

STATE OF MINNESOTA

THIRD SPECIAL SESSION - 1982

FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, DECEMBER 7, 1982

In obedience to the proclamation of the Honorable Albert H. Quie, Governor of the State of Minnesota, summoning the two houses of the Legislature to meet in Special Session, the members of the House of Representatives assembled in the House chamber at the Capitol in Saint Paul on Tuesday, the seventh day of December, 1982, at 10:00 a.m.

A copy of the proclamation for the 1982 Third Special Session is on file in the office of the Chief Clerk. The proclamation is dated December 6, 1982.

Pursuant to the proclamation and Minnesota Statutes 1980, Section 3.073, the Honorable Harry A. Sieben, Jr., Speaker of the House, called the House of Representatives to order.

Prayer was offered by Dr. Joseph Simonson, Retired Pastor, Christ Lutheran Church, St. Paul, Minnesota.

The Chief Clerk called the roll by legislative district in numerical order and the following members answered to their names:

District 1A	Myron Nysether
District 1B	LeRoy Stumpf
District 2A	Tony Stadum
District 2B	Willis Eken
District 3A	Irv Anderson
District 3B	Robert Lemen
District 4A	John A. Ainley
District 4B	Glen Sherwood
District 5A	Dominic J. Elioff
District 5B	
District 6A	Joseph R. Begich
District 6B	David P. Battaglia
District 7A	Willard Munger
District 7B	Ben E. Gustafson
District 8A	Arlene Lehto
District 8B	Thomas R. Berkelman

District 9A	Dwaine H. Hoberg
District 9B	Merlyn Valan
District 10A	Jim Evans
District 10B	Bob Anderson
District 11A	Paul D. Aasness
District 11B	Dave Fjoslien
District 12A	Bruce G. Nelsen
District 12B	Stephen G. Wenzel
District 13A	Don Samuelson
District 13B	Paul Anders Ogren
District 14A	Doug Carlson
District 14B	Mary Murphy
District 15A	Earl Hauge
District 15B	Glen Anderson
District 16A	Joe T. Niehaus
District 16B	B. J. Brinkman
District 17A	Marcus Marsh
District 17B	Dave Gruenes
District 18A	Dick Welch
District 18B	Bob McEachern
District 19A	John T. Clawson
District 19B	John Weaver
District 20A	Ray Welker
District 20B	Cal Ludeman
District 21A	Dean Elton Johnson
District 21B	Gaylin Den Ouden
District 22A	Adolph L. Kvam
District 22B	Tony Onnen
District 23A	Gary Schafer
District 23B	Carl M. Johnson
District 24A	Robert E. Vanasek
District 24B	Marnie Luknic
District 25A	Steve Sviggum
District 25B	Lyle Mehrkens
District 26A	Buzz Anderson
District 26B	Wendell O. Erickson
District 27A	George Mann
District 27B	David Jennings
District 28A	Gilbert Esau
District 28B	Terry Dempsey
District 29A	Mark Piepho
District 29B	Richard (Dick) Wigley
District 30A	Henry J. Kalis
District 30B	Jerry Schoenfeld
District 31A	Bob Haukoos
District 31B	Leo J. Reding
District 32A	Tom J. Shea
District 32B	Don Frerichs
District 33A	J. R. "Dick" Kaley
District 33B	Ken Zubay
District 34A	Warren "Tom" Stowell
District 34B	Tim Sherman
District 35A	Elton R. Redalen
District 35B	Al Wieser, Jr.

District 36A	K. J. McDonald
District 36B	Tom Rees
District 37A	Shirley Hokanson
District 37B	James C. "Jim" Swanson
District 38A	
District 38B	
District 39A	Mary Forsythe
District 39B	John Himle
District 40A	Doug Ewald
District 40B	Jerry Knickerbocker
District 41A	Sally Olsen
District 41B	
District 42A	Tad Jude
District 42B	Robert L. Searles
District 43A	Lon Heinitz
District 43B	Jim Heap
District 44A	Lyndon R. Carlson
District 44B	Dorothy Hokr
District 45A	Bill Schreiber
District 45B	Robert L. "Bob" Ellingson
District 46A	Paul McCarron
District 46B	Wayne Simoneau
District 47A	Joel Jacobs
District 47B	Gordon O. Voss
District 48A	Steven G. Novak
District 48B	John Rose
District 49A	
District 49B	Robert W. (Bob) Reif
District 50A	Connie Levi
District 50B	Dick Kostohryz
District 51A	Gary W. Laidig
District 51B	Mike Sieben
District 52A	James P. Metzen
District 52B	Harry Sieben, Jr.
District 53A	Carolyn Rodriguez
District 53B	Charles C. "Chuck" Halberg
District 54A	George C. Dahlvang
District 54B	James I. Rice
District 55A	Lawrence J. Pogemiller
District 55B	John J. Sarna
District 56A	Randy W. Staten
District 56B	Dee Long
District 57A	Phyllis Kahn
District 57B	Lee Greenfield
District 58A	Bill Dean
District 58B	Todd Otis
District 59A	Karen Clark
District 59B	Ken Nelson
District 60A	Janet Clark
District 60B	Donna Peterson
District 61A	John Brandl
District 61B	Wesley J. "Wes" Skoglund
District 62A	Ann Wynia
District 62B	Walter Hanson

District 63A	Kathleen Vellenga
District 63B	John Drew
District 64A	Tom Osthoff
District 64B	Peggy Byrne
District 65A	Fred C. Norton
District 65B	Tom Harens
District 66A	Richard M. O'Connor
District 66B	Randy C. Kelly
District 67A	Frank J. Rodriguez, Sr.
District 67B	John Tomlinson

129 members answered to the call by legislative district.

Minne; Peterson, B.; Rothenberg and Valento were excused.
Blatz was excused until 10:30 a.m.

The roll was called in alphabetical order and the following members were present:

Aasness	Esau	Kaley	Novak	Sherman
Ainley	Evans	Kalis	Nysether	Sherwood
Anderson, B.	Ewald	Kelly	O'Connor	Sieben, M.
Anderson, G.	Fjoslien	Knickerbocker	Ogren	Simoneau
Anderson, I.	Forsythe	Kostohryz	Olsen	Skoglund
Anderson, R.	Freerichs	Kvam	Onnen	Stadum
Battaglia	Greenfield	Laidig	Osthoff	Staten
Begich	Gruenes	Lehto	Otis	Stowell
Berkelman	Gustafson	Lemen	Peterson, D.	Stumpf
Brandl	Halberg	Levi	Piepho	Sviggum
Brinkman	Hanson	Long	Pogemiller	Swanson
Byrne	Harens	Ludeman	Redalen	Tomlinson
Carlson, D.	Hauge	Luknic	Reding	Valan
Carlson, L.	Haukoos	Mann	Rees	Vanasek
Clark, J.	Heap	Marsh	Reif	Vellenga
Clark, K.	Heinitz	McCarron	Rice	Voss
Clawson	Himle	McDonald	Rodriguez, C.	Weaver
Dahlvang	Hoberg	McEachern	Rodriguez, F.	Welch
Dean	Hokanson	Mehrkens	Rose	Welker
Dempsey	Hokr	Metzen	Samuelson	Wenzel
Den Ouden	Jacobs	Munger	Sarna	Wieser
Drew	Jennings	Murphy	Schafer	Wigley
Eken	Johnson, C.	Nelsen, B.	Schoenfeld	Wynia
Elioff	Johnson, D.	Nelson, K.	Schreiber	Zubay
Ellingson	Jude	Niehaus	Searles	Spkr. Sieben, H.
Erickson	Kahn	Norton	Shea	

A quorum was present.

Eken moved that the Chief Clerk be and is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is now duly organized pursuant to law for the Third Special Session 1982. The motion prevailed.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Sieben, M.; Eken and Sieben, H., introduced:

H. F. No. 1, A bill for an act relating to the financing of government in this state; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; eliminating sunset of various medical assistance and income maintenance cost control provisions; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; advancing dates for payment of property taxes; amending Minnesota Statutes 1982, sections 15A.081, by adding a subdivision; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256.966, subdivision 1; 256B.03, subdivision 2; 256D.03, subdivision 4; 256E.06, subdivision 3; 270.18, subdivision 2; 274.19, subdivisions 3, 4, and 5; 276.09; 276.10; 276.11; 277.01, subdivision 1; 277.011, subdivisions 1 and 3; 277.02; 277.03; 277.05; 277.06; 277.13; 278.01, subdivisions 1 and 2; 278.03; 278.05, subdivision 5; 279.01, subdivision 1; 290.01, subdivision 20a; 290.06, subdivision 2e; 290A.06; 290A.07, subdivision 3; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 473F.08, subdivision 7a; Laws 1981, Third Special Session, chapter 2, article IV, section 3, subdivision 2, as amended by Laws 1982, chapter 548, article VII, section 7; and Laws 1982, Third Special Session, chapter 2, article IV, section 5, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1982, section 256D.22; and Laws 1981, chapter 360, article 2, section 54, as amended by Laws 1981, First Special Session chapter 4, article 4, section 22.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Sieben, M., moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1 be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the motion and the roll was called. There were 104 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Aasness

Anderson, B.

Anderson, G.

Anderson, I.

Anderson, R.

Battaglia	Ewald	Kalis	Ogren	Stadum
Begich	Forsythe	Kelly	Olsen	Staten
Berkelman	Greenfield	Knickerbocker	Osthoff	Stowell
Brandl	Gruenes	Kostohryz	Otis	Stumpf
Brinkman	Gustafson	Laidig	Peterson, D.	Sviggum
Byrne	Halberg	Lehto	Piepho	Swanson
Carlson, D.	Hanson	Levi	Pogemiller	Tomlinson
Carlson, L.	Harens	Long	Redalen	Valan
Clark, J.	Haukoos	Luknic	Reding	Vanasek
Clark, K.	Heap	Mann	Reif	Vellenga
Clawson	Hoberg	Marsh	Rodriguez, C.	Voss
Dahlvang	Hokanson	McCarron	Rose	Weaver
Dean	Hokr	Mehrkens	Samuelson	Welch
Dempsey	Jacobs	Munger	Schoenfeld	Wenzel
Eken	Jennings	Murphy	Schreiber	Wieser
Elioff	Johnson, C.	Nelsen, B.	Shea	Wigley
Ellingson	Johnson, D.	Nelson, K.	Sherman	Wynia
Erickson	Jude	Niehaus	Sieben, M.	Zubay
Esau	Kahn	Norton	Simoneau	Spkr. Sieben, H.
Evans	Kaley	Novak	Skoglund	

Those who voted in the negative were:

Ainley	Frerichs	Ludeman	Rees	Welker
Den Ouden	Heinitz	McDonald	Schafer	
Drew	Kvam	Nysether	Searles	
Fjoslien	Lemen	Onnen	Sherwood	

The motion prevailed.

Sieben, M., moved that the rules of the House be so far suspended that H. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 1 was read for the second time.

There being no objection the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

McCarron, Osthoff and Jennings introduced:

H. F. No. 2, A bill for an act relating to the legislature; enacting the present legislative apportionment into statutory form with minor alterations; amending Minnesota Statutes 1982, sections 2.021; 2.031; proposing new law coded in Minnesota Statutes, chapter 2; and repealing Minnesota Statutes 1982, sections 2.041 to 2.712.

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

Lemen, Jennings, Halberg, Schafer and Hokr introduced:

H. F. No. 3, A bill for an act relating to taxation; creating a legislative commission for job development; amending Minnesota Statutes 1982, sections 290.06, subdivision 1, and by adding a subdivision; 297A.25, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 362.

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

Eken 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.

H. F. No. 1 was reported to the House.

Sieben, M., moved to amend H. F. No. 1 as follows:

Page 12, after line 34, insert:

"Notwithstanding any law to the contrary, the commissioner of health may use federal preventive and personal health services block grant money to maintain existing public health programs that would otherwise be eliminated due to this reduction."

The motion prevailed and the amendment was adopted.

Sieben, M., moved to amend H. F. No. 1, as amended, as follows:

Page 17, after line 19, insert a section to read:

"Sec. 11. Minnesota Statutes 1982, section 256D.05, subdivision 1a, is amended to read:

Subd. 1a. [TEMPORARY STANDARDS.] Notwithstanding the provisions of subdivision 1, (FROM MARCH 24, 1982 UNTIL JUNE 30, 1983,) each person or family whose income and resources are less than the standard of assistance established by the commissioner, and who is not eligible for the federally aided assistance programs of emergency assistance or aid to families with dependent children, or any successor to those programs, shall be eligible for and entitled to general assistance if the person or family is:

(a) A person who is suffering from a permanent or temporary illness, injury, or incapacity which is both medically certified and prevents the person from engaging in suitable employment, and who, if the medical certification establishes that the illness, injury, or incapacity is temporary and recommends a reasonable plan for rehabilitation, is following the plan;

(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness or incapacity of another member of the household;

(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is pursuant to a plan developed or approved by the local agency through its director or designated representative;

(d) A person who resides in a shelter facility described in subdivision 3;

(e) A person who is or may be eligible for displaced homemaker services, programs, or assistance under section 4.40. In determining eligibility of the person for general assistance, income received as a stipend shall be disregarded as provided in section 4.40;

(f) A person who is unable to secure suitable employment due to inability to communicate in the English language, and who, if assigned to a language skills program by the local agency, is participating in that program;

(g) A person not described in clause (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally ill or mentally retarded;

(h) A person who is unable to secure suitable employment due to a lack of marketable skills and who, if assigned to a vocational counseling, vocational rehabilitation, or work training program by the local agency, is participating in that program. Eligibility for general assistance under clause (h) is limited to five weeks per calendar year;

(i) A person who has an application pending for the program of supplemental security income for the aged, blind and disabled or has been terminated from that program and has an appeal from that termination pending, and who has executed an interim assistance authorization agreement pursuant to the provisions of section 256D.06, subdivision 5; or

(j) A person who is unable to secure suitable employment because his advanced age significantly affects his ability to engage in substantial work. This clause is effective January 1, 1983.

(THIS SUBDIVISION IS REPEALED JULY 1, 1983.)"

Renumber the sections of Article I in order

Amend the title as follows:

Page 1, line 21, after "subdivision 4;" insert "256D.05, subdivision 1a;"

The motion prevailed and the amendment was adopted.

Sieben, M., moved to amend H. F. No. 1, as amended, as follows:

Page 28, after line 27, insert a section to read:

"Sec. 2. Minnesota Statutes 1982, section 290.01, subdivision 20b, is amended to read:

Subd. 20b. [MODIFICATIONS REDUCING FEDERAL ADJUSTED GROSS INCOME.] There shall be subtracted from federal adjusted gross income:

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

(2) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis for Minnesota income tax purposes than for federal income tax purposes, that does not exceed such difference in basis; but if such gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to 40 per centum of the portion of the gain. This modification shall not be applicable if the difference in basis is due to disallowance of depreciation pursuant to section 290.101.

(3) Income from the performance of personal or professional services which is subject to the reciprocity exclusion contained in section 290.081, clause (a);

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

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

(6) To the extent included in federal adjusted gross income, or the amount reflected as the ordinary income portion of a lump sum distribution under section 402(e) of the Internal Revenue Code of 1954, notwithstanding any other law to the contrary, the amount received by any person (i) from the United States, its agencies or instrumentalities, the Federal Reserve Bank or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions, or a Minnesota volunteer firefighter's relief association, by way of payment as a pension, public employee retirement benefit, or any combination thereof, or (ii) as a retirement or survivor's benefit made from a plan qualifying under section 401, 403, 404, 405, 408, 409 or 409A of the Internal Revenue Code of 1954. The maximum amount of this subtraction shall be \$11,000 less the amount by which the individual's federal adjusted gross income, plus the ordinary income portion of a lump sum distribution as defined in section 402(e) of the Internal Revenue Code of 1954, exceeds \$17,000. In the case of a volunteer firefighter who receives an involuntary lump sum distribution of his pension or retirement benefits, the maximum amount of this subtraction shall be \$11,000; this subtraction shall not be reduced by the amount of the individual's federal adjusted gross income in excess of \$17,000;

(7) The amount of any credit to the taxpayer's federal tax liability under section 38 of the Internal Revenue Code of 1954 but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

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

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

(10) Interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of the property

on a family farm security loan executed before January 1, 1986 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60;

(11) The first \$3,000 of compensation for personal services in the armed forces of the United States or the United Nations, and the next \$2,000 of compensation for personal services in the armed forces of the United States or the United Nations wholly performed outside the state of Minnesota. This modification does not apply to compensation defined in subdivision 20b, clause (6);

(12) The amount of any income earned for personal services rendered outside of Minnesota prior to the date when the taxpayer became a resident of Minnesota. This modification does not apply to compensation defined in subdivision 20b, clause (6);

(13) In the case of wages or salaries paid or incurred on or after January 1, 1977, the amount of any credit for employment of certain new employees under sections 44B and 51 to 53 of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(14) In the case of work incentive program expenses paid or incurred on or after January 1, 1979, the amount of any credit for expenses of work incentive programs under sections 40, 50A and 50B of the Internal Revenue Code of 1954 which is claimed as a credit against the taxpayer's federal tax liability, but only to the extent that the credit is connected with or allocable against the production or receipt of income included in the measure of the tax imposed by this chapter;

(15) Unemployment compensation to the extent includible in gross income for federal income tax purposes under section 85 of the Internal Revenue Code of 1954;

(16) To the extent included in federal adjusted gross income, severance pay that may be treated as a lump sum distribution under the provisions of section 290.032, subdivision 5;

(17) The amount of any income or gain which is not assignable to Minnesota under the provisions of section 290.17;

(18) Minnesota exempt-interest dividends as provided by subdivision 27;

(19) A business casualty loss which the taxpayer elected to deduct on the current year's Minnesota income tax return but did not deduct on the current year's federal income tax return;

(20) To the extent included in federal adjusted gross income, in the case of a city manager or city administrator who elects to be excluded from the public employees retirement association and who makes contributions to a deferred compensation program pursuant to section 353.028, the amount of payments from the deferred compensation program equivalent to the amount of contributions taxed under subdivision 20a, clause (20);

(21) Contributions to and interest earned on an individual housing account as provided by section 290.08, subdivision 25;

(22) Interest earned on a contract for deed entered into for the sale of property for agricultural use if the rate of interest set in the contract is no more than nine percent per year for the duration of the term of the contract. This exclusion shall be available only if (1) the purchaser is an individual who, together with his spouse and dependents, has a total net worth valued at less than \$150,000 and (2) the property sold under the contract is farm land as defined in section 41.52, subdivision 6 of no more than 1,000 acres that the purchaser intends to use for agricultural purposes. Compliance with these requirements shall be stated in an affidavit to be filed with the first income tax return on which the taxpayer claims the exclusion provided in this clause. Upon request accompanied by the information necessary to make the determination, the commissioner shall determine whether interest to be paid on a proposed transaction will qualify for this exclusion; the determination shall be provided within 30 days of receipt of the request, unless the commissioner finds it necessary to obtain additional information, or verification of the information provided, in which case the determination shall be provided within 30 days of receipt of the final item of information or verification. The exclusion provided in this clause shall apply to interest earned on contracts for deed entered into after December 31, 1981 and before July 1, 1983;

(23) The penalty on the early withdrawal of an all-savers certificate as provided in section 128(e) of the Internal Revenue Code of 1954 to the extent that the interest was included in income under subdivision 20a, clause (22); (AND)

(24) Income from the business of mining as defined in section 290.05, subdivision 1, clause (a) which is not subject to the Minnesota income tax; and

(25) *To the extent included in federal adjusted gross income, distributions from a qualified governmental pension plan which represent a return of designated employee contributions*

to the plan and which were included in gross income pursuant to subdivision 20a, clause (27)."

Renumber the sections in the article in order.

Page 30, line 3, delete "and 3" and insert "3, and 4"

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

Further amend the title as follows:

Page 1, line 27, delete "subdivision 20a" and insert "subdivisions 20a and 20b"

The motion prevailed and the amendment was adopted.

Sieben, M., moved to amend H. F. No. 1, as amended, as follows:

Page 17, line 14 to 19, delete Section 10 from the bill.

Renumber the sections accordingly.

Further amend the title as follows:

Page 1, line 18, delete "15A.081, by adding a subdivision;"

The motion prevailed and the amendment was adopted.

Stowell moved to amend H. F. No. 1, as amended, as follows:

Page 32, line 5, reinstate "(FOUR)"

Page 32, line 6, delete "five"

Page 33, line 3, reinstate "(FOUR)" and delete "five"

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

Aasness	Blatz	Clawson	Erickson	Gustafson
Ainley	Brandl	Dahlvang	Esau	Halberg
Anderson, B.	Brinkman	Dempsey	Ewald	Hanson
Anderson, G.	Byrne	Den Ouden	Fjoslien	Harens
Anderson, I.	Carlson, D.	Drew	Forsythe	Hauge
Battaglia	Carlson, L.	Eken	Frerichs	Haukoos
Begich	Clark, J.	Elioff	Greenfield	Heap
Berkelman	Clark, K.	Ellingson	Gruenes	Heinitz

Himle	Lemen	Novak	Samuelson	Tomlinson
Hoberg	Levi	Nysether	Sarna	Valan
Hokanson	Long	O'Connor	Schafer	Vanasek
Hokr	Ludeman	Ogren	Schoenfeld	Vellenga
Jacobs	Luknic	Olsen	Schreiber	Voss
Jennings	Mann	Onnen	Searles	Weaver
Johnson, C.	Marsh	Osthoff	Shea	Welch
Johnson, D.	McCarron	Otis	Sherman	Welker
Jude	McDonald	Peterson, D.	Sherwood	Wenzel
Kahn	McEachern	Piepho	Sieben, M.	Wieser
Kaley	Mehrkens	Pogemiller	Simoneau	Wigley
Kalis	Metzen	Redalen	Skoglund	Wynia
Kelly	Munger	Reding	Stadum	Zubay
Knickerbocker	Murphy	Rees	Staten	Spkr. Sieben, H.
Kostohryz	Nelsen, B.	Reif	Stowell	
Kvam	Nelson, K.	Rice	Stumpf	
Laidig	Niehaus	Rodriguez, C.	Sviggum	
Lehto	Norton	Rose	Swanson	

Vanasek 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 Stowell amendment and the roll was called.

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

There were 54 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Aasness	Frerichs	Knickerbocker	Olsen	Sherwood
Ainley	Gruenes	Kvam	Onnen	Stadum
Blatz	Halberg	Lemen	Piepho	Stowell
Carlson, D.	Haukoos	Ludeman	Redalen	Sviggum
Dempsey	Heap	Luknic	Rees	Valan
Den Ouden	Heinitz	Marsh	Reif	Weaver
Drew	Himle	McDonald	Rose	Welker
Erickson	Hoberg	Mehrkens	Schafer	Wieser
Esau	Hokr	Nelsen, B.	Schreiber	Wigley
Fjoslien	Johnson, D.	Niehaus	Searles	Zubay
Forsythe	Kaley	Nysether	Sherman	

Those who voted in the negative were:

Anderson, B.	Dahlvang	Jennings	McEachern	Reding
Anderson, G.	Dean	Johnson, C.	Metzen	Rice
Anderson, I.	Eken	Jude	Munger	Rodriguez, C.
Battaglia	Elioff	Kahn	Murphy	Rodriguez, F.
Begich	Ellingson	Kalis	Nelson, K.	Samuelson
Berkelman	Ewald	Kelly	Norton	Sarna
Brandl	Greenfield	Kostohryz.	Novak	Schoenfeld
Brinkman	Gustafson	Laidig	O'Connor	Shea
Byrne	Hanson	Lehto	Ogren	Sieben, M.
Carlson, L.	Harens	Levi	Osthoff	Simoneau
Clark, J.	Hauge	Long	Otis	Skoglund
Clark, K.	Hokanson	Mann	Peterson, D.	Staten
Clawson	Jacobs	McCarron	Pogemiller	Stumpf

Swanson
TomlinsonVanasek
VellengaVoss
WelchWenzel
Wynia

Spkr. Sieben, H.

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

Stowell moved to amend H. F. No. 1, as amended, as follows:

Page 2, line 33, strike "\$119,800" and insert "\$305,725"

Page 2, after line 35, insert the following:

"(1) House of Representatives (123,950)
(2) Senate (61,975)"

Renumber the remaining clauses

Page 12, after line 38, insert the following:

"Sec. 3. Minnesota Statutes 1981, Section 3.099, Subd. 2 is amended to read:

Subd. 2. (THE COMPENSATION OF EACH MEMBER OF THE LEGISLATURE UNTIL THE START OF THE LEGISLATIVE SESSION IN 1979 SHALL BE \$8,400 PER YEAR. COMMENCING WITH THE START OF THE LEGISLATIVE SESSION IN 1979, THE COMPENSATION OF EACH MEMBER OF THE LEGISLATURE SHALL BE \$16,500 PER YEAR.) Effective January 1, (1980) 1983, the compensation of each member of the legislature will be (\$18,500) \$16,650 per year."

Renumber the following sections as necessary

Amend the title as necessary

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

Himle moved to amend H. F. No. 1, as amended, as follows:

Page 31, lines 23 to 25, delete the new language

Page 31, lines 25 and 26, reinstate the stricken language

Amend the title as necessary

A roll call was requested and properly seconded.

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

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

There were 64 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Knickerbocker	Nysether	Sherwood
Ainley	Frerichs	Kvam	Olsen	Stadum
Berkelman	Gruenes	Laidig	Onnen	Stowell
Blatz	Halberg	Lemen	Piepho	Sviggunn
Brinkman	Hanson	Levi	Redalen	Valan
Dean	Haukoos	Ludeman	Rees	Vellenga
Dempsey	Heap	Luknic	Reif	Voss
Den Ouden	Heinitz	Marsh	Rodriguez, C.	Weaver
Drew	Himle	McDonald	Rose	Welker
Erickson	Hoberg	Mehrkens	Schafer	Wieser
Esau	Hokr	Metzen	Schreiber	Wigley
Ewald	Johnson, D.	Neisen, B.	Searles	Zubay
Fjoslien	Kaley	Niehaus	Sherman	

Those who voted in the negative were:

Anderson, B.	Eken	Kalis	O'Connor	Sieben, M.
Anderson, G.	Elioff	Kelly	Ogren	Simoneau
Anderson, I.	Ellingson	Kostohryz	Osthoff	Skoglund
Battaglia	Greenfield	Lehto	Otis	Staten
Begich	Gustafson	Long	Peterson, D.	Stumpf
Brandl	Harens	Mann	Pogemiller	Swanson
Byrne	Hauge	McCarron	Reding	Tomlinson
Carlson, D.	Hokanson	McEachern	Rice	Vanasek
Carlson, L.	Jacobs	Munger	Rodriguez, F.	Welch
Clark, J.	Jennings	Murphy	Samuelson	Wenzel
Clark, K.	Johnson, C.	Nelson, K.	Sarna	Wynia
Clawson	Jude	Norton	Schoenfeld	Spkr. Sieben, H.
Dahlvang	Kahn	Novak	Shea	

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

H. F. No. 1, A bill for an act relating to the financing of government in this state; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; eliminating sunset of various medical assistance and income maintenance cost control provisions; altering the community social services grant payment schedule; requiring employers to pick up employee contributions to certain public pension plans; encouraging voluntary unpaid leaves of absence; altering certain education aid payments; reducing payments to local units of government; increasing the income tax surtax rate; increasing the sales tax rate and extending the tax to certain telephone charges; advancing dates for payment of property taxes; amending Minnesota Statutes 1982, sections 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256.966,

subdivision 1; 256B.03, subdivision 2; 256D.03, subdivision 4; 256D.05, subdivision 1a; 256E.06, subdivision 3; 270.18, subdivision 2; 274.19, subdivisions 3, 4, and 5; 276.09; 276.10; 276.11; 277.01, subdivision 1; 277.011, subdivisions 1 and 3; 277.02; 277.03; 277.05; 277.06; 277.13; 278.01, subdivisions 1 and 2; 278.03; 278.05, subdivision 5; 279.01, subdivision 1; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290A.06; 290A.07, subdivision 3; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 473F.08, subdivision 7a; Laws 1981, Third Special Session, chapter 2, article IV, section 3, subdivision 2, as amended by Laws 1982, chapter 548, article VII, section 7; and Laws 1982, Third Special Session, chapter 2, article IV, section 5, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1982, section 256D.22; and Laws 1981, chapter 360, article 2, section 54, as amended by Laws 1981, First Special Session chapter 4, article 4, section 22.

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 50 yeas and 80 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Eken	Kelly	Norton	Skoglund
Anderson, G.	Elioff	Kostohryz	Novak	Staten
Anderson, I.	Greenfield	Long	Osthoff	Stumpf
Battaglia	Gustafson	Mann	Otis	Tomlinson
Begich	Harens	McCarron	Peterson, D.	Vanasek
Brandl	Hauge	McEachern	Reding	Vellenga
Byrne	Hokanson	Metzen	Rice	Welch
Carlson, L.	Johnson, C.	Munger	Rodriguez, C.	Wenzel
Clark, J.	Kahn	Murphy	Samuelson	Wynia
Clawson	Kalis	Nelson, K.	Sieben, M.	Spkr. Sieben, H.

Those who voted in the negative were:

Aasness	Evans	Johnson, D.	Nysether	Searles
Ainley	Ewald	Jude	O'Connor	Shea
Anderson, R.	Fjoslien	Kaley	Ogren	Sherman
Berkelman	Forsythe	Knickerbocker	Olsen	Sherwood
Blatz	Frerichs	Kvam	Onnen	Simoneau
Brinkman	Gruenes	Laidig	Piepho	Stadum
Carlson, D.	Halberg	Lehto	Pogemiller	Stowell
Clark, K.	Hanson	Lemen	Redalen	Sviggum
Dahlvang	Haukoos	Levi	Rees	Swanson
Dean	Heap	Ludeman	Reif	Valan
Dempsey	Heinitz	Luknic	Rodriguez, F.	Voss
Den Ouden	Himle	Marsh	Rose	Weaver
Drew	Hoberg	McDonald	Sarna	Welker
Ellingson	Hokr	Mehrkens	Schafer	Wieser
Erickson	Jacobs	Nelsen, B.	Schoenfeld	Wigley
Esau	Jennings	Niehaus	Schreiber	Zubay

The bill was not passed, as amended.

Eken 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.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

This is to notify you that the Senate is now duly organized pursuant to the Minnesota Constitution and Minnesota Statutes.

PATRICK E. FLAHAVEN, Secretary of the Senate

There being no objection the order of business reverted to Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

McCarron from the Committee on Reapportionment and Elections to which was referred:

H. F. No. 2, A bill for an act relating to the legislature; enacting the present legislative apportionment into statutory form with minor alterations; amending Minnesota Statutes 1982, sections 2.021; 2.031; proposing new law coded in Minnesota Statutes, chapter 2; and repealing Minnesota Statutes 1982, sections 2.041 to 2.712.

Reported the same back with the following amendments:

Page 4, line 18, after the first comma insert "*Hassan Valley Township, the city of Biscay,*"

Page 13, after line 4, insert:

"Sec. 21. [EFFECTIVE DATE.]

This act is effective the day following final enactment. If the adjustments in legislative district boundaries made by this act are finally adjudicated to be a new apportionment so as to require an election of senators before 1986, this act is void."

With the recommendation that when so amended the bill pass.

The report was adopted.

ADJOURNMENT

Eken moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, December 9, 1982. The motion prevailed.

Eken moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, December 9, 1982.

EDWARD A. BURDICK, Chief Clerk, House of Representatives