

EIGHTY-FIFTH DAY

St. Paul, Minnesota, Monday, March 24, 1980

The Senate met at 2:00 o'clock p.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	Hughes	Moe	Schaaf	Strand
Barrette	Johnson	Nichols	Schmitz	Stumpf
Benedict	Kirchner	Ogdahl	Setzepfandt	Tennessee
Brataas	Kleinbaum	Olhoft	Sieloff	Ulland, J.
Chmielewski	Knaak	Omann	Sikorski	Vega
Coleman	Laufenburger	Penny	Solon	Willet
Davies	Luther	Perpich	Spear	
Dunn	McCutcheon	Pillsbury	Staples	
Gearty	Menning	Purfeerst	Stern	
Hanson	Merriam	Renneke	Stokowski	

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

Prayer was offered by the Chaplain, Rev. Vincent L. Hawkinson.

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

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

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. Wegener was excused from the Session of today at 3:00 o'clock p.m. Mr. Gunderson was excused from the Session of today from 2:00 to 2:30 o'clock p.m.

INTRODUCTION AND FIRST READING OF SENATE BILLS

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

Messrs. Engler; Ulland, J. and Rued introduced—

S. F. No. 2405: A bill for an act relating to taxation; income; providing a credit for certain sales of recycled materials; amending Minnesota Statutes 1978, Section 290.06, by adding a subdivision.

Referred to the Committee on Taxes and Tax Laws.

Mr. Engler introduced—

S. F. No. 2406: A bill for an act relating to county conciliation courts; clarifying that the court has jurisdiction of certain replevin actions; amending Minnesota Statutes 1978, Section 487.30, by adding a subdivision.

Referred to the Committee on Judiciary.

Mr. Humphrey introduced—

S. F. No. 2407: A bill for an act relating to energy; providing for solar energy system loans; providing insurance for loans; providing a tax incentive; appropriating money; amending Minnesota Statutes 1978, Sections 48.19, Subdivision 4; 273.11, Subdivision 1; 462A.06, Subdivision 4; Chapters 273, by adding a section; and 462A, by adding sections.

Referred to the Committee on Commerce.

Messrs. Peterson, Schmitz, Ashbach, Setzepfandt and Lessard introduced—

S. F. No. 2408: A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 12; limiting the time and subjects of legislative sessions.

Referred to the Committee on Rules and Administration.

Messrs. Tennesen, Frederick, Davies and Hanson introduced—

S. F. No. 2409: A bill for an act relating to commerce; providing for the regulation of motor vehicle franchises; prohibiting certain practices by motor vehicle manufacturers; providing for injunctive relief and civil actions; repealing Minnesota Statutes 1978, Section 168.27, Subdivision 21.

Referred to the Committee on Commerce.

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. 802: A bill for an act relating to health; regulating the occupation of physical therapist; amending Minnesota Statutes 1978, Sections 148.65; 148.67; 148.70; 148.71; 148.72; 148.73; 148.74; 148.75; 148.76; 148.77; 148.78; and Chapter 148, by adding sections.

Senate File No. 802 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1980

CONCURRENCE AND REPASSAGE

Mr. Solon moved that the Senate concur in the amendments by the House to S. F. No. 802 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 802: A bill for an act relating to health; regulating the occupation of physical therapist; authorizing the commissioner of health to investigate complaints related to licensed occupations under certain circumstances; amending Minnesota Statutes 1978, Sections 148.65; 148.67; 148.70; 148.71; 148.72; 148.73; 148.74; 148.75; 148.76; 148.77; 148.78; 214.13, by adding subdivisions; and Chapter 148, by adding sections.

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:

Ashbach	Frederick	McCutcheon	Peterson	Staples
Bang	Gearty	Menning	Pillsbury	Stern
Barrette	Hanson	Merriam	Purfeerst	Stokowski
Benedict	Hughes	Moe	Renneke	Strand
Bernhagen	Jensen	Nelson	Rued	Stumpf
Brataas	Johnson	Nichols	Schaaf	Ueland, A.
Chmielewski	Kirchner	Ogdahl	Schmitz	Ulland, J.
Coleman	Knaak	Olhott	Setzepfandt	Vega
Davies	Knoll	Olson	Sieloff	Wegener
Dieterich	Laufenburger	Omann	Sikorski	Willet
Dunn	Lessard	Penny	Solon	
Engler	Luther	Perpich	Sparr	

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, herewith returned:

S. F. No. 1719.

**Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1980**

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of three members of the House, on the amendments adopted by the House to the following Senate File:

S. F. No. 364: A bill for an act relating to peace officers; requiring uniform colors and identification for law enforcement motor vehicles and uniforms of peace officers and security guards; amending Minnesota Statutes 1978, Section 169.98.

There has been appointed as such committee on the part of the House:

Lehto, Laidig and Vanasek.

Senate File No. 364 is herewith returned to the Senate.

**Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1980**

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. 1675: A bill for an act relating to taxation; clarifying the provisions of the wetland credit for property tax purposes; providing a property tax exemption and credit for native prairie; providing for payment to the county for revenue lost by the exemption and credit; appropriating money; amending Minnesota Statutes 1978, Chapter 273, by adding a section; and Minnesota Statutes, 1979 Supplement, Sections 272.02, Subdivision 1; 273.115, Subdivisions 1, 2, 5, 6, and by adding a subdivision.

Senate File No. 1675 is herewith returned to the Senate.

**Edward A. Burdick, Chief Clerk, House of Representatives
Returned March 21, 1980**

CONCURRENCE AND REPASSAGE

Mr. Peterson moved that the Senate concur in the amendments by the House to S. F. No. 1675 and that the bill be placed on its repassage as amended. The motion prevailed.

S. F. No. 1675 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

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 that the House refuses to concur in the Senate amendments to House File No. 1781:

H. F. No. 1781: A bill for an act relating to education; providing for aids to education, tax levies and the distribution of tax revenues; granting certain powers and duties to school districts, the commissioner of education, the department of education and others; aid for education of pupils of limited English proficiency; requiring the establishment of local policies to minimize chemical use problems; appropriating money; amending Minnesota Statutes 1978, Sections 120.095, Subdivision 6; 120.10, Subdivision 2; 121.88, by adding a subdivision; 122.22, Subdivisions 2 and 4; 122.23, Subdivisions 9 and 10; 122.25, Subdivision 1; 122.531, by adding subdivisions; 123.11, Subdivision 7; 123.36, by adding a subdivision; 123.39, Subdivision 3; 123.932, Subdivision 9, and by adding a subdivision; 124.20; 124.214, Subdivision 2; 124.572, Subdivision 7; 126.07; 126.36, Subdivision 3; 126.52, Subdivision 5, and by adding a subdivision; 126.54, Subdivisions 5 and 6; 127.09; 127.11; 127.21; 134.03; 134.08; 275.125, Subdivisions 5 and 5a; 354.05, Subdivision 2; Chapter 124, by adding a section; Chapter 125, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 120.075, Subdivision 4, and by adding a subdivision; 121.912, Subdivision 1; 122.541, Subdivision 5; 123.35, Subdivision 15; 124.01; 124.11, Subdivisions 2a and 2b, and by adding a subdivision; 124.19, Subdivision 4; 124.212, Subdivision 7d; 124.223; 124.225; 124.245, Subdivisions 1 and 2; 124.247, Subdivisions 3 and 4; 126.54, Subdivision 1; 124.561, Subdivision 3a; 124.562, Subdivisions 2, 3 and 4; 124.5621, Subdivision 11; 124.5624, Subdivision 6; 124.5625; 124.565, Subdivision 6; 124.566; 124.572, Subdivision 2; 275.125, Subdivisions 2a, 2b, 7a, 7b, 11a and 20; 353.01, Subdivision 2b; 354A.011,

Subdivision 27; 465.72; Laws 1979, Chapter 69, Sections 2 and 5; Chapter 334, Article VI, Section 35, Subdivision 9; Article VIII, Section 29; repealing Minnesota Statutes 1978, Sections 122.531, Subdivision 3; 125.61, as amended; 126.31 to 126.35; 126.36, Subdivisions 5 and 6; 126.37; 126.38; 126.39, Subdivisions 1, 2, 3, 4, 5, 6, 7, 8 and 9; 126.40, Subdivisions 1 and 2; 126.41, Subdivisions 2, 3, 4, 5, 6 and 7; 126.42; 126.52, Subdivisions 1, 2, 3, 4, 6 and 7; 127.22; Minnesota Statutes, 1979 Supplement, Sections 124.222, Subdivision 3; 126.39, Subdivision 10; 126.41, Subdivision 1; 126.52, Subdivision 10; Laws 1979, Chapter 334, Article V, Section 29.

And the House respectfully requests that a Conference Committee of five members be appointed thereon:

McEachern; Johnson, C.; Tomlinson; Levi and Jennings have been appointed as such committee on the part of the House.

House File No. 1781 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 21, 1980

Mr. Merriam moved that the Senate accede to the request of the House for a Conference Committee on H. F. No. 1781, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted:

H. F. Nos. 1121, 1945 and 1838.

Edward A. Burdick, Chief Clerk, House of Representatives
Transmitted March 21, 1980

FIRST READING OF HOUSE BILLS

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

H. F. No. 1121: A bill for an act relating to taxation; updating the definition of gross income for income tax purposes for individuals, trusts and estates with certain modifications; providing for exempt-interest dividends for certain mutual funds; extending the political contribution credit to congressional and local candidates; clarifying certain definitions; providing a tax credit for energy conservation expenditures; clarifying the renewable energy source credit; increasing the dependent care credit; extending investment tax credits to family corporations; making

certain changes in the minimum tax and in the treatment of small business corporations; allowing a ten year carryback of product liability losses; providing for deferral of certain gains recognized in the disposition of broadcasting property; reducing certain property tax classification ratios; increasing homestead credits; changing the property tax status of certain mobile homes; providing for delayed assessments for certain improvements; increasing homestead base value; providing a classification for neighborhood real estate trusts; adjusting levy limits and providing for certain special levies; providing for certain hearings and appeals on special assessments; clarifying property tax settlements; clarifying certain property tax refund filing due dates; extending eligibility for property tax refunds to certain claimants; providing for adjustment of property tax refunds due to abatements; providing state reimbursement for certain property; authorizing heat applied tax stamping machines; increasing the sales tax on retail sales from vending machines; providing a sales tax exemption for certain arts admissions; fixing maximum interest rates on public obligations; excepting certain debt obligations from public sale requirement; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 2; 168.012, Subdivision 9; 273.13, Subdivisions 3 and 17b, and by adding a subdivision; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5; 276.04; 276.09; 276.10; 276.11; 290.01, by adding a subdivision; 290.09, Subdivisions 2, 24 and 28; 290.095, by adding a subdivision; 290.13, by adding a subdivision; 290.26, Subdivision 2; 290.49, Subdivision 10; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3 and 5; 290A.06; 290A.11, by adding a subdivision; 290A.17; 290A.18; 290A.19; 297.03, Subdivision 6; 297A.02; 297A.25, Subdivision 1; 375.192, Subdivision 1; 429.061, Subdivisions 1 and 2; 429.081; 474.06; 475.55; 475.60, Subdivision 2; Chapters 273, by adding sections; and 298, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 273.122; 273.13, Subdivisions 4, 5a, 6, 7, 14a and 19; 275.50, Subdivision 5; 290.01, Subdivision 20; 290.06, Subdivisions 11 and 14; 290.067, Subdivisions 1 and 2; 290.09, Subdivision 3; 290.091; 290.095, Subdivision 1; 290.14; 290.17, Subdivision 1; 290.37, Subdivision 1; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Section 290.971, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 290.23, Subdivision 16.

Mr. McCutcheon moved that H. F. No. 1121 be laid on the table. The motion prevailed.

H. F. No. 1945: A bill for an act relating to regional railroad authorities; providing for their organization and governmental purpose, powers and duties; providing for audits.

Referred to the Committee on Rules and Administration for comparison with S. F. No. 2292, now on General Orders.

H. F. No. 1838: A bill for an act relating to taxation; real property; clarifying the treatment of cooperatives and charitable

corporations; amending Minnesota Statutes 1978, Section 273.133, Subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S. F. No 2047, now on General Orders.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

S. F. No. 2369: A bill for an act relating to the city of Duluth; providing for certain city tax revenues; repealing Laws 1973, Chapter 461, as amended; and Laws 1977, Chapter 438, as amended.

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

Page 1, line 22, delete everything after "(c)"

Page 2, line 1, delete "\$100,000 for any taxpayer"

Page 2, line 3, after the period, insert "The tax imposed pursuant to this subdivision shall terminate no later than December 31, 1992."

Page 2, line 9, delete "of only those" and insert "from the sale of lodging for periods of less than 30 days in"

Page 2, line 10, delete "which have 18 units or more, and" and insert "located in the city."

Page 2, line 31, after the period, insert "If the city council approves the imposition of the tax authorized under section 1, subdivision 2, it may provide for the exemption from taxation of sales of food, meals or drinks at establishments having an aggregate yearly amount of sales less than an amount to be set by the council. If the city council approves the imposition of the tax authorized under section 2, it may provide for the exemption from taxation of sales of lodging at hotels or motels having less than a number of rental units to be set by the council. The determination of the amount of sales and number of units which qualify for the exemption shall be based on the council's finding that establishments having a lower volume of sales or fewer units are less likely to profit from the promotion of tourism provided with the proceeds of the revenues pursuant to section 3."

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. 1936: A bill for an act relating to taxation; income tax; extending the exclusion from gross income of family farm

security loan interest to loans executed prior to January 1, 1978; amending Minnesota Statutes 1978, Section 290.08, Subdivision 24.

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

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

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

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 2337: A bill for an act relating to appropriations; providing a reimbursement to the city of Fergus Falls for local improvements that benefit state property.

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

Page 1, lines 7 and 8, delete "city of Fergus Falls" and insert "commissioner of public welfare"

Page 1, line 8, after "city" insert "of Fergus Falls"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1582: A bill for an act relating to agriculture; establishing a system for collection of disease incidence, morbidity and mortality; appropriating money.

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 2027: A bill for an act relating to public welfare; authorizing certain payments to shelter facilities for battered women; requiring direct payments to shelter facilities from general assistance; appropriating money; amending Minnesota Statutes 1978, Section 256D.05, Subdivision 3.

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

Page 2, delete section 2

Page 2, line 21, delete "3" and insert "2"

Page 2, line 21, delete "Sections 1 and 2 are" and insert "Section 1 is"

Amend the title as follows:

Page 1, line 5, delete "appropriating money;"

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

Mr. Moe from the Committee on Finance, to which was referred

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

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

Page 1, line 21, delete "deposited" and insert "credited"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1457: A bill for an act relating to transportation; providing for a transportation board; providing for transfer of certain duties, powers and functions of the public service commission and the commissioner of transportation to the transportation regulation board; regulating railroads and other common carriers of persons or property for hire; providing penalties; appropriating funds; amending Minnesota Statutes 1978, Sections 15A.081, Subdivision 1; 174.02, Subdivision 4; 174.03, Subdivision 2; 174.10, Subdivisions 1, 3, 4; 218.011, Subdivision 7; 218.021; 218.025; 218.031, Subdivisions 1, 6, 8, 10; 218.041; 218.071; 219.03; 219.14; 219.23; 219.24; 219.25; 219.27; 219.28; 219.383; 219.39; 219.40; 219.41; 219.42; 219.43; 219.46, Subdivision 7; 219.47; 219.51; 219.52; 219.54; 219.55; 219.562, Subdivision 3; 219.65; 219.681; 219.70; 219.71; 219.741; 219.85; 219.86; 219.87; 221.011, Subdivisions 2b, 15, 22; 221.021; 221.031, Subdivision 1; 221.041; 221.051; 221.061; 221.071; 221.081; 221.101; 221.121; 221.131; 221.141, Subdivision 2; 221.151; 221.161; 221.171; 221.181; 221.221; 221.261; 221.271; 221.281; 221.291, Subdivision 1; 221.293; 221.295; 221.296, Subdivisions 2, 3, 4, 8; 221.55; 221.68; repealing Minnesota Statutes 1978, Section 219.742.

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

Page 6, line 2, delete "APPROPRIATION;"

Page 6, line 2, delete "Subdivision 1."

Page 6, delete lines 3 to 6

Page 6, line 7, delete "Subd. 2. The authorized" and insert "The approved"

Page 74, line 16, delete "1979" and insert "1981"

Amend the title as follows:

Page 1, line 9, delete "appropriating funds;"

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

Mr. Moe from the Committee on Finance, to which was referred

S. F. No. 1778: A bill for an act relating to interim claims against the state; appropriating money for the payment thereof.

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

Page 1, lines 8 and 9, delete "subdivisions 2 to 10" and insert "this section"

Page 1, line 12, after "from" delete "a" and insert "an inadequate"

Page 2, line 7, after the dotted line, insert "\$1000.00."

Page 2, after line 30, insert:

"Subd. 11. Jean M. Hei, 1008 Prosperity Avenue, St. Paul, Minnesota 55106, for tuition and related expenses at a state university paid by her pending a final determination that her father's death was service connected, thus making her eligible to receive war orphan's educational benefits. \$2,049.00.

Subd. 12. Judy A. Hei, 1008 Prosperity Avenue, St. Paul, Minnesota 55106, for tuition and related expenses at a state university paid by her pending a final determination that her father's death was service connected, thus making her eligible to receive war orphan's educational benefits. \$1,377.00.

Subd. 13. Mary Jo Hei, 1008 Prosperity Avenue, St. Paul, Minnesota 55106, for tuition and related expenses at a state university paid by her pending a final determination that her father's death was service connected, thus making her eligible to receive war orphan's educational benefits. \$1,349.00.

Subd. 14. Magnuson, Huisinga and Sons, Inc., Rural Route 1, Pennock, Minnesota 56279, for salvage value of cattle that were condemned for tuberculosis testing but that no slaughtering establishment would accept. \$4,894.00.

Subd. 15. Edward A. Lien, 900 North Fourth Street, Minneapolis, Minnesota 55401, for injuries suffered in an accident while working in the prison industries. \$725.00.

Subd. 16. Allen J. Miller, 2014 Seventh Avenue, Mankato, Minnesota 56001, for injuries suffered while performing assigned duties while an inmate of the Minnesota correctional facility-Lino Lakes. \$5,625.00.

Subd. 17. Karey Parker, No. 100556, Minnesota correction facility-St. Cloud, St. Cloud, Minnesota 56301, for injuries received to his finger when cut on the jagged edge of the sink in his cell.....\$120.00.

Subd. 18. Donald G. Wicklund, 10642 Utica Road, Bloomington, Minnesota 55437. Notwithstanding any law or rule to the contrary, Donald G. Wicklund shall be credited by the department of transportation with an additional 360 hours of sick leave, representing the amount promised to him as an inducement to relocate from Iowa and accept employment with the department of transportation, but later taken away because in excess of the amount permitted under rules of the department of personnel.

Sec. 2. [TRUNK HIGHWAY FUND CLAIMS.] Subdivision 1. The sums set forth in this section are appropriated from the trunk highway fund to the persons named in this section in full and final payment of claims against the state.

Subd. 2. David A. Huper, Rural Route 1, Box 141, Alden, Minnesota 56009 and Ellsworth H. Huper, Rural Route 1, Box 117, Wells, Minnesota 56097, for drain tile damaged during the construction of interstate highway 90.....\$2,962.00.

Subd. 3. Town of Worthington, Route 1, Box 46, Worthington, Minnesota 56187, for damage to a township road caused by detouring traffic created when state trunk highway 266 was closed while on and off ramps were added to interstate highway 90 northwest of Worthington.....\$6,982.00."

Page 3, after line 12, insert:

"Jay Lowell Jacobson, 1910 Oakdale Ave., West St. Paul, Minnesota 55118.....\$97.50."

Page 3, line 13, delete "William Howard" and insert "Howard William"

Page 3, delete lines 21 and 22 and insert:

"Subd. 4. [VIETNAM.] James Russell Allen, Rt. 1, Box 99½, Cass Lake, Minnesota 56633.....\$135.00

Dennis P. Amonson, 2901 Nevada Avenue South, St. Louis Park, Minnesota 55416.....\$600.00

Dennis Michael Balmer, 4328 Otsego St., Duluth, Minnesota 55804.....\$600.00"

Page 4, after line 6, insert:

"David Leo Coffelt, 1238 E. 7th St., St. Paul, Minnesota 55106.....\$600.00"

Page 4, after line 12, insert:

"Leonard Charles De Foe, Jr., 14 E. 12th St., Duluth Minnesota 55805.....\$195.00"

Page 4, after line 14, insert:

"David Lee Eidsvoog, 2634 14th Ave. So., Minneapolis, Minnesota 55407.....\$100.00"

Page 4, after line 16, insert:

"Jonathan F. Fermstad, 957 Myrtle St. NE, Atlanta, Georgia 30309.....\$300.00"

Page 4, after line 22, insert:

"Rex Erhart Greicar, 46 Valley Green Pk., Jordan, Minnesota 55352.....\$600.00"

Page 5, line 4, delete "Nebraska" and insert "Maine"

Page 5, after line 5, insert:

"Dennis Edward Hosek, 2273 Boardwalk Ave., Greenbay, Wisconsin 54301.....\$100.00"

Dale Rollen Hughes, 860 Corbett Ave. Apt. 303, San Francisco, California 94131.....\$300.00"

Page 5, after line 7, insert:

"Willis Ricky Jackson, 865 Allen Ave., West St. Paul, Minnesota 55107.....\$600.00"

Page 6, after line 4, insert:

"Michael John Madden, 3501 37th Ave. NE, Minneapolis, Minnesota 55421.....\$600.00"

Page 6, line 5, delete "McCulloch" and insert "McCullough"

Page 6, after line 10, insert:

"Donald Francis Meier, Route 2, Sibley Island Est., Bismarck, North Dakota 58501.....\$600.00"

Page 6, after line 12, insert:

"Irvin Palmer Moen, 2682 17A St. NW, New Brighton, Minnesota 55112.....\$300.00"

Page 6, after line 18, insert:

"Robert Walter Muir, 3130 Vickie Ct., Merced, California 95340.....\$600.00"

Maryjane Cochran Mundis, 3740 Stevens Ave., Minneapolis, Minnesota 55409.....\$240.00"

Page 6, after line 20, insert:

"Richard Wayne Newport, Box 193, Tucumcari, New Mexico 88401.....\$570.00"

Page 6, after line 24, insert:

"Richard Paul Olson, 11 Western Hills Drive, Algona, Iowa 50511.....\$600.00"

James Mathew O'Shea, 5424 3rd Ave. So., Minneapolis, Minnesota 55419.....\$300.00"

Vance Arlo Ostby, 5706 Kerry St., Corpus Christi, Texas 78413.....\$600.00"

Page 6, after line 26, insert:

"Ronald Lee Paehlke, 455 High St. Apt. 5, Hutchinson, Minnesota 55336.....\$100.00"

Page 6, line 31, delete "605" and insert "604"

Page 7, after line 7, insert:

"Robert Leroy Ray, Jr., 958 Fuller, St. Paul, Minnesota 55104.....\$135.00"

Page 7, after line 11, insert:

"Catherine Irene Rooney, Rt. 1, Box 20, Revere, Minnesota 56166.....\$165.00"

Page 7, after line 13, insert:

"William Nicholas Ruth, 2731 Hillsboro Ave. N. Apt. 107, New Hope, Minnesota 55427.....\$100.00"

Page 7, after line 15, insert:

"Henry Harvey Sadler, Rt. 2 Box 201, Nicollet, Minnesota 56074.....\$100.00"

Page 7, after line 21, insert:

"David Harry Schapery, 7415 162nd Ave., Forest Lake, Minnesota 55025.....\$105.00"

Page 7, after line 23, insert:

"Glen Arnold Schlieff, 4800 Idaho Ave. No., Crystal, Minnesota 55428.....\$100.00"

Page 7, after line 27, insert:

"Mark Andrew Schuster, 1900 Wachtler Ave., St. Paul, Minnesota 55118.....\$100.00"

Page 7, after line 29, insert:

"Robert Willard Sequin, 918-1 Gardenway, Manhattan, Kansas 66502.....\$600.00"

Page 7, after line 31, insert:

"James H. Snow, 6619 Channel Road, Minneapolis, Minnesota 55432.....\$120.00"

Page 7, after line 33, insert:

"Thomas Byrd Sparkman, 1713 Gull Lane, Mound, Minnesota 55364.....\$600.00"

Page 8, after line 12, insert:

"Kenneth Thompson, 8050 Old Central NE, Fridley, Minnesota
55432.....\$105.00"

Page 8, after line 22, insert:

"Wayne Henry Willhite, Route 2, Buffalo Lake, Minnesota
55314.....\$600.00"

Page 8, after line 24, insert:

"David Eugene Winter, 623 So. Second St., Staples, Minnesota
56479.....\$300.00"

Amend the title as follows:

Page 1, line 2, delete "interim"

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

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

H. F. Nos. 1408, 2047, and 2262 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.
2262	2341			1408	1430
				2047	2101

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 on behalf of the Committee on Rules and Administration. Report adopted.

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

H. F. No. 1962 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File 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.
				1962	1964

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1962 be amended as follows:

Amend the title as follows:

Page 1, lines 6 and 7, delete "imposing certain duties on the registrar of motor vehicles;"

And when so amended H. F. No. 1962 will be identical to S. F. No. 1964, and further recommends that H. F. No. 1962 be given its second reading and substituted for S. F. No. 1964, 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 Committee on Rules and Administration, to which was referred

H. F. No. 1095 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File 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.
1095	1085				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1095 be amended as follows:

Page 2, lines 30 and 31, delete *"and applies to all actions commenced on or after that date"*

And when so amended H. F. No. 1095 will be identical to S. F. No. 1085, and further recommends that H. F. No. 1095 be given its second reading and substituted for S. F. No. 1085, 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 Committee on Rules and Administration, to which was referred

H. F. No. 1790 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File 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.
1790	1844				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1790 be amended as follows:

Page 1, delete lines 8 to 19, and insert

"Section 1. Minnesota Statutes 1978, Section 173.08, Subdivision 2, is repealed."

Page 1, lines 20 and 21, delete the underscoring

Further, amend the title as follows:

Page 1, line 2, delete "authorizing" and insert "permitting"

Page 1, line 3, delete "within 500 feet of local parks" and insert "in certain places"

Page 1, line 4, delete "amending" and insert "repealing"

And when so amended H. F. No. 1790 will be identical to S. F. No. 1844, and further recommends that H. F. No. 1790 be given its second reading and substituted for S. F. No. 1844, 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.

SECOND READING OF SENATE BILLS

S. F. Nos. 2369, 1936, 2170, 2337, 1582, 2027, 1638, 1457 and 1778 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. 1408, 2047, 2262, 1962, 1095, and 1790 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Peterson moved that the name of Mr. Sikorski be added as co-author to S. F. No. 1690. The motion prevailed.

Mr. Merriam moved that the name of Mr. Sikorski be added as co-author to S. F. No. 2264. The motion prevailed.

Mr. Lessard introduced—

Senate Resolution No. 56: A Senate resolution relating to extending congratulations to the Grand Rapids High School Hockey Team for winning the 1980 State High School Hockey Championship.

Referred to the Committee on Rules and Administration.

Mr. McCutcheon moved that the name of Mr. Johnson be added as co-author to S. F. No. 883. 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. 2172: A bill for an act relating to the Moose Lake-Windemere Sewer District; definitions; board membership and compensation; powers; amending Laws 1974, Chapter 400, Sec-

tions 3, Subdivisions 5 and 12; 4, Subdivisions 2 and 9; and 8, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1805: A bill for an act relating to education; designating the birthday of Martin Luther King as a special observance day in public schools; eliminating a reference to the amount of time that may be spent for certain instruction and programs on a special observance day; amending Minnesota Statutes 1978, Section 126.10.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2024: A bill for an act relating to the city of Hibbing; authorizing development and administration of a housing program within the city, including that part of the city which formerly comprised the town of Stuntz.

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 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Olhoft voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1090: A bill for an act relating to education; authorizing the state board for community colleges to contract for certain insurance coverage for students; amending Minnesota Statutes 1978, Section 136.62, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1861: A bill for an act relating to education; changing the term "community schools" to "community education"; amending Minnesota Statutes 1978, Sections 120.76; 121.85; 121.86; 121.87; 121.88, Subdivisions 1, 2 and 3; and 124.271, Subdivision 4; Minnesota Statutes, 1979 Supplement, Sections 3.9279, Subdivision 7; 124.271, Subdivisions 1a, 2 and 5; and 275.125, Subdivision 8.

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 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 1962: A bill for an act relating to the environment; altering the procedure for environmental review; providing for alternative forms of environmental review; amending Minnesota Statutes 1978, Section 116D.04, by adding subdivisions; repealing Minnesota Statutes 1978, Section 116D.04, Subdivisions 1, 2, 3, 4, and 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 210: A bill for an act relating to education; providing and regulating certain mobility incentives for certain teachers in the community colleges and state universities; amending Minnesota Statutes 1978, Sections 354.094, Subdivisions 1, 2 and 5;

354.66, Subdivisions 1, 7, 9 and 10, and by adding subdivisions; 354.69; Minnesota Statutes, 1979 Supplement, Sections 354.094, Subdivision 3; and 354.66, Subdivision 2.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2044: A bill for an act relating to eminent domain; limiting the authority to acquire certain property by condemnation; repealing certain obsolete provisions of law authorizing acquisition by condemnation; changing certain obsolete language; amending Minnesota Statutes 1978, Sections 84.033; 84.154, Subdivision 3; 84A.10; 84A.39; 84A.55, Subdivision 13; 85.015, Subdivisions 12 and 13; 88.09, Subdivision 2; 89.032, Subdivision 1; 105.39, Subdivision 4; 123.64; 136.65, Subdivision 1; 137.01, Subdivision 2; 137.02, Subdivisions 1 and 3; 190.11; 193.143; 193.144, Subdivisions 2 and 3; 459.06, Subdivision 1; 463.03; and 641.263, Subdivision 2; repealing Minnesota Statutes 1978, Sections 38.05; 85A.02, Subdivision 6; 117.31; 123.40, Subdivision 6; 123.63; 161.29; 193.144, Subdivision 4; 222.42; and 643.06.

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 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 1834: A bill for an act relating to education; adding the commissioner of agriculture to the equalization aid review committee; amending Minnesota Statutes 1978, Section 124.212, Subdivision 10.

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 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Merriam voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2092: A bill for an act relating to state parks; clarifying the law governing state acquisitions and landowners' rights; hunting and fishing within boundaries; amending Minnesota Statutes 1978, Sections 85.0115; and 99.25, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1021: A bill for an act relating to taxation; providing for continuation of homestead classification of property owned by Peace Corps or VISTA volunteer; amending Minnesota Statutes 1978, Section 273.13, Subdivision 10.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1235: A bill for an act relating to public improvements; permitting deferral of special assessments in instances of hardship; amending Minnesota Statutes 1978, Section 435.193.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 1618: A bill for an act relating to taxation; authorizing certain taxing districts to provide property tax exemption or abatement for certain new business facilities; requiring an adjustment of the EARC valuation; adjusting the local government aid formula; amending Minnesota Statutes 1978, Section 124.212,

by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Section 477A.01, Subdivision 4.

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 45 and nays 17, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Knaak	Omann	Sillers
Ashbach	Gearty	Laufenburger	Penny	Solon
Bang	Hanson	Lessard	Pillsbury	Staples
Barrette	Humphrey	McCutcheon	Renneke	Stokowski
Benedict	Jensen	Menning	Rued	Strand
Bernhagen	Johnson	Nichols	Schaaf	Ueland, A.
Brataas	Keefe, J.	Ogdahl	Schmitz	Ulland, J.
Chmielewski	Kirchner	Olhoff	Sieloff	Vega
Engler	Kleinbaum	Olson	Sikorski	Wegener

Those who voted in the negative were:

Davies	Keefe, S.	Perpich	Spear	Willet
Dieterich	Knoll	Peterson	Stern	
Gunderson	Luther	Purfeerst	Stumpf	
Hughes	Merriam	Setzepfandt	Tennessee	

So the bill passed and its title was agreed to.

S. F. No. 1655: A bill for an act relating to education; permitting certain previous nonresident students to be treated as resident students in their district of attendance, and authorizing the state board of education and school superintendents to make these exceptions; amending Minnesota Statutes 1978, Chapter 120, by adding sections; and Minnesota Statutes, 1979 Supplement, Section 120.075, Subdivision 4, and 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	Menning	Purfeerst	Stokowski
Ashbach	Gunderson	Merriam	Renneke	Strand
Bang	Hanson	Moe	Rued	Stumpf
Barrette	Hughes	Nelson	Schaaf	Tennessee
Benedict	Humphrey	Nichols	Schmitz	Ueland, A.
Bernhagen	Jensen	Ogdahl	Setzepfandt	Ulland, J.
Brataas	Johnson	Olhoff	Sieloff	Vega
Chmielewski	Kirchner	Olson	Sikorski	Wegener
Davies	Kleinbaum	Omann	Sillers	Willet
Dieterich	Knaak	Penny	Solon	
Dunn	Knoll	Perpich	Spear	
Engler	Lessard	Peterson	Staples	
Frederick	McCutcheon	Pillsbury	Stern	

So the bill passed and its title was agreed to.

H. F. No. 1871: A bill for an act relating to the Minnesota-Wisconsin boundary area commission; providing that the terms of commissioners shall be staggered; amending Minnesota Statutes 1978, Section 1.33.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1207: A bill for an act relating to motor vehicles; excluding owners of certain trailers from the requirement to furnish evidence of security; amending Minnesota Statutes 1978, Section 65B.68, Subdivision 2.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 2028: A bill for an act relating to state government; clarifying benefits of employees of former Hastings state hospital.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

Without objection, the Senate reverted to the Order of Business of Reports of Committees.

REPORTS OF COMMITTEES

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 514, 2025, 1683, 994, 2100, 1053, 1884, 1986, 1978, 1629, 620, 883 and H. F. No. 1779 makes the following report:

That the above Senate Files and House File, with the exception of S. F. No. 883, be placed on the General Orders Calendar in the order indicated.

That S. F. No. 883 is being retained in the Subcommittee.

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

Mr. Coleman moved the adoption of the foregoing committee report. The motion prevailed. Report adopted.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. McCutcheon moved that H. F. No. 1121 be taken from the table. The motion prevailed.

H. F. 1121: A bill for an act relating to taxation; updating the definition of gross income for income tax purposes for individuals, trusts and estates with certain modifications; providing

for exempt-interest dividends for certain mutual funds; extending the political contribution credit to congressional and local candidates; clarifying certain definitions; providing a tax credit for energy conservation expenditures; clarifying the renewable energy source credit; increasing the dependent care credit; extending investment tax credits to family corporations; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a ten year carryback of product liability losses; providing for deferral of certain gains recognized in the disposition of broadcasting property; reducing certain property tax classification ratios; increasing homestead credits; changing the property tax status of certain mobile homes; providing for delayed assessments for certain improvements; increasing homestead base value; providing a classification for neighborhood real estate trusts; adjusting levy limits and providing for certain special levies; providing for certain hearings and appeals on special assessments; clarifying property tax settlements; clarifying certain property tax refund filing due dates; extending eligibility for property tax refunds to certain claimants; providing for adjustment of property tax refunds due to abatements; providing state reimbursement for certain property; authorizing heat applied tax stamping machines; increasing the sales tax on retail sales from vending machines; providing a sales tax exemption for certain arts admissions; fixing maximum interest rates on public obligations; excepting certain debt obligations from public sales requirements; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 2; 168.012, Subdivision 9; 273.13, Subdivisions 3 and 17b, and by adding a subdivision; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5; 276.04; 276.09; 276.10; 276.11; 290.01, by adding a subdivision; 290.09, Subdivisions 2, 24 and 28; 290.095, by adding a subdivision; 290.13, by adding a subdivision; 290.26, Subdivision 2; 290.49, Subdivision 10; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3 and 5; 290A.06; 290A.11, by adding a subdivision; 290A.17; 290A.18; 290A.19; 297.03, Subdivision 6; 297A.02; 297A.25, Subdivision 1; 375.192, Subdivision 1; 429.061, Subdivisions 1 and 2; 429.081; 474.06; 475.55; 475.60, Subdivision 2; Chapters 273, by adding sections; and 298, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 273.122; 273.13, Subdivisions 4, 5a, 6, 7, 14a and 19; 275.50, Subdivision 5; 290.01, Subdivision 20; 290.06, Subdivisions 11 and 14; 290.067, Subdivisions 1 and 2; 290.09, Subdivision 3; 290.091; 290.095, Subdivision 1; 290.14; 290.17, Subdivision 1; 290.37, Subdivision 1; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Section 290.971, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 290.23, Subdivision 16.

SUSPENSION OF RULES

Mr. McCutcheon moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H. F. No. 1121 and that the rules of the Senate be so far suspended as to give H. F. No. 1121 its

second and third reading and place it on its final passage. The motion prevailed.

H. F. No. 1121 was read the second time.

Mr. McCutcheon moved to amend H. F. No. 1121 as follows:

Delete the language after the enacting clause of H. F. No. 1121, and insert the language of S. F. No. 883, as amended by the Committee on Taxes and Tax Laws, adopted by the Senate March 21, 1980; and delete the title of H. F. No. 1121 and insert the title of S. F. No. 883, as amended by the Committee on Taxes and Tax Laws, adopted by the Senate March 21, 1980.

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. McCutcheon imposed a call of the Senate for the balance of the proceedings on H. F. No. 1121. The following Senators answered to their names:

Ashbach	Engler	Laufenburger	Peterson	Stern
Bang	Frederick	Lessard	Pillsbury	Stokowski
Barrette	Gearty	Luther	Purfeerst	Strand
Benedict	Hanson	McCutcheon	Renneke	Stumpf
Bernhagen	Hughes	Menning	Rued	Tennessen
Brataas	Humphrey	Merriam	Schmitz	Ueland, A.
Chmielewski	Jensen	Nelson	Setzepfandt	Ulland, J.
Coleman	Johnson	Ogdahl	Sieloff	Vega
Davies	Kirchner	Olhoft	Sikoraki	Willet
Dieterich	Kleinbaum	Omann	Spear	
Dunn	Knaak	Perpich	Staples	

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

Mrs. Brataas moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 28, after line 13, insert:

"Sec. 10. Minnesota Statutes 1978, Section 290.13, is amended by adding a subdivision to read:

Subd. 5a. [GAIN OR LOSS FROM SALE OR EXCHANGE TO EFFECTUATE POLICIES OF F.C.C.] If the sale or exchange of property, including stock in a corporation, is certified by the Federal Communications Commission to be necessary or appropriate to effectuate a change in a policy of, or the adoption of a new policy by the commission with respect to the ownership and control of radio broadcasting stations, the sale or exchange shall, if the taxpayer so elects, be treated as an involuntary conversion of the property within the meaning of subdivision 5. For purposes of this subdivision, "radio broadcasting" includes telecasting.

For purposes of subdivision 5 as made applicable by the provisions of this subdivision, stock of a corporation operating a radio broadcasting station, whether or not representing control of the corporation, shall be treated as property similar or related in service or use to the property so converted. The part of the gain, if any, on the sale or exchange to which subdivision 5 is not applied shall nevertheless not be recognized, if the taxpayer so elects, to the extent that it is applied to reduce the basis for determining gain or loss on sale or exchange of property of a character subject to the allowance for depreciation under section 290.09, subdivision 7, remaining in the hands of the taxpayer immediately after the sale or exchange, or acquired in the same taxable year. The manner and amount of the reduction shall be determined under regulations prescribed by the commissioner. Any election made by the taxpayer under this subdivision shall be made by a statement to that effect in his return for the taxable year in which the sale or exchange takes place, and the election shall be binding for that taxable year and all subsequent taxable years.

The basis of property acquired on a sale or exchange treated as an involuntary conversion under this subdivision shall be determined pursuant to the provisions of subdivision 5.

Sec. 11. [EFFECTIVE DATE.] *Section 10 is effective for sales and exchanges occurring after December 31, 1975."*

The motion prevailed. So the amendment was adopted.

Mr. Keefe, S. moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 210, after line 20, insert:

"ARTICLE XI

Section 1. Minnesota Statutes 1978, Section 10A.25, Subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

(a) For governor and lieutenant governor, running together, 12½ cents per capita or \$600,000 \$1,000,000 , whichever is greater;

(b) For attorney general, 2½ cents per capita or \$100,000 \$150,000 , whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1¼ cents per capita or \$50,000 \$75,000 , whichever is greater;

(d) For state senator, 20 cents per capita or ~~\$15,000~~ \$25,000 , whichever is greater;

(e) For state representative, 20 cents per capita or ~~\$7,500~~ \$12,500 , whichever is greater.

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

Amend the title as follows:

Page 1, line 31, after the semicolon, insert "increasing expenditure limits of candidates accepting income tax check-off moneys;"

Page 1, line 32, after "Sections" insert "10A.25, Subdivision 2;"

Mr. Jensen questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Mr. Keefe, S. withdrew the amendment.

Mr. Keefe, S. then moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 210, after line 20, insert:

"ARTICLE XI

Section 1. Minnesota Statutes 1978, Section 10A.25, Subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

(a) For governor and lieutenant governor, running together, 12½ cents per capita or ~~\$600,000~~ \$1,000,000 , whichever is greater;

(b) For attorney general, 2½ cents per capita or ~~\$100,000~~ \$150,000 , whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1¼ cents per capita or ~~\$50,000~~ \$75,000 , whichever is greater;

(d) For state senator, 20 cents per capita or ~~\$15,000~~ \$25,000 , whichever is greater;

(e) For state representative, 20 cents per capita or ~~\$7,500~~ \$12,500 , whichever is greater.

Sec. 2. Minnesota Statutes 1978, Section 10A.31, Subdivision 1, is amended to read:

10A.31 [DESIGNATION OF INCOME TAX PAYMENTS.]

Subdivision 1. Effective with the taxable years beginning after December 31, 1977, every individual who files a tax return or a renter and homeowner property tax refund return with the commissioner of revenue may designate that \$1 \$2 shall be paid from the general fund of the state into the state elections campaign fund. If a husband and wife file a joint return, each spouse may designate that \$1 \$2 shall be paid. An individual who is 18 years of age or older, who is a resident of Minnesota, and who is a dependent of another individual who files a tax return or a renter and homeowner property tax refund return, may designate that \$1 \$2 shall be paid from the general fund of the state into the state elections campaign fund. No individual shall be allowed to designate \$1 \$2 more than once in any year.

Sec. 3. Minnesota Statutes 1978, Section 10A.31, Subdivision 2, is amended to read:

Subd. 2. The taxpayer may designate that the \$1 \$2 be paid into the account of a political party or into the general account.

Sec. 4. Minnesota Statutes 1978, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form and the renter and homeowner property tax refund return notify the filing individual and any adult dependent of that individual of his right to allocate \$1 \$2 (\$2 \$4 if filing a joint return) from the general fund of the state to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the individual to direct the state to allocate the \$1 \$2 (or \$2 \$4 if filing a joint return) to: (i) one of the major political parties; (ii) any minor political party as defined in section 10A.01, subdivision 13, which qualifies under the provisions of subdivision 3a; or (iii) all qualifying candidates as provided by subdivision 7. The dependent on the tax return or the renter and homeowner property tax refund return shall sign a statement which authorizes the designation of \$1 \$2. The renter and homeowner property tax refund return shall include instructions that the individual filing the return may designate \$1 \$2 on the return only if he has not designated \$1 \$2 on the income tax return.

Sec. 5. [EFFECTIVE DATE.] *Section 1 is effective the day following final enactment. Sections 2 to 4 are effective for taxable years beginning after December 31, 1979."*

Amend the title as follows:

Page 1, line 31, after the semicolon insert "increasing the income tax check-off for public financing of political campaigns and increasing expenditure limits of candidates accepting such financing:"

Page 1, line 32, after "Sections" insert "10A.25, Subdivision 2; 10A.31, Subdivisions 1, 2 and 3;"

Mr. Jensen requested division of the amendment as follows:

First portion:

Page 210, after line 20, insert:

"ARTICLE XI

Section 1. Minnesota Statutes 1978, Section 10A.25, Subdivision 2, is amended to read:

Subd. 2. In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

(a) For governor and lieutenant governor, running together, 12½ cents per capita or ~~\$600,000~~ \$1,000,000 , whichever is greater;

(b) For attorney general, 2½ cents per capita or \$100,000 \$150,000 , whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1¼ cents per capita or ~~\$50,000~~ \$75,000 , whichever is greater;

(d) For state senator, 20 cents per capita or ~~\$15,000~~ \$25,000 , whichever is greater;

(e) For state representative, 20 cents per capita or ~~\$7,500~~ \$12,500 , whichever is greater."

Amend the title as follows:

Page 1, line 31, after the semicolon, insert "increasing expenditure limits of candidates accepting income tax check-off financing;"

Page 1, line 32, after "Sections" insert "10A.25, Subdivision 2;"

Second Portion:

Page 210, after line 20, insert:

"ARTICLE XI

Section 1. Minnesota Statutes 1978, Section 10A.31, Subdivision 1, is amended to read:

10A.31 [DESIGNATION OF INCOME TAX PAYMENTS.]
Subdivision 1. Effective with the taxable years beginning after December 31, 1977, every individual who files a tax return or a renter and homeowner property tax refund return with the commissioner of revenue may designate that \$1 \$2 shall be paid from the general fund of the state into the state elections campaign fund. If a husband and wife file a joint return, each spouse may designate that \$1 \$2 shall be paid. An individual who is 18 years of age or older, who is a resident of Minnesota, and who is a dependent of another individual who files a tax return or a renter and homeowner property tax refund return, may designate that \$1 \$2 shall be paid from the general fund of the state into the state

elections campaign fund. No individual shall be allowed to designate \$1 \$2 more than once in any year.

Sec. 2. Minnesota Statutes 1978, Section 10A.31, Subdivision 2, is amended to read:

Subd. 2. The taxpayer may designate that the \$1 \$2 be paid into the account of a political party or into the general account.

Sec. 3. Minnesota Statutes 1978, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form and the renter and homeowner property tax refund return notify the filing individual and any adult dependent of that individual of his right to allocate \$1 \$2 (\$2 \$4 if filing a joint return) from the general fund of the state to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the individual to direct the state to allocate the \$1 \$2 (or \$2 \$4 if filing a joint return) to: (i) one of the major political parties; (ii) any minor political party as defined in section 10A.01, subdivision 13, which qualifies under the provisions of subdivision 3a; or (iii) all qualifying candidates as provided by subdivision 7. The dependent on the tax return or the renter and homeowner property tax refund return shall sign a statement which authorizes the designation of \$1 \$2. The renter and homeowner property tax refund return shall include instructions that the individual filing the return may designate \$1 \$2 on the return only if he has not designated \$1 \$2 on the income tax return.

Sec. 4. [EFFECTIVE DATE.] *Section 1 is effective the day following final enactment. Sections 2 to 4 are effective for taxable years beginning after December 31, 1979.*

Amend the title as follows:

Page 1, line 31, after the semicolon, insert "increasing the income tax check-off for public financing of political campaigns;"

Page 1, line 32, after "Sections" insert "10A.31, Subdivisions 1, 2 and 3;"

The question was taken on the adoption of the second portion of the Keefe, S. amendment. The motion prevailed. So the second portion of the Keefe, S. amendment was adopted.

The question was taken on the adoption of the first portion of the amendment.

Mr. Jensen questioned whether the first portion of the amendment was germane.

The President ruled that the first portion of the amendment was germane.

Mr. Jensen appealed the decision of the President.

The question before the Senate was: Shall the decision of the President be the judgment of the Senate?

The roll was called, and there were yeas 43 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	McCutcheon	Perpich	Staples
Benedict	Humphrey	Menning	Peterson	Stokowski
Chmielewski	Johnson	Merriam	Purfeerst	Strand
Coleman	Keefe, S.	Moe	Schaaf	Stumpf
Davies	Kleinbaum	Nelson	Schmitz	Tennessen
Dieterich	Knoll	Nichols	Setzepfandt	Vega
Gearty	Laufenburger	Olhoft	Sikorski	Willet
Gunderson	Lessard	Olson	Solon	
Hanson	Luther	Penny	Spear	

Those who voted in the negative were:

Ashbach	Dunn	Kirchner	Renneke	Ulland, J.
Bang	Engler	Knaak	Rued	
Barrette	Frederick	Knutson	Sieloff	
Bernhagen	Jensen	Omann	Sillers	
Brataas	Keefe, J.	Pillsbury	Ueland, A.	

The decision of the President was sustained.

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

Mr. Schaaf moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 210, after line 20, insert:

"ARTICLE XI: PEOPLE MOVER SYSTEM

Section 1. [DEFINITIONS.] Subdivision 1. *The definitions in this section apply to sections 1 to 14.*

Subd. 2. "City" *means the city of St. Paul in Ramsey County acting through the city council or any agency, authority or corporation established by or with the approval of the city, acting through its governing body, to implement any of the provisions of this act.*

Subd. 3. "Commission" *means the metropolitan transit commission created by Minnesota Statutes, Section 473.404, having jurisdiction over the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.*

Subd. 4. "People mover system" *means an automated fixed guideway transit system designed to serve the main commercial area of the city of St. Paul and the area of the city surrounding it as determined by the board, and all property, real and personal, and all contract rights, determined to be necessary or desirable for the acquisition, betterment, operation and maintenance of the system.*

Subd. 5. "Transit system" has the meaning given in Minnesota Statutes, Section 473.121.

Subd. 6. "Acquisition" and "Betterment" have the meanings given in Minnesota Statutes, Section 475.51.

Subd. 7. "Vehicle system" means the transit cars, the guideway, the guideway columns, the guideway electrification, the control and communication mechanisms, the platform doors, the maintenance and control center equipment, and other similar necessary components of the people mover system.

Subd. 8. "Capitol area" has the meaning given in Minnesota Statutes, Section 15.50.

Subd. 9. The "joint management board" or "board" means the board created under section 2.

Subd. 10. "Revenue service" means days the people mover system is actually operating and available for use by the general public.

Sec. 2. [JOINT MANAGEMENT BOARD; IMPLEMENTATION AUTHORITY.] *The city and the commission shall enter into a written joint powers agreement establishing a joint management board to manage and supervise the people mover system. The board shall have the powers and responsibilities provided for in this act and in the agreement. The board shall be composed of seven members. Two shall be members of the commission appointed by the chairman of the commission with the approval of the commission. Not more than one of these members shall be a resident of the city of St. Paul. Two members of the St. Paul city council and two members representing property owners in the area served by the people mover shall be appointed by and serve at the pleasure of the mayor of the city of St. Paul and shall be confirmed by the council. Notwithstanding the provisions of section 471.59, subdivision 2, the seventh member and chairman of the board shall be appointed by the chairman of the metropolitan council established by Minnesota Statutes, Section 473.123 and shall not be a resident of the city of St. Paul. The city and the commission acting together, pursuant to the joint powers agreement or any amendment thereof, may exercise all powers conferred upon either or both of them by law or charter, to provide for the acquisition, betterment, operation, maintenance and promotion of a people mover system. The commission shall agree as part of the joint powers agreement to issue bonds as needed for the acquisition and betterment of the people mover system as provided in section 11. The joint powers agreement shall include an agreement providing for coordination of the people mover system with transit service operated by the commission to encourage and enhance ridership on both systems and a parking, traffic and pedestrian management plan to improve and facilitate access to the people mover system, including construction of fringe parking facilities and skyways. By December 15, 1980, the board shall report to the legislature on the joint powers agreement, the activities conducted*

pursuant to it and to this act, and any additional legislation that may be necessary or appropriate. In addition to filing copies of the report as provided in section 3.195, the board shall provide an oral presentation to the appropriate standing committees of the legislature.

Sec. 3. [METROPOLITAN COUNCIL REVIEW AND RECOMMENDATION.] *The metropolitan council established by Minnesota Statutes, Section 473.123, in making its review under Minnesota Statutes, Section 473.171, of the application for federal grant in connection with the people mover system as a matter of metropolitan significance, shall conduct a public hearing upon such application and the program proposed thereby within 30 days of submission of the application to the council. Not less than 14 days before the hearing the council shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the application may be examined by any interested person. Within 14 days after the hearing the council shall make its recommendation upon the application and cause notice of the same to be published in the same manner as the hearing notice.*

Sec. 4. [EQUIPMENT PURCHASE.] Subdivision 1. [REQUEST FOR PROPOSALS.] *Notwithstanding the provisions of Minnesota Statutes, Sections 471.345 and 471.35 or any other provision of law or charter, a contract for purchase of a vehicle system comprising part of the people mover system shall be awarded to the bidder whose proposal is determined to be most favorable on the basis of specifications which shall include the following considerations: the cost of the vehicle system; its cost consequence for other elements of the people mover system; the operating and maintenance cost of the vehicle system; its visual, aesthetic, environmental, noise and energy impact; the supplier's plan for winter operation; the capacity of the vehicle system to meet the functional and physical specifications of the contract documents; the ability of the bidder to perform design, furnishing, installing and testing services for all vehicle system elements and for construction coordinations; and ability of the bidder to meet requirements imposed as contract conditions in any grant contract entered into with the federal government. Bids may not be solicited without approval by the board of the functional and physical specifications proposed for the vehicle system purchase contract. Eligible bidders shall be limited to suppliers who have provided people mover systems which have successfully served the public.*

Subd. 2. [CONTRACT AWARD.] *Contracts for equipment purchase and for construction may not be awarded without approval of the board. The purchase contract for the vehicle system shall require the supplier to assure that the vehicle system operates within the specifications of the contract and to maintain the vehicle system for a five year period of revenue operation at a fixed base price with escalation clauses. The five year period shall be extended for the period of time equal to the time when the*

vehicle system is not in service because of a failure of the system to perform according to the specifications of the contract. The contract shall contain a provision permitting termination of the operation and maintenance portion of the contract by the board at the end of any year of revenue operation.

Subd. 3. [CERTIFICATION.] *No revenue operation of the people mover system shall begin until the board receives written notice, signed by the administrator of the urban mass transportation administration, stating that the vehicle system or the part proposed to be operated has been fully tested, that it meets the criteria for acceptance established by the authority that let the construction and equipment purchase contracts with the concurrence of the administration, and that it is ready for year-around revenue operation. The purchase contract for the vehicle system shall so provide. The written notice from the administration shall not imply any legal liability of the federal government for construction or operation of the people mover system.*

Sec. 5. [SPECIAL ASSESSMENT.] *The people mover system and related access facilities, including the seventh place pedestrian mall and public galleria facilities, are determined to be local improvements within the meaning of the Minnesota Constitution, Article X, the city's charter, and Minnesota Statutes, Chapters 429 and 430. Accordingly, the costs of acquisition, construction, reconstruction, extension, operation, maintenance and promotion of the people mover system and such facilities whether paid or to be paid by the city or the commission, may be specially assessed against property determined to be specially benefited thereby, to the extent of and in proportion to the benefits. The special assessment shall be levied by the city pursuant to its charter, chapter 429 or 430, and the collections thereof may be pledged to the payment of the costs.*

Sec. 6. [ACCESS FACILITIES.] *By December 15, 1980 the board, the commission and the city shall report to the legislature on their plans for improving and facilitating access to the people mover system from other modes of transportation. In addition to filing copies of the reports as provided in section 3.195, the board, the city and the commission shall provide oral presentations of the reports to the appropriate standing committees of the legislature. The commission, subject to the approval of the board, shall produce a plan for managing the relationship between transit vehicles and the people mover to enhance ridership, revenue and patron satisfaction on both systems. The city, subject to the approval of the board, shall produce parking and traffic and pedestrian management plans, including plans for the construction of fringe parking ramps or lots and skyways to improve and facilitate access to the people mover system. The parking plans shall identify the specific locations and capacities of the proposed facilities, along with preliminary design, engineering, and traffic management studies. The plans shall include a development program with a schedule for the development of such facilities and a detailed financial plan demonstrating financial capability for a prospective*

five year period to support the capital, operating, maintenance and promotional costs of the parking and other access facilities.

Sec. 7. [FARE AND TRANSFER POLICIES.] *Subdivision 1. [REDUCED OR SOCIAL FARES.] Fares charged during non-peak hours for elderly and handicapped riders shall not exceed one-half of the peak hour fares for the general public. The board may charge the social fares provided in Minnesota Statutes, Section 473.408, Subdivision 3, during non-peak hours. The board shall determine the peak and non-peak hours of the people mover system for purposes of the reduced fares provided in this subdivision. Reduced or social fares charged by the board shall be reimbursed by the Minnesota department of transportation as provided in Minnesota Statutes, Section 174.24, Subdivision 4.*

Subd. 2. [TRANSFER POLICY.] All fares charged to riders of the people mover system who transfer from the system to transit service provided by the commission shall be paid to the commission. No additional fare shall be charged to any rider who transfers to the people mover system from transit service provided by the commission.

Sec. 8. [OPERATING DEFICIT; DETERMINATION AND PAYMENT.] *Subdivision 1. Any operating deficit of the people mover system shall be paid as provided in this section and section 9.*

Subd. 2. For the purposes of this section and section 9, "operating deficit" means that portion of the costs of operating, maintaining and promoting the people mover system during the period of revenue service which exceeds the amount received from revenues of the system, reimbursement for reduced or social fares, federal operating assistance and other sources exclusive of payments by the city, the commission and owners of benefited properties as provided in this section and section 9.

Subd. 3. As soon as practicable before the start of revenue service, the board shall:

(a) Establish an operating deficit account for the deposit of all money required to be paid pursuant to this section by the city, the commission and owners of benefited properties and for the payment of the operating deficit;

(b) Determine the estimated operating deficit for the calendar year in which revenue service is expected to begin and for the first year of revenue service;

(c) Determine the amount of the share required from the city, the commission and the owners of benefited properties to pay the estimated operating deficit as provided in section 9. If the system is expected to be in revenue service for only a portion of the first calendar year of revenue service, the shares shall be prorated according to the percentage of the year the system is expected to be in revenue service; and

(d) Establish procedures which assure that an amount equal to the estimated operating deficit for the calendar year in which

service begins, as determined under clause (b), is paid to the operating deficit account by the city and the commission not later than the first day of revenue service and that additional amounts will be paid by the city and the commission if necessary to pay the actual operating deficit through the end of the first full calendar year of revenue service. The amounts which the city and commission may be required to pay pursuant to this clause are not limited to the amounts provided in section 9.

The city shall levy assessments on benefited properties pursuant to section 5 in the amount the board determines is required from the owners of the properties to pay the estimated operating deficit as determined under clause (c) of this subdivision. These assessments shall be levied at the earliest possible time consistent with the provisions of section 5.

Subd. 4. Not later than July 1 of the first full calendar year of revenue service and at one year intervals thereafter the board shall:

(a) Determine the actual operating deficit for the preceding calendar year;

(b) Determine the amounts paid into the operating deficit account during the preceding calendar year by the city, the commission and owners of benefited properties. Deductions and additions carried over from another year shall be included in payments made during the year subject to the determination;

(c) Determine the amounts which are required from the city, the commission and owners of benefited properties to pay the operating deficit for the preceding calendar year pursuant to section 9;

(d) Determine whether the city, the commission or owners of benefited properties have paid to the operating deficit account during the preceding calendar year an amount that is more or less than that required under clause (c) of this subdivision and deduct the excess from or add the deficiency to the required payment by that party for the following calendar year;

(e) Determine the estimated operating deficit for the following calendar year and the amounts which are required from the city, the commission and owners of benefited properties to pay that estimated operating deficit pursuant to section 9;

(f) Establish a schedule of payments by the city and the commission for the following calendar year which assures the payment of the estimated operating deficit in a timely manner; and

(g) Report its findings and determinations to the city and the commission.

For the purpose of the determination made in the first full calendar year of revenue service, the preceding calendar year is deemed to include all preceding calendar years in which an operating deficit was incurred or payments were made by the city, the commission and owners of benefited property.

Subd. 5. At the earliest possible time after receiving a report of the board as provided in subdivision 4, the city shall levy assessments for the amount determined by the board to be required from owners of benefited properties to pay the estimated operating deficit less any amount previously assessed which was not due and payable before the close of the previous year. The assessments shall be levied pursuant to section 5.

Subd. 6. The city and the commission shall pay the amounts determined by the board to be required from them to pay the estimated operating deficit according to the schedule established by the board.

Sec. 9. [OPERATING DEFICIT SHARING FORMULA.] *Subdivision 1. The city, the commission and the owners of benefited properties shall share in the payment of the operating deficit according to the provisions of subdivisions 2 to 5.*

Subd. 2. Owners of benefited properties shall pay the first \$300,000 of any operating deficit for any year of revenue service, subject to escalation as provided in subdivision 5. Payments shall be pursuant to assessments levied by the city pursuant to section 5.

Subd. 3. If the operating deficit for any year exceeds the amount required to be paid pursuant to subdivision 2, the city, the commission and owners of benefited properties shall each pay one-third of the remaining portion up to a maximum of \$500,000, subject to escalation as provided in subdivision 5. Payments by owners of benefited properties shall be pursuant to assessments levied by the city pursuant to section 5.

Subd. 4. If the operating deficit for any year exceeds the amounts required to be paid pursuant to subdivisions 2 and 3, owners of benefited properties shall pay one-half of the excess up to a maximum of \$800,000, subject to escalation as provided in subdivision 5, and the city shall pay the remaining amount of the excess. Payments by owners of benefited properties shall be pursuant to assessments levied by the city pursuant to section 5.

Subd. 5. The maximum payments provided in subdivisions 2 and 3 shall be increased beginning July 1, 1978, to the close of the first year of revenue service by an amount equal to the local consumer price index not to exceed eight percent, compounded annually. After the first year of revenue service, the amount calculated under the preceding sentence shall be increased by the actual rate of inflation of the cost of operating and maintaining the people mover system, compounded annually.

Sec. 10. [CAPITOL AREA FACILITIES; STATE OWNED PROPERTY.] *Subdivision 1. Construction of the people mover system within the capitol area shall be exempt from the provision of Minnesota Statutes 1978, Section 15.50, Subdivision 2, Clause (e), requiring design competition except that capitol station west shall be subject to an invited competition as defined in part II, 6, c(2) of the American Institute of Architecture document number 6-J332, issued November, 1976, sponsored and conducted by the capitol area architectural and planning board upon guidelines*

and criteria as determined by agreement between that board and the joint board. System improvements within the capitol area shall be in conformity with the comprehensive use plan for the capitol area and subject to the approval of the capitol area architectural and planning board.

Subd. 2. The commissioner of administration on behalf of the state may grant to the city or the commission, without compensation, easements for the construction, location and operation of the people mover system upon state owned property. The commissioner of administration and the urban mass transportation administration shall establish the value of easements and related access facilities in the capitol area which will be required for the people mover and which are eligible in lieu of cash as local contributions to the capital cost of the people mover project. The value of these easements and facilities shall be applied to the commission's share of the local contributions.

Sec. 11. Minnesota Statutes, 1979 Supplement, Section 473.436, is amended by adding a subdivision to read:

Subd. 6. [PEOPLE MOVER SYSTEM.] The commission may issue certificates of indebtedness, bonds or other obligations in an amount not exceeding \$9,000,000 for the purpose of acquisition and betterment of the people mover system as defined in section 1. The proceeds of the obligations shall be expended as provided in the joint powers agreement entered into by the commission pursuant to section 2. Proceeds of the obligations which are not needed for acquisition and betterment of the people mover system shall be expended to pay the operating deficit of the people mover system pursuant to sections 8 and 9. No obligations shall be issued under this subdivision until the commission determines that agreements have been executed between the authority that will let the construction contract for the people mover system and the appropriate labor organizations and construction contractor organizations which provide that no labor strike or management lockout will halt, delay or impede construction.

Sec. 12. [JUDICIAL PROCEEDINGS; TIME TO COMMENCE.] No action shall be commenced or maintained, nor defense interposed in an eminent domain proceeding, questioning the public purpose, propriety of expenditure of public funds, or validity of any law authorizing the acquisition, betterment, operation, maintenance or financing of the people mover system, except by lawsuit commenced in the district court of Ramsey County within 90 days of the date of publication of the metropolitan council recommendation given pursuant to section 3, or within 90 days of the date of written notice mailed to persons whose property may be taken by subsequent proceedings in eminent domain for the people mover system or right of way. Such action timely commenced by any taxpayer, any person whose property is or may be taken or interfered with by reason of the proposed implementation of the people mover system, or other person with standing, shall be maintained in the manner provided by law, including Minnesota Statutes, Chapter 562. Nothing in this subdivision nor

notice given pursuant thereto shall be construed as a taking of private property, nor as limiting a property owner's right to just compensation for the taking of private property to be litigated in proceedings in eminent domain subsequently instituted under charter or Minnesota Statutes, Chapter 117, for such taking and assessment and award of damages.

Sec. 13. [LIMIT ON CAPITAL EXPENDITURES.] *Subdivision 1. [TOTAL EXPENDITURES.] Except as otherwise provided in this subdivision, the sum of all expenditures by the city and the commission, including federal grants and in-kind expenditures, for acquisition, construction and betterment of the people mover system shall not exceed \$90,000,000. This amount may be increased by up to 20 percent if the federal urban mass transportation administration provides 80 percent matching grants for any amount exceeding \$90,000,000 and that all of the non-federal share required to match the federal grants is provided by the city.*

Subd. 2. [COMMISSION EXPENDITURES.] The commission shall expend no money for the acquisition, construction or betterment of the people mover system except the proceeds of the bonds authorized in section 11.

Sec. 14. [RELATIONSHIP TO TAX INCREMENT FINANCING DISTRICTS.] *After approval of this act by the governing body of the city of St. Paul, no tax increment financing district may be certified by the county auditor pursuant to the provisions of Minnesota Statutes, Chapters 458, 462, 472A or 474 if the proposed district includes any property located within a distance of one half mile of the proposed route of the people mover system. In the case of a tax increment financing project for which certification has been requested from the county auditor prior to approval of this act, there may be no geographic enlargement of the district to add any property located within one half mile of the route. If a district for which certification was requested prior to approval of this act includes property located within one half mile of the route, no bonds may be issued after the date of the approval of this act by the municipality or the authority responsible for the project for the purpose of financing project activities within the district.*

Sec. 15. [REPEALER.] *Laws 1977, Chapter 454, Section 45, is repealed.*

Sec. 16. [EFFECTIVE DATE.] *This article is effective upon approval by resolution of the St. Paul city council and by resolution of the metropolitan transit commission. The resolutions shall be adopted after published notice to the public and public hearing."*

Amend the title as follows:

Page 1, line 31, after the first semicolon, insert "authorizing the acquisition, betterment, operation and maintenance of a people mover system in St. Paul; establishing a procedure for payment of the operating deficit by the metropolitan transit com-

mission, the city of St. Paul and benefited property owners; providing for assistance by the state; authorizing issuance of capital improvement bonds by the Twin Cities Metropolitan Transit Commission;"

Page 2, line 11, after the second semicolon insert "473.436, by adding a subdivision;"

Page 2, line 39, after the second semicolon, insert "Laws 1977, Chapter 454, Section 45;"

Mr. Sieloff questioned whether the amendment was germane.

The President ruled that the amendment was germane.

Mr. Schaaf withdrew his amendment.

Mr. Chmielewski moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 84, delete lines 11 to 13 and insert "*law. Violation of the regulations shall be a misdemeanor under state law.*"

Sec. 4. *After July 1, 1980, no producer or refiner of gasoline fuel shall open, purchase or acquire an ownership in a new or existing retail outlet selling gasoline fuel in the state. The provisions of this section shall not apply to cooperative associations organized pursuant to chapter 308.*"

Page 84, line 14, delete ", 2 and 3" and insert "to 4"

Renumber the sections in sequence

Mr. Tennesen questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Mr. Olson moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 102, after line 10, insert:

"(z) The gross receipts from the sale of used farm machinery and the sale of new or used repair and replacement parts for farm machinery. For purposes of this clause, "farm machinery" means machinery and accessories used directly and principally in the production for sale, but not including the processing, of livestock, dairy animals, dairy products, poultry and poultry products, fruits, vegetables, forage, grains and bees and apiary products.

"Farm machinery" includes: machinery for the preparation, seeding or cultivation of soil for growing agricultural crops, harvesting and threshing of agricultural products, and certain machinery for dairy, livestock and poultry farms, together with barn cleaners, milking systems, grain dryers, automatic feeding systems

and similar installations, and irrigation equipment sold for exclusively agricultural use, including pumps, pipe fittings, valves, sprinklers and other equipment necessary to the operation of an irrigation system when sold as part of an irrigation system, except irrigation equipment which is situated below ground and considered to be a part of the real property.

"Farm machinery" does not include: tools, shop equipment, grain bins, feed bunks, fencing material, communication equipment and other farm supplies or motor vehicles required to be registered under chapter 297B, snowmobiles, snow blowers, lawn mowers, garden-type tractors or garden tillers and the repair and replacement parts for those vehicles and machines."

Amend the title as follows:

Page 1, line 28, after "organizations" insert "and sales of used farm machinery and parts"

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 8, strike lines 28 to 33

Page 9, strike line 1

Page 9, line 2, strike "\$17,000" and insert "\$12,000"

Page 22, line 9 delete the new language

Page 22, delete lines 10 and 11

Page 24, delete lines 12 to 16

Page 24, line 24, delete the new language

Page 24, delete lines 25 to 32

Page 25, line 1, reinstate the stricken language and delete the new language

Page 25, line 2, delete the new language

Page 25, line 3, reinstate the stricken language and delete the new language

Page 25, line 7, delete the new language

Page 25, line 8, delete the new language

Page 25, line 9, delete the new language

Page 25, delete lines 10 to 28

Page 25, line 31, reinstate the stricken language and delete the new language

Page 26, line 4, reinstate the stricken language and delete the new language

Page 26, line 5, delete the new language

Page 26, line 20, reinstate the stricken language and delete the new language

Page 26, line 21, delete the new language

Page 26, line 23, delete the new language

Page 26, delete lines 24 to 26

Page 29, line 22, after "DATE.]" insert "*The amendment to clause (b) (6) of section 1 is effective for taxable years beginning after December 31, 1979.*"

Mr. Frederick requested division of the amendment as follows:

First portion: Page 8, strike lines 28 to 33

Page 9, strike line 1

Page 9, line 2, strike "\$17,000" and insert "\$12,000"

Second portion: Page 22, line 9, delete the new language

Page 22, delete lines 10 and 11

Page 24, delete lines 12 to 16

Page 24, line 24, delete the new language

Page 24, delete lines 25 to 32

Page 25, line 1, reinstate the stricken language and delete the new language

Page 25, line 2, delete the new language

Page 25, line 3, reinstate the stricken language and delete the new language

Page 25, line 7, delete the new language

Page 25, line 8, delete the new language

Page 25, line 9, delete the new language

Page 25, delete lines 10 to 28

Page 25, line 31, reinstate the stricken language and delete the new language

Page 26, line 4, reinstate the stricken language and delete the new language

Page 26, line 5, delete the new language

Page 26, line 20, reinstate the stricken language and delete the new language

Page 26, line 21, delete the new language

Page 26, line 23, delete the new language

Page 26, delete lines 24 to 26

Page 29, line 22, after "DATE.]" insert "*The amendment to clause (b)(6) of section 1 is effective for taxable years beginning after December 31, 1979.*"

The question was taken on the adoption of the second portion of the Merriam amendment. The motion did not prevail. So the second portion of the Merriam amendment was not adopted.

Mr. Merriam withdrew the first portion of his amendment.

Mr. Stumpf moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 210, after line 20, insert:

"ARTICLE XII

Section 1. Minnesota Statutes 1978, Section 474.06, is amended to read:

474.06 [MANNER OF ISSUANCE OF BONDS; INTEREST RATE.] Bonds authorized under this chapter shall be issued in accordance with the provisions of chapter 475 relating to bonds payable from income of revenue producing conveniences, except that public sale shall not be required, and the bonds may mature at any time or times in such amount or amounts within 30 years from date of issue and may be sold at a price equal to such percentage of the par value thereof, plus accrued interest, and bearing interest at such rate or rates, *not exceeding nine percent per year*, as may be agreed by the contracting party, the purchaser, and the municipality or redevelopment agency, notwithstanding any limitation of interest rate or cost or of the amounts of annual maturities contained in any other law. When bonds authorized under this chapter are issued, they shall state whether they are issued for a project defined in section 474.02, subdivisions 1, 1a, 1b, or 1c.

Sec. 2. Minnesota Statutes 1978, Section 475.55, is amended to read:

475.55 [EXECUTION; NEGOTIABILITY; INTEREST RATES.] Subdivision 1. All obligations shall be signed by officers authorized by resolution of the governing body or by persons authorized to sign on behalf of a bank designated by the resolution as authenticating agent, and shall express the amount and the terms of payment. *Interest on obligations authorized by resolution before July 1, 1981, shall not exceed the rate of 12 percent per annum, payable half yearly.* Interest thereon on obligations authorized thereafter shall not exceed the rate of seven percent per annum, payable half yearly. All obligations shall be negotiable investment securities as provided in the uniform commercial code, chapter 336, article 8. The validity of an obligation shall not be impaired by the fact that one or more officers authorized to execute it shall have ceased to be in office before delivery to the purchaser or shall not have been in office on the formal issue date of the obligation. Every obligation shall be signed manually by one officer or authenticating agent. Other signatures and the seal of the issuer may be printed,

lithographed, stamped or engraved thereon and on any interest coupons to be attached thereto. The seal need not be used.

Subd. 2. The provisions of subdivision 1 shall supersede all provisions of any law or charter fixing a lower maximum interest rate fixed by any other law or a city charter with respect to obligations of the state or any municipality or governmental or public subdivision, district, corporation, commission, board, council, or authority of whatsoever kind, including warrants or orders issued in evidence of allowed claims for property or services furnished to the issuer, but shall not restrict the power of the issuer to fix limit the interest on any obligation in accordance with the issued pursuant to a law or charter authorizing its issuance the issuer to determine the rate or rates of interest.

Subd. 3. Notwithstanding any contrary provisions of law or charter, special assessments pledged to the payment of obligations may bear interest at the rate the governing body by resolution determines, not exceeding the greater of (a) the maximum interest rate per annum which the obligations may bear under the provisions of subdivisions 1 and 2 plus one percent or (b) the maximum interest rate permitted to be charged against the assessments under the law or city charter pursuant to which the assessments were levied.

Sec. 3. Minnesota Statutes 1978, Section 475.60, Subdivision 2, is amended to read:

Subd. 2. [REQUIREMENTS WAIVED.] The requirements as to public sale shall not apply to:

(1) Obligations issued under the provisions of a home rule charter or of a law specifically authorizing a different method of sale, or authorizing them to be issued in such manner or on such terms and conditions as the governing body may determine;

(2) Obligations sold by an issuer in an amount not exceeding the total sum of \$100,000 \$200,000 in any three month period;

(3) Obligations issued by a governing body other than a school board in anticipation of the collection of taxes or other revenues appropriated for expenditure in a single year, if sold in accordance with the most favorable of two or more proposals solicited privately; and

(4) Obligations sold to any board, department, or agency of the United States of America or of the state of Minnesota, in accordance with rules or regulations promulgated by such board, department, or agency.

Sec. 4. Section 1 of this article is effective July 1, 1981. Sections 2 and 3 are effective the day after final enactment."

Amend the title as follows:

Page 1, line 31, after the semicolon, insert "changing certain interest rates;"

Page 2, line 11, after "1," insert "474.06; 475.55; 475.60, Subdivision 2;"

Mr. Ulland, J. moved to amend the Stumpf amendment to H. F. No. 1121, as follows:

Pages 1 and 2 of the Stumpf amendment, delete section 1

Page 4, delete lines 5 and 6, and insert:

"Sec. 3. Sections 1 and 2 are effective the day after"

Renumber the sections in sequence

Amend the title amendment as follows:

Page 4 of the Stumpf amendment, line 11, delete "474.06;"

The question was taken on the adoption of the amendment to the amendment.

The roll was called, and there were yeas 33 and nays 30, as follows:

Those who voted in the affirmative were:

Aashbach	Frederick	Menning	Renneke	Solon
Bang	Kirchner	Nichols	Rued	Strand
Barrette	Kleinbaum	Ogdahl	Schmitz	Ueland, A.
Bernhagen	Knaak	Omann	Setzepfandt	Ulland, J.
Brataas	Knoll	Penny	Sieloff	Willet
Dunn	Knutson	Peterson	Sikorski	
Engler	Laufenburger	Pillsbury	Sillers	

Those who voted in the negative were:

Anderson	Gearly	Keefe, S.	Nelson	Staples
Benedict	Gunderson	Lessard	Olhoft	Stern
Chmielewski	Hanson	Luther	Olson	Stokowski
Coleman	Hughes	McCutcheon	Perpich	Stumpf
Davies	Humphrey	Merriam	Purfeerst	Tennessen
Dieterich	Johnson	Moe	Spear	Vega

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

The question recurred on the Stumpf amendment, as amended.

The motion prevailed. So the Stumpf amendment, as amended, was adopted.

Mr. Davies moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 210, after line 20, insert:

"ARTICLE XI

Section 1. [DEFINITIONS.] *Subdivision 1. For the purposes of sections 1 to 9, the following terms have the meanings given them in this section.*

Subd. 2. "Board" means the Minnesota state board of investment.

Subd. 3. "Commissioner" means the State of Minnesota commissioner of finance.

Subd. 4. "Minnesota standard state bonds" means bonds issued by the state pursuant to the provisions of sections 1 to 9.

Subd. 5. "Political subdivisions" means cities, counties, townships, school districts, special service districts and any other local units of government in Minnesota authorized to incur public debt through the issuance of bonds.

Sec. 2. [LOAN AUTHORIZATION; APPLICATIONS FROM POLITICAL SUBDIVISIONS.] *Subdivision 1. [AUTHORIZATION.] The commissioner of finance, upon timely receipt of a loan application from a political subdivision, may loan to the political subdivision proceeds from the issuance of standard state bonds pursuant to the provisions of sections 1 to 9. The commissioner's decision as to whether to make such a loan is discretionary, but he shall not effect a loan if he determines that:*

(1) The political subdivision could not directly issue general obligations bonds to obtain funds for the purpose for which the loan was requested,

(2) The political subdivision has been or is currently in default on a loan pursuant to this program,

(3) The political subdivision does not appear to be financially able to repay the amount of the loan requested,

(4) The political subdivision has not taken reasonable, preliminary steps in preparation for repayment of the loan,

(5) The issuance of standard state bonds in connection with the loan would violate the Constitution, or

(6) It would not be financially feasible or wise for the state to make the requested loan.

Subd. 2. [STATE PROJECTS.] *The commissioner may issue standard state bonds pursuant to the provisions of sections 1 to 9 to finance state projects if he determines that the project has been authorized by the legislature in accordance with the provisions of Article XI, Section 7, of the Constitution.*

Subd. 3. [LOAN RULES]. *The commissioner may promulgate and adopt any rules he deems necessary regarding loan applications, the granting of loans, and administration of this program.*

Sec. 3. [MINNESOTA STANDARD STATE DEBT FUND.] *For the purpose of providing an alternative financing mechanism to the state and to political subdivisions in lieu of the direct issuance of bonds by subdivisions, the Minnesota standard state debt fund is created as a separate bookkeeping account in the general books of account of the state. Proceeds of state bonds credited to this fund are hereby appropriated to the commissioner for use at any time. The commissioner shall utilize these appropriated funds only (1) for loans to political subdivisions as provided in sections 1 to 9; (2) for state projects to be financed*

by state bonds consistent with Article XI of the Constitution, and appropriations made pursuant to this section. Funds appropriated shall not cancel and shall remain available for expenditure.

Sec. 4. [MINNESOTA STANDARD STATE BONDS.] Subdivision 1. **[AUTHORIZATION.]** For the purpose of providing money appropriated to the commissioner from the Minnesota standard state debt fund for financing state projects authorized by the legislature and for the implementation of the loan program established by sections 1 to 9, the commissioner shall issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. The proceeds of the bonds shall be credited to the Minnesota standard state debt fund, except that accrued interest and any premium received on sale of the bonds shall be credited to the state bond fund account established in subdivision 7, together with any additional sum directed to be so credited by any law authorizing an issue of the bonds. Bonds shall be issued pursuant to this section only as authorized by subdivision 9 or by another law adopted in accordance with the provisions of the Constitution, Article XI, Section 7. Any law authorizing the issuance of bonds shall, together with this section, constitute complete authority for the issue, and the bonds shall not be subject to restrictions or limitations contained in any other law.

Subd. 2. [MANNER OF ISSUE.] Upon issue by the commissioner, the state board of investment, as fiscal agent, shall market Minnesota standard state bonds in the ways the board deems appropriate. The board may offer the bonds for sale, either to the public or on a private placement basis, to individual investors, institutional investors, syndicated investors and other investors. The board may also form and market unit tax exempt bond pools composed of Minnesota standard state bonds. These units may be sold to any person to whom the bonds may be offered for sale pursuant to this subdivision. The board shall determine the sales price and interest rate of the bonds to be sold and may request the advice of the commissioner, or others, in making this determination. Notwithstanding the provisions of any law to the contrary, if the board determines to purchase Minnesota standard state bonds for its own accounts, if necessary to effect the marketing of the bonds and not for long-term investment, that determination satisfies any standards of prudence required of the board in its investment decisions if any lower return realized by the purchase compared with the investment return that would otherwise be realized is compensated for by marketing fees credited to the account whose funds are so invested.

Subd. 3. [PURCHASE BY FINANCIAL INSTITUTIONS.] Notwithstanding any provision of law to the contrary, purchase by a financial institution of a Minnesota standard state bond that may be sold without rating by a national rating service satisfies any rating requirement imposed by law on the institution for its investments.

Subd. 4. [FORM AND NATURE OF BONDS.] The bonds

shall be issued and sold upon the notice, at the times, in the form and denominations maturing on the dates, either without option of prior payment of subject to prepayment upon the notice and at the times and prices, payable at the bank or banks, within or without the state, with the provisions for registration, conversion, and exchange and for the issuance of notes in anticipation of the sale and delivery of definitive bonds, and in accordance with further rules, as the commissioner of finance shall determine, subject to the approval of the attorney general, but not subject to the provisions of the Minnesota administrative procedure act. Each bond shall mature within 20 years from its date of issue, shall be sold at not less than par plus accrued interest, and shall be executed by the commissioner of finance and attested by the state treasurer under their official seals. The signature of one of these officers on the face of any bond, and their seals, and the signature of both officers on the interest coupons appurtenant to any bond, may be printed, lithographed, stamped, or engraved thereon. The commissioner may issue uncertificated securities in accordance with the provisions of Article VIII of the Uniform Commercial Code.

Subd. 5. [BONDHOLDER INDEMNIFICATION.] The commissioner, subject to the approval of the attorney general, shall ascertain and certify to the purchasers of the bonds the performance and existence of all acts, conditions and things necessary to make them valid and binding obligations of the state of Minnesota in accordance with their terms. The state shall be a self-insurer as to errors by any state official affecting the validity or tax exempt status of any Minnesota standard state bond. The state shall hold harmless and indemnify any person directly suffering loss due to an error as described in this subdivision. There is hereby appropriated to the commissioner from the general fund, as an open, standing appropriation, amounts sufficient at any time to carry out the provisions of this subdivision.

Subd. 6. [PARTIAL REDEMPTION.] If in any case a portion of the debt underlying an issue of Minnesota standard state bonds is defective because it is unauthorized, or is invalid as a basis for tax exempt status, or in any way impairs the value or validity of a Minnesota standard state bond, the defect shall be allocated by the commissioner of finance to a portion of the particular bond issue equal to the amount of the defect. Without impairing the rights of any person as provided in subdivision 5, the bonds to which the defect is allocated under this subdivision shall be redeemed and damages shall be paid as specified in subdivision 5. Bonds in the remaining portion of the issue shall not be affected in any way by the redemption or by the defect which caused the redemption.

Subd. 7. [ISSUANCE AND MARKETING EXPENSES.] All expenses incidental to the sale, printing, execution, marketing and delivery of bonds pursuant to this section, including, but not limited to, actual and necessary travel and subsistence expenses of state officers and employees for these purposes, shall be deducted from the Minnesota standard state bond fund, and

paid and appropriated for expenditure to the state officials or entities incurring the expense, and the amounts necessary therefor are appropriated from the fund; provided that if any amount is specifically appropriated for this purpose in an act authorizing the issuance of bonds pursuant to this section, these expenses shall be limited to the amount so appropriated.

Subd. 8. [MINNESOTA STANDARD STATE BOND ACCOUNT.] The commissioner of finance shall maintain in the state bond fund a separate bookkeeping account which shall be designated as the Minnesota standard state bond account, to record receipts and disbursements of money transferred to the fund to pay Minnesota standard state bonds and income from the investment of the money, which income shall be credited to the account in each fiscal year. The amounts directed by section 4 to be transferred to this bond account are appropriated thereto, and the legislature may also appropriate to the bond account any other money in the state treasury not otherwise appropriated. On November 1 of each year there shall be transferred to the bond account all of the money then available under any appropriation or a lesser sum as will be sufficient, with all money previously transferred to the account and all income from the investment of the money, and all payments by political subdivisions, to pay all principal and interest then and theretofore due and all principal and interest to become due to and including July 1 in the second ensuing year on Minnesota standard state bonds. All money so transferred and all income from the investment thereof shall be available for the payment of the bonds and interest thereon, and so much thereof as may be necessary is appropriated for these payments. The state auditor and treasurer are directed to make the appropriate entries in the accounts of the respective funds.

Subd. 9. [TAX LEVY.] On or before December 1 in each year the state auditor shall levy on all taxable property within the state whatever tax may be necessary to produce an amount sufficient, with all money then and theretofore credited to the Minnesota standard state bond account, to pay the entire amount of principal and interest then and theretofore due and principal and interest to become due on or before July 1 in the second year thereafter on Minnesota standard state bonds. This tax shall be levied upon all real property used for the purposes of a homestead, as well as other taxable property, notwithstanding the provisions of section 273.13, subdivisions 6 and 7, and shall be subject to no limitation of rate or amount until all these bonds and interest thereon are fully paid. The proceeds of this tax are appropriated and shall be credited to the state bond fund, and the principal of and interest on the bonds are payable from the proceeds, and the whole thereof, or so much as may be necessary, is appropriated for the payments. If at any time there is insufficient money from the proceeds of taxes to pay the principal and interest when due on Minnesota standard state bonds, the principal and interest shall be paid out of the general fund in the state treasury, and the amount necessary therefor is hereby appropriated, with the sums from tax levies and the general fund subject to future reimbursement to the bond fund by the Minnesota standard state bond account as indicated in section 2.

Subd. 10. [BOND AUTHORIZATION.] *For the purpose of providing funds to the commissioner for establishment and implementation of the loan programs created pursuant to sections 1 to 9, the commissioner is authorized to sell and issue Minnesota standard state bonds in the manner and upon the conditions provided in sections 1 to 9 and in Article II, Section 7 of the Constitution. The proceeds of the bonds, except premium and accrued interest, are appropriated to the Minnesota standard state debt fund in the general fund, for expenditure by the commissioner for the purpose for which the bonds are authorized in accordance with the provisions of section 2. In order to reduce the amount of taxes otherwise required by the Constitution and by subdivision 9 to be levied for the payment of interest and principal on the bonds, there is also appropriated annually to the Minnesota standard state bond account in the state bond fund from the general fund a sum of money sufficient in amount, when added to the balance on hand on November 1 in each year in the bond account, to pay all principal and interest due and to become due on the bonds to and including July 1 in the second ensuing year. The money received and on hand pursuant to this annual appropriation is available in the state bond fund prior to the levy of the tax in any year required by the Constitution and by subdivision 9 and shall be used to reduce the amount of the tax otherwise required to be levied.*

Sec. 6. [PAYMENTS TO POLITICAL SUBDIVISIONS.]
Subdivision 1. [AUTHORIZATION; CONDITIONS.] *The commissioner may loan monies from the Minnesota standard state debt fund to any qualifying political subdivision provided that the commissioner on behalf of the state and the authorized representatives of the political subdivision enter into an agreement which shall among other things provide that:*

(1) The political subdivision is irrevocably bound to repay the loan in full,

(2) The political subdivision shall hold the state of Minnesota and its officers and employees harmless from any claim, cause of action or damages arising from the political subdivision's misapplication of loaned funds, and

(3) The books, records and accounts of the political subdivision shall be available during business hours at any time for inspection by either the commissioner or state auditor.

Subd. 2. [WITHHOLDING BY COMMISSIONER.] *Prior to the issuance of any loan to a political subdivision, the commissioner shall deduct and withhold therefrom an amount sufficient, when added to the balance on hand in the portion of the bond account dedicated to debt service for the subject loan, to pay all principal and interest due and to become due on the bonds issued for the particular loan to and including July 1 in the second ensuing year. All funds so withheld shall be placed in the Minnesota standard state bond account in the state bond fund and are appropriated for expenditure at any time for debt service on Minnesota standard state bonds.*

Sec. 7. [REPAYMENT BY POLITICAL SUBDIVISIONS.] *Political subdivisions receiving loans pursuant to sections 1 to 9 shall proceed to obtain repayment funds and transmit those funds to the state in the same manner as if the political subdivisions had directly issued bonds for the purposes for which they obtained loans from the Minnesota standard state debt fund. Provided, however, that in addition to the initial withholding undertaken by the commissioner pursuant to section 6, each loan recipient shall, not later than October 15 of each year, transmit to the commissioner a loan repayment sum sufficient in amount, when added to the balance on hand in the bond account, to pay all principal and interest due and to become due on the bonds issued for the subject loan to and including July 1 in the second ensuing year. All funds so transmitted shall be placed in the Minnesota standard state bond account in the state bond fund and are appropriated for expenditure at any time for debt service on Minnesota standard state bonds.*

Sec. 8. [CERTIFICATES OF INDEBTEDNESS.] *Whenever the state auditor would otherwise be required to levy a property tax to pay obligations incurred under sections 1 to 9, and there is a reasonable expectation that the obligations will be paid from appropriations or payments by political subdivisions pursuant to section 7, the commissioner may issue certificates of indebtedness as authorized by Article XI, Section 6 of the Minnesota Constitution in an amount sufficient to avoid the necessity of a property tax levy.*

Sec. 9. [DEFAULT.] *If a political subdivision defaults on repayment of any loan financed through Minnesota standard state bonds, the state auditor shall cause taxes to be levied on the real property of the defaulting political subdivision in an amount sufficient to make overdue payments plus interest equal to one percent more than the average annual rate of interest on Minnesota standard state bonds issued during the proceeding calendar year and to make future loan payments as they become due. All funds generated from this levy shall be transmitted to the state, placed in the Minnesota standard state bond account in the state bond fund and are appropriated for expenditure at any time for debt service on Minnesota standard state bonds.*

Sec. 10. [APPROPRIATIONS.] *For the biennium ending June 30, 1981, the sum of \$150,000 is appropriated to the commissioner for the issuance of Minnesota standard state bonds.*

Sec. 11. [EFFECTIVE DATE.] *This article is effective the day following final enactment. To facilitate the prompt implementation of this loan program, the commissioner is authorized to promulgate temporary rules pursuant to the provisions of the administrative procedures act."*

Amend the title as follows:

Page 1, line 31, after the semicolon, insert "authorizing the issuance of Minnesota standard state bonds for political subdivisions and state projects; appropriating money;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 12 and nays 50, as follows:

Those who voted in the affirmative were:

Coleman	Johnson	Luther	Merriam	Spear
Davies	Keefe, J.	McCutcheon	Perpich	Stumpf
Hughes	Kleinbaum			

Those who voted in the negative were:

Anderson	Gearty	Laufenburger	Penny	Sillers
Bang	Gunderson	Lessard	Peterson	Solon
Barrette	Hanson	Menning	Pillsbury	Staples
Benedict	Humphrey	Moe	Purfeerst	Stern
Bernhagen	Jensen	Nelson	Renneke	Stokowski
Brataas	Keefe, S.	Nichols	Rued	Strand
Chmielewski	Kirchner	Ogdahl	Schmitz	Ueland, A.
Dunn	Knaak	Olhoft	Setzepfandt	Ulland, J.
Engler	Knoll	Olson	Sieloff	Vega
Frederick	Knutson	Omann	Sikorski	Willet

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

Mr. McCutcheon moved that H. F. No. 1121 be laid on the table. The motion prevailed.

RECESS

Mr. Coleman moved that the Senate do now recess until 8:00 o'clock p.m. The motion prevailed.

The hour of 8:00 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Knutson was excused from the Session of today from 2:00 to 3:10 o'clock p.m.

CALL OF THE SENATE

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

Anderson	Engler	Knaak	Omann	Stern
Bang	Frederick	Knutson	Penny	Stokowski
Barrette	Gearty	Lessard	Perpich	Strand
Benedict	Gunderson	Luther	Pillsbury	Stumpf
Bernhagen	Hanson	Menning	Renneke	Ueland, A.
Brataas	Humphrey	Nelson	Rued	Ulland, J.
Chmielewski	Johnson	Nichols	Sieloff	Vega
Coleman	Keefe, S.	Ogdahl	Sikorski	Willet
Davies	Kirchner	Olhoft	Sillers	
Dieterich	Kleinbaum	Olson	Staples	

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

Without objection, the Senate reverted to the Order of Business of Messages From the House, First Reading of House Bills and Reports of Committees.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H. F. Nos. 2476 and 2470.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 24, 1980

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H. F. No. 2476: A bill for an act relating to the organization and operation of state government; clarifying, providing for deficiencies in, and supplementing appropriations for the expenses of state government with certain conditions; appropriating money; amending Minnesota Statutes 1978, Sections 3A.03, Subdivision 2; 3A.04, Subdivisions 3 and 4; 15.0597, Subdivisions 3, 4, 5, 6 and 7; 15.50, Subdivision 1; 16.854, Subdivision 1; 16A.131, by adding a subdivision; 16A.67, Subdivision 1; 16A.721; 43.005, by adding a subdivision; 43.05, Subdivision 2; 43.062, Subdivisions 1, 2 and 3; 43.065; 43.067, Subdivision 2; 43.068; 43.323, Subdivisions 1 and 2; 43.35; 62D, by adding a subdivision; 82.34; 90.195; 94.10, Subdivision 1; 94.16; 121.90; 121.902, Subdivision 1; 121.906, Subdivision 2; 121.908; 121.912, Subdivision 2; 121.914, Subdivision 1; 136.81, Subdivision 1; 145.913, Subdivision 3; 214.06, Subdivision 1; 216.16; 216A.01; 216A.03, Subdivision 3, and by adding a subdivision; 216A.04, Subdivisions 1 and 3, and by adding a subdivision; 216A.05, Subdivisions 4 and 5; 216A.07; 216B.17, Subdivision 1; 216B.19; 216B.54; 216B.62, Subdivisions 2 and 3; 216B.64; 237.02; 237.12; 237.295, Subdivisions 1 and 2; 246.014; 352.01, Subdivision 2B; 352.04, Subdivision 5; 352.73, Subdivision 3; 352B.25; 352C.04, Subdivision 3; 352C.09, Subdivision 2; 353.83; 354.55, Subdivision 5; 355.46, Subdivision 3; 355.50; 403.11, Subdivision 3; 473.408, Subdivision 3; 490.123, Subdivision 1; and Chapters 16, by adding sections; 16A, by adding sections; 97, by adding a section; 121, by adding sections; 216A, by adding a section; 246, by adding a section; 253A, by adding a section; 256, by adding a section; 259, by adding a section; Minnesota Statutes, 1979 Supplement, Sections 3.3005, Subdivision 4; 15A.083, Subdivision 4; 16A.126; 174.28, Subdivision 2; 43.09, Subdivision 2a; 43.24; 82.81, Subdivision 1; 121.917, Subdivision 4; 354A.12, Subdivision 2; 422A.101, Subdivision 3; and Laws 1979, Chapter 300, Section 4, Subdivisions 1 and 5; 301, Section 3 by adding a subdivision; repealing Minnesota Statutes 1978, Sections 3A.11, Subdivision 3; 43.03; 43.06; 121.92, Subdivision 1; 216B.62, Subdivision 1; 352.73, Subdivision 4; 354.43, Subdivision 2; 490.025, Subdivision 8; Minnesota Statutes, 1979 Supplement, Sections 16.93; 16.965; 121.92, Subdivision 2; and Laws 1979, Chapter 217, Section 11.

Mr. Moe moved that H. F. No. 2476 be laid on the table. The motion prevailed.

H. F. No. 2470: A bill for an act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings with certain conditions; authorizing purchase and sale of public lands and buildings; appropriating money.

Mr. Moe moved that H. F. No. 2470 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

Mr. Coleman moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H. F. No. 1794 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File 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.
1794	1686				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1794 be amended as follows:

Strike all the language after the enacting clause of H. F. No. 1794 and insert the language after the enacting clause of S. F. No. 1686, as amended by the Committee on Judiciary, adopted by the Senate March 20, 1980; further, strike the title of H. F. No. 1794 and insert the title of S. F. No. 1686, as amended.

And when so amended H. F. No. 1794 will be identical to S. F. No. 1686, and further recommends that H. F. No. 1794 be given its second reading and substituted for S. F. No. 1686, 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 Committee on Rules and Administration, to which were referred

H. F. No. 2122, 2067 and 1949 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.
2122	2295				
2067	2353				
1949	2338				

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 on behalf of the Committee on Rules and Administration. Report adopted.

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

H. F. No. 2302 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File 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.
2302	2284				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2302 be amended as follows:

Strike all the language after the enacting clause of H. F. No. 2302 and insert the language after the enacting clause of S. F. No. 2284, as amended by the Committee on Commerce, adopted by the Senate March 20, 1980; further, strike the title of H. F. No. 2302 and insert the title of S. F. No. 2284.

And when so amended H. F. No. 2302 will be identical to S. F. No. 2284, and further recommends that H. F. No. 2302 be given its second reading and substituted for S. F. No. 2284, 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 Committee on Rules and Administration, to which was referred

H. F. No. 1896 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File 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.
1896	2149				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1896 be amended as follows:

Strike all the language after the enacting clause of H. F. No. 1896 and insert the language after the enacting clause of S. F. No. 2149, as amended by the Committee on Judiciary, adopted by the Senate March 20, 1980; further, strike the title of H. F. No. 1896 and insert the title of S. F. No. 2149, as amended.

And when so amended H. F. No. 1896 will be identical to S. F. No. 2149, and further recommends that H. F. No. 1896 be given its second reading and substituted for S. F. No. 2149, 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 Committee on Rules and Administration, to which were referred

H. F. Nos. 1816, 1835, and 1190 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.
1816	1944				
1835	1680				
1190	1940				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1816 be amended as follows:

Page 1, after line 28, insert:

"Section 1. Minnesota Statutes 1978, Section 241.022, Subdivision 1, is amended to read:

241.022 [GRANTS-IN-AID TO COUNTIES FOR DETENTION FACILITIES.] Subdivision 1. [AUTHORIZATION TO MAKE GRANTS.] For the purpose of assisting counties to construct or rehabilitate local detention facilities and to assist groups of counties in the construction or rehabilitation of regional jails and lockups, work houses, ~~or work farms~~, and detention and treatment facilities for adult offenders, youthful offenders, and delinquent children, and to aid such counties in developing and maintaining adequate programs and personnel for the education, training, treatment and rehabilitation of persons admitted to such institutions, the commissioner of corrections is hereby authorized and empowered, out of any money appropriated for the purposes of this section, to make grants to such counties. The commissioner may also receive grants of funds from the federal government or any other lawful source for the purpose of this section, and such funds are hereby appropriated annually to the commissioner.

Sec. 2. Minnesota Statutes 1978, Section 243.91, is amended to read:

243.91 [TRANSFER OF WOMEN CONVICTS.] When special

circumstances warrant, or when the chief executive officer of any county jail ; or workhouse or ~~workfarm~~ shall determine that any female inmate of ~~such the~~ facility over the age of 18 years cannot be safely maintained therein or whose presence is detrimental to the internal discipline and well-being of ~~such the~~ institution or that ~~such the~~ inmate can benefit from the treatment, care and training available at the state institution, ~~he the chief executive officer~~ may, with the consent of the commissioner of corrections and the sentencing court, transfer ~~such the~~ female inmate to the "Minnesota correctional institution for women" for confinement, care, treatment and training therein according to the sentence imposed by the court. ~~Such The~~ transfer shall be made in accordance with rules prescribed by the commissioner.

The commissioner of corrections may contract with the political subdivision operating and maintaining the jails, or workhouses or ~~workfarms~~ from which ~~such the~~ selected female inmates are transferred to the state institution for reimbursement to the state for all costs and expenses incurred for the care, custody, subsistence, treatment, and training of ~~such the~~ transferees.

The chief executive officer of the transferring institution shall send with ~~such the~~ transferee a duly certified copy of the warrant or order of commitment under which ~~such the~~ inmate is held, together with ~~such other~~ data as the commissioner of corrections may require, and ~~such the~~ warrant or order of commitment shall constitute sufficient authority for the commissioner to hold ~~such the~~ inmate on behalf of the ~~sending transferring~~ institution."

Page 1, line 29, delete "Section 1." and insert "Sec. 3."

Page 2, line 3, after "*probate court*" delete the comma

Page 2, after line 14, insert:

"Sec. 4. Minnesota Statutes 1978, Section 588.10, is amended to read:

588.10 [PENALTIES FOR CONTEMPT OF COURT.]
Upon the evidence so taken, the court or officer shall determine the guilt or innocence of the person proceeded against and, if he is adjudged guilty of the contempt charged, ~~he the person~~ shall be punished by a fine of not more than \$250, or by imprisonment in the county jail, or workhouse, or ~~work farm~~ for not more than six months, or by both. In case of his inability to pay the fine or endure the imprisonment, ~~he the person~~ may be relieved by the court or officer in ~~such a~~ manner and upon ~~such any~~ terms as may be just.

Sec. 5. Minnesota Statutes 1978, Section 609.105, Subdivision 3, is amended to read:

Subd. 3. A sentence to imprisonment for a period of one year or any lesser period shall be to a workhouse, ~~work farm~~, county jail, or other place authorized by law.

Sec. 6. Minnesota Statutes 1978, Section 609.135, Subdivision 4, is amended to read:

Subd. 4. The court may, as a condition of probation, require the defendant to serve up to one year incarceration in a county jail, a county regional jail, a ~~county workfarm~~, county workhouse or other local correctional facility. The court may allow the defendant the work release privileges of section 631.425 during the period of incarceration.

Sec. 7. Minnesota Statutes 1978, Section 631.461, is amended to read:

631.461 [SENTENCES OF CONVICTS.] When a sentence may be imprisonment in a county jail, the offender may be sentenced to and imprisoned in a workhouse, ~~or workfarm~~ if there be one in the county where he is tried or where the offense was committed, and if there be no workhouse ~~or workfarm~~ in the county where the offender is tried or where the offense was committed, then the offender may be sentenced to and imprisoned in a workhouse ~~or workfarm~~ in any county in this state; provided, that the county board of the county where the offender is tried shall have some agreement for the receipt, maintenance, and confinement of the prisoners with the latter county. The place of imprisonment shall be specified in the sentence. Convicts may be removed from one place of confinement to another when so provided by statute."

Page 2, line 15, delete "2" and insert "8"

Page 2, line 30, delete "3" and insert "9"

Page 3, line 9, delete "4" and insert "10"

Page 3, line 18, delete "5" and insert "11"

Page 4, line 4, delete "6" and insert "12"

Page 4, line 25, delete "7" and insert "13"

Page 4, line 27 to page 5, line 2, delete

"641.16 [BIBLES.] Every keeper of a jail shall provide for each prisoner able and willing to read ~~the same~~ *it* a copy of the Bible ~~or the sacred book of another religion~~, at the expense of the county, and any ~~clergy minister of the gospel~~ desirous of giving moral and religious instruction to ~~requesting~~ prisoners shall have access to them at proper times. All ~~immoral books and papers and those largely composed of accounts of crime~~ shall be excluded from every jail"

And insert:

"641.16 [BIBLES.] Every keeper of a jail shall provide for each prisoner able and willing to read ~~the same~~ *it* a copy of the Bible, at the expense of the county, and any ~~minister of the gospel~~ desirous of giving moral and religious instruction to prisoners shall have access to them at proper times. All ~~immoral books and papers and those largely composed of accounts of crime~~ shall be excluded from every jail."

Page 5, delete lines 3 to 21

Page 5, line 22, delete "9" and insert "14"

Page 5, line 28, delete "10" and insert "15"

Page 6, line 6, delete "11" and insert "16"

Page 6, line 22, delete "12" and insert "17"

Page 6, line 29, delete "13" and insert "18"

Page 7, line 20, delete "14" and insert "19"

Page 8, delete lines 5 to 16

Page 8, line 17, delete "16" and insert "20"

Page 8, line 19, delete "BETWEEN JAIL AND" and insert "FROM JAIL TO"

Page 8, line 22, strike ", correctional or work farm"

Page 8, line 23, delete "and a county"

Page 8, line 24, delete "jail," and "court or county court"

Page 8, lines 27 and 28, reinstate "for sufficient cause"

Page 8, lines 28 and 29, delete "in accordance with written county policy approved by the commissioner of corrections" and delete the colon

Page 8, line 30, delete "(1)"

Page 8, line 31, reinstate "of"; after "such" insert "the"; reinstate "county"; after "sentence" reinstate "to"; after "such" insert "the" and reinstate "jail by any"

Page 8, line 32, reinstate "district judge, justice of the peace or municipal judge"

Page 8, line 33, reinstate "from"; after "such" insert "the"; and reinstate "county jail"

Page 9, line 1, strike ", correctional or work farm"

Page 9, line 2, after "such" insert "the"

Page 9, line 3, reinstate "prisoner was originally" and delete "; or" and insert a period

Page 9, delete lines 4 to 14

Page 9, line 15, delete "17" and insert "21"

Page 9, line 17, delete "COURT OR COUNTY COURT"

Page 9, line 18, strike "any" and after "such" insert "a"

Page 9, line 19, delete "court or county court"

Page 9, line 20, reinstate "from the county jail to"

Page 9, line 21, after "any such" insert "the"; reinstate "work-house"

Page 9, lines 21 and 22, delete "as provided in section 643.01,"

Page 9, line 24, reinstate "to" and after "such" insert "the"

Page 9, line 25, reinstate "county jail" and delete "or convicted" and "or"

Page 9, line 26, delete "conviction"

Page 9, line 27, delete "or convicted"

Page 9, line 28, reinstate the stricken comma and delete "and" and reinstate the second stricken comma and delete "or"

Page 9, line 29, delete "the sentencing date if known,"

Page 9, lines 30 and 31, reinstate the stricken language

Page 9, line 33, strike ", correctional or work farm," and delete "or"

Page 10, line 1, delete "sheriff or other keeper of the county jail"

Page 10, lines 3 and 4, delete "or until further sentencing proceedings,"

Page 10, lines 6 and 7, strike ", correctional or work farm" and delete ", or county jail"

Page 10, lines 7 and 8, reinstate "and recommitment"

Page 10, line 9, strike "correctional or work farm" and delete ", or county jail"

Page 10, line 10, reinstate the stricken comma, after "sheriff" reinstate "of" and after "such" insert "the" and reinstate "county"

Page 10, lines 11 and 12, delete "or superintendent or other keeper of the workhouse, correctional or work farm"

Page 10, lines 13 and 14, delete ", or superintendent or other keeper of the workhouse, correctional or work farm"

Page 10, line 15, reinstate "and recommitment in"

Page 10, line 16, reinstate "his possession" and ", at the expense of"

Page 10, line 17, reinstate "the county"

Page 10, line 19, reinstate "and recommitment"

Page 10, lines 21 and 22, strike ", correctional or work farm" and delete ", or sheriff or other keeper of the jail"

Page 10, lines 24 and 25, delete "or until further sentencing proceedings"

Page 10, line 27, reinstate "and recommitment"; strike "any" and after "such" insert "a"

Page 10, lines 30 and 31, delete "or as the order for confinement issued by the court in the first instance"

Page 10, line 33, reinstate ", at hard labor."

Page 11, lines 2 and 3, strike "correctional or work farm" and delete ", or the sheriff or other keeper of the jail"

Page 11, line 5, strike ", correctional or work farm" and delete ", or county jail"

Page 11, line 6, delete "court or county court"

Page 11, line 7, delete "the" and insert "a" and strike the comma

Page 11, line 8, strike "correctional or work farm" and delete ", and county jail"; reinstate "is" and delete "are"

Page 11, line 9, delete ", or superintendent,"

Page 11, line 11, delete "or order"

Page 11, line 12, delete "18" and insert "22"

Page 11, line 16, after "jail" strike the comma and insert "or"; after "workhouse" delete ", or correctional work farm"

Page 11, line 22, strike the comma and insert "or" and strike "or"

Page 11, line 23, strike "correctional work farm"

Page 11, line 32, delete "19" and insert "23"

Page 11, line 32 to Page 12, line 2, delete "Laws 1925, Chapter 12; Laws 1927, Chapter 142, Minnesota Statutes 1945, Sections 643.21, 643.22, 643.23, 643.24, 643.25, 643.26, 643.27, and 643.28; and"

Amend the title as follows:

Page 1, lines 4 to 6, delete "clarifying provisions penalizing the possession of contraband in local correctional facilities;"

Page 1, lines 7 to 11, delete "providing for establishing and organizing court administrative structure; budgeting and operation of court services, probation, juvenile detention and correctional facilities by counties;"

Page 1, line 12, after "Sections" insert "241.022, Subdivision 1; 243.91;"

Page 1, line 13, after "Subdivision 3;" insert "588.10; 609.105, Subdivision 3; 609.135, Subdivision 4; 631.461;"

Page 1, line 14, delete "641.165, Subdivision 2;"

Page 1, line 16, delete "642.12;"

Page 1, lines 17 to 20, delete "Laws 1925, Chapter 12; Laws 1927, Chapter 142; Minnesota Statutes 1945, Sections 643.21; 643.22; 643.23; 643.24; 643.25; 643.26; 643.27; 643.28; and"

And when so amended H. F. No. 1816 will be identical to S. F. No. 1944, and further recommends that H. F. No. 1816 be given its second reading and substituted for S. F. No. 1944, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1835 be amended as follows:

Delete page 5, line 23 to page 7, line 25

Amend the title as follows:

Page 1, delete lines 8 to 11

Page 1, line 13, after "4;" insert "and" and after "13" delete "and" and insert a period

Page 1, delete lines 14 to 16

And when so amended H. F. No. 1835 will be identical to S. F. No. 1680, and further recommends that H. F. No. 1835 be given its second reading and substituted for S. F. No. 1680, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1190 be amended as follows:

Page 2, line 8, delete "*three-fourths mile*" and insert "*three-quarters of a mile*"

Page 4, line 28, delete "[116.115]"

Page 4, line 29, delete "*Subdivision 1.*" and delete "*as contained*"

Page 4, line 30, delete "*and*" and insert a comma after "*161.115*"

Page 4, line 32, delete "*Subd. 2.*" and insert "*The*"

Page 5, line 1, delete "*route specified in Subdivision 1*" and insert "*Route No. 327*"

And when so amended H. F. No. 1190 will be identical to S. F. No. 1940, and further recommends that H. F. No. 1190 be given its second reading and substituted for S. F. No. 1940, 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 Committee on Rules and Administration, to which was referred

H. F. No. 1451 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File 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.
1451	2291				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1451 be amended as follows:

Page 1, line 14, delete "exchange,"

Page 2, line 33, delete "Southeast" and insert "Southwest"

Page 4, line 30, delete "sight" and insert "right"

Page 11, after line 2, insert

"[85.012] [Subd. 49a.] Subd. 8. [ST. CROIX WILD RIVER STATE PARK.] The following areas are added to St. Croix Wild River State Park:

All of the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter in Section 36, Township 36 North, Range 20 West.

That part of the Northwest Quarter of the Southeast Quarter in Section 36, Township 36 North, Range 20 West, lying southerly of the following described line: Beginning at a point on north line of the said Northwest Quarter of the Southeast Quarter, 176 feet West of the northeast corner of the said Northwest Quarter of the Southeast Quarter; thence southwesterly in a straight line to a point on the west line of said Northwest Quarter of the Southeast Quarter, 564 feet North of the southwest corner of the said Northwest Quarter of the Southeast Quarter and there terminating.

That part of the Southwest Quarter of the Southwest Quarter in Section 36, Township 36 North, Range 20 West, lying southerly of the following described lines: Beginning at a point of the east line of the Southwest Quarter of the Southwest Quarter, a distance of 86 feet South of the northeast corner thereof; thence South 59 degrees 34 minutes West, 370 feet; then South 76 degrees 28 minutes West, 555 feet; thence South 59 degrees 45 minutes West, 540 feet to a point on the west line of said Southwest Quarter of the Southwest Quarter, a distance of 587 feet north of the southwest corner thereof and there terminating. The Northwest Quarter of the Northwest Quarter in Section 3, Township 35 North, Range 20 West. "

Page 11, line 3, delete "8" and insert "9"

Page 12, line 2, delete "9" and insert "10"

Page 13, line 26, delete "[85.012] [Subd. 59.]" and "Subdivision 1."

Page 13, line 27, after "LANDS.]" insert "Subdivision 1. Upon compliance with the requirements set forth in this section"

Page 13, line 29, delete "Whitewater State Park," and insert "the park"

Page 13, line 32, delete "(SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$)"

Page 14, line 1, delete "(S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$)"

Page 14, line 3, delete "(S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$)"

Page 14, line 5, delete "(W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$)"

Page 14, line 7, delete "(W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$)"

Page 14, line 10, delete "[SCENIC EASEMENTS.]"

Page 14, line 11, delete "exclusion" and insert "removal"

Page 14, line 13, delete "such" and insert "the"

Page 14, line 13, delete "consent to" and insert "grant" and after "easement" insert a comma

Page 14, line 15, after "1," insert "on the property to the commissioner of natural resources,"

Page 14, line 16, delete "commissioner's office" and insert "commissioner" and after "prepare" insert "an easement agreement"

Page 14, lines 17 and 18, delete "such an easement agreement"

Page 14, line 21, delete the semicolon and insert a comma

Page 14, line 25, delete the semicolon and insert a comma

Page 14, line 28, delete the comma

Page 14, line 31, delete "easement agreements" and insert "any agreement made pursuant to this section"

Page 14, line 32, delete "[PURCHASE AUTHORIZED.]"

Page 15, line 1, delete "make an"

Page 15, line 3, delete "accepted by" and after "owner" insert "sells the property to"

Page 15, line 4, delete "may purchase the land and when acquired" and insert a comma

Page 15, line 5, delete "extended" and insert "changed"

Page 15, line 7, delete "[TRAIL EASEMENTS.]"

Page 15, line 8, after "negotiation" insert a comma

Page 15, line 9, delete "with the affected landowner"

Page 15, line 11, delete "by subdivision 1" and insert "pursuant to this section"

Page 15, delete lines 12 to 28 and insert

"Sec. 4. The commissioner of natural resources, in the name of the state, may quitclaim and convey the following described state lands included in Traverse des Sioux state park to the city of St. Peter on the condition that the city agrees to operate and maintain the same as a public park. The lands shall be conveyed in such form as the attorney general shall prescribe and the conveyance shall contain a provision that the lands shall revert to the state in the event the city fails to maintain and operate the same as a public park:

All those parts and portion of Government Lot 6 in Section 10 and of Government Lot 4 in Section 15 lying westerly of the Minnesota River as the same now exists, all in Township 110 North, Range 26 West.

All those parts and portion of Government Lot 5 in Section 10 and the Northwest Quarter of the Northeast Quarter in Section 15, lying westerly of the Minnesota River as the same now exists, all in Township 110 North, Range 26 West.

All that part of the south 40.80 acres of Government Lot 7, Section 10, Township 110 North, Range 26 West, lying easterly of the easterly right-of-way line of U.S. 169. Said south 40.80 acres being platted into Blocks 1 through 17, inclusive and Block A of McLeod's addition to Traverse.

All of Government Lot 9 and Government Lot 8, except the North 20 acres of Government Lot 8, Section 10, Township 110 North, Range 26.

All of Government Lots 10 and 11, the Southwest Quarter of the Northwest Quarter, the north 20 acres of Government Lot 7, and the North 20 acres of Government Lot 8, all in Section 10, Township 110 North, Range 26 West.

All of Lots 4, 5, 6 and 7 in Block 100 of the Town of Traverse des Sioux, South of Sibley Street, and that part of Lots 8, 9, 10 and 11 in Block 100 lying westerly of the west right-of-way line of Trunk Highway No. 169.

All that part of Lots 1 through 6, inclusive of Block 106. Fractional 107, and Lots 6 and 7 of Block 108 of Traverse des Sioux, south of Sibley Street, lying easterly of the easterly right-of-way of U.S. 169.

Also all that part of the following described land lying southerly of the northerly line of McCann Street:

Beginning at the southeasterly corner of Lot Six (6) of Block 116 on the north line of McCann Street in the town of Traverse des Sioux south of Sibley Street; thence southwesterly to a point where the west line of First or Main Street intersects the south line of McCann Street; thence westerly along said south line of McCann Street to the east line of Third Street; thence at right angles southerly along said east line of Third Street five hundred and ten (510) feet; thence at right angles easterly one hundred and fifty (150) feet to the north line of Rice Street; thence at right angles easterly along said north line of Rice Street five hundred and ten (510) feet; thence at right angles southerly to the east line of Section Nine (9), Township 110 North, Range 26 West; thence North along said section line to a point where the north line of McCann Street extended intersects the said Section line; thence westerly along the north line of McCann Street extended to the point of beginning; EXCEPTING the right-of-way of U.S. 169. Meaning hereby to convey part of the town plat of Traverse des Sioux vacated by the order of the District Court of said county on the 22nd day of May A.D. 1877.

Sec. 5. After the conveyance of lands described in section 4, the authority of the department of natural resources and its division of parks and recreation, or any successor thereto, to administer and control the following described historic site at Traverse

des Sioux is hereby withdrawn, and is hereby conferred upon the Minnesota Historical Society. The society shall exercise the general administration and control of such sites, preserve its historic features, conduct archaeological investigations, establish necessary interpretive centers, and perform such additional duties and services at the site as may be deemed necessary and beneficial:

All of Blocks Numbered 11, 12, 13, 18, 19, 20, 25, 26, 27, all being in Traverse des Sioux, North of Sibley Street, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Nicollet County, Minnesota.

EXCEPTING THEREFROM: Part of Block 27, Traverse des Sioux, North of Sibley Street, according to the plat thereof on file and of record in the office of the Register of Deeds in and for Nicollet County, Minnesota, described as follows:

Commencing at the southeast corner of Block No. 27 in Traverse des Sioux, North of Sibley Street; thence westerly 100 feet parallel with the southerly boundary line of said Block 27; thence northerly parallel with the easterly boundary line of said Block 27 a distance of 200 feet; thence easterly parallel with the northerly boundary line of said Block 27, a distance of 100 feet; thence southerly along the easterly boundary line of said Block 27, a distance of 200 feet to the place of beginning, all according to the map or plat thereof on file and of record in the office of the Register of Deeds within and for Nicollet County, Minnesota. Said premises lying immediately north of the land owned by one Melvin Changler, on October 13, 1953.

All that part of Government Lot 8, Section 4, Township 110 North, Range 26 West, lying westerly of the Minnesota River as it now exists and easterly of the easterly right-of-way of U.S. Highway 169. Blocks 29, 30, 31, 32, 36, 37, 38, 39, 45, and 46, together with all vacated streets and alleys contiguous to or apart thereof as shown and vacated by those certain Orders and Decrees of the District Court of said Nicollet County dated October 20, 1914, October 11, 1927, and June 23, 1969, and recorded in the office of the Register of Deeds in and for said Nicollet County on January 4, 1915, in Book "34" of Deeds, on page 576, October 18, 1927, in Book "45" of Deeds, pages 558-559, and June 24, 1969, in Book "123" of Deeds, pages 199-200, respectively, all in Traverse des Sioux, North of Sibley Street, according to the plat thereof, on file in the office of the Register of Deeds in and for said Nicollet County,

EXCEPTING THEREFROM: The right-of-way of U.S. Highway 169. Also, that part of the following described lands lying easterly of U.S. 169:

Commencing on the west bank of the Minnesota River, at a point where an easterly extension of the south line of Ash Street in the town of Traverse des Sioux would intersect said river; thence running westerly along said south line of Ash Street to the east line of Third Street; thence at right angles southerly along said east line of Third Street to the north line of Thomson Street; thence at right angles easterly along said north line of Thomson

Street, 940 feet; thence southerly to and along the east line of Blocks 115 and 116 to an existing east-west fence located in Lot 8, Block 116; thence southerly along the east line of Block 116 to the southeasterly corner of Lot 6 in said Block 116 being on the north line of McCann Street; thence easterly along the northerly line of McCann Street extended to the east line of Section 9; thence north along said section line to the Minnesota River; thence along the west bank of said river to the place of beginning; meaning hereby to convey that part of the town plat of Traverse des Sioux vacated by the order of the District Court of said county on the 22nd day of May A.D., 1877. Excepting therefrom the existing U.S. Highway 169 right-of-way, in fee, to the State of Minnesota. Also all of Block 115 and that part of Block 112 lying east of the existing east right-of-way line of Trunk Highway 169, that part of Block 116 lying north of an existing east-west fence located in Lots 2 and 8 of said block, that part of Block 111 lying east of existing east right-of-way of Trunk Highway 169 and north of an existing east-west fence located in Lot 12 of said block. All in the town of Traverse des Sioux, according to the plat thereof.

Also, all of Lots 3, 4, 5, 6 and 7 in Block 116, and that part of Lot 2 and 8 in Block 116 lying southerly of the existing east-west fence. All of Lots 8, 9, 10, 11 in Block 111, and that part of Lot 12 in Block 111 lying southerly of the existing east-west fence. All the aforesaid Lots and Blocks in the town of Traverse des Sioux according to the plat thereof on file in the Office of the Register of Deeds in and for said County of Nicollet.

Sec. 6. After the conveyance of lands described in section 4, and in the manner provided in Minnesota Statutes 1978, Section 15.16, and other applicable law, the commissioners of natural resources shall transfer custodial control of lands in Traverse des Sioux state park, other than those described in sections 4 and 5 of this act, to the Minnesota department of transportation.

Sec. 7. Upon completion of the conveyance and transfers authorized by this act, Minnesota Statutes 1978, Section 85.012, Subdivision 56 is repealed."

Page 15, line 29, delete "5" and insert "8"

Amend the title as follows:

Page 1, line 4, after "acquisition" insert "and sales"

Page 1, line 5, after "thereto" insert "; discontinuing Traverse des Sioux state park; repealing Minnesota Statutes 1978, Section 85.012, Subdivision 56"

And when so amended H. F. No. 1451 will be identical to S. F. No. 2291, and further recommends that H. F. No. 1451 be given its second reading and substituted for S. F. No. 2291, 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.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1794, 2122, 2067, 1949, 2302, 1896, 1816, 1835, 1190 and 1451 were read the second time.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennesen introduced—

Senate Resolution No. 57: A Senate resolution relating to extending congratulations to the Polars girls' basketball team from Minneapolis North High School for finishing in third place in the Class AA Girls' State High School Basketball Championship.

Referred to the Committee on Rules and Administration.

Mr. Ueland, A. moved that S. F. No. 1978, on General Orders, be stricken and placed on the Consent Calendar. The motion prevailed.

Mr. McCutcheon moved that H. F. No. 1121 be taken from the table. The motion prevailed.

H. F. No. 1121: A bill for an act relating to taxation; updating the definition of gross income for income tax purposes for individuals, trusts and estates with certain modifications; providing for exempt-interest dividends for certain mutual funds; extending the political contribution credit to congressional and local candidates; clarifying certain definitions; providing a tax credit for energy conservation expenditures; clarifying the renewable energy source credit; increasing the dependent care credit; extending investment tax credits to family corporations; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a ten year carryback of product liability losses; providing for deferral of certain gains recognized in the disposition of broadcasting property; reducing certain property tax classification ratios; increasing homestead credits; changing the property tax status of certain mobile homes; providing for delayed assessments for certain improvements; increasing homestead base value; providing a classification for neighborhood real estate trusts; adjusting levy limits and providing for certain special levies; providing for certain hearings and appeals on special assessments; clarifying property tax settlements; clarifying certain property tax refund filing due dates; extending eligibility for property tax refunds to certain claimants; providing for adjustment of property tax refunds due to abatements; providing state reimbursement for certain property; authorizing heat applied tax stamping machines; increasing the sales tax on retail sales from vending machines; providing a sales tax exemption for certain arts admissions; fixing maximum interest rates on public obligations; excepting certain debt obligations from public sales requirements; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 2; 168.012, Subdivision 9; 273.13, Subdivisions 3 and 17b,

and by adding a subdivision; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5; 276.04; 276.09; 276.10; 276.11; 290.01, by adding a subdivision; 290.09, Subdivisions 2, 24 and 28; 290.095, by adding a subdivision; 290.13, by adding a subdivision; 290.26, Subdivision 2; 290.49, Subdivision 10; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3 and 5; 290A.06; 290A.11, by adding a subdivision; 290A.17; 290A.18; 290A.19; 297.03, Subdivision 6; 297A.02; 297A.25, Subdivision 1; 375.192, Subdivision 1; 429.061, Subdivisions 1 and 2; 429.081; 474.06; 475.55; 475.60, Subdivision 2; Chapters 273, by adding sections; and 298, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 273.122; 273.13, Subdivisions 4, 5a, 6, 7, 14a and 19; 275.50, Subdivision 5; 290.01, Subdivision 20; 290.06, Subdivisions 11 and 14; 290.067, Subdivisions 1 and 2; 290.09, Subdivision 3; 290.091; 290.095, Subdivision 1; 290.14; 290.17, Subdivision 1; 290.37, Subdivision 1; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Section 290.971, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 290.23, Subdivision 16.

Mr. Barrette moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 8, strike line 28 and insert "\$12,000"

Page 8, line 29, strike "adjusted gross income exceeds \$17,000"

Page 8, line 32, strike "\$10,000" and insert "\$12,000"

Page 8, line 32, after the semicolon strike "this"

Page 8, strike line 33

Page 9, strike lines 1 and 2

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the amendment was adopted.

Mr. Rued moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 55, line 9, delete "\$28,000" and insert "\$33,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 61 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Keefe, S. voted in the negative.

The motion prevailed. So the amendment was adopted.

Mr. Ulland, J. moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 63, line 16, delete *"having a population of less than 100,000"* and insert *"other than a city of the first class"*

The motion prevailed. So the amendment was adopted.

Mr. Perpich moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Pages 83 and 84, delete sections 1 and 2 of Article V

Page 84, line 14, delete *"Sections 1, 2 and 3 are"* and insert *"Section 1 is"*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 16, delete *"increasing"*

Page 1, line 17, delete *"the state tax on gasoline;"*

Page 2, line 3, delete *"296.02, Subdivision 1;"*

Page 2, line 25, delete *"473.596;"*

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Luther	Schaaf	Vega
Barrette	Johnson	Merriam	Sieloff	Willet
Benedict	Keefe, S.	Nelson	Sikorski	
Davies	Knaak	Perpich	Stokowski	
Dieterich	Knoll	Peterson	Stumpf	

Those who voted in the negative were:

Aahbach	Gearty	Knutson	Olson	Sillers
Bernhagen	Gunderson	Laufenburger	Omann	Spear
Brataas	Hanson	McCutcheon	Penny	Staples
Chmielewski	Humphrey	Menning	Pillsbury	Stern
Coleman	Jensen	Moe	Renneke	Strand
Dunn	Keefe, J.	Nichols	Rued	Tennessee
Engler	Kirchner	Ogdahl	Schmitz	Ueland, A.
Frederick	Kleinbaum	Olhoff	Setzepfandt	Ulland, J.

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

Mr. Lessard moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 85, line 9, after "state" insert "*, other than in an unorganized township,*"

Page 85, line 14, after "kv" insert "*, transmission lines of 69 kv and above located in an unorganized township,*"

Page 85, line 31, after "kv" insert "*and transmission lines of 69 kv and above located in an unorganized township*"

The motion prevailed. So the amendment was adopted.

Mr. Gunderson moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 28, after line 13, insert:

"Sec. 11. Minnesota Statutes 1978, Section 290.08, Subdivision 24, is amended to read:

Subd. 24. [FAMILY FARM SECURITY LOAN INTEREST.] Gross income shall not include interest, including payment adjustment to the extent that it is applied to interest, earned by the seller of property on a family farm security loan executed after December 31, 1977 and before January 1, 1982 that is guaranteed by the commissioner of agriculture as provided in sections 41.51 to 41.60."

Page 29, line 32, after the period insert "*Section 11 is effective for interest received during taxable years beginning after December 31, 1977 on loans executed before January 1, 1982.*"

Page 29, line 32, delete "10" and insert "12"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 40, after "2;" insert "290.08, Subdivision 24;"

The motion prevailed. So the amendment was adopted.

Mr. Peterson moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 210, after line 20, insert:

"ARTICLE XIII

Section 1. Minnesota Statutes 1978, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. "Contribution" means a transfer of funds or a donation in kind.

Contribution includes any loan or advance of credit to a political committee, political fund, or principal campaign committee, which loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made. If an advance of credit or a loan is forgiven or paid as provided in this subdivision, it is a contribution in the year in which the loan or advance of credit is made.

A contribution made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Contribution does not include services provided without compensation by an individual volunteering his time on behalf of a candidate, *ballot question*, political committee or political fund, or the publishing or broadcasting of news items or editorial comments by the news media.

Sec. 2. Minnesota Statutes 1978, Section 10A.01, Subdivision 7a, is amended to read:

Subd. 7a. "Transfer of funds" or "transfer" means money or negotiable instruments given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the nomination or election of a candidate *or for the purpose of promoting or defeating a ballot question*.

Sec. 3. Minnesota Statutes 1978, Section 10A.01, Subdivision 7b, is amended to read:

Subd. 7b. "Donation in kind" means anything of value other than money or negotiable instruments given by an individual or association to a political committee, political fund, or principal

campaign committee for the purpose of influencing the nomination or election of a candidate *or for the purpose of promoting or defeating a ballot question*. Donation in kind includes an approved expenditure.

Sec. 4. Minnesota Statutes 1978, Section 10A.01, Subdivision 10, is amended to read:

Subd. 10. "Campaign expenditure" or "expenditure" means a purchase or payment of money or anything of value, or an advance of credit, made or incurred for the purpose of influencing the nomination or election of a candidate *or for the purpose of promoting or defeating a ballot question*.

An expenditure is considered to be made in the year in which the goods or services for which it was made are used or consumed.

An expenditure made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Except as provided in clause (a), expenditure includes the dollar value of a donation in kind.

Expenditure does not include:

- (a) Noncampaign disbursements as defined in subdivision 10c;
- (b) Transfers as defined in subdivision 7a;
- (c) Services provided without compensation by an individual volunteering his time on behalf of a candidate, *ballot question*, political committee, or political fund; or
- (d) The publishing or broadcasting of news items or editorial comments by the news media.

Sec. 5. Minnesota Statutes 1978, Section 10A.01, Subdivision 10c, is amended to read:

Subd. 10c. "Noncampaign disbursement" means a purchase or payment of money or anything of value made, or an advance of credit incurred, by a political committee, political fund, or principal campaign committee for any purpose other than to influence the nomination or election of a candidate *or to promote or defeat a ballot question*.

Noncampaign disbursement includes:

- (a) Payment for accounting and legal services;
- (b) Return of a contribution to the source;
- (c) Repayment of a loan made to the political committee, political fund, or principal campaign committee by that committee or fund;
- (d) Return of moneys from the state elections campaign fund;
- (e) Payment for food and beverages consumed at a fundraising event;

(f) Services for a constituent by a member of the legislature or a constitutional officer in the executive branch, performed from the beginning of the term of office to adjournment sine die of the legislature in the election year for the office held; and

(g) A donation in kind given to the political committee, political fund, or principal campaign committee for purposes listed in clauses (e) and (f). The board shall determine whether an activity involves a noncampaign disbursement within the meaning of this subdivision.

Sec. 6. Minnesota Statutes 1978, Section 10A.01, Subdivision 15, is amended to read:

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

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

Sec. 7. Minnesota Statutes 1978, Section 10A.01, Subdivision 16, is amended to read:

Subd. 16. "Political fund" means any accumulation of dues or voluntary contributions by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the nomination or election of a candidate or for the purpose of promoting or defeating a ballot question.

Sec. 8. Minnesota Statutes 1978, Section 10A.01, is amended by adding a subdivision to read:

Subd. 23. "Ballot question" means a question or proposition which is placed on the ballot and which may be voted on by all voters of the state. "Promoting or defeating a ballot question" includes activities related to qualifying the question for placement on the ballot."

Sec. 9. Minnesota Statutes 1978, Section 10A.12, Subdivision 1, is amended to read:

10A.12 [POLITICAL FUNDS.] Subdivision 1. No association other than a political committee shall transfer more than \$100 in aggregate in any one year to candidates or political committees or make any approved or independent expenditure or expenditure to promote or defeat a ballot question unless the transfer or expenditure is made from a political fund.

Sec. 10. Minnesota Statutes 1978, Section 10A.20, Subdivision 3, is amended to read:

Subd. 3. Each report under this section shall disclose:

(a) The amount of liquid assets on hand at the beginning of the reporting period;

(b) The name, address and employer, or occupation if self-employed, of each individual, political committee or political fund who within the year has made one or more transfers or donations in kind to the political committee or political fund, including the purchase of tickets for all fund raising efforts, which in aggregate exceed \$50 for legislative candidates or \$100 for statewide candidates or *ballot questions*, together with the amount and date of each transfer or donation in kind, and the aggregate amount of transfers and donations in kind within the year from each source so disclosed. A donation in kind shall be disclosed at its fair market value. An approved expenditure is listed as a donation in kind. A donation in kind is considered consumed in the reporting period in which it is received. The names of contributors shall be listed in alphabetical order;

(c) The sum of contributions to the political committee or political fund during the reporting period;

(d) Each loan made or received by the political committee or political fund within the year in aggregate in excess of \$100, continuously reported until repaid or forgiven, together with the name, address, occupation and the principal place of business, if any, of the lender and any endorser and the date and amount of the loan. If any loan made to the principal campaign committee of a candidate is forgiven at any time or repaid by any entity other than that principal campaign committee, it shall be reported as a contribution for the year in which the loan was made;

(e) Each receipt in excess of \$100 not otherwise listed under clauses (b) to (d);

(f) The sum of all receipts of the political committee or political fund during the reporting period;

(g) The name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the political committee or political fund within the year in excess of \$100, together with the amount, date and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made, *identification of the ballot question which the expenditure is intended to promote or defeat*, and ; in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;

(h) The sum of all expenditures made by or on behalf of the political committee or political fund during the reporting period;

(i) The amount and nature of any advance of credit incurred by the political committee or political fund, continuously reported until paid or forgiven. If any advance of credit incurred by the principal campaign committee of a candidate is forgiven at any time by the creditor or paid by any entity other than that principal campaign committee, it shall be reported as a donation in kind for the year in which the advance of credit was incurred;

(j) The name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(k) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period;

(l) For principal campaign committees only, the sum of non-campaign disbursements made in each category listed in section 10 of this act 10A.01, subdivision 10c during the reporting period; and

(m) The sum of all noncampaign disbursements made by the political committee, political fund, or principal campaign committee during the reporting period.

Sec. 11. Minnesota Statutes 1978, Section 10A.20, Subdivision 6, is amended to read:

Subd. 6. Every candidate who does not designate and cause to be formed a principal campaign committee, and any individual who makes independent expenditures or expenditures expressly advocating the approval or defeat of a ballot question in aggregate in excess of \$100 in any year, shall file with the board a report containing the information required by subdivision 3. Reports required by this subdivision shall be filed on the dates on which reports by committees and funds are filed.

Sec. 12. Minnesota Statutes 1978, Section 10A.32, Subdivision 3, is amended to read:

Subd. 3. As a condition of receiving any moneys money from the state elections campaign fund, a candidate shall agree by stating in writing to the board that (a) his expenditures and approved expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) he shall not accept contributions or allow approved expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and approved expenditures exceed the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. The agreement, insofar as it relates to the expenditure limits set forth in section 10A.25, remains effective until the dissolution of the principal campaign committee of the candidate or the opening of filings for the next succeeding election to the office held or sought at the time of agreement, whichever occurs first. Beginning in 1980, Money in the account of the principal campaign committee of a candidate on January 1 of the election year for the office held or sought shall be considered contributions accepted by that candidate in that year for the purposes of this subdivision. Notwithstanding the effective date of this section, for 1978, the period for determining the aggregate contribution and approved expenditure limit agreed to pursuant to

this subdivision shall begin January 1, 1978. That amount of all contributions accepted by a candidate in an election year which equals the amount of noncampaign disbursements and contributions and expenditures to promote or defeat a ballot question which are made by that candidate in that year, and the amount of contributions received and approved expenditures made between January 1, 1978, and February 28, 1978 which equals the amount of expenditures made between January 1, 1978, and February 28, 1978, for goods consumed and services used before February 28, 1978, shall not count toward the aggregate contributions and approved expenditure limit imposed by this subdivision. Any amount by which his aggregate contributions and approved expenditures agreed to under clause (b) exceed the difference shall be returned to the state treasurer in the manner provided in subdivision 2. In no case shall the amount returned exceed the amount received from the state elections campaign fund.

The candidate may submit his signed agreement to the filing officer on the day he files his affidavit of candidacy or petition to appear on the ballot, or he may submit the agreement to the board no later than September 1.

The board prior to the first day of filing for office shall forward forms for the agreement to all filing officers. The filing officer shall without delay forward signed agreements to the board. An agreement may not be rescinded after September 1.

For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If for any reason the amount actually received by the candidate is greater than his share of the estimate, and his contributions thereby exceed the difference, the agreement shall not be considered violated.

Sec. 13. Minnesota Statutes 1978, Section 210A.26, Subdivision 3, is amended to read:

Subd. 3. [STATEMENTS OF POLITICAL COMMITTEES.] Statements shall also be made by any political committee showing the total amount of receipts and disbursements, and for what purpose such disbursements were made. Such statement shall be filed within 30 days after any primary, municipal, or general election:

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

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

(c) When the committee is organized to support or oppose any constitutional amendment with the secretary of state;

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

Sec. 14. Minnesota Statutes 1978, Section 210A.26, is amended by adding a subdivision to read:

Subd. 6. [BALLOT QUESTIONS.] Any individual, political committee, association or corporation that makes any contribution or expenditure to promote or defeat a ballot question shall file reports as required by this subdivision. Reports shall be filed at the times required for filing financial statements under subdivision 1. Reports shall be filed with the official responsible for placing the question on the ballot. Each report shall show the following information, covering the period from the last report to seven days before the filing date:

(a) The name and address of each committee, individual, or other person to whom aggregate contributions or expenditures in excess of \$100 have been made to promote or defeat a ballot question, together with the amount, date and purpose of the contribution or expenditure;

(b) The total amount of contributions and expenditures made to promote or defeat a ballot question; and

(c) Identification of the ballot question which the individual, political committee, association or corporation seeks to promote or defeat.

The secretary of state shall prescribe the form for reports required under this subdivision and may do so without adopting rules pursuant to chapter 15.

For the purpose of this subdivision:

(1) "Ballot question" means a question or proposition, other than a ballot question as defined in section 10A.01, subdivision 23, which is placed on the ballot and which may be voted on by the voters of one or more political subdivisions of the state; and

(2) A contribution or expenditure for activities related to qualifying a question for placement on the ballot is a contribution or expenditure to promote or defeat the ballot question.

Sec. 15. Minnesota Statutes 1978, Section 210A.34, Subdivision 1, is amended to read:

210A.34 [CORPORATIONS NOT TO CONTRIBUTE TO POLITICAL CAMPAIGN; PERMITTED ACTIVITIES; REPORTS; PENALTIES.] Subdivision 1. It shall be unlawful for any corporation doing business in this state to ~~pay or contribute or make any contribution or to offer, consent or agree to pay or contribute~~ make any contribution, directly or indirectly, of any money, property, free service of its officers or employees or thing of value to any political party, organization, committee or individual ~~for any political purpose whatsoever, or to promote or defeat the candidacy of any person for nomination, election, or~~

appointment to any political office. For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of any candidate to any political office which is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of a candidate, his principal campaign committee or his agent.

Sec. 16. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1a. It shall be unlawful for any corporation doing business in this state to make any independent expenditure or to offer, consent or agree to make any independent expenditure to promote or defeat the candidacy of any person for nomination, election or appointment to any political office. For the purpose of this subdivision, "independent expenditure" means an expenditure which is not made with the authorization or expressed or implied consent of, or in cooperation or concert with, or at the request or suggestion of, a candidate, his principal campaign committee or his agent.

Sec. 17. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1b. A corporation doing business in this state may make contributions or expenditures to promote or defeat a ballot question, to qualify a question for placement on the ballot, or to express its views on issues of public concern. But no such contribution shall be made to any candidate for nomination, election or appointment to a political office or to any committee organized wholly or partly to promote or defeat such a candidate.

Sec. 18. Minnesota Statutes 1978, Section 210A.34, is amended by adding a subdivision to read:

Subd. 1c. Nothing in this section shall be construed to prohibit publication or broadcasting of news items or editorial comments by the news media.

Sec. 19. Minnesota Statutes 1978, Section 290.09, is amended by adding a subdivision to read:

Subd. 30. [CERTAIN POLITICAL CONTRIBUTIONS.] Political contributions as authorized by sections 17 and 18.

Sec. 20. [EFFECTIVE DATE.] *This article is effective the day following final enactment."*

Amend the title as follows:

Page 1, line 31, after the semicolon insert "authorizing certain political contributions and tax deductions for them;"

Page 1, line 32, after "Sections" insert "10A.01, Subdivisions 7, 7a, 7b, 10, 10c, 15 and 16 and by adding a subdivision; 10A.12, Subdivision 1; 10A.20, Subdivisions 3 and 6; 10A.32, Subdivision 3;"

Page 1, line 35, after "4;" insert "210A.26, Subdivision 3, and

by adding a subdivision; 210A.34, Subdivision 1 and by adding subdivisions;"

Page 1, line 40, after "2;" insert "290.09, by adding a subdivision;"

Mr. Merriam requested division of the amendment as follows:

First portion: All of the amendment except Sec. 19.

Second portion: Sec. 19, and amend the title as follows: Page 1, line 40, after "2;" insert "290.09, by adding a subdivision;"

The question was taken on the adoption of the first portion of the amendment. The motion prevailed. So the first portion of the amendment was adopted.

The question was taken on the adoption of the second portion of the amendment.

The roll was called, and there were yeas 32 and nays 31, as follows:

Those who voted in the affirmative were:

Anderson	Frederick	Lessard	Renneke	Staples
Ashbach	Gearly	McCutcheon	Rued	Stokowaki
Barrette	Jensen	Menning	Schmitz	Ueland, A.
Bernhagen	Kirchner	Nichols	Setzepfandt	Ulland, J.
Brataas	Kleinbaum	Olson	Sieloff	
Coleman	Knaak	Peterson	Sillers	
Engler	Knutson	Pillsbury	Solon	

Those who voted in the negative were:

Benedict	Humphrey	Merriam	Purfeerst	Tennessen
Chmielewski	Johnson	Moe	Schaaf	Vega
Davies	Keefe, J.	Nelson	Sikorski	Willet
Dieterich	Keefe, S.	Olhoft	Spear	
Dunn	Knoll	Omann	Stern	
Gunderson	Laufenburger	Penny	Strand	
Hughes	Luther	Perpich	Stumpf	

The motion prevailed. So the second portion amendment was adopted.

Mr. Renneke moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Pages 30 to 45, delete sections 1 to 11 of Article II

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 32, delete "69.77, Subdivision 2, as amended;"

Page 2, line 6, delete "353.657, Subdivision 3;"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 9 and nays 51, as follows:

Those who voted in the affirmative were:

Bernhagen	Engler	Laufenburger	Omann	Rued
Dunn	Hughes	Merriam	Renneke	

Those who voted in the negative were:

Anderson	Gunderson	Menning	Purfeerst	Stokowski
Bang	Hanson	Moe	Schaaf	Stumpf
Barrette	Humphrey	Nelson	Schmitz	Tennessee
Benedict	Johnson	Nichols	Setzepfandt	Ueland, A.
Brataas	Keefe, S.	Ogdahl	Sieloff	Ulland, J.
Chmielewski	Kirchner	Olhoft	Sikorski	Vega
Coleman	Kleinbaum	Olson	Sillers	Willet
Davies	Knaak	Penny	Solon	
Dieterich	Lessard	Perpich	Spear	
Frederick	Luther	Peterson	Staples	
Gearty	McCutcheon	Pillsbury	Stern	

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

Mr. Setzepfandt moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 84, line 11, delete everything after the period and insert *"Violation of the regulations shall be a misdemeanor under state law."*

Page 84, delete lines 12 and 13

The motion prevailed. So the amendment was adopted.

Mr. Nichols moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 83, line 19, delete "11" and insert "12"

The question was taken on the adoption of the amendment.

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

The roll was called, and there were yeas 10 and nays 46, as follows:

Those who voted in the affirmative were:

Dunn	Knutson	Nichols	Penny	Renneke
Kirchner	McCutcheon	Olson	Purfeerst	Strand

Those who voted in the negative were:

Barrette	Dieterich	Johnson	Laufenburger	Nelson
Benedict	Frederick	Keefe, J.	Lessard	Olhoft
Bernhagen	Gearty	Keefe, S.	Luther	Omann
Brataas	Gunderson	Kleinbaum	Menning	Perpich
Chmielewski	Hughes	Knaak	Merriam	Peterson
Davies	Humphrey	Knoll	Moe	Pillsbury

Rued
Schaaf
Sieloff
Sikoraki

Sillers
Solon
Spear

Staples
Stern
Stokowski

Stumpf
Tennessee
Ueland, A.

Ulland, J.
Vega
Willet

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

Mr. Ashbach moved to amend H. F. No. 1121, as amended by the Senate, adopted March 24, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 883.)

Page 210, after line 30, insert:

"ARTICLE XIV: INCOME TAX FORM

Section 1. Minnesota Statutes 1978, Section 10A.31, Subdivision 3, is amended to read:

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form and the renter and homeowner property tax refund return notify the filing individual and any adult dependent of that individual of his right to allocate \$1 (\$2 if filing a joint return) from the general fund of the state to finance the election campaigns of state candidates. *The form shall also provide a place for the individual to indicate he does not want to allocate any money from the general fund to finance state election campaigns.* The form shall also contain language prepared by the commissioner which permits the individual to direct the state to allocate the \$1 (or \$2 if filing a joint return) , *if the individual so chooses*, to: (i) one of the major political parties; (ii) any minor political party as defined in section 10A.01, subdivision 13, which qualifies under the provisions of subdivision 3a; or (iii) all qualifying candidates as provided by subdivision 7. The dependent on the tax return or the renter and homeowner property tax refund return shall sign a statement which authorizes the designation of \$1. The renter and homeowner property tax refund return shall include instructions that the individual filing the return may designate \$1 on the return only if he has not designated \$1 on the income tax return."

Amend the title as follows:

Page 1, line 31, after "mechanisms;" insert "providing an indication on tax forms of intention not to allocate state money to finance election campaigns;"

Page 1, line 32, after "Sections" insert "10A.31, Subdivision 3;"

The motion prevailed. So the amendment was adopted.

RECONSIDERATION

Having voted on the prevailing side, Mr. Menning moved that the vote whereby the second portion of the Peterson amendment to H. F. No. 1121 was adopted on March 24, 1980, be now reconsidered. The motion prevailed.

The question was taken on the adoption of the second portion of the Peterson amendment.

The roll was called, and there were yeas 22 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Frederick	McCutcheon	Renneke	Ulland, J.
Bernhagen	Gearty	Nichols	Rued	Willet
Brataas	Kirchner	Olson	Sillers	
Coleman	Knaak	Peterson	Staples	
Engler	Knutson	Pillsbury	Ueland, A.	

Those who voted in the negative were:

Barrette	Hughes	Luther	Penny	Spear
Benedict	Humphrey	Menning	Perpich	Stern
Chmielewski	Johnson	Merriam	Purfeerst	Stokowski
Davies	Keefe, J.	Moe	Schaaf	Strand
Dieterich	Keefe, S.	Nelson	Setzepfandt	Stumpf
Dunn	Kleinbaum	Olhoff	Sikoraki	Tennesen
Gunderson	Knoll	Omann	Solon	Vega

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

H. F. No. 1121: A bill for an act relating to taxation; updating the definition of gross income for income tax purposes for individuals, trusts and estates with certain modifications; providing for exempt-interest dividends for certain mutual funds; extending the political contribution credit to congressional and local candidates; clarifying certain definitions; providing a tax credit for energy conservation expenditures; clarifying the renewable energy source credit; increasing the dependent care credit; extending investment tax credits to family corporations; making certain changes in the minimum tax and in the treatment of small business corporations; allowing a ten year carryback of product liability losses; providing for deferral of certain gains recognized in the disposition of broadcasting property; reducing certain property tax classification ratios; increasing homestead credits; changing the property tax status of certain mobile homes; providing for delayed assessments for certain improvements; increasing homestead base value; providing a classification for neighborhood real estate trusts; adjusting levy limits and providing for certain special levies; providing for certain hearings and appeals on special assessments; clarifying property tax settlements; clarifying certain property tax refund filing due dates; extending eligibility for property tax refunds to certain claimants; providing for adjustment of property tax refunds due to abatements; providing state reimbursement for certain property; authorizing heat applied tax stamping machines; increasing the sales tax on retail sales from vending machines; providing a sales tax exemption for certain arts admissions; fixing maximum interest rates on public obligations; excepting certain debt obligations from public sale requirement; appropriating money; amending Minnesota Statutes 1978, Sections 124.212, Subdivision 2; 168.012, Subdivision 9; 273.13, Subdivisions 3 and 17b, and by adding a subdivision; 275.51, by adding a subdivision; 275.52, Subdivisions 2 and 5; 276.04; 276.09; 276.10; 276.11; 290.01, by

adding a subdivision; 290.09, Subdivisions 2, 24 and 28; 290.095, by adding a subdivision; 290.13, by adding a subdivision; 290.26, Subdivision 2; 290.49, Subdivision 10; 290.971, Subdivisions 1, 3 and 6; 290.972, Subdivisions 1, 3 and 5; 290A.06; 290A.11, by adding a subdivision; 290A.17; 290A.18; 290A.19; 297.03, Subdivision 6; 297A.02; 297A.25, Subdivision 1; 375.192, Subdivision 1; 429.061, Subdivisions 1 and 2; 429.081; 474.06; 475.55; 475.60, Subdivision 2; Chapters 273, by adding sections; and 298, by adding sections; Minnesota Statutes, 1979 Supplement, Sections 273.122; 273.13, Subdivisions 4, 5a, 6, 7, 14a and 19; 275.50, Subdivision 5; 290.01, Subdivision 20; 290.06, Subdivisions 11 and 14; 290.067, Subdivisions 1 and 2; 290.09, Subdivision 3; 290.091; 290.095, Subdivision 1; 290.14; 290.17, Subdivision 1; 290.37, Subdivision 1; 290A.03, Subdivision 3; repealing Minnesota Statutes 1978, Section 290.971, Subdivision 5; and Minnesota Statutes, 1979 Supplement, Section 290.23, Subdivision 16.

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 64 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Perpich voted in the negative.

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

MOTIONS AND RESOLUTIONS—CONTINUED

CONFIRMATION

Mr. Laufenburger moved that the report from the Committee on Employment, reported March 19, 1980, pertaining to appointments, be taken from the table. The motion prevailed.

Mr. Laufenburger moved that the foregoing report be now adopted. The motion prevailed.

Mr. Keefe, S. moved that the report from the Committee on Employment, reported March 19, 1980, having been adopted, and the Senate, having given its advice, do now refuse to consent to and do reject the appointment of:

WORKERS' COMPENSATION COURT OF APPEALS

James R. Otto, 6817 Dakota Trail, Edina, Hennepin County, effective September 17, 1979, for a term expiring September 17, 1985.

CALL OF THE SENATE

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

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

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

Mr. Ashbach moved that the appointment of Mr. James R. Otto be re-referred to the Committee on Employment.

The question was taken on the adoption of the motion of Mr. Ashbach.

The roll was called, and there were yeas 21 and nays 44, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Knaak	Renneke	Ulland, J.
Bang	Frederick	Knutson	Rued	
Bernhagen	Jensen	Lessard	Sieloff	
Brataas	Keefe, J.	Omman	Sillers	
Dunn	Kirchner	Pillsbury	Ueland, A.	

Those who voted in the negative were:

Anderson	Hanson	Menning	Perpich	Staples
Barrette	Hughes	Merriam	Peterson	Stern
Benedict	Humphrey	Moe	Purfeerst	Stokowski
Chmielewski	Johnson	Nelson	Schaaf	Strand
Coleman	Keefe, S.	Nichols	Schmitz	Stumpf
Davies	Kleinbaum	Ogdahl	Setzepfandt	Tennessee
Dieterich	Laufenburger	Olhoft	Sikorski	Vega
Gearty	Luther	Olson	Solon	Willet
Gunderson	McCutcheon	Penny	Spear	

The motion did not prevail.

The question recurred on the motion of Mr. Keefe, S.

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

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

The roll was called, and there were yeas 33 and nays 32, as follows:

Those who voted in the affirmative were:

Anderson	Gearty	Leesard	Perpich	Stokowski
Barrette	Hanson	Luther	Schaaf	Stumpf
Benedict	Hughes	McCutcheon	Schmitz	Tennessee
Chmielewski	Humphrey	Moe	Sikoraki	Vega
Coleman	Johnson	Nichols	Solon	Willet
Davies	Keefe, S.	Ogdahl	Spear	
Dieterich	Kleinbaum	Olhoft	Stern	

Those who voted in the negative were:

Ashbach	Gunderson	Menning	Pillabury	Staples
Bang	Jensen	Merriam	Purfeerst	Strand
Bernhagen	Keefe, J.	Nelson	Renneke	Ueland, A.
Brataas	Kirchner	Olson	Rued	Ulland, J.
Dunn	Knaak	Omann	Setzepfandt	
Engler	Knutson	Penny	Sietoff	
Frederick	Laufenburger	Peterson	Sillers	

The motion prevailed. So the appointment was rejected.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Tennessee moved that S. F. No. 1677, No. 24 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

Mr. Coleman moved that the Senate do now adjourn until 10:30 o'clock a.m., Tuesday, March 25, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate