

## STATE OF MINNESOTA

## SEVENTY-FOURTH SESSION - 1985

## FOURTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 14, 1985

The House of Representatives convened at 2:00 p.m. and was called to order by David M. Jennings, Speaker of the House.

Prayer was offered by Pastor Derek Claypool, Woodcrest Baptist Church, Fridley, Minnesota.

The roll was called and the following members were present:

Anderson, G.	Elioff	Knuth	Otis	Sherman
Anderson, R.	Ellingson	Kostohryz	Ozment	Simoneau
Backlund	Erickson	Krueger	Pappas	Skoglund
Battaglia	Fjoslien	Kvam	Pauly	Solberg
Beard	Forsythe	Levi	Peterson	Sparby
Becklin	Frederick	Lieder	Piepho	Stanius
Begich	Frederickson	Long	Piper	Staten
Bennett	Frerichs	Marsh	Poppenhagen	Svigum
Bishop	Greenfield	McDonald	Price	Thiede
Blatz	Gruenes	McEachern	Quinn	Thorson
Boerboom	Gutknecht	McKasy	Quist	Tjornhom
Boo	Halberg	McLaughlin	Redalen	Tompkins
Brandl	Hartinger	McPherson	Rees	Tunheim
Brinkman	Hartle	Miller	Rest	Uphus
Brown	Haukoos	Minne	Rice	Valan
Burger	Heap	Munger	Richter	Valento
Carlson, D.	Himle	Murphy	Riveness	Vanasek
Carlson, J.	Jacobs	Nelson, D.	Rodosovich	Vellenga
Carlson, L.	Jaros	Nelson, K.	Rose	Voss
Clark	Jennings, L.	Neuenschwander	Schafer	Waltman
Clausnitzer	Johnson	Norton	Scheid	Welle
Cohen	Kahn	Ogren	Schoenfeld	Wenzel
Dempsey	Kalis	Olsen, S.	Schreiber	Zaffke
DenOuden	Kelly	Olson, E.	Seaberg	Spk. Jennings, D.
Dimler	Kiffmeyer	Onnen	Segal	
Dyke	Knickerbocker	Osthoff	Shaver	

A quorum was present.

Metzen, O'Connor, Omann, Sarna and Tomlinson were excused.

Wynia was excused until 2:35 p.m.

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

## PETITIONS AND COMMUNICATIONS

The following communication was received:

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

February 6, 1985

The Honorable David M. Jennings  
Speaker of the House of Representatives

The Honorable Jerome M. Hughes  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 1985 Session of the State Legislature has been received from the Office of the Governor and is 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 1985</i>	<i>Date Filed 1985</i>
90		Resolution No. 1	February 6	February 6

Sincerely,

JOAN ANDERSON GROWE  
Secretary of State

## REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. No. 265 have been placed in the members' files.

S. F. No. 100 and H. F. No. 2, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Pauly moved that S. F. No. 100 be substituted for H. F. No. 2 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES

Bennett from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 241, A bill for an act relating to commerce; modifying certain motor vehicle sale and distribution regulations;

amending Minnesota Statutes 1984, sections 80E.03, subdivision 11; 80E.04, subdivision 4; 80E.06, subdivision 1; 80E.10, subdivision 5; 80E.12; and 80E.14, subdivision 1.

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

The report was adopted.

Schreiber from the Committee on Taxes to which was referred:

H. F. No. 336, A bill for an act relating to public finance; providing for allocation of 1984 state private activity bond issuance authority; proposing coding for new law in Minnesota Statutes, chapter 474.

Reported the same back with the following amendments:

Page 1, line 16, delete "local"

Page 1, line 18, delete "A local" and insert "An"

Page 1, line 25, delete "local"

Page 2, line 2, after "requested" insert "(the higher education coordinating board may satisfy the requirements of this clause by stating that the bond proceeds are intended to be used for student loans)"

Page 2, line 4, delete "local"

Page 2, line 13, after the period insert "The department shall return the application deposits made by applicants for a carry-over allocation pursuant to section 474.19, subdivision 7. The amount necessary to pay the refund of application deposits is appropriated to the department of energy and economic development from the general fund."

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

The report was adopted.

Jennings, D., from the Committee on Budget to which was referred:

House Resolution No. 3, A house resolution setting the maximum limit on taxes and appropriations for the biennium.

Reported the same back with the following amendments:

Page 1, line 6, delete "\$ . . . . . " and insert "\$10,562,-000,000"

Page 1, line 7, delete "taxes and"

Page 1, line 7, after "appropriations" insert "for the purpose of expenditures and transfers from the general fund"

Page 1, after line 9, insert:

*"Be It Further Resolved* that the Legislature finds that a budget reserve of the sum of \$250,000,000 is adequate to meet the state's needs for the fiscal years of 1986 and 1987.

*Be It Further Resolved* that the sum of (1) the unreserved general fund balance at the end of fiscal year 1985, (2) taxes for purposes of general fund expenditures and transfers for the fiscal years of 1986 and 1987, and (3) non-tax general fund revenues for the fiscal years of 1986 and 1987 shall not exceed the amount of \$10,812,000,000. This limit is adopted under authority of House rule 5.10.

*Be It Further Resolved* that, if any law is enacted to require that taxes currently collected by the state be collected instead by local governments, the maximum limits on general fund taxes and appropriations be reduced by the amount by which the enactment would reduce general fund tax collections for the fiscal years of 1986 and 1987."

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 241 and 336 were read for the second time.

## SECOND READING OF SENATE BILLS

S. F. No. 100 was read for the second time.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Pauly introduced:

H. F. No. 401, A bill for an act relating to solid waste; repealing the exemption for certain solid waste disposal facilities from the certificate of need requirements; repealing Laws 1984, chapter 644, section 83.

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

Sparby, McDonald, Schoenfeld, Redalen and Wenzel introduced:

H. F. No. 402, A bill for an act relating to agriculture; making the commissioner of agriculture an elective office; amending Minnesota Statutes 1984, sections 15.06, subdivision 1; 15A.081, subdivision 1; and 17.01.

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

McKasy, Schreiber, Skoglund, Norton and Tjornhom introduced:

H. F. No. 403, A bill for an act relating to taxation; reducing the estate tax to the amount of the federal credit for state death taxes; amending Minnesota Statutes 1984, sections 290.01, subdivision 20e; 291.005, subdivision 1; 291.03, subdivision 1; 291.075; 291.09, subdivisions 1a, 2a, 3a, and 5; 291.11, subdivision 1; 291.15, subdivision 3; 291.215, subdivision 1; and 524.3-1202; repealing Minnesota Statutes 1984, sections 55.10, subdivision 2; 270.75, subdivision 7; 291.015; 291.03, subdivisions 3, 4, 5, 6, and 7; 291.05; 291.051; 291.06; 291.065; 291.07; 291.08; 291.111; 291.131, subdivision 5; 291.132; 291.20; 291.29, subdivision 5; and 385.36.

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

Wenzel and Kvam introduced:

H. F. No. 404, A bill for an act relating to charitable gambling; changing the effective date for licensing by the charitable gambling control board; eliminating dedication of tax revenue to the arts; amending Laws 1984, chapter 502, article 12, section 26; repealing Minnesota Statutes 1984, section 349.212, subdivision 3.

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

Backlund; Norton; Thiede; Jennings, L., and Halberg introduced:

H. F. No. 405, A bill for an act relating to courts; providing for interest rates on arbitration awards; amending Minnesota Statutes 1984, section 549.09, by adding a subdivision.

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

Hartinger introduced:

H. F. No. 406, A bill for an act relating to human services; changing limits on payments to dental vendors of services in the medical assistance and general assistance programs; amending Minnesota Statutes 1984, section 256.967.

The bill was read for the first time and referred to the Committee on Health and Human Services.

McDonald introduced:

H. F. No. 407, A resolution memorializing Carthage and Rome to congratulate them on signing a peace treaty to end the Punic Wars.

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

Fjoslien, Quinn, Gutknecht and Kostohryz introduced:

H. F. No. 408, A bill for an act relating to charitable gambling; exempting certain organizations who conduct bingo from licensing; amending Minnesota Statutes 1984, section 349.214, by adding a subdivision.

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

Peterson; Welle; Schoenfeld; Carlson, D., and Omann introduced:

H. F. No. 409, A bill for an act relating to transportation; restricting mowing of highway ditches outside of cities; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Elioff introduced:

H. F. No. 410, A bill for an act relating to human services; establishing an aid to families with dependent children grant diversion demonstration project; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256D.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Elioff introduced:

H. F. No. 411, A bill for an act relating to education; establishing a task force on student evaluation; appropriating money.

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

Price, Beard, Simoneau, Quinn and Metzen introduced:

H. F. No. 412, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 5; authorizing lotteries and the sale of lottery tickets under certain circumstances; providing for the expenditures of the net revenues for certain environmental purposes; proposing coding for new law in Minnesota Statutes, chapter 116D.

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

Stanisus, Becklin, Schoenfeld and Osthoff introduced:

H. F. No. 413, A bill for an act relating to game and fish; closing of lakes to taking of fish by angling and spearing; prohibiting spearing in muskellunge lakes; amending Minnesota Statutes 1984, sections 97.48, subdivision 1; 101.41, subdivision 4; and 101.475, subdivision 1.

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

Knickerbocker, Simoneau, Gutknecht, Sviggum and Tjornhom introduced:

H. F. No. 414, A bill for an act relating to retirement; providing post retirement annuity or benefit increases for certain retired or disabled public employees.

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

Minne, Shaver, Fjoslien, Dimler and Osthoff introduced:

H. F. No. 415, A bill for an act relating to elections; permitting certain reports to be made by certified mail; amending Minnesota Statutes 1984, section 10A.20, subdivision 5.

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

Himle, Schreiber, Forsythe, Levi and Jennings, D., introduced:

H. F. No. 416, A bill for an act relating to state government; making the budget reserve account a segregated fund; retaining investment earnings in the account; allowing the commissioner of finance to borrow from the account; appropriating money; amending Minnesota Statutes 1984, section 16A.15, subdivision 6.

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



McDonald and Carlson, D., introduced:

H. F. No. 417, A bill for an act relating to public safety; limiting regulation of hand-held candles in religious and civil ceremonies; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Dempsey, Piepho, Gutknecht, Begich and Simoneau introduced:

H. F. No. 418, A bill for an act relating to local government; excluding firefighters and peace officers from a political subdivisions job evaluation system; amending Minnesota Statutes 1984, sections 471.994; and 471.998, subdivision 1.

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

Shaver introduced:

H. F. No. 419, A bill for an act relating to local government; limiting zoning powers concerning certain amateur radio antennas; proposing coding for new law in Minnesota Statutes, chapters 394 and 462.

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

Frerichs, Heap, Frederickson, Hartle and Zaffke introduced:

H. F. No. 420, A bill for an act relating to administrative procedures; providing for additional review of emergency administrative rules; amending Minnesota Statutes 1984, sections 14.33; and 14.34; proposing coding for new law in Minnesota Statutes, chapter 14.

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

Brown and Fjoslien introduced:

H. F. No. 421, A bill for an act relating to retirement; Stevens county memorial hospital employees refunds or deferred annuities.

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

McKasy introduced:

H. F. No. 422, A bill for an act relating to the city of West Saint Paul; changing the municipal election day and extending the terms of certain elected officials.

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

Anderson, R., by request, introduced:

H. F. No. 423, A bill for an act relating to economic development; setting an earlier opening date for the walleyed pike season in 1985 only.

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

Knickerbocker, Halberg, Osthoff, Frederickson and Long introduced:

H. F. No. 424, A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article V, sections 1, 3, and 4; article VIII, section 2; and article XI, sections 7 and 8; eliminating the office of state treasurer; giving the treasurer's powers and duties to another officer provided by law.

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

Minne, Elioff, Begich, Battaglia and Solberg introduced:

H. F. No. 425, A bill for an act relating to natural resources; imposing a temporary freeze upon certain lease rates for state-owned campgrounds.

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

Vanasek; Gutknecht; McDonald; Nelson, D., and Ellingson introduced:

H. F. No. 426, A bill for an act proposing an amendment to the Minnesota Constitution, article IV, sections 2 and 4; providing for a senate of 36 members elected for staggered six-year terms and a house of representatives of 108 members elected for staggered four-year terms.

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

Redalen, Johnson, Sparby, Rose and Valan introduced:

H. F. No. 427, A bill for an act relating to agriculture; authorizing conservation reserve contracts covering marginal agricultural land; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

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

Pauly and Knickerbocker introduced:

H. F. No. 428, A bill for an act relating to the city of Eden Prairie; authorizing one annual one-day liquor license.

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

Nelson, K.; Riveness; Nelson, D.; Olson, E.; and Jennings, L., introduced:

H. F. No. 429, A bill for an act relating to education; changing the basic maintenance mill rate to 20 mills; amending Minnesota Statutes 1984, section 124A.02, subdivision 7.

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

Shaver introduced:

H. F. No. 430, A bill for an act relating to unemployment compensation; providing for nonreimbursement of benefits paid in certain instances; amending Minnesota Statutes 1984, section 268.10, subdivision 2.

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

Shaver introduced:

H. F. No. 431, A bill for an act relating to claims; providing reimbursement of certain unemployment benefits paid by the city of Wayzata.

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

Tompkins; Nelson, K.; Segal; Elioff and Stanius introduced:

H. F. No. 432, A bill for an act relating to education; allowing the department of education to purchase printing services from school printing programs without inviting bids; amending Minnesota Statutes 1984, section 16B.08, subdivision 7.

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

Stanius, Sviggum, McPherson, Hartle and Miller introduced:

H. F. No. 433, A bill for an act relating to unemployment insurance; increasing the time and earnings needed to requalify for benefits after disqualification for voluntary quit, misconduct, or failure to apply for or accept suitable work; amending Minnesota Statutes 1984, section 268.09, subdivisions 1 and 2.

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

Gutknecht, Rodosovich, Frederickson, McPherson and Piper introduced:

H. F. No. 434, A bill for an act relating to retirement; making various changes regarding actuarial services in laws governing various public pension funds; amending Minnesota Statutes 1984, sections 3A.11, subdivision 1; 11A.18, subdivision 11; 352.116, subdivision 3; 352.119, subdivision 2; 352B.02, subdivision 1; 352B.08, subdivision 2; 353.271, subdivision 1; 353.271, subdivision 2; 353.29, subdivision 6; 353.30, subdivision 3; 354.07, subdivision 1; 354.35; 354.45, subdivision 1; 354.63, subdivision 2; 354A.32; 354A.33; 422A.04, subdivision 3; 422A.06, subdivision 5; 422A.101, subdivision 3; 422A.15, subdivision 2; 422A.17; 422A.23, subdivision 6; 490.124, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 356.

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

Boerboom, Hartle, Frederickson and Clausnitzer introduced :

H. F. No. 435, A resolution memorializing Congress to balance the federal budget.

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

Nelson, K.; Erickson; Olsen, S.; Otis and Price introduced :

H. F. No. 436, A bill for an act relating to education; changing the instructional effectiveness plan and training to the educational effectiveness plan and training; providing for research and development; appropriating money; amending Minnesota Statutes 1984, sections 121.608 and 121.609.

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

Thiede; Carlson, J.; Schafer; Poppenhagen and Sviggum introduced :

H. F. No. 437, A resolution memorializing Congress of ratification of a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of Congress until an intervening election of representatives has occurred.

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

Seaberg, Vellenga and Anderson, R., introduced :

H. F. No. 438, A bill for an act relating to housing; raising the limit on the total amount of Minnesota housing finance agency bonds and notes outstanding; amending Minnesota Statutes 1984, section 462A.22, subdivision 1.

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

Nelson, D., introduced:

H. F. No. 439, A bill for an act relating to taxation; providing for the computation of interest on tax overpayments; amending Minnesota Statutes 1984, sections 270A.07, subdivision 5; 271.12; 290.50, subdivision 1; 290.92, subdivisions 11 and 13; 290.93, subdivision 9; 290.936; 290A.07, subdivisions 2a and 3; 291.18; 294.09, subdivision 1; 297A.35, subdivision 1; 298.09, subdivision 4; and 299.05; proposing coding for new law in Minnesota Statutes, chapter 270.

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

Knickerbocker, Sviggum, Gutknecht, Simoneau and Sparby introduced:

H. F. No. 440, A bill for an act relating to retirement; making various changes in laws governing public retirement funds; amending Minnesota Statutes 1984, sections 3.85, subdivisions 11 and 12; 353.656, subdivision 1; 353.657, subdivision 2a; 354.44, subdivision 6; 354A.35, subdivision 1; 356.20, subdivision 4; 356.215, subdivision 4; 356.216; and 356.70.

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

Quist introduced:

H. F. No. 441, A bill for an act relating to Independent School District No. 508, St. Peter; authorizing a fund transfer.

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

Jennings, L.; Carlson, D., and Schafer introduced:

H. F. No. 442, A bill for an act relating to drainage; recodifying the drainage law with some modifications; appropriating money; imposing penalties; proposing coding for new law as Minnesota Statutes, chapter 106A; repealing Minnesota Statutes 1984, chapter 106.

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

Carlson, J.; Anderson, R., and Forsythe introduced:

H. F. No. 443, A bill for an act relating to human services; eliminating employable persons from general assistance eligibility; amending Minnesota Statutes 1984, sections 256D.01, subdivision 1a; and 256D.05, subdivision 1; repealing Minnesota Statutes 1984, sections 256D.111; 256D.112; 268.685; 268.80; and 268.81.

The bill was read for the first time and referred to the Committee on Health and Human Services.

Dempsey, Wenzel, Gruenes, Osthoff and Piepho introduced:

H. F. No. 444, A bill for an act relating to education; establishing a demonstration voucher program for pupils; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 129B.

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

### GENERAL ORDERS

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

### REPORT OF THE COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following recommendations of the Committee were reported to the House:

H. F. No. 265 was recommended to pass.

S. F. No. 100 was recommended for progress.

S. F. No. 122, the unofficial engrossment, which it recommended to pass with the following amendments:

Offered by Knickerbocker:

Page 3, after line 20, insert:

"Sec. 3. Minnesota Statutes 1984, section 43A.04, subdivision 1, is amended to read:

Subdivision 1. [STATEWIDE LEADERSHIP.] The commissioner shall be the chief personnel and labor relations manager of the civil service in the executive branch.

(a) Whenever any power or responsibility is given to the commissioner by any provision of Laws 1981, Chapter 210, unless otherwise expressly provided, the power or authority shall apply to all employees of agencies in the executive branch and to employees in classified positions in the office of the legislative auditor, the Minnesota state retirement system, *the public employees retirement association*, and the teacher's retirement association. Unless otherwise provided by law, the power or authority shall not apply to unclassified employees in the legislative and judicial branches.

(b) The commissioner shall operate an information system from which personnel data, as defined in section 13.43, concerning employees and applicants for positions in the classified service can be retrieved.

The commissioner shall have access to all public and private personnel data kept by appointing authorities which will aid in the discharge of the commissioner's duties.

(c) The commissioner may consider and investigate any matters concerned with the administration of provisions of Laws 1981, Chapter 210 and may order any remedial actions consistent with law."

Renumber subsequent sections

Page 10, line 14, after "*employees*" insert "*, who for purposes of these chapters shall be treated as if they were executive branch employees*"

Page 14, line 3, delete "13" and insert "14"

Amend the title as follows:

Page 1, line 9, after "1;" insert "43A.04, subdivision 1;"

Offered by Knickerbocker:

Page 9, after line 18, insert:

*"(e) The board shall establish procedures governing reimbursement of expenses to board members. These procedures shall define the types of activities and expenses that qualify for reimbursement, shall provide that all out-of-state travel must be authorized by the board, and shall provide for independent verification of claims for expense reimbursement. The procedures must comply with applicable rules and policies of the department of finance and the department of employee relations."*



Offered by Kelly:

Page 5, line 19, delete "*either*"

Page 5, line 20, delete "*, or be retired members of the association*"

Page 7, line 2, delete "*Retired members*"

Page 7, line 3, delete "*shall vote in the area in which they reside.*"

Page 7, delete lines 22 and 23

Offered by Clausnitzer and Krueger:

Page 6, line 4, delete "*As a condition of having*"

Page 6, line 5, delete "*the board make a mailing on his or her behalf,*"

Page 6, line 5, delete "*shall*" and insert "*who.*"

Page 6, delete line 6

Page 6, line 12, after "*election,*" delete "*the*" and insert "*must file a report with*"

Page 6, line 13, delete "*candidate will disclose in writing to*"; before "*board*" insert "*ethical practices*"; after "*board*" insert "*disclosing*"

Page 6, line 14, before "*board*" insert "*ethical practices*"

Page 6, line 15, delete "*adopt policies*" and insert "*prescribe forms*"

Page 6, line 16, delete "*approved expenditures*" and insert "*contributions*"

Page 6, line 17, after the period insert "*These terms do not include the mailing made by the association board on behalf of the candidate. A candidate must file a report within 30 days from the day that the results of the election are announced. The ethical practices board shall maintain these reports and make them available for public inspection in the same manner as the board maintains and makes available other reports filed with it.*"

On the motion of Halberg the report of the Committee of the Whole was adopted.

## MOTIONS AND RESOLUTIONS

Sparby moved that his name be stricken as an author on H. F. No. 52. The motion prevailed.

Dimler moved that the name of Segal be added as an author on H. F. No. 145. The motion prevailed.

Olsen, S., moved that the name of Valento be stricken and the name of Bennett be added as an author on H. F. No. 156. The motion prevailed.

Ogren moved that the name of McLaughlin be added as an author on H. F. No. 181. The motion prevailed.

Kalis moved that his name be stricken as an author on H. F. No. 208. The motion prevailed.

Olsen, S., moved that the name of Segal be stricken as an author on H. F. No. 247. The motion prevailed.

Heap moved that the name of McPherson be added as an author on H. F. No. 284. The motion prevailed.

Jacobs moved that the names of Wenzel and Vanasek be added as authors on H. F. No. 342. The motion prevailed.

Thorson moved that the name of Tunheim be added as an author on H. F. No. 362. The motion prevailed.

McDonald moved that the name of Wenzel be added as an author on H. F. No. 373. The motion prevailed.

Fjoslien moved that the name of Dimler be added as an author on H. F. No. 400. The motion prevailed.

Heap moved that H. F. No. 306 be recalled from the Committee on Labor-Management Relations and be re-referred to the Committee on Governmental Operations. The motion prevailed.

Stanis moved that H. F. No. 197 be returned to its author. The motion prevailed.

Jennings, D., for the Committee on Budget, introduced:

House Concurrent Resolution No. 4, A house concurrent resolution setting the maximum limit on taxes and appropriations for the biennium.

The concurrent resolution was referred to the Committee on Budget.

House Resolution No. 3 was reported to the House.

Levi moved that House Resolution No. 3 be now adopted.

#### HOUSE RESOLUTION NO. 3

A house resolution setting the maximum limit on taxes and appropriations for the biennium.

*Be It Resolved* by the House of Representatives of the State of Minnesota that the sum of \$10,562,000,000 is the maximum limit on appropriations for the purpose of expenditures and transfers from the general fund for the fiscal years of 1986 to 1987. This limit is adopted under authority of House rule 5.10.

*Be It Further Resolved* that the Legislature finds that a budget reserve of the sum of \$250,000,000 is adequate to meet the state's needs for the fiscal years of 1986 and 1987.

*Be It Further Resolved* that the sum of (1) the unreserved general fund balance at the end of fiscal year 1985, (2) taxes for purposes of general fund expenditures and transfers for the fiscal years of 1986 and 1987, and (3) non-tax general fund revenues for the fiscal years of 1986 and 1987 shall not exceed the amount of \$10,812,000,000. This limit is adopted under authority of House rule 5.10.

*Be It Further Resolved* that, if any law is enacted to require that taxes currently collected by the state be collected instead by local governments, the maximum limits on general fund taxes and appropriations be reduced by the amount by which the enactment would reduce general fund tax collections for the fiscal years of 1986 and 1987.

A roll call was requested and properly seconded.

Rice moved that House Resolution No. 3 be re-referred to the Committee on Budget.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

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

Anderson, G.	Becklin	Boo	Carlson, D.	Cohen
Anderson, R.	Begich	Brandl	Carlson, J.	Dempsey
Backlund	Bennett	Brinkman	Carlson, L.	DenOuden
Battaglia	Blatz	Brown	Clark	Dimler
Beard	Boerboom	Burger	Clausnitzer	Dyke

Elioff	Kiffmeyer	Nelson, K.	Rees	Staten
Ellingson	Knickerbocker	Neuenschwander	Rest	Sviggum
Erickson	Knuth	Norton	Rice	Thiede
Fjoslien	Kostohryz	Ogren	Richter	Thorson
Forsythe	Krueger	Olsen, S.	Rivenness	Tjornhom
Frederick	Kvam	Olson, E.	Rodosovich	Tompkins
Frederickson	Levi	Onnen	Rose	Tunheim
Frerichs	Lieder	Osthoff	Schafer	Uphus
Greenfield	Long	Otis	Scheid	Valan
Gutknecht	Marsh	Ozment	Schoenfeld	Valento
Halberg	McDonald	Pappas	Schreiber	Vanasek
Hartle	McEachern	Pauly	Seaberg	Vellenga
Haukoos	McKasy	Peterson	Segal	Voss
Heap	McLaughlin	Piepho	Shaver	Waltman
Himle	McPherson	Piper	Sherman	Wenzel
Jennings, L.	Miller	Poppenhagen	Simoneau	Wynia
Johnson	Minne	Price	Skoglund	Zaffke
Kahn	Munger	Quinn	Solberg	Spk. Jennings, D.
Kalis	Murphy	Quist	Sparby	
Kelly	Nelson, D.	Redalen	Stanius	

Levi 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 Speaker called Halberg to the Chair.

The Speaker resumed the Chair.

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

The question recurred on the Rice motion to re-refer House Resolution No. 3, as amended, to the Committee on Budget and the roll was called.

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

There were 60 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jacobs	McLaughlin	Pappas	Simoneau
Battaglia	Jaros	Minne	Peterson	Skoglund
Beard	Jennings, L.	Munger	Piper	Solberg
Begich	Kahn	Murphy	Price	Sparby
Brandl	Kalis	Nelson, D.	Quinn	Staten
Brinkman	Kelly	Nelson, K.	Rest	Tunheim
Brown	Knuth	Neuenschwander	Rice	Vanasek
Carlson, L.	Kostohryz	Norton	Rivenness	Vellenga
Clark	Krueger	Ogren	Rodosovich	Voss
Cohen	Lieder	Olson, E.	Scheid	Welle
Elioff	Long	Osthoff	Schoenfeld	Wenzel
Greenfield	McEachern	Otis	Segal	Wynia

Those who voted in the negative were:

Anderson, R.	Dimler	Heap	Ozment	Stanis
Backlund	Dyke	Himle	Pauly	Sviggum
Becklin	Erickson	Johnson	Piepho	Thiede
Bennett	Fjoslien	Kiffmeyer	Poppenhagen	Thorson
Bishop	Forsythe	Knickerbocker	Quist	Tjornhom
Blatz	Frederick	Kvam	Redalen	Tompkins
Boerboom	Frederickson	Levi	Rees	Uphus
Boo	Frerichs	Marsh	Richter	Valan
Burger	Gruenes	McDonald	Rose	Valento
Carlson, D.	Gutknecht	McKasy	Schafer	Zaffke
Carlson, J.	Halberg	McPherson	Schreiber	Spk. Jennings, D.
Clausnitzer	Hartinger	Miller	Seaberg	
Dempsey	Hartle	Olsen, S.	Shaver	
DenOuden	Haukoos	Onnen	Sherman	

The motion did not prevail.

McEachern and Nelson, K., moved to amend House Resolution No. 3, as amended by the Committee on Budget, as follows:

Page 2, after line 1, insert:

*"Be It Further Resolved that at least one-third of the maximum limit on appropriations and transfers, but in no case less than \$3,521,000,000, shall be appropriated for payments to school districts for provision of elementary and secondary education. Payments to school districts shall not include appropriations for the operation of the department of education."*

A roll call was requested and properly seconded.

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

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

There were 59 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jacobs	McLaughlin	Peterson	Skoglund
Battaglia	Jaros	Minne	Piper	Solberg
Beard	Jennings, L.	Munger	Price	Sparby
Begich	Kahn	Murphy	Quinn	Staten
Brandl	Kalis	Nelson, D.	Rest	Tunheim
Brinkman	Kelly	Nelson, K.	Rice	Vanasek
Brown	Knuth	Neuenschwander	Riveness	Vellenga
Carlson, L.	Kostohryz	Norton	Rodosovich	Voss
Clark	Krueger	Ogren	Scheid	Welle
Cohen	Lieder	Olson, E.	Schoenfeld	Wenzel
Elioff	Long	Otis	Segal	Wynia
Greenfield	McEachern	Pappas	Simoneau	

Those who voted in the negative were:

Anderson, R.	Dimler	Himle	Pauly	Sviggum
Backlund	Dyke	Johnson	Piepho	Thiede
Becklin	Erickson	Kiffmeyer	Poppenhagen	Thorson
Bennett	Forsythe	Knickerbocker	Quist	Tjornhom
Bishop	Frederick	Kvam	Redalen	Tompkins
Blatz	Frederickson	Levi	Rees	Uphus
Boerboom	Frerichs	Marsh	Richter	Valan
Boo	Gruenes	McDonald	Rose	Valento
Burger	Gutknecht	McKasy	Schafer	Zaffke
Carlson, D.	Halberg	McPherson	Schreiber	Spk. Jennings, D.
Carlson, J.	Hartinger	Miller	Seaberg	
Clausnitzer	Hartle	Olsen, S.	Shaver	
Dempsey	Haukoos	Onnen	Sherman	
DenOuden	Heap	Ozment	Stanis	

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

Wenzel and Osthoff moved to amend House Resolution No. 3, as amended by the Committee on Budget, as follows:

Page 1, line 6, delete "10,562,000,000" and insert "10,460,000,000"

Page 1, line 18, delete "10,812,000,000" and insert "10,710,000,000"

A roll call was requested and properly seconded.

Levi moved to lay the Wenzel and Osthoff amendment on the table.

A roll call was requested and properly seconded.

#### POINT OF ORDER

Voss raised a point of order pursuant to established custom and usage of the House and "Mason's Manual of Legislative Procedure" relating to laying amendments on the table. The Speaker ruled the point of order not well taken and the Levi motion to lay on the table in order.

The question recurred on the Levi motion to lay the Wenzel and Osthoff amendment to House Resolution No. 3, as amended by the Committee on Budget, on the table and the roll was called.

Levi moved that those not voting be excused from voting.

A roll call was requested and properly seconded.

The question was taken on the Levi motion to excuse members from voting and the roll was called. There were 66 yeas and 61 nays as follows:

## Those who voted in the affirmative were:

Anderson, R.	Dyke	Himle	Pauly	Sviggunn
Backlund	Erickson	Johnson	Piepho	Thiede
Becklin	Fjoslien	Kiffmeyer	Poppenhagen	Thorson
Bennett	Forsythe	Knickerbocker	Quist	Tjornhom
Bishop	Frederick	Kvam	Redalen	Tompkins
Blatz	Frederickson	Levi	Rees	Uphus
Boerboom	Frerichs	Marsh	Richter	Valan
Boo	Gruenes	McDonald	Rose	Valento
Burger	Gutknecht	McKasy	Schafer	Zafike
Carlson, J.	Halberg	McPherson	Schreiber	Spk. Jennings, D.
Clausnitzer	Hartinger	Miller	Seaberg	
Dempsey	Hartle	Olsen, S.	Shaver	
DenOuden	Haukoos	Onnen	Sherman	
Dimler	Heap	Ozment	Stanisus	

## Those who voted in the negative were:

Anderson, G.	Jacobs	Minne	Piper	Sparby
Battaglia	Jaros	Munger	Price	Staten
Beard	Jennings, L.	Murphy	Quinn	Tunheim
Begich	Kahn	Nelson, D.	Rest	Vanasek
Brandl	Kalis	Nelson, K.	Rice	Vellenga
Brinkman	Kelly	Neuenschwander	Riveness	Voss
Brown	Knuth	Norton	Rodosovich	Welle
Carlson, D.	Kostohryz	Ogren	Scheid	Wenzel
Carlson, L.	Krueger	Olson, E.	Schoenfeld	Wynia
Clark	Lieder	Osthoff	Segal	
Cohen	Long	Otis	Simoneau	
Elioff	McEachern	Pappas	Skoglund	
Greenfield	McLaughlin	Peterson	Solberg	

The motion to excuse members from voting prevailed.

The roll was called on the Levi motion to lay the Wenzel and Osthoff amendment to House Resolution No. 3, as amended by the Committee on Budget, on the table. There were 66 yeas and 59 nays as follows:

## Those who voted in the affirmative were:

Anderson, R.	Erickson	Jacobs	Pauly	Sviggunn
Backlund	Fjoslien	Johnson	Piepho	Thorson
Becklin	Forsythe	Kiffmeyer	Poppenhagen	Tjornhom
Bennett	Frederick	Knickerbocker	Quist	Tompkins
Bishop	Frederickson	Kvam	Redalen	Uphus
Blatz	Frerichs	Levi	Rees	Valan
Boerboom	Gruenes	Marsh	Richter	Valento
Boo	Gutknecht	McDonald	Rose	Vellenga
Burger	Halberg	McKasy	Schafer	Welle
Carlson, J.	Hartinger	McPherson	Schreiber	Spk. Jennings, D.
Clausnitzer	Hartle	Miller	Seaberg	
Dempsey	Haukoos	Olsen, S.	Shaver	
Dimler	Heap	Onnen	Sherman	
Dyke	Himle	Ozment	Stanisus	

## Those who voted in the negative were:

Anderson, G.	Brinkman	Clark	Ellingson	Kahn
Battaglia	Brown	Cohen	Greenfield	Kalis
Beard	Carlson, D.	DenOuden	Jaros	Kelly
Begich	Carlson, L.	Elioff	Jennings, L.	Knuth

Kostohryz	Nelson, D.	Pappas	Rodosovich	Staten
Krueger	Nelson, K.	Peterson	Scheid	Tunheim
Lieder	Neuenschwander	Piper	Schoenfeld	Vanasek
Long	Norton	Price	Segal	Voss
McEachern	Ogren	Quinn	Simoneau	Wenzel
McLaughlin	Olson, E.	Rest	Skoglund	Wynia
Minne	Osthoff	Rice	Solberg	Zaffke
Murphy	Otis	Riveness	Sparby	

The motion prevailed and the Wenzel and Osthoff amendment was laid on the table.

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

Schoenfeld moved to amend House Resolution No. 3, as amended by the Committee on Budget, as follows:

Page 2, after line 1, insert:

*"Be It Further Resolved that at least \$310,000,000 must be appropriated for fiscal years 1986 and 1987 for establishing new initiatives designed to maintain family farms, revitalize Minnesota's agricultural economy and to restore profitability to this traditional and productive sector of Minnesota's economy."*

A roll call was requested and properly seconded.

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

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

There were 56 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jaros	Minne	Piper	Sparby
Battaglia	Jennings, L.	Munger	Price	Staten
Beard	Kahn	Murphy	Quinn	Tunheim
Begich	Kalis	Nelson, D.	Rest	Vanasek
Brandl	Kelly	Nelson, K.	Rice	Vellenga
Brinkman	Knuth	Neuenschwander	Riveness	Voss
Brown	Kostohryz	Norton	Rodosovich	Welle
Carlson, L.	Krueger	Ogren	Schoenfeld	Wenzel
Clark	Lieder	Olson, E.	Segal	
Cohen	Long	Otis	Simoneau	
Elioff	McEachern	Pappas	Skoglund	
Greenfield	McLaughlin	Peterson	Solberg	

Those who voted in the negative were:

Anderson, R.	Blatz	Carlson, J.	Dyke	Frederickson
Backlund	Boerboom	Clausnitzer	Erickson	Frerichs
Becklin	Boo	Dempsey	Fjoslien	Gutknecht
Bennett	Burger	DenOuden	Forsythe	Halberg
Bishop	Carlson, D.	Dimler	Frederick	Hartinger



Hartle	Levi	Pauly	Schreiber	Tompkins
Haukoos	Marsh	Piepho	Seaberg	Uphus
Heap	McDonald	Poppenhagen	Shaver	Valan
Himle	McKasy	Quist	Sherman	Valento
Jacobs	McPherson	Redalen	Stanisus	Zaffke
Johnson	Miller	Rees	Sviggum	Spk. Jennings, D.
Kiffmeyer	Olsen, S.	Richter	Thiede	
Knickerbocker	Onnen	Rose	Thorson	
Kvam	Ozment	Schafer	Tjornhom	

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

Riveness moved to amend House Resolution No. 3, as amended by the Committee on Budget, as follows:

Page 2, after line 1, insert:

*"Be It Further Resolved that at least \$195,000,000 must be appropriated for fiscal years 1986 to 1987 for establishing new initiatives designed to diversify, strengthen, and revitalize the rural economy, promote economic development in rural communities, and aid small businesses."*

A roll call was requested and properly seconded.

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

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

There were 52 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Battaglia	Jaros	Munger	Piper	Sparby
Beard	Jennings, L.	Murphy	Quinn	Staten
Begich	Kahn	Nelson, D.	Rest	Tunheim
Brandl	Knuth	Nelson, K.	Rice	Vanasek
Brinkman	Kostohryz	Neuenschwander	Riveness	Vellenga
Brown	Krueger	Norton	Rodosovich	Voss
Carlson, L.	Lieder	Ogren	Schoenfeld	Wenzel
Clark	Long	Olson, E.	Segal	Wynia
Cohen	McEachern	Otis	Simoneau	
Elioff	McLaughlin	Pappas	Skoglund	
Greenfield	Minne	Peterson	Solberg	

Those who voted in the negative were:

Anderson, R.	Carlson, J.	Frederick	Haukoos	Levi
Backlund	Clausnitzer	Frederickson	Heap	Marsh
Bennett	Dempsey	Frerichs	Himle	McDonald
Blatz	DenOuden	Gruenes	Jacobs	McKasy
Boerboom	Dimler	Gutknecht	Johnson	McPherson
Boo	Dyke	Halberg	Kiffmeyer	Miller
Burger	Erickson	Hartinger	Knickerbocker	Olsen, S.
Carlson, D.	Forsythe	Hartle	Kvam	Onnen

Ozment	Rees	Seaberg	Thiede	Valan
Pauly	Richter	Shaver	Thorson	Valento
Piepho	Rose	Sherman	Tjornhom	Zaffke
Poppenhagen	Schafer	Stanis	Tompkins	Spk. Jennings, D.
Redalen	Schreiber	Svigum	Uphus	

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

Carlson, L., moved to amend House Resolution No. 3, as amended by the Committee on Budget, as follows:

Page 2, after line 1, insert:

*"Be It Further Resolved that at least \$1,925,000,000 must be appropriated for fiscal years 1986 to 1987 for higher education."*

A roll call was requested and properly seconded.

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

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

There were 54 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, C.	Greenfield	Minne	Piper	Solberg
Battaglia	Jaros	Munger	Quinn	Sparby
Beard	Jennings, L.	Murphy	Rest	Staten
Begich	Kahn	Nelson, D.	Rice	Tunheim
Brandl	Kalis	Nelson, K.	Riveness	Vanasek
Brinkman	Knuth	Neuenschwander	Rodosovich	Vellenga
Brown	Kostohryz	Norton	Scheid	Voss
Carlson, L.	Krueger	Ogren	Schoenfeld	Welle
Clark	Lieder	Olson, E.	Segal	Wenzel
Cohen	Long	Pappas	Simoneau	Wynia
Elioff	McLaughlin	Peterson	Skoglund	

Those who voted in the negative were:

Anderson, R.	Dimler	Himle	Ozment	Stanis
Backlund	Dyke	Jacobs	Pauly	Svigum
Becklin	Erickson	Johnson	Piepho	Thiede
Bennett	Forsythe	Kiffmeyer	Poppenhagen	Thorson
Bishop	Frederick	Knickerbocker	Quist	Tjornhom
Blatz	Frederickson	Kvam	Redalen	Tompkins
Boerboom	Frerichs	Levi	Rees	Uphus
Boo	Gruenes	Marsh	Richter	Valan
Burger	Gutknecht	McDonald	Rose	Valento
Carlson, D.	Halberg	McKasy	Schafer	Zaffke
Carlson, J.	Hartinger	McPherson	Schreiber	Spk. Jennings, D.
Clausnitzer	Hartle	Miller	Seaberg	
Dempsey	Haukoos	Olsen, S.	Shaver	
DonOuden	Heap	Onnen	Sherman	

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

Brandl moved to amend House Resolution No. 3, as amended by the Committee on Budget.

A roll call was requested and properly seconded.

Krueger requested a division of the Brandl amendment.

The first portion of the Brandl amendment to House Resolution No. 3, as amended by the Committee on Budget, reads as follows:

Page 1, line 11, delete "250,000,000" and insert "at least 375,000,000"

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

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

There were 50 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Jennings, L.	Munger	Piper	Skoglund
Battaglia	Kalis	Murphy	Quinn	Solberg
Begich	Kelly	Nelson, D.	Redalen	Sparby
Brandl	Knuth	Nelson, K.	Rest	Staten
Carlson, D.	Kostohryz	Neuenschwander	Rice	Tunheim
Carlson, L.	Krueger	Norton	Riveness	Uphus
Clark	Lieder	Olson, E.	Rodosovich	Vanasek
Cohen	Long	Otis	Schoenfeld	Vellenga
Elioff	McEachern	Pappas	Segal	Voss
Greenfield	McLaughlin	Peterson	Simoneau	Welle

Those who voted in the negative were:

Anderson, R.	Dyke	Jacobs	Onnen	Seaberg
Backlund	Erickson	Johnson	Osthoff	Shaver
Beard	Forsythe	Kiffmeyer	Ozment	Sherman
Becklin	Frederick	Knickerbocker	Pauly	Stanis
Bennett	Frederickson	Kvam	Piepho	Sviggum
Blatz	Frerichs	Levi	Poppenhagen	Thiede
Boerboom	Gruenes	Marsh	Price	Thorson
Boo	Gutknecht	McDonald	Quist	Tjornhom
Burger	Halberg	McKasy	Rees	Tompkins
Carlson, J.	Hartinger	McPherson	Richter	Valan
Clausnitzer	Hartle	Miller	Rose	Valento
Dempsey	Haukoos	Minne	Schafer	Wenzel
DenOuden	Heap	Ogren	Scheid	Zaffke
Dimler	Himle	Olsen, S.	Schreiber	Spk. Jennings, D.

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

Brandl withdrew the second portion of his amendment to House Resolution No. 3, as amended by the Committee on Budget.

Knuth moved to amend House Resolution No. 3, as amended by the Committee on Budget, as follows:

Page 2, after line 1, insert:

*"Be It Further Resolved that at least \$2,362,000,000 shall be available for fiscal years 1986 and 1987 for direct and indirect property tax relief and state aid to local units of government."*

A roll call was requested and properly seconded.

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

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

There were 52 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Anderson, G.	Kahn	Munger	Piper	Sparby
Battaglia	Kalis	Murphy	Price	Staten
Beard	Kelly	Nelson, D.	Quinn	Tunheim
Begich	Knuth	Nelson, K.	Rest	Vanasek
Brown	Kostohryz	Neuenschwander	Rice	Voss
Carlson, L.	Krueger	Norton	Riveness	Welle
Clark	Lieder	Ogren	Rodosovich	Wenzel
Cohen	Long	Olson, E.	Schoenfeld	Wynia
Elioff	McEachern	Otis	Simoneau	
Greenfield	McLaughlin	Pappas	Skoglund	
Jaros	Minne	Peterson	Solberg	

Those who voted in the negative were:

Anderson, R.	Dimler	Himle	Ozment	Stanisus
Backlund	Dyke	Jacobs	Pauly	Sviggum
Becklin	Erickson	Johnson	Piepho	Thiede
Bennett	Forsythe	Kiffmeyer	Poppenhagen	Thorson
Blatz	Frederick	Knickerbocker	Quist	Tjornhom
Boerboom	Frederickson	Kvam	Redalen	Tompkins
Boo	Frerichs	Levi	Rees	Uphus
Brinkman	Gruenes	Marsh	Richter	Valan
Burger	Gutknecht	McDonald	Rose	Valento
Carlson, D.	Halberg	McKasy	Schafer	Zafke
Carlson, J.	Hartinger	McPherson	Schreiber	Spk. Jennings, D.
Clausnitzer	Hartle	Miller	Seaberg	
Dempsey	Haukoos	Olsen, S.	Shaver	
DenOuden	Heap	Onnen	Sherman	

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

Greenfield moved to amend House Resolution No. 3, as amended by the Committee on Budget, as follows:

Page 2, after line 1, insert:

*"Be It Further Resolved that at least \$620,000,000 shall be appropriated for health and human services provided to persons age 65 and over."*

A roll call was requested and properly seconded.

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

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

There were 53 yeas and 68 nays as follows :

Those who voted in the affirmative were :

Anderson, G.	Jaros	McLaughlin	Pappas	Skoglund
Battaglia	Jennings, L.	Minne	Peterson	Solberg
Beard	Kahn	Munger	Piper	Sparby
Begich	Kalis	Murphy	Price	Staten
Brinkman	Kelly	Nelson, D.	Rest	Vellenga
Brown	Knuth	Nelson, K.	Rice	Voss
Carlson, L.	Kostohryz	Neuenschwander	Riveness	Welle
Clark	Krueger	Norton	Rodosovich	Wenzel
Cohen	Lieder	Ogren	Schoenfeld	Wynia
Elioff	Long	Olson, E.	Segal	
Greenfield	McEachern	Otis	Simoneau	

Those who voted in the negative were :

Anderson, R.	Dimler	Himle	Pauly	Stanisus
Backlund	Dyke	Jacobs	Piepho	Sviggum
Becklin	Erickson	Johnson	Poppenhagen	Thiede
Bennett	Forsythe	Kiffmeyer	Quist	Thorson
Bishop	Frederick	Knickerbocker	Redalen	Tjornhom
Blatz	Frederickson	Kvam	Rees	Tompkins
Boerboom	Frerichs	Levi	Richter	Tunheim
Boo	Gruenes	Marsh	Rose	Uphus
Burger	Gutknecht	McDonald	Schafer	Valan
Carlson, D.	Halberg	McKasy	Scheid	Valento
Carlson, J.	Hartinger	McPherson	Schreiber	Zaffke
Clausnitzer	Hartle	Miller	Seaberg	Spk. Jennings, D.
Dempsey	Haukoos	Onnen	Shaver	
DenOuden	Heap	Ozment	Sherman	

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

The question was taken on House Resolution No. 3, as amended by the Committee on Budget, and the roll was called.

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

There were 76 yeas and 47 nays as follows :

**Those who voted in the affirmative were :**

Anderson, R.	Dyke	Johnson	Ozment	Sparby
Backlund	Erickson	Kalis	Pauly	Stanisus
Becklin	Fjoslien	Kiffmeyer	Piepho	Sviggum
Bennett	Forsythe	Knickerbocker	Poppenhagen	Thorson
Bishop	Frederick	Knuth	Quist	Tjornhom
Blatz	Frederickson	Krueger	Redalen	Tompkins
Boerboom	Frerichs	Kvam	Rees	Uphus
Boo	Gruenes	Levi	Rest	Valan
Brinkman	Gutknecht	Lieder	Richter	Valento
Brown	Halberg	Marsh	Riveness	Welle
Burger	Hartinger	McDonald	Rose	Wenzel
Carlson, J.	Hartle	McKasy	Schafer	Spk. Jennings, D.
Clausnitzer	Haukoos	McPherson	Schoenfeld	
Cohen	Heap	Nelson, D.	Schreiber	
Dempsey	Himle	Olsen, S.	Seaberg	
Dimler	Jacobs	Onnen	Shaver	

**Those who voted in the negative were :**

Anderson, G.	Greenfield	Munger	Peterson	Staten
Battaglia	Jaros	Murphy	Piper	Tunheim
Beard	Jennings, L.	Nelson, K.	Price	Vanasek
Begich	Kahn	Neuenschwander	Quinn	Vellenga
Brandl	Kelly	Norton	Rice	Voss
Carlson, D.	Kostohryz	Ogren	Rodosovich	Wynia
Carlson, L.	McEachern	Olson, E.	Sherman	Zaffke
Clark	McLaughlin	Osthoff	Simoneau	
DenOuden	Miller	Otis	Skoglund	
Eloff	Minne	Pappas	Solberg	

The motion prevailed and House Resolution No. 3, as amended by the Committee on Budget, was adopted.

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 File was introduced:

McEachern; Nelson, K.; Olsen, S.; Kostohryz and Erickson introduced:

H. F. No. 445, A bill for an act relating to education; enabling the state board of education to authorize school boards to permanently transfer money from one fund to another when unforeseeable events occur within a district; requiring review and recommendations by the advisory council on uniform financial accounting and reporting standards; amending Minnesota Statutes 1984, section 121.912, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 121.

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

## CALL OF THE HOUSE LIFTED

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

## PROTEST AND DISSENT

Pursuant to Article IV, Section 11, of the Minnesota Constitution, we the undersigned members, register our protest and dissent to the adoption by the Independent Republican majority of the portions of Rule 5.10 which give the Speaker authority to stop, without debate, consideration of bills or amendments.

Debate is essential to a legislature. As documented in "Mason's Manual of Legislative Procedure" it is a fundamental rule of parliamentary practice that opportunity to debate is the right of any member and that right cannot be deprived by the arbitrary will of one member or even of the majority.

Likewise, it is the purpose of a legislature to introduce, debate, consider, and pass bills. No single member can be allowed to thwart that purpose.

Finally, the rights of members of a legislature are founded upon the absolute equality of its members. Every member has the same right to introduce questions and to be heard. No one member has superior rights that infringe on others.

Rule 5.10 deprives members of equality, deprives the body of the right to debate, and obstructs the very purpose for which the legislature was created. We protest enactment of Rule 5.10.

## Signatures:

Gordon O. Voss  
Lona Minne  
Wayne Simoneau  
Robert Vanasek  
Loren A. Solberg

## ADJOURNMENT

Levi moved that when the House adjourns today it adjourn until 2:00 p.m., Monday, February 18, 1985. The motion prevailed.

Levi moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Monday, February 18, 1985.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

