

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1980

SIXTY-EIGHTH DAY

SAINT PAUL, MINNESOTA, MONDAY, FEBRUARY 18, 1980

The House of Representatives convened at 2:00 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	Kahn	Niehaus	Sherwood
Adams	Eken	Kaley	Norman	Sieben, H.
Ainley	Elioff	Kalis	Novak	Sieben, M.
Albrecht	Ellingson	Kelly	Nysether	Simoneau
Anderson, B.	Erickson	Kempe	Olsen	Stadum
Anderson, D.	Esau	Knickerbocker	Onnen	Stoa
Anderson, G.	Evans	Kostohryz	Osthoff	Stowell
Anderson, I.	Ewald	Kroening	Otis	Sviggum
Anderson, R.	Faricy	Kvam	Patton	Swanson
Battaglia	Fjoslien	Laidig	Pehler	Thiede
Begich	Forsythe	Lehto	Peterson, B.	Tomlinson
Berglin	Friedrich	Levi	Peterson, D.	Valan
Berkelman	Fritz	Ludeman	Piepho	Valento
Biersdorf	Fudro	Luknic	Pleasant	Vanasek
Blatz	Greenfield	Mann	Prahl	Voss
Brinkman	Halberg	McCarron	Redalen	Waldorf
Byrne	Haukoos	McDonald	Reding	Weaver
Carlson, D.	Heap	McEachern	Rees	Welch
Carlson, L.	Heinitz	Mehrkins	Reif	Welker
Casserly	Hoberg	Metzen	Rice	Wenzel
Clark	Hokanson	Minne	Rodriguez	Wieser
Clawson	Jacobs	Moe	Rose	Wigley
Corbid	Jaros	Munger	Rothenberg	Wynia
Crandall	Jennings	Murphy	Sarna	Zubay
Dean	Johnson, C.	Nelsen, B.	Schreiber	Spkr. Norton
Dempsey	Johnson, D.	Nelsen, M.	Searle	
Den Ouden	Jude	Nelson	Searles	

A quorum was present.

Long was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Kelly 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. 1307 and S. F. Nos. 1471, 1609, 1215, 1670 and 410 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

February 14, 1980

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

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Date Approved 1980</i>	<i>Date Filed 1980</i>
618		345	February 14	February 14

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Brinkman from the Committee on Financial Institutions and Insurance to which was referred:

H. F. No. 1800, A bill for an act relating to health care; regulating benefits made available under certain health care plans; requiring coverage for reconstructive surgery under certain conditions; amending Minnesota Statutes 1978, Section 62E.06, Subdivision 1, as amended, and Chapter 62A, by adding a section.

Reported the same back with the following amendments:

Page 1, line 13, delete "*group*"

Page 1, line 19, after "*62C*" insert a period and delete the remainder of the line

Page 1, delete lines 20 to 23

Page 2, delete lines 1 to 4

Page 2, line 5, delete "*No*" and insert "*Every*"

Page 2, line 6, delete "*exclude*" and insert "*provide*"

Page 2, line 8, delete "*trauma, infection*" and insert "*injury, sickness*"

Page 2, line 12, after "*defect*" insert "*as determined by the attending physician*"

Page 4, line 16, delete "*trauma, infection*" and insert "*injury, sickness*"

Page 4, line 20, after "*defect*" insert "*as determined by the attending physician*"

With the recommendation that when so amended the bill pass.

The report was adopted.

Faricy from the Committee on Judiciary to which was referred:

S. F. No. 1248, A bill for an act relating to guardianship; establishing criteria for the selection of guardians and conservators; amending Minnesota Statutes 1978, Section 525.544.

Reported the same back with the following amendments:

Page 2, line 4, delete "*is*" and insert "*shall*"

Page 2, line 5, after "*not*" insert "*be*"

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 1800 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1248 was read for the second time.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced:

Dempsey, Piepho and McDonald introduced:

H. F. No. 2030, A bill for an act relating to probate; allowing claims based on certain medical assistance to be made against the homestead; amending Minnesota Statutes 1978, Sections 510.05; and 525.16.

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

Dempsey introduced:

H. F. No. 2031, A bill for an act relating to courts; providing district court judges with reimbursement for travel and other expenses; providing that the chief judge in a judicial district shall be a judge of the district court; authorizing the judge of any court to be an assistant chief judge; authorizing the district court judges to establish a starting salary in the event of a vacancy in the office of clerk of district court; requiring the state court administrator to consult with the district court judges prior to certification that the clerk of district court has failed to perform his duties; providing for appeal to the court upon a jury commissioner's refusal to grant an excuse from jury service to a prospective juror; appropriating money; amending Minnesota Statutes 1978, Sections 484.54, Subdivision 3; 484.69, Subdivision 2; 485.018, Subdivisions 2 and 2a; and 593.45, by adding a subdivision; Minnesota Statutes, 1979 Supplement, Section 484.54, Subdivision 1; repealing Minnesota Statutes 1978, Section 484.54, Subdivision 2.

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

Peterson, B.; Munger; Brinkman; Norman and Searle introduced:

H. F. No. 2032, A bill for an act relating to state lands; changing the interest rate on unpaid sale balances; amending Minnesota Statutes 1978, Section 92.06, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Moe, Patton and Berglin introduced:

H. F. No. 2033, A bill for an act relating to retirement; local police and salaried firefighters' relief associations; authorizing certain municipalities to modify retirement coverage and benefits for certain police officers and firefighters by local action; establishing a local police and salaried firefighters' relief association amortization state aid program; appropriating money; amending Minnesota Statutes 1978, Section 69.77, Subdivision 2.

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

Clark, Dean, Kahn and Crandall introduced:

H. F. No. 2034, A bill for an act relating to the city of Minneapolis; providing for positions in the unclassified service; amending Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Johnson, C., and Battaglia introduced:

H. F. No. 2035, A bill for an act relating to historic sites and monuments; adding property to Split Rock Lighthouse historic site; reestablishing Traverse des Sioux historic site as a state monument; appropriating funds; amending Minnesota Statutes 1978, Sections 138.025, Subdivision 10; and 138.585, by adding a subdivision; repealing Minnesota Statutes 1978, Section 138.55, Subdivision 5.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Pehler and Rice introduced:

H. F. No. 2036, A bill for an act relating to labor; regulating migrant labor; requiring employers and recruiters to provide statements of hire to migrant workers; setting requirements for statements of hire and for payments of wages to migrant workers; providing for private causes of action.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Kaley, Heinitz, Adams, Rose and Simoneau introduced:

H. F. No. 2037, A bill for an act relating to workers' compensation; changing special compensation fund assessment procedures; providing for reimbursement to certain insurers; amending Minnesota Statutes, 1979 Supplement, Sections 176.131, Subdivision 10; and 176.191, Subdivision 3.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Mehrkens, Luknic, Jacobs, Eken and Evans introduced:

H. F. No. 2038, A bill for an act relating to taxation; motor vehicle, excise; providing a credit on the excise tax for the value of a motor vehicle destroyed in an accident in certain transactions; amending Minnesota Statutes 1978, Section 297B.01, Subdivision 8.

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

Battaglia, Eliooff, Begich and Minne introduced:

H. F. No. 2039, A bill for an act relating to retirement; extending coverage in the public employees retirement association to certain employees; amending Minnesota Statutes, 1979 Supplement, Section 353.01, Subdivision 2a.

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

Stoa introduced:

H. F. No. 2040, A bill for an act relating to privacy; providing for classification of certain welfare data; amending Minnesota Statutes, 1979 Supplement, Section 15.1691, Subdivision 3.

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

Stoa introduced:

H. F. No. 2041, A bill for an act relating to administrative rules; repealing rules adopted without a hearing conducted by the office of hearing examiners; providing authority to adopt new rules; setting a schedule for repeal of rules.

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

Biersdorf introduced:

H. F. No. 2042, A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Owatonna.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Peterson, D.; Anderson, I.; Laidig and Halberg introduced:

H. F. No. 2043, A bill for an act relating to elections; authorizing time off from work for election judges; amending Minnesota Statutes 1978, Section 204A.18, by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jacobs, Kempe, Voss and Kroening introduced:

H. F. No. 2044, A bill for an act relating to taxation; income; providing a deduction for the cost of removal of diseased trees; amending Minnesota Statutes 1978, Section 290.09, by adding a subdivision.

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

Reding; Ewald; Anderson, G.; Johnson, D., and Kalis introduced:

H. F. No. 2045, A bill for an act relating to economic development; creating a small business finance agency with authority to borrow to provide loans for small business projects.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Pehler; Biersdorf; Anderson, G.; Anderson, R., and Reding introduced:

H. F. No. 2046, A bill for an act establishing the Minnesota small business conference; providing for its organization, meetings and procedures; appropriating money.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Simoneau, Laidig, Patton, Byrne and Rose introduced:

H. F. No. 2047, A bill for an act relating to state government; raising the limit on the balance allowed to remain in the state auditor's revolving fund; empowering the state auditor to establish a personnel recruitment, hiring, promotional, and salary plan in consultation with the commissioner of the department of personnel; amending Minnesota Statutes 1978, Section 6.58; and Chapter 6, by adding a section.

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

Simoneau, Laidig, Patton, Rose and Byrne introduced:

H. F. No. 2048, A bill for an act relating to the state auditor; providing that the report to the legislature on the general financial condition of the various volunteer firefighters' relief associations be prepared as time and resources permit; authorizing the auditor to examine the accounts of certain police relief associations; providing for location of the auditor's offices; amending Minnesota Statutes 1978, Section 10.01; Chapter 423, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 6.72, Subdivision 1.

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

Hoberg and Valan introduced:

H. F. No. 2049, A bill for an act relating to the city of Moorhead; increasing the amount which the city may expend under a contract for public transportation services; amending Laws 1969, Chapter 192, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Schreiber, Dempsey, Jacobs, Johnson, C., and Pehler introduced:

H. F. No. 2050, A bill for an act relating to transportation; authorizing home rule charter and statutory cities to advance money to the commissioner of transportation to expedite highway construction and improvements within their corporate boundaries; authorizing the issuance of bonds by the cities for that purpose; providing for the financing of the cities' share of the project; authorizing agreements for that purpose.

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

Begich, Battaglia, Elioff, Minne and Berkelman introduced:

H. F. No. 2051, A bill for an act relating to elections; requiring certain employers to attempt to let employees make up time taken off for certain public meetings; amending Minnesota Statutes 1978, Section 210A.09, Subdivision 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jennings, Searle, Piepho, Voss and Eken introduced:

H. F. No. 2052, A bill for an act relating to taxation; sales tax; increasing the tax on sales through coin operated vending machines to four percent; amending Minnesota Statutes 1978, Section 297A.02.

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

Kroening, Nelson, Kelly and Rothenberg introduced:

H. F. No. 2053, A bill for an act relating to public utilities; repealing authority of a public utility or telephone company to impose increased rates pending a final determination by the public service commission; repealing Minnesota Statutes 1978, Sections 216B.16, Subdivision 3; and 237.075, Subdivision 3.

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

Wynia, Levi, Schreiber, Kroening and Berkelman introduced:

H. F. No. 2054, A bill for an act relating to municipal industrial development; defining projects appropriate for development; amending Minnesota Statutes 1978, Section 474.02, Subdivision 1c.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Greenfield; Anderson, I.; Dean; Kahn and Laidig introduced:

H. F. No. 2055, A bill for an act relating to communications; establishing a program of special grants to noncommercial radio stations; appropriating money.

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

Haukoos, Munger and Metzen introduced:

H. F. No. 2056, A bill for an act relating to public employment; clarifying the definition of essential employees; amending Minnesota Statutes, 1979 Supplement, Section 179.63, Subdivision 11.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Haukoos, Reif, Jennings, Metzen and Munger introduced:

H. F. No. 2057, A bill for an act relating to commerce; regulating the licensing of electricians; amending Minnesota Statutes 1978, Section 326.242, Subdivision 2.

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

Albrecht; Ludeman; Anderson, G.; Sviggum and Redalen introduced:

H. F. No. 2058, A bill for an act relating to cooperatives; authorizing the board of directors by resolution to allow stockholders to elect members of the board by mail vote; amending Minnesota Statutes 1978, Section 308.07, Subdivision 10.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Kvam, Tomlinson, Dempsey, Schreiber and Casserly introduced:

H. F. No. 2059, A bill for an act relating to taxation; real property; extending the definition of family farm corporation for certain purposes; amending Minnesota Statutes 1978, Section 273.111, Subdivision 3.

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

Kroening, Ainley, Searle, Anderson, I., and Norton introduced:

H. F. No. 2060, A bill for an act relating to housing; appropriating money for American Indian housing.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Rees, Heinitz, Metzen, Patton and Hoberg introduced:

H. F. No. 2061, A bill for an act relating to state government; renaming the securities division of the department of commerce; amending Minnesota Statutes 1978, Section 45.01.

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

Jaros; Carlson, D.; Vanasek; Osthoff and Byrne introduced:

H. F. No. 2062, A bill for an act relating to elections; eliminating broadcast exception from prohibition of defamatory statements about candidates; amending Minnesota Statutes 1978, Section 210A.04, Subdivisions 1 and 2.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Tomlinson, McEachern, Kvam, Novak and Jennings introduced:

H. F. No. 2063, A bill for an act relating to taxation; changing settlement dates for property taxes; amending Minnesota Statutes 1978, Sections 276.09; 276.10; and 276.11.

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

Piepho, Dempsey and Wigley introduced:

H. F. No. 2064, A bill for an act relating to county conciliation courts; clarifying that the court has jurisdiction of certain replevin actions; amending Minnesota Statutes 1978, Section 487.30, by adding a subdivision.

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

Piepho; Johnson, D.; Kvam; Brinkman and Kaley introduced:

H. F. No. 2065, A bill for an act relating to motor vehicle sales; increasing interest rates; amending Minnesota Statutes 1978, Section 168.72.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Anderson, G., introduced:

H. F. No. 2066, A bill for an act relating to motor vehicles; registration and taxation; exempting certain tax exempt vehicles from special markings; amending Minnesota Statutes 1978, Section 168.012, Subdivision 1.

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

Heinitz, Valan, Sviggum and Brinkman introduced:

H. F. No. 2067, A bill for an act relating to financial institutions; modifying director's residence requirements for industrial loan and thrift companies; providing for a report to the commissioner in the event of a change of control; requiring insurance or guarantee of certificates of indebtedness sold or issued for investment; exempting certificates of indebtedness from the regulation of securities; amending Minnesota Statutes 1978, Sections 53.06; 53.09, Subdivision 2; Chapter 53, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 80A.15, Subdivision 1.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Schreiber, Jacobs, Patton, Nelsen, B., and McCarron introduced:

H. F. No. 2068, A bill for an act relating to the state transportation system; authorizing the issuance and sale of Minnesota state transportation bonds; appropriating the proceeds for the payment of state and local shares of the cost of interstate highway segments and substitution projects; amending Minnesota Statutes 1978, Section 174.50, Subdivision 1.

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

Jacobs, Metzen, Ewald, Biersdorf and McEachern introduced:

H. F. No. 2069, A bill for an act relating to commerce; providing for ownership rights in dies and molds under certain conditions.

The bill was read for the first time and referred to the Committee on Commerce, Economic Development and Housing.

Laidig, Ewald, Novak, Pehler and Sieben, M., introduced:

H. F. No. 2070, A bill for an act relating to municipal industrial development; requiring consideration of certain policy matters; defining projects; amending Minnesota Statutes 1978, Section 474.02, Subdivision 1b; and Minnesota Statutes, 1979 Supplement, Section 474.01, Subdivision 7a.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Voss, Vanasek, Rose and Jacobs introduced:

H. F. No. 2071, A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on school premises; amending Minnesota Statutes 1978, Section 152.15, by adding a subdivision.

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

Clawson, Casserly, Patton, Berkelman and Kelly introduced:

H. F. No. 2072, A bill for an act relating to animals; prohibiting the transfer of certain animals for experimental purposes; amending Minnesota Statutes 1978, Section 35.71.

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

Nelsen, M., introduced:

H. F. No. 2073, A bill for an act relating to Aitkin county; authorizing combination on-sale and off-sale intoxicating liquor licenses.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

S. F. No. 1755.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1755, A bill for an act relating to towns; permitting compensation and providing for mileage of deputy clerks; amending Minnesota Statutes 1978, Section 367.05, Subdivision 2.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

CALENDAR

S. F. No. 410, A bill for an act relating to courts; board on judicial standards; providing for appointment of an executive secretary by the board; providing for appointment of board members by certain organizations; amending Minnesota Statutes 1978, Section 490.15, Subdivision 1.

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 125 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Ludeman

The bill was passed and its title agreed to.

H. F. No. 1307, A bill for an act relating to cable communications; regulating the franchising and operating of cable communications systems; amending Minnesota Statutes 1978, Sections 238.02, Subdivisions 3, 6 and 8; 238.05, Subdivision 17; 238.09, Subdivisions 6 and 7; 238.11, Subdivision 2; and 238.12, Subdivisions 1 and 2.

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 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Berglin

The bill was passed and its title agreed to.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Voss requested immediate consideration of S. F. No. 1670.

S. F. No. 1670 was reported to the House.

Osthoff and Pehler offered an amendment to S. F. No. 1670.

POINT OF ORDER

Searle raised a point of order pursuant to rule 3.9 that the Osthoff and Pehler amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Osthoff; Carlson, L.; Pehler and Adams moved to amend S. F. No. 1670, the unofficial engrossment, as follows:

Page 7, after line 14, insert:

"Sec. 3. Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 14, is amended to read:

Subd. 14. [RESIDENTIAL ENERGY CREDIT.] A credit of 20 percent of the first \$10,000 of renewable energy source expenditures, including the expenditures described in clauses (a), (b) and (d) if made by an individual taxpayer on a Minnesota building of six dwelling units or less and expenditures for biomass conversion equipment described in clause (c), *and a credit of 15 percent of the first \$2,000 of energy conservation expenditures made by a taxpayer and installed in or on a dwelling unit located in Minnesota*, may be deducted from the tax due under this chapter for the taxable year in which the expenditures were made. For purposes of this subdivision, the term "building" shall include a condominium or townhouse used by the taxpayer as a residence. In the case of qualifying expenditures incurred in connection with a building under construction by a contractor, the credit shall be deducted from the tax liability of the first individual to purchase the building for use as a principal residence or for residential rental purposes; the contractor shall not be eligible for the credit given pursuant to this subdivision for that expenditure.

A "renewable energy source expenditure" which qualifies shall include:

(a) Expenditures which qualify for the federal renewable energy credit, pursuant to Section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto;

(b) Expenditures for earth sheltered dwelling units. For purposes of this credit, an "earth sheltered dwelling unit" shall mean a structure which complies with applicable building standards and which is constructed so that:

(1) 80 percent or more of the (WALL) roof area is covered with a minimum depth of 12 inches of earth; and

(2) 50 percent or more of the wall area is covered with a minimum depth of 12 inches of earth; and

(3) Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation;

(c) Expenditures for biomass conversion equipment which produces ethanol, methane or methanol for use as a liquid fuel which is not offered for sale; and

(d) Expenditures for passive solar energy systems. For purposes of this credit, a "passive solar energy system" is defined to include systems which utilize elements of the building and its operable components to heat or cool a building (UNIT) with the sun's energy by means of conduction, convection, radiation, or evaporation. A passive system shall include:

(1) Collection aperture, including glazing installed in south facing walls and roofs; and

(2) Storage element, including thermal mass in the form of water, masonry, rock, concrete, or other mediums which is designed to store heat collected from solar radiation.

A passive system may include:

(1) Control and distribution element, including fans, louvers, and air ducts; and/or

(2) Retention element, including movable insulation used to minimize heat loss caused by nocturnal radiation through areas used for direct solar heat gain during daylight hours.

Eligible passive expenditures shall be for equipment, materials or devices that are an integral part of the components listed above and essential to the functioning of a passive design which qualifies pursuant to rules promulgated by the commissioner of revenue in cooperation with the director of the energy agency. Expenditures for equipment, materials, or devices which are a part of the normal heating, cooling, or insulation system of a building are not eligible for the credit.

An "energy conservation expenditure" is an expenditure which qualifies for the federal energy conservation credit pursuant to section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1979, and any regulations promulgated pursuant thereto.

If a credit for a renewable energy expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum renewable energy expendi-

ture for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$10,000 reduced by the amount of *renewable energy* expenditures which a credit was claimed pursuant to this subdivision in prior years. *If a credit for an energy conservation expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum energy conservation expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$2,000 reduced by the amount of energy conservation expenditures for which a credit was claimed pursuant to this subdivision in prior years.*

(THE) A credit provided in this subdivision shall not be allowed in a taxable year if the (AMOUNT) sum of the (CREDIT) credits provided in this subdivision would be less than \$10.

If (THE) a credit allowable under this subdivision exceeds the amount of tax due in a taxable year, the excess credit shall not be refunded but may be carried forward to the succeeding taxable year and added to the credit allowable for that year. No amount attributable to *renewable energy source expenditures* may be carried forward to a taxable year beginning after December 31, 1984. No amount attributable to *energy conservation expenditures* may be carried forward to a taxable year beginning after December 31, 1982. In the case of *energy conservation expenditures*, excess credit may be carried back to the taxpayer's two first taxable years beginning after December 31, 1977.

A shareholder in a family farm corporation and each partner in a partnership operating a family farm shall be eligible for the (CREDIT) credits provided by this subdivision in the same manner and to the same extent allowed a joint owner of property under (CLAUSE (A)) section 44C (d) of the Internal Revenue Code of 1954, as amended through December 31, 1979. "Family farm corporation" and "family farm" have the meanings given in section 500.24.

The (CREDIT) credits provided in this subdivision (IS) are subject to the provisions of Section 44C, (c) (7), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto.

The commissioner of revenue in cooperation with the director of the energy agency shall promulgate rules establishing additional qualifications and definitions for the credits provided in (CLAUSES (A) TO (D)) *this subdivision.*

(THIS SUBDIVISION) *The credit for renewable energy source expenditures* is effective for expenditures made during

taxable years beginning after December 31, 1978 and before January 1, 1983. *The credit for energy conservation expenditures is effective for expenditures made during taxable years beginning after December 31, 1979, and before January 1, 1983.*

In the case of married taxpayers, the maximum credit available for energy conservation expenditures shall apply to both spouses."

Renumber the remaining Sections accordingly.

Amend the title as follows:

Page 1, line 3, after the semi-colon, insert "providing a credit for energy conservation expenditures;"

Page 1, line 7, before the period, insert "; and 290.06, subdivision 14"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kempe	Munger	Simoneau
Anderson, I.	Ellingson	Knickerbocker	Murphy	Stadum
Battaglia	Ewald	Kostohryz	Norman	Stoa
Begich	Fjoslien	Kroening	Novak	Swanson
Berglin	Fritz	Lehto	Osthoff	Valan
Berkelman	Fudro	Levi	Patton	Welch
Blatz	Greenfield	Luknic	Pehler	Wenzel
Brinkman	Halberg	McCarron	Peterson, B.	Wieser
Byrne	Hokanson	McDonald	Peterson, D.	Wynia
Carlson, L.	Jacobs	McEachern	Piepho	Spkr. Norton
Clark	Jaros	Mehrkens	Reding	
Clawson	Jude	Metzen	Rice	
Crandall	Kalis	Minne	Rodriguez	
Dean	Kelly	Moe	Sarna	

Those who voted in the negative were:

Aasness	Drew	Johnson, C.	Onnen	Sieben, M.
Ainley	Eken	Johnson, D.	Otis	Stowell
Albrecht	Erickson	Kahn	Pleasant	Sviggum
Anderson, B.	Esau	Kaley	Redalen	Thiede
Anderson, D.	Evans	Kvam	Rees	Tomlinson
Anderson, G.	Faricy	Laidig	Reif	Valento
Anderson, R.	Forsythe	Ludeman	Rose	Vanasek
Biersdorf	Friedrich	Mann	Rothenberg	Voss
Carlson, D.	Haukoos	Nelsen, B.	Schreiber	Waldorf
Casserly	Heap	Nelson	Searle	Weaver
Corbid	Heinitz	Niehaus	Searles	Welker
Dempsey	Hoberg	Nysether	Sherwood	Wigley
Den Ouden	Jennings	Olsen	Sieben, H.	Zubay

The motion prevailed and the amendment was adopted.

Osthoff; Carlson, L.; Pehler and Adams moved to amend S. F. No. 1670, the unofficial engrossment, as follows:

Page 7, after line 14, insert:

"Sec. 4. Minnesota Statutes, 1979 Supplement, Section 290.01, Subdivision 20, is amended to read:

Subd. 20. [GROSS INCOME.] Except as otherwise provided in this chapter, the term "gross income," as applied to corporations includes every kind of compensation for labor or personal services of every kind from any private or public employment, office, position or services; income derived from the ownership or use of property; gains or profits derived from every kind of disposition of, or every kind of dealing in, property; income derived from the transaction of any trade or business; and income derived from any source; except that gross income shall not include "exempt function income" of a "home-owners association" as those terms are defined in Section 528 of the Internal Revenue Code of 1954, as amended.

For each of the taxable years beginning after December 31, 1960 and prior to January 1, 1971, the term "gross income" in its application to individuals, estates, and trusts, shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through December 31, 1970 for the applicable taxable year, with the modifications specified in this section.

For each of the taxable years beginning after December 31, 1970, the term "gross income" in its application to individuals, estates, and trusts shall mean the adjusted gross income as computed for federal income tax purposes as defined in the Internal Revenue Code of 1954, as amended through the date specified herein for the applicable taxable year, with the modifications specified in this section.

(i) The Internal Revenue Code of 1954, as amended through December 31, 1970, shall be in effect for taxable years beginning after December 31, 1970 and prior to January 1, 1973.

(ii) The Internal Revenue Code of 1954, as amended through December 31, 1972, shall be in effect for taxable years beginning after December 31, 1972.

(iii) The Internal Revenue Code of 1954, as amended through December 31, 1973, shall be in effect for taxable years beginning after December 31, 1973.

(iv) The Internal Revenue Code of 1954, as amended through December 31, 1974, shall be in effect for the taxable years beginning after December 31, 1974.

(v) The Internal Revenue Code of 1954, as amended through December 31, 1976, including the amendments made to section 280A (relating to licensed day care centers) in H.R. 3477 as it

passed the Congress on May 16, 1977, shall be in effect for the taxable years beginning after December 31, 1976. The provisions of the Tax Reform Act of 1976, P.L. 94-455, which affect adjusted gross income shall become effective for purposes of this chapter at the same time they become effective for federal income tax purposes. Section 207 (relating to extension of period for nonrecognition of gain on sale or exchange of residence) and section 402 (relating to time for making contributions to pension plans of self employed people) of P.L. 94-12 shall be effective for taxable years beginning after December 31, 1974.

The amendments made to sections 219(c) (3) and 220(c) (4) (extending the time for which a taxpayer is deemed to have made a contribution to an individual retirement account for the taxable year) by section 157(a) of P.L. 95-600 shall be effective for taxable years beginning after December 31, 1977.

References to the Internal Revenue Code of 1954 in clauses (a), (b) and (c) following shall mean the code in effect for the purpose of defining gross income for the applicable taxable year.

(a) Modifications increasing federal adjusted gross income. There shall be added to federal adjusted gross income:

(1) Interest income on obligations of any state other than Minnesota or a political subdivision of any such other state exempt from federal income taxes under the Internal Revenue Code of 1954;

(2) Interest income on obligations of any authority, commission, or instrumentality of the United States, which the laws of the United States exempt from federal income tax, but not from state income taxes;

(3) Income taxes imposed by this state or any other taxing jurisdiction, to the extent deductible in determining federal adjusted gross income and not credited against federal income tax;

(4) Interest on indebtedness incurred or continued to purchase or carry securities the income from which is exempt from tax under this chapter, to the extent deductible in determining federal adjusted gross income;

(5) Amounts received as reimbursement for an expense of sickness or injury which was deducted in a prior taxable year to the extent that the deduction for such reimbursed expenditure resulted in a tax benefit;

(6) The amount of any federal income tax overpayment for any previous taxable year, received as refund or credited to

another taxable year's income tax liability, proportionate to the percentage of federal income tax that was claimed as a deduction in determining Minnesota income tax for such previous taxable year.

The overpayment refund or credit, determined with respect to a husband and wife on a joint federal income tax return for a previous taxable year, shall be reported on joint or separate Minnesota income tax returns. In the case of separate Minnesota returns, the overpayment shall be reported by each spouse proportionately according to the relative amounts of federal income tax claimed as a deduction on his or her separate Minnesota income tax return for such previous taxable year;

(7) In the case of a change of residence from Minnesota to another state or nation, the amount of moving expenses which exceed total reimbursements and which were therefore deducted in arriving at federal adjusted gross income;

(8) In the case of property disposed of on or after January 1, 1973, the amount of any increase in the taxpayer's federal tax liability under section 47 of the Internal Revenue Code of 1954, as amended through December 31, 1976, to the extent of the credit under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1976, that was previously allowed as a deduction either under section 290.01, subdivision 20 (b) (7) or under section 290.09, subdivision 24;

(9) Expenses and losses arising from a farm which are not allowable under section 290.09, subdivision 29;

(10) Expenses and depreciation attributable to substandard buildings disallowed by section 290.101;

(11) The amount by which the gain determined pursuant to section 41.59, subdivision 2 exceeds the amount of such gain included in federal adjusted gross income;

(12) To the extent deducted in computing the taxpayer's federal adjusted gross income for the taxable year, losses realized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(13) Interest income from qualified scholarship funding bonds as defined in section 103(e) of the Internal Revenue Code of 1954, as amended through December 31, 1976, if the nonprofit corporation is domiciled outside of Minnesota; and

(14) Exempt-interest dividends, as defined in section 852 (b)(5)(A) of the Internal Revenue Code of 1954, as amended through December 31, 1976, not included in federal adjusted

gross income pursuant to section 852(b)(5)(B) of the Internal Revenue Code of 1954, as amended through December 31, 1976, except for that portion of such exempt-interest dividends derived from interest income on obligations of the state of Minnesota, any of its political or governmental subdivisions, any of its municipalities, or any of its governmental agencies or instrumentalities;

(15) The amount of any excluded gain realized by a trust on the sale or exchange of property as defined in section 641(c)(1).

(b) Modifications reducing federal adjusted gross income. There shall be subtracted from federal adjusted gross income:

(1) Interest income on obligations of any authority, commission or instrumentality of the United States to the extent includible in gross income for federal income tax purposes but exempt from state income tax under the laws of the United States;

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modifications shall be limited to 50 per centum of such portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Interest or dividend income on securities to the extent exempt from income tax under the laws of this state authorizing the issuance of such securities but includible in gross income for federal income tax purposes;

(4) Losses, not otherwise reducing federal adjusted gross income assignable to Minnesota, arising from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses;

(5) If included in federal adjusted gross income, the amount of any credit received, whether received as a refund or credit to another taxable year's income tax liability, pursuant to chapter 290A, and the amount of any overpayment of income tax to Minnesota, or any other state, for any previous taxable year, whether such amount is received as a refund or credited to another taxable year's income tax liability;

(6) To the extent included in federal adjusted gross income, notwithstanding any other law to the contrary, the amount re-

ceived by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954, as amended through December 31, 1977. The maximum amount of this subtraction shall be \$10,000 less the amount by which the individual's federal adjusted gross income exceeds \$17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$10,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) In the case of property acquired on or after January 1, 1973, the amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954, as amended through December 31, 1976, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(8) To the extent included in the taxpayer's federal adjusted gross income for the taxable year, gain realized upon a transfer of property to the spouse or former spouse of the taxpayer in exchange for the release of the spouse's marital rights;

(9) The amount of any distribution from a qualified pension or profit sharing plan included in federal adjusted gross income in the year of receipt to the extent of any contribution not previously allowed as a deduction by reason of a change in federal law which was not adopted by Minnesota law for a taxable year beginning in 1974 or later;

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property on a family farm security loan executed after December 31, 1977 and before January 1, 1982 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The amount of gain on the sale of the taxpayer's residence excluded from the federal gross income of the taxpayer pursuant to section 121 of the Internal Revenue Code of 1954, as amended through December 31, 1978 provided that a taxpayer who elects under that section shall not, for the purpose of this subdivision, also take an exclusion according to the provisions of section 121 of the Internal Revenue Code, as amended through December 31, 1976;

(12) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota; (AND)

(13) The amount of any income earned for personal services rendered prior to the date when the taxpayer became a resident of Minnesota; and

(14) *Effective for taxable years beginning December 31, 1979, the amount of any credit to the taxpayer's federal tax liability for qualified expenditures for energy conservation or renewable energy sources under section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1979.*

(c) Modifications affecting shareholders of electing small business corporations under section 1372 of the Internal Revenue Code of 1954, or section 290.972 of this chapter.

(1) Shareholders in a small business corporation, which has elected to be so taxed under the Internal Revenue Code of 1954, but has not made an election under section 290.972 of this chapter, shall deduct from federal adjusted gross income the amount of any imputed income from such corporation and shall add to federal adjusted gross income the amount of any loss claimed as a result of such stock ownership. Also there shall be added to federal adjusted gross income the amount of any distributions in cash or property made by said corporation to its shareholders during the taxable year.

(2) In cases where the small business corporation has made an election under section 1372 of the Internal Revenue Code of 1954, but has not elected under section 290.972 of this chapter and said corporation is liquidated or the individual shareholder disposes of his stock and there is no capital loss reflected in federal adjusted gross income because of the fact that corporate losses have exhausted the shareholders basis for federal purposes, such shareholders shall be entitled, nevertheless, to a capital loss commensurate to their Minnesota basis for the stock.

(3) In cases where the election under section 1372 of the Internal Revenue Code of 1954 antedates the election under section 290.972 of this chapter and at the close of the taxable year immediately preceding the effective election under section 290.972 the corporation has a reserve of undistributed taxable income previously taxed to shareholders under the provisions of the Internal Revenue Code of 1954, in the event and to the extent that such reserve is distributed to shareholders such distribution shall be taxed as a dividend for purposes of this act.

Items of gross income includible within these definitions shall be deemed such regardless of the form in which received. Items of gross income shall be included in gross income of the taxable year in which received by a taxpayer unless properly to be accounted for as of a different taxable year under methods of accounting permitted by section 290.07, except that (1) amounts transferred from a reserve or other account, if in effect transfers to surplus, shall, to the extent that such amounts were accumulated through deductions from gross income or entered into the computation of taxable net income during any taxable year, be treated as gross income for the year in which the transfer occurs, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act, and (2) amounts received as refunds on account of taxes deducted from gross income during any taxable year shall be treated as gross income for the year in which actually received, but only to the extent that such amounts resulted in a reduction of the tax imposed by this act.

(d) Modification in computing taxable income of the estate of a decedent. Amounts allowable under section 291.07, subdivision 1(2) in computing Minnesota inheritance tax liability shall not be allowed as a deduction in computing the taxable income of the estate unless there is filed within the time and in the manner and form prescribed by the commissioner a statement that the amounts have not been allowed as a deduction under section 291.07 and a waiver of the right to have such amounts allowed at any time as deductions under section 291.07. The provisions of this paragraph shall not apply with respect to deductions allowed under section 290.077 (relating to income in respect of decedents). In the event that the election made for federal tax purposes under section 642(g) of the Internal Revenue Code of 1954 differs from the election made under this paragraph appropriate modification of the estate's federal taxable income shall be made to implement the election made under this paragraph in accordance with regulations prescribed by the commissioner."

Renumber the remaining sections accordingly:

Page 9, line 32, after "]" insert "*Except as provided elsewhere in the bill.*"

Amend the title as follows:

Page 1, line 3, after the semi-colon, insert "providing a pass-through of federal energy credits;"

Page 1, line 7, before the period, insert "; 290.01, subdivision 20"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 46 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Adams	Ewald	Kelly	Munger	Simoneau
Anderson, I.	Forsythe	Knickerbocker	Murphy	Stadum
Battaglia	Fritz	Kostohryz	Nelsen, M.	Stoa
Begich	Fudro	Kroening	Novak	Swanson
Byrne	Greenfield	Levi	Osthoff	Wenzel
Carlson, L.	Hokanson	McCarron	Pehler	Wynia
Clark	Jacobs	McEachern	Peterson, D.	
Dean	Jaros	Metzen	Rice	
Elioff	Jude	Minne	Rodriguez	
Ellingson	Kalis	Moe	Sarna	

Those who voted in the negative were:

Aasness	Den Ouden	Kahn	Onnen	Sieben, M.
Ainley	Drew	Kaley	Otis	Stowell
Albrecht	Eken	Kempe	Patton	Sviggun
Anderson, B.	Erickson	Kvam	Peterson, B.	Thiede
Anderson, D.	Esau	Laidig	Piepho	Tomlinson
Anderson, G.	Evans	Lehto	Pleasant	Valan
Anderson, R.	Faricy	Ludeman	Redalen	Valento
Berglin	Fjoslien	Luknic	Reding	Vanasek
Berkelman	Friedrich	Mann	Rees	Voss
Biersdorf	Halberg	McDonald	Reif	Waldorf
Blatz	Haukoos	Mehrkens	Rose	Weaver
Carlson, D.	Heap	Nelsen, B.	Rothenberg	Welch
Casserly	Heinitz	Nelson	Schreiber	Welker
Clawson	Hoberg	Niehaus	Searle	Wieser
Corbid	Jennings	Norman	Searles	Wigley
Crandall	Johnson, C.	Nysether	Sherwood	Zubay
Dempsey	Johnson, D.	Olsen	Sieben, H.	Spkr. Norton

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

Osthoff moved to amend S. F. No. 1670, the unofficial engrossment, as amended, as follows:

Page 3, after line 10, insert: *"In determining total household income, a household with earned income may deduct 20 percent of all earned income in order to compensate for taxes, other mandatory deductions from salary, and work expenses."*

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 19 yeas and 109 nays as follows:

Those who voted in the affirmative were:

Adams	Carlson, L.	Fritz	Munger	Peterson, D.
Begich	Clark	Fudro	Nelsen, M.	Sarna
Berglin	Drew	Jaros	Osthoff	Simoneau
Byrne	Elioff	Kostohryz	Pehler	

Those who voted in the negative were:

Aasness	Erickson	Kalis	Novak	Stadum
Ainley	Esau	Kelly	Nysether	Stoa
Albrecht	Evans	Kempe	Olsen	Stowell
Anderson, B.	Ewald	Knickerbocker	Onnen	Sviggum
Anderson, D.	Faricy	Kroening	Otis	Swanson
Anderson, G.	Fjoslien	Kvam	Peterson, B.	Thiede
Anderson, I.	Forsythe	Laidig	Piepho	Tomlinson
Anderson, R.	Friedrich	Lehto	Pleasant	Valan
Battaglia	Greenfield	Levi	Redalen	Valento
Berkelman	Halberg	Ludeman	Reding	Vanasek
Biersdorf	Haukoos	Luknic	Rees	Voss
Blatz	Heap	Mann	Reif	Waldorf
Carlson, D.	Heinitz	McCarron	Rice	Weaver
Casserly	Hoberg	McDonald	Rodriguez	Welch
Clawson	Hokanson	McEachern	Rose	Welker
Corbid	Jacobs	Mehrken	Rothenberg	Wenzel
Crandall	Jennings	Minne	Schreiber	Wieser
Dean	Johnson, C.	Murphy	Searle	Wigley
Dempsey	Johnson, D.	Nelsen, B.	Searles	Wynia
Den Ouden	Jude	Nelson	Sherwood	Zubay
Eken	Kahn	Niehaus	Sieben, H.	Spkr. Norton
Ellingson	Kaley	Norman	Sieben, M.	

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

Osthoff moved to amend S. F. No. 1670, the unofficial engrossment, as amended, as follows:

Page 3, after line 20, insert a new subdivision:

"Subd. 8. [DISCRETIONARY GRANTS.] A local administrative agency may request a waiver from the commissioner of economic security to assist households in extraordinary need whose income, assets, or heating costs fall outside the limits set in subdivision 5 and who are not eligible for additional assistance under any federal program. Waiver requests shall include justification of a recommended grant amount."

Renumber the remaining subdivisions accordingly.

Page 7, after line 30, insert: "(b) Discretionary grants \$2,000,000"

Reletter the remaining clauses accordingly.

Page 7, line 32, after "(a)" insert "and (b)"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 30 yeas and 97 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kostohryz	Nelsen, M.	Sarna
Battaglia	Faricy	Kroening	Novak	Simoneau
Begich	Fjoslien	Metzen	Osthoff	Swanson
Berglin	Fritz	Moe	Peterson, D.	Tomlinson
Byrne	Fudro	Munger	Rice	Waldorf
Clark	Kalis	Murphy	Rodriguez	Wynia

Those who voted in the negative were:

Aasness	Eken	Kelly	Olsen	Stadum
Ainley	Erickson	Kempe	Onnen	Stoa
Albrecht	Esau	Knickerbocker	Otis	Stowell
Anderson, B.	Evans	Kvam	Patton	Sviggunn
Anderson, D.	Ewald	Laidig	Pehler	Thiede
Anderson, G.	Forsythe	Lehto	Peterson, B.	Valan
Anderson, R.	Friedrich	Levi	Piepho	Valento
Berkelman	Halberg	Ludeman	Pleasant	Vanasek
Biersdorf	Haukoos	Luknic	Redalen	Voss
Blatz	Heap	Mann	Reding	Weaver
Carlson, D.	Heinitz	McCarron	Rees	Welch
Carlson, L.	Hoberg	McDonald	Reif	Welker
Casserly	Hokanson	McEachern	Rose	Wenzel
Clawson	Jacobs	Mehrkens	Rothenberg	Wieser
Corbid	Jennings	Minne	Schreiber	Wigley
Crandall	Johnson, C.	Nelsen, B.	Searle	Zubay
Dean	Johnson, D.	Nelson	Searles	Spkr. Norton
Dempsey	Jude	Niehaus	Sherwood	
Den Ouden	Kahn	Norman	Sieben, H.	
Drew	Kaley	Nysether	Sieben, M.	

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

Schreiber moved to amend S. F. No. 1670, the unofficial engrossment, as amended, as follows:

Page 2, line 26, after "guidelines" insert "and as adjusted for extraordinary medical expenses. A household in which medical expenses not reimbursed by insurance or other sources exceed ten percent of the household income may reduce calculated household income by one dollar for each dollar medical expenses exceed ten percent of household income"

Page 5, delete lines 11 to 24

Page 7, line 16, delete "\$20,000,000" and insert "\$21,000,000"

Page 7, line 20, delete "\$8,000,000" and insert "\$9,000,000"

Page 9, delete lines 28 to 31

Tomlinson requested a division of the amendment.

The second portion of the amendment reads as follows:

Page 5, delete lines 11 to 24

Page 7, line 16, delete "\$20,000,000" and insert "\$21,000,000"

Page 7, line 20, delete "\$8,000,000" and insert "\$9,000,000"

Page 9, delete lines 28 to 31

A roll call on the second portion of the amendment was requested and properly seconded.

The question was taken on the second portion of the Schreiber amendment and the roll was called. There were 5 yeas and 119 nays as follows:

Those who voted in the affirmative were:

Corbid	Fritz	Schreiber	Sherwood	Svigum
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Those who voted in the negative were:

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

The motion did not prevail and the second portion of the amendment was not adopted.

The first portion of the Schreiber amendment reads as follows:

Page 2, line 26, after "guidelines" insert "*and as adjusted for extraordinary medical expenses. A household in which medical expenses not reimbursed by insurance or other sources exceed ten percent of the household income may reduce calculated*

household income by one dollar for each dollar medical expenses exceed ten percent of household income"

Schreiber temporarily withdrew the first portion of his amendment.

MOTION FOR RECONSIDERATION

McDonald moved that the vote whereby the first Osthoff; Carlson, L.; Pehler and Adams amendment was adopted to S. F. No. 1670, the unofficial engrossment, be now reconsidered.

A roll call was requested and properly seconded.

The question was taken on the motion for reconsideration and the roll was called. There were 77 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Aasness	Erickson	Kaley	Peterson, B.	Sviggum
Ainley	Esau	Knickerbocker	Piepho	Thiede
Albrecht	Evans	Kvam	Pleasant	Tomlinson
Anderson, B.	Faricy	Laidig	Redalen	Valan
Anderson, D.	Forsythe	Levi	Rees	Valento
Anderson, G.	Friedrich	Ludeman	Reif	Vanasek
Anderson, R.	Fritz	McDonald	Rose	Voss
Biersdorf	Halberg	Mehrkens	Rothenberg	Waldorf
Carlson, D.	Haukoos	Nelsen, B.	Schreiber	Weaver
Casserly	Heap	Nelson	Searle	Welker
Corbid	Heinitz	Niehaus	Searles	Wieser
Crandall	Hoberg	Norman	Sherwood	Wigley
Dempsey	Jennings	Nysether	Sieben, H.	Zubay
Den Ouden	Johnson, C.	Olsen	Sieben, M.	
Drew	Johnson, D.	Onnen	Stadum	
Eken	Kahn	Otis	Stowell	

Those who voted in the negative were:

Adams	Clawson	Kalis	Minne	Reding
Anderson, I.	Dean	Kelly	Moe	Rice
Battaglia	Elioff	Kempe	Munger	Rodriguez
Begich	Ellingson	Kostohryz	Murphy	Sarna
Berglin	Ewald	Kroening	Nelsen, M.	Simoneau
Berkelman	Fjoslien	Lehto	Novak	Stoa
Blatz	Fudro	Luknic	Osthoff	Swanson
Brinkman	Greenfield	Mann	Patton	Welch
Byrne	Hokanson	McCarron	Pehler	Wenzel
Carlson, L.	Jacobs	McEachern	Peterson, D.	Wynia
Clark	Jude	Metzen	Prahl	Sprk. Norton

The motion prevailed.

The following Osthoff; Carlson, L.; Pehler and Adams amendment was again reported to the House.

Page 7, after line 14, insert:

"Sec. 3. Minnesota Statutes, 1979 Supplement, Section 290.06, Subdivision 14, is amended to read:

Subd. 14. [RESIDENTIAL ENERGY CREDIT.] A credit of 20 percent of the first \$10,000 of renewable energy source expenditures, including the expenditures described in clauses (a), (b) and (d) if made by an individual taxpayer on a Minnesota building of six dwelling units or less and expenditures for biomass conversion equipment described in clause (c), and a credit of 15 percent of the first \$2,000 of energy conservation expenditures made by a taxpayer and installed in or on a dwelling unit located in Minnesota, may be deducted from the tax due under this chapter for the taxable year in which the expenditures were made. For purposes of this subdivision, the term "building" shall include a condominium or townhouse used by the taxpayer as a residence. In the case of qualifying expenditures incurred in connection with a building under construction by a contractor, the credit shall be deducted from the tax liability of the first individual to purchase the building for use as a principal residence or for residential rental purposes; the contractor shall not be eligible for the credit given pursuant to this subdivision for that expenditure.

A "renewable energy source expenditure" which qualifies shall include:

(a) Expenditures which qualify for the federal renewable energy credit, pursuant to Section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto;

(b) Expenditures for earth sheltered dwelling units. For purposes of this credit, an "earth sheltered dwelling unit" shall mean a structure which complies with applicable building standards and which is constructed so that:

(1) 80 percent or more of the (WALL) roof area is covered with a minimum depth of 12 inches of earth; and

(2) 50 percent or more of the wall area is covered with a minimum depth of 12 inches of earth; and

(3) Those portions of the structure not insulated with a minimum of seven feet of earth shall have additional insulation;

(c) Expenditures for biomass conversion equipment which produces ethanol, methane or methanol for use as a liquid fuel which is not offered for sale; and

(d) Expenditures for passive solar energy systems. For purposes of this credit, a "passive solar energy system" is defined to include systems which utilize elements of the building and its

operable components to heat or cool a building (UNIT) with the sun's energy by means of conduction, convection, radiation, or evaporation. A passive system shall include:

(1) Collection aperture, including glazing installed in south facing walls and roofs; and

(2) Storage element, including thermal mass in the form of water, masonry, rock, concrete, or other mediums which is designed to store heat collected from solar radiation.

A passive system may include:

(1) Control and distribution element, including fans, louvers, and air ducts; and/or

(2) Retention element, including movable insulation used to minimize heat loss caused by nocturnal radiation through areas used for direct solar heat gain during daylight hours.

Eligible passive expenditures shall be for equipment, materials or devices that are an integral part of the components listed above and essential to the functioning of a passive design which qualifies pursuant to rules promulgated by the commissioner of revenue in cooperation with the director of the energy agency. Expenditures for equipment, materials, or devices which are a part of the normal heating, cooling, or insulation system of a building are not eligible for the credit.

An "energy conservation expenditure" is an expenditure which qualifies for the federal energy conservation credit pursuant to section 44C of the Internal Revenue Code of 1954, as amended through December 31, 1979, and any regulations promulgated pursuant thereto.

If a credit for a renewable energy expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum renewable energy expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$10,000 reduced by the amount of renewable energy expenditures which a credit was claimed pursuant to this subdivision in prior years. If a credit for an energy conservation expenditure was allowed to a taxpayer under this subdivision for any prior taxable year, the dollar amount of the maximum energy conservation expenditure for which a taxpayer may qualify for a credit under this subdivision in subsequent years shall be \$2,000 reduced by the amount of energy conservation expenditures for which a credit was claimed pursuant to this subdivision in prior years.

(THE) A credit provided in this subdivision shall not be allowed in a taxable year if the (AMOUNT) *sum* of the (CREDIT) *credits provided in this subdivision* would be less than \$10.

If (THE) a credit allowable under this subdivision exceeds the amount of tax due in a taxable year, the excess credit shall not be refunded but may be carried forward to the succeeding taxable year and added to the credit allowable for that year. No amount *attributable to renewable energy source expenditures* may be carried forward to a taxable year beginning after December 31, 1984. No amount *attributable to energy conservation expenditures* may be carried forward to a taxable year beginning after December 31, 1982. In the case of *energy conservation expenditures*, excess credit may be carried back to the taxpayer's two first taxable years beginning after December 31, 1977.

A shareholder in a family farm corporation and each partner in a partnership operating a family farm shall be eligible for the (CREDIT) *credits* provided by this subdivision in the same manner and to the same extent allowed a joint owner of property under (CLAUSE (A)) *section 44C (d) of the Internal Revenue Code of 1954, as amended through December 31, 1979*. "Family farm corporation" and "family farm" have the meanings given in section 500.24.

The (CREDIT) *credits* provided in this subdivision (IS) are subject to the provisions of Section 44C, (c) (7), (d) (1) to (3), and (e), of the Internal Revenue Code of 1954, as amended through December 31, 1978, and any regulations promulgated pursuant thereto.

The commissioner of revenue in cooperation with the director of the energy agency shall promulgate rules establishing additional qualifications and definitions for the credits provided in (CLAUSES (A) TO (D)) *this subdivision*.

(THIS SUBDIVISION) *The credit for renewable energy source expenditures* is effective for expenditures made during taxable years beginning after December 31, 1978 and before January 1, 1983. *The credit for energy conservation expenditures* is effective for expenditures made during taxable years beginning after December 31, 1979, and before January 1, 1983.

In the case of married taxpayers, the maximum credit available for energy conservation expenditures shall apply to both spouses."

Renumber the remaining Sections accordingly.

Amend the title as follows:

Page 1, line 3, after the semi-colon, insert "providing a credit for energy conservation expenditures;"

Page 1, line 7, before the period, insert "; and 290.06, subdivision 14"

A roll call was requested and properly seconded.

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

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.

McDonald moved to amend the Osthoff; Carlson, L.; Pehler and Adams amendment to S. F. No. 1670, the unofficial engrossment, as follows:

Page 1, line 9, after "credit of" delete "15 percent" and insert "30 percent"

Page 1, line 9, after "first" delete "\$2,000" and insert "\$4,000"

Page 3, line 25, after "shall be" and before "reduced" delete "\$2,000" and insert "\$4,000"

A roll call was requested and properly seconded

The question was taken on the adoption of the McDonald amendment to the Osthoff; Carlson, L.; Pehler and Adams amendment and the roll was called. There were 4 yeas and 119 nays as follows:

Those who voted in the affirmative were:

Anderson, R. Fritz McDonald Searles

Those who voted in the negative were:

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

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

The question recurred on the adoption of the Osthoff; Carlson, L.; Pehler and Adams amendment and the roll was called. There were 70 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Adams	Clawson	Jacobs	Mann	Olsen
Anderson, I.	Crandall	Jaros	McCarron	Osthoff
Anderson, R.	Dean	Jude	McEachern	Patton
Battaglia	Elioff	Kalis	Mehrkens	Pehler
Begich	Ellingson	Kelly	Metzen	Peterson, B.
Berglin	Ewald	Kempe	Minne	Peterson, D.
Berkelman	Fjoslien	Knickerbocker	Moe	Prahl
Blatz	Fritz	Kostohryz	Munger	Reding
Brinkman	Fudro	Kroening	Murphy	Rice
Byrne	Greenfield	Lehto	Nelsen, M.	Rodriguez
Carlson, L.	Halberg	Levi	Norman	Rothenberg
Clark	Hokanson	Luknic	Novak	Sarna

Simoneau
StadumStoa
SwansonValan
WelchWenzel
WieserWynia
Spkr. Norton

Those who voted in the negative were:

Aasness	Eken	Johnson, D.	Piepho	Sviggum
Ainley	Erickson	Kahn	Pleasant	Thiede
Albrecht	Esau	Kaley	Redalen	Tomlinson
Anderson, B.	Evans	Kvam	Rees	Valento
Anderson, D.	Faricy	Laidig	Reif	Vanasek
Anderson, G.	Forsythe	Ludeman	Rose	Voss
Biersdorf	Friedrich	McDonald	Schreiber	Waldorf
Carlson, D.	Haukoos	Nelsen, B.	Searle	Weaver
Cassarly	Heap	Nelson	Searles	Welker
Corbid	Heinitz	Niehaus	Sherwood	Wigley
Dempsey	Hoberg	Nysether	Sieben, H.	Zubay
Den Ouden	Jennings	Onnen	Sieben, M.	
Drew	Johnson, C.	Otis	Stowell	

The motion prevailed and the amendment was adopted.

Hokanson moved to amend S. F. No. 1670, the unofficial engrossment, as follows:

Page 8, delete lines 25 to 29, and insert "*Subd. 4. The Minnesota energy agency*"

A roll call was requested and properly seconded.

The question was taken on the adoption of the Hokanson amendment and the roll was called. There were 105 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kaley	Nelsen, M.	Searles
Adams	Ellingson	Kalis	Niehaus	Sherwood
Anderson, B.	Erickson	Kempe	Norman	Sieben, H.
Anderson, G.	Esau	Knickerbocker	Novak	Sieben, M.
Anderson, I.	Evans	Kostohryz	Olsen	Simoneau
Anderson, R.	Faricy	Kroening	Osthoft	Stadum
Battaglia	Fjoslien	Kvam	Pehler	Stoa
Begich	Forsythe	Lehto	Peterson, B.	Sviggum
Berglin	Friedrich	Levi	Peterson, D.	Swanson
Biersdorf	Fudro	Ludeman	Piepho	Thiede
Blatz	Halberg	Luknic	Pleasant	Valan
Brinkman	Haukoos	Mann	Prahl	Valento
Carlson, D.	Heap	McDonald	Redalen	Vanasek
Carlson, L.	Heinitz	McEachern	Reding	Waldorf
Clark	Hoberg	Mehrrens	Reif	Weaver
Clawson	Hokanson	Metzen	Rice	Welch
Crandall	Jacobs	Minne	Rodriguez	Welker
Dean	Jennings	Moe	Rose	Wenzel
Dempsey	Johnson, C.	Munger	Rothenberg	Wieser
Den Ouden	Johnson, D.	Murphy	Sarna	Wynia
Drew	Jude	Nelsen, B.	Schreiber	Zubay

Those who voted in the negative were:

Ainley	Eken	Laidig	Otis	Tomlinson
Albrecht	Fritz	McCarron	Patton	Voss
Anderson, D.	Greenfield	Nelson	Rees	Wigley
Casserly	Kahn	Nysether	Searle	Spkr. Norton
Corbid	Kelly	Onnen	Stowell	

The motion prevailed and the amendment was adopted.

Schreiber moved to amend S. F. No. 1670, the unofficial engrossment, as follows:

Page 2, line 26, after "guidelines" insert "and as adjusted for extraordinary medical expenses. A household in which medical expenses not reimbursed by insurance or other sources exceed ten percent of the household income may reduce calculated household income by one dollar for each dollar medical expenses exceed ten percent of household income"

A roll call was requested and properly seconded.

The question was taken on the adoption of the Schreiber amendment and the roll was called. There were 87 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Adams	Elioff	Kalis	Murphy	Rose
Anderson, B.	Ellingson	Kelly	Nelsen, M.	Rothenberg
Anderson, G.	Erickson	Kempe	Niehaus	Sarna
Anderson, I.	Esau	Knickerbocker	Norman	Schreiber
Anderson, R.	Ewald	Kostohryz	Novak	Simoneau
Battaglia	Faricy	Kroening	Olsen	Stadum
Begich	Fjoslien	Kvam	Osthoff	Swanson
Berglin	Forsythe	Laidig	Otis	Tomlinson
Berkelman	Fritz	Lehto	Patton	Valan
Biersdorf	Fudro	Levi	Peterson, B.	Valento
Blatz	Greenfield	Luknic	Peterson, D.	Waldorf
Brinkman	Heinitz	Mann	Pleasant	Wenzel
Byrne	Hoberg	McDonald	Prahl	Wieser
Carlson, L.	Hokanson	Mehrkens	Reding	Wynia
Casserly	Jacobs	Metzen	Rees	Spkr. Norton
Clark	Jaros	Minne	Reif	
Clawson	Johnson, D.	Moe	Rice	
Dean	Jude	Munger	Rodriguez	

Those who voted in the negative were:

Aasness	Eken	Ludeman	Searle	Voss
Ainley	Evans	McCarron	Searles	Weaver
Albrecht	Friedrich	McEachern	Sherwood	Welch
Anderson, D.	Halberg	Nelsen, B.	Sieben, H.	Welker
Carlson, D.	Haukoos	Nelson	Sieben, M.	Wigley
Corbid	Heap	Nysether	Stoa	Zubay
Crandall	Jennings	Onnen	Stowell	
Dempsey	Johnson, C.	Pehler	Sviggum	
Den Ouden	Kahn	Piepho	Thiede	
Drew	Kaley	Redalen	Vanasek	

The motion prevailed and the amendment was adopted.

S. F. No. 1670, A bill for an act relating to energy; creating a state emergency residential heating grant program; broadening the scope of state weatherization programs; providing a credit for energy conservation expenditures; providing a pass-through of federal energy credits; reimbursing counties; appropriating money; amending Minnesota Statutes 1978, Section 462A.21, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 268.37; 290.01, Subdivision 20; and 290.06, Subdivision 14.

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 109 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Aasness	Drew	Kahn	Nelsen, M.	Sherwood
Adams	Eken	Kalis	Nelson	Sieben, H.
Ainley	Elioff	Kelly	Norman	Sieben, M.
Anderson, B.	Ellingson	Kempe	Novak	Simoneau
Anderson, D.	Esau	Knickerbocker	Nysether	Stadum
Anderson, I.	Evans	Kostohryz	Olsen	Stoa
Anderson, R.	Ewald	Kroening	Osthoff	Stowell
Battaglia	Faricy	Kvam	Otis	Sviggun
Begich	Fjoslien	Laidig	Patton	Swanson
Berglin	Fritz	Lehto	Pehler	Tomlinson
Berkelman	Fudro	Levi	Peterson, D.	Valan
Biersdorf	Greenfield	Luknic	Prahl	Valento
Blatz	Halberg	Mann	Redalen	Vanasek
Brinkman	Heap	McCarron	Reding	Voss
Byrne	Heinitz	McEachern	Reif	Waldorf
Carlson, D.	Hoberg	Mehrkens	Rice	Weaver
Carlson, L.	Hokanson	Metzen	Rodriguez	Welch
Casserly	Jacobs	Minne	Rose	Wenzel
Clark	Jaros	Moe	Rothenberg	Wieser
Clawson	Johnson, C.	Munger	Sarna	Wynia
Corbid	Johnson, D.	Murphy	Schreiber	Spkr. Norton
Dean	Jude	Nelsen, B.	Searles	

Those who voted in the negative were:

Albrecht	Erickson	Kaley	Peterson, B.	Thiede
Anderson, G.	Forsythe	Ludeman	Piepho	Welker
Crandall	Friedrich	McDonald	Pleasant	Wigley
Dempsey	Haukoos	Niehaus	Rees	Zubay
Den Ouden	Jennings	Onnen	Searle	

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

MOTION FOR RECONSIDERATION

Patton moved that the vote whereby H. F. No. 649 was not passed on the Calendar for Thursday, February 14, 1980 be now reconsidered. The motion prevailed.

H. F. No. 649 was reported to the House.

Kahn moved that H. F. No. 649 be returned to General Orders. The motion prevailed.

Carlson, D., and Simoneau were excused at 4:30 p.m. Blatz and Searles were excused at 4:40 p.m.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Norton in the Chair, for the consideration of bills pending on General Orders of the Day. After some time spent therein the Committee arose.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee as kept by the Chief Clerk were reported to the House:

H. F. No. 1272 which it recommended to pass.

H. F. No. 547 which it recommended progress until Thursday, February 21, 1980 retaining its place on General Orders.

S. F. Nos. 1166 and 54 which it recommended progress.

S. F. No. 768 which it recommended progress with the following amendments:

Offered by Anderson, G.:

Page 3, line 22, delete the language after "*disapproval.*"

Page 3, delete lines 23 through 33

Delete all of page 4

Offered by Kvam:

Page 3, line 4, after "*county*" insert "*and the town officers in each township*"

Page 3, line 5, after "*board*" insert "*and the township officers*"

Page 3, line 8, after "*board*" insert "*and the township officers*".

On the motion of Sieben, H., the report of the Committee of the Whole was adopted.

ROLL CALLS IN COMMITTEE OF THE WHOLE

Pursuant to rule 1.6, the following roll calls were taken in the Committee of the Whole:

Anderson, G., moved to amend S. F. No. 768 as follows:

Page 3, line 22, delete the language after "*disapproval.*"

Page 3, delete lines 23 through 33

Delete all of page 4

The question was taken on the amendment and the roll was called. There were 80 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Jennings	Minne	Stadum
Adams	Den Ouden	Johnson, C.	Murphy	Stowell
Ainley	Drew	Johnson, D.	Nelsen, B.	Sviggum
Albrecht	Eken	Kaley	Niehaus	Swanson
Anderson, B.	Elioff	Kalis	Nysether	Thiede
Anderson, D.	Erickson	Kostohryz	Onnen	Valan
Anderson, G.	Esau	Kvam	Patton	Valento
Anderson, I.	Evans	Levi	Pehler	Voss
Anderson, R.	Fjoslien	Ludeman	Peterson, D.	Weaver
Battaglia	Friedrich	Luknic	Piepho	Welch
Begich	Fritz	Mann	Redalen	Welker
Berkelman	Fudro	McCarron	Rees	Wenzel
Biersdorf	Haukoos	McDonald	Reif	Wieser
Brinkman	Hoberg	McEachern	Rodriguez	Wigley
Byrne	Hokanson	Mehrkens	Searle	Zubay
Corbid	Jacobs	Metzen	Sherwood	Spkr. Norton

Those who voted in the negative were:

Berglin	Forsythe	Kelly	Novak	Sieben, H.
Carlson, L.	Greenfield	Kempe	Olsen	Sieben, M.
Casserly	Halberg	Kroening	Osthoff	Stoa
Clawson	Heap	Laidig	Otis	Tomlinson
Dean	Heinitz	Lehto	Peterson, B.	Vanasek
Ellingson	Jaros	Munger	Pleasant	Waldorf
Ewald	Jude	Nelson	Rose	Wynia
Faricy	Kahn	Norman	Rothenberg	

The motion prevailed and the amendment was adopted.

Kvam moved to amend S. F. No. 768, as follows:

Page 3, line 4, after "*county*" insert "*and the town officers in each township*"

Page 3, line 5, after "*board*" insert "*and the township officers*"

Page 3, line 8, after "*board*" insert "*and the township officers*"

The question was taken on the amendment and the roll was called. There were 77 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Aasness	Den Ouden	Johnson, D.	Niehaus	Sviggum
Adams	Drew	Jude	Nysether	Swanson
Ainley	Eken	Kaley	Onnen	Thiede
Albrecht	Elioff	Kalis	Patton	Valan
Anderson, B.	Erickson	Kvam	Pehler	Valento
Anderson, D.	Esau	Lehto	Piepho	Voss
Anderson, G.	Evans	Ludeman	Pleasant	Weaver
Anderson, I.	Fjoslien	Luknic	Prahl	Welch
Anderson, R.	Friedrich	Mann	Redalen	Welker
Battaglia	Fritz	McDonald	Reding	Wenzel
Begich	Fudro	McEachern	Rees	Wieser
Berkelman	Haukoos	Mehrkens	Rodriguez	Wigley
Biersdorf	Hoberg	Metzen	Rose	Zubay
Brinkman	Hokanson	Minne	Searle	
Corbid	Jennings	Murphy	Stadum	
Dempsey	Johnson, C.	Nelsen, B.	Stowell	

Those who voted in the negative were:

Berglin	Faricy	Kostohryz	Osthoff	Stoa
Byrne	Greenfield	Kroening	Otis	Tomlinson
Carlson, L.	Halberg	Laldig	Peterson, B.	Vanasek
Cassery	Heap	Levi	Peterson, D.	Waldorf
Clark	Heinitz	McCarron	Rice	Wynia
Clawson	Jacobs	Munger	Rothenberg	Spkr. Norton
Crandall	Jaros	Nelson	Schreiber	
Dean	Kahn	Norman	Sherwood	
Ellingson	Kelly	Novak	Sieben, H.	
Ewald	Kempe	Olsen	Sieben, M.	

The motion prevailed and the amendment was adopted.

MOTIONS AND RESOLUTIONS

Berglin moved that the name of Swanson be added as an author on H. F. No. 1953. The motion prevailed.

Voss moved that the name of Simoneau be shown as chief author and Voss be shown as second author on H. F. No. 1486. The motion prevailed.

Voss moved that the name of Voss be stricken and the name of Ellingson be added as chief author on H. F. No. 841. The motion prevailed.

Voss moved that the name of Voss be stricken and the name of Ellingson be added as chief author on H. F. No. 1318. The motion prevailed.

Faricy moved that H. F. No. 1727, now on General Orders, be re-referred to the Committee on Judiciary. The motion prevailed.

Peterson, B., moved that the name of Pavlak be stricken and the name of Dempsey be added as an author on H. F. No. 1020. The motion prevailed.

Nelsen, M., moved that the name of McEachern be stricken and the names of Anderson, I., and Voss be added as authors on H. F. No. 2019. The motion prevailed.

Reding moved that the name of Minne be added as an author on H. F. No. 1985. The motion prevailed.

Anderson, G., moved that the names of Voss and Welker be added as authors on H. F. No. 109. The motion prevailed.

Blatz moved that the names of Vanasek and Ellingson be added as authors on H. F. No. 2029. The motion prevailed.

Voss moved that the name of Valento be added as an author on H. F. No. 2071. The motion prevailed.

Rees moved that the name of Pavlak be stricken as an author on H. F. No. 1362. The motion prevailed.

Wynia moved that H. F. No. 1895 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Judiciary. The motion prevailed.

Haukoos moved that the name of Kaley be added as an author on H. F. No. 2056. The motion prevailed.

Olsen moved that the name of Heap be added as an author on H. F. No. 1415. The motion prevailed.

Moe moved that H. F. No. 1780, H. F. No. 1788, H. F. No. 1912, H. F. No. 1928 and H. F. No. 1946 be recalled from the Committee on Governmental Operations and be re-referred to the Committee on Labor-Management Relations. The motion prevailed.

Rice moved that H. F. No. 1717 be recalled from the Committee on Financial Institutions and Insurance and be re-referred to the Committee on Labor-Management Relations. The motion prevailed.

Welker moved that H. F. No. 1294 be returned to its author. The motion prevailed.

Nelson moved that the House and the Senate meet in joint convention in the House chambers at 3:00 p.m. on Thursday, February 21, 1980 for the purpose of hearing an address by

the Honorable Charles W. Duncan, Jr., U.S. Secretary of Energy, and that the Chief Clerk be instructed to invite the Senate by message. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the following changes in committee assignments:

Semi-State Division/Appropriations: Remove the name of Sieben, M., and add the names of Anderson, D., Corbid, Kahn, Kalis and Valan.

Agriculture: Remove the name of Berkelman and add the name of Jude.

ADJOURNMENT

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, February 19, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives