

## FORTY-FOURTH DAY

St. Paul, Minnesota, Monday, April 30, 1979

The Senate met at 10:00 o'clock a.m. and was called to order by the President.

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Bang	Gearty	Laufenburger	Schaaf	Tennessen
Benedict	Hanson	Luther	Schmitz	Ueland, A.
Bernhagen	Humphrey	Menning	Setzepfandt	Ulland, J.
Brataas	Jensen	Merriam	Sieloff	Vega
Chenoweth	Johnson	Nelson	Sikorski	Wegener
Chmielewski	Keefe, S.	Olhoft	Sillers	Willet
Coleman	Kirchner	Olson	Solon	
Dunn	Kleinbaum	Penny	Spear	
Engler	Knaak	Peterson	Staples	
Frederick	Knutson	Rued	Stumpf	

The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rabbi Barry Starr.

The roll was called, and the following Senators answered to their names:

Anderson	Gearty	Knutson	Penny	Solon
Ashbach	Gunderson	Laufenburger	Perpich	Spear
Bang	Hanson	Lessard	Peterson	Staples
Benedict	Hughes	Luther	Pillsbury	Stokowski
Bernhagen	Humphrey	McCutcheon	Purfeerst	Strand
Brataas	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Rued	Tennessen
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet
Frederick	Knoll	Olson	Sillers	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**MEMBERS EXCUSED**

Mr. McCutcheon was excused from the Session of today until 10:30 o'clock a.m. Mr. Perpich was excused from the Session of today until 10:52 o'clock a.m.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time and referred to the committees indicated.

Mr. Chmielewski introduced—

S. F. No. 1512: A bill for an act relating to taxation; sales tax; exempting certain sales by senior citizens; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Referred to the Committee on Taxes and Tax Laws.

Mr. Engler introduced—

S. F. No. 1513: A bill for an act relating to unemployment compensation; exempting family corporation shareholder's income from contribution rate; amending Minnesota Statutes 1978, Section 268.04, Subdivision 12.

Referred to the Committee on Employment.

Mr. Merriam introduced—

S. F. No. 1514: A bill for an act relating to the city of Coon Rapids; authorizing city housing finance programs; authorizing bond issues for them.

Referred to the Committee on Energy and Housing.

Messrs. Merriam, Peterson, Hanson, Dieterich and McCutcheon introduced—

S. F. No. 1515: A bill for an act relating to taxation; income; providing for annual adjustments of income brackets for individuals, estates and trusts according to the impact of inflation at different levels of income; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Stokowski and Olson introduced—

S. F. No. 1516: A bill for an act relating to taxation; delayed assessment of value added by restoration, preservation, and rehabilitation of historically designated buildings.

Referred to the Committee on Taxes and Tax Laws.

Messrs. Merriam, Sieloff, Peterson, Sillers and Kleinbaum introduced—

S. F. No. 1517: A bill for an act relating to education; providing textbook substitutes to nonpublic school pupils; appropriating money.

Referred to the Committee on Education.

Mrs. Knaak, Messrs. Rued and Gunderson introduced—

S. F. No. 1518: A bill for an act relating to education; establishing a loan forgiveness program for certain students; eliminating a restriction on the student loan program; appropriating money; repealing Minnesota Statutes 1978, Section 136A.17, Subdivision 11.

Referred to the Committee on Education.

Messrs. Coleman, Gearty and Nelson introduced—

S. F. No. 1519: A bill for an act relating to state employees; providing for wage and fringe benefits for certain state employees; ratifying a collective bargaining agreement; amending Minnesota Statutes 1978, Sections 43.01, Subdivision 14; 43.12, Subdivisions 2, 3, 5, 6, 7, 8, 8a, 10, 12, 14, 16, 17, 23, 24, 25, and by adding subdivisions; 43.122, Subdivision 5; 43.17, Subdivision 3; 43.43, by adding a subdivision; 43.44, Subdivision 2; 43.50, Subdivision 1; 43.51; and 645.44, Subdivision 5.

Referred to the Committee on Governmental Operations.

Messrs. Knutson, Gearty, Hughes, Moe and Ashbach introduced—

S. F. No. 1520: A bill for an act relating to the Minnesota zoological garden; clarifying and supplementing the authority of the Minnesota zoological board concerning penalties; requiring a yearly report; providing power to acquire and dispose of plants and animals; providing for recognition of certain organizations; providing for acquisition of concession interests and for franchise contracts; providing for fees and charges; protecting the name and mark of the zoological garden; deleting certain appropriation and fee requirements; providing penalties; amending Minnesota Statutes 1978, Sections 85A.02, Subdivisions 7, 12, 14, and by adding subdivisions; 85A.03; and Chapter 333, by adding sections; repealing Laws 1977, Chapter 455, Section 29.

Referred to the Committee on General Legislation and Administrative Rules.

Messrs. Bernhagen, Rued, Willet, Peterson and Sillers introduced—

S. F. No. 1521: A bill for an act relating to taxation; property tax; exempting improvements to property owned by nonprofit

sportmen's clubs from property tax; reclassifying property owned by and used for purposes of sportsmen's clubs; amending Minnesota Statutes 1978, Sections 272.02, Subdivision 1; and 273.13, Subdivision 4.

Referred to the Committee on Taxes and Tax Laws.

Mr. Sikorski introduced—

S. F. No. 1522: A bill for an act relating to the town of Baytown; providing for its legal status in certain consolidation proceedings.

Referred to the Committee on Local Government.

Mr. Olson introduced—

S. F. No. 1523: A bill for an act relating to the city of Heron Lake; legalizing proceedings precedent to the issuance of certain general obligation bonds and excluding the bonds from the computation of net debt.

Referred to the Committee on Local Government.

Messrs. Solon and Ulland, J. introduced—

S. F. No. 1524: A bill for an act relating to the state planning agency; providing assistance for the environmental and economic development of the Duluth harbor; appropriating money.

Referred to the Committee on Local Government.

Messrs. Hughes; Keefe, S.; Sikorski; Nelson and Ashbach introduced—

S. F. No. 1525: A bill for an act relating to public employment labor relations; removing legislative authority to modify certain agreements; amending Minnesota Statutes 1978, Section 179.74, Subdivision 5.

Referred to the Committee on Governmental Operations.

#### EXECUTIVE AND OFFICIAL COMMUNICATIONS

April 27, 1979

The Honorable Edward J. Gearty  
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed, and deposited in the Office of the Secretary of State, S. F. No. 322.

Sincerely,

Albert H. Quie, Governor

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 737: A bill for an act relating to game and fish; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Section 100.29, by adding a subdivision.

Senate File No. 737 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1979

## CONCURRENCE AND REPASSAGE

Mr. Lessard moved that the Senate concur in the amendments by the House to S. F. No. 737 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 737: A bill for an act relating to game and fish; fees for nonresident licenses to hunt raccoon; prohibiting removal or tampering with legally set traps; providing a penalty; amending Minnesota Statutes 1978, Sections 98.46, Subdivision 14; and 100.29, by adding a subdivision.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 48 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Sillers
Ashbach	Hanson	Laufenburger	Peterson	Strand
Bang	Hughes	Lessard	Pillsbury	Tennessen
Bernhagen	Humphrey	Luther	Purfeerst	Ueland, A.
Chmielewski	Jensen	Menning	Rued	Ulland, J.
Coleman	Johnson	Merriam	Schaaf	Vega
Davies	Kirchner	Moe	Schmitz	Wegener
Dunn	Kleinbaum	Nelson	Setzepfandt	Willet
Engler	Knaak	Ogdahl	Sieloff	
Frederick	Knoll	Olson	Sikorski	

Those who voted in the negative were:

Benedict	Chenoweth	Spear	Staples	Stumpf
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So the bill, as amended, was repassed and its title was agreed to.

## MESSAGES FROM THE HOUSE—CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S. F. No. 1149: A bill for an act relating to workers' compensation; allowing certain owners and partners of farms or businesses, and their close relatives, to elect workers' compensation coverage; amending Minnesota Statutes 1978, Sections 176.012; and 176.041, Subdivision 1.

Senate File No. 1149 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned April 26, 1979

## CONCURRENCE AND REPASSAGE

Mr. Penny moved that the Senate concur in the amendments by the House to S. F. No. 1149 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1149 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Spear
Bang	Hanson	Lessard	Pillsbury	Staples
Benedict	Hughes	Luther	Purfeerst	Stokowski
Bernhagen	Humphrey	Menning	Renneke	Strand
Brataas	Jensen	Merriam	Rued	Stumpf
Chenoweth	Johnson	Moe	Schaaf	Tennessen
Chmielewski	Keefe, S.	Nelson	Schmitz	Ueland, A.
Coleman	Kirchner	Nichols	Setzepfandt	Ulland, J.
Davies	Kleinbaum	Ogdahl	Sieloff	Vega
Dunn	Knaak	Olhoff	Sikorski	Willet
Engler	Knoll	Olson	Sillers	
Frederick	Knutson	Penny	Solon	

So the bill, as amended, was repassed and its title was agreed to.

## REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S. F. No. 129, and reports pertaining to appointments. The motion prevailed.

Mr. Chenoweth from the Committee on Governmental Operations, to which was referred

S. F. No. 809: A bill for an act relating to retirement; miscellaneous amendments to the public employees retirement law;

amending Minnesota Statutes 1978, Sections 353.01, Subdivisions 2b, 10, 16, and 27; 353.017, Subdivision 2; 353.29, Subdivisions 2 and 8; 353.31, Subdivision 1; 353.32, Subdivisions 1, 3, and 9; 353.33, Subdivision 1 and by adding a subdivision; 353.34, Subdivision 3; 353.35; 353.46, Subdivision 1; 353.656, Subdivision 2; 353.657, Subdivision 1; 353.71, Subdivision 5; repealing Minnesota Statutes 1978, Sections 353.272; 353.33, Subdivisions 4 and 6.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 13, after "employees" insert "*other than firefighters*"

Page 2, line 14, after "employees" insert "*other than firefighters*"

Page 3, line 11, after "no" insert "*person employed*"

Page 3, line 11, strike "public employees" and insert "*by a governmental subdivision*"

Page 4, after line 14, insert:

*"(s) Volunteer firefighters as defined in section 21 and firefighters who receive reimbursement for expenses incurred incidental to their performance of duties as firefighters, or who receive compensation for services if the employing municipality does not annually stipulate in advance on a form prescribed by the executive director that the annual compensation from any hourly wage payments for service as a firefighter which will be payable during the year shall exceed \$3,000, and if the annual compensation from any hourly wage payments for service as a firefighter which is actually received during the year does not exceed \$3,000."*

Page 5, line 13, delete "*not*"

Page 5, line 14, delete "*exceeding one year*" and after "pay" insert "*which does not exceed one year, and*"

Page 7, after line 12, insert:

"Sec. 6. Minnesota Statutes 1978, Section 353.03, Subdivision 1, is amended to read:

353.03 [BOARD OF TRUSTEES.] Subdivision 1. [MANAGEMENT; COMPOSITION; ELECTION.] The management of the public employees retirement fund is hereby vested in a board of trustees consisting of 15 members, who shall be known as the board of trustees. This board shall consist of four trustees, one of whom shall be designated by each of the following associations or organizations, Minnesota school boards association, League of Minnesota Cities, Association of Minnesota Counties and the executive committee of the statewide general labor organization which includes among its membership the employee organizations, as defined in section 179.63, subdivision 5, which represent the largest number of employees who are association members; nine area trustees, who shall be elected from the membership employed in one of the areas described below by the members employed in such area except members of the police and fire fund; one trustee who

shall be a retired annuitant elected at large by other annuitants; and one trustee who is a member of the police and fire fund elected at large by the membership of the police and fire fund. *Elected Trustees elected by the membership of the association or by the annuitants of the association shall hold office be elected for a term of four years. Trustees designated by an association or organization or elected or selected by the use of a procedure other than direct election by the membership of the association or by the annuitants of the association shall hold office for a term of two years or until the designation, election or selection procedure is changed, if that occurs earlier.* For seven days beginning December 1 of each year, the association shall accept at its office filings in person or by mail of candidates for the board of trustees. An area candidate shall submit at the time of filing a nominating petition signed by 25 or more members of the fund from the area of the candidate, a retired annuitant candidate, a nominating petition signed by 25 or more such annuitants, and a police and fire fund candidate, a nominating petition signed by 25 or more members of such fund. No nominee may withdraw his name from nomination after December 15. By January 10 of each year in which elections are to be held the board shall distribute by mail to the members and annuitants ballots listing the candidates. No member may vote for more than one candidate but a blank line shall be provided for a write in vote. A ballot indicating a vote for more than one person shall be void. No special marking may be used on the ballot to indicate incumbents. The last day for mailing ballots to the fund shall be January 31. Except as provided in this section, all terms expire on January 31 of the fourth year, and the position shall remain vacant until the newly elected member is qualified. The ballot envelopes shall be so designed and the ballots shall be counted in such a manner as to insure that each vote is secret. For the purpose of electing the nine area trustees, the state shall be divided into three areas as follows: Area one shall include Anoka, Hennepin, Ramsey and Washington counties. Area two shall include Big Stone, Swift, Kandiyohi, Meeker and Wright counties and all counties south thereof, except counties in area one. Area three shall include all the remaining counties of the state. If any governmental unit is located in more than one area, place of employment shall be deemed to be in the area in which the main office of the governmental unit is located. Each year for three years one area trustee shall be elected to a four-year term from each area by the members employed in the respective areas. In the fourth year one trustee shall be elected at large by the police and fire fund membership and one trustee elected at large by the annuitants.

Notwithstanding the foregoing, however, in order to provide for a transition to regional elections, in the year 1978 only, a retired trustee shall be elected by the annuitants, and three trustees shall be elected from each of the three areas by the members of the area who may vote for only one candidate. The annuitant candidate receiving the most votes shall serve a three-year term, the candidate in each area receiving the largest number of votes shall serve a four-year term, the candidate in each area receiving the second largest number of votes shall serve a two-



year term and the candidate in each area receiving the third largest number of votes shall serve a one-year term. The elections shall be supervised by the secretary of state. It shall be the duty of the board of trustees to faithfully administer the law without prejudice and consistent with the expressed intent of the legislature. They shall act as trustees with a fiduciary obligation to the state of Minnesota which created the fund, the taxpayers of the governmental subdivisions which aid in financing it and the public employees who are its beneficiaries.

Sec. 7. Minnesota Statutes 1978, Section 353.03, Subdivision 3, is amended to read:

Subd. 3. [OFFICERS; EMPLOYEES; BYLAWS.] The board shall elect a chairman and vice-chairman, and shall appoint an executive director and other employees and may adopt bylaws, and procure other services as it may reasonably deem necessary and fix their compensation subject to subdivision 2 hereof. Except in subdivision 3a, whenever the terms "secretary", "secretary of the board" or "secretary of the board of trustees" appear in this chapter the revisor of statutes is herein directed to substitute therefor, "executive director".

Page 11, line 10, delete "*contributions refunded*" and insert "*a refund otherwise authorized pursuant to section 353.34*"

Page 11, line 11, delete "*or any*" and insert "*and no purchase of prior service or*"

Page 11, line 11, delete "*to obtain additional credit*" and insert "*made in lieu of salary deductions otherwise authorized pursuant to sections 353.01, subdivision 16, 353.017, subdivision 4, or 353.36, subdivision 2*"

Page 11, line 11, after "*after*" insert "*the occurrence of the*"

Page 11, line 12, delete "*occurs*" and insert "*for which an application pursuant to this section is filed*"

Page 11, delete section 13

Page 12, delete section 16

Page 12, after line 30, insert:

"Sec. 17. Minnesota Statutes 1978, Section 353.64, Subdivision 1, is amended to read:

353.64 [MEMBERSHIP; QUALIFICATIONS; POLICE OFFICER, FIRE FIGHTER.] Subdivision 1. Any person who prior to July 1, 1961, was a member of the police and fire fund, by virtue of being a police officer or fire fighter, shall as long as he remains in either position, be deemed to continue his membership in said fund. Any other employee serving on a full-time basis as a police officer or fire fighter on or after July 1, 1961, shall become a member of the public employees police and fire fund. Any employee serving on less than a full-time basis as a police officer or fire fighter, as determined by the rules which shall be prescribed

by the board of trustees on or before January 1, 1980, shall become a member of the public employees police and fire fund only after a resolution is adopted by the governing body of the governmental subdivision employing such the person declaring that the position such which the person holds is either that of a police officer or fire fighter. Any employee serving on less than a full time basis as a firefighter other than a volunteer firefighter as defined in section 21, as determined by rules which shall be prescribed by the board of trustees on or before January 1, 1980, shall become a member of the public employees police and fire fund only after a resolution is adopted by the governing body of the governmental subdivision employing the person declaring that the position which the person holds is that of a firefighter and that the position will be compensated at an hourly wage payment rate which will yield a salary on an annual basis in an amount in excess of \$3,000. Any police officer or fire fighter who by virtue of his employment is required to contribute to any other pension, relief, or retirement fund established for the benefit of officers and or employees of a governmental subdivision other than a volunteer firefighters relief association to which sections 69.771 to 69.776 apply shall not be a member of this fund.

Sec. 18. Minnesota Statutes 1978, Section 353.65, Subdivision 2, is amended to read:

Subd. 2. The employee contribution shall be an amount equal to eight percent of the total salary of every member. This contribution shall be made by deduction from salary in the manner provided in subdivision 4. Where any portion of a member's salary is paid from other than public funds, such member's employee contribution shall be based on the total salary received from all sources. *If the member is a firefighter employed on less than a full time basis, the member's total salary shall not include any reimbursement payments for fire calls unless the established reimbursement for fire calls is payable on the basis of the number of hours of service during the fire call or the established reimbursement payment rate for a fire call of three hours duration exceeds an amount equal to three times the minimum wage for employees who are age 18 or older as defined in section 177.24, subdivision 1."*

Page 13, delete section 18

Page 13, after line 28, insert sections to read:

"Sec. 21. [VOLUNTEER FIREFIGHTER; DEFINITION.] A volunteer firefighter is any person who serves on a regular basis as an active member of a municipal fire department or an independent nonprofit firefighting corporation without becoming eligible for substantial compensation for that service and who is actively engaged in the suppression of fire and the prevention of fire hazards. For purposes of this section, a firefighter shall be deemed to be eligible for substantial compensation for service on a regular basis as an active member of a municipal fire department or an independent nonprofit firefighting corporation when the annual total compensation from any hourly wage payments for that service exceeds an amount equal to 20 percent of the annualized average

*weekly wage paid by employers as defined in Minnesota Statutes, Section 268.07, Subdivision 2 or the established reimbursement for fire calls is payable on the basis of the number of hours of service during the fire call or the established reimbursement payment rate for a fire call of three hours duration exceeds an amount equal to three times the minimum wage for employees who are age 18 or older, as defined in Minnesota Statutes 1978, Section 177.24, Subdivision 1.*

**Sec. 22. [CORRECTION OF ERRONEOUS INTERPRETATION OF EXCLUSION OF CERTAIN EMPLOYEES IN CERTAIN FEDERAL PROGRAMS.]** *The employment of a person as an enrollee under the federal comprehensive employment and training act in a subsidized on-the-job training, work experience or public service employment position shall not be deemed to be two employments for purposes of implementing the exclusion from retirement fund coverage provided for in Laws 1978, Chapter 720, even though the compensation for the person is paid in part from federal comprehensive employment and training act subsidy funds and is paid in part from local supplementary revenue sources other than funds provided under the federal comprehensive employment and training act, and any contrary prior administrative interpretation of the provisions of Laws 1978, Chapter 720 is deemed to be erroneous. This section shall be deemed to be remedial in nature and shall be effective retroactively to March 30, 1978. Any employee contributions and any employer and employer additional contributions taken from or on behalf of any person who would have been excluded from retirement fund coverage pursuant to Laws 1978, Chapter 720 except for the erroneous prior administrative interpretation shall be deemed to be erroneous deductions and shall be refunded as soon as practicable to the person and employing unit involved. The refund shall be accompanied by interest at the rate of five percent per annum compounded, payable from the date that the erroneous deduction was taken to the first day of the month in which the refund is processed.*

**Sec. 23. [BENEFIT ADJUSTMENTS FOR CERTAIN OMITTED SURVIVOR BENEFIT RECIPIENTS.]** *In addition to the benefit increase granted pursuant to Laws 1978, Chapter 665, Section 2, each public pension fund to which Minnesota Statutes, Section 356.41 shall pay an increase equal to four percent to eligible survivors who are recipients of automatic survivor annuities of retirees where the retiree began initial receipt of the retirement annuity prior to July 1, 1976, and who did not receive an increase from or an increase equal to the increase from the Minnesota adjustable fixed benefit fund paid or payable on January 1, 1978, and who did not receive an increase pursuant to Laws 1978, Chapter 665, Section 2. The increase shall be payable from the first day of the month next following the effective date of this section and shall include retroactive payments to July 1, 1978.*

**Sec. 24. [REINSTATEMENT OF CERTAIN DISABILITY BENEFITS.]** *A former member of the public employees retirement association who was a former employee of the Nopeming Sanatorium, who became eligible for total and permanent disability*

benefits on November 20, 1969, and whose total and permanent disability benefits were discontinued as of March 21, 1972, pursuant to Minnesota Statutes, Section 353.33, Subdivision 6, shall again be entitled to total and permanent disability benefits upon application therefor and compliance with Minnesota Statutes, Section 353.33, commencing upon the effective date of this act, notwithstanding the fact that more than three years have elapsed following termination of public service.

Sec. 25. Laws 1978, Chapter 796, Section 28, shall be effective retroactively to July 1, 1977. Notwithstanding any provision of law to the contrary, the board of trustees position established pursuant to Laws 1978, Chapter 796, Section 28, shall be deemed to eliminate and replace the board of trustee position elected by the governing bodies of employee organizations, as defined in Minnesota Statutes, Section 179.63, Subdivision 5, representing public employees retirement association members.

Sec. 26. A member of the public employees retirement association and employee of Clearwater County who became totally and permanently disabled after more than ten years of service shall be entitled to total and permanent disability benefits pursuant to Minnesota Statutes, Section 353.33 commencing upon the effective date of this act, notwithstanding the fact that repayment of a refund of employee contributions was not made until after the date of disability."

Page 13, delete section 20

Page 13, line 31, delete "This act is" and insert "Sections 1, 6, 7, 17, 18, and 21 to 26, are effective the day following final enactment. The balance of this act shall be"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 6, after "2;" insert "353.03, Subdivisions 1 and 3;"

Page 1, line 8, delete "and by adding a"

Page 1, line 9, delete the first "subdivision"

Page 1, line 10, delete "353.46, Subdivision 1;" and insert "353.64, Subdivision 1; 353.65, Subdivision 2;"

Page 1, line 11, delete "353.657, Subdivision 1;" and after "5" delete the semicolon and insert a period

Page 1, delete lines 12 and 13

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1218: A bill for an act relating to Polk County; permitting the imposition of a tax on removing gravel; providing for its administration; providing a penalty.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 9, after "Polk" insert "or Norman"

Page 1, line 15, delete "of Polk County"

Page 2, line 2, delete "of Polk County"

Page 2, line 17, after "Polk" insert "or Norman"

Page 3, line 14, after "effective" insert "with respect to Polk County"

Page 3, line 17, after the period insert "This act shall be effective with respect to Norman County upon approval by a majority of the members of the board of county commissioners of Norman County and compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "County" and insert "and Norman Counties"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

S. F. No. 1056: A bill for an act relating to education; providing for grants for noncommercial radio stations and for an audit of certain grant recipients; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [139.19] [GENERAL NONCOMMERCIAL RADIO STATION GRANTS.] Subdivision 1. [PURPOSE.] The purposes of sections 1 and 2 are to facilitate the use of the noncommercial radio station as a community resource by providing financial assistance to noncommercial radio stations serving Minnesota citizens.

Subd. 2. [DEFINITIONS.] As used in sections 1 and 2, the terms defined in this subdivision have the meanings given them.

(a) "Corporation for Public Broadcasting" means the nonprofit organization established pursuant to 47 U.S.C. 396.

(b) "Federal Communications Commission" means the federal agency established pursuant to 47 U.S.C. 151.

(c) "Noncommercial radio station" means a station holding a license or operating under program test authority from the Federal Communications Commission as a noncommercial educational

radio station, licensed to a community within the state and serving a segment of the population of the state.

(d) "Operating income" may include:

(1) Individual and other community contributions;

(2) All grants received from the Corporation for Public Broadcasting;

(3) Grants received from foundations, corporations, or federal, state, or local agencies or other sources for the purpose of programming or general operating support;

(4) Interest income;

(5) Earned income;

(6) Employee salaries paid through the federal Comprehensive Employment Training Act, or other similar public employment programs, provided that only salary expended for employee duties directly relating to radio station operations shall be counted;

(7) Employee salaries paid through supporting educational institutions, provided that only salary expended for employee duties directly relating to radio station operations shall be counted;

(8) Direct operating costs provided by supporting educational institutions;

(9) No more than \$15,000 in volunteer time calculated at the federal minimum wage.

The following are specifically excluded in determining a station's operating income:

(1) Dollar representations of in-kind assistance from any source except as stipulated in clauses 8 and 9 above;

(2) Grants or contributions from any source for the purpose of purchasing capital improvements or equipment;

(3) Non-commercial radio stations grants received in the previous fiscal year pursuant to sections 1 and 2.

Subd. 3. [STATION ELIGIBILITY.] To qualify for a grant under this section, a noncommercial radio station shall:

(a) Hold a valid noncommercial educational radio station license or program test authority from the Federal Communications Commission;

(b) Have facilities adequate to provide local program production and origination;

(c) Employ a minimum of two-full time professional radio staff persons or the equivalent in part-time staff and agree to employ a minimum of two full-time professional radio staff persons or the equivalent in part-time staff throughout the fiscal year of the grant;

(d) Maintain a minimum daily broadcasting schedule of (i) the maximum allowed by its Federal Communications Commission license or (ii) 12 hours a day during the first year of eligibility for state assistance, 15 hours a day during the second year of eligibility and 18 hours a day during the third and following years of eligibility;

(e) Broadcast 365 days a year or the maximum number of days allowed by its Federal Communications Commission license;

(f) Have a daily broadcast schedule devoted primarily to programming which serves ascertained community needs of an educational, informational or cultural nature within its primary signal area; however a program schedule of a main channel carrier designed to further the principles of one or more particular religious philosophies or including 25 percent or more religious programming on a broadcast day does not meet this criterion, nor does a program schedule of a main channel carrier designed primarily for in school or professional in-service audiences;

(g) Originate significant, locally produced programming designed to serve its community of license;

(h) Have a total annual operating income and budget of at least \$50,000;

(i) Have either a board of directors representing the community or a community advisory board which conduct advisory board meetings which are open to the public;

(j) Have a board of directors which: (i) holds that portion of any meeting relating to the management or operation of the radio station open to the public, preceded by reasonable notice to the public pursuant to Minnesota Statutes, Section 471.705, and (ii) permits any person to attend any meeting of the board without requiring a person, as a condition of attendance at the meeting, to register the person's name or to provide any other information; notwithstanding any other provisions to the contrary, nothing contained in this clause shall be construed to prevent the board from holding a closed session to consider matters relating to individual employees, proprietary information, or litigation requiring the confidential advice of counsel, commercial or financial information obtained from a person on a privileged or confidential basis, or the purchase of property or services whenever the premature exposure of the purchase would compromise the business interests of the board. A two-thirds majority of the board shall be required to close a meeting. If a meeting is closed pursuant to the provisions of this clause, the board shall, prior to closing the meeting, make available to the public a written statement containing an explanation of the reasons for the closed meeting;

(k) Have met the criteria in clauses (a) through (j) for 15 months before it is eligible for state assistance under this section.

The board of the arts shall accept judgment of a Corporation for Public Broadcasting accepted audit when it is available on a station's eligibility for assistance under the criteria of this subdivision. If the applicant station is not qualified for assistance

from the Corporation for Public Broadcasting, an independent audit is required.

Subd. 4. [APPLICATION.] To be eligible for a grant under this section, a station shall submit an application to the board of the arts within the deadline prescribed by the board. It shall also submit, within the deadline prescribed by the board, its audited financial records for the fiscal year preceding the year for which the grant will be made.

Subd. 5. [GRANTS.] The board of the arts shall determine eligibility for grants and the allocation of grant funds on the basis of audited financial records for the applicant station's fiscal year preceding the year in which the grant is made, as well as on the basis of the other requirements set forth in this section. The board shall annually distribute grants to all stations which comply with the eligibility requirements and apply for a grant. The board of the arts may promulgate rules to implement sections 1 and 2. For this purpose the board of the arts may promulgate temporary rules pursuant to Minnesota Statutes, Section 15.0412, Subdivision 5. An applicant's share of the grant funds shall be based on:

(a) The amount received in the preceding year by the station in private non-tax generated contributions from sources within the state. No contributions made for the purpose of capital expenditures shall be counted;

(b) The dollar value in the preceding year of contributions of volunteer time to station operations, provided that the volunteer time was not used for the purpose of raising funds for the station. Volunteer time shall be valued at the federal minimum wage per hour. A station's total allocation for volunteer time shall not exceed 20 percent of its total grant pursuant to sections 1 and 2; and

(c) The board of the arts shall match every verified contribution dollar under clause (a) and volunteer time dollar, as calculated under clause (b), with two state dollars for all eligible applicants until the applicant station has received \$10,000 in grant funds under sections 1 and 2, and thereafter grant funds shall be distributed on a dollar for dollar basis until the total amount appropriated for that year has been distributed equally among all applicants. Provided that a station may receive state matching funds only until the station's total verified contribution and volunteer time has been matched or the amount of the grant received equals one-third of the station's total operating income for the previous fiscal year.

A station may use grant funds under sections 1 and 2 for any radio station expenses.

Subd. 6. [AUDIT.] A station which receives a grant under this section shall have an audit of its financial records made by an independent auditor or Corporation for Public Broadcasting accepted audit at the end of the fiscal year for which it received the grant. The audit shall include a review of station promotion, operation,



management and an analysis of the station's use of the grant funds. A copy of the audit shall be filed with the board of the arts.

Sec. 2. [APPROPRIATIONS.] The sum of \$150,000 is appropriated from the general fund to the board of the arts for the first fiscal year of the biennium and \$200,000 in the second year of the biennium ending June 30, 1981 for the purpose of section 1. Any funds not expended or encumbered during the first fiscal year of the biennium shall not lapse but shall be available for the same purpose during the second year of the biennium."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Mr. Purfeerst from the Committee on Transportation, to which was re-referred

S. F. No. 1212: A bill for an act relating to aeronautics; providing personal notice of certain airport zoning hearings; amending Minnesota Statutes 1978, Section 360.065, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 360.061, Subdivision 3, is amended to read:

Subd. 3. "Municipality" does not include a county unless the county owns or controls an airport, in which case such county may exercise all the powers granted by said sections to other municipalities. It specifically includes *a town, a metropolitan airports commissions commission* created in and for contiguous cities of the first class, and the state of Minnesota.

Sec. 2. Minnesota Statutes 1978, Section 360.063, Subdivision 3, is amended to read:

Subd. 3. [JOINT AIRPORT ZONING BOARD.] (1) Where an airport is owned or controlled by a municipality and any airport hazard area appertaining to such airport is located within the territorial limits of another county or municipality, the municipality owning or controlling the airport may request any county or municipality in which an airport hazard area is located:

(a) To adopt and enforce airport zoning regulations for the area in question that conform to minimum standards prescribed by the commissioner pursuant to subdivision 4; or

(b) To join in creating a joint airport zoning board pursuant to clause (2). The owning or controlling municipality shall determine which of these actions it shall request.

(2) Where an airport is owned or controlled by a municipality and any airport hazard area appertaining to such airport is located within the territorial limits of another county or municipality, the municipality owning or controlling the airport and the county or

other municipality within which the airport hazard area is located may, by ordinance or resolution duly adopted, create a joint airport zoning board, which board shall have the same power to adopt, administer, and enforce airport zoning regulations applicable to the airport hazard area in question as that vested by subdivision 1 in the municipality within which such area is located. ~~Each such Two members of the joint board shall have as members two representatives be appointed by the municipality owning or controlling the airport and two from by the other county or municipality, or in case in which the airport hazard area is located. If the airport hazard area is located in more than one other county or municipality is involved two from four members shall be appointed by the owning and controlling municipality and two members shall be appointed by each county or municipality, in which the airport hazard is located, and in addition a chairman elected by . A majority of the members so appointed pursuant to this clause shall elect an additional member who shall be the chairman of the board . Notwithstanding any provision of this clause to the contrary, a town in which an airport hazard area is located may appoint only one member of a joint airport zoning board.~~

(3) If any county or municipality fails within 60 days to adopt, or thereafter fails to enforce, such zoning regulations or to join in creating a joint airport zoning board as requested by the owning or controlling municipality, pursuant to clause (1), the owning or controlling municipality, or a joint airport zoning board created without participation by all subdivisions in which airport hazard areas are located, may itself adopt, administer, and enforce airport zoning regulations for the airport hazard area in question. In the event of conflict between such regulations and any airport zoning regulations adopted by the county or municipality within which the airport hazard area is located, the regulations of the municipality owning or controlling the airport or the joint zoning board shall govern and prevail.

(4) "Owning or controlling municipality," as used in this subdivision, includes:

(a) A joint airport operating board created pursuant to section 360.042 that has been granted all the powers of a municipality in zoning matters under the agreement creating the board;

(b) A joint airport operating board created pursuant to section 360.042 that has not been granted zoning powers under the agreement creating the board, provided that such a board shall not itself adopt zoning regulations nor shall any joint airport zoning board created at its request adopt zoning regulations unless all municipalities that created the joint operating board join to create the joint zoning board; and

(c) A metropolitan airports commission.

(5) A metropolitan airports commission may request creation of one joint airport zoning board for each airport or for the entire system of airports operated under its authority.

(6) *Each political subdivision represented on a joint airport zoning board shall pay a share of the expenditures authorized by the board. The share shall be equal to the percentage of total board membership held by the political subdivision.*

Sec. 3. Minnesota Statutes 1978, Section 360.065, Subdivision 1, is amended to read:

360.065 [REGULATION, PROCEDURE FOR ADOPTION.] Subdivision 1. [NOTICE, HEARING.] No airport zoning regulations shall be adopted, amended or changed under sections 360.011 to 360.076, except by action of the governing body of the municipality or county in question, or the boards provided for in section 360.063, subdivisions 3 and 7, or by the commissioner as provided in subdivisions 6 and 8, after a public hearing in relation thereto hearings, at which parties in interest and citizens shall have an opportunity to be heard. At least 15 days A public hearing shall be held on the proposed regulations before they are submitted for approval to the commissioner and after that approval but before final adoption by the local zoning authority. Notice of the a hearing required pursuant to this subdivision shall be published by the local zoning authority at least three times during the period between 15 days and 5 days before the hearing in an official paper, or a paper of newspaper and in a second newspaper designated by that authority which has a wide general circulation; in the county in which is located the airport hazard area to be zoned area affected by the proposed regulations. The notice shall not be published in the legal notice section of a newspaper. Notice shall also be mailed to the governing body of each political subdivision in which property affected by the regulations is located. A notice shall describe the property affected by the proposed regulations and the restrictions to be imposed on the property by the regulations and shall state the place and time at which the proposed regulations are available for public inspection.

Sec. 4. *This act is effective the day after final enactment."*

Delete the title and insert:

"A bill for an act relating to aeronautics; changing the representation on joint airport zoning boards formed by three or more political subdivisions; clarifying town representation on joint airport zoning boards; providing for allocation of board expenditures; providing additional notice and hearing requirements for adoption or amendment of airport zoning regulations; amending Minnesota Statutes 1978, Sections 360.061, Subdivision 3; 360.063, Subdivision 3; and 360.065, Subdivision 1."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 31: A bill for an act relating to taconite and semi-taconite companies; withdrawing the right to exercise eminent

domain; authorizing the grant of licenses, permits and leases of state owned land; amending Minnesota Statutes 1978, Section 117.47; repealing Minnesota Statutes 1978, Sections 117.46; and 117.461.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 623: A bill for an act relating to state lands; providing for the conveyance of state land to the city of St. Cloud for use as a fire station.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 67: A bill for an act relating to Blue Earth county; authorizing the county of Blue Earth to contract for the completion of the improvement of county ditch No. 27; setting limits for the expenditure of money for the improvement thereof; providing for the financing thereof; amending Laws 1975, Chapter 249, Section 1, Subdivision 1, as amended; and Section 2, as amended.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 627: A bill for an act relating to natural resources; authorizing cities to acquire conservation easements; amending Minnesota Statutes 1978, Sections 84.64, Subdivision 1; and 84.65, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, after "corporations" insert "*or home rule charter or statutory cities*"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 191: A bill for an act relating to state lands; providing for the conveyance of certain lands to the city of Hastings.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 5 after the period, insert "Title to the land conveyed pursuant to this section shall revert to the state if, at any time, the land is not used for public and recreational purposes."

Page 2, delete section 2

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing to which was referred

H. F. No. 633: A bill for an act relating to taxation; extending the termination date for a law denying tax deductions relating to substandard housing; amending Laws 1975, Chapter 226, Section 4.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Taxes and Tax Laws. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 974: A bill for an act relating to the city of Duluth; authorizing the establishment and administration of a city housing finance program and expenditures for the purpose; providing for the issuance of revenue bonds; amending Laws 1977, Chapter 142, Sections 1; 2, Subdivision 1; and 3, Subdivision 1, and by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Pages 1 to 3, delete sections 1 and 2

Page 3, line 30, after the period, insert "*The official or commissioner shall disclose the nature of the conflict, which disclosure shall be entered in the minutes of the authority or agency.*"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "authorizing the"

Page 1, delete lines 3 and 4 and insert "changing the definition of conflict of interest for the city housing finance agency staff;"

Page 1, lines 6 and 7, delete "Sections 1; 2, Subdivision 1; and" and insert "Section"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 657: A bill for an act relating to nuclear waste management and disposal; requiring certificates of feasibility; adminis-

tration by the Minnesota energy agency; legislative approval; providing penalties.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

*"Section 1. [CITATION.] Sections 1 to 7 shall be known and may be cited as the "Minnesota Nuclear Waste Management and Disposal Feasibility Act."*

*Sec. 2. [FINDINGS.] The state of Minnesota has a substantial interest in the technological and economic feasibility of safe, long-term disposal of radioactive wastes generated by nuclear fission thermal power plants located in the state. This interest results from the fact that unsafe and temporary disposal of radioactive wastes may result in higher electrical costs, an unreliable supply of electricity, higher taxes, and a danger to public health and safety.*

*Sec. 3. [DEFINITIONS.] Subdivision 1. For purposes of sections 1 to 8, the terms defined in this section have the following meanings.*

*Subd. 2. "Agency" means the Minnesota energy agency.*

*Subd. 3. "Long-term disposal" means the placement of spent nuclear fuel at an away from reactor storage facility.*

*Subd. 4. "Person" means any individual, corporation, partnership, or other unincorporated association.*

*Subd. 5. "Radioactive waste" when produced as a result of and incident to operation of a nuclear fission thermal power plant includes:*

*(a) Useless or unwanted capturable radioactive residues produced incidental to the use of radioactive material;*

*(b) Useless or unwanted radioactive material;*

*(c) Otherwise nonradioactive material made radioactive by contamination with radioactive material; or*

*(d) Radioactive waste does not include discharges or radioactive effluents to air or surface water when subject to applicable federal or state regulations.*

*Sec. 4. [NUCLEAR FISSION THERMAL POWER PLANT; CERTIFICATE REQUIRED.] Subdivision 1. No utility may apply for a certificate of need pursuant to Minnesota Statutes, Section 116H.13, for a nuclear fission thermal power plant or for expansion of the generating capacity of an existing plant until it has received a certificate of economic and technological feasibility for the plant from the agency, pursuant to and consistent with the requirements set forth in section 5. The certificate of economic and technological feasibility is the first step in the certificate of need process for a nuclear fission power plant.*

*Subd. 2. Application for a certificate of economic and technological feasibility shall be on forms and in a manner prescribed by the*

agency by rule. In reviewing each application the agency shall hold at least one public hearing pursuant to Minnesota Statutes, Chapter 15. For purposes of Minnesota Statutes, Chapter 15, the application shall be considered a contested case.

Subd. 3. Other state agencies with regulatory authority over the licensing, construction, operation or rate determination for any nuclear fission power plant located in the state shall present testimony and participate in the certification of economic and technological feasibility process. This includes, but is not limited to the departments of health, and natural resources, the pollution control agency, the environmental quality board, and the public service commission.

Sec. 5. [CERTIFICATE OF ECONOMIC AND TECHNOLOGICAL FEASIBILITY CRITERIA.] In order for the agency to grant a certificate of economic and technological feasibility, the agency shall find that each of the following conditions has been satisfied:

(1) That the cost for safe, long-term, technologically feasible disposal of radioactive waste material from the proposed plant, in an existing disposal facility, can be calculated to reasonable accuracy and shown to be just and reasonable for ratepayers and the applicant; and

(2) That the United States through its authorized agency has licensed use of the means and facilities for long-term disposal.

Sec. 6. [PENALTIES; INJUNCTION.] Subdivision 1. Any person who violates sections 1 to 5 or knowingly submits false information in an application for a certificate of economic and technological feasibility or in conjunction therewith, shall be guilty of a gross misdemeanor and subject to either or both of a fine of \$1,000 or a year in jail. Each day a violation continues shall constitute a separate offense.

Subd. 2. The provisions of sections 1 to 5 may be enforced by injunction, action to compel performance, or other appropriate action in the district court of the county wherein the violation takes place. The attorney general shall bring any action under this subdivision upon the request of the agency.

Sec. 7. [PREEXISTING FACILITIES.] The provisions of sections 1 to 5 shall not apply to any expansion of a spent nuclear fuel facility for an existing power plant.

Sec. 8. Minnesota Statutes 1978, Section 216B.16, Subdivision 6, is amended to read:

Subd. 6. The commission, in the exercise of its powers under this chapter to determine just and reasonable rates for public utilities, shall give due consideration to the public need for adequate, efficient, and reasonable service and to the need of the public utility for revenue sufficient to enable it to meet the cost of furnishing the service, including adequate provision for depreciation of its utility property used and useful in rendering service to the public, and to earn a fair and reasonable return upon the investment in such

property. In determining the rate base upon which the utility is to be allowed to earn a fair rate of return, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use, to prudent acquisition cost to the public utility less appropriate depreciation on each *including the recovery costs for long-term disposal of radioactive wastes in the case of nuclear power generating plants*, to construction work in progress, to offsets in the nature of capital provided by sources other than the investors, and to other expenses of a capital nature. For purposes of determining rate base, the commission shall consider the original cost of utility property included in the base and shall make no allowance for its estimated current replacement value.

Sec. 9. *This act is effective the day following final enactment.*"

Amend the title as follows:

Page 1, line 4, before "administration" insert "providing for"

Page 1, line 5, delete "legislative approval" and insert "providing for changes in rate base computations;"

Page 1, line 5, after "penalties" insert "; amending Minnesota Statutes 1978, Section 216B.16, Subdivision 6"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Hughes from the Committee on Education, to which was referred

H. F. No. 728: A bill for an act relating to education; allowing not more than ten days used by kindergarten teachers for parent-teacher conferences or teachers' workshops to count as part of the required minimum number of days school is in session; amending Minnesota Statutes 1978, Section 124.19, Subdivision 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Chenoweth from the Committee on Governmental Operations, to which was re-referred

S. F. No. 129: A bill for an act relating to reapportionment of legislative and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Section 3, to permit the creation by law of a commission to reapportion congressional or legislative districts, or both; establishing standards for legislative districts.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Subdivision 1. An amendment to the Minnesota Constitution is proposed to the people as provided by subdivisions 2 and 3.



Subd. 2. If the amendment is adopted, article IV, sections 2, 3 and 4 will read as follows:

**Sec. 2. [APPORTIONMENT OF MEMBERS.]** The number of members who compose the senate and house of representatives shall be prescribed by law. The representation in both houses shall be apportioned equally throughout the different sections of the state in proportion to the population thereof. A law changing the number of senators or representatives shall be effective only on January 1 of the next year ending in the number one following enactment of the law and shall govern only at general elections occurring after that date.

**Sec. 3.** At its first session after each enumeration of the inhabitants of this state made by the authority of the United States, the legislature shall have the power to prescribe the bounds of congressional and legislative districts. Senators shall be chosen by single districts of convenient contiguous territory. No representative district shall be divided in the formation of a senate district. The senate districts shall be numbered in a regular series.

**Sec. 4 3. [TERMS OF OFFICE OF SENATORS AND REPRESENTATIVES; VACANCIES.]** Representatives shall be chosen for a term of two years, except to fill a vacancy. Senators shall be chosen for a term of four years, except to fill a vacancy and except there shall be an entire new election of all the senators at the first election of representatives after each new legislative apportionment provided for in this article. The governor shall call elections to fill vacancies in either house of the legislature.

Subd. 3. If the amendment is adopted, a new article will be added to the constitution which will read as follows:

## ARTICLE XV

### REAPPORTIONMENT COMMISSION

**Section 1. [REAPPORTIONMENT COMMISSION.]** In each year ending in the number one a reapportionment commission shall be established to draw the boundaries of legislative and congressional districts.

The commission shall consist of seven members who are eligible voters of the state. Article IV, Section 5 shall not apply to the appointment of members of the reapportionment commission. One member shall be appointed by the speaker of the house and one by the members of the house representing political parties other than the party represented by the speaker. One member shall be appointed by the president of the senate and one by the members of the senate representing political parties other than the party represented by the president. The term "political party" as used in this section shall have the meaning provided by law.

The remaining three members shall be appointed by unanimous agreement of the legislative appointees and shall be impartial in the

*matter of apportionment. The qualifications of impartial members shall be as provided by law.*

*Members of the commission shall be appointed within the time provided by law but not later than March 15 of the year in which the commission must be established. The supreme court shall promptly fill any vacancy on the commission that results from the failure to appoint a member within the time provided by law.*

**Sec. 2. [APPORTIONMENT REQUIREMENTS.]** *The commission shall draw the boundaries of legislative and congressional districts in accordance with the requirements of this section. There shall be one district for each representative, senator and representative in congress. No representative district shall be divided in the formation of a senate district.*

*All districts of the same kind shall be as equal in population as practicable. Population shall be the controlling factor in drawing the district boundaries.*

*The districts shall be composed of compact and contiguous territory. To the extent consistent with other standards, the boundaries of the districts shall follow county, city and town boundaries. No apportionment plan shall be drawn for the purpose of favoring any political party. Legislative and congressional districts shall be drawn according to the number of legislators and representatives in congress to be elected at general elections following the adoption of the apportionment plan.*

**Sec. 3. [APPORTIONMENT PLAN.]** *The commission by a vote of at least four of its members shall adopt an apportionment plan setting forth all of the new legislative and congressional districts within the time provided by law but not later than December 1 of the year in which the commission is established.*

*An apportionment plan shall be effective 30 days after it is adopted. The districts set forth in a plan shall govern elections of state representatives and representatives in congress beginning with the first general election after the plan is adopted and shall govern elections of senators beginning with the first general election at which senators are elected after the plan is adopted.*

**Sec. 4. [JUDICIAL REVIEW; COURT DRAWN PLAN.]** *The supreme court shall exercise original jurisdiction in any matter relating to apportionment in the manner provided by law. If the commission fails to adopt and file an apportionment plan within the time provided by law the supreme court shall adopt its own plan in accordance with the requirements of section 2 of this article.*

**Sec. 5.** *The legislature shall enact the laws necessary to implement this article provided that reapportionment shall be governed by the law in effect on January 1 of the year in which a reapportionment commission is established.*

**Sec. 2.** *The amendment shall be submitted to the people at the 1980 general election. The question proposed shall be:*

"Shall the Minnesota Constitution be amended to transfer from the legislature to a commission the power to establish the boundaries of legislative and congressional districts?

Yes.....

No....."

Sec. 3. [2A.01] [REAPPORTIONMENT COMMISSION.]  
*Subdivision 1. The reapportionment commission established under article XV of the constitution shall be governed by the provisions of sections 3 to 9.*

Sec. 4. [2A.02] [APPOINTMENT.] *Subdivision 1. For the purpose of Article XV, Section 1 of the Minnesota Constitution and this section, "political party" means the political party or political principle by which a legislator was designated on the general election ballot when the legislator was last elected.*

*Subd. 2. Not more than four members of the commission shall be residents of either the metropolitan area as defined in section 473.121, subdivision 2 or the area consisting of the remainder of the state. Not more than one impartial member shall be appointed from any region established pursuant to section 462.385.*

*Subd. 3. No individual shall be appointed or shall serve as an impartial member of the commission who:*

*(a) holds or has held within two years prior to appointment an elected or appointed office in the executive, judicial or legislative branch or in an independent agency of the federal, state or local government;*

*(b) is or has been within two years prior to appointment a member of the state central committee or state executive committee of a political party;*

*(c) is an employee of a legislator or representative in congress; or*

*(d) is a member of the immediate family of a legislator, representative in congress or employee of the legislature or congress.*

*For the purpose of this subdivision "member of the immediate family" means father, mother, son, daughter, brother, sister, spouse, ex-spouse or member of the same household.*

*Subd. 4. No individual who is appointed as an impartial member of the commission shall be a candidate for any elective office or shall participate in or contribute to any political campaign of a candidate for state or federal elective office while a member of the commission.*

*Subd. 5. Not later than January 15 of each year ending in the number one the secretary of state shall request the legislators who are authorized by the constitution to appoint members to serve on the commission to certify the names of their appointees. The representatives representing political parties other than the party represented by the speaker of the house and the senators representing political parties other than the party represented by the*

president of the senate shall convene during the ten days following the request of the secretary of state, at a time and place directed by the secretary, to appoint members of the commission. The secretary of state shall preside at these conventions. The names of all legislative appointees shall be certified to the secretary of state not later than the following February 1. If a certification is not received within the required time, the secretary of state shall notify the chief justice of the supreme court that there is a vacancy on the commission. Within ten days after notification the supreme court shall fill the vacancy and certify the name of the appointee to the secretary of state.

Subd. 6. Not later than March 15 the commission members whose appointments have been certified pursuant to subdivision 5 shall appoint the impartial members and certify the names to the secretary of state. When a certificate is not received within the required time, the secretary of state shall notify the chief justice that there is a vacancy. Within ten days after the notification the supreme court shall appoint the necessary number of impartial members and certify their names to the secretary of state.

Subd. 7. Vacancies other than those resulting from a failure to appoint a member within the time provided by law shall be filled by the appointing authority that made the original appointment.

Sec. 5. [2A.03] [COMMENCEMENT OF DUTIES; MEETINGS; ADMINISTRATIVE SUPPORT.] Subdivision 1. Before beginning to exercise their official duties the members of the commission shall take an oath in the form required for other state officers. The members shall elect one of their number as presiding officer of the commission. The commission, after notice and opportunity for public comment, may adopt and publish procedures necessary to carry out its duties. Chapter 15 does not apply to these procedures.

Subd. 2. The proceedings of the commission shall be open to the public. The commission shall give public notice of its proceedings and shall keep minutes and audio recordings of those proceedings. All materials submitted to or developed by the commission, together with the minutes and audio record of its proceedings shall be preserved and made available for public inspection and copying. The commission may administer oaths to individuals appearing before it.

Subd. 3. The secretary of state is the executive secretary of the commission and shall make available the staff, professional and technical services and other assistance requested by the commission. The department of administration, attorney general and revisor of statutes shall make available the personnel, facilities and other assistance needed by the commission.

Sec. 6. [2A.04] [APPORTIONMENT PLAN.] Subdivision 1. An apportionment plan adopted by the commission shall include:

(a) A written description of each district drawn by the commission;

(b) A map of each district showing the name and location of each public road and each county, city and town boundary in the district in a scale that allows precise location of the district boundaries;

(c) A map of the state showing all of the districts drawn by the commission;

(d) A statement of the deviation in population of each district from the average population of all districts of that kind;

(e) A justification of any population deviation described in clause (d) which exceeds one-half of one percent for a congressional district or five percent for legislative districts;

(f) An explanation of the standards used by the commission to draw the districts; and

(g) Any other information which the commission deems relevant to the plan.

Subd. 2. An apportionment plan shall be adopted not later than August 1 of the year in which the commission is established. The supreme court, upon petition by the commission, may extend the time for adoption of the plan to a date not later than December 1 of that year if the court finds that the population information needed by the commission to adopt the plan has not been made available in a timely manner. When an apportionment plan adopted by the commission is remanded by the court, the commission shall adopt an amended plan consistent with the findings of the court not later than 30 days after the original is remanded.

Subd. 3. An apportionment plan is adopted when approved by a vote of at least four members of the commission and filed with the secretary of state. An apportionment plan is effective 30 days after it is adopted.

Sec. 7. [2A.05] [CHANGE IN CONGRESSIONAL REPRESENTATION.] If the number of the state's representatives in congress is changed by law and a commission will not otherwise be constituted to draw new congressional districts, a commission shall be established and shall draw the boundaries of new congressional districts within the time set forth by the supreme court pursuant to section 11, subdivision 3.

Sec. 8. [2A.06] [COMPENSATION.] Members of the commission who are not paid a salary by the state shall be compensated at the rate provided by section 15.059, subdivision 3, for members of advisory councils and committees. Members shall be compensated for their actual and necessary expenses incurred in carrying out their duties on the commission in the same manner and amount as other state employees.

Sec. 9. [2A.07] [DISSOLUTION.] When a reapportionment plan of the commission is adopted and all legal actions concerning the plan have been decided or when the commission fails to adopt a plan within the time required, the commission shall conclude its business and dissolve. The conclusion of business shall include prep-

aration of the official record of the commission and a financial statement disclosing all expenditures made by the commission. The official record shall contain all information developed by the commission pursuant to carrying out its duties including records of public hearings, data collected, minutes and audio recordings of hearings and meetings, and other information of a similar nature. The official record shall be submitted to the secretary of state who shall provide for its preservation.

Sec. 10. [2A.08] [SECRETARY OF STATE.] Promptly after the filing of an apportionment plan the secretary of state shall:

(a) Prepare and transmit a copy of the plan to each county auditor;

(b) Prepare and transmit a summary of the plan to each newspaper of general circulation and each radio and television station in the state; and

(c) Prepare sufficient copies of the plan and the summary for inspection, copying and purchase by the public.

Sec. 11. [2A.09] [JUDICIAL REVIEW.] Subdivision 1. An action to review an apportionment plan adopted by the reapportionment commission shall be commenced by petition to the supreme court within 30 days of the effective date of the plan. The petition shall set forth the facts and the law on the basis of which petitioner believes the plan does not comply with the provisions of the United States Constitution, the Minnesota Constitution or other provisions of law. A copy of the petition shall be served upon the commission and upon the attorney general.

The court shall hold hearings upon the petition and shall render its opinion within 45 days of the date that the petition is filed. If the court determines that an original, unamended plan of the reapportionment commission does not comply with constitutional or legal requirements, the court shall specify the reasons for its finding and immediately remand the plan to the commission for amendment.

Subd. 2. If the commission fails to adopt an apportionment plan or an amended plan within the time provided by law or an amended plan adopted by the commission is found invalid upon review by the supreme court or any apportionment plan is found invalid by any federal court, the supreme court shall adopt its own reapportionment plan or amend the invalid plan in accordance with the requirements of Article XV, Section 2, of the Minnesota Constitution. The court shall hold at least one public hearing before adopting or amending a plan. An apportionment plan adopted or amended by the supreme court shall be in the form prescribed for a plan adopted by the commission. The court shall adopt the plan or amended plan and file it with the secretary of state not later than 60 days from the date on which the commission was required to adopt its plan or the date on which the plan was declared invalid. The plan is effective 30 days after it is adopted.

*Subd. 3. When the number of the state's representatives in congress is changed by law and a reapportionment commission will not otherwise be constituted to draw the boundaries of new congressional districts, the supreme court shall set a timetable for establishing a reapportionment commission and adopting an apportionment plan setting forth those districts. The timetable shall be consistent with the time provided for adoption of an apportionment pursuant to section 6, subdivision 2, as far as practicable.*

**Sec. 12. [2A.11] [DUTIES OF ATTORNEY GENERAL.]** *The attorney general shall represent the commission in any action in the supreme court and shall represent the state in any action in a federal court concerning an apportionment plan adopted pursuant to Article XV of the Minnesota Constitution and sections 3 to 12.*

**Sec. 13. [REPEALER.]** *Minnesota Statutes 1978, Sections 2.041 to 2.712 are repealed on the effective date of this section. Minnesota Statutes 1978, Sections 2.731 to 2.811 are repealed on the date when an apportionment plan setting forth new congressional districts is effective pursuant to article XV of the constitution.*

**Sec. 14. [EFFECTIVE DATE.]** *Sections 3 to 13 are effective upon adoption of the constitutional amendment provided in sections 1 and 2."*

Delete the title in its entirety and insert:

"A bill for an act relating to reapportionment of the legislature and congressional districts; proposing an amendment to the Minnesota Constitution, Article IV, Sections 2, 3 and 4 to provide for establishment of the boundaries of congressional and legislative districts by a commission, removing the requirement that all senators be elected at the first general election following an apportionment and limiting the power of the legislature to change the number of senators and representatives; implementing the proposed amendment by providing by law for the duties, powers and operation of the commission; and repealing Minnesota Statutes 1978, Sections 2.041 to 2.712 and 2.731 to 2.811."

And when so amended the bill do pass. Mr. Tennessen questioned the reference thereon and, under Rule 35, the bill was referred to the Committee on Rules and Administration.

Mr. Davies from the Committee on Judiciary, to which was referred

H. F. No. 606: A bill for an act relating to controlled substances; amending the definition of Cannabis; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Sections 152.01, Subdivision 9; and 152.02, Subdivisions 2, 3 and 4.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred

S. F. No. 1193: A bill for an act relating to the city of Brooklyn Center; authorizing housing and rehabilitation loan and grant program.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1978, Section 462.445, Subdivision 9, is amended to read:

Subd. 9. [REHABILITATION LOANS AND GRANTS.] An authority is authorized to make rehabilitation loans and grants in the same manner and under the same conditions as are now provided by the federal government pursuant to Section 115 of the Housing Act of 1949 as amended, 42 U.S.C. Section 1466, and Section 312 of the Housing Act of 1964 as amended, 42 U.S.C. Section 1452-b, and in making such loans or grants to make such determinations as are provided by federal law to be made by the United States Secretary of Housing and Urban Development. An authority may make such loans and grants with respect to property located anywhere within its area of operation whether within or without the boundaries of an urban renewal area and to that end neither the provisions of Section 312 (a) (1) of the Housing Act of 1964 as amended nor the provisions of Subsection (b) and the last sentence of Subsection (a) of Section 115 of Title I of the Housing Act of 1949 as amended shall be applicable, but the rehabilitation must be necessary to make the property conform to applicable code requirements or, if the property is in an urban renewal area, to carry out the objectives of the urban renewal plan for the area develop and administer a housing rehabilitation loan and grant program with respect to property located anywhere within its boundaries which is owned by persons of low and moderate income on the terms and conditions it determines; provided, that in approving applications for this program the following factors shall be considered: (1) the availability of other governmental programs affordable by the applicant; (2) the availability and affordability of private market financing; and (3) whether the housing is required, pursuant to an urban renewal program or a code enforcement program, to be repaired, improved, or rehabilitated.

Sec. 2. Minnesota Statutes, Section 462.581, is amended to read:

462.581 [MUNICIPALITY, POWERS AS TO PROJECTS.] For the purpose of aiding and cooperating in the planning, undertaking, construction, or operation of projects of authorities located within the area in which an authority is authorized to act, any state public body may upon such terms, with or without consideration, as it may determine:

(1) Dedicate, sell, convey, or lease any of its interests in any property, or grant easements, licenses, or any other rights or



privileges therein to an authority. Except in cities of the first class having a population of less than 200,000, the public body may pay the bonds of or make loans or contributions for redevelopment projects, and the receipt or expenditure of any moneys expended hereunder by such state public body shall not be included within the definition of any limitation imposed on per capita taxing or spending in the charter of such state public body; provided that no state public body may use any revenues or money of that state public body to pay the bonds of or make any loans or contributions to any public housing project; except that,

(1) This proviso shall not be applicable to any public low-rent housing project for which financial assistance is provided by the federal government or any agency or instrumentality thereof which requires a municipality or other local public body to use its revenues or money for a direct loan or grant to such project as a condition for federal financial assistance where such local financial assistance for such project is authorized by resolution of the governing body of the municipality.

(2) Cause parks, playgrounds, recreational, community, education, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with such projects;

(3) Approve (through its governing body or through an agency designated by it for the purpose) redevelopment plans, plan or replan, zone or rezone its parks; in the case of a city or town, make changes in its map; the governing body of any municipality may waive any building code requirements in connection with the development of projects;

(4) Cause services to be furnished to the authority of the character which it is otherwise empowered to furnish;

(5) Enter into agreements with respect to the exercise by it of its powers relating to the repair, closing, or demolition of unsafe, unsanitary or unfit buildings;

(6) Do any and all things necessary or convenient to aid and cooperate in the planning, undertaking, construction, or operation of such projects;

(7) Incur the entire expense of any public improvements made by it in exercising the powers granted in sections 462.415 to 462.711;

(8) Enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with an authority respecting action to be taken by the state public body pursuant to any of the powers granted by sections 462.415 to 462.711; and

(9) Furnish funds available to it from any source, including the proceeds of bonds, to an authority to pay all or any part of the cost to the authority of the activities authorized by section 462.445, subdivision 1, clause (7) or subdivision 9."

Delete the title and insert:

"A bill for an act relating to housing rehabilitation; expanding housing rehabilitation loan and grant programs; amending Minnesota Statutes 1978, Sections 462.445, Subdivision 9; and 462.581."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

S. F. No. 1465: A bill for an act relating to pollution; authorizing water pollution control fund grants for certain wastewater treatment projects; providing for use of state and federal funds in certain proportions; authorizing issuance of Minnesota state water pollution control bonds; appropriating money; amending Minnesota Statutes 1978, Section 116.18, Subdivisions 1 and 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, delete "\$157,600,000" and insert "\$155,000,000"

Page 3, line 31, delete "\$146,600,000" and insert "\$144,000,000"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. Willet from the Committee on Agriculture and Natural Resources, to which was referred

H. F. No. 183: A bill for an act relating to pollution control; authorizing the pollution control agency to assist small businesses; amending Minnesota Statutes 1978, Sections 115.03, by adding a subdivision; and 474.03.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Perpich from the Committee on Health, Welfare and Corrections, to which was re-referred

S. F. No. 160: A bill for an act relating to juveniles; concerning foster care; extending county cost of care payment provisions; appropriating money; amending Minnesota Statutes 1978, Sections 260.251, Subdivisions 1 and 1a; and 261.27.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 6, delete everything after the comma

Page 2, delete lines 7 to 16

Page 2, line 17, delete "age" and insert "*the county shall continue to provide costs of care for a person (a) for a period of four months beyond the person's graduation from high school if the person does not enroll in a vocational or technical training course; or (b) while the person is enrolled in a course of vocational or*

*technical training designed to fit the person for gainful employment. In accordance with section 260.40, the county may continue to provide costs of care for foster children until age 21"*

Page 3, line 2, delete "at"

Page 3, delete lines 3 to 11

Page 3, line 12, delete everything before "To" and insert *"the county shall continue to provide costs of care for a person (a) for a period of four months beyond the person's graduation from high school if the person does not enroll in a vocational or technical training course; or (b) while the person is enrolled in a course of vocational or technical training designed to fit the person for gainful employment. In accordance with section 260.40, the county may continue to provide costs of care for foster children until age 21."*

Page 3, delete lines 19 to 21

Page 3, line 22, delete the new language and insert *"the periods specified in clauses (a) and (b)"*

Page 4, delete lines 24 to 32 and insert *"for persons after graduation from high school or enrolled in a vocational or technical training course as provided under section 260.251, subdivisions 1 and 1a."*

And when so amended the bill do pass. Amendments adopted. Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws, to which was referred

S. F. No. 1009: A bill for an act relating to taxation; increasing the maximum income tax credit for pollution control equipment; exempting pollution control equipment and materials used to operate pollution control equipment from the sales tax; providing an occupation tax credit; amending Minnesota Statutes 1978, Sections 290.06, Subdivisions 9 and 9a; 297A.25, Subdivision 1; and Chapter 298, by adding a section.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 11, strike "The credit provided for in this subdivision"

Page 3, strike lines 12 to 14

Pages 3 to 11, delete section 3

Page 12, line 8, delete "Section 1 to 3" and insert "Sections 1 and 2"

Page 12, line 9, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 4 and 5

Page 1, line 6, delete "equipment from the sales tax;"

Page 1, line 8, delete "Sections" and insert "Section"

Page 1, line 9, delete "297A.25, Subdivision 1;"

And when so amended the bill do pass. Amendments adopted.  
Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws,  
to which was referred

S. F. No. 515: A bill for an act relating to taxation; sales; allowing carriers transporting certain goods in interstate commerce to make direct payment of taxes to the commissioner of revenue for certain purchases; amending Minnesota Statutes 1978, Section 297A.211, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 8, after "*Persons*" insert "*who in the course of their business are*"

And when so amended the bill do pass. Amendments adopted.  
Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws,  
to which was referred

S. F. No. 182: A bill for an act relating to taxes; exempting from the sales and use tax sales to associations of the elderly; amending Minnesota Statutes 1978, Section 297A.25, Subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 8, after line 31, insert:

"Sec. 2. [EFFECTIVE DATE.] *Section 1 is effective for sales made the day following final enactment.*"

And when so amended the bill do pass. Amendments adopted.  
Report adopted.

Mr. McCutcheon from the Committee on Taxes and Tax Laws,  
to which was referred

H. F. No. 214: A bill for an act relating to taxation; excise tax on intoxicating liquor and malt beverages; providing for a refund of taxes paid if product is destroyed upon an agency order; appropriating money; amending Minnesota Statutes 1978, Chapter 340, by adding a section.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Mr. Anderson from the Committee on Energy and Housing, to which was referred the following appointment as reported in the Journal for March 8, 1979:

**MINNESOTA ENERGY AGENCY  
DIRECTOR**

Algernon H. Johnson

Reports the same back with the recommendation that the appointment be confirmed.

Mr. Coleman moved that the foregoing committee report be laid on the table. The motion prevailed.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 386, 1268, 1063, 1436, 898, 1411, 921, 1214, 1011 for comparison with companion Senate Files, reports the following House Files were found identical and recommends the House Files be given their second reading and substituted for their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
386	445	1436	1391		
1268	1143	1214	1180		
1063	1073				
898	1037				
1411	1313				
921	963				
1011	562				

and that the above Senate Files be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate of behalf of the Committee on Rules and Administration. Report adopted.

Mr. Coleman from the Committee on Rules and Administration, to which were referred

H. F. Nos. 361, 966, 969, 564 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
361	555			966	983
969	1150				
564	624				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 361 be amended as follows:

Page 6, line 17, delete "he" and insert "the"

And when so amended H. F. No. 361 will be identical to S. F. No. 555, and further recommends that H. F. No. 361 be given its second reading and substituted for S. F. No. 555, and the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 969 be amended as follows:

Page 3, line 13, after "or" delete the comma and insert a comma after "who"

Page 3, line 14, after "grounds" insert a comma

And when so amended H. F. No. 969 will be identical to S. F. No. 1150, and further recommends that H. F. No. 969 be given its second reading and substituted for S. F. No. 1150, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 564 be amended as follows:

Page 4, line 14, before "when" insert a comma

Page 4, line 15, after "to" insert a comma

Page 5, lines 17 and 18, reinstate the stricken language

Page 8, line 29, before "including" insert a new comma

Page 8, line 31, strike "issued on or before July 31," and delete "1983"

Page 9, line 4, delete "1983" and strike the entire line

Page 9, delete lines 27 to 31 and insert *"rate of interest to be published in the state register on or before the last day of that month and in a legal newspaper in Ramsey County on or before the first day of the next succeeding month, or as soon thereafter as practicable; the maximum lawful rate of interest to be effective on the first day of the next succeeding"*

Page 11, line 11, after "fee" insert a comma

Page 11, lines 12 and 13, delete *"issued on or before November 30, 1982,"*

Page 12, line 27, insert a comma before "and"

Page 13, line 26, delete *"as applicable"*

Further, amend the title as follows:

Page 1, line 7, delete "Sections" and insert "Section"

Page 1, line 8, delete "a subdivision" and insert "subdivisions"

And when so amended H. F. No. 564 will be identical to S. F. No. 624, and further recommends that H. F. No. 564 be given

its second reading and substituted for S. F. No. 624, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 966 be amended as follows:

Page 2, line 1, strike "such" and insert "the"

Page 2, line 7, reinstate the stricken language and delete the new language

Page 2, line 15, strike "such" and insert "the"

Page 2, line 21, reinstate the stricken language and delete the new language

Page 3, line 10, strike "Such" and insert "The"

And when so amended H. F. No. 966 will be identical to S. F. No. 983, and further recommends that H. F. No. 966 be given its second reading and substituted for S. F. No. 983, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 351, 984, 1293, 1128, 169, 1376, 1115, 1209, 1013, 74, 1361, 1362, 1363, 482, 1248, 721, 783, 1042, 768, 874, 1191, 1260, 227, 255, 1403, 1098, 1436, 1257, 177, 1166, 1026, 667, 1296, 1393, 831, 1006, 1199, 1351, 765, 770, 962, 529, and H. F. Nos. 389 and 219 makes the following report:

That the above Senate Files and House Files be placed on the General Orders Calendar in the order indicated.

That there were no other bills before the Subcommittee on which floor action was requested. Report adopted.

#### SECOND READING OF SENATE BILLS

S. F. Nos. 1504, 1505, 1510, 1511, 809, 1218, 1212, 974, 657, 1193, 1465, 160, 1009, 515 and 182 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

#### SECOND READING OF HOUSE BILLS

H. F. Nos. 67, 386, 1268, 1063, 898, 1411, 921, 1011, 1436, 1214, 361, 969, 564 and 966 were read the second time.

H. F. Nos. 31, 623, 627, 191, 728, 606, 183 and 214 were read the second time and referred to the Subcommittee on Bill Scheduling of the Committee on Rules and Administration.

#### MOTIONS AND RESOLUTIONS

Mr. Benedict moved that the name of Mr. Luther be added as co-author to S. F. No. 49. The motion prevailed.

Mr. Dieterich moved that the names of Messrs. Chenoweth and Stumpf be added as co-authors to S. F. No. 1211. The motion prevailed.

Mr. Schaaf moved that his name be stricken as co-author to S. F. No. 1475. The motion prevailed.

Mr. Chenoweth moved that H. F. No. 747 be withdrawn from the Committee on Governmental Operations and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 809 now in the Subcommittee on Bill Scheduling. The motion prevailed.

Mr. Willet moved that H. F. No. 882 be withdrawn from the Committee on Agriculture and Natural Resources and re-referred to the Committee on Rules and Administration for comparison with S. F. No. 1044 now on General Orders. The motion prevailed.

Mr. Willet moved that S. F. No. 1465 be withdrawn from the Subcommittee on Bill Scheduling of the Committee on Rules and Administration and re-referred to the Committee on Finance. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Calendar. The motion prevailed.

### CALENDAR

S. F. No. 333: A bill for an act relating to education; providing for nonpublic school administrative unit representation at organizational meetings of educational cooperative service units, for participation in their programs, the composition of their governing boards and advisory councils and for their annual reports; changing the name of the advisory task force on nonpublic schools and extending its term; amending Minnesota Statutes 1978, Section 123.58, Subdivisions 2, 4, 5, 6, 7, and 8; and Laws 1976, Chapter 271, Section 8, Subdivision 1, as amended.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 53 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Olson	Solon
Ashbach	Gearty	Knoll	Penny	Staples
Bang	Hanson	Laufenburger	Peterson	Stokowski
Benedict	Hughes	Lessard	Pillsbury	Stumpf
Bernhagen	Humphrey	Luther	Purfeerst	Ueland, A.
Brataas	Jensen	Menning	Schaaf	Ulland, J.
Chenoweth	Johnson	Merriam	Schmitz	Vega
Chmielewski	Keefe, J.	Moe	Setzepfandt	Wegener
Coleman	Keefe, S.	Nelson	Sieloff	Willet
Dunn	Kirchner	Nichols	Sikorski	
Engler	Kleinbaum	Olhoff	Sillers	

Messrs. Ogdahl, Rued, Spear and Strand voted in the negative.



So the bill passed and its title was agreed to.

S. F. No. 1288: A bill for an act relating to natural resources; authorizing the commissioner of natural resources to convey certain lands in Kittson County, under certain conditions, to the Galilee Bible Camp.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessen
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzpfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1210: A bill for an act relating to state lands; authorizing conveyance of certain parcels of land in Beltrami County.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessen
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzpfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1144: A bill for an act relating to public drainage systems; increasing repair authority; providing for abandonment of systems; increasing repair funds; amending Minnesota Statutes 1978, Sections 106.011, by adding a subdivision; 106.471, Subdivisions 1, 2, and 6; 106.651; and Chapter 106, by adding a section.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Peterson	Staples
Ashbach	Hanson	Lessard	Pillsbury	Stokowski
Bang	Hughes	Luther	Purfeerst	Strand
Benedict	Humphrey	Menning	Rued	Stumpf
Bernhagen	Johnson	Merriam	Schaaf	Tennessee
Brataas	Keefe, J.	Moe	Schmitz	Ueland, A.
Chenoweth	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Chmielewski	Kirchner	Nichols	Sieloff	Vega
Coleman	Kleinbaum	Ogdahl	Sikorski	Wegener
Davies	Knaak	Olhoff	Sillers	Willet
Dunn	Knoll	Olson	Solon	
Engler	Knutson	Penny	Spear	

So the bill passed and its title was agreed to.

S. F. No. 1273: A bill for an act relating to natural resources; authorizing the commissioner to utilize volunteer services; amending Minnesota Statutes 1978, Chapter 84, by adding a section; and Section 176.011, Subdivision 9; repealing Minnesota Statutes 1978, Section 85.041.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessee
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoff	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1243: A bill for an act relating to waters; limiting the rule making power of the commissioner of natural resources in regard to flood plain management; amending Minnesota Statutes 1978, Section 104.05.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Hanson	Lessard	Purfeerst	Strand
Bang	Hughes	Luther	Renneke	Stumpf
Benedict	Humphrey	Menning	Rued	Tennessen
Bernhagen	Jensen	Merriam	Schaaf	Ueland, A.
Brataas	Johnson	Moe	Schmitz	Ulland, J.
Chenoweth	Keefe, J.	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, S.	Nichols	Sieloff	Wegener
Coleman	Kirchner	Ogdahl	Sikorski	Willet
Davies	Kleinbaum	Olhoft	Sillers	
Dunn	Knaak	Olson	Solon	
Engler	Knoll	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

S. F. No. 895: A bill for an act relating to intoxicating liquor; permitting earlier hours for Sunday sale; amending Minnesota Statutes 1978, Section 340.14, Subdivision 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 24, as follows:

Those who voted in the affirmative were:

Anderson	Jensen	Merriam	Schmitz	Stumpf
Ashbach	Johnson	Nelson	Setzepfandt	Ueland, A.
Bang	Keefe, J.	Nichols	Sieloff	Ulland, J.
Brataas	Keefe, S.	Ogdahl	Sikorski	Vega
Chenoweth	Kleinbaum	Olson	Sillers	
Coleman	Knaak	Pillsbury	Solon	
Gearty	Laufenburger	Purfeerst	Spear	
Hanson	Lessard	Schaaf	Staples	

Those who voted in the negative were:

Benedict	Engler	Knutson	Penny	Strand
Bernhagen	Frederick	Luther	Peterson	Tennessen
Chmielewski	Hughes	Menning	Renneke	Wegener
Davies	Humphrey	Moe	Rued	Willet
Dunn	Knoll	Olhoft	Stokowski	

So the bill passed and its title was agreed to.

S. F. No. 1051: A bill for an act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; amending Minnesota Statutes 1978, Section 256.74, Subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Knutson	Penny	Spear
Ashbach	Hanson	Laufenburger	Peterson	Staples
Bang	Hughes	Lessard	Pillsbury	Stokowski
Benedict	Humphrey	Luther	Purfeerst	Strand
Bernhagen	Jensen	Menning	Renneke	Stumpf
Chenoweth	Johnson	Merriam	Schaaf	Tennessen
Chmielewski	Keefe, J.	Moe	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nelson	Setzepfandt	Ulland, J.
Davies	Kirchner	Nichols	Sieloff	Vega
Dunn	Kleinbaum	Ogdahl	Sikorski	Wegener
Engler	Knaak	Olhoft	Sillers	Willet
Frederick	Knoll	Olson	Solon	

Mr. Rued voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 947: A bill for an act relating to the city of Duluth; fixing the expiration of a city sales tax; removing a report requirement; amending Laws 1977, Chapter 438, Section 2; repealing Laws 1977, Chapter 438, Section 1, Subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Penny	Solon
Ashbach	Gearty	Knutson	Peterson	Spear
Bang	Hanson	Laufenburger	Pillsbury	Staples
Benedict	Hughes	Lessard	Purfeerst	Stokowski
Bernhagen	Humphrey	Luther	Renneke	Strand
Brataas	Jensen	Menning	Rued	Stumpf
Chenoweth	Johnson	Moe	Schaaf	Tennessen
Chmielewski	Keefe, J.	Nelson	Schmitz	Ueland, A.
Coleman	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Davies	Kirchner	Ogdahl	Sieloff	Vega
Dunn	Kleinbaum	Olhoft	Sikorski	Wegener
Engler	Knaak	Olson	Sillers	Willet

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved to take up the Consent Calendar. The motion prevailed.

#### CONSENT CALENDAR

S. F. No. 1338: A bill for an act relating to workers' compensation; providing fact finding powers to compensation judges; amending Minnesota Statutes 1978, Chapter 176, by adding a section.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knoll	Olson	Sillers
Ashbach	Gearty	Knutson	Penny	Solon
Bang	Hanson	Laufenburger	Peterson	Spear
Benedict	Hughes	Lessard	Pillsbury	Staples
Bernhagen	Humphrey	Luther	Purfeerst	Stokowski
Brataas	Jensen	Menning	Renneke	Strand
Chenoweth	Johnson	Merriam	Rued	Stumpf
Chmielewski	Keefe, J.	Moe	Schaaf	Ueland, A.
Coleman	Keefe, S.	Nelson	Schmitz	Ulland, J.
Davies	Kirchner	Nichols	Setzepfandt	Vega
Dunn	Kleinbaum	Ogdahl	Sieloff	Wegener
Engler	Knaak	Olhoft	Sikorski	Willet

So the bill passed and its title was agreed to.

S. F. No. 1328: A bill for an act relating to labor; authorizing commissioner of labor and industry to seek restraining orders against certain violators of child labor laws; amending Minnesota Statutes 1978, Section 181A.08, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Pillsbury	Stokowski
Ashbach	Gunderson	Lessard	Purfeerst	Strand
Bang	Hanson	Luther	Renneke	Stumpf
Benedict	Hughes	Menning	Rued	Tennessen
Bernhagen	Humphrey	Merriam	Schaaf	Ueland, A.
Brataas	Jensen	Moe	Schmitz	Ulland, J.
Chenoweth	Johnson	Nelson	Setzepfandt	Vega
Chmielewski	Keefe, J.	Nichols	Sieloff	Wegener
Coleman	Keefe, S.	Ogdahl	Sikorski	Willet
Davies	Kirchner	Olhoft	Sillers	
Dunn	Kleinbaum	Olson	Solon	
Engler	Knaak	Penny	Spear	
Frederick	Knutson	Peterson	Staples	

So the bill passed and its title was agreed to.

S. F. No. 1003: A bill for an act relating to elections; revising, reorganizing and recodifying major portions of the Minnesota election law; modernizing and improving language, organization and style; clarifying certain ambiguities; removing certain obsolete terms and provisions; restating guidelines for determining voter eligibility; providing for voter registration, absentee voting, the conduct of elections and the counting and canvassing of election returns; defining terms; providing penalties; making necessary technical amendments, corrections and other revisions; amending Minnesota Statutes 1978, Sections 10A.01, Subdivision 12; 40.05, Subdivision 3; 123.32, Subdivision 7; 200.01; 200.02; 201.01; 201.021; 201.061; 201.071; 201.081; 201.091; 201.11; 201.12; 201.121; 201.13; 201.14; 201.15; 201.161; 201.171; 201.18; 201.211; 201.-

221; 201.27; 201.275; 202A.11; 202A.16, Subdivision 1; 205.01; 205.03; 205.13, Subdivision 1; 205.15; 205.17, Subdivision 2; 205.-20, Subdivisions 2 and 5; 206.07, Subdivision 1; 206.185, Subdivision 1; 206.20, Subdivision 2; 206.21, Subdivisions 1 and 2; 208.04; 210A.07; 210A.26, Subdivision 4; 210A.28; 210A.34, Subdivision 4; 290.21, Subdivision 3; 365.51; 365.52; 375.20; 382.28; and 487.03, Subdivision 2; and Chapters 200, 201, 205, and 210A, by adding sections; repealing Minnesota Statutes 1978, Sections 201.231; 201.26; 201.33; 202A.21; 202A.22; 202A.23; 202A.24; 202A.25; 202A.26; 202A.27; 202A.28; 202A.29; 202A.30; 202A.31; 202A.32; 202A.41; 202A.42; 202A.51; 202A.52; 202A.53; 202A.54; 202A.61; 202A.62; 202A.63; 202A.64; 202A.65; 202A.66; 202A.67; 202A.68; 202A.69; 202A.70; 202A.71; 202A.721; and 210.22; and Chapters 203A, 204A, and 207.

With the unanimous consent of the Senate, Mr. Keefe, S. moved to amend S. F. No. 1003 as follows:

Page 6, line 17, delete "*register and*"

Page 8, line 28, delete "REGISTER AND"

Page 8, line 31, delete "*to register, if required, and*"

Page 11, line 31, reinstate "*or any*"

Page 11, line 31, after the stricken "*person*" insert "*individual*" and reinstate "*who*"

Page 11, line 32, after the stricken "*of*" insert "*will be*" and reinstate "*an eligible*"

Page 11, line 33, reinstate "*voter at the*" and insert "*time of the*" and reinstate "*next election*"

Page 61, line 31, delete "*five*" and insert "*four*"

Page 157, lines 3 and 4, reinstate "*if such there be,*"

Page 163, after line 18, insert:

"Sec. 26. Minnesota Statutes 1978, Section 290.06, Subdivision 11, is amended to read:

Subd. 11. [CONTRIBUTIONS TO POLITICAL PARTIES AND CANDIDATES.] In lieu of the credit against taxable net income provided by section 290.21, subdivision 3, clause (e), a taxpayer may take a credit against the tax due under this chapter of 50 percent but not more than \$25 of his contributions to a political party and candidate. A married couple, filing jointly, may take a similar credit of not more than \$50. No credit shall be allowed under this subdivision for a contribution to any candidate, other than a candidate for elective judicial office, who has not signed an agreement to limit his campaign expenditures as provided in section 10A.32, subdivision 3b. The commissioner of revenue shall provide in the tax instruction booklet language understandable to a person of average intelligence which states that the taxpayer may only claim a credit against his tax due for contributions to candidates for (a) judicial office or (b) statewide or legislative office who have agreed to limit their ex-

penditures. For purposes of this subdivision, "candidate" means a candidate as defined in section 10A.01, subdivision 5, and "political party" means a major political party as defined in section 200.02, subdivision 7. The department of revenue shall provide on the first page of the Minnesota tax form an appropriate provision for the credit provided by this subdivision.

This credit shall be allowed only if the contribution is verified in the manner the commissioner of revenue shall prescribe."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 26, after "Subdivision 4;" insert "290.06, Subdivision 11;"

The motion prevailed. So the amendment was adopted.

S. F. No. 1003 was then progressed.

#### SPECIAL ORDER

Pursuant to Rule 10, Mr. Coleman, Chairman of the Subcommittee on Bill Scheduling, designated S. F. No. 1351 a Special Order to be heard immediately.

S. F. No. 1351: A bill for an act relating to metropolitan government; providing for financing of metropolitan sports facilities; authorizing a revised site determination and establishing conditions for issuance of bonds; appropriating money; amending Minnesota Statutes 1978, Section 473.581, Subdivisions 2, 3, as amended, 4, as amended, and 5, as amended; and Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Section 473.568.

Mr. Keefe, S. moved to amend S. F. No. 1351 as follows:

Page 2, line 3, after "amount" insert "of bonds issued"

Page 2, line 15, delete "by the"

Page 2, line 16, delete "municipality"

Page 2, line 17, delete "county under" and insert "political subdivision levying those taxes for the payment of"

Page 3, line 5, after "limitation" insert ", provided that nothing herein shall affect the obligation of any political subdivision to levy a tax pursuant to an agreement made under the provisions of section 8"

Page 7, after line 15, insert:

"(1) The municipality where the facility is to be constructed has entered into an agreement as contemplated in section 8."

Page 9, line 27, delete "tax" and insert "taxes"

Page 10, line 30, delete "governing body of the"

Page 10, line 31, delete "elect" and insert "*by resolution of its city council, enter into an agreement with the metropolitan council and the commission,*"

Page 10, line 32, after "herein" insert "*to secure the payment of any bonds issued to finance the construction (or to refund bonds issued to finance the construction) and any revenue anticipation certificates issued for expenses of operation, administration, maintenance, and debt service thereof, as contemplated in section 473.581, subdivisions 3 and 5*"

Page 10, line 32, delete "*If the governing body of the*"

Page 10, line 33, delete "*municipality does not elect to impose the tax*" and insert "*If such an election is not made*"

Page 11, line 9, after "camp" insert "*located within the municipality*"

Page 11, line 11, after "amount" insert "*estimated to be*"

Page 13, line 3, after "certificates" insert "*, secured by the pledge of the full faith and credit of the county with respect to the commercial-industrial property therein,*"

Page 13, line 12, after "thereto)," insert "*including any reserve fund,*"

Page 13, line 22, after the period, insert "*The tax shall not be subject to any limitation as to rate or amount.*"

Page 13, after line 22, insert:

"Subd. 4. [METROPOLITAN WIDE LIQUOR TAXES.] All proceeds of the liquor tax collected by the council pursuant to the provisions of Minnesota Statutes 1978, Section 473.591 prior to August 1, 1979 not otherwise expended or applied as provided in chapter 473, together with any earnings derived from the investment of such revenues, shall be placed into the debt service fund or special funds established under section 473.581, subdivisions 4 and 5."

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. then moved to amend S. F. No. 1351 as follows:

Page 2, line 16, delete "6" and insert "8"

Page 2, after line 18, insert

"Sec. 2. Minnesota Statutes 1978, Section 473.553, Subdivision 2, is amended to read:

Subd. 2. [MEMBERSHIP.] *During the time prior to completion of construction of a sports facility pursuant to sections 473.551 to 473.595, the commission shall consist of six members appointed by the governor plus a chairman appointed as provided in subdivision 3. Initial appointments of members shall be made within 30 days of May 17, 1977. One member shall be appointed from each of the following combinations of metropolitan commission precincts*



defined in section 473.141, subdivision 2: A and B; C and G; D and E; F and H. Two members shall be appointed from outside the metropolitan area. *Upon substantial completion of construction of the sports facility, vacancies occurring on the commission, whether at the completion of or prior to the completion of a member's terms, shall be filled as follows: the city council of the city in which the stadium is located shall appoint a member to fill the first vacancy which occurs and the Hennepin county board shall appoint a member to fill the second vacancy. Subsequent vacancies shall be filled by alternating appointments made by the city council and county board of commissioners.*

Sec. 3. Minnesota Statutes 1978, Section 473.553, Subdivision 4, is amended to read:

Subd. 4. [QUALIFICATIONS.] Each member *appointed prior to completion of construction of a sports facility constructed pursuant to sections 473.551 to 473.595* shall be a resident of the precincts or area of the state for which he is appointed and . A member *appointed at any time* shall not during his term of office hold the office of metropolitan council member or be a member of another metropolitan commission or hold any judicial office or office of state government. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article 5, Section 6. The oath, duly certified by the official administering it, shall be filed with the chairman of the metropolitan council."

Page 5, line 5, delete "6" and insert "8"

Page 7, line 6, delete "6" and insert "8"

Page 7, line 30, delete "6" and insert "8"

Page 7, line 31, delete "6" and insert "8"

Page 9, line 27, delete "6" and insert "8"

Page 13, line 27, delete "6" and insert "8"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon insert "providing for appointment of members of the metropolitan sports facilities commission;"

Page 1, line 7, delete "Section" and insert "Sections 473.553, Subdivisions 2 and 4;"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. then moved to amend S. F. No. 1351, as follows:

Page 2, line 3, after the period insert "*The commission shall give full consideration to the needs of the University of Minnesota when making its revised determination.*"

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. then moved to amend S. F. No. 1351, as follows:

Page 1, line 20, delete "*shall not*" and insert "*may*"

Page 2, line 3, delete "*The principal amount*"

Page 2, delete lines 4 and 5 and delete "*of bonds issued*" added by the Keefe, S. amendment to page 2, line 3

Page 3, lines 13 to 24, reinstate the stricken language

Page 3, lines 25, reinstate "\$42,000,000."

Page 3, line 30, reinstate "If the commission's proposal and"

Page 3, lines 31 to 33, reinstate the stricken language

Page 4, lines 1 to 6, reinstate the stricken language and delete the new language

Mr. Frederick requested division of the amendment as follows:

First portion:

Page 1, line 20, delete "*shall not*" and insert "*may*"

Second portion:

Page 2, line 3, delete "*The principal amount*"

Page 2, delete lines 4 and 5 and delete "*of bonds issued*" added by the Keefe, S. amendment to page 2, line 3

Page 3, lines 13 to 24, reinstate the stricken language

Page 3, line 25, reinstate "\$42,000,000."

Page 3, line 30, reinstate "If the commission's proposal and"

Page 3, lines 31 to 33, reinstate the stricken language

Page 4, lines 1 to 6, reinstate the stricken language and delete the new language

### CALL OF THE SENATE

Mr. Coleman imposed a call of the Senate. The following Senators answered to their names:

Anderson	Hanson	Lessard	Perpich	Solon
Ashbach	Hughes	Luther	Peterson	Spear
Benedict	Humphrey	McCutcheon	Pillsbury	Staples
Bernhagen	Jensen	Menning	Purfeerst	Stokowski
Brataas	Johnson	Merriam	Renneke	Strand
Chenoweth	Keefe, J.	Moe	Rued	Stumpf
Chmielewski	Keefe, S.	Nelson	Schaaf	Tennessen
Coleman	Kirchner	Nichols	Schmitz	Ueland, A.
Dunn	Knaak	Ogdahl	Setzepfandt	Ulland, J.
Engler	Knoll	Olhoff	Sieloff	Wegener
Frederick	Knutson	Olson	Sikorski	Willet
Gearty	Laufenburger	Penny	Sillers	

The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the first portion of the Keefe, S. amendment.

The roll was called, and there were yeas 40 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Laufenburger	Olhoft	Sillers
Bernhagen	Hanson	Lessard	Olson	Solon
Brataas	Humphrey	Menning	Perpich	Staples
Chmielewski	Jensen	Merriam	Peterson	Stokowski
Coleman	Johnson	Moe	Pillsbury	Strand
Dunn	Keefe, S.	Nelson	Rued	Tennessen
Engler	Kleinbaum	Nichols	Schaaf	Ueland, A.
Frederick	Knoll	Ogdahl	Setzepfandt	Ulland, J.

Those who voted in the negative were:

Bang	Hughes	Luther	Schmitz	Vega
Benedict	Keefe, J.	McCutcheon	Sieloff	Wegener
Chenoweth	Kirchner	Penny	Sikorski	Willet
Davies	Knaak	Purfeerst	Spear	
Gunderson	Knutson	Renneke	Stumpf	

The motion prevailed. So the first portion of the Keefe, S. amendment was adopted.

Mr. Ashbach moved to amend the second portion of the Keefe, S. amendment to S. F. No. 1351, as follows:

In the Keefe, S. amendment to page 3, line 17, after the reinstated "the" insert *"total construction cost not including funds provided by others, and the"*

The question was taken on the adoption of the amendment to the second portion of the Keefe, S. amendment.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Penny	Solon
Ashbach	Gearty	Knoll	Perpich	Spear
Bang	Gunderson	Knutson	Peterson	Staples
Benedict	Hanson	Laufenburger	Purfeerst	Stokowski
Bernhagen	Hughes	Lessard	Renneke	Stumpf
Brataas	Humphrey	Luther	Rued	Tennessen
Chenoweth	Jensen	McCutcheon	Schaaf	Ueland, A.
Chmielewski	Johnson	Menning	Schmitz	Ulland, J.
Coleman	Keefe, J.	Merriam	Setzepfandt	Wegener
Davies	Keefe, S.	Moe	Sieloff	Willet
Dunn	Kirchner	Nelson	Sikorski	
Engler	Kleinbaum	Olson	Sillers	

Those who voted in the negative were:

Nichols	Olhoft	Pillsbury	Strand	Vega
Ogdahl				

The motion prevailed. So the amendment to the second portion of the Keefe, S. amendment was adopted.

The question was taken on the second portion of the Keefe, S. amendment, as amended.

The roll was called, and there were yeas 37 and nays 26, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Menning	Peterson	Stokowski
Bernhagen	Hanson	Merriam	Pillsbury	Strand
Brataas	Humphrey	Nelson	Rued	Tennesen
Chmielewski	Jensen	Nichols	Schaaf	Ueland, A.
Coleman	Johnson	Ogdahl	Setzepfandt	Ulland, J.
Dunn	Keefe, S.	Olhoff	Sillers	
Engler	Kleinbaum	Olson	Solon	
Frederick	Knoll	Perpich	Staples	

Those who voted in the negative were:

Ashbach	Keefe, J.	Luther	Schmitz	Wegener
Bang	Kirchner	McCutcheon	Sieloff	Willet
Benedict	Knaak	Moe	Sikorski	
Chenoweth	Knutson	Penny	Spear	
Gunderson	Laufenburger	Purfeerst	Stumpf	
Hughes	Lessard	Renneke	Vega	

The motion prevailed. So the second portion of the Keefe, S. amendment, as amended, was adopted.

Mr. Benedict moved to amend S. F. No. 1351 as follows:

Page 13, after line 30, insert:

"Sec. 10. Minnesota Statutes 1978, Section 473.595, Subdivision 1, is amended to read:

473.595 [COMMISSION FINANCES.] Subdivision 1. [ADMISSION TAX.] Effective January 1, 1978, the commission shall by resolution impose a three percent admission tax upon the granting, sale, or distribution, by any private or public person, association, or corporation, of the privilege of admission to activities; except for those activities sponsored by nonprofit organizations and conducted at the indoor public assembly facility at the metropolitan sports area known as the metropolitan sports center. Commencing with the operation of sports facilities constructed or remodeled by the commission pursuant to sections 473.551 to 473.595, the commission shall impose an additional seven percent admission tax upon activities conducted at such sports facilities. Effective January 1, 1978, no other tax, except the taxes imposed by chapter 297A, may be levied by any other unit of government upon any such sale or distribution. The admission tax shall be stated and charged separately from the sales price so far as practicable and shall be collected by the grantor, seller, or distributor from the person admitted and shall be a debt from that person to the grantor, seller, or distributor, and the tax required to be collected shall constitute a debt owed by the grantor, seller, or distributor to the commission, which shall be recoverable at law in the same manner as other debts. Every person granting, selling, or distributing tickets for such admissions may be required, as provided in resolutions of the commission, to secure a permit, to file returns, to deposit security for the payment of the tax, and to pay such penalties for nonpayment and interest on late payments, as shall be deemed necessary or

expedient to assure the prompt and uniform collection of the tax."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "exempting events sponsored at the metropolitan sports center from the three percent admission tax;"

Page 1, line 7, delete "Section" and insert "Sections"

Page 1, line 8, before the second "and" insert "473.595, Subdivision 1;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gunderson	Luther	Pillsbury	Stokowski
Ashbach	Hanson	McCutcheon	Purfeerst	Strand
Bang	Hughes	Menning	Renneke	Stumpf
Benedict	Humphrey	Merriam	Rued	Tennessee
Bernhagen	Johnson	Moe	Schaaf	Ueland, A.
Brataas	Keefe, S.	Nelson	Schmitz	Ulland, J.
Chenoweth	Kirchner	Nichols	Setzepfandt	Vega
Chmielewski	Kleinbaum	Ogdahl	Sieloff	Wegener
Davies	Knaak	Olhoff	Sikorski	Willet
Dunn	Knoll	Olson	Sillers	
Engler	Knutson	Penny	Solon	
Frederick	Laufenburger	Perpich	Spear	
Gearty	Lessard	Peterson	Staples	

The motion prevailed. So the amendment was adopted.

Mr. Humphrey moved to amend S. F. No. 1351 as follows:

Page 2, line 29, delete "County" and insert "*and Ramsey Counties*"

Page 12, line 10, after "HENNEPIN" insert "AND RAMSEY"

Page 12, line 12, after "*commissioners*" insert "*and the Ramsey county board of commissioners*"

Page 12, line 24, delete "*the county*" and insert "*those counties*"

Page 12, line 33, delete "*board*" and insert "*boards*"

Page 13, line 7, delete "*board*" and insert "*boards*"

Page 13, line 8, after "County" insert "*and the principal financial officer of Ramsey County*"

Page 13, line 17, after "*finance*" insert "*and the principal financial officer*"

Page 13, line 19, delete "*county*" and insert "*counties*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 8 and nays 55, as follows:

Those who voted in the affirmative were:

Benedict	Humphrey	Lessard	Spear	Staples
Davies	Knoll	Luther		

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Perpich	Sillers
Ashbach	Gunderson	McCutcheon	Peterson	Solon
Bang	Hanson	Menning	Pillsbury	Stokowski
Bernhagen	Hughes	Merriam	Purfeerst	Strand
Brataas	Jensen	Moe	Renneke	Stumpf
Chenoweth	Johnson	Nelson	Rued	Tennessen
Chmielewski	Keefe, J.	Nichols	Schaaf	Ueland, A.
Coleman	Keefe, S.	Ogdahl	Schmitz	Ulland, J.
Dunn	Kleinbaum	Olhoft	Setzepfandt	Vega
Engler	Knaak	Olson	Sieloff	Wegener
Frederick	Knutson	Penny	Sikorski	Willet

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

Mr. Davies moved to amend S. F. No. 1351 as follows:

Page 13, line 27, after "6" insert "and 8"

Page 13, after line 30, insert:

*"Sec. 8. Leases for use of the stadium by a professional team in all cases shall include a term specifying that a blackout of television coverage of that professional team based on percentage of tickets unsold for a home game shall apply statewide and ban television broadcasts by any station in this state."*

Renumber the sections in sequence

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 13 and nays 50, as follows:

Those who voted in the affirmative were:

Ashbach	Davies	Keefe, J.	McCutcheon	Spear
Benedict	Hughes	Knaak	Sieloff	Stumpf
Chenoweth	Humphrey	Luther		

Those who voted in the negative were:

Anderson	Gunderson	Lessard	Perpich	Sillers
Bang	Hanson	Menning	Peterson	Solon
Bernhagen	Jensen	Merriam	Pillsbury	Stokowski
Brataas	Johnson	Moe	Purfeerst	Strand
Chmielewski	Keefe, S.	Nelson	Renneke	Tennessen
Coleman	Kirchner	Nichols	Rued	Ueland, A.
Dunn	Kleinbaum	Ogdahl	Schaaf	Ulland, J.
Engler	Knoll	Olhoft	Schmitz	Vega
Frederick	Knutson	Olson	Setzepfandt	Wegener
Gearty	Laufenburger	Penny	Sikorski	Willet

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

Mr. Benedict moved to amend S. F. No. 1351 as follows:

Page 14, delete lines 3 and 4 and insert:

**"Sec. 10. [EFFECTIVE DATE.] Pursuant to Minnesota Statutes, Section 645.023, sections 1 to 9 shall be effective without local approval unless the voters of the county of Hennepin shall request a referendum on whether sections 1 to 9 should be approved.**

*The voters may request a referendum by filing a petition with the Hennepin County Board of Commissioners within three months of the date of final enactment of sections 1 to 10. The petition shall state the text of sections 1 to 9 and indicate that those who signed the petition are residents of Hennepin county, are 18 years of age and request that sections 1 to 9 be subject to the approval of the voters. The petition shall be signed by a number of eligible voters not less than ten percent of the number of persons who cast votes for governor within Hennepin county at the election in 1978.*

*The date of the election shall be set by the Hennepin County Board of Commissioners to be held on a date within three months of the date the petitions are filed."*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 32, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Kirchner	Penny	Spear
Bang	Frederick	Knaak	Renneke	Stumpf
Benedict	Gunderson	Knutson	Rued	Vega
Bernhagen	Hughes	Luther	Schmitz	Willet
Brataas	Jensen	Olhoff	Sieloff	
Chmielewski	Keefe, J.	Olson	Sikorski	

Those who voted in the negative were:

Anderson	Johnson	Merriam	Pillsbury	Tennessen
Coleman	Keefe, S.	Moe	Purfeerst	Ueland, A.
Davies	Kleinbaum	Nelson	Schaaf	Ulland, J.
Engler	Knoll	Nichols	Setzepfandt	Wegener
Gearty	Laufenburger	Ogdahl	Staples	
Hanson	Lessard	Perpich	Stokowski	
Humphrey	Menning	Peterson	Strand	

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

Mr. Davies moved to amend S. F. No. 1351 as follows:

Page 1, line 21, delete "remodeling" and insert "use of"

Page 1, line 21, after "existing" insert "or a remodeled"

The motion prevailed. So the amendment was adopted.

Mr. Luther moved to amend S. F. No. 1351 as follows:

Page 1, after line 12, insert:

"Section 1. Minnesota Statutes 1978, Section 473.571, Subdivision 6, is amended to read:

Subd. 6. [COMMISSION PROPOSAL.] On December 1, 1978, following the acceptance of the environmental impact statements

by the environmental quality board, the commission shall make a final determination on design and location and shall submit to the metropolitan council a proposal to bond for and construct or remodel the sports facility or facilities. The commission's proposal shall contain all information deemed appropriate or necessary by the council to its determinations pursuant to section 473.581. The commission, in preparing the proposal for the council, ~~may~~ *shall* require of the potential lessee professional teams any and all relevant corporate financial data, including, but not limited to, profit and loss statements, annual audit statements, and balance sheets. The commission ~~may keep~~ *shall make public* the corporate financial data ~~confidential except for members of the commission, the council, and designated staff.~~ In evaluating the alternatives, the commission shall consider, among other factors, (a) access to the locations from the rest of the metropolitan area and the state, (b) access to parking and public transit, (c) environmental impact, (d) total capital and operating costs to the commission and total commission revenues over the expected life of the facility, including the sale of land by the commission and any contributions by local units of government or other organizations, (e) the report of the council, (f) the availability of land and utilities, (g) the total governmental costs associated with the construction and operation of the commission's facilities, including the cost to all units and agencies of government as well as the cost to the commission, (h) the net gain or loss of property taxes to all local governmental units, (i) the feasibility of funding a portion of the total cost through a grant or grants from the economic development administration of the federal government, (j) the feasibility of constructing a waste facility or a solar energy system to provide energy for heating and ventilating the sports facility, and (k) the needs of the university of Minnesota for athletic facilities for a prospective 20 year period. Before submitting its proposal to the metropolitan council the commission shall hold hearings at locations both within and without the metropolitan area after appropriate notice to receive public testimony on location and design."

Page 2, line 16, delete "6" and insert "7"

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

Page 7, lines 6, 30, and 31, delete "6" and insert "7"

Page 9, line 27, delete "6" and insert "7"

Page 10, line 30, delete "1" and insert "2"

Page 12, line 11, delete "1" and insert "2"

Page 13, line 27, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 7, delete "Section" and insert "Sections 473.571, Subdivision 6;"

The question was taken on the adoption of the amendment.



The roll was called, and there were yeas 21 and nays 37, as follows:

Those who voted in the affirmative were:

Benedict	Jensen	Luther	Schmitz	Willet
Chenoweth	Keefe, J.	Menning	Sikorski	
Chmielewski	Kirchner	Nichols	Spear	
Gunderson	Knaak	Renneke	Stumpf	
Hughes	Knoll	Schaaf	Vega	

Those who voted in the negative were:

Anderson	Frederick	Merriam	Pillsbury	Strand
Bang	Gearty	Moe	Purfeerst	Tennessee
Bernhagen	Humphrey	Nelson	Rued	Ueland, A.
Brataas	Johnson	Ogdahl	Setzepfandt	Ulland, J.
Coleman	Keefe, S.	Olhoff	Sieloff	Wegener
Davies	Kleinbaum	Olson	Solon	
Dunn	Knutson	Penny	Staples	
Engler	Laufenburger	Peterson	Stokowski	

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

Mr. Chenoweth moved to amend S. F. No. 1351 as follows:

Delete everything after the enacting clause and insert

"Section 1. [LEGISLATURE FINDINGS.] The legislature finds that there has arisen a need for updating and expanding athletic facilities at the University of Minnesota. The legislature further finds that the existing Memorial Stadium at the university is structurally sound and its renovation is a financially feasible alternative for meeting the needs of both the university and, if so desired, those of certain professional athletic teams.

Sec. 2. [DOMING AND REMODELING.] The university board of regents may proceed with plans for the doming and remodeling of Memorial Stadium in order to convert the stadium into a full service, all weather facility for the holding of intercollegiate and intramural athletic competition, physical fitness and education classes and activities, and other recreational activities for university and other school students from throughout the state.

The regents or a university stadium commission acting as their agents shall provide availability of the facility for use by a professional football team under terms approved by the board of regents, and may contract with them for use of the stadium.

Sec. 3. [FINANCING.] The costs of doming and remodeling Memorial Stadium pursuant to section 2 shall be financed by:

(a) A percentage of the gate receipts from intercollegiate team events;

(b) Revenues from contracts with professional athletic teams and other event rentals;

(c) A ten percent ticket tax on tickets;

(d) Charges for parking;

(e) Concessions;

(f) Contributions from alumni and other interested parties, or firms and organizations; and

(g) An interest free loan of \$49,000,000 in state funds for the doming and remodeling of Memorial Stadium, to be repaid to the state within a period not to exceed 30 years.

The board of regents is authorized to arrange other long term financing of the funds necessary to renovate the stadium pending the receipt of revenues from the sources listed in clauses (a) to (g).

**Sec. 4. [APPROPRIATION.]** The sum of \$49,000,000 is appropriated to the commissioner of finance. The commissioner shall loan the funds to the board of regents interest free for the purpose of doming and remodeling Memorial Stadium. Prior to making the funds available to the board of regents, the commissioner shall (1) negotiate an agreement with the board of regents for the repayment of the loan within 30 years using revenues generated by the facility and private contributions, and (2) determine that the board of regents is willing to and has any necessary authorization from the Big Ten Conference to make the facility available for use by a professional football team subject to the needs of the university. Any unexpended funds from the loan and unexpended interest earned on the loaned funds shall be returned by the board of regents to the commissioner of finance who shall deposit the money in the general fund.

**Sec. 4. [EFFECTIVE DATE.]** This act is effective the day following its final enactment."

Amend the title as follows:

Delete the title in its entirety and insert:

"A bill for an act relating to the University of Minnesota; providing for the renovation of Memorial Stadium into an all weather, multipurpose student activity, athletic, and special events arena."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knaak	Penny	Sikorski
Bang	Frederick	Knutson	Perpich	Ueland, A.
Bernhagen	Gunderson	Luther	Renneke	Ulland, J.
Brataas	Hughes	McCutcheon	Rued	Vega
Chenoweth	Keefe, J.	Moe	Schmitz	Willet
Davies	Kirchner	Nelson	Sieloff	

Those who voted in the negative were:

Anderson	Humphrey	Lessard	Peterson	Spear
Benedict	Jensen	Menning	Pillsbury	Staples
Chmielewski	Johnson	Merriam	Purfeerst	Stokowski
Coleman	Keefe, S.	Nichols	Schaaf	Strand
Dunn	Kleinbaum	Ogdahl	Setzepfandt	Stumpf
Gearty	Knoll	Olthoff	Sillers	Tennessee
Hanson	Laufenburger	Olson	Solon	Wegener

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

Mr. Spear moved to amend S. F. No. 1351 as follows:

Page 2, line 28, after the period, insert "*If the Hennepin county board of commissioners agrees pursuant to section 6, subdivision 3,*"

Page 12, line 12, delete "*shall*" and insert "*may*"

Page 12, line 19, after the period, insert "*If the board enters into an agreement to levy the tax,*"

Page 12, line 31, after the period, insert "*If the board enters into the agreement,*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 33, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	Kirchner	Renneke	Staples
Bang	Gunderson	Knaak	Rued	Stumpf
Benedict	Hughes	Luther	Sieloff	Tennessen
Bernhagen	Humphrey	McCutcheon	Sikorski	Vega
Chenoweth	Jensen	Perpich	Sillers	Willet
Davies	Keefe, J.	Purfeerst	Spear	

Those who voted in the negative were:

Anderson	Hanson	Menning	Olson	Stokowski
Brataas	Johnson	Merriam	Penny	Strand
Chmielewski	Keefe, S.	Moe	Peterson	Ueland, A.
Coleman	Kleinbaum	Nelson	Pillsbury	Ulland, J.
Dunn	Knoll	Nichols	Schaaf	Wegener
Engler	Laufenburger	Ogdahl	Schmitz	
Gearty	Lessard	Olhoff	Solon	

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

S. F. No. 1351: A bill for an act relating to metropolitan government; providing for financing of metropolitan sports facilities; authorizing a revised site determination and establishing conditions for issuance of bonds; providing for appointment of members of the metropolitan sports facilities commission; exempting events sponsored at the metropolitan sports center from the three percent admission tax; appropriating money; amending Minnesota Statutes 1978, Sections 473.553, Subdivisions 2 and 4; 473.581, Subdivisions 2, 3, as amended, and 4, as amended, and 5, as amended; and 473.595, Subdivision 1; Chapter 473, by adding sections; repealing Minnesota Statutes 1978, Section 473.568.

Was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 43 and nays 22, as follows:

Those who voted in the affirmative were:

Anderson	Chmielewski	Gearty	Johnson	Knoll
Bang	Coleman	Hanson	Keefe, S.	Laufenburger
Bernhagen	Dunn	Humphrey	Kirchner	Lessard
Brataas	Engler	Jensen	Kleinbaum	Menning

Merriam	Olson	Purfeerst	Solon	Ulland, J.
Moe	Penny	Rued	Staples	Wegener
Nelson	Perpich	Schaaf	Stokowski	Willet
Nichols	Peterson	Setzepfandt	Strand	
Ogdahl	Pillsbury	Sillers	Ueland, A.	

Those who voted in the negative were:

Ashbach	Frederick	Knutson	Schmitz	Tennessen
Benedict	Gunderson	Luther	Sieloff	Vega
Chenoweth	Hughes	McCutcheon	Sikorski	
Davies	Keefe, J.	Olhoff	Spear	
Dieterich	Knaak	Renneke	Stumpf	

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

#### MEMBERS EXCUSED

Mr. Dieterich was excused from the Session of today from 10:00 o'clock a.m. to 2:05 o'clock p.m.

#### MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Wednesday, May 2, 1979. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate