

## STATE OF MINNESOTA

## THIRD SPECIAL SESSION - 1982

## THIRD DAY

SAINT PAUL, MINNESOTA, FRIDAY, DECEMBER 10, 1982

The House of Representatives convened at 10:00 a.m. and was called to order by Harry A. Sieben, Jr., Speaker of the House.

Prayer was offered by Pastor Tom E. Meeks, Lord of Life Lutheran Church, Anoka, Minnesota.

The roll was called and the following members were present:

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

A quorum was present.

Fjoslien; Hoberg; Minne; Peterson, B.; Rothenberg and Sherwood were excused.

Olsen was excused until 11:00 a.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Vanasek 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. 2 have been placed in the members' files.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

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

H. F. No. 4, A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; adding two members to the investment advisory council; 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; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 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; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; 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 and Laws 1981, Third Special Session chapter 2, article III, section 5.

The bill was read for the first time.

There being no objection the bill on General Orders for today was temporarily laid over.

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.

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

## CALL OF THE HOUSE

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

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

Simoneau 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.

## 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. 4 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Sieben, M., moved that the rules of the House be so far suspended that H. F. No. 4 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 4 was read for the second time.

Redalen and Marsh moved to amend H. F. No. 4.

Tomlinson requested a division of the amendment.

The first portion of the Redalen and Marsh amendment reads as follows:

Page 36, line 11, delete "6.5" and insert "5"

Page 36, line 11, delete the semicolon and insert a period

Page 36, delete lines 12 and 13

Page 36, line 30, after the first "the" insert "entire"

Page 36, line 32, insert a period after "year" and delete the remainder of the line

Page 36, delete line 33

A roll call was requested and properly seconded.

The question was taken on the first portion of the Redalen and Marsh amendment and the roll was called.

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

There were 69 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Knickerbocker	Olsen	Stowell
Ainley	Frerichs	Kvam	Onnen	Stumpf
Anderson, R.	Gruenes	Laidig	Redalen	Sviggum
Berkelman	Halberg	Lemen	Rees	Tomlinson
Blatz	Haukoos	Levi	Reif	Valan
Carlson, D.	Heap	Ludeman	Rodriguez, C.	Valento
Dean	Heinitz	Luknie	Rose	Vellenga
Dempsey	Himle	Marsh	Schafer	Weaver
Den Ouden	Hokr	McDonald	Schoenfeld	Welker
Drew	Jennings	Mehrkens	Schreiber	Wenzel
Erickson	Johnson, C.	Nelsen, B.	Searles	Wieser
Esau	Johnson, D.	Nelson, K.	Shea	Wigley
Evans	Jude	Niehaus	Sherman	Zubay
Ewald	Kaley	Nysether	Stadum	

Those who voted in the negative were:

Anderson, B.	Battaglia	Brinkman	Clark, J.	Eken
Anderson, G.	Begich	Byrne	Clark, K.	Elioff
Anderson, I.	Brandl	Carlson, L.	Dahlvang	Ellingson

Greenfield	Kelly	Murphy	Reding	Swanson
Gustafson	Kostohryz	Norton	Rice	Vanasek
Hanson	Lehto	Novak	Rodriguez, F.	Voss
Harens	Long	O'Connor	Samuelson	Welch
Hauge	Mann	Ogren	Sarna	Wynia
Hokanson	McCarron	Osthoff	Sieben, M.	Spkr. Sieben, H.
Jacobs	McEachern	Otis	Simoneau	
Kahn	Metzen	Peterson, D.	Skoglund	
Kalis	Munger	Pogemiller	Staten	

The motion prevailed and the first portion of the amendment was adopted.

The second portion of the Redalen and Marsh amendment reads as follows:

Page 39, line 6, reinstate "(FOUR)"

Page 39, line 7, delete "five"

Page 40, line 4, reinstate "(FOUR)" and delete "five"

A roll call was requested and properly seconded.

The question was taken on the second portion of the Redalen and Marsh amendment and the roll was called.

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

There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Aasness	Forsythe	Knickerbocker	Nysether	Stadum
Ainley	Frerichs	Kvam	Olsen	Stowell
Anderson, R.	Gruenes	Laidig	Onnen	Sviggum
Blatz	Halberg	Lemen	Redalen	Valan
Dean	Haukoos	Levi	Rees	Valento
Dempsey	Heap	Ludeman	Reif	Weaver
Den Ouden	Heinitz	Luknic	Rose	Welker
Drew	Himle	Marsh	Samuelson	Wieser
Erickson	Hokr	McDonald	Schafer	Wigley
Esau	Jennings	Mehrkens	Schreiber	Zubay
Evans	Johnson, D.	Nelsen, B.	Searles	
Ewald	Kaley	Niehaus	Sherman	

Those who voted in the negative were:

Anderson, B.	Carlson, D.	Greenfield	Kahn	Metzen
Anderson, G.	Carlson, L.	Gustafson	Kalis	Munger
Anderson, I.	Clark, J.	Hanson	Kelly	Murphy
Battaglia	Clark, K.	Harens	Kostohryz	Nelson, K.
Begich	Clawson	Hauge	Lehto	Norton
Berkelman	Dahlvang	Hokanson	Long	Novak
Brandl	Eken	Jacobs	Mann	O'Connor
Brinkman	Elioff	Johnson, C.	McCarron	Ogren
Byrne	Ellingson	Jude	McEachern	Osthoff

Otis	Rodriguez, C.	Sieben, M.	Swanson	Welch
Peterson, D.	Rodriguez, F.	Simoneau	Tomlinson	Wenzel
Pogemiller	Sarna	Skoglund	Vanasek	Wynia
Reding	Schoenfeld	Staten	Vellenga	Spkr. Sieben, H.
Rice	Shea	Stumpf	Voss	

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

Dempsey, Sviggum, Mehrkens and Kvam moved to amend H. F. No. 4, as amended, as follows:

Page 40 after line 23, insert:

"Sec. 5. Minnesota Statutes 1982, Section 297B.02, is amended to read:

**297B.02 [TAX IMPOSED.]**

There is hereby imposed an excise tax at the rate (PROVIDED IN CHAPTER 297A) of *five percent* on the purchase price of any motor vehicle purchased or acquired, either in or outside of the state of Minnesota, which is required to be registered under the laws of this state."

Renumber the sections in sequence

Page 41, line 4, delete "4" and insert "5"

Page 41, line 5, delete "5" and insert "6"

Amend the title as follows:

Page 1, line 30, after "297A.14;" insert "297B.02;"

A roll call was requested and properly seconded.

Begich moved to amend the Dempsey, Sviggum, Mehrkens and Kvam amendment to H. F. No. 4, as amended, as follows:

Line 7 of the Dempsey amendment, after "any" and before "motor" insert "*American made*"

A roll call was requested and properly seconded.

The question was taken on the Begich amendment to the Dempsey amendment and the roll was called.

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

There were 29 yeas and 91 nays as follows:

## Those who voted in the affirmative were:

Battaglia	Ellingson	Long	Ogren	Skoglund
Begich	Erickson	Marsh	Onnen	Staten
Brandl	Hanson	McCarron	Otis	Swanson
Brinkman	Harens	Metzen	Rodriguez, F.	Valento
Drew	Hauge	Murphy	Samuelson	Wynia
Elioff	Jacobs	Novak	Sarna	

## Those who voted in the negative were:

Aasness	Ewald	Kelly	Olsen	Stumpf
Ainley	Forsythe	Knickerbocker	Peterson, D.	Sviggum
Anderson, B.	Frerichs	Kostohryz	Pogemiller	Tomlinson
Anderson, G.	Greenfield	Kvam	Redalen	Valan
Anderson, I.	Gruenes	Laidig	Reding	Vanasek
Anderson, R.	Halberg	Lehto	Rees	Vellenga
Blatz	Haukoos	Lemen	Reif	Voss
Byrne	Heap	Levi	Rice	Weaver
Carlson, D.	Heinitz	Ludeman	Rodriguez, C.	Welch
Carlson, L.	Himle	Luknic	Rose	Welker
Clark, J.	Hokanson	Mann	Schafer	Wenzel
Clark, K.	Hokr	McDonald	Schoenfeld	Wieser
Dahlvang	Jennings	McEachern	Schreiber	Wigley
Dean	Johnson, C.	Mehrkens	Searles	Zubay
Dempsey	Johnson, D.	Nelsen, B.	Shea	Spkr. Sieben, H.
Den Ouden	Jude	Nelson, K.	Sherman	
Eken	Kahn	Niehaus	Sieben, M.	
Esau	Kaley	Norton	Stadum	
Evans	Kalis	Nysether	Stowell	

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

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

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

There were 80 yeas and 43 nays as follows:

## Those who voted in the affirmative were:

Aasness	Ellingson	Johnson, D.	Metzen	Schreiber
Ainley	Erickson	Jude	Murphy	Searles
Anderson, B.	Esau	Kaley	Nelsen, B.	Shea
Anderson, G.	Evans	Kalis	Niehaus	Sherman
Anderson, R.	Ewald	Knickerbocker	Nysether	Stadum
Battaglia	Forsythe	Kvam	Olsen	Stowell
Begich	Frerichs	Laidig	Onnen	Stumpf
Berkelman	Gruenes	Lemen	Osthoff	Sviggum
Blatz	Halberg	Levi	Redalen	Valan
Brinkman	Haukoos	Ludeman	Rees	Valento
Carlson, D.	Heap	Luknic	Reif	Weaver
Dean	Heinitz	Mann	Rodriguez, C.	Welker
Dempsey	Himle	Marsh	Rose	Wenzel
Den Ouden	Hokr	McDonald	Sarna	Wieser
Drew	Jacobs	McEachern	Schafer	Wigley
Elioff	Jennings	Mehrkens	Schoenfeld	Zubay

Those who voted in the negative were:

Anderson, I.	Gustafson	Long	Pogemiller	Tomlinson
Brandl	Hanson	McCarron	Reding	Vanasek
Byrne	Harens	Munger	Rice	Vellenga
Carlson, L.	Hauge	Nelson, K.	Rodriguez, F.	Voss
Clark, J.	Hokanson	Norton	Samuelson	Welch
Clark, K.	Johnson, C.	O'Connor	Sieben, M.	Wynia
Dahlvang	Kahn	Ogren	Skoglund	Spkr. Sieben, H.
Eken	Kelly	Otis	Staten	
Greenfield	Kostohryz	Peterson, D.	Swanson	

The motion prevailed and the amendment was adopted.

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

The Speaker called Wynia to the Chair.

Anderson, I.; Jacobs; Voss and Hanson moved to amend H. F. No. 4, as amended, as follows:

Page 2, line 36, delete "28, 146,200" and insert "\$115,000"

Page 3, delete lines 1 and 2

Page 3, line 5, delete "(49,897,500)" and insert "(7,683,900)"

Page 3, line 7, delete "(8,070,000)" and insert "(6,150,000)"

Page 3, line 9, delete "(88,184,500)" and insert "(44,051,900)"

Page 3, line 12, delete "\$113,241,700" and insert "\$49,556,900"

Page 5, delete lines 46 to 54

Delete pages 6 to 9

Page 10, delete lines 1 to 40

Page 11, line 15, delete "(4,920,000)" and insert "(3,000,000)"

Page 11, delete lines 16 to 20

Page 26, line 19, delete "\$7,480,000" and insert "\$12,790,000"

Page 26, line 20, delete "\$5,780,000" and insert "\$9,882,000"

Page 26, line 21, delete "\$500,000" and insert "\$854,000"

Page 26, line 21, delete "\$330,000" and insert "\$564,000"



Page 36, line 29, after the comma insert "(a)"

Page 36, line 33, after "year" insert "; (b) so that the additional tax resulting from the federal tax cut that is effective July 1, 1983 is withheld beginning for pay periods after January 1, 1983. The amount of the adjustment pursuant to (b) shall be at one-half the rate that otherwise would be applicable"

Page 37, line 1, after "3" insert "and the effect of the federal tax cut in the same manner provided for withholding pursuant to (b)"

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete "contributions to various retirement funds;"

Page 1, line 15, after the second semicolon insert "adjusting withholding tax liabilities;"

A roll call was requested and properly seconded.

The Speaker resumed the Chair.

Rees moved to amend the Anderson, I., amendment, as follows:

At the end of the Anderson, I., amendment insert:

"Page 47, after line 34, insert a new article to read:

#### "ARTICLE VIII:

#### **METROPOLITAN REVENUE DISTRIBUTION REPEALER**

Section 1. Minnesota Statutes, 1982, section 273.76, subdivision 3, is amended to read:

Subd. 3. [TAX INCREMENT (, RELATIONSHIP TO CHAPTER 473F).] ((A) UNLESS THE GOVERNING BODY ELECTS PURSUANT TO CLAUSE (B) THE FOLLOWING METHOD OF COMPUTATION SHALL APPLY:)

(1) (THE ORIGINAL ASSESSED VALUE AND THE CURRENT ASSESSED VALUE SHALL BE DETERMINED BEFORE THE APPLICATION OF THE FISCAL DISPARITY PROVISIONS OF CHAPTER 473F.) Where the original assessed value is equal to or greater than the current assessed value, there is no captured assessed value and no tax increment determination. Where the original assessed value is less than

the current assessed value, the difference between the original assessed value and the current assessed value is the captured assessed value. This amount less any portion thereof which the authority has designated, in its tax increment financing plan, to share with the local taxing districts is the retained captured assessed value of the authority.

(2) The county auditor shall exclude the retained captured assessed value of the authority from the taxable value of the local taxing districts in determining local taxing district mill rates. The mill rates so determined are to be extended against the retained captured assessed value of the authority as well as the taxable value of the local taxing districts. The tax generated by the extension of the local taxing district mill rates to the retained captured assessed value of the authority is the tax increment of the authority.

((B) NOTWITHSTANDING CLAUSE (A), THE GOVERNING BODY MAY, BY RESOLUTION APPROVING THE TAX INCREMENT FINANCING PLAN PURSUANT TO SECTION 273.74, SUBDIVISION 3, ELECT THE FOLLOWING METHOD OF COMPUTATION:)

((1) THE ORIGINAL ASSESSED VALUE SHALL BE DETERMINED BEFORE THE APPLICATION OF THE FISCAL DISPARITY PROVISIONS OF CHAPTER 473F. THE CURRENT ASSESSED VALUE SHALL EXCLUDE ANY FISCAL DISPARITY COMMERCIAL-INDUSTRIAL ASSESSED VALUE INCREASE BETWEEN THE ORIGINAL YEAR AND THE CURRENT YEAR MULTIPLIED BY THE FISCAL DISPARITY RATIO DETERMINED PURSUANT TO SECTION 473F.08, SUBDIVISION 6. WHERE THE ORIGINAL ASSESSED VALUE IS EQUAL TO OR GREATER THAN THE CURRENT ASSESSED VALUE, THERE IS NO CAPTURED ASSESSED VALUE AND NO TAX INCREMENT DETERMINATION. WHERE THE ORIGINAL ASSESSED VALUE IS LESS THAN THE CURRENT ASSESSED VALUE, THE DIFFERENCE BETWEEN THE ORIGINAL ASSESSED VALUE AND THE CURRENT ASSESSED VALUE IS THE CAPTURED ASSESSED VALUE. THIS AMOUNT LESS ANY PORTION THEREOF WHICH THE AUTHORITY HAS DESIGNATED, IN ITS TAX INCREMENT FINANCING PLAN, TO SHARE WITH THE LOCAL TAXING DISTRICTS IS THE RETAINED CAPTURED ASSESSED VALUE OF THE AUTHORITY.)

((2) THE COUNTY AUDITOR SHALL EXCLUDE THE RETAINED CAPTURED ASSESSED VALUE OF THE AUTHORITY FROM THE TAXABLE VALUE OF THE LOCAL TAXING DISTRICTS IN DETERMINING LOCAL TAXING DISTRICTS MILL RATES. THE MILL RATES SO DETERMINED ARE TO BE EXTENDED AGAINST THE RETAINED CAPTURED ASSESSED VALUE OF THE AU-

THORITY AS WELL AS THE TAXABLE VALUE OF THE LOCAL TAXING DISTRICTS. THE TAX GENERATED BY THE EXTENSION OF THE LOCAL TAXING DISTRICT MILL RATES TO THE RETAINED CAPTURED ASSESSED VALUE OF THE AUTHORITY IS THE TAX INCREMENT OF THE AUTHORITY.)

((3) AN ELECTION BY THE GOVERNING BODY PURSUANT TO PART (B) SHALL BE SUBMITTED TO THE COUNTY AUDITOR BY THE AUTHORITY AT THE TIME OF THE REQUEST FOR CERTIFICATION PURSUANT TO SUBDIVISION 1.)

((C) THE METHOD OF COMPUTATION OF TAX INCREMENT APPLIED TO A DISTRICT PURSUANT TO CLAUSE (A) OR (B), ONCE ESTABLISHED, SHALL REMAIN THE SAME FOR THE DURATION OF THE DISTRICT.)

Sec. 2. [REPEALER.]

*Minnesota Statutes 1982, sections 473F.01, 473F.02, 473F.03, 473F.04, 473F.05, 473F.06, 473F.07, 473F.08, 473F.09, 473F.10, 473F.11, 473F.12, and 473F.13, are repealed.*

Sec. 3. [EFFECTIVE DATE.]

*Sections 1 and 2 are effective for taxes levied in 1983, payable in 1984, and thereafter."*

Amend the title as follows:

Page 1, after line 18, insert "abolishing fiscal disparities metropolitan revenue distribution;"

Page 1, line 23, after "3;" insert "273.76, subdivision 3;"

Page 1, line 34, delete "section" and insert "sections"

Page 1, line 35, before "and" insert "473F.01 to 473F.13;"

A roll call was requested and properly seconded.

POINT OF ORDER

Anderson, I., raised a point of order pursuant to rule 3.9 that the amendment to the amendment was not in order. The Speaker ruled the point of order not well taken and the amendment to the amendment in order.

The question recurred on the Rees amendment to the Anderson, I., amendment and the roll was called.

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

There were 47 yeas and 72 nays as follows :

Those who voted in the affirmative were :

Aasness	Ewald	Knickerbocker	Nysether	Stadum
Ainley	Forsythe	Kostohryz	Olsen	Swigum
Anderson, R.	Frerichs	Lemen	Onnen	Valan
Blatz	Haukoos	Ludeman	Redalen	Valento
Dean	Heap	Luknie	Rees	Welker
Dempsey	Heinitz	Marsh	Reif	Wieser
Den Ouden	Himle	McDonald	Rose	Zubay
Erickson	Hokr	Mehrkens	Schafer	
Esau	Jennings	Metzen	Searles	
Evans	Kaley	Niehaus	Sherman	

Those who voted in the negative were :

Anderson, B.	Eken	Kalis	Otis	Stumpf
Anderson, G.	Elioff	Kelly	Peterson, D.	Swanson
Anderson, I.	Ellingson	Laidig	Pogemiller	Tomlinson
Battaglia	Greenfield	Lehto	Reding	Vanasek
Begich	Gruenes	Levi	Rice	Vellenga
Berkelman	Gustafson	Long	Rodriguez, F.	Voss
Brandl	Hanson	Mann	Samuelson	Weaver
Brinkman	Harens	Munger	Sarna	Welch
Byrne	Hauge	Murphy	Schoenfeld	Wenzel
Carlson, D.	Hokanson	Nelson, K.	Schreiber	Wigley
Carlson, L.	Jacobs	Norton	Sieben, M.	Wynia
Clark, J.	Johnson, C.	Novak	Simoneau	Spkr. Sieben, H.
Clark, K.	Johnson, D.	O'Connor	Skoglund	
Dahlvang	Jude	Ogren	Staten	
Drew	Kahn	Osthoff	Stowell	

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

Dempsey requested a division of the Anderson, I., amendment to H. F. No. 4, as amended.

The first portion of the Anderson, I.; Jacobs; Voss and Hanson amendment reads as follows:

Page 2, line 36, delete "28,146,200" and insert "\$115,000"

Page 3, delete lines 1 and 2

Page 3, line 5, delete "(49,897,500)" and insert "(7,683,900)"

Page 3, line 7, delete "(8,070,000)" and insert "(6,150,000)"

Page 3, line 9, delete "(88,184,500)" and insert "(44,051,900)"

Page 3, line 12, delete "\$113,241,700" and insert "\$49,556,900"

Page 5, delete lines 46 to 54

Delete pages 6 to 9

Page 10, delete lines 1 to 40

Page 11, line 15, delete "(4,920,000)" and insert "(3,000,000)"

Page 11, delete lines 16 to 20

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete "contributions to various retirement funds;"

The question was taken on the first portion of the Anderson, I., amendment and the roll was called.

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

There were 48 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Ainley	Drew	Knickerbocker	Onnen	Sherman
Anderson, I.	Elioff	Lehto	Osthoff	Stadum
Anderson, R.	Ellingson	Luknic	Pogemiller	Swanson
Battaglia	Evans	McCarron	Rees	Valan
Begich	Hanson	Murphy	Reif	Valento
Berkelman	Haukoos	Nelsen, B.	Rodriguez, F.	Voss
Blatz	Hokr	Nysether	Rose	Weaver
Dahlvang	Jacobs	O'Connor	Samuelson	Welker
Dempsey	Jennings	Ogren	Sarna	
Den Ouden	Jude	Olsen	Schafer	

Those who voted in the negative were:

Aasness	Forsythe	Kelly	Nelson, K.	Skoglund
Anderson, B.	Frerichs	Kostohryz	Niehaus	Staten
Anderson, G.	Greenfield	Kvam	Norton	Stowell
Brandl	Gruenes	Laidig	Otis	Stumpf
Brinkman	Gustafson	Lemen	Peterson, D.	Sviggunn
Byrne	Harens	Levi	Redalen	Tomlinson
Carlson, D.	Hauge	Long	Reding	Vanasek
Carlson, L.	Heap	Ludeman	Rice	Vellenga
Clark, J.	Himle	Mann	Rodriguez, C.	Welch
Clark, K.	Hokanson	Marsh	Schoenfeld	Wenzel
Dean	Johnson, C.	McDonald	Schreiber	Wieser
Eken	Johnson, D.	McEachern	Searles	Wigley
Erickson	Kahn	Mehrkins	Shea	Wynia
Esau	Kaley	Metzen	Sieben, M.	Zubay
Ewald	Kalis	Munger	Simoneau	Spkr. Sieben, H.

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

Anderson, I., withdrew the second portion of his amendment to H. F. No. 4, as amended.

Carlson, D., moved to amend H. F. No. 4, as amended, as follows:

Page 41, after line 2, insert sections to read:

"Sec. 6. Minnesota Statutes 1982, section 297A.25, subdivision 1, is amended to read:

Subdivision 1. The following are specifically exempted from the taxes imposed by sections 297A.01 to 297A.44:

(a) The gross receipts from the sale of food products including but not limited to cereal and cereal products, butter, cheese, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices and salt, sugar and sugar products, coffee and coffee substitutes, tea, cocoa and cocoa products, and food products which are not taxable pursuant to section 297A.01, subdivision 3, clause (c) and which are sold by a retailer, organized as a nonprofit corporation or association, within a place located on property owned by the state or an agency or instrumentality of the state, the entrance to which is subject to an admission charge. This exemption does not include the following:

(i) candy and candy products;

(ii) carbonated beverages, beverages commonly referred to as soft drinks containing less than 15 percent fruit juice, or bottled water other than noncarbonated and noneffervescent bottled water sold in individual containers of one gallon or more in size;

(b) The gross receipts from the sale of prescribed drugs and medicine intended for use, internal or external, in the cure, mitigation, treatment or prevention of illness or disease in human beings and products consumed by humans for the preservation of health, including prescription glasses, therapeutic and prosthetic devices, but not including cosmetics or toilet articles notwithstanding the presence of medicinal ingredients therein;

(c) The gross receipts from the sale of and the storage, use or other consumption in Minnesota of tangible personal property, tickets, or admissions, electricity, gas, or local exchange telephone service, which under the Constitution or laws of the

United States or under the Constitution of Minnesota, the state of Minnesota is prohibited from taxing;

(d) The gross receipts from the sale of tangible personal property (i) which, without intermediate use, is shipped or transported outside Minnesota by the purchaser and thereafter used in a trade or business or is stored, processed, fabricated or manufactured into, attached to or incorporated into other tangible personal property transported or shipped outside Minnesota and thereafter used in a trade or business outside Minnesota, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce (storage shall not constitute intermediate use); provided that the property is not subject to tax in that state or country to which it is transported for storage or use, or, if subject to tax in that other state, that state allows a similar exemption for property purchased therein and transported to Minnesota for use in this state; except that sales of tangible personal property that is shipped or transported for use outside Minnesota shall be taxed at the rate of the use tax imposed by the state to which the property is shipped or transported, unless that state has no use tax, in which case the sale shall be taxed at the rate generally imposed by this state; and provided further that sales of tangible personal property to be used in other states or countries as part of a maintenance contract shall be specifically exempt; or (ii) which the seller delivers to a common carrier for delivery outside Minnesota, places in the United States mail or parcel post directed to the purchaser outside Minnesota, or delivers to the purchaser outside Minnesota by means of the seller's own delivery vehicles, and which is not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(e) The gross receipts from the sale of packing materials used to pack and ship household goods, the ultimate destination of which is outside the state of Minnesota and which are not thereafter returned to a point within Minnesota, except in the course of interstate commerce;

(f) The gross receipts from the sale of and storage, use or consumption of petroleum products upon which a tax has been imposed under the provisions of chapter 296, whether or not any part of said tax may be subsequently refunded;

(g) The gross receipts from the sale of *used* clothing and *used* wearing apparel except the following:

(i) all articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; articles made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches; clocks; cases and movements for watches and clocks; gold, gold-plated, silver, or sterling flatware or hollow ware

and silver-plated hollow ware; opera glasses; lorgnettes; marine glasses; field glasses and binoculars.

(ii) articles made of fur on the hide or pelt, and articles of which such fur is the component material or chief value, but only if such value is more than three times the value of the next most valuable component material.

(iii) perfume, essences, extracts, toilet waters, cosmetics, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, aromatic cachous and toilet powders. The tax imposed by this act shall not apply to lotion, oil, powder, or other articles intended to be used or applied only in the case of babies.

(iv) trunks, valises, traveling bags, suitcases, satchels, overnight bags, hat boxes for use by travelers, beach bags, bathing suit bags, brief cases made of leather or imitation leather, salesmen's sample and display cases, purses, handbags, pocketbooks, wallets, billfolds, card, pass, and key cases and toilet cases.

(h) The gross receipts from the sale of and the storage, use, or consumption of all materials, including chemicals, fuels, petroleum products, lubricants, packaging materials, including returnable containers used in packaging food and beverage products, feeds, seeds, fertilizers, electricity, gas and steam, used or consumed in agricultural or industrial production of personal property intended to be sold ultimately at retail, whether or not the item so used becomes an ingredient or constituent part of the property produced. Such production shall include, but is not limited to, research, development, design or production of any tangible personal property, manufacturing, processing (other than by restaurants and consumers) of agricultural products whether vegetable or animal, commercial fishing, refining, smelting, reducing, brewing, distilling, printing, mining, quarrying, lumbering, generating electricity and the production of road building materials. Such production shall not include painting, cleaning, repairing or similar processing of property except as part of the original manufacturing process. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures, used in such production and fuel, electricity, gas or steam used for space heating or lighting, are not included within this exemption; however, accessory tools, equipment and other short lived items, which are separate detachable units used in producing a direct effect upon the product, where such items have an ordinary useful life of less than 12 months, are included within the exemption provided herein;

(i) The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except as provided in section 297A.14) which is used or consumed in producing any publication regularly issued at average



intervals not exceeding three months, and any such publication. For purposes of this subsection, "publication" as used herein shall include, without limiting the foregoing, a legal newspaper as defined by Minnesota Statutes 1965, Section 331.02, and any supplements or enclosures with or part of said newspaper; and the gross receipts of any advertising contained therein or therewith shall be exempt. For this purpose, advertising in any such publication shall be deemed to be a service and not tangible personal property, and persons or their agents who publish or sell such newspapers shall be deemed to be engaging in a service with respect to gross receipts realized from such newsgathering or publishing activities by them, including the sale of advertising. Machinery, equipment, implements, tools, accessories, appliances, contrivances, furniture and fixtures used in such publication and fuel, electricity, gas or steam used for space heating or lighting, are not exempt;

(j) The gross receipts from all sales, including sales in which title is retained by a seller or a vendor or is assigned to a third party under an installment sale or lease purchase agreement under section 465.71, of tangible personal property to, and all storage, use or consumption of such property by, the United States and its agencies and instrumentalities or a state and its agencies, instrumentalities and political subdivisions;

(k) The gross receipts from the isolated or occasional sale of tangible personal property in Minnesota not made in the normal course of business of selling that kind of property, and the storage, use, or consumption of property acquired as a result of such a sale;

(l) The gross receipts from sales of rolling stock and the storage, use or other consumption of such property by railroads, freight line companies, sleeping car companies and express companies taxed on the gross earnings basis in lieu of ad valorem taxes. For purposes of this clause "rolling stock" is defined as the portable or moving apparatus and machinery of any such company which moves on the road, and includes, but is not limited to, engines, cars, tenders, coaches, sleeping cars and parts necessary for the repair and maintenance of such rolling stock.

(m) The gross receipts from sales of airflight equipment and the storage, use or other consumption of such property by airline companies taxed under the provisions of sections 270.071 to 270.079. For purposes of this clause, "airflight equipment" includes airplanes and parts necessary for the repair and maintenance of such airflight equipment, and flight simulators.

(n) The gross receipts from the sale of telephone central office telephone equipment used in furnishing intrastate and interstate telephone service to the public.

(o) The gross receipts from the sale of and the storage, use or other consumption by persons taxed under the in lieu provisions of chapter 298, of mill liners, grinding rods and grinding balls which are substantially consumed in the production of taconite, the material of which primarily is added to and becomes a part of the material being processed.

(p) The gross receipts from the sale of tangible personal property to, and the storage, use or other consumption of such property by, any corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious or educational purposes if the property purchased is to be used in the performance of charitable, religious or educational functions, or any senior citizen group or association of groups that in general limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings of which inures to the benefit of any private shareholders;

(q) The gross receipts from the sale of caskets and burial vaults;

(r) The gross receipts from the sale of an automobile or other conveyance if the purchaser is assisted by a grant from the United States in accordance with 38 United States Code, Section 1901, as amended.

(s) The gross receipts from the sale to the licensed aircraft dealer of an aircraft for which a commercial use permit has been issued pursuant to section 360.654, if the aircraft is resold while the permit is in effect.

(t) The gross receipts from the sale of building materials to be used in the construction or remodeling of a residence when the construction or remodeling is financed in whole or in part by the United States in accordance with 38 United States Code, Sections 801 to 805; as amended. This exemption shall not be effective at time of sale of the materials to contractors, subcontractors, builders or owners, but shall be applicable only upon a claim for refund to the commissioner of revenue filed by recipients of the benefits provided in Title 38 United States Code, Chapter 21, as amended. The commissioner shall provide by regulation for the refund of taxes paid on sales exempt in accordance with this paragraph.

(u) The gross receipts from the sale of textbooks which are prescribed for use in conjunction with a course of study in a public or private school, college, university and business or trade school to students who are regularly enrolled at such institutions. For purposes of this clause a "public school" is defined as one that furnishes course of study, enrollment and staff that meets standards of the state board of education and a

private school is one which under the standards of the state board of education, provides an education substantially equivalent to that furnished at a public school. Business and trade schools shall mean such schools licensed pursuant to section 141.25.

(v) The gross receipts from the sale of and the storage of material designed to advertise and promote the sale of merchandise or services, which material is purchased and stored for the purpose of subsequently shipping or otherwise transferring outside the state by the purchaser for use thereafter solely outside the state of Minnesota.

(w) The gross receipt from the sale of residential heating fuels in the following manner:

(i) all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use;

(ii) natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April;

(iii) electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April.

(x) The gross receipts from the sale or use of tickets or admissions to the premises of or events sponsored by an association, corporation or other group of persons which provides an opportunity for citizens of the state to participate in the creation, performance or appreciation of the arts and which qualifies as a tax-exempt organization within the meaning of section 290.05, subdivision 1, clause (i).

(y) The gross receipts from either the sales to or the storage, use or consumption of tangible personal property by an organization of military service veterans or an auxiliary unit of an organization of military service veterans, provided that:

(i) the organization or auxiliary unit is organized within the state of Minnesota and is exempt from federal taxation pursuant to section 501(c), clause (19), of the Internal Revenue Code as amended through December 31, 1978; and

(ii) the tangible personal property which is sold to or stored, used or consumed by the organization or auxiliary unit is for charitable, civic, educational, or nonprofit uses and not for social, recreational, pleasure or profit uses.

(z) The gross receipts from the sale of sanitary napkins, tampons, or similar items used for feminine hygiene.

Amend the title as follows:

Page 1, line 17, after the semicolon insert "extending the sales tax to sales of new clothing;"

Page 1, line 30, after the semicolon insert "297A.25, subdivision 1;"

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

Novak moved to amend H. F. No. 4, as amended, as follows:

Page 36, after line 24, insert:

"Sec. 4. [INDEXING MORATORIUM.]

*Notwithstanding the provisions of Minnesota Statutes 1982, sections 290.06, subdivisions 2d, 3g, 290.09, subdivision 15, and 290.18, subdivision 4, for taxable years beginning after December 31, 1982 and before January 1, 1984, the inflation adjustment of the taxable net income brackets, the credits and maximum standard deduction shall be made at one-half the amount otherwise determined pursuant to law. The taxable net income adjustment factor shall be the factor in effect for tax year 1982 plus one-half of the increase that otherwise would apply for tax year 1983."*

Renumber the remaining sections in order

Page 37, after line 1, insert "*For taxable years beginning after December 31, 1982, but before January 1, 1984, the commissioner of revenue shall adjust the withholding tables, notwithstanding section 290.92, subdivision 2a, so that the additional tax imposed by section 4 for the year is withheld and remitted by employers during the first six months of the taxable year.*"

Page 37, line 6, delete "and 4" and insert ", 4, and 5"

Page 37, line 7, delete "5" and insert "6"

Further amend the title

Page 1, line 15, after the second semicolon insert "imposing a moratorium on income tax indexing;"

A roll call was requested and properly seconded.

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

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

There were 20 yeas and 102 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Clark, K.	Hauge	Novak	Pogemiller
Brinkman	Dahlvang	Jacobs	O'Connor	Samuelson
Byrne	Greenfield	Lehto	Ogren	Vanasek
Clark, J.	Gustafson	McCarron	Osthoff	Voss

Those who voted in the negative were:

Aasness	Evans	Kostohryz	Olsen	Stadum
Ainley	Ewald	Kvam	Onnen	Stowell
Anderson, B.	Forsythe	Laidig	Otis	Stumpf
Anderson, G.	Frerichs	Lemen	Peterson, D.	Svigum
Anderson, R.	Gruenes	Levi	Redalen	Swanson
Battaglia	Harens	Long	Reding	Tomlinson
Begich	Haukoos	Ludeman	Rees	Valan
Berkelman	Heap	Luknic	Reif	Valento
Blatz	Heinitz	Mann	Rice	Vellenga
Brandl	Himle	Marsh	Rodriguez, C.	Weaver
Carlson, D.	Hokanson	McDonald	Rodriguez, F.	Welch
Carlson, L.	Hokr	McEachern	Rose	Welker
Dean	Jennings	Mehrken	Schafer	Wenzel
Dempsey	Johnson, C.	Metzen	Schoenfeld	Wieser
Den Ouden	Johnson, D.	Munger	Schreiber	Wigley
Drew	Jude	Murphy	Searles	Wynia
Eken	Kahn	Nelsen, B.	Shea	Zubay
Elioff	Kaley	Nelson, K.	Sherman	Spkr. Sieben, H.
Ellingson	Kalis	Niehaus	Sieben, M.	
Erickson	Kelly	Norton	Simoneau	
Esau	Knickerbocker	Nysether	Skoglund	

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

Samuelson and Hokanson moved to amend H. F. No. 4, as amended, as follows:

Pages 13 and 14, delete section 4

Page 14, lines 12 and 13, reinstate the stricken language

Pages 14 to 16, delete section 6

Pages 16 to 17, delete section 7

Page 20, lines 4 to 8, delete section 12

Page 20, line 12, delete "8" and insert "5"

Renumber sections in sequence

Further, amend the title as follows:

Page 1, delete line 8

Page 1, line 9, delete everything before "altering"

Page 1, line 21, delete "256.966, subdivision 1;"

Page 1, line 22, delete "256D.03, subdivision 4; 256D.05,"

Page 1, line 23, delete "subdivision 1a;"

Page 1, line 34, delete "Minnesota Statutes 1982, section 256D.22"

Page 1, delete line 35

Page 1, line 36, delete "amended and"

The motion prevailed and the amendment was adopted.

H. F. No. 4, A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; adding two members to the investment advisory council; 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; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256B.03, subdivision 2; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 297B.02; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Laws 1981, Third Special Session chapter 2, article III, section 5.

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 68 yeas and 57 nays as follows:

## Those who voted in the affirmative were:

Anderson, B.	Elioff	Kostohryz	Otis	Staten
Anderson, G.	Erickson	Long	Peterson, D.	Stumpf
Anderson, I.	Evans	Mann	Pogemiller	Sviggun
Battaglia	Ewald	McEachern	Redalen	Swanson
Begich	Greenfield	Mehrkens	Reding	Tomlinson
Brandl	Gustafson	Metzen	Rice	Vanasek
Byrne	Hanson	Munger	Rodriguez, C.	Vellenga
Carlson, D.	Harens	Murphy	Rose	Welch
Carlson, L.	Hauge	Nelsen, B.	Samuelson	Wenzel
Clark, J.	Hokanson	Nelson, K.	Schoenfeld	Wieser
Clark, K.	Johnson, C.	Norton	Shea	Wynia
Clawson	Kahn	Novak	Sieben, M.	Spkr. Sieben, H.
Dean	Kalis	Ogren	Simoneau	
Eken	Kelly	Osthoff	Skoglund	

## Those who voted in the negative were:

Aasness	Forsythe	Kaley	Nysether	Stadum
Ainley	Frerichs	Knickerbocker	O'Connor	Stowell
Anderson, R.	Gruenes	Kvam	Olsen	Valan
Berkelman	Haukoos	Laidig	Onnen	Valento
Blatz	Heap	Lehto	Rees	Voss
Brinkman	Heinitz	Lemen	Reif	Weaver
Dahlvang	Himle	Levi	Rodriguez, F.	Welker
Dempsey	Hokr	Ludeman	Sarna	Wigley
Den Ouden	Jacobs	Luknic	Schafer	Zubay
Drew	Jennings	Marsh	Schreiber	
Ellingson	Johnson, D.	McCarron	Searles	
Esau	Jude	McDonald	Sherman	

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

## SUSPENSION OF RULES

McCarron moved that the rules of the House be so far suspended that H. F. No. 2 be given its third reading and be placed upon its final passage. The motion prevailed.

H. F. No. 2 was reported to the House.

McCarron moved to amend H. F. No. 2, as follows:

Page 13, delete line 7 and insert *"This Act is effective for the elections of members of the legislature in 1984 for the 1985 regular session and thereafter."*

The motion prevailed and the amendment was adopted.

McCarron moved to amend H. F. No. 2, as amended, as follows:

Page 11, line 28, before *"Crocus"* insert *"119th Avenue Northwest, easterly on 119th Avenue Northwest to"*

The motion prevailed and the amendment was adopted.

DenOuden moved to amend H. F. No. 2, as amended, as follows:

Page 4, line 7, after "*township*" insert a period and delete the rest of line 7 and all of line 8

Page 4, line 14, insert "*and*" before: "*Kandiyohi*" and delete "*, and Sibley*"

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

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 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.

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

There were 74 yeas and 29 nays as follows:

Those voting in the affirmative were:

Aasness	Ellingson	Kahn	O'Connor	Skoglund
Anderson, I.	Esau	Kaley	Ogren	Staten
Battaglia	Forsythe	Kelly	Osthoff	Swanson
Begich	Frerichs	Kostehryz	Otis	Tomlinson
Berkelman	Gustafson	Laidig	Peterson, D.	Vanasek
Brandl	Hanson	Long	Reding	Vellenga
Brinkman	Harens	Mann	Rees	Voss
Byrne	Hauge	McCarron	Rodriguez, F.	Welch
Carlson, L.	Heap	McEachern	Rose	Wenzel
Clark, J.	Heinitz	Metzen	Samuelson	Wieser
Clark, K.	Hokanson	Munger	Sarna	Wigley
Dahlvang	Jacobs	Murphy	Searles	Wynia
Dempsey	Johnson, C.	Nelson, K.	Sherman	Zubay
Eken	Johnson, D.	Norton	Sieben, M.	Spkr. Sieben, H.
Elioff	Jude	Novak	Simoneau	

Those who voted in the negative were:

Ainley	Hokr	McDonald	Onnen	Stowell
Den Ouden	Kalis	Mehrkins	Redalen	Svigum
Erickson	Knickerbocker	Nelsen, B.	Reif	Valan
Evans	Kvam	Niehaus	Schreiber	Valento
Gruenes	Lemen	Nysether	Shea	Weaver
Haukoos	Marsh	Olsen	Stadum	



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

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.

#### MOTIONS AND RESOLUTIONS

Eken moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 1982 Third Special Session sine die. The motion prevailed.

Eken moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 1982 Third Special Session, for today, Friday, December 10, 1982, and that he be authorized to include in the Journal for today any subsequent proceedings and any appointments to legislative interim committees or commissions created by legislative action or by law. 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:

H. F. No. 4, A bill for an act relating to the financing of government in this state; declaring an emergency; reducing appropriations for the fiscal year ending June 30, 1983, with certain conditions; reducing employer and increasing employee contributions to various retirement funds; adding two members to the investment advisory council; 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 ex-

tending the tax to certain telephone charges; adopting certain federal provisions relating to corporate income taxation; amending Minnesota Statutes 1982, sections 11A.08, subdivision 1; 121.904, subdivision 4a; 124.155, subdivisions 1 and 2; 256B.03, subdivision 2; 256E.06, subdivision 3; 290.01, subdivisions 20a and 20b; 290.06, subdivision 2e; 290.09, subdivisions 3 and 7, and by adding a subdivision; 290.131, subdivision 1; 290.132, subdivision 1; 290.134, subdivision 1; 290.135, subdivision 1; 290.136, subdivision 1; 297A.01, subdivision 3; 297A.02; 297A.03, subdivision 2; 297A.14; 297B.02; Laws 1981, Third Special Session chapter 2, article IV, section 3, subdivision 2, as amended; and section 5, subdivision 3, as amended; proposing new law coded in Minnesota Statutes, chapter 356; repealing Laws 1981, Third Special Session chapter 2, article III, section 5.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

This is to notify you that the Senate is about to adjourn the Third Special Session sine die.

PATRICK E. FLAHAVEN, Secretary of the Senate

MOTION TO ADJOURN THIRD SPECIAL SESSION SINE DIE

Eken moved that the House adjourn sine die for the 1982 Third Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 1982 Third Special Session.

EDWARD A. BURDICK, Chief Clerk, House of Representatives