

STATE OF MINNESOTA

SEVENTY-FIRST SESSION - 1980

NINETY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, APRIL 1, 1980

The House of Representatives convened at 10:30 a.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	Kaley	Niehaus	Sherwood
Adams	Eken	Kalis	Norman	Sieben, H.
Ainley	Eliooff	Kelly	Novak	Sieben, M.
Albrecht	Ellingson	Kempe	Nysether	Simoneau
Anderson, B.	Erickson	Knickerbocker	Olsen	Stadium
Anderson, D.	Esau	Kostohryz	Onnen	Stoa
Anderson, G.	Evans	Kroening	Osthoff	Stowell
Anderson, I.	Ewald	Kvam	Otis	Sviggum
Anderson, R.	Faricy	Laidig	Patton	Swanson
Battaglia	Fjoslien	Lehto	Pehler	Thiede
Begin	Forsythe	Levi	Peterson, B.	Tomlinson
Berglin	Friedrich	Long	Peterson, D.	Valan
Berkelman	Fritz	Ludeman	Piepho	Valento
Biersdorf	Greenfield	Luknic	Pleasant	Vanasek
Blatz	Halberg	Mann	Prahl	Voss
Brinkman	Haukoos	McCarron	Redalen	Waldorf
Byrne	Heap	McDonald	Reding	Weaver
Carlson, D.	Heinitz	McEachern	Rees	Welch
Carlson, L.	Hoberg	Mehrkens	Reif	Welker
Casserly	Hokanson	Metzen	Rice	Wenzel
Clark	Jacobs	Minne	Rodriguez	Wieser
Clawson	Jaros	Moe	Rose	Wigley
Corbid	Jennings	Munger	Rothenberg	Wynia
Crandall	Johnson, C.	Murphy	Sarna	Zubay
Dean	Johnson, D.	Nelsen, B.	Schreiber	Spkr. Norton
Dempsey	Jude	Nelsen, M.	Searle	
Den Ouden	Kahn	Nelson	Searies	

A quorum was present.

Fudro was excused until 2:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Kempe 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. 1619 and S. F. Nos. 1340, 1724, 1752, 2283, 514, 1582, 2182, 2337, 1906, 2100 and 657 have been placed in the members' files.

S. F. No. 1752 and H. F. No. 1755, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Kelly moved that S. F. No. 1752 be substituted for H. F. No. 1755 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1340 and H. F. No. 1373, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Brinkman moved that the rules be so far suspended that S. F. No. 1340 be substituted for H. F. No. 1373 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1906 and H. F. No. 1905, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Pleasant moved that the rules be so far suspended that S. F. No. 1906 be substituted for H. F. No. 1905 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2100 and H. F. No. 2088, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Greenfield moved that the rules be so far suspended that S. F. No. 2100 be substituted for H. F. No. 2088 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

March 31, 1980

The Honorable Fred C. Norton
Speaker of the House
State of Minnesota

Dear Speaker Norton:

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 Files:

H. F. No. 942, relating to pollution control; authorizing state use of up to two percent of federal construction grant funds to administer the federal water pollution control act;

H. F. No. 2287, relating to the city of Edina, authorizing a temporary short term on-sale liquor license for a certain civic or charitable festival;

H. F. No. 1695, relating to highways; providing that a resolution of a county board revoking a county highway that would revert to a town is not effective until the highway meets county road standards;

H. F. No. 1985, relating to municipal electric power; permitting municipal power agencies to contract and do business with foreign entities;

H. F. No. 924, relating to commerce; regulating conduct of business under assumed business names;

H. F. No. 1601, relating to political parties; allowing members of political party committees and delegates to party conventions to take certain leave time from employment;

H. F. No. 593, relating to wild animals; clarifying conditions under which raccoons can be taken at night;

H. F. No. 1349, relating to natural resources; authorizing the commissioner of natural resources to convey the interests of the state in certain lands in Kandiyohi county for the purpose of correcting conveyancing errors;

H. F. No. 2222, relating to insurance; authorizing business trusts to exchange reciprocal or interinsurance contracts;

H. F. No. 2135, relating to public welfare; providing that certain relatives of children receiving aid to families with dependent children are not responsible for contributions;

H. F. No. 2051, relating to elections; requiring certain employers to attempt to let employees make up time taken off for certain public meetings;

H. F. No. 1427, relating to banks; raising the amount of an employee loan possible without prior board approval;

H. F. No. 1778, relating to Independent School District No. 466; permitting the sale of certain land;

H. F. No. 1623, relating to insurance; providing for the operation of the Minnesota life and health insurance guaranty association; correcting certain oversights and ambiguities; making certain improvements;

H. F. No. 711, relating to highway traffic regulations; authorizing physician's trained mobile intensive care paramedics to withdraw blood for the purposes of determining the presence of alcohol or controlled substances under the applied consent law;

H. F. No. 2119, relating to the military; extending indefinitely the duration of the authority of the adjutant general to acquire lands for military training from funds available in the military land fund; repealing certain obsolete provisions relating to the military land fund;

H. F. No. 1846, relating to highway traffic regulations; authorizing certain identification rights on motor vehicles operated by certificated volunteer ambulance drivers.

Sincerely,

ALBERT H. QUIE
Governor

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

March 28, 1980

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

The Honorable Edward J. Gearty
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1980 Session of the State Legislature have been received from the Office of the Governor and are deposited in

the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<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>
978		383	March 28	March 28
1273		384	March 28	March 28
1403		385	March 28	March 28
1471		386	March 28	March 28
1645		387	March 28	March 28
1646		388	March 28	March 28
1716		389	March 28	March 28
1722		390	March 28	March 28
1796		391	March 28	March 28
1892		392	March 28	March 28
2040		393	March 28	March 28

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

SECOND READING OF SENATE BILLS

S. F. Nos. 1752, 1840, 1906 and 2100 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Thiede, Kvam, Dempsey, Ainley and Sherwood introduced:

H. F. No. 2488, A resolution memorializing the President and Congress of the United States to adopt an economic policy to promote economic growth by eliminating excessive regulation and taxation.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Forsythe, Knickerbocker, Faricy, Swanson and Carlson, D., introduced:

H. F. No. 2489, A resolution memorializing the United States Congress and the President of the United States to enact legislation providing a franking privilege for official mail connected with voter's registration and absentee ballots.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Fjoslien, Wigley, Dempsey, McDonald and Begich introduced:

H. F. No. 2490, A bill for an act relating to real property; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the governor; authorizing the governor to declare by proclamation a public economic emergency under certain conditions, limiting its duration, and providing nullifying powers in the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments.

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

HOUSE ADVISORIES

The following House Advisory was introduced:

Vanasek, Lehto and Laidig introduced:

H. A. No. 61, A proposal to study standards for selection, training and licensing of parttime peace officers.

The advisory was referred to the Committee on Criminal Justice.

Dean, Forsythe, McCarron and Otis were excused while in conference committee.

MESSAGES FROM THE SENATE

The following messages were received from 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. 1710, A bill for an act relating to energy; stating legislative energy policy; providing grants and assistance for community energy planning; assessment of fees for residential energy audits; providing grants for residential heating costs and weatherization; providing guidelines for a state plan for spending federal money; reimbursing counties for heating emergency assistance expenses; defining large energy facilities; authorizing subdivisions to levy for certain energy related activities; providing grants for energy research and development projects; providing education on building energy efficiency; energy audits; ethanol plant demonstration project; creating the alcohol fuels information center; directing the public service commission to establish a pilot project allowing utilities to make conservation investments for customers; appropriating money; amending Minnesota Statutes 1978, Sections 116H.01; 116H.087; 116H.12, Subdivision 11; 216B.16, by adding a subdivision; 275.50, by adding a subdivision; 462A.05, by adding a subdivision; 462A.21, by adding a subdivision; Chapter 216B, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 116H.02, Subdivision 5; 116H.085; 116H.13, Subdivisions 3 and 7; 116H.22; and 268.37; repealing Minnesota Statutes 1978, Sections 116H.125; and 325.986, Subdivisions 1 and 2.

The Senate has appointed as such committee Messrs. Humphrey, Anderson and Ogdahl.

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. 1727, A bill for an act relating to family; providing that natural parents may obtain a copy of an adopted child's original birth certificate; allowing parents ten days to revoke consent to adoption; providing a pre-adoption residency of three months; amending Minnesota Statutes 1978, Sections 144.218, Subdivision 1; 144.225, Subdivision 2; 259.24, Subdivision 5, and by adding a subdivision; 259.25, Subdivision 1, and by adding a subdivision; 259.27, Subdivision 4; and Chapter 259, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Sections 259.24, Subdivision 6; and 259.25, Subdivision 2.

The Senate has appointed as such committee Messrs. Davies, Sieloff and Knutson.

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. 2023, A bill for an act relating to waste management; establishing a waste management board and a legislative commission; establishing a state government resource recovery program; establishing solid waste planning assistance and demonstration programs; providing for the issuance of state waste management bonds; providing for the establishment of solid waste management districts; requiring hazardous waste management planning and development; establishing procedures for the review and approval of permits for waste facilities; authorizing debt; appropriating money; amending Minnesota Statutes 1978, Sections 116.06, Subdivisions 9, 10, 13, and by adding subdivisions; 116.07, Subdivisions 2, 4, 4a, and by adding subdivisions; 116.081, Subdivision 1; 116.101; 116.41; 400.03, Subdivision 1; 400.04; 400.06; 400.07; 400.13; 400.16 400.161; 473.121, by adding a subdivision; 473.149; 473.502; 473.516; 473.801, Subdivision 1; 473.802; 473.803; 473.811; 473.813; 473.823, Subdivision 3, and by adding a subdivision; Chapter 400, by adding a section; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Sections 116F.02, Subdivisions 3, 4, and 5; 116F.03; 116F.04; 116F.05, Subdivision 2; 400.03, Subdivisions 2 to 7; 473.121, Subdivisions 27 to 31c; 473.823, Subdivisions 1, 2, and 4; and Laws 1978, Chapter 728, Section 7.

The Senate has appointed as such committee Messrs. Merriam, Dunn and Willet.

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. 2470, A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

Voss moved that the House refuse to concur in the Senate amendments to H. F. No. 2470, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like 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. 729, A bill for an act relating to public welfare; increasing personal needs allowance for residents of certain facilities; restricting the use of allowances by third parties; providing for a civil action and damages; providing a penalty; appropriating money; amending Minnesota Statutes 1978, Section 256B.35.

PATRICK E. FLAHAVEN, Secretary of the Senate

Greenfield moved that the House refuse to concur in the Senate amendments to H. F. No. 729, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 1884, A bill for a act relating to education; modifying rule making procedures and the tuition exemption authority of the state university board; allowing a change in the placement service registration fee at state universities; modifying a visitation and reporting duty of the state university board; eliminating a reporting duty of state university presidents; eliminating a provision governing state university rules which conflict with the provisions of certain collective bargaining contracts; amending Minnesota Statutes 1978, Sections 136.11, Subdivisions 1 and 8; and 136.14; repealing Minnesota Statutes 1978, Sections 136.148 and 136.15.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Stoa moved that the House concur in the Senate amendments to H. F. No. 1884 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 124 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the return of House File No. 1169 for further consideration:

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

House File No. 1169 is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Weaver moved that the vote whereby the House refused to concur in the Senate amendments and requested a Conference Committee on H. F. No. 1169 be now reconsidered. The motion prevailed.

CONCURRENCE AND REPASSAGE

Weaver moved that the House concur in the Senate amendments to H. F. No. 1169 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1169, A bill for an act relating to census taking; providing for the taking of special censuses by the United States bureau of the census rather than the secretary of state; providing for the approval of school district population estimates by the state demographer; providing for annual population estimates of governmental subdivisions by the state demographer and their use in the computation of tax levy limits and local government aid; abolishing the authority of the municipal board to determine the population of municipalities and towns; removing references to a state census; amending Minnesota Statutes 1978, Sections 4.12, Subdivision 7; 123.32, Subdivision 12; 275.14; 275.45; 275.53, Subdivisions 2 and 3, and by adding a subdivision; 275.59; 326.40, Subdivision 1; 326.60, Subdivision 1; 368.03; 375.025, Subdivision 1; 376.31; 395.08; 414.01, Subdivision 14; 447.34, Subdivision 1; 641.264, Subdivision 2; 645.44, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 275.53, Subdivision 1; 462C.07, Subdivision 2; 471.697, Subdivision 1; 471.698, Subdivision 1; and repealing Minnesota Statutes 1978,

Sections 365.61; 414.033, Subdivision 8; and Minnesota Statutes, 1979 Supplement, Section 275.53, Subdivision 1a.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1814, A bill for an act relating to agriculture; clarifying certain requirements for authorized farm corporations; amending Minnesota Statutes 1978, Section 500.24, Subdivision 2.

PATRICK E. FLAHAIVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Anderson, B., moved that the House concur in the Senate amendments to H. F. No. 1814 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1814, A bill for an act relating to agriculture; altering the definition of family farm corporation for the purpose of the Minnesota agricultural property tax law; clarifying certain requirements for authorized farm corporations; limiting liability of donors of distressed food; amending Minnesota Statutes 1978, Sections 273.111, Subdivision 3; and 500.24, Subdivision 2.

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 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1794, A bill for an act relating to courts; providing for elections in a county court district.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Aasness moved that the House concur in the Senate amendments to H. F. No. 1794 and that the bill be repassed as amended by the Senate. The motion prevailed.

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

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 107 yeas and 16 nays as follows:

Those who voted in the affirmative were:

Aasness	Elioff	Kvam	Osthoff	Stadum
Adams	Esau	Lehto	Patton	Stowell
Ainley	Evans	Levi	Pehler	Sviggum
Albrecht	Fjoslien	Ludeman	Peterson, B.	Swanson
Anderson, B.	Fritz	Luknic	Peterson, D.	Thiede
Anderson, D.	Halberg	Mann	Piepho	Tomlinson
Anderson, G.	Haukoos	McDonald	Pleasant	Valan
Anderson, I.	Heap	McEachern	Prahf	Valento
Anderson, R.	Heinitz	Mehrkens	Redalen	Voss
Battaglia	Hoberg	Metzen	Reding	Waldorf
Begich	Hokanson	Minne	Rees	Weaver
Berkelman	Jacobs	Moe	Reif	Welch
Biersdorf	Jennings	Munger	Rodriguez	Welker
Blatz	Johnson, C.	Murphy	Rose	Wenzel
Brinkman	Johnson, D.	Nelsen, B.	Rothenberg	Wieser
Carlson, D.	Jude	Nelsen, M.	Sarna	Wigley
Carlson, L.	Kaley	Nelson	Schreiber	Wynia
Clark	Kalis	Norman	Searles	Zubay
Clawson	Kempe	Novak	Sherwood	Spkr. Norton
Crandall	Knickerbocker	Nysether	Sieben, H.	
Dempsey	Kostohryz	Olsen	Sieben, M.	
Drew	Kroening	Onnen	Simoneau	

Those who voted in the negative were:

Berglin	Den Ouden	Friedrich	Kelly	Niehaus
Byrne	Ellingson	Greenfield	Long	Rice
Casserly	Erickson	Jaros		
Corbid	Faricy	Kahn		

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. 1684, A bill for an act relating to state lands; providing for the conveyance of certain land to the city of Virginia.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Eliooff moved that the House concur in the Senate amendments to H. F. No. 1684 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1684, A bill for an act relating to state lands; providing for the conveyance of certain land to the cities of Virginia and Thief River Falls.

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 120 yeas and 3 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Den Ouden Pleasant Swanson

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. 1145, A bill for an act relating to banks and banking; providing for implementation of certain statutes relating to electronic fund transfers; authorizing the commissioner of banks to adopt temporary rules; amending Minnesota Statutes 1978, Section 47.71.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Johnson, D., moved that the House concur in the Senate amendments to H. F. No. 1145 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1145, A bill for an act relating to banks and banking and electronic fund transfers; providing for implementation of certain statutes relating to electronic fund transfers; authorizing the commissioner of banks to adopt temporary rules; permitting counties to make electronic fund transfers; amending Minnesota Statutes 1978, Sections 47.71; and 385.07.

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 113 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Jaros	McEachern	Redalen
Adams	Drew	Jennings	Mehrkens	Reding
Ainley	Eken	Johnson, C.	Metzen	Rees
Albrecht	Elioff	Johnson, D.	Minne	Reif
Anderson, B.	Ellingson	Jude	Moe	Rodriguez
Anderson, D.	Erickson	Kahn	Munger	Rose
Anderson, G.	Esau	Kaley	Murphy	Rothenberg
Anderson, I.	Evans	Kalis	Nelsen, B.	Sarna
Anderson, R.	Faricy	Kelly	Nelsen, M.	Schreiber
Battaglia	Fjoslien	Knickerbocker	Norman	Searles
Berkelman	Friedrich	Kostohryz	Novak	Sherwood
Biersdorf	Fritz	Kvam	Nysether	Sieben, H.
Blatz	Greenfield	Laidig	Olsen	Sieben, M.
Brinkman	Halberg	Lehto	Onnen	Simoneau
Carlson, D.	Haukoos	Levi	Osthoff	Stadum
Carlson, L.	Heap	Long	Patton	Stowell
Casserly	Heinitz	Luknic	Pehler	Sviggum
Clawson	Hoberg	Mann	Peterson, B.	Swanson
Corbid	Hokanson	McCarron	Piepho	Thiede
Crandall	Jacobs	McDonald	Pleasant	Tomlinson

Valan	Voss	Welch	Wigley	Spkr. Norton
Valento	Waldorf	Wenzel	Wynia	
Vanasek	Weaver	Wieser	Zubay	

Those who voted in the negative were:

Berglin	Den Ouden	Ludeman	Rice	Welker
Byrne	Kempe	Niehaus	Stoa	
Clark	Kroening	Peterson, D.		

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. 1302, A bill for an act relating to financial institutions; permitting banks and trust companies to take junior liens under certain circumstances; amending Minnesota Statutes 1978, Section 48.19, Subdivision 1.

PATRICK E. FLAHAVEN, Secretary of the Senate

Ellingson moved that the House refuse to concur in the Senate amendments to H. F. No. 1302, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 2095, A bill for an act relating to Hennepin County; providing for a county personnel system; providing various conditions of public employment; amending Laws 1965, Chapter 855, Sections 1, 2, 3, 4, as amended, 5, 6, as amended, 7, as amended, 8, 9, 10, 11, 12, 13, 14, 15, as amended, and 16; and Laws 1979, Chapter 198, Article I, Section 2; repealing Laws 1945, Chapter 607, as amended; Laws 1965, Chapter 855, Section 17; Laws 1967, Chapter 646, Sections 4, 5, 6, and 7, and Chapter 779; and Laws 1979, Chapter 198, Article III, Section 5.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Mrs. Staples, Mr. Keefe, J., and Mr. Wegener 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

Greenfield moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 2095. The motion prevailed.

Mr. Speaker:

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

S. F. No. 133, A bill for an act relating to partnerships; enacting the 1976 uniform limited partnership act.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Davies, Spear 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

Ellingson moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 133. The motion prevailed.

Mr. Speaker:

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

S. F. No. 1649, A bill for an act relating to agriculture; providing for testing to measure milk protein; providing for payments for milk protein and nonfat solids; amending Minnesota Statutes 1978, Section 32.25, Subdivision 1.

And the Senate respectfully requests that a Conference Committee be appointed thereon. Messrs. Gunderson, Renneke and Strand 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

Welch moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 3 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two Houses on S. F. No. 1649. The motion prevailed.

Mr. Speaker:

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

S. F. Nos. 1638, 2128, 2170 and 2217.

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. 2181.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 1638, A bill for act relating to economic development; regulating the development revolving fund; amending Minnesota Statutes 1978, Section 472.13, Subdivision 1.

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

S. F. No. 2128, A bill for an act relating to taxation; clarifying the apportionment of income from taconite producers to Minnesota; amending Minnesota Statutes 1978, Chapter 298, by adding a section.

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

S. F. No. 2170, A bill for an act relating to taxation; providing adjustments to property tax refund due to granting of abatements on claimant's homestead; amending Minnesota Statutes 1978, Sections 290A.11, by adding a subdivision; and 375.192, Subdivision 1.

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

S. F. No. 2217, A bill for an act relating to taxation; restricting the use of certain proceeds of the taconite production tax; providing for state replacement of certain eliminated payments; appropriating funds; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 8a; 273.135, Subdivision 2; 298.223 and 298.28, Subdivision 1; Chapters 273, by adding a section; and 477A, by adding a section; and Minnesota Statutes, 1979 Supplement, Section 275.125, Subdivision 9.

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

S. F. No. 2181, A bill for an act relating to taxation; sales; exempting sales of sand, gravel, and crushed rock used in road construction; amending Minnesota Statutes, 1979 Supplement, Section 297A.25, Subdivision 1; repealing Minnesota Statutes 1978, Section 297A.25, Subdivision 4.

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

PROGRESS REPORTS ON CONFERENCE COMMITTEES

Progress by the Conference Committee was reported to the House on the following bill: H. F. No. 1121.

Sieben, H., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Eken, 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 preceding Special Orders pending for Tuesday, April 1, 1980, and further designated that S. F. No. 1708, currently No. 24 on Special Orders, to be moved to the top of Special Orders pending for Tuesday, April 1, 1980:

H. F. Nos. 2289, 2304 and 1619.

Eken, 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 pending for Tuesday, April 1, 1980:

S. F. Nos. 1115, 1729 and 1028.

Eken, 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 pending for Wednesday, April 2, 1980:

S. F. Nos. 1906, 1340, 2100 and 1752.

There being no objection the order of business reverted to Messages from the Senate.

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 Files, herewith returned:

H. F. No. 2436, A bill for an act relating to the city of Duluth; providing for certain city tax revenues; repealing Laws 1973, Chapter 461, as amended; and Laws 1977, Chapter 438, as amended.

H. F. No. 2149, A bill for an act relating to public welfare; clarifying duties of the commissioner of public welfare regarding approval of public and private mental health centers and clinics for certain purposes; providing for additional rulemaking; appropriating money; amending Minnesota Statutes, 1979 Supplement, Section 245.69.

H. F. No. 1904, A bill for an act relating to the Nine Mile Creek and Riley-Purgatory Creek Watershed Districts; providing for the establishment of district water maintenance and repair funds; authorizing tax levies for water maintenance and repair purposes.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate refused to adopt the Conference Committee report on Senate File No. 129, and that the present Conference Committee has been discharged, and that the

Senate has appointed a new Conference Committee consisting of five members on the part of the Senate to further consider the following Senate File No. 129:

S. F. No. 129, A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2, 3 and 4 to provide for establishment of the boundaries of congressional and legislative districts by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811.

The Senate has appointed as such committee Messrs. Luther, Sikorski, Dieterich, Schaaf and Jensen.

Senate File No. 129 is herewith transmitted to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Sieben, M., moved that S. F. No. 129 be now returned to the Senate. 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. 1813, A bill for an act relating to public finance; authorizing the issuance of Minnesota state railroad assistance bonds; appropriating money; amending Minnesota Statutes 1978, Chapter 222, by adding a section.

PATRICK E. FLAHAVEN, Secretary of the Senate

Anderson, B., moved that the House refuse to concur in the Senate amendments to H. F. No. 1813, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 1816, A bill for an act relating to local correctional facilities; updating provisions concerning county jails, city lockups and workhouses; clarifying provisions penalizing the possession of contraband in local correctional facilities; repealing provisions concerning correctional or work farms; providing for establishing and organizing court administrative structure; budgeting and operation of court services, probation, juvenile detention and correctional facilities by counties; amending Minnesota Statutes 1978, Sections 401.02, Subdivision 3; 641.01; 641.04; 641.06; 641.14; 641.15; 641.16; 641.165, Subdivision 2; 641.18; 641.21; 641.22; 642.02, Subdivision 2; 642.03; 642.07; 642.12; 643.01; 643.02; and 643.29; repealing Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and Minnesota Statutes 1978, Sections 641.17; 641.27; 641.28; 641.29; 641.30; 641.31; 641.32; 641.33; 641.34; 641.35; 641.36; 641.37; 641.38; 642.14; 643.03; 643.04; 643.05; 643.06; 643.07; 643.08; 643.09; 643.10; 643.11; 643.12; 643.13; 643.14; 643.15; 643.16; 643.17; 643.19; and 643.20.

PATRICK E. FLAHAVEN, Secretary of the Senate

Clawson moved that the House refuse to concur in the Senate amendments to H. F. No. 1816, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 1190, A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account;

prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 160.27, Subdivision 5; 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 161.51; 169.305, Subdivision 1; 169.42, Subdivision 1; 505.03, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 116I.01, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Mehrkens moved that the House concur in the Senate amendments to H. F. No. 1190 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1190, A bill for an act relating to transportation; requiring the consent of municipalities for certain trunk highway improvements; authorizing the commissioner of transportation to convey or otherwise dispose of certain lands no longer needed for trunk highway purposes; authorizing the commissioner to lease airspace above and subsurface areas below trunk highway right-of-way; adding new routes to the trunk highway system, and adding new routes in substitution of existing routes; discontinuing and removing Route No. 327 from the trunk highway system; permitting certain equipment to use crossovers between the main line roadways of controlled access highways when operating within a marked construction zone; modifying the availability of federal reimbursements deposited in the state treasury and appropriated to the federal-state safety account; prohibiting depositing snow or ice on a highway; excluding minor relocations of pipelines caused by highway construction from the definition of construction; modifying the procedures for approval of plats which include lands abutting trunk highways; amending Minnesota Statutes 1978, Sections 160.27, Subdivision 5; 161.172; 161.23, Subdivision 2; 161.43; 161.433, Subdivision 1; 161.44, Subdivision 1; 161.51; 169.305, Subdivision 1; 169.42, Subdivision 1; 505.03, Subdivision 2; and Minnesota Statutes, 1979 Supplement, Section 116I.01, 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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Aasness Adams Ainley Albrecht Anderson, B.

Anderson, D.	Evans	Kostohryz	Olsen	Simoneau
Anderson, G.	Ewald	Kroening	Onnen	Stadum
Anderson, I.	Faricy	Kvam	Osthoff	Stoa
Anderson, R.	Fjoslien	Laidig	Otis	Stowell
Battaglia	Friedrich	Lehto	Patton	Swiggum
Begich	Fritz	Levi	Pehler	Thiede
Berkelman	Fudro	Long	Peterson, B.	Tomlinson
Biersdorf	Greenfield	Ludeman	Peterson, D.	Valan
Blatz	Halberg	Luknic	Piepho	Valento
Brinkman	Haukoos	Mann	Pleasant	Vanasek
Byrne	Heap	McCaron	Prahl	Voss
Carlson, D.	Heinitz	McDonald	Redalen	Waldorf
Carlson, L.	Hoberg	McEachern	Reding	Weaver
Casserly	Hokanson	Mehrken	Rees	Welch
Clark	Jacobs	Metzen	Reif	Welker
Clawson	Jaros	Minne	Rice	Wenzel
Corbid	Jennings	Moe	Rodriguez	Wieser
Crandall	Johnson, D.	Munger	Rose	Wigley
Dempsey	Jude	Murphy	Rothenberg	Wynia
Den Ouden	Kahn	Nelsen, B.	Sarna	Zubay
Drew	Kaley	Nelsen, M.	Schreiber	Spkr. Norton
Elliott	Kalis	Niehaus	Searle	
Ellingson	Kelly	Norman	Searles	
Erickson	Kempe	Novak	Sherwood	
Esau	Knickerbocker	Nysether	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. 1451, A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition in relation thereto.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Vanasek moved that the House concur in the Senate amendments to H. F. No. 1451 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1451, A bill for an act relating to natural resources; authorizing additions to and deletions from certain state parks and authorizing land acquisition and sales in relation thereto; discontinuing Traverse des Sioux state park; repealing Minnesota Statutes 1978, Section 85.012, Subdivision 56.

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 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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. 1662, A bill for an act relating to state government; providing for a demonstration job-sharing project in state government; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

Minne moved that the House refuse to concur in the Senate amendments to H. F. No. 1662, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

91st Day]

TUESDAY, APRIL 1, 1980

6101

Mr. Speaker:

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

S. F. Nos. 2281 and 2375.

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. 994.

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. 2085.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2281, A bill for an act relating to taxation; imposing penalties for failure to file returns for Kittson, Marshall, Clay, Becker and Wilkin counties' gravel tax; amending Laws 1961, Chapter 605, Section 3; Laws 1963, Chapter 475, Section 3; Laws 1977, Chapters 112, Section 3; and 117, Section 3.

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

S. F. No. 2375, A bill for an act relating to taxation; clarifying provisions of the Minnesota tax increment financing act; authorizing assessment agreements; amending Minnesota Statutes 1978, Section 472A.02, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 273.73, Subdivisions 7, 8, 10, 11 and 12; 273.74, Subdivision 3; 273.75, Subdivisions 1, 2, 5 and 6; 273.76, Subdivisions 1, 2 and 3, and by adding subdivisions; 273.77; 273.78; 273.86, Subdivision 4; and 473F.08, Subdivision 6.

The bill was read for the first time.

Casserly moved that S. F. No. 2375 and H. F. No. 2284, now on General Orders, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 994, A bill for an act relating to real estate brokers and salespersons; allowing legal education courses to substitute for real estate education courses under certain circumstances; reducing the number of hours of education required for a license; regulating the real estate education, research and recovery fund; setting fees; providing guidelines for the amount of the recovery portion of the fund and for paying claims; amending Minnesota Statutes 1978, Sections 82.22, Subdivisions 6 and 13; 82.34, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, and by adding a subdivision; Minnesota Statutes, 1979 Supplement, Section 82.21, Subdivision 1; repealing Minnesota Statutes 1978, Section 82.34, Subdivision 2.

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

S. F. No. 2085, A bill for an act relating to public employees; creating a state department of employee relations; establishing appropriate units for state and university of Minnesota employees; providing for a right to strike; providing for interim contract approval by the legislative commission on employee relations; clarifying civil service laws; providing for health benefits; providing for a study of promotional systems; repealing duty of the revisor of statutes regarding certain collective bargaining agreements; appropriating money; amending Minnesota Statutes 1978, Sections 43.001; 43.01, Subdivision 8; 43.05, by adding a subdivision; 43.11; 43.18, Subdivision 4; 43.19, Subdivision 1; 43.245; 43.321; 43.45; 43.46; 179.63, Subdivisions 7 and 8; 179.64, Subdivisions 2, 3, 4, and 5, and by adding a subdivision; 179.67, Subdivision 4; 179.69, Subdivisions 1 and 3; 179.71, Subdivisions 3 and 5; 179.72, Subdivision 6; 179.74, Subdivisions 2 and 3; and Chapters 43 and 179, by adding sections; and Minnesota Statutes, 1979 Supplement, Sections 3.855; 43.05, Subdivision 2; 43.067, Subdivision 1; 43.19, Subdivision 1; 43.50, Subdivision 1; 62D.22, Subdivision 7; 179.63, Subdivision 11; 179.65, Subdivision 6; and 179.74, Subdivisions 4 and 5; and Laws 1979, Chapter 332, Article I, Sections 114 and 116; repealing Minnesota Statutes 1978, Sections 43.003; 43.50, Subdivision 3; 179.64, Subdivision 1; 179.69, Subdivisions 4, 5, and 6; and 482.18; and Minnesota Statutes, 1979 Supplement, Sections 15A.081, Subdivision 5; and 179.64, Subdivision 7.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2082:

Lehto, Osthoff, Olsen, Laidig, and Vanasek.

SPECIAL ORDERS

H. F. No. 2289, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

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 101 yeas and 21 nays as follows:

Those who voted in the affirmative were:

Aasness	Dempsey	Kalis	Nelson	Stadum
Adams	Den Ouden	Kelly	Novak	Stoa
Ainley	Drew	Kempe	Nysether	Swanson
Anderson, B.	Eken	Knickerbocker	Osthoff	Thiede
Anderson, D.	Eloff	Kostohryz	Otis	Tomlinson
Anderson, G.	Ellingson	Kroening	Patton	Valan
Anderson, I.	Erickson	Laidig	Pehler	Vanasek
Anderson, R.	Esau	Long	Peterson, D.	Voss
Battaglia	Evans	Ludeman	Piepho	Waldorf
Begich	Faricy	Luknic	Pleasant	Weaver
Berglin	Fjoslien	Mann	Prahl	Welch
Berkelman	Friedrich	McCarron	Redalen	Wenzel
Biersdorf	Fudro	McEachern	Reding	Wieser
Blatz	Greenfield	Mehrkens	Rees	Wigley
Brinkman	Heap	Metzen	Rice	Wynia
Byrne	Heinitz	Minne	Rodriguez	Zubay
Carlson, D.	Hoberg	Moe	Sarna	Spkr. Norton
Carlson, L.	Hokanson	Munger	Sherwood	
Clark	Jacobs	Murphy	Sieben, H.	
Clawson	Jude	Nelsen, B.	Sieben, M.	
Corbid	Kaley	Nelsen, M.	Simoneau	

Those who voted in the negative were:

Albrecht	Kvam	Olsen	Rothenberg	Welker
Crandall	Lehto	Onnen	Searles	
Fritz	McDonald	Peterson, B.	Stowell	
Haukoos	Niehaus	Reif	Swiggum	
Jennings	Norman	Rose	Valento	

The bill was passed and its title agreed to.

Anderson, G., was excused while in conference committee.

H. F. No. 2304 was reported to the House.

Kempe moved to amend H. F. No. 2304 as follows:

Page 2, line 11, after "legislature" insert "before adjournment sine die,"

Page 2, line 16, delete ", and" and insert "by the entire membership of each body."

The motion prevailed and the amendment was adopted.

Clawson offered an amendment to H. F. No. 2304.

POINT OF ORDER

Knickerbocker raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Faricy ruled the point of order well taken and the amendment out of order.

Thiede moved to amend H. F. No. 2304, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people. If the amendment is adopted, two new sections shall be added to Article IV, which shall read:

Sec. 27. [INITIATIVE.] The people reserve to themselves the power on their initiative to propose laws and to adopt or reject them independently of the legislature.

A law initiated by the people shall be adopted by the people upon the affirmative vote of a majority of those voting on the question at a general election.

The governor shall have no power to approve or veto a law initiated by the people.

No law initiated and adopted by the people may be repealed by the legislature, but it may be amended by a two-thirds vote of the members elected to each house, until after another general election has intervened.

Sec. 28. [REFERENDUM.] The people reserve to themselves the power by petition to require the referral to them for their approval or rejection of a law, or part of a law, adopted by the legislature. The people shall not require the referral of a law or part of a law which is an appropriation, a special law which names the single local government unit or county to which it ap-

plies, or a law which provides that it is an emergency matter and is adopted by a two-thirds vote of each house.

A law, or part of a law, referred by petition to the people shall be adopted by the people upon the affirmative vote of a majority of those voting on the question at a general election.

Sec. 2. The amendment shall be submitted at the 1980 general election. The question shall be:

"Shall the Minnesota Constitution be amended to provide for initiative and referendum?

Yes

No "

Sec. 3. [3B.01] [CITATION.] Sections 3 to 38 may be cited as "The Initiative and Referendum Implementation Act".

Sec. 4. [3B.02] [DEFINITIONS.] Subdivision 1. The words defined by this section shall, when used in sections 4 to 38, have the meanings given them.

Subd. 2. "General election" is as defined in Minnesota Statutes, Section 200.02, Subdivision 2.

Subd. 3. "Measure" means the proposed law in an initiative petition or the law in either the Laws of Minnesota or Minnesota Statutes cited in a referendum petition.

Subd. 4. "Petition drive" means the organized process by the sponsors and their authorized agents of soliciting the general public to sign initiative or referendum petitions.

Subd. 5. "Eligible voter" means those persons who may register to vote under the provisions of chapter 201.

Subd. 6. "Sponsors" means the persons specified by section 5, subdivision 2, clause (a).

Sec. 5. [3B.03] [PREPARATION FOR PETITIONING ON AN INITIATIVE MEASURE.] Subdivision 1. Before circulation of any petitions to have an initiative measure placed on the ballot, the sponsors shall, as soon as possible but not later than October 31 of an odd numbered year, file a declaration with the secretary of state.

Subd. 2. The declaration shall:

(a) State the names, mailing addresses and any business or residential phone numbers of not less than 25 persons with an

indication of who is the chairman, or chairwoman, and who is the treasurer; and,

(b) State the name and mailing address of all committees, groups or organizations known to the sponsors who intend to support the petition drive on the measure or otherwise aid the sponsors; and,

(c) Give a description of the intent or purpose of the measure, or, if the proposed measure is already drafted, include a copy of the draft; and,

(d) State the name, address or phone number of a person who is generally available to work on the final form and wording of the measure and is authorized to approve its final form and wording.

Subd. 3. The secretary of state shall, by rule, provide a sample declaration form.

Subd. 4. The sponsors shall pay to the secretary of state a filing fee of \$200 which shall be deposited in the general fund.

Subd. 5. The sponsors at the time of filing the declaration with the secretary of state may present a petition in lieu of the filing fee required by subdivision 4. The petition shall be validly signed by at least 4,000 eligible voters. The petition authorized by this subdivision may not be used to fulfill the requirements of sections 8 to 11.

Sec. 6. [3B.04] [A D V I C E BY REVISOR OF STATUTES.] Subdivision 1. The secretary of state shall forward one copy of each declaration provided for in section 5 to the revisor of statutes. The secretary of state shall also advise the sponsors to consult with the revisor.

Subd. 2. The revisor of statutes shall, within 30 calendar days of receipt of the declaration, prepare a final draft of the initiative measure in accordance with the intent and purpose expressed in the declaration. The intent and purpose may be amplified or refined by the person authorized in the declaration to approve the form and wording of the measure. The revisor shall give to the person authorized to approve the form and wording of the measure, his or her best advice as to the measure's constitutionality, and the best form and content of the measure to accomplish the sponsors' intent and purpose. However, if the revisor and the sponsors disagree as to the best form and content of the measure to accomplish the sponsors' intent and purpose, or disagree as to constitutionality, the directions of the sponsors shall prevail. All discussions by the revisor with the sponsors shall be treated by the revisor as confidential. With the final draft prepared by the revisor, the revisor shall also furnish the sponsors and the secretary of state with a summary of the mea-

sure for use on the petition as provided by section 8, subdivision 1, clause (b). If, after consulting with the revisor, the sponsors do not desire the revisor's assistance, they shall sign a written waiver of assistance. The waiver shall then be filed with the secretary of state and the revisor together with a final draft of the initiative measure prepared by the sponsors. Within seven calendar days after the revisor receives the waiver and final draft, he or she shall furnish the sponsors and the secretary of state with a summary of the measure for use on the petition as provided by section 8, subdivision 1, clause (b).

Subd. 3. The form of initiative measures shall conform to the form of bills considered by the legislature. The enacting clause shall be "BE IT ENACTED BY THE PEOPLE OF THE STATE OF MINNESOTA". No initiative shall embrace more than one subject. The measure may not provide for the form of the ballot question by which it would be submitted to the voters.

Subd. 4. Upon receiving the final draft of the initiative measure from the revisor of statutes, the sponsors shall, within 21 calendar days, either file it with the secretary of state or file a waiver and draft prepared by the sponsors as provided by subdivision 2. Failure to file within the time limit either the revisor's draft or a waiver and sponsors' draft constitutes a voluntary abandonment of the petition drive.

Sec. 7. [3B.05] [FISCAL NOTE ON AN INITIATIVE MEASURE.] Subdivision 1. Upon receiving the final draft of the initiative measure, the secretary of state shall, within seven calendar days, file a copy with the commissioner of finance. Within 30 calendar days after the copy is filed, the commissioner of finance shall prepare an impartial fiscal note on the measure and shall file a copy of it with the secretary of state and each county auditor.

Subd. 2. The fiscal note shall estimate the amount of any increase or decrease, immediate or long range, in either revenue or costs for all governmental units. The total increase or decrease shall be subdivided to separately show the fiscal effect upon state government and local governmental units. The fiscal note shall not comment upon the merits of the proposal. The note shall be signed by the commissioner and shall clearly show that the information was prepared by his or her department.

Sec. 8. [3B.06] [PETITIONS FOR INITIATIVE.] Subdivision 1. Each initiative petition shall consist of as many copies as the sponsors print, each of which is not more than one sheet of paper and contains the following on the front:

(a) In not less than 25 point bold type on a 30 point body at the top of the front page, the printed words "INITIATIVE PETITION"; and,

(b) *A brief impartial summary of the purpose and effect of the measure prepared by the revisor of statutes; and,*

(c) *A statement that a verbatim copy of the initiative measure is available for public examination at the office of the secretary of state or any county auditor; and,*

(d) *A statement that a statement of any fiscal effect of the measure, prepared by the commissioner of finance, is or will be on file with the secretary of state and each county auditor; and,*

(e) *Space for the signatures, printed name, mailing address, county and city or town of each petition signer, and the date of signing.*

Subd. 2. On the reverse side of each petition shall be an affidavit for the person circulating the petition which shall give his or her name, mailing address, and phone number; indicate that he or she circulated the petition; indicate that to the best of his or her knowledge each of the signers is an eligible voter and resident in the county; identify the sponsors on whose behalf the petition was circulated; and indicate that he or she has received no compensation for circulating the petition.

Subd. 3. The secretary of state shall, by rule, prescribe the form for initiative petitions.

Subd. 4. At the time the final draft of the initiative measure is filed with the secretary of state, as provided by section 6, subdivision 4, the sponsors shall also file a copy of the petition with the secretary of state. Within seven calendar days the secretary shall examine the petition and determine whether it complies with this section and the secretary's rules. If the petition complies, the secretary shall approve it and notify the sponsors. If the secretary finds that the form of the petition is not in compliance, he or she shall disapprove it and order it redrafted. The secretary shall notify the sponsors that the petition is not in compliance with the law and rules and specify what changes are necessary to bring it into compliance. Failure to refile a new petition drafted in accordance with the secretary's instructions not later than seven calendar days after the secretary's notice constitutes abandonment of the drive. Upon refileing, the secretary shall again examine the petition for its compliance with this section and the secretary's rules and approve it or again reject it. The petition may subsequently be refiled until it is found to comply with the law and rules.

Subd. 5. The secretary of state shall, within seven calendar days after approving the petition form, notify the county auditor in each county of the nature of the proposed initiative measure, that the petition form has been approved, and the date of approval. The secretary of state shall enclose a verbatim copy of the initiative measure as on file in his or her office.

Sec. 9. [3B.07] [TIME OF CIRCULATION OF INITIATIVE PETITIONS; VOLUNTARY ABANDONMENT.] Subdivision 1. *Initiative petitions may only be circulated on those days of odd numbered years which are eight calendar days after the date of the secretary of state's approval of the petition. This limitation shall not prevent the sponsors from undertaking organizational activity or completing the procedures of section 5 or 6 prior to the time petitions are circulated.*

Subd. 2. *The sponsors may voluntarily abandon the drive any time before the certification by the secretary of state provided for in section 17, subdivision 4. To abandon the drive, a declaration to that effect shall be filed with the secretary of state. The filing of the declaration shall not prevent other sponsors from beginning a similar or identical petition drive. However, all petitions signed prior to the declaration are invalid upon the filing of the declaration and may not subsequently be utilized by the new sponsors.*

Subd. 3. *Petitions which are signed but never filed, or which are filed but the number of signatures are later determined to be insufficient, are invalid on January 8 of the year after they are signed. The petitions may not be used for similar or identical petition circulation efforts in subsequent years.*

Sec. 10. [3B.08] [AMOUNT OF SIGNATURES FOR INITIATIVE.] *An initiative measure shall be placed on the ballot if petitions for the measure are validly signed by eligible voters in a number which is not less than ten percent of the number of votes cast for all candidates for governor at the last gubernatorial election. Signatures shall be from eligible voters in every county of the state. For no county shall the number of signatures be less than eight percent of the votes cast for all candidates for governor in that county at the last gubernatorial election.*

Sec. 11. [3B.09] [FILING OF PETITIONS.] Subdivision 1. *Not later than January 7 of the year succeeding the one in which the petitions were circulated, the sponsors may file the signed petitions with the auditor of the county in which they were circulated. When filed, the signed petitions shall be securely bound together by the sponsors. Failure to file petitions with each county auditor in time constitutes abandonment of the petition drive.*

Subd. 2. *If any petitions are filed in accordance with this section, not later than January 7, the sponsors shall also file an affidavit with the secretary of state indicating the counties in which petitions are or will be filed and the number of valid signatures believed to be on the petitions filed in each county. Failure to file the affidavit in time constitutes abandonment of the petition drive.*

Subd. 3. Only the sponsors, or those authorized in writing by the sponsors, may file petitions.

Subd. 4. If petitions are filed before January 7, the sponsors may, not later than January 7, file petitions containing additional signatures.

Sec. 12. [3B.10] [PETITIONS RECEIVED BY AUDITORS AND SIGNATURES COUNTED.] Subdivision 1. Not later than January 28, the auditor of each county shall, without then attempting to verify the validity of any signature, determine the total number of signatures affixed to the petitions filed at his or her office and shall, not later than February 16, give written notification to the secretary of state and the sponsors of the number of signatures.

Subd. 2. If the sponsors wish to contest any auditor's count of signatures, they shall file a brief statement of the reasons and evidence they believe indicate that the count is erroneous. The statement shall be filed not later than February 2 with the county auditor believed to have made an erroneous count. The contest shall be heard and determined not later than February 9. The determination by a county auditor shall be in writing. It is final, however, if determination of the contest will determine whether the number of signatures on the petitions is sufficient for the county, it may be appealed by the sponsors to the secretary of state. If the sponsors indicate in writing to the auditor and the secretary of state before February 16 that they will appeal, the county auditor shall notify the secretary of state that the number of signatures is tentatively sufficient pending the determination of the appeal by the secretary.

Subd. 3. Not later than the last day of February, the secretary of state shall hear and determine any appeals of contests of the count of signatures by the county auditors.

Subd. 4. If, upon receiving all notifications of the county auditors and determination of any appeals contesting the count, it is found by the secretary of state that the total number of signatures filed with each county and in the entire state are equal to or more than the number of signatures needed to declare the number of signatures on the petitions to be sufficient, not later than March 5, the secretary of state shall notify all county auditors. If either the total number of signatures filed with any county auditor is less than the minimum number of signatures required, or the total number of signatures filed with all county auditors in the state is less than the number of signatures required, the secretary of state shall notify the sponsors and all county auditors. No further action shall then be taken on the petitions.

Sec. 13. [3B.11] [VERIFICATION OF PETITIONS.] Subdivision 1. Upon receipt of the notice from the secretary

of state as provided in section 12, subdivision 4, each county auditor shall, not later than April 30, verify the number of valid signatures on the petitions and, not later than June 7, notify the secretary of state of the number of valid signatures.

Subd. 2. A signature is valid when:

- (a) *The signatory was an eligible voter on the date he or she signed the petition; and,*
- (b) *The signatory is a resident of the county in which the petition is filed; and,*
- (c) *The signature is legible.*

Subd. 3. Upon the contesting by any eligible voter of the county of the validity of any signature on a petition, a signature otherwise valid under subdivision 2, is invalid upon a finding by the auditor by a preponderance of the evidence that a signature:

- (a) *is not that of who it purports to be; or,*
- (b) *that it was not voluntarily signed; or,*
- (c) *that compensation has been paid to the signatory for signing; or,*
- (d) *that the signature was procured by fraud.*

Subd. 4. If an auditor requests assistance and the assistance will be provided without charge to the auditor, the sponsors of the petition may assist the auditor to verify the signatures. However, the assistance shall be subject to any controls the auditor may impose.

Subd. 5. If 500 or more signatures appear on petitions filed with a county auditor, the auditor shall use the random sampling method provided for in section 14 for the verification of signatures.

Subd. 6. If less than 500 signatures appear on a petition filed with a county auditor, the auditor shall verify all signatures.

Subd. 7. The secretary of state shall provide by rule for a uniform method for the county auditors to verify signatures.

Sec. 14. [3B.12] [RANDOM SAMPLING METHOD OF SIGNATURE VERIFICATION.] Subdivision 1. *A sample of signatures to be verified shall be drawn in such a manner that every signature filed with the county auditor shall be given an*

equal opportunity to be included in the sample. The sample shall include either 500 signatures or five percent of the signatures, whichever is greater.

Subd. 2. If the verification from the statistical sample shows that the total number of valid signatures on all the petitions is within 90 to 110 percent of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the county, the county auditor shall verify all remaining unverified signatures. After the verification, the auditor shall notify the secretary of state either that the number of valid signatures was insufficient or, if the number is sufficient, of the number of valid signatures.

Subd. 3. If the verification from the statistical sample shows that the total number of valid signatures on all the petitions is 110 percent or more of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the county, the auditor shall notify the secretary of state of the number of valid signatures. The number of valid signatures shall be determined by taking the total number of signatures filed and multiplying it by the percentage of signatures in the statistical sample which were found to be valid. In calculating the number of valid signatures, any fractions shall be rounded up to one.

Subd. 4. If the verification from the statistical sample shows that the number of valid signatures is less than 90 percent of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the county, the auditor shall notify the secretary of state that the number of petition signatures has been found to be insufficient.

Sec. 15. [3B.13] [CONTESTS ON THE VALIDITY OF SIGNATURES.] *If an auditor finds that any signature is invalid, he or she shall record the reason for the determination of invalidity and notify the sponsors of the finding and reason. If an auditor finds that any signature is valid and any eligible voter in the county wishes to contest it, the person shall file with the auditor a statement of the signature asserted to be invalid and the reason for the invalidity. If the sponsors wish to contest the auditor's determination of the invalidity of any signature, or if any eligible voter of the county wishes to contest a determination of validity, not later than May 7, they shall file a brief statement of the evidence they believe indicates the auditor's determination was erroneous. The auditor shall hear evidence and determine contests not later than May 31. The sponsors may participate in any hearing contesting a finding of the validity of a signature. The determination of the county auditor shall be in writing. It is final; however, it may be appealed to the secretary of state as provided by section 17. If it is indicated in writing to the auditor and secretary of state before June 7 that there will be an appeal, the county*

auditor shall notify the secretary of state of both the valid number of signatures and the number of contested signatures appealed for final determination by the secretary of state.

Sec. 16. [3B.14] [INSUFFICIENT VALID SIGNATURES.] *If the secretary of state receives a notification of insufficiency from any county auditor, the secretary shall immediately notify the sponsors and all county auditors. Upon receipt of the notification, no further actions shall be taken on the petitions by the secretary of state or any county auditors.*

Sec. 17. [3B.15] [RECEIPT OF NOTIFICATIONS BY SECRETARY OF STATE.] *Subdivision 1. The secretary of state shall receive the notifications from each county auditor of the valid number of signatures.*

Subd. 2. Not later than July 7, the secretary of state shall hear and determine any appeals of contests relating to the determination of the validity of signatures by the county auditors. The secretary may delegate the hearing and determination to other persons.

Subd. 3. The secretary shall, not later than July 31, declare whether or not the total number of valid signatures meets both the minimum number of signatures required by law for the state and for each county.

Subd. 4. If the number of petition signatures meets or exceeds the minimum, the secretary of state shall certify the sufficiency of the initiative petitions to the sponsors and all county auditors. The question of adoption of the initiative measure filed with the secretary of state shall be placed on the ballot for the general election. The secretary of state's certificate shall state the wording of the question to be placed on the ballot. The revisor of statutes shall recommend to the secretary of state a wording for the question. The ballot question shall not exceed 30 words and shall be a true and impartial statement of the intent and purpose of the initiative measure. It shall be in similar form as for any ballot issues which may be on the ballot as a result of a legislative proposal of a constitutional amendment.

Subd. 5. If the secretary of state shall find that the number of signatures either in a county or in the entire state is insufficient, the secretary of state shall notify the sponsors and all county auditors. No further action shall then be taken on the petitions.

Sec. 18. [3B.16] [PROCEDURES FOR REFERENDUM PETITIONING.] *Subdivision 1. Before circulating any petitions to require the referral to the people for their approval or rejection of either any chapter, section or subdivision of the Minnesota Statutes or any chapter, section or subdivision of the Laws of Minnesota, the sponsors shall file a declaration with the*

secretary of state by October 31. A referendum shall not propose to amend an act or part of an act. No referendum shall embrace more than one subject.

Subd. 2. The declaration shall:

(a) State the names, mailing addresses and any business or residential phone numbers of not less than 25 persons, with an indication of who is the chairman, or chairwoman, and who is the treasurer; and,

(b) State the name and mailing address of all committees, groups or organizations known to the sponsors who intend to support the petition drive on the measure or otherwise aid the sponsors; and,

(c) Give a precise citation of the act, or portion of an act, which the sponsors seek to have referred. The citation shall be to the Laws of Minnesota, chapter number of the act and, if appropriate, the sections of the chapter; and,

(d) Give a concise statement of the nature of the act, or portion of an act, that the sponsors propose to have referred to the people.

Subd. 3. The sponsors shall pay to the secretary of state a filing fee of \$200 which shall be deposited in the general fund.

Subd. 4. The sponsors at the time of filing the declaration with the secretary of state may present a petition in lieu of the filing fee required by subdivision 3. The petition shall be validly signed by at least 4,000 eligible voters. The petition authorized by this subdivision may not be used to fulfill the requirements of sections 21 to 24.

Sec. 19. [3B.17] [ADVICE BY REVISOR OF STATUTES.] Subdivision 1. The secretary of state shall forward a copy of each declaration provided for in section 18, subdivision 2, to the revisor of statutes. The secretary of state shall also advise the sponsors to consult with the revisor. If assistance is not desired, the citation in the declaration is final upon the filing of the waiver in subdivision 2.

Subd. 2. The revisor of statutes shall, within seven calendar days after receipt of the declaration, compare the declaration's citation and statement of the sponsor's statement of the nature of the act, or portion of an act, the sponsors propose to refer to the people. The revisor shall also consult with the sponsors and obtain any amplification or referment as to their intentions. The revisor shall give his or her best advice as to the correct and complete citation to accomplish the sponsor's intentions. All discussions by the revisor with the sponsors are to be treated by the

revisor as confidential. The revisor shall also furnish the sponsors, and the secretary of state, with a summary of the measure for use on the petition as provided by section 20, subdivision 1, clause (c). If, after consulting with the revisor, the sponsors do not desire the revisor's assistance, they shall sign a written waiver of assistance and file it with the secretary of state and the revisor of statutes.

Subd. 3. Within seven calendar days after receiving the revisor's advice, the sponsors may amend the citation in the declaration. Upon the expiration of this time without amending the citation in the declaration, the citation in the declaration is final. Upon the amending of the citation or the expiration of the time to amend, whichever is later, the revisor shall prepare and deliver to the sponsors and the secretary of state with a summary of the measure for use on the petition as provided by section 21, subdivision 1, clause (c).

Sec. 20. [3B.18] [FISCAL NOTE ON A REFERENDUM MEASURE.] Subdivision 1. Upon receiving the final draft of the referendum measure, the secretary of state shall, within seven calendar days, file a copy with the commissioner of finance. Within 30 calendar days after the copy is filed, the commissioner of finance shall prepare an impartial fiscal note on the measure and shall file a copy of it with the secretary of state and each county auditor.

Subd. 2. The fiscal note shall estimate the amount of any increase or decrease, immediate or long range, in either revenue or costs for all governmental units. The total increase or decrease shall be subdivided to separately show the fiscal effect upon state government and local governmental units. The fiscal note shall not comment upon the merits of the proposal. The note shall be signed by the commissioner and shall clearly show that the information was prepared by his or her department.

Sec. 21. [3B.19] [PETITIONS FOR REFERENDUM.] Subdivision 1. Each referendum petition shall consist of as many copies as the sponsors print, each of which is not more than one sheet and contains the following on the front:

(a) In not less than 25 point bold type on a 30 point body at the top of the front page have the printed words "REFERENDUM PETITION"; and,

(b) A precise citation of the act, or portion of an act, which the sponsors seek to have referred. The citation shall be exactly as stated in the declaration or any amendment to the declaration; and,

(c) A brief impartial summary, drafted by the revisor of statutes, of the purpose and effect of the act, or portion of an

act, which the sponsors propose to have referred to the people; and,

(d) A statement that a statement of the fiscal effect of the measure, prepared by the commissioner of finance, is or will be on file with the secretary of state and each county auditor; and,

(e) Space for the signatures, printed name, mailing address, county and city or township of each petition signer, and the date of signing.

Subd. 2. On the reverse side of the petition shall be an affidavit for the person circulating the petition which shall give his or her name, mailing address, phone number; indicate that he or she circulated the petition; indicate that to the best of his or her knowledge each of the signers is an eligible voter and resident in the county; identify the sponsor on whose behalf the petition was circulated; and indicate that he or she has received no compensation for circulating the petition.

Subd. 3. The secretary of state shall, by rule, prescribe the form for referendum petitions.

Subd. 4. When the citation is amended as provided by section 19, subdivision 3, or not later than seven days after receiving the revisor's advice as provided by section 19, subdivision 2, the sponsors shall file with the secretary of state a copy of the petition they propose to circulate. Within seven calendar days the secretary of state shall examine it to determine its compliance with subdivisions 1 and 2 of this section and the secretary of state's rules. If the petition complies, the secretary of state shall approve it and notify the sponsors. If the secretary of state finds that the petition is not in compliance with the law and the rules, he or she shall disapprove it and order it redrafted in accordance with his or her directions. Failure to refile within seven calendar days constitutes abandonment of the drive. Upon refiling, the secretary shall again examine the petition for compliance with the law and rules and approve it or again reject it. The petition may again be refiled until it is found to comply with the law and rules.

Subd. 5. The secretary of state shall, within seven calendar days after approving the petition form, notify the auditor in each county of the nature of the proposed referendum matter, that the petition form has been approved, and the date of approval.

Subd. 6. Failure to file a copy of the petition within the time limit of subdivision 4 constitutes an abandonment of the petition drive.

Sec. 22. [3B.20] [TIME OF CIRCULATION OF REFERENDUM PETITIONS.] Subdivision 1. If referendum peti-

tions concern a bill enacted at the most recent legislative session, the petitions may not be circulated before the act is passed by the legislature and either approved by the governor or again passed by the legislature notwithstanding the governor's objections, and is filed with the secretary of state and assigned a chapter number. However, this subdivision does not restrict referendum petitions to bills passed at the most recent session of the legislature.

Subd. 2. Referendum petitions may only be circulated on those days of odd numbered years which begin eight calendar days after the date of the secretary of state's approval of the petition. This limitation shall not prevent the sponsors from undertaking organizational activity or compiling the procedures of section 18 or 19 prior to the time the petitions are circulated.

Subd. 3. The sponsors may voluntarily abandon the circulation of petitions in accordance with the provisions of section 9, subdivision 2.

Sec. 23. [3B.21] [AMOUNT OF SIGNATURES FOR REFERENDUM.] A referendum measure shall be placed on the ballot if petitions for the measure are validly signed by eligible voters in a number which is not less than five percent of the number of votes cast for all candidates for governor at the last gubernatorial election. Signatures shall be from eligible voters who are residents of every county of the state. For no county shall the number of signatures be less than four percent of the votes cast for all candidates for governor in that county at the last gubernatorial election.

Sec. 24. [3B.22] [REFERENDUM PETITION PROCEDURES.] Referendum petitions shall be filed, received, verified and notice of results given as provided by sections 11, 12, 13, 14, 15, 16 and 17.

Sec. 25. [3B.23] [NUMBERING OF BALLOT MEASURES.] The secretary of state shall number in consecutive order each initiative and referendum ballot measure with the wording "BALLOT QUESTION. . . .". Ballot questions shall be numbered sequentially starting from the number 1 for the first ballot question certified to be on the ballot after the effective date provided in section 47. Ballot questions which are certified to appear on the ballot in general elections in subsequent years shall be numbered sequentially beginning with the first number after the number of the last ballot question at the last general election. The order shall be assigned by the secretary of state in the order that it is finally determined that each question will be placed on the statewide ballot at the next general election.

Sec. 26. [3B.24] [BALLOTS, VOTING AND CANVASSING OF INITIATIVE AND REFERENDUM QUESTIONS.] On all initiative and referendum measures, the ballots shall be

prepared, voting conducted, results canvassed, contests conducted and results certified as provided by chapters 200 to 211.

Sec. 27. [3B.25] [TIME OF ELECTION ON INITIATIVE AND REFERENDUM QUESTIONS.] *Voting upon initiative and referendum questions shall be held only at a general election.*

Sec. 28. [3B.26] [SIMULTANEOUS PETITIONS FOR INITIATIVE AND REFERENDUM MEASURES.] *Nothing shall prevent multiple simultaneous petition drives involving identical initiative and referendum petitions whether by the same or different sponsors. However, the first determination by the secretary of state of the sufficiency of the signatures for one measure shall automatically constitute abandonment of the other petition drives as of the date of the secretary's determination.*

Sec. 29. [3B.27] [COSTS OF COUNTY AUDITORS TO VERIFY SIGNATURES.] *Subdivision 1. The state of Minnesota shall reimburse all county auditors for all reasonable costs of handling the petitions including the cost of verifying signatures on initiative and referendum petitions.*

Subd. 2. Each year prior to May 1, each auditor shall submit to the secretary of state a verified statement of expenditures incurred in the calendar year prior to the previous April 1. The statement shall specify how all costs were incurred.

Subd. 3. The secretary of state shall, within 30 days after receipt of each auditor's statement, pay to each county auditor the cost which the secretary determines are reasonable.

Subd. 4. The secretary of state shall, by rule, provide for the standards of what costs will be reimbursed by the state.

Sec. 30. [3B.28] [RESOLUTION OF CONFLICTS BETWEEN INITIATIVE AND REFERENDUM MEASURES.] *Subdivision 1. Nothing shall prevent petitioning for measures which are apparently in substantial conflict.*

Subd. 2. If two or more measures which substantially conflict are adopted by a vote of the people, the one receiving the highest affirmative vote shall be effective. In the event that it is finally determined that the measures received an equal number of votes, neither measure shall become effective. However, they shall again be placed on the ballot at the next general election.

Subd. 3. The supreme court shall have exclusive jurisdiction of any suit alleging that two or more adopted measures substantially conflict. A petition may be filed by any eligible voter.

A copy of the petition shall be served upon the sponsors and upon the attorney general. The attorney general shall appear and defend the effectiveness of all the measures. The supreme court shall issue its findings and conclusions within 60 days of the filing of the petition.

Subd. 4. The supreme court shall find that two or more measures substantially conflict when any material provision in one measure is irreconcilable with a material provision in another measure. Upon a finding that any provisions of measures substantially conflict, then the supreme court shall find that the entire measures conflict and state which measure prevails under the provisions of subdivision 2.

Sec. 31. [3B.29] [LIMITATION ON SUCCESSIVE INITIATIVE OR REFERENDUM MEASURES.] Subdivision 1. *An initiative or referendum petition for a measure which is substantially the same as a measure previously rejected by the people, is not valid until after another general election has intervened. Upon a finding by the secretary of state that a declaration is for a petition for a matter substantially the same as the previously rejected measure, the secretary shall, after the filing and analysis by the secretary of the final draft, strike the declaration from his or her files.*

Subd. 2. A petition is substantially the same as a measure previously rejected by the people when all material provisions of the measure are identical in substance with material provisions in the other. Differences solely in the manner in which those provisions are expressed are not material.

Sec. 32. [3B.30] [PUBLICATION OF ADOPTED INITIATIVE AND REFERENDUM MATTERS.] Subdivision 1. *Initiative measures which are adopted by the people shall be published by the revisor of statutes in the laws of Minnesota for the legislative session for the year subsequent to the year of the election at which the law is adopted. Initiative measures shall be placed in a separate section of the Laws of Minnesota and given chapter numbers by the revisor of statutes distinctive from the chapter numbers given legislative enactments by the secretary of state.*

Subd. 2. Any bill enacted by law which will be subject to referendum shall be published in the session laws as for other legislative enactments. However, if it is known prior to the publication of the Laws of Minnesota that an act will be subject to referendum the revisor of statutes shall indicate the measure, or the portion of it, that will be subject to a vote of the people. If a statute in the Minnesota Statutes will be subject to referendum, and it is known prior to the publication of the statutes. The revisor of statutes shall indicate by annotations to the appropriate portions, that the provision is subject to a vote of the people.

Subd. 3. If an initiative measure is adopted by the people, the revisor of statutes may incorporate it into the next edition of the Minnesota Statutes or the supplement to the Minnesota Statutes in the same manner as for legislative enactments.

Sec. 33. [3B.31] [LITERATURE MUST INCLUDE NAMES.] Any person or committee who shall publish, issue, post, circulate, or cause to be published, issued, posted, circulated, other than in a newspaper as provided in section 34, any literature, campaign material, or any publication, including cards, pamphlets, flyers, signs, banners, leaflets, announcements, or other material tending to influence desire to sign or refusal to sign on initiative or referendum petition or the voting at an election on a ballot issue, which fails to prominently display the name and mailing address of the author, the name of the person or committee in whose behalf the same is published, issued, posted, or circulated, and the name and mailing address of any other person or committee causing the same to be published, issued, posted, circulated, or broadcasted shall be guilty of a misdemeanor.

Sec. 34. [3B.32] [PAID ADVERTISEMENTS IN NEWS.]
Subdivision 1. No publisher of a newspaper, periodical, or magazine shall insert in that newspaper, magazine, or periodical, and no radio or television station shall broadcast any matter paid or to be paid for which tends or is intended to influence directly or indirectly the desire to sign or refusal to sign an initiative or referendum petition or any voting at an election on a ballot issue unless it is prominently indicated that it is a paid advertisement. There shall also be a statement of the amount paid or to be paid, or a statement that the same is to be paid at regular advertising rates, the name of the person or committee in whose behalf the matter is inserted or broadcast and of any other person or the names of the officer and the committee authorizing the publication.

Subd. 2. To the extent that any person sells either advertising space or broadcast time used on behalf of any measure, the charges made shall not exceed the charges made for any other comparable purpose or use according to the seller's rate schedule.

Sec. 35. [3B.33] [PROHIBITIONS.] *Subdivision 1. No person shall:*

(a) Pay compensation or expenses to employ or contract for the circulation of an initiative or referendum petition; or,

(b) Be paid compensation or expenses as an employee or contractor for the circulation of an initiative or referendum petition; or,

(c) Be paid compensation for signing an initiative or referendum petition; or,

(d) Willfully refuse to file a statement of expenses regarding an initiative or referendum matter when required by law; or,

(e) Publish any literature, campaign material or any publication including cards, pamphlets, flyers, signs, banners, leaflets, or other material or any radio or television broadcast regarding an initiative or referendum measure which does not bear the identification required by law; or,

(f) Publish in any newspaper, periodical or magazine any matter relating to an initiative or referendum matter which does not contain the identification required by law; or,

(g) Sign a petition with a name other than his or her own name; or,

(h) Induce a person to sign a petition by fraud, force or the threat of force; or,

(i) Pay compensation for signing an initiative or referendum petition; or,

(j) Publish any information regarding an initiative or referendum matter with knowledge that it is false and which tends to substantially affect adoption or rejection of the measure.

Subd. 2. Any person violating any provision or subdivision 1, paragraphs (a), (b), (c), (d), (e) or (f) is guilty of a misdemeanor. Any person violating any provision of subdivision 1, paragraphs (g), (h), (i) or (j) is guilty of a gross misdemeanor.

Sec. 36. [3B.34] [ACTION BY AND NOTIFICATIONS TO SPONSORS.] Subdivision 1. Only sponsors, or those authorized by them in writing, may file any required filing or statement regarding initiative and referendum petitions, measures or campaigns including election contests or petition signature count or validity contests.

Subd. 2. The signature of any of the chairmen, or chair-women, of the sponsors, or a person authorized in writing by a chairman or chairwoman, is sufficient to authorize the filing of any statement required by law. If the chairman or chairwoman authorizes another person to make filings of a copy of the authorization it shall be attached to the filed document.

Subd. 3. If notice is required to be given to the sponsors, it shall be given to those persons provided in subdivision 2 who may authorize any filing.

Sec. 37. [3B.35] [DATES OF ACTIONS.] Subdivision 1. In sections 3 to 39, whenever an action is required to be taken on a specified date or by the end of an elapsed number of days, and that day is a Saturday, Sunday or a legal holiday, the action shall be accomplished on the next day which is not a Saturday, Sunday or a legal holiday.

Subd. 2. In sections 3 to 39, whenever a "filing" or "receiving" is required, only physical deposit of the document with the indicated person constitutes filing or receiving. A mailing date within the time period is not sufficient.

Sec. 38. [3B.36] [JUDICIAL REVIEW OF INITIATIVE AND REFERENDUM MATTERS.] Subdivision 1. The Supreme court shall have exclusive original jurisdiction of any suit involving:

(a) the sufficiency of the number or validity of signatures on petitions, however, the administrative determinations by the county auditor and secretary of state must have been exhausted; or,

(b) resolution of conflicts between initiative or referendum measures as provided by section 30; or,

(c) any suit alleging the unconstitutionality of an adopted initiative or a referendum which rejects a law but only to the extent of determining that issue.

Subd. 2. Venue for all other suits and criminal prosecutions involving initiative or referendum matters shall be in the district court in Ramsey County.

Subd. 3. Suits contesting a final administrative determination of the number or validity of signatures on petitions shall be filed not later than 15 calendar days after the final determination.

Suits involving conflicts between initiative or referendum measures shall be filed prior to the effective date of the initiated measures or the effective date of repeal of referendum measures.

Subd. 4. After a law proposed by initiative becomes effective no lawsuit claiming that it is invalid except for the unconstitutionality of the statute itself. If a law is referred to and rejected by the people, no lawsuit may be filed claiming that the repeal is invalid after the date the repeal becomes effective. A court may defer the effective date of an initiative measure enactment or a referendum measure repeal for not more than six months when a deferral, in the discretion of the court, is found to be in the interest of justice.

Sec. 39. [3B.37] [INFORMATIONAL BOOKLET ON INITIATIVE AND REFERENDUM.] Subdivision 1. The secretary of state shall prepare a comprehensive informational booklet on the initiative and referendum process. The booklet shall contain:

- (a) A description of the procedures for preparing and circulating petitions; and,
- (b) A description of the services available from the revisor of statutes to draft initiative measures or review and recommend changes in the citation for referendum; and,
- (c) A description of the petition signature verification process; and,
- (d) A description of election laws and regulations involving initiative and referendum matters; and,
- (e) A verbatim copy of the laws relating to initiative and referendum; and,
- (f) Other matters which, in the discretion of the secretary, are believed to increase understanding and facilitate use of the initiative and referendum.

Subd. 2. The booklet shall be written in terms which will easily be understood by the average voter. The secretary of state may contract with professional writers, educational specialists or other persons for assistance in preparing the booklet. The booklet shall utilize appropriate techniques to facilitate reading and understanding the information contained in the booklet.

Subd. 3. Before printing the booklet, it shall be presented to the attorney general who shall examine it, and, upon finding its content to correctly state the law and any rules, shall approve it. A copy of the attorney general's approval shall be printed with the booklet.

Subd. 4. Copies of the booklet shall be sold to anyone who shall request a copy at a cost of which would be sufficient to pay the costs of composition and printing if all copies printed were sold. However, ten copies shall be distributed free of cost to members of the legislature, elected state executive officials, county auditors, and every public, college or university library in the state. The booklet may be reproduced by others provided that the reproduction is without cost to the state. Up to 500 copies of the booklet shall be given free of charge to the sponsors at the time their initiative or referendum petition is approved by the secretary of state for circulation.

Sec. 40. Minnesota Statutes, 1979 Supplement, Section 3.21, is amended to read:

3.21 [NOTICE.] At least four months preceding the election, the attorney general shall furnish to the secretary of state a statement of the purpose and effect of all amendments *to the constitution proposed (SHOWING) by the legislature or statutes which will be subject to an election by virtue of an initiative or referendum petition. The statement shall show* clearly the form of the existing sections, and of the same as they will read if amended, except that when any section to which an amendment is proposed exceeds 150 words in length, the statement shall show that part of the section in which a change is proposed, both in its existing form and as it will read when amended, together with portions of the context as the attorney general deems necessary to an understanding of the proposed amendment. In the month of October prior to the election, the secretary of state shall give two weeks published notice of the statement in all legal newspapers of the state. The secretary of state shall furnish the statement to the newspapers in reproducible form approved by the secretary of state, set in 7-1/2 point type on an eight point body. The maximum rate for publication shall be 17 cents per standard line in 1979 and 18 cents per standard line thereafter for the two publications. If any newspaper shall refuse the publication of the amendments, this refusal and failure of the publication shall have no effect on the validity of the amendments. The secretary of state shall also forward to each county auditor copies of the statement, in poster form, in quantities sufficient to supply each election district of his county with two copies thereof. The auditor shall cause two copies to be conspicuously posted at or near each polling place on election day. Wilful or negligent failure by any official named to perform any duty imposed upon him by this section shall be deemed a misdemeanor.

Sec. 41. Minnesota Statutes 1978, Section 10A.01, Subdivision 15, is amended to read:

Subd. 15. "Political committee" means any association as defined in subdivision 3 whose major purpose is to influence the nomination or election of a candidate.

"Political committee" includes a major political party as defined in subdivision 12, a minor political party as defined in subdivision 13, and any principal campaign committee formed pursuant to section 10A.19.

"Political committee" also includes any association which is organized to influence a petition drive, as defined by section 4, subdivision 4, or a ballot issue campaign. An association is organized to influence a petition drive or ballot issue if:

(1) They are the sponsors as defined by section 4, subdivision 6; or,

(2) *They receive contributions or make expenditures in excess of \$100 to favor or oppose a petition drive or ballot issue campaign; or,*

(3) *They give implicit or explicit consent for any other person to receive contributions or make expenditures to favor or oppose a petition drive or ballot issue campaign.*

Sec. 42. Minnesota Statutes 1978, Section 10A.20, is amended by adding a subdivision to read:

Subd. 2a. In addition to the reports required by subdivision 2, a political committee which favors or opposes a petition drive or ballot issue campaign shall also file reports before five days after issuing of the notice provided for in section 12, subdivision 4.

Sec. 43. Minnesota Statutes 1978, Section 203A.31, Subdivision 2, is amended to read:

Subd. 2. [STATE PINK BALLOT.] There shall be one ballot on pink paper, hereinafter called the "pink ballot," upon which all (PROPOSITIONS AND) constitutional amendments and all initiative and referendum ballot questions to be voted upon throughout the state shall be printed so that the voters may indicate by a mark (X) either a negative or affirmative vote. *The order of the questions shall be in the order of their sequential numbers assigned pursuant to section 25.* In preparing the pink ballot the secretary of state shall apply an appropriate title to each proposition and question, which title shall be approved by the attorney general, and shall consist of not more than one printed line above the proposition or question to which it refers. (AT THE HEAD OF THE BALLOT OR IN SOME OTHER PROMINENT PLACE ON THE BALLOT THERE SHALL BE PRINTED CONSPICUOUSLY) *After each question on a constitutional amendment shall be printed a notice stating in substance that a voter's failure to vote on a constitutional amendment has the effect of a negative vote.* The pink ballots shall be deposited in a separate pink ballot box. They shall be counted, canvassed and returned as in the case of white ballots, and the tally books and return blanks shall provide suitable columns and spaces therefor. The total of the "yes" votes, the total of the "no" votes, and the total number of votes cast shall be reported in the returns.

Sec. 44. Minnesota Statutes 1978, Section 210A.26, Subdivision 3, is amended to read:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement

shall be filed within 30 days after any primary, municipal, or general election:

(a) When the committee is organized to support a candidate for a federal office with the filing officer of such candidate;

(b) When the committee is organized to support a candidate for a judicial district or county office with the auditor of the county in which such committee has its headquarters;

((C) WHEN THE COMMITTEE IS ORGANIZED TO SUPPORT OR OPPOSE ANY CONSTITUTIONAL AMENDMENT WITH THE SECRETARY OF STATE;)

((D)) (c) When the committee is organized to support a candidate for municipal office in municipalities having more than 20,000 population or to support or oppose propositions in elections in such municipalities with the filing officer of the municipality.

Sec. 45. Minnesota Statutes 1978, Section 645.02, is amended to read:

645.02 [EFFECTIVE DATE AND TIME OF LAW.S.]
Subdivision 1. Each act (, EXCEPT ONE MAKING APPROPRIATIONS,) which is enacted finally at any session of the legislature (TAKES) shall take effect on August 1 next following its final enactment, unless a different date is specified in the act. *However, those acts which are either appropriations or special laws which name the units or counties to which they apply may be effective prior to August 1.*

Subd. 2. A special law required to be approved by the local government unit affected before it goes into effect becomes effective as to the approving unit the day following the day on which the certificate of approval prescribed by section 645.021, subdivision 1, is filed with the secretary of state, unless a later date is specified in the act. When approval of such a special law is required by two or more local government units before it may become effective, the day after the day when the last of the required certificates is filed is the effective date, unless a later date is specified in the act.

Subd. 3. An appropriation act or an act having appropriation items enacted finally at any session of the legislature takes effect at the beginning of the first day of July next following its final enactment, unless a different date is specified in the act.

Subd. 4. Any measure initiated by the people shall be effective on December 1 following the general election day at which it is finally determined to have been approved.

Subd. 5. A measure which is adopted by the legislature and referred by petition to the people shall be repealed effective on December 1 following the election day at which it is finally determined to have been rejected.

Subd. 6. Each (ACT) law takes effect at 12:01 a.m. on the day it becomes effective, unless a different time is specified in the act.

If a constitutional amendment is approved at an election, the governor shall announce by proclamation that the amendment became effective retroactive to 12:01 a.m. on the day after the election at which it was approved.

Sec. 46. If a constitutional amendment providing for initiative and referendum is ratified as provided by the constitution then sections 3 to 46 shall take effect on the date the governor announces the new amendment by proclamation as provided by section 3.20."

Further, delete the title and insert:

"A bill for an act relating to initiative and referendum; proposing an amendment to the Minnesota Constitution, Article IV, by adding sections; authorizing initiative and referendum on laws; providing a comprehensive statute implementing the amendment; providing for the manner of petitioning and voting on initiative and referendum measures; providing for disclosure of campaign costs on ballot issues; providing for judicial review; providing certain restrictions on the consideration of measures; providing penalties; making an appropriation; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivision 2; 210A.26, Subdivision 3; and 645.02; and Minnesota Statutes, 1979 Supplement, Section 3.21."

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	Berkelman	Dempsey	Fudro	Johnson, C.
Adams	Biersdorf	Den Ouden	Greenfield	Johnson, D.
Ainley	Blatz	Drew	Halberg	Jude
Albrecht	Brinkman	Elioff	Haukoos	Kahn
Anderson, B.	Carlson, D.	Ellingson	Heap	Kaley
Anderson, D.	Carlson, L.	Erickson	Heinitz	Kalis
Anderson, I.	Casserly	Esau	Hoberg	Kelly
Anderson, R.	Clark	Evans	Hokanson	Kempe
Battaglia	Clawson	Ewald	Jacobs	Knickerbocker
Begin	Corbid	Faricy	Jaros	Kostohryz
Berglin	Crandall	Fjoslien	Jennings	Kroening

Kvam	Minne	Patton	Sarna	Vanasek
Laidig	Moe	Pehler	Searle	Voss
Lehto	Munger	Peterson, B.	Sherwood	Waldorf
Levi	Murphy	Peterson, D.	Sieben, H.	Weaver
Leng	Nelsen, B.	Piepho	Sieben, M.	Welch
Ludeman	Nelsen, M.	Pleasant	Stadum	Welker
Luknic	Niehaus	Prahl	Stowell	Wenzel
Mann	Novak	Redalen	Sviggum	Wieser
McCarron	Nysether	Reding	Swanson	Wigley
McDonald	Olsen	Rees	Thiede	Wynia
McEachern	Onnen	Rice	Tomlinson	Zubay
Mehrkens	Osthoff	Rodriguez	Valan	Spkr. Norton
Metzen	Otis	Rothenberg	Valento	

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.

The question recurred on the Thiede amendment and the roll was called.

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

There were 65 yeas and 69 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Clawson, Swanson and Metzen moved to amend H. F. No. 2304, as amended, as follows:

Page 2, after line 30, insert:

"The people also reserve to themselves the power on their initiative to propose ordinances and to adopt or reject them independently of the city council or county board. The power to propose ordinances includes the power to propose repeals of ordinances. An ordinance initiated by the people shall be adopted upon the affirmative vote of a majority of those voting at the election.

To invoke the local initiative, petitions signed by a number of eligible voters greater than five percent of the total vote cast for all candidates for governor in the city or county at the last preceding general election at which a governor was elected, are required.

An ordinance proposed by initiative shall be acted upon by the city council or county board within the time provided by law. If the ordinance is not acted upon by the city council or county board, the officer authorized by law shall submit the proposed ordinance to the people for approval or rejection at the next election for city council or county board members.

The city council or county board may reject any measure proposed by initiative petition and propose a different measure upon the same subject, and in that event the proposed ordinance shall not be submitted to the people for approval or rejection at the next election for city council or county board members.

An ordinance submitted to the people and approved by a majority of all the electors voting at the election shall take effect ten days after the date of the official declaration of the vote. No ordinance adopted by the people under the initiative provisions of this section shall be amended or repealed until another election for city council or county board members has intervened. If two or more ordinances approved by the people at the same election conflict, the one receiving the highest affirmative vote shall prevail."

Page 3, line 18, after "law" insert "or ordinance"

Page 13, after line 1, insert "or, in the case of a local initiative, by the city clerk or county auditor,"

Page 13, line 4, after "secretary's" insert ", clerk's or auditor's"

Page 13, line 9, after "petitions" insert "for the general election"

Page 14, line 2, after the period insert "A petition alleging a conflict between adopted local measures shall be filed in the

district court for the city or county in which the measure was adopted. A copy of the petition shall be served on the city or county attorney for the city or county in which the measure was adopted."

Page 15, after line 11, insert:

"Sec. 24. [3B.22] [PREPARATION FOR LOCAL INITIATIVE.] An initiative measure proposing a city or county ordinance may be filed with the city clerk or county auditor by any eligible voter who resides in the city or county. The measure shall be reviewed for correct form by the city or county attorney. At the sponsors' request the city or county attorney shall draft the measure within 30 days of receiving the request. The sponsors of a proposed local initiative shall also file with the city clerk or county auditor a statement of their names, mailing addresses, and telephone numbers. The measure and the sponsors' statement shall be filed not earlier than one year and not later than eight months before a regular election for city council or county board members. Nothing in sections 24 through 32 shall be construed to restrict or supersede initiative powers and procedures provided in any city charter.

Sec. 25. [3B.23] [LOCAL INITIATIVE PETITIONS.] Subdivision 1. A local initiative petition shall consist of as many copies as the sponsor prints, each of which is not more than one sheet of paper and contains the following:

- (a) In 25 point bold type at the top of the front page, the printed words "LOCAL INITIATIVE PETITION";*
- (b) A brief impartial summary of the purpose and effect of the measure, prepared by the city or county attorney;*
- (c) A statement that a verbatim copy of the initiative measure as it is on file at the office of the city clerk or county auditor is available for public examination at that official's office;*
- (d) Space for the signatures, printed name, mailing address, county and city of residence of each petition signer, indication that the signer is an eligible voter, and the date of signing; and,*
- (e) An affidavit for the person circulating the petition which shall give his name and mailing address; indicate that he circulated the petition to which the affidavit is attached; that to the best of his knowledge each of the signers is an eligible voter and resident of the city or county in which the petition was circulated; and that he has received no compensation for circulating the petition.*

Subd. 2. The secretary of state shall prescribe the form for local initiative petitions, a copy of which shall be available at

each county auditor's office. Upon filing the proposed initiative ordinance measure, the sponsors shall also file a copy of the petition form they intend to use, so that the clerk or auditor may approve it.

Sec. 26. [3B.24] [TIME OF CIRCULATING.] Subdivision 1. Petitions for a local initiative may be circulated beginning at any time after the measure and sponsors' statement have been filed as provided by section 25, but not later than six months before the election at which the measure would appear on the ballot.

Subd. 2. A local initiative petition drive may be abandoned by filing a statement to that effect with the city clerk or county auditor. Other sponsors may then begin a similar drive, but they shall not utilize any petitions collected in the original petition drive.

Sec. 27. [3B.25] [NUMBER OF SIGNATURES FOR LOCAL INITIATIVE.] A local initiative measure shall be proposed to the city council or county board if petitions for the measure are signed by eligible voters who reside in the city or county in a number greater than five percent of the number of votes cast in the city or county for all candidates for governor at the last general election at which a governor was elected.

A signature is valid when:

- (a) It is signed by the person named;
- (b) It is voluntarily signed;
- (c) No compensation has been paid to the person for the signature;
- (d) The person was a registered voter on the date he or she signed the petition; and,
- (e) The person is a resident of the city or county in which the petition is filed.

Sec. 28. [3B.26] [SIGNATURE COUNT; VERIFICATION.] Subdivision 1. Upon receipt of the completed initiative petitions, the clerk or auditor shall count the signatures. If the total number of signatures is less than the minimum required, additional signatures may be filed within 10 days after the clerk or auditor announces the total number received. If the minimum required are not filed by that date, no further action shall be taken on the petitions.

Subd. 2. If the minimum number of signatures is filed, the clerk or auditor shall proceed to verify the signatures within 30

days of receiving them. If 500 or more signatures appear on petitions filed with a clerk or auditor, the clerk or auditor shall use the random sampling method provided for in section 29 for the verification of signatures. If fewer than 500 signatures appear on a petition filed with a clerk or auditor, the clerk or auditor shall verify all signatures.

Sec. 29. [3B.27] [RANDOM SAMPLE VERIFICATION.]
Subdivision 1. *A sample of signatures to be verified shall be drawn in such a manner that every signature filed with the municipal clerk or county auditor shall be given an equal opportunity to be included in the sample. The sample shall include five percent of the signatures.*

Subd. 2. If the verification from the statistical sample shows that the total number of valid signatures on all the petitions is 100 percent or more of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the city or county, the clerk or auditor shall determine the number of valid signatures to be sufficient. The number of valid signatures shall be determined by taking the total number of signatures filed and multiplying it by the percentage of signatures in the statistical sample which were found to be valid. After the verification, the clerk or auditor shall notify the sponsors either that the number of valid signatures was insufficient or, if the number is sufficient, of the number of valid signatures.

Subd. 3. If the verification from the statistical sample shows that the number of valid signatures is less than 100 percent of the minimum number of signatures needed to declare the number of petition signatures to be sufficient for the city or county, the clerk or auditor shall notify the sponsors that the number of valid petition signatures has been found to be insufficient and that additional signatures may be filed within 10 days of the clerk or auditor's determination.

Sec. 30. [3B.28] [CONTESTS.] Subdivision 1. *Any eligible voter may contest the clerk or auditor's count of signatures by filing with that officer a brief statement of the reasons and evidence they believe indicate that the count is erroneous, within three days after the clerk or auditor announces the count. The contest shall be heard and determined within 21 days after it is filed. The determination by a clerk or auditor shall be in writing and is final but may be appealed to the secretary of state as provided by subdivision 3.*

Subd. 2. Any eligible voter may contest the clerk or auditor's determination of the validity of any signature, within three days after the final determination, by filing a brief statement of the evidence which indicates the determination was erroneous. The clerk or auditor shall hear and determine contests within 10 days after the date of the receipt of notice of the contest. The determi-

nation of the clerk or auditor shall be in writing and is final, but may be appealed to the secretary of state as provided by subdivision 3.

Subd. 3. Within 30 days, the secretary of state shall hear and determine any contests relating to the count or determination of the validity of signatures by the municipal clerk or county auditor. The secretary may delegate the hearing and determination to another person.

Subd. 4. If the secretary of state determines that the number of petition signatures meets or exceeds the minimum, the secretary of state shall certify the sufficiency of the local initiative petitions to the sponsors and to the clerk or auditor.

Sec. 31. [3B.29] [CITY COUNCIL OR COUNTY BOARD ACTION.] *If it is determined pursuant to sections 28 to 30 that the number of valid signatures meets or exceeds the required minimum, the clerk or auditor shall forward to the city council or county board the draft of the measure prepared as provided by section 24. The city council or county board shall act upon the measure within 60 days. The measure may be adopted as an ordinance or it may be rejected and another ordinance on the same subject may be adopted instead. In either of these cases, the local initiative measure shall not appear on the ballot. If the city council or county board fails to act on the measure or rejects the measure without enacting a different ordinance on the same subject, it shall return to the city clerk or county auditor the copy of the measure forwarded to it under this section.*

Sec. 32. [3B.30] [PREPARATION OF LOCAL INITIATIVE BALLOT.] *If the city council or county board returns a local initiative measure to the clerk or auditor, the question of adoption of the measure shall be placed on the ballot at the next election for city council or county board members. The city clerk or county auditor shall prepare the ballot question, which shall be a true and impartial statement of the local initiative measure. A measure proposing a city ordinance shall be placed on the blue ballot, and a measure proposing a county ordinance shall be placed on the canary ballot. Voting, canvassing, and reporting of results on a local initiative measure shall be conducted as provided in chapters 200 to 210A."*

Renumber the remaining sections and correct internal references

Page 19, after line 19, insert "Political committee" does not include an association organized to influence a petition drive or a ballot issue campaign on a local initiative."

Page 24, line 7, after the period insert "A local initiative measure shall be effective ten days after the date of the official dec-

lARATION OF THE VOTE ON THE MEASURE AT THE ELECTION AT WHICH IT APPEARED ON THE BALLOT."

Amend the title as follows:

Page 1, line 4, after "laws" insert "and ordinances;"

Page 1, line 8, after "on" insert "statewide"

A roll call was requested and properly seconded.

POINT OF ORDER

Knickerbocker raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Faricy ruled the point of order not well taken and the amendment in order.

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

Brinkman moved that those not voting be excused from voting. The motion prevailed.

There were 45 yeas and 79 nays as follows:

Those who voted in the affirmative were:

Adams	Clawson	Jude	Murphy	Rodriguez
Anderson, B.	Corbid	Kahn	Nelsen, M.	Sarna
Battaglia	Drew	Kelly	Osthoff	Swanson
Begich	Elioff	Kostohryz	Otis	Tomlinson
Berkelman	Ellingson	Kroening	Patton	Waldorf
Blatz	Faricy	Lehto	Pehler	Welch
Byrne	Fritz	McEachern	Pleasant	Welker
Carlson, L.	Hokanson	Metzen	Prahl	Wenzel
Cassery	Jennings	Minne	Rice	Wieser

Those who voted in the negative were:

Aasness	Esau	Johnson, D.	Norman	Sherwood
Ainley	Evans	Kaley	Novak	Stadum
Albrecht	Ewald	Kalis	Nysether	Stoa
Anderson, D.	Fjoslien	Kempe	Olsen	Stowell
Anderson, I.	Forsythe	Knickerbocker	Onnen	Sviggum
Anderson, R.	Friedrich	Kvam	Peterson, B.	Thiede
Berglin	Fudro	Laidig	Peterson, D.	Valan
Biersdorf	Greenfield	Levi	Piepho	Valento
Brinkman	Halberg	Ludeman	Redalen	Vanasek
Carlson, D.	Haukoos	Luknic	Reding	Voss
Clark	Heap	McCarron	Rees	Weaver
Crandall	Heinitz	McDonald	Reif	Wigley
Dempsey	Hoberg	Mehrkens	Rothenberg	Wynia
Den Ouden	Jacobs	Moe	Schreiber	Zubay
Eken	Jaros	Munger	Searle	Spkr. Norton
Erickson	Johnson, C.	Niehaus	Searles	

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

Carlson, L., moved to amend H. F. No. 2304, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. [INITIATIVE AND REFERENDUM STUDY COMMISSION.] Subdivision 1. [CREATION.] A commission of 21 members is created consisting of six members of the house of representatives appointed by the speaker, six members of the senate appointed by the committee on committees, two persons appointed by the chief justice of the supreme court, and seven citizens, including the chairman, appointed by the governor.

Subd. 2. [SCOPE OF STUDY.] The commission shall study the subjects of initiative and referendum and shall recommend whether or not an amendment should be proposed to the state constitution, providing for the powers of initiative, referendum, or both. The commission's study shall include, but not be limited to, a review of constitutional and statutory provisions on these subjects in other states and of studies and commentary on these subjects. The commission shall consider the implementation of initiative and referendum in relation to political, economic, and social changes. It shall make its final report to the governor, the legislature, and the chief justice on the day the legislature convenes for the regular session in 1981.

Subd. 3. [SUBCOMMITTEES; HEARINGS; WITNESSES.] The commission may appoint committees made up of citizens of the state to deal with particular problems or phases of its study, but there shall be at least three members of the commission on each committee. The commission and its committees may hold hearings at times and places convenient for the purpose of taking evidence and testimony to effectuate and purposes of this act.

Subd. 4. [EXPENSES PAID.] Members of the commission and its committees will serve without compensation but shall be allowed and paid their actual traveling and other expenses necessarily incurred in the performance of their duties as provided for state employees. The commission may employ expert clerical, legal and other professional aid and assistance; and may purchase stationery and other supplies; and do all things reasonably necessary and convenient in carrying out the purposes of this act.

Subd. 5. [APPROPRIATION.] The sum of \$150,000 is appropriated from the general fund to the commission for the purposes of this act. Expenses of the commission shall be approved by the chairman or another member as the rules of the commis-

sion provide and paid in the same manner that other state expenses are paid.

Sec. 2. *This act is effective the day after final enactment.*"

Delete the title and insert:

"A bill for an act relating to initiative and referendum; creating an interim study commission; providing an appropriation."

A roll call was requested and properly seconded.

Halberg moved that the Carlson, L., amendment be laid on the table.

POINT OF ORDER

Tomlinson raised a point of order that the motion to lay on the table was not in order. The Speaker pro tem Faricy ruled the point of order well taken and the motion out of order.

The question was taken on the Carlson, L., amendment and the roll was called.

Knickerbocker moved that those not voting be excused from voting. The motion prevailed.

There were 23 yeas and 104 nays as follows:

Those who voted in the affirmative were:

Adams	Clark	Kahn	Moe	Rice
Berglin	Clawson	Kroening	Osthoff	Voss
Brinkman	Greenfield	Long	Otis	Welch
Carlson, L.	Jacobs	Mann	Peterson, D.	
Casserly	Jaros	Metzen	Prahl	

Those who voted in the negative were:

Aasness	Crandall	Fritz	Knickerbocker	Nelsen, B.
Ainley	Dempsey	Fudro	Kostohryz	Nelsen, M.
Albrecht	Den Ouden	Halberg	Kvam	Niehaus
Anderson, B.	Drew	Haukoos	Laidig	Norman
Anderson, D.	Eken	Heap	Lehto	Novak
Anderson, I.	Elioff	Heinitz	Levi	Nysether
Anderson, R.	Ellingson	Hoberg	Ludeman	Olsen
Battaglia	Erickson	Hokanson	Luknic	Onnen
Begich	Esau	Jennings	McCarron	Patton
Berkelman	Evans	Johnson, C.	McDonald	Pehler
Biersdorf	Ewald	Johnson, D.	McEachern	Piepho
Blatz	Faricy	Jude	Mehrkens	Pleasant
Byrne	Fjoslien	Kaley	Minne	Redalen
Carlson, D.	Forsythe	Kelly	Munger	Reding
Corbid	Friedrich	Kempe	Murphy	Rees

Reif	Searle	Stowell	Valento	Wieser
Rodriguez	Searles	Sviggum	Vanasek	Wigley
Rose	Sherwood	Swanson	Waldorf	Wynia
Rothenberg	Sieben, H.	Thiede	Weaver	Zubay
Sarna	Stadum	Tomlinson	Welker	Spkr. Norton
Schreiber	Stoa	Valan	Wenzel	

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

Thiede moved to amend H. F. No. 2304, as amended, as follows:

Page 2, line 2, after "signed" insert "by the number of eligible voters required by law, are required."

Page 2, delete lines 3 to 6 in their entirety

A roll call was requested and properly seconded.

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

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

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

There were 66 yeas and 66 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams	Casserly	Greenfield	Kempe	Minne
Anderson, B.	Clark	Hokanson	Kostohryz	Moe
Anderson, I.	Clawson	Jacobs	Kroening	Munger
Battaglia	Corbid	Jaros	Lehto	Murphy
Begich	Eken	Johnson, C.	Long	Nelsen, M.
Berglin	Elioff	Jude	Mann	Nelson
Brinkman	Ellingson	Kahn	McCarron	Novak
Byrne	Faricy	Kalis	McEachern	Osthoff
Carlson, L.	Fudro	Kelly	Metzen	Otis

Patton	Rice	Simoneau	Voss	Spkr. Norton
Pehler	Rodriguez	Stoa	Waldorf	
Peterson, D.	Sarna	Swanson	Welch	
Prahl	Sieben, H.	Tomlinson	Wenzel	
Reding	Sieben, M.	Vanasek	Wynia	

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

Wynia moved to amend H. F. No. 2304, as amended, as follows:

Page 19, after line 19, insert:

"Sec. 31. Minnesota Statutes 1978, Section 290.09, Subdivision 2, is amended to read:

Subd. 2. [TRADE OR BUSINESS EXPENSES; EXPENSES FOR PRODUCTION OF INCOME.] (a) In General. There shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including

(1) A reasonable allowance for salaries or other compensation for personal services actually rendered;

(2) Traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and

(3) Rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity. For purposes of the preceding sentence, the place of residence of a member of congress within the state shall be considered his home, but amounts expended by such members within each taxable year for living expenses shall not be deductible for income tax purposes in excess of \$3,000.

(b) Expenses for Production of Income. In the case of an individual, there shall be allowed as a deduction all the ordinary and necessary expenses paid or incurred during the taxable year.

(1) For the production or collection of income;

(2) For the management, conservation, or maintenance of property held for the production of income; or

(3) In connection with the determination, collection, or refund of any tax.

(c) Campaign expenditures in an amount not to exceed the limits set out in section 210A.22, not subsequently reimbursed, which have been personally paid by a candidate for public office if the candidate has complied with the expenditure limitations set out in section 210A.22:

(No deduction shall be allowed under this clause for any contribution or gift which would be allowable as a credit under section 290.21 were it not for the percentage limitations set forth in such section);

(d) All expense money paid by the legislature to legislators;

(e) The provisions of section 280A (disallowing certain expenses in connection with the business use of the home and rental of vacation homes) of the Internal Revenue Code of 1954, as amended through December 31, 1976, shall be applicable in determining the availability of any deduction under this subdivision.

(f) *No deduction shall be allowed under this subdivision to a taxpayer for expenditures to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot, including a proposal or measure which materially affects the property, business, or assets of a taxpayer; nor shall a deduction be allowed to a taxpayer for contributions or payments made to an individual, organization, association, corporation, or committee any part of whose activities include efforts to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot, including a proposal or measure which materially affects the property, business, or assets of a taxpayer.*

Sec. 32. Minnesota Statutes, 1979 Supplement, Section 290.-21, Subdivision 3, is amended to read:

Subd. 3. An amount for contribution or gifts made within the taxable year:

(a) to or for the use of the state of Minnesota, or any of its political subdivisions for exclusively public purposes,

(b) to or for the use of any community chest, corporation, organization, trust, fund, association, or foundation located in and carrying on substantially all of its activities within this state, organized and operating exclusively for religious, charitable, public cemetery, scientific, literary, artistic, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual,

(c) to a fraternal society, order, or association, operating under the lodge system located in and carrying on substantially all of their activities within this state if such contributions or gifts are to be used exclusively for the purposes specified in subdivision 3(b), or for or to posts or organizations of war veterans or auxiliary units or societies of such posts or organizations, if they are within the state and no part of their net income inures to the benefit of any private shareholder or individual, or to an employee stock ownership trust as defined in section 290.01, subdivision 25. Where the beneficiaries of a stock ownership trust include the transferor, his spouse, children, grandchildren, parents, siblings or their children, the amount of the deduction shall be reduced by the product of multiplying said amount by their percentage interest in the trust,

(d) to or for the use of the United States of America for exclusively public purposes, and to or for the use of any community chest, corporation, trust, fund, association, or foundation, organized and operated exclusively for any of the purposes specified in subdivision 3(b) and (c) no part of the net earnings of which inures to the benefit of any private shareholder or individual, but not carrying on substantially all of their activities within this state, in an amount equal to the ratio of Minnesota taxable net income to total net income, provided, however, that for an individual taxpayer, the credit shall be allowed in an amount equal to the ratio of the taxpayer's gross income assignable to Minnesota to the taxpayer's gross income from all sources,

(e) to a political party, as defined in section 200.02, subdivision 7, or a political candidate, as defined in section 210A.01, or a political cause when sponsored by any party or association or committee, as defined in section 210A.01, in a maximum amount not to exceed the following:

(1) contributions made by individual natural persons, \$100,

(2) contributions made by a national committeeman, national committeewoman, state chairman, or state chairwoman of a political party, as defined in section 200.02, subdivision 7, \$1,000,

(3) contributions made by a congressional district committeeman or committee woman of a political party, as defined in section 200.02, subdivision 7, \$350,

(4) contributions made by a county chairman or a county chairwoman of a political party, as defined in section 200.02, subdivision 7, \$150;

(f) in the case of an individual, the total credit against taxable net income allowable hereunder shall not exceed 30 percent of the taxpayer's Minnesota gross income as follows:

(i) the aggregate of contributions made to organizations specified in (a), (b) and (d) shall not exceed ten percent of the taxpayer's Minnesota gross income,

(ii) the total credits under this subparagraph for any taxable year shall not exceed 20 percent of the taxpayer's Minnesota gross income. For purposes of this subparagraph, the credits under this section shall be computed without regard to any deduction allowed under subparagraph (i) but shall take into account any contributions described in subparagraph (i) which are in excess of the amount allowable as a credit under subparagraph (i);

(g) in the case of a corporation, the total credit against net income hereunder shall not exceed 15 percent of the taxpayer's taxable net income less the credits allowable under this section other than those for contributions or gifts,

provided that no credit shall be allowed to a corporation for contributions or gifts to any individual, association, corporation, committee, trust, fund, foundation, community chest, fraternal society, or organization for use in efforts to promote or defeat the certification of an initiative or referendum proposal or the passage of an initiative or referendum measure which has qualified for the general election ballot,

(h) in the case of a corporation reporting its taxable income on the accrual basis, if: (A) the board of directors authorizes a charitable contribution during any taxable year, and (B) payment of such contribution is made after the close of such taxable year and on or before the fifteenth day of the third month following the close of such taxable year; then the taxpayer may elect to treat such contribution as paid during such taxable year. The election may be made only at the time of the filing of the return for such taxable year, and shall be signified in such manner as the commissioner shall by regulations prescribe;

(i) in the case of a contribution or property placed in trust as described in section 170(f)(2) of the Internal Revenue Code of 1954, as amended through December 31, 1976, a credit shall be allowed under this subdivision to the extent that a deduction is allowable for federal income tax purposes."

Renumber remaining sections accordingly

Correct internal references

Amend the title as follows:

Page 1, line 8, after the semi-colon insert "providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes;"

Page 1, line 13, after the second semi-colon insert "290.09, Subdivision 2; 290.21, Subdivision 3;"

A roll call was requested and properly seconded.

POINT OF ORDER

Knickerbocker raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Faricy ruled the point of order not well taken and the amendment in order.

Laidig moved to amend the Wynia amendment, as follows:

Page 5, line 17, after "corporation" insert "individual, organization, association, committee or non-profit organization"

Page 3, line 6, after "contributions" insert ", membership dues"

A roll call was requested and properly seconded.

The question was taken on the Laidig amendment to the Wynia amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 64 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Adams	Byrne	Ellingson	Johnson, C.	Lehto
Anderson, B.	Carlson, L.	Faricy	Jude	Long
Anderson, I.	Casserly	Fritz	Kahn	Mann
Battaglia	Clark	Fudro	Kalis	McCarron
Begich	Clawson	Greenfield	Kelly	McEachern
Berglin	Corbid	Hokanson	Kempe	Metzen
Berkelman	Eken	Jacobs	Kostohryz	Minne
Brinkman	Elioff	Jaros	Kroening	Moe

Munger	Otis	Rice	Stoa	Welch
Murphy	Patton	Rodriguez	Swanson	Wenzel
Nelsen, M.	Pehler	Sarna	Tomlinson	Wynia
Nelson	Peterson, D.	Sieben, H.	Vanasek	Spkr. Norton
Novak	Prahl	Sieben, M.	Voss	
Osthoff	Reding	Simoneau	Waldorf	

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

Olsen moved to amend the Wynia amendment, as follows:

Page 3, line 18 to Page 6, line 29, delete Section 32, from the amendment

A roll call was requested and properly seconded.

The question was taken on the Olsen amendment to the Wynia amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 64 yeas and 69 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The question recurred on the Wynia amendment and the roll was called.

Berglin moved that those not voting be excused from voting. The motion prevailed.

There were 68 yeas and 62 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the amendment was adopted.

Wynia offered a second amendment to H. F. No. 2304.

POINT OF ORDER

Knickerbocker raised a point of order pursuant to rule 3.9 that the amendment was not in order. Speaker pro tem Faricy ruled the point of order well taken and the amendment out of order.

Thiede and Berkelman moved to amend H. F. No. 2304, as amended, as follows:

Page 2, line 4, delete "in each congressional district"

Page 2, line 6, after the period insert "Signatures shall be from eligible voters in every county of the state. For each county the number of signatures shall be greater than five percent of the votes cast for all candidates for governor in that county at the last gubernatorial election."

Page 6, line 11, delete "and congressional district"

Page 6, line 21, delete "congressional district" and insert "county"

Page 8, line 10, delete "congressional district" and insert "county"

Page 8, line 11, delete "congressional district" and insert "county"

Page 8, lines 13 and 14, delete "congressional district" and insert "county"

Page 9, lines 15 and 16, delete "congressional district" and insert "county"

Page 10, lines 10 and 11, delete "congressional district" and insert "county"

Page 10, line 22, delete "congressional district" and insert "county"

A roll call was requested and properly seconded.

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

Knickerbocker moved that those not voting be excused from voting. The motion prevailed.

There were 84 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Aasness	Clawson	Friedrich	Knickerbocker	Niehaus
Ainley	Crandall	Halberg	Kvam	Norman
Albrecht	Dempsey	Haukoos	Laidig	Nysether
Anderson, D.	Den Ouden	Heap	Levi	Olsen
Anderson, G.	Eken	Heinitz	Ludeman	Onnen
Anderson, R.	Eliooff	Hoberg	Luknic	Otis
Battaglia	Erickson	Jennings	Mann	Peterson, B.
Begin	Esau	Johnson, C.	McDonald	Piepho
Berkelman	Evans	Johnson, D.	McEachern	Pleasant
Biersdorf	Ewald	Jude	Mehrkens	Prahl
Blatz	Fjoslien	Kaley	Murphy	Redalen
Carlson, D.	Forsythe	Kalis	Nelsen, B.	Reding

Rees	Searle	Sviggum	Vanasek	Wenzel
Reif	Searles	Thiede	Voss	Wieser
Rose	Sherwood	Tomlinson	Weaver	Wigley
Rothenberg	Stadum	Valan	Welch	Zubay
Schreiber	Stowell	Valento	Welker	

Those who voted in the negative were:

Adams	Drew	Kempe	Nelsen, M.	Sieben, H.
Anderson, B.	Ellingson	Kostohryz	Nelson	Sieben, M.
Anderson, I.	Faricy	Kroening	Novak	Simoneau
Berglin	Fritz	Lehto	Osthoff	Stoa
Brinkman	Greenfield	Long	Patton	Swanson
Byrne	Hokanson	McCarron	Pehler	Waldorf
Carlson, L.	Jacobs	Metzen	Peterson, D.	Wynia
Casserly	Jaros	Minne	Rice	Spkr. Norton
Clark	Kahn	Moe	Rodriguez	
Corbid	Kelly	Munger	Sarna	

The motion prevailed and the amendment was adopted.

Thiede, Searles and Norman moved to amend H. F. No. 2304, as amended, as follows:

Page 2, after line 6, insert:

"A measure proposed by initiative petition shall be forwarded to the legislature following certification by the state officer authorized by law that the petition has been validly signed by the required number of eligible voters.

Upon receipt, the legislature shall adopt, modify or reject a measure proposed by initiative petition during the biennial session in which that measure was forwarded to the legislature.

If the legislature adopts the measure as proposed, without modification, the state officer authorized by law shall submit the proposed law to the people for approval or rejection at the next general election.

If the legislature modifies or rejects a measure proposed by initiative petition, the state officer authorized by law shall submit the original measure and any modified measure proposed by the legislature to the people for approval or rejection at the next general election.

If an original measure and a modified measure proposed by the legislature are both approved, that receiving the highest affirmative vote shall prevail."

Page 2, delete lines 7 to 19, in their entirety

Page 3, line 8, after "an" insert "indirect"

Page 5, lines 23 and 24, delete "in the event the legislature does not act on the measure"

Page 11, line 12, after the period insert:

"Prior to adjournment sine die, the measure shall be reported to each house of the legislature and shall be adopted, modified or rejected by roll call vote in each house."

Page 11, line 13, delete "enact" and insert "pass"

Page 11, lines 14 and 15 delete "into law and provide for its effective date" and insert "and return it to the secretary of state for placement on the ballot for the next general election"

Page 11, line 17, delete "enact" and insert "pass"

Page 11, line 18, delete "law" and insert "proposal"

Page 11, line 18, delete ", which shall become"

Page 11, delete lines 19 and 20 in their entirety

Page 11, line 21, delete everything before the period

Page 11, line 23, delete "enacting a different law" and insert "passing a different proposal"

Page 11, line 26, before the period insert ", for placement on the ballot for the next general election"

Page 11, line 26, after the period insert "If the legislature rejects the initiative measure and passes a different proposal on the same subject, both the original initiative measure and the legislative proposal shall be returned to the secretary of state for placement on the ballot for the next general election."

Page 11, line 27, delete "If" and insert "When"

Page 11, line 31, after the period insert "If the legislature returns an original initiative measure and a legislative proposal on the same subject, the secretary of state shall place both on the ballot for the next general election as separate questions."

Page 15, line 10, delete everything after the period

Page 15, delete line 11 in its entirety

A roll call was requested and properly seconded.

Tomlinson moved to amend the Thiede, Searles and Norman amendment, as follows:

In the amendment, page 1, delete:

"If the legislature adopts the measure as proposed, without modification, the state officer authorized by law shall submit the proposed law to the people for approval or rejection at the next general election."

Page 2, delete:

"Page 11, line 13, delete "enact" and insert "pass"

Page 11, lines 14 and 15 delete "into law and provide for its effective date" and insert "and return it to the secretary of state for placement on the ballot for the next general election"

Page 11, line 17, delete "enact" and insert "pass"

Page 11, line 18, delete "law" and insert "proposal" "

A roll call was requested and properly seconded.

The question was taken on the Tomlinson amendment to the Thiede, Searles and Norman amendment and the roll was called.

Sieben, H., moved that those not voting be excused from voting. The motion prevailed.

There were 72 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Adams	Dean	Jude	Murphy	Schreiber
Anderson, B.	Dempsey	Kahn	Nelsen, M.	Sieben, M.
Anderson, G.	Eken	Kalis	Niehaus	Simoneau
Battaglia	Elioff	Kelly	Novak	Stoa
Beighich	Ellingson	Kempe	Onnen	Sviggum
Berglin	Erickson	Kostohryz	Osthoff	Swanson
Berkelman	Faricy	Kroening	Patton	Tomlinson
Blatz	Fudro	Lehto	Pehler	Vanasek
Brinkman	Greenfield	Long	Peterson, D.	Voss
Byrne	Halberg	Mann	Piepho	Welch
Carlson, L.	Hokanson	McCarron	Prahl	Wynia
Cassarly	Jacobs	McEachern	Rees	Spkr. Norton
Clark	Jaros	Metzen	Rice	
Clawson	Johnson, C.	Minne	Rodriguez	
Corbid	Johnson, D.	Munger	Sarna	

Those who voted in the negative were:

Aasness	Anderson, D.	Biersdorf	Den Ouden	Evans
Ainley	Anderson, I.	Carlson, D.	Drew	Ewald
Albrecht	Anderson, R.	Crandall	Esau	Fjoslien

Forsythe	Kvam	Norman	Rose	Valan
Friedrich	Laidig	Nysether	Rothenberg	Valento
Fritz	Levi	Olsen	Searle	Waldorf
Heap	Ludeman	Otis	Searles	Weaver
Heinitz	Luknic	Peterson, B.	Sherwood	Welker
Hoberg	McDonald	Pleasant	Sieben, H.	Wenzel
Jennings	Mehrken	Redalen	Stadum	Wieser
Kaley	Moe	Reding	Stowell	Wigley
Knickerbocker	Nelsen, B.	Reif	Thiede	Zubay

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

The question recurred on the Thiede, Searles and Norman amendment, as amended, and the roll was called.

Knickerbocker moved that those not voting be excused from voting. The motion prevailed.

There were 82 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kelly	Olsen	Stowell
Ainley	Ewald	Kempe	Onnen	Sviggum
Albrecht	Faricy	Knickerbocker	Patton	Thiede
Anderson, B.	Fjoslien	Kvam	Peterson, B.	Tomlinson
Anderson, D.	Forsythe	Laidig	Piepho	Valan
Anderson, R.	Friedrich	Lehto	Pleasant	Valento
Biersdorf	Fritz	Levi	Redalen	Weaver
Blatz	Halberg	Ludeman	Reding	Welker
Carlson, D.	Haukoos	Luknic	Rees	Wenzel
Clawson	Heap	McDonald	Reif	Wieser
Crandall	Heinitz	McEachern	Rose	Wigley
Dean	Hoberg	Mehrken	Rothenberg	Wynia
Dempsey	Hokanson	Minne	Schreiber	Zubay
Den Ouden	Jennings	Nelsen, B.	Searle	Spkr. Norton
Drew	Johnson, D.	Niehaus	Searles	
Erickson	Jude	Norman	Sherwood	
Esau	Kaley	Nysether	Stadum	

Those who voted in the negative were:

Adams	Casserly	Kahn	Murphy	Sarna
Anderson, G.	Clark	Kalis	Nelson	Sieben, H.
Anderson, I.	Corbid	Kostohryz	Novak	Sieben, M.
Battaglia	Eken	Kroening	Osthoff	Simoneau
Beigh	Elioff	Long	Otis	Stoa
Berglin	Ellingson	Mann	Pehler	Swanson
Berkelman	Fudro	McCarron	Peterson, D.	Vanasek
Brinkman	Greenfield	Metzen	Prah	Voss
Byrne	Jacobs	Moe	Rice	Waldorf
Carlson, L.	Jaros	Munger	Rodriguez	Welch

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

Thiede moved to amend H. F. No. 2304, as amended, as follows:

Page 3, line 32, delete "and after August 1 in calendar year 1980"

Page 7, line 13, delete "or calendar year 1980"

Page 7, lines 32 and 33, delete "; provided that petitions which are signed in calendar year 1980 are not"

Page 8, line 1, delete "invalid until December 31, 1981"

Page 24, delete lines 9 to 12 in their entirety and insert "the governor announces the adoption of the new amendment by proclamation as provided by section 8.20 but shall expire on"

A roll call was requested and properly seconded.

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

Knickerbocker moved that those not voting be excused from voting. The motion prevailed.

There were 75 yeas and 56 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the amendment was adopted.

H. F. No. 2304, A bill for an act relating to initiative; proposing an amendment to the Minnesota Constitution, Article VII by adding a section; authorizing initiative on laws; providing a statute implementing the amendment; providing for the manner of petitioning and voting on initiative measures; providing for disclosure of campaign costs on ballot issues; providing that expenditures to promote or defeat a measure may not be taken as a deduction or credit against income taxes; providing for judicial review; providing penalties; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 15; 10A.20, by adding a subdivision; 203A.31, Subdivisions 2 and 3; 204A.24; 204A.40, Subdivision 2; 204A.53, Subdivision 3; 290.09, Subdivision 2; 290.21, Subdivision 3; and 645.02.

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 90 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Aasness	Evans	Kempe	Niehaus	Sherwood
Ainley	Ewald	Knickerbocker	Norman	Sieben, M.
Albrecht	Fjoshien	Kostohryz	Novak	Stadum
Anderson, B.	Forsythe	Kvam	Nysether	Stowell
Anderson, D.	Friedrich	Laidig	Olsen	Sviggum
Anderson, R.	Fritz	Lehto	Onnen	Swanson
Berkelman	Halberg	Levi	Pehler	Thiede
Biersdorf	Haukoos	Ludeman	Peterson, B.	Tomlinson
Blatz	Heap	Luknic	Piepho	Valan
Carlson, D.	Heinitz	Mann	Redalen	Valento
Clawson	Hoberg	McCarron	Reding	Waldorf
Crandall	Hokanson	McDonald	Rees	Weaver
Dean	Jennings	McEachern	Reif	Welch
Dempsey	Johnson, C.	Mehrkens	Rose	Welker
Den Ouden	Johnson, D.	Metzen	Rothenberg	Wenzel
Drew	Jude	Murphy	Schreiber	Wieser
Erickson	Kaley	Nelsen, B.	Searle	Wigley
Esau	Kelly	Nelsen, M.	Searles	Zubay

Those who voted in the negative were:

Adams	Cassery	Jacobs	Nelson	Sarna
Anderson, G.	Clark	Jaros	Osthoff	Sieben, H.
Anderson, I.	Corbid	Kahn	Otis	Simoneau
Battaglia	Eken	Kalis	Patton	Stoa
Begich	Elioff	Kroening	Peterson, D.	Vanasek
Berglin	Ellingson	Long	Pleasant	Voss
Brinkman	Faricy	Minne	Prahl	Wynia
Byrne	Fudro	Moe	Rice	Spkr. Norton
Carlson, L.	Greenfield	Munger	Rodriguez	

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 one day. The motion prevailed.

GENERAL ORDERS

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

There being no objection the order of business reverted to Messages from the Senate.

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, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1847, A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; appropriating money.

PATRICK E. FLAHAVEN, Secretary of the Senate

Clawson moved that the House refuse to concur in the Senate amendments to H. F. No. 1847, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 1201, A bill for an act relating to waters; providing for watercraft licensing and safe operation; altering certain definitions; changing license fees; authorizing a temporary certificate; stating the evidentiary effect of certain blood tests; altering certain safety requirements and motor noise limits; providing an outline for distributing water safety enforcement funds; appropriating money; amending Minnesota Statutes 1978, Sections 361.02, by adding subdivisions; 361.03, Subdivisions 3 and 12, and by adding a subdivision; 361.10; 361.12; 361.13, Subdivision 1; 361.141, Subdivision 1; 361.15, Subdivision 1; 361.16, Subdivision 1; 361.18; 361.20; 361.21, Subdivision 2, and by adding a subdivision; 361.215; 361.24; 361.27, Subdivision

1; and 361.29, Subdivision 4; repealing Minnesota Statutes 1978, Section 361.15, Subdivision 2.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carlson, D., moved that the House refuse to concur in the Senate amendments to H. F. No. 1201, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 1931, A bill for an act relating to Ramsey County; simplifying the numbering of the county code; amending Laws 1974, Chapter 435, Articles I to IV, as amended.

PATRICK E. FLAHAVEN, Secretary of the Senate

Wynia moved that the House refuse to concur in the Senate amendments to H. F. No. 1931, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 2040, A bill for an act relating to government data; providing definitions; classifying data as public, private, confidential, non-public, or protected non-public; amending Minnesota Statutes 1978, Sections 15.162, by adding subdivisions; 15.165, Subdivision 3; 600.23, Subdivision 3; and Chapter 15, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 15.162, Subdivision 2a; 15.163, Subdivisions 3, 5, 9; 15.1642, Subdivisions 1 and 5; 15.166, Subdivision 4; 15.1692, Subdivision 2, and by adding a subdivision; 15.1693, by adding a subdivision; 15.1698, Subdivision 1, and by adding subdivisions; repealing Minnesota Statutes, 1979 Supplement, Section 15.1692, Subdivision 4.

PATRICK E. FLAHAVEN, Secretary of the Senate

Stoa moved that the House refuse to concur in the Senate amendments to H. F. No. 2040, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like 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. 1612, A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing property tax relief; excepting the conveyance of certain land from restrictions on the filing and recording of conveyances; modifying the policy statement for municipal planning and development; appropriating money; amending Minnesota Statutes 1978, Sections 462.351; and 462.358, Subdivision 4.

PATRICK E. FLAHAVERN, Secretary of the Senate

Schreiber moved that the House refuse to concur in the Senate amendments to H. F. No. 1612, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 133:

Ellingson, Greenfield, and Dempsey.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 729:

Greenfield, Clark, and Drew.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 874:

Kroening, Casserly, and Crandall.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1201:

Carlson, D.; Kahn; and Munger.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1302:

Ellingson, Wynia, and Blatz.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1534:

Weaver, Clawson, and Reding.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1649:

Welch, Mann, and Nelsen, B.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1662:

Berglin, Minne, and Laidig.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1731:

Niehaus, Pleasant, and Rodriguez.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1813:

Anderson, B.; Svingum; and Voss.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1816:

Clawson, Laidig, and Moe.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1847:

Clawson, Onnen, and Berkelman.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1931:

Wynia, Levi, and Greenfield.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2040:

Stoa, Hokanson, and Dempsey.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 2095:

Greenfield, Long, and Peterson, B.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2470:

Voss; Anderson, D.; Sieben, M.; Anderson, R.; and Anderson, G.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1612:

Schreiber, Levi, and Casserly.

ADJOURNMENT

Sieben, H., moved that when the House adjourns today it adjourn until 11:00 a.m., Wednesday, April 2, 1980. The motion prevailed.

Sieben, H., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 11:00 a.m., Wednesday, April 2, 1980.

EDWARD A. BURDICK, Chief Clerk, House of Representatives