"(n) The council has entered into an agreement with a brokerage firm or brokerage firms guaranteeing that fees and charges payable in connection with the issuance and sale of the bonds shall not exceed fees and charges customarily payable in connection with the issuance and sale of bonds secured by the pledge of the full faith and credit of the municipality in which any new sports facility is to be located."

The motion prevailed and the amendment was adopted.

Greenfield moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 6, lines 13 to 18, reinstate the stricken language and delete the new language

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 71 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Johnson, D.	Metzen	Swanson
Anderson, B.	Esau	Jude	Minne	Tomlinson
Anderson, D.	Ewald	Kahn	Nelsen, M.	Vanasek
Anderson, G.	Faricy	Kaley	Niehaus	Voss
Anderson, I.	Fjoslien	Kelly	Norton	Weaver
Anderson, R.	Fritz	Kempe	Onnen	Welch
Berkelman	Fudro	Knickerbocker	Osthoff	Welker
Biersdorf	Greenfield	Kostohryz	Peterson	Wieser
Blatz	Haukoos	Kroening	Pleasant	Wigley
Byrne	Heap	Kvam	Rees	Wynia
Carlson, L.	Heinitz	Long	Reif	Zubay
Clawson	Hokanson	Ludeman	Rice	
Den Ouden	Jacobs	McCarron	Sherwood	
Drew	Jennings	McEachern	Stoa	
Ellingson	Johnson, C.	Mehrkens	Sviggum	

Those who voted in the negative were:

Aasness	Carlson, D.	Crandall	Evans	Hoberg
Adams	Casserly	Dempsey	Forsythe	Jaros
Ainley	Clark	Eken	Friedrich	Laidig
Brinkman	Corbid	Enebo	Halberg	Levi

Luknic	Norman	Pehler	Rothenberg	Thiede
Mann	Nysether	Piepho	Schreiber	Valan
McDonald	Olsen	Redalen	Searles	Valento
Nelsen, B.	Otis	Reding	Stadum	Wenzel
Nelson	Patton	Rose	Stowell	Speaker Searle

The motion prevailed and the amendment was adopted.

Rice moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 5, line 29, after the period insert a separate paragraph as follows:

"Any person subject to taxation under chapter 290 who makes a contribution or gift to the commission or a city to meet the requirements of clauses (d) or (e) shall not qualify for a credit or deduction under section 290.21 for the gift or contribution. Any person subject to taxation under chapter 290 who makes a contribution or investment in a corporation, partnership, association or other entity, a purpose of which is to aid the commission or a city in meeting the requirements of clauses (d) or (e), shall not qualify for a tax credit or deduction under chapter 290 for the amount of or any part of the amount of such contribution or investment."

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 45 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Albrecht	Clawson	Jennings	Norton	Sherwood
Anderson, B.	Drew	Jude	Osthoff	Stoa
Anderson, I.	Ellingson	Kempe	Peterson	Swanson
Begich	Faricy	Kroening	Pleasant	Vanasek
Berkelman	Fritz	Mann	Reding	Voss
Biersdorf	Fudro	McCarron	Rees	Waldorf
Blatz	Greenfield	McEachern	Reif	Welch
Byrne	Hoberg	Minne	Rice	Wenzel
Carlson, L.	Hokanson	Nelsen, M.	Sarna	Wieser

Those who voted in the negative were:

Aasness	Eken	Jaros	Metzen	Rose
Ainley	Enebo	Johnson, C.	Nelsen, B.	Rothenberg
Anderson, D.	Erickson	Johnson, D.	Niehaus	Schreiber
Anderson, G.	Esau	Kahn	Norman	Searles
Anderson, R.	Evans	Kaley	Novak	Sieben, H.
Brinkman	Ewald	Kelly	Nysether	Sieben, M.
Carlson, D.	Fjoslien	Knickerbocker	Olsen	Stadum
Casserly	Friedrich	Kvam	Onnen	Stowell
Clark	Halberg	Laidig	Otis	Sviggum
Crandall	Haukoos	Levi	Patton	Thiede
Dean	Heap	Ludeman	Pehler	Tomlinson
Dempsey	Heinitz	Luknic	Piepho	Valan
Den Ouden	Jacobs	McDonald	Redalen	Valento

Weaver
Welker

Wigley

Wynia

Zubay

Speaker Searle

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

Greenfield moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 5, line 29, after the period and before "The" insert:

"In connection with any agreement or grant of funds related to the requirements of clauses (d) and (e) of this subdivision, the city in which any new sports facility is to be located or any agency of the city in which any new sports facility is to be located or the commission shall not provide to any donor any unique advantages or privileges on property on which any new sports facility is to be located or on any other property owned or controlled by the city or agency of the city or the commission."

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 40 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Albrecht	Clawson	Haukoos	McEachern	Reif
Anderson, B.	Corbid	Jacobs	Moe	Rice
Anderson, D.	Drew	Jennings	Nelsen, M.	Sarna
Anderson, I.	Ellingson	Jude	Osthoff	Stoa
Berglin	Faricy	Kahn	Peterson	Swanson
Blatz	Fritz	Kempe	Pleasant	Vanasek
Byrne	Fudro	Kroening	Reding	Welch
Carlson, L.	Greenfield	Mann	Rees	Wieser

Those who voted in the negative were:

Aasness	Enebo	Knickerbocker	Olsen	Stadum
Adams	Erickson	Kostohryz	Onnen	Stowell
Ainley	Esau	Kvam	Otis	Sviggunn
Anderson, G.	Evans	Levi	Patton	Thiede
Anderson, R.	Ewald	Ludeman	Pehler	Tomlinson
Biersdorf	Fjoslien	Luknic	Piepho	Valan
Brinkman	Friedrich	McCarron	Redalen	Valento
Carlson, D.	Halberg	McDonald	Rose	Waldorf
Casserly	Heinitz	Mehrrens	Rothenberg	Weaver
Crandall	Hoberg	Metzen	Schreiber	Welker
Dean	Johnson, C.	Nelsen, B.	Searles	Wenzel
Dempsey	Johnson, D.	Niehaus	Sieben, H.	Wigley
Den Ouden	Kaley	Norman	Sieben, M.	Zubay
Eken	Kelly	Novak	Simoneau	Speaker Searle

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

Jude moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 16, delete section 10

Renumber remaining sections

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 53 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Jude	Niehaus	Swanson
Anderson, B.	Faricy	Kelly	Norton	Tomlinson
Anderson, D.	Fjoslien	Kempe	Osthoff	Voss
Anderson, G.	Fritz	Kostohryz	Peterson	Waldorf
Anderson, I.	Greenfield	Kroening	Pleasant	Welker
Blatz	Haukoos	Ludeman	Rees	Wenzel
Brinkman	Heinitz	Mann	Reif	Wieser
Byrne	Hokanson	McEachern	Rice	Wynia
Carlson, L.	Jacobs	Metzen	Searles	Zubay
Drew	Jennings	Minne	Stoa	
Ellingson	Johnson, C.	Nelsen, M.	Stowell	

Those who voted in the negative were:

Aasness	Eken	Knickerbocker	Otis	Sviggunn
Adams	Enebo	Laidig	Patton	Thiede
Anderson, R.	Esau	Luknic	Pehler	Valan
Berglin	Evans	McCarron	Piepho	Valento
Biersdorf	Ewald	McDonald	Redalen	Vanasek
Carlson, D.	Forsythe	Mehrkens	Rose	Weaver
Clark	Friedrich	Nelsen, B.	Rothenberg	Wigley
Corbid	Fudro	Nelson	Schreiber	Speaker Searle
Crandall	Heap	Norman	Sieben, H.	
Dean	Jaros	Novak	Sieben, M.	
Dempsey	Johnson, D.	Olsen	Simoneau	
Den Ouden	Kahn	Onnen	Stadum	

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

Peterson moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 2, line 1, delete "*in Hennepin County*" and insert "*in the metropolitan sports area.*"

Page 5, line 15, delete "\$42,000,000." and insert "\$46,000,000."

Page 5, line 24, delete "\$37,500,000." and insert "\$46,000,000."

Further, amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 51 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Hokanson	Niehaus	Sviggunn
Albrecht	Erickson	Jennings	Olsen	Swanson
Anderson, B.	Esau	Johnson, C.	Peterson	Valan
Anderson, D.	Evans	Johnson, D.	Pleasant	Valento
Anderson, G.	Fjoslien	Jude	Redalen	Vanasek
Anderson, I.	Friedrich	Kaley	Reding	Welker
Anderson, R.	Fritz	Kvam	Rees	Wigley
Blatz	Greenfield	Ludeman	Reif	
Carlson, D.	Halberg	Mehrkens	Rose	
Carlson, L.	Haukoos	Metzen	Sieben, H.	
Den Ouden	Heinitz	Nelsen, M.	Sieben, M.	

Those who voted in the negative were:

Adams	Eken	Kroening	Osthoff	Tomlinson
Ainley	Elioff	Laidig	Patton	Voss
Battaglia	Ellingson	Levi	Pehler	Waldorf
Begich	Enebo	Mann	Piepho	Weaver
Berglin	Ewald	McCarron	Rice	Welch
Berkelman	Fudro	McDonald	Rothenberg	Wenzel
Brinkman	Heap	Nelsen, B.	Sarna	Wieser
Casserly	Jacobs	Nelson	Schreiber	Wynia
Clark	Jaros	Norman	Sherwood	Zubay
Clawson	Kahn	Norton	Stadum	
Corbid	Kelly	Novak	Stoa	
Crandall	Kempe	Nysether	Stowell	
Dean	Kostohryz	Onnen	Thiede	

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

Fritz moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 4, lines 26 and 27, strike "No election shall be required" and insert "*The question of issuing the obligations shall be submitted to the electors of the municipality agreeing to levy a tax pursuant to section 9, at a special election in the manner provided in chapter 475, and the obligations shall not be issued without the approval of a majority of the electors voting on the question*"

A roll was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 60 yeas and 58 nays as follows:

Those who voted in the affirmative were:

Aasness	Albrecht	Anderson, B.	Anderson, D.	Anderson, I.
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Anderson, R.	Fritz	Knickerbocker	Nysether	Stoa
Blatz	Greenfield	Kostohryz	Olsen	Swanson
Byrne	Haukoos	Kroening	Osthoff	Thiede
Den Ouden	Heinitz	Kvam	Peterson	Tomlinson
Drew	Hoberg	Ludeman	Pleasant	Valento
Elioff	Hokanson	Luknic	Prahl	Waldorf
Erickson	Jennings	Mann	Rees	Wenzel
Evans	Jude	Mehrkens	Reif	Wieser
Ewald	Kaley	Metzen	Rice	Wigley
Faricy	Kelly	Moe	Sherwood	Wynia
Fjoslien	Kempe	Niehaus	Stadum	Zubay

Those who voted in the negative were:

Adams	Corbid	Jaros	Norman	Sieben, H.
Ainley	Crandall	Johnson, C.	Norton	Sieben, M.
Anderson, G.	Dean	Johnson, D.	Novak	Simoneau
Battaglia	Dempsey	Kahn	Onnen	Stowell
Begich	Eken	Laidig	Otis	Swiggum
Berglin	Ellingson	Lehto	Patton	Valan
Berkelman	Enebo	McCarron	Pehler	Voss
Biersdorf	Forsythe	McDonald	Piepho	Weaver
Brinkman	Fudro	Minne	Reding	Welch
Carlson, L.	Halberg	Murphy	Rose	Welker
Clark	Heap	Nelsen, B.	Rothenberg	
Clawson	Jacobs	Nelson	Schreiber	

The motion prevailed and the amendment was adopted.

Rice offered an amendment to S. F. No. 1351.

POINT OF ORDER

Faricy raised a point of order pursuant to Section 401, Subdivision 4, of "Mason's Manual of Legislative Procedure" that the amendment offered by Rice was out of order. The Speaker ruled the point of order well taken and the amendment out of order.

CALL OF THE HOUSE

On the motion of Rice and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Casserly	Faricy	Johnson, D.	McCarron
Adams	Clark	Fjoslien	Jude	McDonald
Ainley	Clawson	Forsythe	Kahn	McEachern
Albrecht	Corbid	Friedrich	Kaley	Mehrkens
Anderson, B.	Crandall	Fritz	Kalis	Metzen
Anderson, D.	Dean	Fudro	Kelly	Minne
Anderson, G.	Dempsey	Greenfield	Kempe	Moe
Anderson, I.	Den Ouden	Halberg	Knickerbocker	Munger
Anderson, R.	Drew	Haukoos	Kostohryz	Murphy
Battaglia	Eken	Heap	Kroening	Nelsen, B.
Begich	Elioff	Heinitz	Laidig	Nelsen, M.
Berglin	Ellingson	Hoberg	Lehto	Nelson
Berkelman	Enebo	Hokanson	Levi	Niehaus
Blatz	Erickson	Jacobs	Long	Norman
Brinkman	Esau	Jaros	Ludeman	Norton
Byrne	Evans	Jennings	Luknic	Novak
Carlson, L.	Ewald	Johnson, C.	Mann	Nysether

Olsen	Prahl	Schreiber	Sviggum	Weaver
Onnen	Redalen	Searles	Swanson	Welch
Osthoff	Reding	Sherwood	Thiede	Welker
Otis	Rees	Sieben, H.	Tomlinson	Wenzel
Patton	Reif	Sieben, M.	Valan	Wieser
Pehler	Rice	Simoneau	Valento	Wigley
Peterson	Rose	Stadum	Vanasek	Wynia
Piepho	Rothenberg	Stoa	Voss	Zubay
Pleasant	Sarna	Stowell	Waldorf	Speaker Searle

Rice moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Jacobs moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 9, line 16, delete "*an agreement with*"

Page 9, line 17, delete "*the professional football league or*"

Page 10, line 7, after the period insert "*An agreement or agreements satisfying the requirements of this clause shall free the professional football organization from the prohibition otherwise imposed on it by section 473.568.*"

The motion prevailed and the amendment was adopted.

Greenfield moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 4, after line 28, insert:

"Sec. 6. Minnesota Statutes 1978, Section 473.571, Subdivision 6, is amended to read:

Subd. 6. [COMMISSION PROPOSAL.] On December 1, 1978, following the acceptance of the environmental impact statements by the environmental quality board, the commission shall make a final determination on design and location and shall submit to the metropolitan council a proposal to bond for and construct or remodel the sports facility or facilities. The commission's proposal shall contain all information deemed appropriate or necessary by the council to its determinations pursuant to section 473.581. The commission, in preparing the proposal for the council, (MAY) *shall* require of the potential lessee professional teams any and all relevant corporate financial data, including, but not limited to, profit and loss statements, annual audit statements, and balance sheets.

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 47 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Albrecht	Clawson	Kahn	Niehaus	Stoa
Anderson, B.	Ellingson	Kelly	Norman	Swanson
Anderson, D.	Ewald	Kempe	Norton	Vanasek
Anderson, G.	Faricy	Kostohryz	Osthoff	Voss
Berglin	Fjoslien	Kroening	Pehler	Waldorf
Berkelman	Greenfield	Long	Peterson	Welch
Blatz	Haukoos	Luknic	Pleasant	Wynia
Byrne	Hokanson	Metzen	Reif	
Carlson, L.	Jennings	Moe	Rice	
Clark	Jude	Nelson	Sarna	

Those who voted in the negative were:

Aasness	Eken	Johnson, C.	Olsen	Stowell
Adams	Elioff	Johnson, D.	Onnen	Sviggum
Ainley	Enebo	Kaley	Otis	Thiede
Anderson, R.	Erickson	Knickerbocker	Patton	Tomlinson
Battaglia	Esau	Kvam	Piepho	Valan
Begich	Evans	Laidig	Redalen	Valento
Biersdorf	Forsythe	Levi	Reding	Weaver
Brinkman	Friedrich	Ludeman	Rees	Welker
Carlson, D.	Fritz	Mann	Rose	Wenzel
Casserly	Fudro	McDonald	Rothenberg	Wieser
Corbid	Halberg	McEachern	Schreiber	Wigley
Crandall	Heap	Mehrkins	Sherwood	Zubay
Dean	Heinitz	Minne	Sieben, H.	Speaker Searle
Dempsey	Hoberg	Murphy	Sieben, M.	
Den Ouden	Jacobs	Nelsen, B.	Simoneau	
Drew	Jaros	Nysether	Stadum	

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

Swanson moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 2, after line 12, delete the balance of the page

Delete pages 3 to 15

Page 16, delete lines 1 to 5 and insert:

"Sec. 2. [COMMISSION BONDS.] The metropolitan sports facilities commission may by resolution authorize the sale and issuance of its bonds in a principal amount not exceeding \$30 million dollars to provide funds for the acquisition and betterment of sports facilities by the commission. Proceeds of the bonds may be used only for the purpose of remodeling the existing sports facility at the metropolitan sports area and expanding that facility to a capacity of approximately 60,000 persons for football. The bonds shall be sold, issued, and secured in the manner provided in chapter 475 for bonds payable solely

from revenues, except as otherwise provided in this section, and the commission shall have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. They shall be payable solely from tax and other revenues of the commission, shall not be a general obligation or debt of the commission, and shall not be included in the net debt of any city, county, or other subdivision of the state for the purpose of any net debt limitation. No election shall be required. Interest on the bonds shall not exceed two percent. Purchase of a bond shall be required as a condition of purchase of season tickets by holders of at least one-half of the seats in the facility, and the price of the bonds shall be established at the level necessary to yield the principal amount required. Notwithstanding the provisions of section 297A.44, so much of the proceeds of the state sales tax as results from sales at events at the sports facility at the metropolitan sports area, and as may be determined by the commission to be necessary to pay debt service on bonds issued under this section, shall be remitted to the commission for that purpose."

Renumber remaining sections

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 16 yeas and 107 nays as follows:

Those who voted in the affirmative were:

Albrecht	Biersdorf	Greenfield	Moe	Peterson
Anderson, B.	Blatz	Johnson, C.	Niehaus	Swanson
Anderson, D.	Brinkman	Kelly		
Berkelman	Fritz	Mann		

Those who voted in the negative were:

Aasness	Dempsey	Heinitz	McCarron	Piepho
Adams	Den Ouden	Hoberg	McDonald	Prahl
Ainley	Drew	Jacobs	McEachern	Redalen
Anderson, G.	Eken	Jaros	Mehrkens	Reding
Anderson, I.	Elioff	Jennings	Metzen	Rees
Anderson, R.	Ellingson	Johnson, D.	Minne	Reif
Battaglia	Enebo	Jude	Murphy	Rice
Begich	Erickson	Kahn	Nelsen, B.	Rose
Berglin	Esau	Kaley	Nelson	Rothenberg
Byrne	Evans	Kempe	Norman	Sarna
Carlson, D.	Faricy	Knickerbocker	Novak	Schreiber
Carlson, L.	Fjoslien	Kostohryz	Nysether	Searles
Casserly	Forsythe	Kroening	Olsen	Sherwood
Clark	Friedrich	Kvam	Onnen	Sieben, H.
Clawson	Fudro	Laidig	Osthoff	Sieben, M.
Corbid	Halberg	Levi	Otis	Simoneau
Crandall	Haukoos	Ludeman	Patton	Stadum
Dean	Heap	Luknic	Pehler	Stoa

Stowell	Valento	Weaver	Wieser	Speaker Searle
Sviggun	Vanasek	Welch	Wigley	
Thiede	Voss	Welker	Wynia	
Valan	Waldorf	Wenzel	Zubay	

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

Redalen; Mann; Clawson; Kalis; Carlson, D.; Friedrich; McEachern and Anderson, B., moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 17, after line 28, insert a new section to read:

"Sec. 13. If a new sports facility is built pursuant to Sections 473.551 to 473.595, no money derived from the highway user tax distribution fund may be used to construct, relocate or improve highways, streets or other public thorough fares to provide access to the facility while the tax imposed pursuant to Article XIV, Section 10 is at or below the rate fixed by law on January 1, 1979. The Commissioner of Transportation shall determine whether expenditures are in violation of this section."

Renumber the remaining sections in order

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 76 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Johnson, D.	Nelsen, M.	Sviggun
Ainley	Den Ouden	Jude	Niehaus	Swanson
Albrecht	Drew	Kaley	Nysether	Thiede
Anderson, B.	Eken	Kalis	Osthoff	Valan
Anderson, D.	Erickson	Kelly	Peterson	Valento
Anderson, G.	Esau	Kempe	Piepho	Vanasek
Anderson, R.	Evans	Kyam	Pleasant	Welch
Battaglia	Faricy	Lehto	Prahl	Welker
Berkelman	Fjoslien	Ludeman	Redalen	Wenzel
Biersdorf	Friedrich	Luknic	Reding	Wieser
Blatz	Fritz	Mann	Rees	Wigley
Brinkman	Haukoos	McEachern	Reif	Zubay
Byrne	Hoberg	Mehrkens	Searles	
Carlson, D.	Hokanson	Metzen	Sherwood	
Clawson	Jennings	Minne	Stadum	
Dean	Johnson, C.	Nelsen, B.	Stowell	

Those who voted in the negative were:

Adams	Casserly	Ellingson	Halberg	Kahn
Anderson, I.	Clark	Enebo	Heap	Kostohryz
Begich	Corbid	Forsythe	Heinitz	Kroening
Berglin	Crandall	Fudro	Jacobs	Laidig
Carlson, L.	Elioff	Greenfield	Jaros	Levi

Long	Nelson	Patton	Schreiber	Waldorf
McCarron	Norman	Pehler	Sieben, H.	Weaver
McDonald	Novak	Rice	Sieben, M.	Wynia
Moe	Olsen	Rose	Simoneau	
Munger	Onnen	Rothenberg	Stoa	
Murphy	Otis	Sarna	Voss	

The motion prevailed and the amendment was adopted.

McDonald and Laidig offered an amendment to S. F. No. 1351.

POINT OF ORDER

Greenfield raised a point of order pursuant to Section 401, Subdivision 4, of "Mason's Manual of Legislative Procedure" that the amendment offered by McDonald and Laidig was out of order. The Speaker ruled the point of order well taken and the amendment out of order.

Rice moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 2, after line 12, strike the remaining language on pages 2 to 17 and insert:

"Sec. 2. Minnesota Statutes 1978, Section 473.581, as amended, is amended to read:

473.581 [DEBT OBLIGATIONS.] Subdivision 1. [BONDS.] The council may by resolution authorize the sale and issuance of its bonds for any or all of the following purposes:

(a) To provide funds for the acquisition or betterment of sports facilities by the commission pursuant to sections 473.551 to 473.595;

(b) To refund bonds issued hereunder and bonds upon which the council is obligated under section 473.564; and

(c) To fund judgments entered by any court against the commission or against the council in matters relating to the commission's functions.

Subd. 2. [PROCEDURE.] The bonds shall be sold, issued, and secured in the manner provided in chapter 475 for bonds payable solely from revenues, except as otherwise provided in sections 473.551 to 473.595, and the council shall have the same powers and duties as a municipality and its governing body in issuing bonds under that chapter. The bonds may be sold at any price and at public or private sale as determined by the council. They shall be payable solely from tax and other revenues referred to in sections 473.551 to 473.595, shall not be a general

obligation or debt of the council or of the commission, and shall not be included in the net debt of any city, county, or other subdivision of the state for the purpose of any net debt limitation. No election shall be required. The principal amount shall not be limited except as provided in subdivision 3.

Subd. 3. [LIMITATIONS.] The principal amount of the bonds issued pursuant to subdivision 1, clause (a), shall not exceed the amounts hereinafter authorized. If the commission's proposal and the construction contracts referred to in clause (g) of this subdivision provide for the construction of a covered multipurpose sports facility, the principal amount of bonds issued pursuant to subdivision 1, clause (a), shall be limited to 55,000,000. If the commission's proposal and the construction contracts do not provide for the construction of a cover on a proposed multipurpose sports facility and the commission does not otherwise contract for the construction or acquisition of a cover for the sports facility, the principal amount shall be limited to \$42,000,000. If the site for the facility is in the county of Anoka, no more than \$3,000,000 of additional bonds may be issued for land acquisition, clearance, relocation and legal costs referred to in clauses (d) and (e) of this subdivision in connection with the construction of a multi-purpose stadium. If the commission's proposal and the construction contracts provide for the construction of a new sports facility for football and soccer and for remodeling the existing metropolitan stadium for baseball, the principal amount shall be limited to \$37,500,000. If the commission's proposal and the construction contracts provide for the reconstruction and remodeling of the existing metropolitan stadium as an uncovered multipurpose sports facility, the principal amount shall be limited to \$25,000,000. The bonds issued pursuant to subdivision 1, clause (a), shall bear an average annual rate of interest, including discount, not in excess of seven and one-half percent. The proceeds of the bonds issued pursuant to subdivision 1, clause (a), shall be used only for the acquisition and betterment of sports facilities suitable for baseball, football and soccer, with a seating capacity for football and soccer of approximately 65,000 persons. The council shall issue its bonds and construction of sports facilities may commence when the council has made the following determinations:

(a) The commission has executed agreements with major league professional baseball and football organizations to use its sports facilities for all scheduled regular season home games and play-off home games and, in the case of the football organization, for at least one-half of its exhibition games played each season. The agreements shall be for a period of not more than 30 years nor less than the term of the longest term bonds that in the council's judgment it may find it necessary to issue to finance the acquisition and betterment of the commission's sports facilities. The agreements shall provide that, in the event of breach of the agreements, the defaulting organization shall pay

damages annually to the commission. The annual payment shall be in an amount equal to the annual average of all revenue derived by the commission from attendance at events and activities of the defaulting organization during the years prior to default, provided that the damages shall not exceed in any year an amount sufficient, with other revenues of the commission *but excluding proceeds of the tax under section 473.592*, to pay all expenses of operation, maintenance, administration, and debt service for the facilities used by the defaulting organization during the same year. The damages shall be payable during the period from the occurrence of the default to the date on which another major league professional baseball or football organization, replacing the defaulting organization, enters into a use agreement with the commission for not less than the then remaining term of the original agreement. The agreements with the teams shall provide that no close circuit or pay television broadcasting of events in the sports facility may be allowed without the approval of the commission. The agreements shall include provisions protecting the commission and the council in the event of change in ownership of the professional teams.

(b) The commission has executed agreements with professional baseball and football major leagues which guarantee the continuance of franchises in the metropolitan area for the period of the agreements referred to in clause (a).

(c) The proceeds of bonds provided for in this subdivision will be sufficient, together with other capital funds that may be available to the commission, to construct or remodel and to furnish the sports facilities proposed by the commission, including the appropriate professional fees and charges but excluding, except as otherwise provided in this subdivision, the acquisition, clearance, relocation, and legal costs referred to in clauses (d) and (e).

(d) The commission has acquired, without cost to the commission or the council except as provided in this subdivision, title to all real property including all easements and other appurtenances needed for the construction and operation of any proposed sports facilities or has received a grant of funds or has entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required, to make any payment upon which the commission's acquisition of title and possession of the real property is conditioned.

(e) The commission has received a grant of funds or entered into an agreement or agreements sufficient in the judgment of the council to assure the receipt of funds, at the time and in the amount required, to pay all costs, except as provided in this subdivision, of clearing the real property needed for the construction and operation of any proposed sports facilities of all build-

ings, railroad tracks and other structures, including without limitation all relocation costs, all utility relocation costs, and all legal costs.

(f) The commission has executed agreements with appropriate labor organizations and construction contractor organizations which provide that no labor strike or management lockout will halt, delay or impede construction.

(g) The commission has executed contracts for the construction of its sports facilities.

(h) The environmental impact statement for the sports facility or facilities has been accepted by the environmental quality board, and the pollution control agency and any other department, agency, or unit of government have taken final action to approve or deny any permits necessary for the sports facility or facilities.

(i) At least 50 percent of the private boxes provided for in the sports facility or facilities are leased for at least five years.

(j) The anticipated revenue from the operation of the sports facility or facilities plus any additional available revenue of the commission, *but not including proceeds of the tax under section 473.592*, will be an amount sufficient to pay when due all debt service plus all operating and maintenance expenses, unless the proposed facility is a covered multipurpose sports facility, in which case the aforementioned revenues need only be an amount sufficient to pay when due all debt service plus a substantial portion of operating and maintenance expense.

(k) The commission has studied and considered the needs of the university of Minnesota for athletic facilities for a prospective 20 year period.

The validity of any bonds issued under subdivision 1, clause (a), and the obligations of the council and commission related thereto, shall not be conditioned upon or impaired by the council's determinations made pursuant to this subdivision. For purposes of issuing the bonds the determinations made by the council shall be deemed conclusive, and the council shall be and remain obligated for the security and payment of the bonds irrespective of determinations which may be erroneous, inaccurate, or otherwise mistaken.

Subd. 4. [SECURITY.] To the extent and in the manner provided in *sections 473.592 and (SECTION) 473.595, the tax described in section 473.592*, the tax and other revenues of the commission described in section 473.595, and any other revenues of the commission shall be and remain pledged and appropriated

for the payment of all necessary and reasonable expenses of the operation, administration, maintenance, and debt service of the commission's sports facilities until all bonds referred to in section 473.564, subdivision 2, and all bonds and certificates issued pursuant to this section are fully paid or discharged in accordance with law. The revenue bonds and interest thereon referred to in section 473.564, subdivision 2, may be refunded, whether at a lower or a higher rate of interest, by the issuance of new bonds pursuant to subdivision 1, clause (b), for the purpose of pledging revenues of the metropolitan sports area for the payment and security of bonds issued hereunder, and the council may provide that a portion of the new bonds shall be payable solely from the interest earnings derived from the investment of the bond proceeds. Until these revenue bonds are fully paid or the council's obligation thereon is discharged in accordance with law they shall be deemed a first and prior charge on those revenues and shall be secured by all provisions of the revenue bond resolution and the ownership and operations agreement. Bonds issued pursuant to this section may be secured by a bond resolution, or by a trust indenture entered into by the council with a corporate trustee within or outside the state, which shall define the tax and other revenues pledged for the payment and security of the bonds. The pledge shall be a valid charge on the *tax referred to in section 473.592 and all tax and other revenues referred to in sections 473.551 to 473.595* from the date when bonds are first issued under the resolution or indenture and shall secure the payment of principal and interest and redemption premiums when due and the maintenance at all times of a reserve securing such payments. No mortgage of or security interest in any tangible real or personal property shall be granted to the bondholders or the trustee, but they shall have a valid security interest in all tax and other revenues received and accounts receivable by the commission or council hereunder, as against the claims of all other persons in tort, contract, or otherwise, irrespective of whether such parties have notice thereof, and without possession or filing as provided in the uniform commercial code or any other law. In the bond resolution or trust indenture the council may make such covenants, which shall be binding upon the commission, as are determined to be usual and reasonably necessary for the protection of the bondholders. No pledge, mortgage, covenant, or agreement securing revenue bonds may be impaired, revoked, or amended by law or by action of the council or commission, except in accordance with the terms of the resolution or indenture under which the bonds are issued, until the obligations of the council thereunder are fully discharged.

Subd. 5. [REVENUE ANTICIPATION CERTIFICATES.]
At any time or times after approval by the council and final adoption by the commission of an annual budget of the commission for operation, administration, and maintenance of its sports facilities, and in anticipation of *the proceeds from the tax under section 473.592 and the revenues of the commission provided for*

in the budget, but subject to any limitation or prohibition in a bond resolution or indenture, the council may authorize the issuance, negotiation, and sale, in such form and manner and upon such terms as it may determine, of revenue anticipation certificates. The principal amount of the certificates outstanding shall at no time exceed 25 percent of the total amount of the tax and other revenues anticipated. The certificates shall mature not later than three months after the close of the budget year. Prior to the approval and final adoption of the first annual budget of the commission, the council may authorize up to \$300,000 in revenue anticipation certificates under this subdivision. So much of the anticipated tax and other revenues as may be needed for the payment of the certificates and interest thereon shall be paid into a special debt service fund established for the certificates in the council's financial records. If for any reason the anticipated tax and other revenues are insufficient, the certificates and interest shall be paid from the first tax and other revenues received, subject to any limitation or prohibition in a bond resolution or indenture. The proceeds of the certificates may be used for any purpose for which the anticipated revenues of the commission may be used or for any purpose for which bond proceeds under subdivision 1 may be used, provided that the proceeds of certificates issued after the first issuance of bonds under subdivision 1, clause (a), shall not be used to pay capital costs of sports facilities constructed or remodeled pursuant to sections 473.551 to 473.595.

Sec. 3. Minnesota Statutes 1978, Chapter 473, is amended by adding a section to read:

473.592 [ON-SALE LIQUOR TAX.] *Subdivision 1. [APPLICATION.] For purposes of this section, the term "metropolitan area" shall not include that portion of the city of New Prague that is located in Scott county nor those portions of the city of Hanover and the city of Rockford that are located in Hennepin county.*

Subd. 2. [TAX.] The council shall impose a tax, effective August 1, 1977, supplemental to the general sales tax imposed in chapter 297A, in the amount of 1-1/2 percent on all retail on-sales of intoxicating liquor and fermented malt beverages when sold at licensed on-sale liquor establishments and municipal liquor stores located within the metropolitan area. The tax shall remain in effect until August 1, 1980. Thereafter, the council may levy such tax up to an amount sufficient to produce revenues to the council equal to the principal and interest on bonds outstanding under section 473.581, subdivision 1, but not to exceed \$4,500,000 in any year. The tax shall be reported and paid to the commissioner of revenue with and as part of the state sales and use taxes, and shall be subject to the same penalties, interest, and enforcement provisions.

Subd. 3. [PROCEEDS; USE.] The collections of the tax, less refunds and a proportionate share of the cost of collection,

shall be remitted at least quarterly to the council. The commissioner of revenue shall deduct from the proceeds remitted to the council an amount that equals the indirect statewide costs as well as the direct and indirect department costs necessary to administer, audit, and collect this tax. The amount deducted shall be deposited in the general fund of the state. The proceeds remitted shall be placed, together with the net revenues of the commission under section 473.595, into the debt service fund or special funds established under section 473.581, subdivisions 4 and 5, provided however that during the first year the tax is imposed pursuant to this section the council may reappropriate to the commission a total amount not to exceed one-half of the proceeds from the first year of the tax, to be used by the commission to pay its expenses related to planning, designing, and locating sports facilities pursuant to sections 473.551 to 473.595. Collection of the tax imposed by this section shall be suspended at the end of any calendar year upon a determination by the metropolitan council that the balance in the debt service fund, including any reserve fund has reached an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding three year period. Collection shall be resumed by the commissioner of revenue at the end of any calendar year upon notice from the metropolitan council that the balance in the debt service fund, including any reserve fund has fallen below an amount sufficient to pay the principal and interest on bonds which will become due within the next succeeding two year period.

Sec. 4. This act is effective in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 5. Laws of Minnesota 1979, Chapter 026, is repealed.

Sec. 6. This act is effective the day following enactment.

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called.

Laidig moved that those not voting be excused from voting. The motion did not prevail.

There were 33 yeas and 100 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Anderson, R.	Casslerly	Dean	Greenfield
Anderson, D.	Battaglia	Clark	Elioff	Jaros
Anderson, G.	Begich	Clawson	Evans	Kahn
Anderson, I.	Berglin	Crandall	Fudro	Kroening

Long
Minne
Munger

Murphy
Nelson
Norman

Olsen
Otis
Rice

Sarna
Weaver
Welker

Wieser

Those who voted in the negative were:

Aasness	Ewald	Kempe	Novak	Sieben, M.
Adams	Faricy	Knickerbocker	Nysether	Simoneau
Ainley	Fjoslien	Kostohryz	Onnen	Stadum
Albrecht	Forsythe	Kvam	Osthoff	Stoa
Berkelman	Friedrich	Laidig	Patton	Stowell
Biersdorf	Fritz	Lehto	Pehler	Sviggum
Blatz	Halberg	Levi	Peterson	Swanson
Brinkman	Haukoos	Ludeman	Piepho	Thiede
Byrne	Heap	Luknic	Pleasant	Tomlinson
Carlson, D.	Heinitz	Mann	Prahl	Valan
Carlson, L.	Hoberg	McCarron	Redalen	Valento
Corbid	Hokanson	McDonald	Reding	Vanasek
Dempsey	Jacobs	McEachern	Rees	Voss
Den Ouden	Jennings	Mehrrens	Reif	Waldorf
Drew	Johnson, C.	Metzen	Rose	Welch
Eken	Johnson, D.	Moe	Rothenberg	Wenzel
Ellingson	Jude	Nelsen, B.	Schreiber	Wigley
Enebo	Kaley	Nelsen, M.	Searles	Wynia
Erickson	Kalis	Niehaus	Sherwood	Zubay
Esau	Kelly	Norton	Sieben, H.	Speaker Searle

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

Carlson, D., was excused from 8:00 p.m. to 8:45 p.m.

Olsen moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 13, line 20, to page 16, line 5, delete section 9 from the bill and insert a new section to read:

"Sec. 9. [WHOLESALE LIQUOR TAX.] Subdivision 1. Effective August 1, 1979, there is imposed a tax equal to one percent of the selling price of all intoxicating liquor and fermented malt beverages, whether manufactured within or imported into the state, sold by licensed wholesalers to municipal liquor dispensaries and holders of retail licenses for the sale of intoxicating liquor and fermented malt beverages. The tax shall be paid by the wholesaler making such sales. The tax shall be paid in a manner provided by rule of the commissioner of revenue and shall be subject to surety requirements or penalties under sections 340.485 and 340.492. The tax shall be paid to the commissioner on or before the fifteenth day of the month following the month in which the sale is made. The collections of the tax imposed by this section, less refunds and a proportionate share of the cost of collection, shall be remitted at least quarterly to the metropolitan council. The commissioner of revenue shall deduct from the proceeds remitted to the council an amount that equals the costs necessary to administer, audit, and collect this tax. The amount deducted shall be deposited in

the general fund of the state. The proceeds remitted shall be placed, together with the net revenues of the commission under section 473.595, into the debt service fund or special funds established under section 473.581.

Subd. 2. Quarterly the council shall remit to the state proceeds of the tax which are currently unnecessary for debt service. The proceeds remitted shall be placed in the general fund. Upon retirement of the bonds issued pursuant to this act, all proceeds of the wholesale liquor tax shall be placed in the general revenue fund."

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

MOTION FOR RECONSIDERATION

Wenzel moved that the vote whereby the Fritz amendment to S. F. No. 1351 was adopted be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion to reconsider the Fritz amendment and the roll was called. There were 84 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Aasness	Dean	Kalis	Nelson	Sieben, H.
Adams	Dempsey	Kelly	Norman	Sieben, M.
Ainley	Den Ouden	Knickerbocker	Norton	Simoneau
Anderson, G.	Eken	Laidig	Novak	Stadum
Battaglia	Ellingson	Lehto	Nysether	Stowell
Begich	Enebo	Levi	Onnen	Valan
Berglin	Evans	Long	Otis	Valento
Berkelman	Ewald	Mann	Patton	Vanasek
Biersdorf	Friedrich	McCarron	Pehler	Voss
Brinkman	Fudro	McDonald	Piepho	Waldorf
Byrne	Halberg	McEachern	Redalen	Weaver
Carlson, L.	Heap	Mehrkins	Reding	Welch
Casserly	Jacobs	Metzen	Rees	Welker
Clark	Jaros	Minne	Rose	Wenzel
Clawson	Johnson, C.	Munger	Rothenberg	Wynia
Corbid	Johnson, D.	Murphy	Sarna	Speaker Searle
Crandall	Kahn	Nelsen, B.	Schreiber	

Those who voted in the negative were:

Albrecht	Faricy	Jude	Niehaus	Stoa
Anderson, B.	Fjoslien	Kaley	Olsen	Sviggunn
Anderson, D.	Forsythe	Kempe	Osthoff	Swanson
Anderson, I.	Fritz	Kostohryz	Peterson	Thiede
Anderson, R.	Greenfield	Kroening	Pleasant	Tomlinson
Blatz	Haukoos	Kvam	Prahl	Wieser
Drew	Heinitz	Ludeman	Reif	Wigley
Elioff	Hoberg	Luknic	Rice	Zubay
Erickson	Hokanson	Moe	Searles	
Esau	Jennings	Nelsen, M.	Sherwood	

The motion prevailed.

The Fritz amendment was reported to the House.

Fritz moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Page 4, lines 26 and 27, strike "No election shall be required" and insert "*The question of issuing the obligations shall be submitted to the electors of the municipality agreeing to levy a tax pursuant to section 9, at a special election in the manner provided in chapter 475, and the obligations shall not be issued without the approval of a majority of the electors voting on the question*"

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 63 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Jude	Nelsen, M.	Sarna
Albrecht	Esau	Kaley	Niehaus	Sherwood
Anderson, B.	Ewald	Kelly	Norman	Stadum
Anderson, D.	Faricy	Kempe	Norton	Stoa
Anderson, I.	Fjoslien	Knickerbocker	Nysether	Sviggum
Anderson, R.	Fritz	Kostohryz	Olsen	Swanson
Berglin	Greenfield	Kroening	Osthoff	Thiede
Biersdorf	Halberg	Long	Peterson	Tomlinson
Blatz	Haukoos	Ludeman	Pleasant	Wieser
Crandall	Heinitz	Luknic	Prahl	Wigley
Den Ouden	Hoberg	McEachern	Rees	Zubay
Drew	Hokanson	Metzen	Reif	
Elioff	Jennings	Moe	Rice	

Those who voted in the negative were:

Adams	Dempsey	Kalis	Novak	Simoneau
Ainley	Eken	Kvam	Onnen	Stowell
Anderson, G.	Ellingson	Laidig	Otis	Valan
Battaglia	Enebo	Lehto	Patton	Valento
Begich	Evans	Levi	Pehler	Vanasek
Berkelman	Forsythe	Mann	Piepho	Voss
Brinkman	Friedrich	McCarron	Redalen	Waldorf
Byrne	Fudro	McDonald	Reding	Weaver
Carlson, L.	Heap	Mehrkens	Rose	Welch
Casserly	Jacobs	Minne	Rothenberg	Welker
Clark	Jaros	Munger	Schreiber	Wenzel
Clawson	Johnson, C.	Murphy	Searles	Wynia
Corbid	Johnson, D.	Nelsen, B.	Sieben, H.	Speaker Searle
Dean	Kahn	Nelson	Sieben, M.	

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

Fritz moved to amend S. F. No. 1351, the unofficial engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [LEGISLATURE FINDINGS.] The legislature finds that there has arisen a need for updating and expanding sports facilities at the University of Minnesota, and that the need has risen at a time when there also exists a need for a covered sports facility to accommodate professional athletic events within the metropolitan area. The legislature further finds that the existing Metropolitan Stadium in the city of Bloomington is structurally sound and its renovation is a financially feasible alternative for meeting the needs of certain professional athletic organizations.

Sec. 2. [UNIVERSITY SPORTS FACILITIES.] The university may proceed with plans to construct or remodel a sports facility for the purpose of holding intercollegiate and intramural athletic competition, professional football competition, educational and recreational activities for university students, and other amateur uses. The university shall determine whether to remodel Memorial Stadium, reconstruct Memorial Stadium on its present site, or construct a new facility on university-owned land within a radius of one-half mile of Memorial Stadium. The university and the metropolitan sports facilities commission may enter into agreements and do all other acts necessary to further the functions prescribed. The site and design specifications for a new or remodeled university sports facility shall be determined no later than September 1, 1979, subject to the following conditions: (a) that the educational needs of the university of Minnesota shall have priority over all other considerations; (b) that the sports facility shall be covered; and (c) that the university of Minnesota shall have title to all real property including all easements and other appurtenances needed for the construction.

Sec. 3. [ENVIRONMENTAL PERMITS.] An environmental impact statement shall be completed for the site selected. The statement shall be prepared by the state planning agency and shall be accepted by the environmental quality board no later than 180 days following the determination of site and design specifications. Within 60 days following acceptance of the environmental impact statement by the environmental quality board, the pollution control agency and any other department, agency, or unit of government shall take final action to approve or deny any permits necessary for sports facilities and the site under consideration.

Sec. 4. [UNIVERSITY SPORTS FACILITIES; REPORT; USE OF REVENUES.] The university shall report to the governor on site and design specifications on May 1, 1980. Before submitting its report and before the issuance of bonds for construction of university sports facilities, the university shall have executed agreements with the professional football organization governing the operation and rental of the facility for profes-

sional use. The rental revenues from the use of the university sports facilities by the professional football organization shall be remitted to the commissioner of finance and shall be used for the purposes of paying the principal on the building bonds issued for the sports facilities.

Sec. 5. Minnesota Statutes 1978, Section 473.553, is amended by adding a subdivision to read:

Subd. 2a. [MEMBERSHIP.] Upon completion of construction authorized by this act at the metropolitan sports area, vacancies occurring on the metropolitan sports facilities commission, whether at the completion of or prior to the completion of a member's term, shall be filled by the city council of the city of Bloomington.

Sec. 6. [REMODELED METROPOLITAN STADIUM; FINANCING.] Subdivision 1. To provide the monies appropriated from the Minnesota state building fund in this section, upon written request of the commissioner of administration the commissioner of finance shall sell and issue Minnesota state building bonds in the amount of \$15,000,000, in the manner and upon the terms and conditions prescribed by Minnesota Statutes, Sections 16A.63, 16A.64 and 16A.65, and by the constitution, article XI, sections 4 to 7. The proceeds of the bonds, other than accrued interest and premium, are appropriated and shall be credited to the Minnesota state building fund.

Subd. 2. The sum of \$15,000,000 is appropriated from the Minnesota state building fund to the metropolitan sports facilities commission for purposes of remodeling Metropolitan Stadium for professional baseball and professional soccer.

Subd. 3. Rental and other revenues of the commission, in excess of those needed to pay administrative, operating, and maintenance expenses, shall be remitted to the commissioner of finance and shall be used for the purposes of paying the principal on the building bonds issued for sports facilities under this section.

Sec. 7. [UNIVERSITY SPORTS FACILITIES; FINANCING.] Subdivision 1. Upon submission of a report to the governor by the university, describing the design and site of facilities planned under this act, and upon written request of the governor and the commissioner of administration, the commissioner of finance shall sell and issue Minnesota state building bonds in the amount of \$60,000,000, in the manner and upon the terms and conditions prescribed in Minnesota Statutes, Sections 16A.63, 16A.64 and 16A.65, and by the constitution, article XI, sections 4 to 7. The proceeds of the bonds, other than accrued interest and premium, are appropriated and shall be credited to the Minnesota state building fund.

Subd. 2. The sum of \$60,000,000 is appropriated from the Minnesota state building fund to the university for the capital costs of construction authorized in this act.

Sec. 8. [METROPOLITAN LIQUOR TAX.] *All proceeds of the liquor tax collected by the council pursuant to the provisions of Minnesota Statutes 1978, Section 473.591, prior to August 1, 1979, not otherwise expended or applied as provided in chapter 473, together with any earnings derived from the investment of such revenues, shall be placed into the debt service fund or special funds established under section 473.581 and used to pay debt service on bonds referred to in section 473.564, subdivision 2.*

Sec. 9. [EFFECTIVE DATE.] *This act is effective the day after final enactment."*

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 32 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Albrecht	Carlson, D.	Lehto	Olsen	Valento
Anderson, D.	Elioff	Levi	Osthoff	Voss
Anderson, G.	Fjoslien	McCarron	Reif	Wieser
Anderson, I.	Fritz	Moe	Rice	Wigley
Anderson, R.	Kalis	Nelsen, M.	Rose	
Berkelman	Kroening	Norman	Simoneau	
Biersdorf	Kvam	Norton	Svigum	

Those who voted in the negative were:

Aasness	Ellingson	Johnson, D.	Nelson	Sieben, M.
Adams	Enebo	Jude	Niehaus	Stadum
Ainley	Erickson	Kahn	Novak	Stoa
Anderson, B.	Esau	Kaley	Nysether	Stowell
Battaglia	Evans	Kelly	Onnen	Swanson
Begich	Ewald	Kempe	Otis	Thiede
Berglin	Faricy	Knickerbocker	Patton	Tomlinson
Blatz	Forsythe	Kostohryz	Pehler	Valan
Brinkman	Friedrich	Laidig	Peterson	Vanasek
Byrne	Fudro	Long	Piepho	Waldorf
Carlson, L.	Greenfield	Ludeman	Pleasant	Weaver
Casserly	Halberg	Luknic	Prahl	Welch
Clark	Haukoos	Mann	Redalen	Welker
Clawson	Heap	McDonald	Reding	Wenzel
Corbid	Heinitz	McEachern	Rees	Wynia
Crandall	Hoberg	Mehrkens	Rothenberg	Zubay
Dean	Hokanson	Metzen	Sarna	Speaker Searle
Dempsey	Jacobs	Minne	Schreiber	
Den Ouden	Jaros	Munger	Searles	
Drew	Jennings	Murphy	Sherwood	
Eken	Johnson, C.	Nelsen, B.	Sieben, H.	

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

Jacobs moved to amend S. F. No. 1351, the unofficial engrossment, as amended by the Redalen amendment, as follows:

Page 17, after the new section 13 insert the following:

"Sec. 14. *Section 13 will expire on June 1, 1979.*"

Renumber the remaining sections in order

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 41 yeas and 92 nays as follows:

Those who voted in the affirmative were:

Adams	Forsythe	Kroening	Olsen	Stoa
Berglin	Fudro	Laidig	Otis	Voss
Brinkman	Halberg	Levi	Patton	Waldorf
Carlson, L.	Jacobs	Long	Pehler	Weaver
Casserly	Jaros	McCarron	Rice	Wynia
Clark	Kahn	Murphy	Sarna	
Corbid	Kelly	Nelson	Sieben, H.	
Ellingson	Kempe	Norman	Sieben, M.	
Enebo	Kostohryz	Novak	Simoneau	

Those who voted in the negative were:

Aasness	Den Ouden	Johnson, C.	Nelsen, M.	Stadum
Ainley	Drew	Johnson, D.	Niehaus	Stowell
Albrecht	Eken	Jude	Norton	Sviggum
Anderson, B.	Elioff	Kaley	Nysether	Swanson
Anderson, D.	Erickson	Kalis	Onnen	Thiede
Anderson, G.	Esau	Knickerbocker	Osthoff	Tomlinson
Anderson, I.	Evans	Kvam	Peterson	Valan
Anderson, R.	Ewald	Lehto	Piepho	Valento
Battaglia	Faricy	Ludeman	Pleasant	Vanasek
Begich	Fjoslien	Luknic	Prahl	Welch
Berkelman	Friedrich	Mann	Redalen	Welker
Biersdorf	Fritz	McDonald	Reding	Wenzel
Blatz	Greenfield	McEachern	Rees	Wieser
Byrne	Haukoos	Mehrkens	Reif	Wigley
Carlson, D.	Heap	Metzen	Rose	Zubay
Clawson	Heinitz	Minne	Rothenberg	Speaker Searle
Crandall	Hoberg	Moe	Schreiber	
Dean	Hokanson	Munger	Searles	
Dempsey	Jennings	Nelsen, B.	Sherwood	

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

MOTION FOR RECONSIDERATION

Sviggum moved that the vote whereby the first Greenfield amendment to S. F. No. 1351 was adopted be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion to reconsider the Greenfield amendment and the roll was called. There were 64 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kalis	Nysether	Sieben, M.
Adams	Elloff	Knickerbocker	Onnen	Simoneau
Ainley	Forsythe	Kostohryz	Otis	Stadum
Anderson, R.	Friedrich	Laidig	Patton	Stowell
Berglin	Fudro	Levi	Pehler	Svigum
Brinkman	Halberg	Luknic	Piepho	Valan
Carlson, D.	Haukoos	McDonald	Reding	Valento
Casserly	Heap	Munger	Rees	Vanasek
Clark	Hoberg	Murphy	Rose	Weaver
Corbid	Jacobs	Nelsen, B.	Rothenberg	Welch
Crandall	Jaros	Nelson	Schreiber	Welker
Dean	Johnson, D.	Norman	Searles	Wenzel
Dempsey	Kahn	Novak	Sieben, H.	

Those who voted in the negative were:

Albrecht	Drew	Johnson, C.	Metzen	Sarna
Anderson, B.	Ellingson	Jude	Minne	Sherwood
Anderson, D.	Enebo	Kaley	Moe	Stoa
Anderson, G.	Erickson	Kelly	Nelsen, M.	Swanson
Anderson, I.	Esau	Kempe	Niehaus	Thiede
Battaglia	Evans	Kroening	Norton	Tomlinson
Begich	Ewald	Kvam	Olsen	Voss
Berkelman	Faricy	Lehto	Osthoff	Waldorf
Biersdorf	Fjoslien	Long	Peterson	Wieser
Blatz	Fritz	Ludeman	Pleasant	Wigley
Byrne	Greenfield	Mann	Prahl	Wynia
Carlson, L.	Heinitz	McCarron	Redalen	Zubay
Clawson	Hokanson	McEachern	Reif	Speaker Searle
Den Ouden	Jennings	Mehrkens	Rice	

The motion did not prevail.

Greenfield moved to amend S. F. No. 1351, the unofficial engrossment, as amended by the Redalen amendment, as follows:

Page 17, delete lines 32 and 33 and insert:

"Sec. 14. [EFFECTIVE DATE.] Pursuant to Minnesota Statutes, Section 645.023, Sections 1 to 13 shall be effective without local approval unless the voters of the city of Minneapolis shall request a referendum on whether sections 1 to 13 should be approved.

The voters may request a referendum by filing a petition with the city council of the city of Minneapolis within three months of the date of final enactment of sections 1 to 14. The petition shall state the text of sections 1 to 13 and indicate that those who signed the petition are residents of the city of Minneapolis,

are 18 years of age and request that sections 1 to 13 be subject to the approval of the voters. The petition shall be signed by a number of eligible voters not less than ten percent of the number of persons who cast votes in the general election within the city of Minneapolis in 1977.

The date of the election shall be set by the city council of the city of Minneapolis to be held on a date within three months of the date the petitions are filed."

A roll call was requested and properly seconded.

The question was taken on the amendment and the roll was called. There were 69 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Kelly	Norman	Stadum
Albrecht	Evans	Kempe	Norton	Stoa
Anderson, B.	Ewald	Kostohryz	Nysether	Stowell
Anderson, D.	Faricy	Kroening	Olsen	Sviggum
Anderson, I.	Fjoslien	Kvam	Onnen	Swanson
Anderson, R.	Fritz	Lehto	Osthoff	Thiede
Berkelman	Greenfield	Long	Peterson	Tomlinson
Biersdorf	Halberg	Luknic	Pleasant	Waldorf
Blatz	Haukoos	McEachern	Prahl	Welch
Clawson	Heinitz	Mehrkens	Reding	Wieser
Crandall	Hokanson	Metzen	Reif	Wigley
Den Ouden	Jennings	Moe	Rice	Zubay
Drew	Johnson, D.	Nelsen, M.	Searles	Speaker Searle
Erickson	Kaley	Niehaus	Sherwood	

Those who voted in the negative were:

Adams	Dean	Johnson, C.	Murphy	Schreiber
Ainley	Dempsey	Jude	Nelsen, B.	Sieben, H.
Anderson, G.	Eken	Kahn	Nelson	Sieben, M.
Battaglia	Elioff	Kalis	Novak	Simoneau
Begich	Ellingson	Knickerbocker	Otis	Valan
Berglin	Enebo	Laidig	Patton	Valento
Brinkman	Forsythe	Levi	Pehler	Vanasek
Byrne	Friedrich	Ludeman	Piepho	Voss
Carlson, D.	Fudro	Mann	Redalen	Weaver
Carlson, L.	Heap	McCarron	Rees	Welker
Casserly	Hoberg	McDonald	Rose	Wenzel
Clark	Jacobs	Minne	Rothenberg	Wynia
Corbid	Jaros	Munger	Sarna	

The motion prevailed and the amendment was adopted.

Carlson, D., moved to amend S. F. No. 1351, the unofficial engrossment, as amended by the Redalen amendment, as follows:

After "thorough fares" insert " , except streets included in the municipal state aid street system established pursuant to Article XIV, Section 4 of the Minnesota Constitution"

The motion prevailed and the amendment was adopted.

S. F. No. 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; 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; appropriating money; amending Minnesota Statutes 1978, Sections 473.553, Subdivisions 2 and 4; 473.581, Subdivisions 2, 3, as amended, 4, as amended, and 5, as amended; 473.595, Subdivision 1; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Section 473.568.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 74 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Adams	Den Ouden	Jaros	Murphy	Rothenberg
Ainley	Eken	Johnson, D.	Nelsen, B.	Sarna
Anderson, B.	Elioff	Jude	Nelson	Schreiber
Battaglia	Ellingson	Kahn	Norman	Searles
Berglin	Enebo	Laidig	Novak	Sieben, H.
Berkelman	Erickson	Lehto	Nysether	Stadum
Biersdorf	Esau	Levi	Olsen	Valan
Carlson, D.	Evans	Long	Onnen	Valento
Carlson, L.	Friedrich	Mann	Otis	Vanasek
Casserly	Fudro	McCarron	Patton	Voss
Clark	Halberg	McDonald	Pehler	Weaver
Corbid	Haukoos	McEachern	Piepho	Welker
Crandall	Heap	Mehrkens	Prahl	Wenzel
Dean	Hoberg	Minne	Redalen	Speaker Searle
Dempsey	Jacobs	Munger	Rice	

Those who voted in the negative were:

Aasness	Ewald	Kelly	Norton	Stowell
Albrecht	Faricy	Kempe	Osthoff	Swigum
Anderson, D.	Fjoslien	Knickerbocker	Peterson	Swanson
Anderson, G.	Forsythe	Kostohryz	Pleasant	Thiede
Anderson, I.	Fritz	Kroening	Reding	Tomlinson
Anderson, R.	Greenfield	Kvam	Rees	Waldorf
Begich	Heinitz	Ludeman	Reif	Welch
Blatz	Hokanson	Luknic	Rose	Wieser
Brinkman	Jennings	Metzen	Sherwood	Wigley
Byrne	Johnson, C.	Moe	Sieben, M.	Wynia
Clawson	Kaley	Nelsen, M.	Simoneau	Zubay
Drew	Kalis	Niehaus	Stoa	

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

SPECIAL ORDERS

S. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, C.	Nelsen, B.	Schreiber
Adams	Drew	Johnson, D.	Nelsen, M.	Sherwood
Ainley	Eken	Jude	Nelson	Sieben, H.
Albrecht	Elioff	Kahn	Niehaus	Sieben, M.
Anderson, B.	Ellingson	Kaley	Norman	Simoneau
Anderson, D.	Enebo	Kalis	Norton	Stadum
Anderson, G.	Erickson	Kelly	Novak	Stoa
Anderson, I.	Esau	Kempe	Nysether	Stowell
Anderson, R.	Evans	Knickerbocker	Olsen	Sviggum
Battaglia	Ewald	Kostohryz	Onnen	Swanson
Begich	Faricy	Kroening	Osthoff	Thiede
Berglin	Fjoslien	Kvam	Otis	Tomlinson
Berkelman	Forsythe	Laidig	Patton	Valan
Biersdorf	Friedrich	Lehto	Pehler	Valento
Blatz	Fritz	Levi	Peterson	Vanasek
Brinkman	Fudro	Long	Piepho	Voss
Byrne	Greenfield	Ludeman	Pleasant	Weaver
Carlson, D.	Halberg	Luknic	Prahl	Welker
Carlson, L.	Haukoos	Mann	Redalen	Wenzel
Casserly	Heap	McCarron	Reding	Wieser
Clark	Heinitz	McEachern	Rees	Wigley
Clawson	Hoberg	Mehrkens	Reif	Wynia
Corbid	Hokanson	Metzen	Rice	Zubay
Crandall	Jacobs	Minne	Rose	Speaker Searle
Dean	Jaros	Munger	Rothenberg	
Dempsey	Jennings	Murphy	Sarna	

Those who voted in the negative were:

Waldorf Welch

The bill was passed and its title agreed to.

CALL OF THE HOUSE LIFTED

Knickerbocker moved that the call of the House be dispensed with. The motion prevailed and it was so ordered.

ANNOUNCEMENTS BY THE SPEAKER AND THE CHAIRMAN OF THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the

following members of the House to a Conference Committee on H. F. No. 223: Eken; Johnson, C.; McEachern; Knickerbocker; Olsen; and Jennings.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on H. F. No. 455: Johnson, C.; McEachern; Weaver; and Olsen.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on S. F. No. 118: Pavlak, Sherwood, Moe, and Novak.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on S. F. No. 219: Reding, Wenzel, Esau, and Zubay.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on S. F. No. 521: Patton, Pehler, Blatz, and Biersdorf.

The Speaker and the Chairman of the Committee on Rules and Legislative Administration announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1504: Dean; Laidig; Stadum; Sieben, M.; Osthoff; and Hokanson.

SPECIAL ORDERS, Continued

S. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Aasness	Anderson, G.	Blatz	Clark	Den Ouden
Adams	Anderson, I.	Brinkman	Clawson	Drew
Ainley	Battaglia	Byrne	Corbid	Eken
Albrecht	Begich	Carlson, D.	Crandall	Elioff
Anderson, B.	Berglin	Carlson, L.	Dean	Ellingson
Anderson, D.	Biersdorf	Casserly	Dempsey	Enebo

Erickson	Johnson, C.	McEachern	Piepho	Sviggum
Esau	Johnson, D.	Mehrkens	Pleasant	Swanson
Evans	Jude	Metzen	Prahl	Thiede
Ewald	Kahn	Minne	Redalen	Tomlinson
Faricy	Kaley	Munger	Reding	Valan
Fjoslien	Kalis	Murphy	Rees	Valento
Forsythe	Kelly	Nelsen, B.	Reif	Vanasek
Friedrich	Kempe	Nelson	Rice	Voss
Fritz	Knickerbocker	Niehaus	Rose	Waldorf
Fudro	Kostohryz	Norman	Rothenberg	Weaver
Greenfield	Kroening	Norton	Sarna	Welch
Halberg	Kvam	Novak	Schreiber	Welker
Haukoos	Laidig	Nysether	Searles	Wenzel
Heap	Lehto	Olsen	Sherwood	Wieser
Heinitz	Levi	Onnen	Sieben, H.	Wigley
Hoberg	Long	Osthoff	Sieben, M.	Wynia
Hokanson	Ludeman	Otis	Simoneau	Zubay
Jacobs	Luknic	Patton	Stadum	Speaker Searle
Jaros	Mann	Pehler	Stoa	
Jennings	McCarron	Peterson	Stowell	

Those who voted in the negative were:

Anderson, R. Nelsen, M.

The bill was passed and its title agreed to.

S. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 91 yeas and 35 nays as follows:

Those who voted in the affirmative were:

Adams	Drew	Jennings	Moe	Searles
Ainley	Eken	Johnson, C.	Munger	Sieben, H.
Anderson, B.	Elioff	Johnson, D.	Murphy	Sieben, M.
Anderson, G.	Ellingson	Jude	Nelson	Simoneau
Anderson, I.	Enebo	Kahn	Norman	Stadum
Battaglia	Evans	Kaley	Norton	Stoa
Begich	Ewald	Kalis	Novak	Swanson
Berglin	Faricy	Kelly	Olsen	Tomlinson
Berkelman	Forsythe	Knickerbocker	Osthoff	Vanasek
Biersdorf	Fritz	Laidig	Otis	Voss
Blatz	Greenfield	Lehto	Pehler	Weaver
Byrne	Halberg	Levi	Peterson	Welch
Carlson, L.	Haukoos	Long	Piepho	Wynia
Casserly	Heap	Luknic	Pleasant	Zubay
Clark	Heinitz	McCarron	Prahl	Speaker Searle
Clawson	Hoberg	McEachern	Reif	
Crandall	Hokanson	Mehrkens	Rice	
Dean	Jacobs	Metzen	Rothenberg	
Dempsey	Jaros	Minne	Sarna	

Those who voted in the negative were:

Aasness	Esau	Mann	Reding	Thiede
Albrecht	Fjoslien	McDonald	Rees	Valento
Anderson, D.	Kempe	Nelsen, B.	Rose	Waldorf
Brinkman	Kostohryz	Niehaus	Schreiber	Welker
Carlson, D.	Kroening	Nysether	Sherwood	Wenzel
Den Ouden	Kvam	Onnen	Stowell	Wieser
Erickson	Ludeman	Redalen	Sviggunn	Wigley

The bill was passed and its title agreed to.

S. F. No. 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.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Jude	Nelsen, M.	Sieben, H.
Adams	Eken	Kahn	Nelson	Sieben, M.
Ainley	Elioff	Kaley	Niehaus	Simoneau
Albrecht	Ellingson	Kalis	Norman	Stadum
Anderson, B.	Enebo	Kelly	Norton	Stoa
Anderson, D.	Erickson	Kempe	Novak	Stowell
Anderson, G.	Esau	Knickerbocker	Nysether	Swanson
Anderson, I.	Evans	Kostohryz	Olsen	Thiede
Anderson, R.	Ewald	Kroening	Onnen	Tomlinson
Battaglia	Faricy	Kvam	Osthoff	Valan
Begich	Fjoslien	Laidig	Otis	Valento
Berglin	Forsythe	Lehto	Patton	Vanasek
Berkelman	Friedrich	Levi	Pehler	Voss
Biersdorf	Fritz	Long	Peterson	Waldorf
Blatz	Fudro	Ludeman	Piepho	Weaver
Brinkman	Greenfield	Luknic	Pleasant	Welch
Byrne	Halberg	Mann	Prahl	Welker
Carlson, D.	Haukoos	McCarron	Redalen	Wenzel
Carlson, L.	Heap	McDonald	Reding	Wieser
Casserly	Heinitz	McEachern	Rees	Wigley
Clark	Hoberg	Mehrken	Reif	Wynia
Clawson	Hokanson	Metzen	Rice	Zubay
Corbid	Jacobs	Minne	Rose	Speaker Searle
Crandall	Jaros	Moe	Rothenberg	
Dean	Jennings	Munger	Sarna	
Dempsey	Johnson, C.	Murphy	Searles	
Den Ouden	Johnson, D.	Nelsen, B.	Sherwood	

The bill was passed and its title agreed to.

S. F. No. 1193 was reported to the House.

Ellingson moved to amend S. F. No. 1193, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 462.425, Subdivision 6, is amended to read:

Subd. 6. [APPOINTMENT; APPROVAL; TERM; VACANCY.] The commissioners constituting an authority shall be appointed by the mayor, with the approval of the governing body. Those initially appointed shall be appointed for terms of one, two, three, four, and five years, respectively. Thereafter all commissioners shall be appointed for five-year terms. Each vacancy in an unexpired term shall be filled in the same manner in which the original appointment was made. *Any member of the governing body of a municipality may be appointed and may serve as a commissioner of the authority in and for the municipality.* The council of any municipality which appoints members of the city council as commissioners may set the terms of office of the commissioner to coincide with his term of office as a council member.

Sec. 2. Minnesota Statutes 1978, Section 462.445, Subdivision 9, is amended to read:

Subd. 9. [REHABILITATION LOANS AND GRANTS.] (AN AUTHORITY IS AUTHORIZED TO MAKE REHABILITATION LOANS AND GRANTS IN THE SAME MANNER AND UNDER THE SAME CONDITIONS AS ARE NOW PROVIDED BY THE FEDERAL GOVERNMENT PURSUANT TO SECTION 115 OF THE HOUSING ACT OF 1949 AS AMENDED, 42 U.S.C. SECTION 1466, AND SECTION 312 OF THE HOUSING ACT OF 1964 AS AMENDED, 42 U.S.C. SECTION 1452 B, AND IN MAKING SUCH LOANS OR GRANTS TO MAKE SUCH DETERMINATIONS AS ARE PROVIDED BY FEDERAL LAW TO BE MADE BY THE UNITED STATES SECRETARY OF HOUSING AND URBAN DEVELOPMENT. AN AUTHORITY MAY MAKE SUCH LOANS AND GRANTS WITH RESPECT TO PROPERTY LOCATED ANYWHERE WITHIN ITS AREA OF OPERATION WHETHER WITHIN OR WITHOUT THE BOUNDARIES OF AN URBAN RENEWAL AREA AND TO THAT END NEITHER THE PROVISIONS OF SECTION 312 (A) (1) OF THE HOUSING ACT OF 1964 AS AMENDED NOR THE PROVISIONS OF SUBSECTION (B) AND THE LAST SENTENCE OF SUBSECTION (A) OF SECTION 115 OF TITLE I OF THE HOUSING ACT OF 1949 AS AMENDED SHALL BE APPLICABLE, BUT THE REHABILITATION MUST BE

NECESSARY TO MAKE THE PROPERTY CONFORM TO APPLICABLE CODE REQUIREMENTS OR, IF THE PROPERTY IS IN AN URBAN RENEWAL AREA, TO CARRY OUT THE OBJECTIVES OF THE URBAN RENEWAL PLAN FOR THE AREA) *An authority may develop and administer a housing rehabilitation loan and grant program with respect to property located anywhere within its boundaries, which property is owned by persons of low and moderate income, on such terms and conditions as it determines.*

Sec. 3. Minnesota Statutes 1978, Section 462.581, is amended to read:

462.581 [MUNICIPALITY, POWERS AS TO PROJECTS.] For the purpose of aiding and cooperating in the planning, undertaking, construction, or operation of projects of authorities located within the area in which an authority is authorized to act, any state public body may upon such terms, with or without consideration, as it may determine:

(1) Dedicate, sell, convey, or lease any of its interests in any property, or grant easements, licenses, or any other rights or privileges therein to an authority. Except in cities of the first class having a population of less than 200,000, the public body may pay the bonds of or make loans or contributions for redevelopment projects, and the receipt or expenditure of any moneys expended hereunder by such state public body shall not be included within the definition of any limitation imposed on per capita taxing or spending in the charter of such state public body; provided that no state public body may use any revenues or money of that state public body to pay the bonds of or make any loans or contributions to any public housing project; except that,

(i) This proviso shall not be applicable to any public low-rent housing project for which financial assistance is provided by the federal government or any agency or instrumentality thereof which requires a municipality or other local public body to use its revenues or money for a direct loan or grant to such project as a condition for federal financial assistance where such local financial assistance for such project is authorized by resolution of the governing body of the municipality.

(2) Cause parks, playgrounds, recreational, community, education, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with such projects;

(3) Approve (through its governing body or through an agency designated by it for the purpose) redevelopment plans, plan or replan, zone or rezone its parks; in the case of a city or town, make changes in its map; the governing body of any mu-

municipality may waive any building code requirements in connection with the development of projects;

(4) Cause services to be furnished to the authority of the character which it is otherwise empowered to furnish;

(5) Enter into agreements with respect to the exercise by it of its powers relating to the repair, closing, or demolition of unsafe, unsanitary or unfit buildings;

(6) Do any and all things necessary or convenient to aid and cooperate in the planning, undertaking, construction, or operation of such projects;

(7) Incur the entire expense of any public improvements made by it in exercising the powers granted in sections 462.415 to 462.711;

(8) Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with an authority respecting action to be taken by the state public body pursuant to any of the powers granted by sections 462.415 to 462.711; and

(9) Furnish funds available to it from any source, including the proceeds of bonds, to an authority to pay all or any part of the cost to the authority of the activities authorized by section 462.445, subdivision 1, clause (7) (OR SUBDIVISION 9).

Sec. 4. [EFFECTIVE DATE.] *This act is effective the day following its final enactment.*"

Further, amend the title by deleting it in its entirety and inserting:

"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."

The motion prevailed and the amendment was adopted.

S. F. No. 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 the city; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.425, Subdivision 6; 462.445, Subdivision 9.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Aasness	Eken	Jude	Nelsen, M.	Sherwood
Adams	Elioff	Kahn	Nelson	Sieben, H.
Ainley	Ellingson	Kaley	Niehaus	Sieben, M.
Albrecht	Enebo	Kalis	Norman	Simoneau
Anderson, B.	Erickson	Kelly	Norton	Stadum
Anderson, D.	Esau	Kempe	Novak	Stoa
Anderson, G.	Evans	Knickerbocker	Nysether	Stowell
Anderson, I.	Ewald	Kostohryz	Olsen	Sviggum
Battaglia	Faricy	Kroening	Onnen	Swanson
Begich	Fjoslien	Kvam	Osthoff	Thiede
Berkelman	Forsythe	Laidig	Otis	Tomlinson
Biersdorf	Friedrich	Lehto	Patton	Valan
Blatz	Fritz	Levi	Pehler	Valento
Brinkman	Fudro	Long	Peterson	Vanasek
Byrne	Greenfield	Ludeman	Piepho	Voss
Carlson, D.	Halberg	Luknie	Prahl	Waldorf
Carlson, L.	Haukoos	Mann	Redalen	Weaver
Casserly	Heap	McCarron	Reding	Welch
Clark	Heinitz	McDonald	Rees	Welker
Clawson	Hoberg	McEachern	Reif	Wenzel
Corbid	Hokanson	Mehrkins	Rice	Wieser
Crandall	Jacobs	Metzen	Rose	Wigley
Dean	Jaros	Minne	Rothenberg	Wynia
Dempsey	Jennings	Moe	Sarna	Zubay
Den Ouden	Johnson, C.	Munger	Schreiber	Speaker Searle
Drew	Johnson, D.	Nelsen, B.	Searles	

Those who voted in the negative were:

Berglin

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

Sieben, H., moved that the remaining bills on Special Orders for today be continued for one day immediately preceding General Orders. The motion prevailed.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders one day.

MOTIONS AND RESOLUTIONS

Pehler moved that the names of Osthoff and Byrne be added as authors on H. F. No. 1596. The motion prevailed.

Carlson, D., was excused for the remainder of today's session.

Anderson, I., and Sieben, H., moved as follows:

1. That all materials relating to the Pavlak-Kempe election contest case shall be referred to the Committee on General Legislation and Veterans Affairs.

2. The committee is directed to prepare a report on the matter for recommendation to the full House. In committee, the affected parties shall have the right to introduce testimony, exhibits and evidence pertaining to the election contest.

3. For the purposes of this matter, a quorum of the Committee on General Legislation and Veterans Affairs shall consist of one-half of the members of said committee.

4. The committee shall report to the House, to be immediately acted upon, at 6:00 p.m., Wednesday, May 16, 1979 recommending: (a) no recommendation; (b) that Representative Pavlak be permitted to retain his seat; or, (c) that the seat presently held by Representative Pavlak be declared vacant and that a new election be held.

5. Representative Robert Pavlak shall not vote on any substantive or procedural votes relative to the committee report or the issue of his election contest.

A roll call was requested and properly seconded.

POINT OF ORDER

Halberg raised a point of order pursuant to Section 161 of "Mason's Manual of Legislative Procedure" that the Anderson, I., and Sieben, H., motion was out of order. The Speaker ruled the point of order not well taken.

CALL OF THE HOUSE

On the motion of Anderson, I., and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Aasness	Blatz	Elioff	Haukoos	Kelly
Adams	Brinkman	Ellingson	Heap	Kempe
Ainley	Byrne	Enebo	Heinitz	Knickerbocker
Albrecht	Carlson, L.	Erickson	Hoberg	Kostohryz
Anderson, B.	Casserly	Esau	Hokanson	Kroening
Anderson, D.	Clark	Evans	Jacobs	Kvam
Anderson, G.	Clawson	Ewald	Jaros	Laidig
Anderson, I.	Corbid	Faricy	Johnson, C.	Lehto
Anderson, R.	Crandall	Forsythe	Johnson, D.	Levi
Battaglia	Dean	Friedrich	Jude	Long
Begich	Dempsey	Fudro	Kahn	Ludeman
Berglin	Den Ouden	Greenfield	Kaley	Luknic
Berkelman	Eken	Halberg	Kalis	Mann

McCarron	Norman	Prahl	Sieben, M.	Weaver
McEachern	Norton	Reding	Simoneau	Welch
Mehrkens	Novak	Rees	Stadum	Welker
Metzen	Nysether	Reif	Stoa	Wenzel
Minne	Olsen	Rice	Stowell	Wigley
Moe	Onnen	Rose	Sviggun	Wynia
Munger	Osthoff	Rothenberg	Swanson	Zubay
Murphy	Otis	Sarna	Tomlinson	Speaker Searle
Nelsen, B.	Patton	Schreiber	Valan	
Nelsen, M.	Pehler	Searles	Vanasek	
Nelson	Peterson	Sherwood	Voss	
Niehaus	Pleasant	Sieben, H.	Waldorf	

Anderson, I., moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

POINT OF ORDER

Halberg raised a point of order pursuant to rule 6.4 that paragraph 3 of the Anderson, I., and Sieben, H., motion was out of order. The Speaker ruled the point of order well taken and paragraph 3 was withdrawn.

Anderson, I., moved to amend the Anderson, I., and Sieben, H., motion as follows:

In paragraph 1 strike the words "General Legislation and Veterans Affairs" and insert "Rules and Legislative Administration"

A roll call was requested and properly seconded.

POINT OF ORDER

Crandall raised a point of order that the Anderson, I., and Sieben, H., motion was out of order in so much as the materials relating to the Pavlak—Kempe election contest were not in the possession of the House. The Speaker ruled the point of order not well taken.

The question recurred on the Anderson, I., amendment to the Anderson, I., and Sieben, H., motion and the roll was called.

Anderson, I., moved that those not voting be excused from voting. The motion did not prevail.

Stowell was excused from voting.

There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Adams	Corbid	Kelly	Nelsen, M.	Simoneau
Anderson, B.	Eken	Kempe	Nelson	Stoa
Anderson, G.	Elioff	Kostohryz	Norton	Swanson
Anderson, I.	Ellingson	Kroening	Novak	Tomlinson
Battaglia	Enebo	Lehto	Osthoff	Vanasek
Begich	Fudro	Long	Otis	Voss
Berglin	Greenfield	Mann	Patton	Waldorf
Berkelman	Hokanson	McCarron	Pehler	Welch
Brinkman	Jacobs	McEachern	Prahl	Wenzel
Byrne	Jaros	Metzen	Reding	Wynia
Carlson, L.	Johnson, C.	Minne	Rice	
Casserly	Jude	Moe	Sarna	
Clark	Kahn	Munger	Sieben, H.	
Clawson	Kalis	Murphy	Sieben, M.	

Those who voted in the negative were:

Aasness	Esau	Jennings	Norman	Searles
Ainley	Evans	Johnson, D.	Nysether	Sherwood
Albrecht	Ewald	Kaley	Olsen	Stadum
Anderson, D.	Faricy	Knickerbocker	Onnen	Svigum
Anderson, R.	Fjoslien	Kvam	Peterson	Thiede
Biersdorf	Forsythe	Laidig	Piepho	Valan
Blatz	Friedrich	Levi	Pleasant	Valento
Crandall	Fritz	Ludeman	Redalen	Weaver
Dean	Halberg	Luknic	Rees	Welker
Dempsey	Haukoos	McDonald	Reif	Wieser
Den Ouden	Heap	Mehrkens	Rose	Wigley
Drew	Heinitz	Nelsen, B.	Rothenberg	Zubay
Ericksen	Hoberg	Niehaus	Schreiber	Speaker Searle

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

Anderson, I., withdrew the Anderson, I., and Sieben, H., motion as amended.

Anderson, I., and Sieben, H., moved as follows:

1. That all materials relating to the Pavlak-Kempe election contest case shall be referred to the Committee on General Legislation and Veterans Affairs.

2. The committee is directed to prepare a report on the matter for recommendation to the full House.

3. The committee shall report to the House, to be immediately acted upon, at 6:00 p.m., Wednesday, May 16, 1979 recommending: (a) no recommendation; (b) that Representative Pavlak be permitted to retain his seat; or, (c) that the seat presently held by Representative Pavlak be declared vacant and that a new election be held.

4. In the event the committee has not acted upon the issue, in a manner which brings the matter before the full House by

Wednesday, May 16, 1979, at 6:00 p.m., the matter shall be brought before the full House for its immediate consideration of the question as to whether the seat presently held by Representative Pavlak should be declared vacant and that a new election be held.

5. Representative Robert Pavlak shall not vote on any substantive or procedural votes relative to the committee report or the issue of his election contest.

POINT OF ORDER

Halberg raised a point of order that paragraph 5 was not in order because a point of order raised earlier today on the issue contained in paragraph 5 and deferred by the Speaker was pending before the House. The Speaker ruled the point of order well taken and paragraph 5 was withdrawn.

Knickerbocker moved to amend the Anderson, I., and Sieben, H., motion as follows:

Paragraph 4, after "whether" insert "(a)" and after "held" and before the period insert "(b) Representative Pavlak be allowed to retain his seat; or, (c) no recommendation"

A roll call was requested and properly seconded.

The question was taken on the Knickerbocker motion and the roll was called.

There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Nysether	Sherwood
Ainley	Evans	Kaley	Olsen	Stadum
Albrecht	Ewald	Knickerbocker	Onnen	Stowell
Anderson, D.	Fjoslien	Kvam	Peterson	Sviggum
Anderson, R.	Forsythe	Laidig	Piepho	Thiede
Biersdorf	Friedrich	Levi	Pleasant	Valan
Blatz	Fritz	Ludeman	Redalen	Valento
Crandall	Halberg	Luknic	Rees	Weaver
Dean	Haukoos	McDonald	Reif	Welker
Dempsey	Heap	Mehrkens	Rose	Wieser
Den Ouden	Heinitz	Nelsen, B.	Rothenberg	Wigley
Drew	Hoberg	Niehaus	Schreiber	Zubay
Erickson	Jennings	Norman	Searles	Speaker Searle

Those who voted in the negative were:

Adams	Begich	Carlson, L.	Eken	Fudro
Anderson, B.	Berglin	Casserly	Elioff	Greenfield
Anderson, G.	Berkelman	Clark	Ellingson	Hokanson
Anderson, I.	Brinkman	Clawson	Enebo	Jacobs
Battaglia	Byrne	Corbid	Faricy	Jaros

Johnson, C.	Long	Nelsen, M.	Reding	Vanasek
Jude	Mann	Nelson	Rice	Voss
Kahn	McCarron	Norton	Sarna	Waldorf
Kalis	McEachern	Novak	Sieben, H.	Welch
Kelly	Metzen	Osthoff	Sieben, M.	Wenzel
Kempe	Minne	Otis	Simoneau	Wynia
Kostohryz	Moe	Patton	Stoa	
Kroening	Munger	Pehler	Swanson	
Lehto	Murphy	Prahl	Tomlinson	

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

Halberg moved to amend the Anderson, I., and Sieben, H., motion as follows:

In paragraph 3 after "vacant" insert "pursuant to Minnesota Statutes and the State Constitution"

In paragraph 4 after "vacant" insert "pursuant to Minnesota Statutes and the State Constitution"

A roll call was requested and properly seconded.

The question was taken on the Halberg motion and the roll was called. There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Nysether	Sherwood
Ainley	Evans	Kaley	Olsen	Stadum
Albrecht	Ewald	Knickerbocker	Onnen	Stowell
Anderson, D.	Fjoslien	Kvam	Peterson	Sviggum
Anderson, R.	Forsythe	Laidig	Piepho	Thiede
Biersdorf	Friedrich	Levi	Pleasant	Valan
Blatz	Fritz	Ludeman	Redalen	Valento
Crandall	Halberg	Luknic	Rees	Weaver
Dean	Haukoos	McDonald	Reif	Welker
Dempsey	Heap	Mehrkens	Rose	Wieser
Den Ouden	Heinitz	Nelsen, B.	Rothenberg	Wigley
Drew	Hoberg	Niehaus	Schreiber	Zubay
Erickson	Jennings	Norman	Searles	Speaker Searle

Those who voted in the negative were:

Adams	Corbid	Kalis	Murphy	Sieben, M.
Anderson, B.	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kempe	Nelson	Stoa
Anderson, I.	Ellingson	Kostohryz	Norton	Swanson
Battaglia	Enebo	Kroening	Novak	Tomlinson
Begich	Faricy	Lehto	Osthoff	Vanasek
Berglin	Fudro	Long	Otis	Voss
Berkelman	Greenfield	Mann	Patton	Waldorf
Brinkman	Hokanson	McCarron	Pehler	Welch
Byrne	Jacobs	McEachern	Prahl	Wenzel
Carlson, L.	Jaros	Metzen	Reding	Wynia
Casserly	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	

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

Knickerbocker moved to amend the Anderson, I., and Sieben, H., motion as follows:

At the end of paragraph 3 and before the period insert "(d) that the case be dismissed"

A roll call was requested and properly seconded.

The question was taken on the Knickerbocker motion and the roll was called. There were 64 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Olsen	Stadum
Ainley	Evans	Kaley	Onnen	Stowell
Albrecht	Ewald	Knickerbocker	Peterson	Sviggum
Anderson, D.	Fjoslien	Kvam	Piepho	Thiede
Anderson, R.	Forsythe	Laidig	Pleasant	Valan
Biersdorf	Friedrich	Levi	Redalen	Valento
Blatz	Fritz	Ludeman	Rees	Weaver
Crandall	Halberg	Luknic	Reif	Welker
Dean	Haukoos	McDonald	Rose	Wieser
Dempsey	Heap	Mehrkens	Rothenberg	Wigley
Den Ouden	Heinitz	Nelsen, B.	Schreiber	Zubay
Drew	Hoberg	Niehaus	Searles	Speaker Searle
Erickson	Jennings	Norman	Sherwood	

Those who voted in the negative were:

Adams	Corbid	Kalis	Murphy	Sieben, H.
Anderson, B.	Eken	Kelly	Nelsen, M.	Sieben, M.
Anderson, G.	Elioff	Kempe	Nelson	Simoneau
Anderson, I.	Ellingson	Kostohryz	Norton	Stoa
Battaglia	Enebo	Kroening	Novak	Swanson
Begich	Faricy	Lehto	Nysether	Tomlinson
Berglin	Fudro	Long	Osthoff	Vanasek
Berkelman	Greenfield	Mann	Otis	Voss
Brinkman	Hokanson	McCarron	Patton	Waldorf
Byrne	Jacobs	McEachern	Pehler	Welch
Carlson, L	Jaros	Metzen	Prahl	Wenzel
Casserly	Johnson, C.	Minne	Reding	Wynia
Clark	Jude	Moe	Rice	
Clawson	Kahn	Munger	Sarna	

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

Crandall moved to amend the Anderson, I., and Sieben, H., motion as follows:

In paragraph 2, after "directed to" insert "proceed according to law and"

In paragraph 4 after "immediate consideration" insert "according to law"

A roll call was requested and properly seconded.

The question was taken on the Crandall motion and the roll was called. There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Nysether	Sherwood
Ainley	Evans	Kaley	Olsen	Stadum
Albrecht	Ewald	Knickerbocker	Onnen	Stowell
Anderson, D.	Fjoslien	Kvam	Peterson	Svigum
Anderson, R.	Forsythe	Laidig	Piepho	Thiede
Biersdorf	Friedrich	Levi	Pleasant	Valan
Blatz	Fritz	Ludeman	Redalen	Valento
Crandall	Halberg	Luknic	Rees	Weaver
Dean	Haukoos	McDonald	Reif	Welker
Dempsey	Heap	Mehrkens	Rose	Wieser
Den Ouden	Heinitz	Nelsen, B.	Rothenberg	Wigley
Drew	Hoberg	Niehaus	Schreiber	Zubay
Erickson	Jennings	Norman	Searles	Speaker Searle

Those who voted in the negative were:

Adams	Corbid	Kalis	Murphy	Sieben, M.
Anderson, B.	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kempe	Nelson	Stoa
Anderson, I.	Ellingson	Kostohryz	Norton	Swanson
Battaglia	Enebo	Kroening	Novak	Tomlinson
Begich	Faricy	Lehto	Osthoff	Vanasek
Berglin	Fudro	Long	Otis	Voss
Berkelman	Greenfield	Mann	Patton	Waldorf
Brinkman	Hokanson	McCarron	Pehler	Welch
Byrne	Jacobs	McEachern	Prahl	Wenzel
Carlson, L.	Jaros	Metzen	Reding	Wynia
Casserly	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	

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

Peterson moved to amend the Anderson, I., and Sieben, H., motion as follows:

Strike paragraph 4 and insert a new paragraph 4 to read:

"In the event that the committee has not acted upon the issue by Wednesday, May 16, 1979 at 6:00 p. m. the House may grant such extension of time in order to conduct complete committee hearings on the question as to whether the seat presently held by Representative Pavlak should be declared vacant and that a new election be held."

A roll call was requested and properly seconded.

The question was taken on the Peterson motion and the roll was called.

There were 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kaley	Onnen	Svigum
Ainley	Ewald	Knickerbocker	Peterson	Thiede
Albrecht	Fjoslien	Kvam	Piepho	Valan
Anderson, D.	Forsythe	Laidig	Pleasant	Valento
Anderson, R.	Friedrich	Levi	Redalen	Weaver
Biersdorf	Fritz	Ludeman	Rees	Welker
Blatz	Halberg	Luknic	Reif	Wieser
Crandall	Haukoos	McDonald	Rose	Wigley
Dean	Heap	Mehrkens	Rothenberg	Zubay
Dempsey	Heinitz	Nelsen, B.	Schreiber	Speaker Searle
Den Ouden	Hoberg	Niehaus	Searles	
Drew	Jennings	Norman	Sherwood	
Erickson	Johnson, D.	Nysether	Stadum	
Esau	Kahn	Olsen	Stowell	

Those who voted in the negative were:

Adams	Corbid	Kelly	Nelsen, M.	Simoneau
Anderson, B.	Eken	Kempe	Nelson	Stoa
Anderson, G.	Elioff	Kostohryz	Norton	Swanson
Anderson, I.	Ellingson	Kroening	Novak	Tomlinson
Battaglia	Enebo	Lehto	Osthoff	Vanasek
Begich	Faricy	Long	Otis	Voss
Berglin	Fudro	Mann	Patton	Waldorf
Berkelman	Greenfield	McCarron	Pehler	Welch
Brinkman	Hokanson	McEachern	Prahl	Wenzel
Byrne	Jacobs	Metzen	Reding	Wynia
Carlson, L.	Jaros	Minne	Rice	
Casserly	Johnson, C.	Moe	Sarna	
Clark	Jude	Munger	Sieben, H.	
Clawson	Kalis	Murphy	Sieben, M.	

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

Knickerbocker requested a division of the Anderson, I., and Sieben, H., motion.

The first portion of the motion reads as follows:

1. That all materials relating to the Pavlak-Kempe election contest case shall be referred to the Committee on General Legislation and Veterans Affairs.

2. The committee is directed to prepare a report on the matter for recommendation to the full House.

A roll call was requested and properly seconded.

The question was taken on the first portion of the Anderson, I., and Sieben, H., motion and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness	Eken	Kahn	Nelson	Sieben, H.
Adams	Elioff	Kaley	Niehaus	Sieben, M.
Ainley	Ellingson	Kalis	Norman	Simoneau
Albrecht	Enebo	Kelly	Norton	Stadum
Anderson, B.	Erickson	Kempe	Novak	Stoa
Anderson, D.	Esau	Knickerbocker	Nysether	Stowell
Anderson, G.	Evans	Kostohryz	Olsen	Sviggum
Anderson, I.	Ewald	Kroening	Onnen	Swanson
Anderson, R.	Faricy	Kvam	Osthoff	Thiede
Battaglia	Fjoslien	Laidig	Otis	Tomlinson
Begich	Forsythe	Lehto	Patton	Valan
Berglin	Friedrich	Levi	Pehler	Valento
Berkelman	Fritz	Long	Peterson	Vanasek
Biersdorf	Fudro	Ludeman	Piepho	Voss
Blatz	Greenfield	Luknic	Pleasant	Waldorf
Brinkman	Halberg	Mann	Prahl	Weaver
Byrne	Haukoos	McCarron	Redalen	Welch
Carlson, L.	Heap	McDonald	Reding	Welker
Casserly	Heinitz	McEachern	Rees	Wenzel
Clark	Hoberg	Mehrkens	Reif	Wieser
Clawson	Hokanson	Metzen	Rice	Wigley
Corbid	Jacobs	Minne	Rose	Wynia
Crandall	Jaros	Moe	Rothenberg	Zubay
Dean	Jennings	Munger	Sarna	Speaker Searle
Dempsey	Johnson, C.	Murphy	Schreiber	
Den Ouden	Johnson, D.	Nelsen, B.	Searles	
Drew	Jude	Nelsen, M.	Sherwood	

The first portion of the motion prevailed.

The second portion of the motion reads as follows:

3. The committee shall report to the House, to be immediately acted upon, at 6:00 p.m., Wednesday, May 16, 1979 recommending: (a) no recommendation; (b) that Representative Pavlak be permitted to retain his seat; or, (c) that the seat presently held by Representative Pavlak be declared vacant and that a new election be held.

4. In the event the committee has not acted upon the issue, in a manner which brings the matter before the full House by Wednesday, May 16, 1979, at 6:00 p.m., the matter shall be brought before the full House for its immediate consideration of the question as to whether the seat presently held by Representative Pavlak should be declared vacant and that a new election be held.

A roll call was requested and properly seconded.

The question was taken on the second portion of the Anderson, I., and Sieben, H., motion and the roll was called. There were 68 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Adams	Anderson, G.	Battaglia	Berglin	Brinkman
Anderson, B.	Anderson, I.	Begich	Berkelman	Byrne

Carlson, L.	Greenfield	Lehto	Norton	Simoneau
Casserly	Hokanson	Long	Novak	Stoa
Clark	Jacobs	Mann	Osthoff	Swanson
Clawson	Jaros	McCarron	Otis	Tomlinson
Corbid	Johnson, C.	McEachern	Patton	Vanasek
Den Ouden	Jude	Metzen	Pehler	Voss
Eken	Kahn	Minne	Prahl	Waldorf
Elioff	Kalis	Moe	Reding	Welch
Ellingson	Kelly	Munger	Rice	Wenzel
Enebo	Kempe	Murphy	Sarna	Wynia
Faricy	Kostohryz	Nelsen, M.	Sieben, H.	
Fudro	Kroening	Nelson	Sieben, M.	

Those who voted in the negative were:

Aasness	Evans	Kaley	Olsen	Stadum
Ainley	Ewald	Knickerbocker	Onnen	Stowell
Albrecht	Fjoslien	Kvam	Peterson	Sviggum
Anderson, D.	Forsythe	Laidig	Piepho	Thiede
Anderson, R.	Friedrich	Levi	Pleasant	Valan
Biersdorf	Fritz	Ludeman	Redalen	Valento
Blatz	Halberg	Luknic	Rees	Weaver
Crandall	Haukoos	McDonald	Reif	Welker
Dean	Heap	Mehrkins	Rose	Wieser
Dempsey	Heinitz	Nelsen, B.	Rothenberg	Wigley
Drew	Hoberg	Niehaus	Schreiber	Zubay
Erickson	Jennings	Norman	Searles	Speaker Searle
Esau	Johnson, D.	Nysether	Sherwood	

The second portion of the motion prevailed.

Sieben, H., and Anderson, I., moved as follows:

Representative Robert Pavlak shall not vote on any substantive or procedural votes relative to the committee report on his election contest or any issue relating to his election contest.

A roll call was requested and properly seconded.

POINT OF ORDER

Halberg raised a point of order that the Sieben, H., and Anderson, I., motion was not in order because a point of order raised earlier today on the issue contained in the motion and deferred by the Speaker was pending before the House. The Speaker ruled the point of order well taken.

Anderson, I., appealed the decision of the chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?"

The roll was called and there were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Aasness	Esau	Johnson, D.	Nysether	Sherwood
Ainley	Evans	Kaley	Olsen	Stadum
Albrecht	Ewald	Knickerbocker	Onnen	Stowell
Anderson, D.	Fjoslien	Kvam	Peterson	Sviggunn
Anderson, R.	Forsythe	Laidig	Piepho	Thiede
Biersdorf	Friedrich	Levi	Pleasant	Valan
Blatz	Fritz	Ludeman	Redalen	Valento
Crandall	Halberg	Luknic	Rees	Weaver
Dean	Haukoos	McDonald	Reif	Welker
Dempsey	Heap	Mehrkens	Rose	Wieser
Den Ouden	Heinitz	Nelsen, B.	Rothenberg	Wigley
Drew	Hoberg	Niehaus	Schreiber	Zubay
Erickson	Jennings	Norman	Searles	Speaker Searle

Those who voted in the negative were:

Adams	Corbid	Kalis	Murphy	Sieben, M.
Anderson, B.	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kempe	Nelson	Stoa
Anderson, I.	Ellingson	Kostohryz	Norton	Swanson
Battaglia	Enebo	Kroening	Novak	Tomlinson
Begich	Faricy	Lehto	Osthoff	Vanasek
Berglin	Fudro	Long	Otis	Voss
Berkelman	Greenfield	Mann	Patton	Waldorf
Brinkman	Hokanson	McCarron	Pehler	Welch
Byrne	Jacobs	McEachern	Prahl	Wenzel
Carlson, L.	Jaros	Metzen	Reding	Wynia
Casserly	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	

It was the judgment of the House that the decision of the Speaker should not stand and the Sieben, H., and Anderson I., motion was in order.

The question recurred on the Sieben, H., and Anderson, I., motion and the roll was called.

Anderson, I., moved that those not voting be excused from voting. The motion prevailed.

There were 67 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Adams	Corbid	Kalis	Murphy	Sieben, M.
Anderson, B.	Eken	Kelly	Nelsen, M.	Simoneau
Anderson, G.	Elioff	Kempe	Nelson	Stoa
Anderson, I.	Ellingson	Kostohryz	Norton	Swanson
Battaglia	Enebo	Kroening	Novak	Tomlinson
Begich	Faricy	Lehto	Osthoff	Vanasek
Berglin	Fudro	Long	Otis	Voss
Berkelman	Greenfield	Mann	Patton	Waldorf
Brinkman	Hokanson	McCarron	Pehler	Welch
Byrne	Jacobs	McEachern	Prahl	Wenzel
Carlson, L.	Jaros	Metzen	Reding	Wynia
Casserly	Johnson, C.	Minne	Rice	
Clark	Jude	Moe	Sarna	
Clawson	Kahn	Munger	Sieben, H.	

Those who voted in the negative were:

Aasness	Esau	Johnson, D.	Nysether	Stadum
Ainley	Evans	Kaley	Olsen	Stowell
Albrecht	Ewald	Knickerbocker	Onnen	Sviggum
Anderson, D.	Fjoslien	Kvam	Peterson	Thiede
Anderson, R.	Forsythe	Laidig	Piepho	Valan
Biersdorf	Friedrich	Levi	Pleasant	Valento
Blatz	Fritz	Ludeman	Redalen	Weaver
Crandall	Halberg	Luknic	Rees	Welker
Dean	Haukoos	McDonald	Reif	Wieser
Dempsey	Heap	Mehrkens	Rose	Wigley
Den Ouden	Heinitz	Nelsen, B.	Rothenberg	Zubay
Drew	Hoberg	Niehaus	Schreiber	Speaker Searle
Erickson	Jennings	Norman	Searles	

The motion prevailed.

Olsen offered a motion.

POINT OF ORDER

Rice raised a point of order pursuant to Article IV, Section 11 of the Minnesota Constitution that the Olsen motion was not in order. The Speaker ruled the point of order well taken.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 2:00 p.m., Tuesday, May 15, 1979. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, May 15, 1979.

EDWARD A. BURDICK, Chief Clerk, House of Representatives