

NINETY-FIRST DAY

St. Paul, Minnesota, Tuesday, April 1, 1980

The Senate met at 12:00 o'clock noon 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:

Ashbach	Gearty	Menning	Purfeerst	Stokowski
Bang	Hughes	Merriam	Rued	Strand
Barrette	Johnson	Moe	Schmitz	Stumpf
Chmielewski	Keefe, S.	Olhoff	Setzepfandt	Ueland, A.
Coleman	Kirchner	Omann	Sieloff	Ulland, J.
Dieterich	Kleinbaum	Penny	Solon	Vega
Dunn	Knaak	Perpich	Staples	Wegener
Engler	Laufenburger	Pillsbury	Stern	Willet

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

Prayer was offered by the Chaplain, Rev. Winfield Johnson.

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

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

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. Sillers was excused from the Session of today.

Pursuant to Rule 21, Mr. Sikorski moved that the following members be excused for a Conference Committee on H. F. No. 1896:

Messrs. Sikorski; McCutcheon; Luther; Keefe, J. and Davies. The motion prevailed.

Pursuant to Rule 21, Mr. Merriam moved that the following members be excused for a Conference Committee on H. F. No. 1781 at 12:15 p.m.:

Messrs. Merriam, Dieterich, Hughes, Anderson and Dunn. The motion prevailed.

Pursuant to Rule 21, Mr. Humphrey moved that the following members be excused for a Conference Committee on H. F. No. 1710 at 2:00 p.m.:

Messrs. Humphrey, Anderson and Ogdahl. The motion prevailed.

Pursuant to Rule 21, Mr. Gunderson moved that the following members be excused for a Conference Committee on S. F. No. 1649:

Messrs. Gunderson, Renneke and Strand. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time and referred to the committee indicated.

Messrs. Sieloff, Rued, Johnson, Sillers and Setzepfandt introduced—

S. F. No. 2420: A bill for an act relating to real property; providing for relief in certain cases from inequitable foreclosure of mortgages, termination of contracts for the conveyance of real estate, and execution sales of real property during an emergency declared by the governor; authorizing the governor to declare by proclamation a public economic emergency under certain conditions, limiting its duration, and providing nullifying powers in the legislature; postponing certain sales and extending the period of redemption of real property during an emergency; providing for possession during the extended period; and limiting the right to maintain actions for deficiency judgments.

Referred to the Committee on Judiciary.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

March 31, 1980

The Honorable Edward J. Gearty
President of the Senate

Dear Sir:

I have the honor of informing you that I have received, approved, signed and deposited in the Office of the Secretary of

State, S. F. Nos. 1815, 1957, 801, 1707, 2102, 1979, 1847, 1584, 1963, 1807, 802, 1633, 1674, 1719, and 1709.

Sincerely yours,
Albert H. Quie, Governor

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. 2045 for comparison with companion Senate File, reports the following House File was found not identical with its companion Senate File as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
2045	1806				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2045 be amended as follows:

Page 1, line 10, delete "4" and insert "5"

Page 1, line 15, delete "for a project" and insert "under section 3"

Page 1, line 17, delete "by" and insert "in regulations of"

Page 1, lines 18 to 20, delete "or by another agency or instrumentality of the United States to which the same or similar power may be granted, as authorized by" and insert "pursuant to"

Page 1, lines 21 and 22, delete "et seq. on the effective date of this section." and insert "to 647, as in effect March 1, 1980, which is engaged in any industrial or commercial activity except:

(a) Banking or other financial service;

(b) Real estate brokerage, management, sale, ownership, or leasing;

(c) Legal, medical, dental, accounting, engineering, or any other professional or consulting service;

(d) Furnishing recreational or athletic facilities; and

(e) Serving food or beverages to be consumed on or adjacent to the premises where they are sold.

Subd. 5. "Eligible small business" for the purpose of section 3, subdivision 5, means a business entity organized for profit, including but not limited to any individual, partnership, corporation, joint venture, association or cooperative, which entity:

(a) Is not an affiliate or subsidiary of a business dominant in its field of operation; and

(b) Has 20 or fewer full time employees or not more than the equivalent of \$1,000,000 in annual gross revenues in the preceding fiscal year.

Subd. 6. "Dominant in its field of operation" means having more than 20 full time employees and more than \$1,000,000 in annual gross revenues.

Subd. 7. "Affiliate or subsidiary of a business dominant in its field of operation" means a business which is at least 20 percent owned by a business dominant in its field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in that field of operation.

Subd. 8. "Financial institution" means any bank or other financial corporation described in chapter 47, any insurance company licensed to do business under chapter 60A, and any securities broker-dealer licensed under chapter 80A.

Subd. 9. "Pollution control loan" means a federally guaranteed loan to the owner of a small business for the acquisition, construction, or improvement of pollution control facilities as defined by federal law authorizing the guaranty. On the effective date of this section such facilities as are defined in 15 U. S. Code, Sections 694-1 and 694-2, and such real and personal property as the United States small business administration, in its discretion, determines is likely to help prevent, reduce, abate, or control noise, air, or water pollution or contamination by removing, altering, disposing, or storing pollutants, contaminants, wastes, or heat, and such real and personal property as the administration determines will be used for the collection, storage, treatment, utilization, processing, or final disposal of solid or liquid waste shall qualify as a project for a pollution control loan."

Page 2, lines 3 and 4, delete "as a public body corporate and politic and a public corporation"

Page 2, line 6, delete "4" and insert "5"

Page 3, line 12, after "4" insert "and that title to all property then owned by the agency will remain or vest in the agency, its successor or the state, as the case may be."

Page 4, line 9, after "filling" insert "of"

Page 4, line 28, after "may" insert "make or purchase or"

Page 4, line 28, after "with" delete "banks, savings institutions, investment bankers, insurance companies and other"

Page 4, lines 30 and 31, delete "and committing to make or purchase business facilities loans and" and insert "or purchasing" and delete "facilities"

Page 4, line 32, delete "as described in subdivisions 2 and 3 of this section" and insert "upon the conditions described in this section, and may enter into commitments therefor"

Page 4, delete line 33

Page 5, delete lines 1 to 11, and insert

purpose of pollution control facilities," and insert "not exceeding \$100,000 in principal amount, provided that each such loan shall be made only from the proceeds of a bond or note sold and issued to a financial institution, payable exclusively from the repayments of principal and interest on the loan, which shall be assigned to and serviced by the financial institution."

Page 5, line 12, after "3." insert "The agency may make" and delete "facilities"

Page 5, lines 12 to 14, delete "shall consist of loans for the purpose of pollution control facilities," and insert "not exceeding \$500,000 in principal amount, when"

Page 5, line 20, after "granted." delete "On the effective date of this section, the"

Delete page 5, line 21 to page 7, line 5 and insert

"Subd. 4. The agency shall make every effort to assure that at least 50 percent of the principal amount of the loans made or purchased by the agency in each fiscal year consists of loans with a principal amount of \$100,000 or less to eligible small businesses as defined in section 1, subdivision 5, and shall provide technical assistance needed by eligible small business owners to complete applications and meet other requirements for those loans. The agency shall report to the legislature annually on or before October 1 as to is compliance with the requirements of this subdivision during the preceding fiscal year.

Subd. 5. (a) Each financial institution which participates in a pollution control loan with the agency shall annually on or before March 1 submit a report for the prior calendar year to the agency on a form prescribed by the state auditor. The report shall include a listing of each new and outstanding loan in which the financial institution is a participant, the amount and terms of the loan, the purpose of the loan and any other information as the state auditor may reasonably require.

(b) The agency shall annually on or before May 1 submit a report on a form prescribed by the state auditor for the prior calendar year to the state auditor on all loans which it makes purchases or participates in. The report shall include a listing of each new and outstanding loan in which the financial institution is a participant, the amount and terms of the loan, the purpose of the loan and any other information as the state auditor may reasonably require.

(c) The state auditor shall annually on or before July 1 submit a report for the prior calendar year to the governor and the legislature summarizing the report submitted pursuant to clause (b).

(d) The cost of preparing and submitting the reports required by this subdivision shall be borne by the party submitting it. Any financial institution which fails to comply with the requirements of this subdivision shall be prohibited from participating in future loans until it complies."

Page 7, line 8, delete "3" and insert "5"

Page 7, line 14, delete "4" and insert "5"

Page 8, line 14, after "462A.17" insert ", all with the force and effect stated and the incidental powers granted and duties imposed in those sections"

Page 8, line 15, delete "general obligation"

Page 8, line 19, delete "\$30,000,000" and insert "\$20,000,000"

Page 8, line 21, delete "revenue"

Page 8, line 23, after "programs" insert "notwithstanding section 462A.08, subdivision 3"

Page 9, line 24, after "less." insert "It may deposit funds in excess of the amount insured with security as provided in chapter 118. Notwithstanding the foregoing, it may invest and deposit funds into accounts established pursuant to resolutions or indentures securing its bonds or notes in such investments and deposit accounts or certificates, and with such security, as may be agreed therein with the holders or a trustee for the holders."

Page 9, lines 26 and 27, delete "small business" and insert "pollution control"

Page 10, line 7, after "obligations," insert "any amounts granted or appropriated to the agency for the making or purchase or the insurance or guaranty of loans or for bond reserves,"

Amend the title as follows:

Page 1, line 3, after "to" insert "issue and"

Page 1, line 4, delete "revenue bonds" and insert "obligations"

Page 1, line 5, after "business" insert "and pollution control"

Page 1, line 5, delete "appropriating money" and insert "requiring reports"

And when so amended H. F. No. 2045 will be identical to S. F. No. 1806, and further recommends that H. F. No. 2045 be given its second reading and substituted for S. F. No. 1806, 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. 251, 262, 1878, 2019, and 2046 for comparison with companion Senate Files, reports the following House Files were found not identical with their companion Senate Files as follows:

SPECIAL ORDERS		CONSENT CALENDAR		CALENDAR	
H. F. No.	S. F. No.	H. F. No.	S. F. No.	H. F. No.	S. F. No.
251	291				
262	403				
1878	1699				
2019	2041				
2046	1706				

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 251 be amended as follows:

Page 1, line 15, delete "*shall apply*" and insert "*applies*"

Page 1, line 16, after "*administers*" and "*compensation*" insert commas

Page 3, line 7, delete "*shall be*" and insert "*are*"

Page 3, line 19, delete "*shall be*" and insert "*are*"

Page 4, line 33, delete "*shall mean*" and insert "*means*"

Page 5, line 19, strike "(c)"

Page 5, line 23, strike "such"

Page 5, line 33, after the period, insert: "*Cost comparisons are not required between insured and self-insurance alternatives, but apply to comparisons between two or more insured proposals or comparisons between two or more self-insurance proposals.*"

Page 6, line 22, after "*rules,*" insert "*including emergency rules, pursuant to sections 15.0411 to 15.052,*"

Page 6, line 27, after "*or*" insert "*an insurance company approved pursuant to section 60A.20 or*"

Page 6, lines 30 and 31, delete "*, regardless of the time of payment of the claims, or*" and after "*contract*" insert "*. In addition to excess or stop-loss coverage,*"

Page 7, line 1, after "*contract*" insert "*which shall be adding to the expected claim level*"

Page 7, line 13, after "*representative*" insert "*and agreement by the exclusive representative that represents the largest number of employees to be included in the plan*"

Page 7, line 24, delete "*any*" and insert "*a*"

Page 7, line 26, delete "*Any*" and insert "*A*"

Delete page 7, line 32 to page 8, line 2

Renumber the sections in sequence

Amend the title as follows:

Page 1, lines 5 and 6, delete "Section 471.616, Subdivision 1; Section 60A.23, by adding a subdivision;" and insert "Sections 60A.23, by adding a subdivision; 471.616, Subdivision 1;"

And when so amended H. F. No. 251 will be identical to S. F. No. 291, and further recommends that H. F. No. 251 be given its second reading and substituted for S. F. No. 291, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 262 be amended as follows:

Page 1, line 18, after "insurance" insert "*for purposes of this subdivision*"

Page 2, line 1, after "but" insert "*for purposes of this subdivision*"

Page 2, line 9, delete "It" and insert "*For purposes of this subdivision "insurer"*"

Page 2, line 20, after "insurance" insert "*for purposes of this subdivision*"

Page 3, line 22, after "hazard" insert " , *not including health, life, accident or disability of its employees.*"

Page 3, line 24, after "hazard" insert " , *not including health, life, accident or disability of its employees.*"

Page 4, lines 26 and 27, delete "*Nothing in this section shall be construed to limit the power of*"

Page 4, line 27, delete "to" after "subdivision" and insert "*may*"

Page 4, line 29, delete "or to" and insert "*may*"

Page 4, line 33, after the headnote, insert "*Subdivision 1.*"

Page 5, line 11, delete "*shall be*" and insert "*is*"

Page 5, line 18, begin a new paragraph with "*The commissioner*" and insert "*Subd. 2.*" before it

Page 5, line 19, delete "*providing*" and insert "*including emergency rules pursuant to sections 15.0411 to 15.052. These rules may provide*"

Page 5, line 21, delete "and" and before the period insert " , *and other reasonable requirements to further the purpose of this section and shall at a minimum require the following:*

(a) *All participants in the pool are jointly and severally liable for all claims and expenses of the pool;*

(b) *Each pool shall contract with a service company licensed by the commissioner to provide or contract for all administrative services required by the pool. No vendor of risk management services or entity administering a self insurance plan under this section may transact such business in this state unless it is licensed to do so by the commissioner. An applicant for a license shall state in writing the type of activities it seeks authorization to engage in and the type of services it seeks authorization to pro-*

vide. The license shall be granted only when the commissioner is satisfied that the entity possesses the necessary organization, background, expertise, and financial integrity to supply the services sought to be offered. The commissioner may issue a license subject to restrictions or limitations upon the authorization, including the type of services which may be supplied or the activities which may be engaged in. The license fee shall be \$100. All licenses shall be for a period of two years;

(c) The service company has sole responsibility for the settlement of all claims against the pool or its members for which the pool may provide indemnification;

(d) A minimum premium volume for each pool shall be established. The minimum premium volume may differ because of the kinds of coverage provided, and the limits of liability for the coverage;

(e) All premiums or other assessments due to the pool from members shall be payable prior to the period for which coverage is being provided, or at equal intervals throughout the period;

(f) Premiums shall either be established by an actuary approved by the commissioner or shall be premiums filed by a licensed rate service organization with reductions permitted solely for administrative or premium tax savings;

(g) The commissioner may require each pool to purchase excess insurance above certain limits and in a particular form. The limits or form of the excess insurance may differ based on the kinds of coverage offered by a pool, the limits of liability of the coverage, and the revenues available to pool members for the payment of premiums or assessments;

(h) Each pool shall be audited annually by a certified public accountant;

(i) Limitations on the payment of dividends to pool members may be established as necessary to assure the solvency of the pool;

(j) No participant may withdraw from a pool for a period of at least three years after its initial entry into the pool;

(k) The amount of any liabilities in excess of assets shall be assessed to members of the pool within 30 days after a deficiency is identified and shall be payable by the member within 90 days;

(l) The investment policies of the pool shall be governed by the laws governing investments by cities pursuant to section 475.66;

(m) Pools shall be subject to the standards of unfair methods of competition and unfair or deceptive acts or practices established in Minnesota Statutes, Chapter 72A;

(n) Other requirements that are necessary to protect the solvency of the pool, the rights and privileges of claimants against the pool, and citizens of the members of the pool shall be included in the rules."

Page 5, delete lines 22 to 25 and insert

"Sec. 8. [APPROPRIATION.] *The sum of \$43,000 is appropriated from the general fund to the commissioner of insurance for the purposes of this act.*"

Amend the title as follows:

Page 1, line 4, after "pooling;" insert "appropriating money;"

And when so amended H. F. No. 262 will be identical to S. F. No. 403, and further recommends that H. F. No. 262 be given its second reading and substituted for S. F. No. 403, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2019 be amended as follows:

Page 5, line 33, delete "school loan" and insert "equalization aid review"

And when so amended H. F. No. 2019 will be identical to S. F. No. 2041, and further recommends that H. F. No. 2019 be given its second reading and substituted for S. F. No. 2041, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 1878 be amended as follows:

Page 2, after line 8, insert:

"Sec. 2. Minnesota Statutes 1978, Section 65B.49, is amended by adding a subdivision to read:

Subd. 4a. [UNDERINSURED MOTORIST COVERAGE.] No plan of reparation security may be renewed, delivered or issued for delivery, or executed in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, in an amount at least equal to the insured's residual liability limits, whereby the reparation obligor agrees to pay damages the insured is legally entitled to recover on account of a motor vehicle accident but which are uncompensated because the total damages exceed the residual bodily injury liability limit of the owner of the other vehicle. The reparation obligor is subrogated to any amounts it pays and upon payment has an assignment of the judgment if any against the other person to the extent of the money it pays."

Page 2, lines 17 to 26, delete the new language

Page 2, line 33, delete the comma

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after "plan;" insert "providing for mandatory uninsured motorist coverage;"

Page 1, line 7, after "2;" insert "65B.49, by adding a subdivision;"

And when so amended H. F. No. 1878 will be identical to S. F. No. 1699, and further recommends that H. F. No. 1878 be given its second reading and substituted for S. F. No. 1699, and that the Senate File be indefinitely postponed.

Pursuant to Rule 49, the Committee on Rules and Administration recommends that H. F. No. 2046 be amended as follows:

Page 1, line 7, after "The" insert "advisory task force on the"

Page 1, lines 8 and 9, delete "The conference shall be directed by ten commissioners," and insert "The task force shall consist of nine members all of whom shall be small business persons."

Page 1, lines 12 to 16, delete "The tenth shall be a person who served as a commissioner of the 1980 White House conference on small business and shall be chairperson of the Minnesota conference. They shall meet from time to time to discharge the duties imposed by this act."

and insert "The honorary chairperson of the task force shall be a person who served as a commissioner of the 1980 White House conference on small business. The task force shall meet from time to time to discharge the duties imposed by this act. Compensation removal and filling of vacancies shall be as provided in section 15.059. The task force shall expire March 31, 1981."

Page 1, line 17, delete "Minnesota conference commissioners" and insert "task force"

Page 1, line 18 after "for" insert "and shall hold"

Page 1, lines 20 and 21, delete "who represent small business in all parts of the state" and insert "to a statewide conference"

Page 1, line 21, after the period insert "The delegates shall represent small business in all parts of the state."

Page 1, line 22, after "ex officio" insert "voting"

Page 2, line 2, delete "Minnesota conference shall hold a meeting" and insert "task force shall hold a statewide conference"

Page 2, line 4, delete "meeting" and insert "conference"

Page 2, line 5, after "be" insert "held"

Page 2, line 6, delete "rules and" and "provided" and insert "established" and delete "conference"

Page 2, line 7, delete "commissioners" and insert "task force" and delete "Minnesota conference" and insert "task force"

Page 2, line 11, delete "conference" and insert "task force" and after "report" insert "the"

Page 2, line 12, after "action" insert "adopted by the conference"

Page 2, after line 13, insert:

"Sec. 5. The task force may accept gifts and grants made to it and shall apply them to the purposes of this act."

Page 2, line 14, delete "5. \$10,000" and insert "6. [APPROPRIATION.] The sum of \$100,000"

Page 2, line 15, after the first "the" insert "task force on the" and delete "for" and insert "to accomplish"

Page 2, lines 16 to 19, delete: "Gifts to the conference are also appropriated to it for the purposes of this act. Notwithstanding any other law, these appropriations cancel March 31, 1981."

and insert "This appropriation is available until March 31, 1981."

Page 2, after line 19, insert:

"Sec. 7. [EFFECTIVE DATE.] This act is effective the day following final enactment and expires on March 31, 1981."

Amend the title as follows:

Page 1, line 2, after "the" insert "advisory task force on the"

And when so amended H. F. No. 2046 will be identical to S. F. No. 1706, and further recommends that H. F. No. 2046 be given its second reading and substituted for S. F. No. 1706, 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. 2045, 251, 262, 2019, 1878 and 2046 were read the second time.

MOTIONS AND RESOLUTIONS

Mr. Renneke introduced—

Senate Resolution No. 66: A Senate resolution relating to extending congratulations to the Spartans Girls' Volleyball Team from Gaylord for winning the 1979 Class A Girls' High School Volleyball Championship.

Referred to the Committee on Rules and Administration.

SUSPENSION OF RULES

Remaining on the Order of Business of Motions and Resolutions, Mr. Coleman moved that the Senate take up the Calendar and that the rules of the Senate be so far suspended as to waive the lie-over requirement. The motion prevailed.

CALENDAR

H. F. No. 1201: A bill for an act relating to waters; changing watercraft license fees; amending Minnesota Statutes 1978, Section 361.03, Subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 37 and nays 8, as follows:

Those who voted in the affirmative were:

Bang	Keefe, S.	Menning	Rued	Tennessen
Benedict	Kirchner	Moe	Schmitz	Ueland, A.
Chmielewski	Kleinbaum	Nelson	Setzepfandt	Vega
Coleman	Knaak	Ogdahl	Solon	Wegener
Dunn	Knutson	Olson	Spear	Willet
Engler	Laufenburger	Omann	Stern	
Gearty	Lessard	Penny	Stokowski	
Humphrey	Luther	Peterson	Stumpf	

Those who voted in the negative were:

Ashbach	Johnson	Perpich	Sieloff	Ulland, J.
Barrette	Olhoff	Pillsbury		

So the bill passed and its title was agreed to.

H. F. No. 2035: A bill for an act relating to historic sites and monuments; adding property to Split Rock Lighthouse historic site; reestablishing Traverse des Sioux historic site as a state monument; authorizing a memorial to Minnesota's war dead in Arlington National Cemetery; memorializing Congress to pass H. R. 1918, a service pension for veterans of World War One and their surviving spouses; appropriating funds; amending Minnesota Statutes 1978, Sections 138.025, Subdivision 10; and 138.585, by adding a subdivision; repealing Minnesota Statutes 1978, Section 138.55, Subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Lessard	Penny	Staples
Bang	Humphrey	Luther	Perpich	Stern
Barrette	Johnson	Menning	Peterson	Stokowski
Benedict	Keefe, S.	Moe	Pillsbury	Stumpf
Bernhagen	Kirchner	Nelson	Rued	Tennessen
Chmielewski	Kleinbaum	Nichols	Schmitz	Ueland, A.
Coleman	Knaak	Ogdahl	Setzepfandt	Ulland, J.
Dunn	Knoll	Olhoff	Sieloff	Vega
Engler	Knutson	Olson	Solon	Wegener
Gearty	Laufenburger	Omann	Spear	Willet

So the bill passed and its title was agreed to.

H. F. No. 1138: A bill for an act relating to local government; authorizing the establishment of local government official training programs; appropriating money; amending Minnesota Statutes 1978, Section 471.59, 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 49 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Johnson	Menning	Peterson	Stern
Bang	Keefe, S.	Moe	Pillsbury	Stokowski
Barrette	Kirchner	Nelson	Purfeerst	Stumpf
Benedict	Kleinbaum	Nichols	Rued	Tennessee
Bernhagen	Knaak	Ogdahl	Schmitz	Ueland, A.
Chmielewski	Knoll	Olhoff	Setzepfandt	Ulland, J.
Engler	Knutson	Olson	Sieloff	Vega
Gearty	Laufenburger	Omann	Solon	Wegener
Hanson	Lessard	Penny	Spear	Willett
Humphrey	Luther	Perpich	Staples	

So the bill passed and its title was agreed to.

S. F. No. 994: A bill for an act relating to real estate brokers and salespersons; allowing legal education courses to substitute for real estate education courses under certain circumstances; reducing the number of hours of education required for a license; regulating the real estate education, research and recovery fund; setting fees; providing guidelines for the amount of the recovery portion of the fund and for paying claims; amending Minnesota Statutes 1978, Sections 82.22, Subdivisions 6 and 13; 82.34, Subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, and by adding a subdivision; Minnesota Statutes, 1979 Supplement, Section 82.21, Subdivision 1; repealing Minnesota Statutes 1978, Section 82.34, 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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Ashbach	Hanson	Luther	Peterson	Staples
Bang	Humphrey	Menning	Pillsbury	Stern
Barrette	Johnson	Moe	Purfeerst	Stokowski
Benedict	Keefe, S.	Nelson	Renneke	Strand
Bernhagen	Kirchner	Nichols	Rued	Stumpf
Chmielewski	Kleinbaum	Ogdahl	Schmitz	Tennessee
Coleman	Knaak	Olhoff	Setzepfandt	Ueland, A.
Davies	Knoll	Olson	Sieloff	Ulland, J.
Engler	Knutson	Omann	Sikorski	Vega
Gearty	Laufenburger	Penny	Solon	Wegener
Gunderson	Lessard	Perpich	Spear	Willett

So the bill passed and its title was agreed to.

H. F. No. 1443: 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; 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.

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 56 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Tennesen voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2436: 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.

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 54 and nays 3, as follows:

Those who voted in the affirmative were:

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

Messrs. Davies, Olhoft and Tennesen voted in the negative.

So the bill passed and its title was agreed to.

S. F. No. 2375: A bill for an act relating to taxation; clarifying provisions of the Minnesota tax increment financing act; authorizing assessment agreements; amending Minnesota Statutes 1978, Section 472A.02, by adding a subdivision; and Minnesota Statutes, 1979 Supplement, Sections 273.73, Subdivisions 7, 8, 10, 11 and 12; 273.74, Subdivision 3; 273.75, Subdivisions 1, 2, 5 and 6; 273.76, Subdivisions 1, 2 and 3, and by adding subdivisions; 273.77; 273.78; 273.86, Subdivision 4; and 473F.08, Subdivision 6.

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 57 and nays 1, as follows:

Those who voted in the affirmative were:

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

Mr. Davies voted in the negative.

So the bill passed and its title was agreed to.

H. F. No. 2149: A bill for an act relating to public welfare; clarifying duties of the commissioner of public welfare regarding approval of public and private mental health centers and clinics for certain purposes; mandating additional rulemaking; amending Minnesota Statutes, 1979 Supplement, Section 245.69.

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2281: A bill for an act relating to taxation; imposing penalties for failure to file returns for Kittson, Marshall, Clay, Becker and Wilkin counties' gravel tax; amending Laws 1961, Chapter 605, Section 3; Laws 1963, Chapter 475, Section 3; Laws 1977, Chapters 112, Section 3; and 117, Section 3.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 1904: A bill for an act relating to the Nine Mile Creek and Riley-Purgatory Creek Watershed Districts; providing for the establishment of district water maintenance and repair funds; authorizing tax levies for water maintenance and repair purposes.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H. F. No. 160: A bill for an act relating to welfare; changing income disregard provisions for certain medical assistance recipients and certain supplemental aid recipients; appropriating money;

amending Minnesota Statutes 1978, Section 256D.37, Subdivision 2; Minnesota Statutes, 1979 Supplement, Sections 256B.06, Subdivision 1; and 256D.37, 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S. F. No. 2389: A bill for an act relating to taxation; income; providing for the nonrecognition of gain or loss from sales or exchanges certified by the Federal Communications Commission; amending Minnesota Statutes 1978, Section 290.13, 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

RECESS

Mr. Coleman moved that the Senate do now recess until 1:30 o'clock p.m. The motion prevailed.

The hour of 1:30 o'clock p.m. having arrived, the President called the Senate to order.

MEMBERS EXCUSED

Mr. Solon was excused from the Session of today until 3:45 o'clock p.m. Messrs. Hanson and McCutcheon were excused from the Session of today from 2:30 to 4:30 o'clock p.m. Mr. Sikorski was excused from the Session of today from 3:30 to 4:10 o'clock p.m. Mr. Menning was excused from the Session of today from 3:10 to 4:10 o'clock p.m.

CALL OF THE SENATE

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

Bang	Frederick	Knutson	Peterson	Stokowski
Barrette	Gearty	Laufenburger	Pillsbury	Stumpf
Bernhagen	Gunderson	Luther	Purfeerst	Tennessee
Brataas	Hughes	Merriam	Renneke	Ulland, J.
Chmielewski	Johnson	Nelson	Rued	Vega
Coleman	Keefe, J.	Nichols	Setzepfandt	Wegener
Davies	Keefe, S.	Olhoft	Sieloff	
Dieterich	Kirchner	Omann	Sikorski	
Dunn	Kleinbaum	Penny	Spear	
Engler	Knaak	Perpich	Stern	

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

SPECIAL ORDER

H. F. No. 1612: A bill for an act relating to metropolitan government; providing for metropolitan area agricultural preserves; providing property tax relief; appropriating money; amending Minnesota Statutes 1978, Section 273.111, Subdivision 6.

Mr. Sikorski moved to amend H. F. No. 1612, as amended pursuant to Rule 49, adopted by the Senate March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1597.)

Page 1, line 19, delete "*will*"

Page 1, line 20, delete "*be*"

Page 1, line 21, delete "*will be*"

Page 1, line 23, delete "*will be*"

Page 2, line 1, delete "*will be*"

Page 2, line 13, delete "*and*" and insert "*or*"

Page 2, line 14, delete "*and*" and insert "*or*"

Page 2, line 14, delete everything after "*stock*"

Page 2, line 15, delete "*Sections 18.44 to 18.61*"

Page 2, line 15, delete "*of all kinds*"

Page 2, line 16, after "*grains*" insert "*or*"

Page 2, line 16, after "*products*" delete "*, and*" and insert a period

Page 2, line 17, after "*woodlands*" insert "*accompanying land in agricultural use shall be deemed to be in agricultural use*"

Page 3, line 16, delete "*land contract*" and insert "*contract for deed*"

Page 4, line 7, delete "*is*"

Page 4, line 18, delete "*minor civil divisions*" and insert "*authorities*"

Page 4, line 20, delete "*minor civil divisions*" and insert "*authorities*"

Page 4, line 25, delete "*and*" and insert "*using*"

Page 5, line 5, delete "*officially*"

Page 5, line 9, delete "*such*"

Page 5, line 23, after "*apply*" insert "*to the authority with jurisdiction over the land on forms provided by the commissioner of agriculture*"

Page 5, line 29, delete everything after the period

Page 5, delete lines 30 and 31

Page 5, line 32, delete everything before "*at*" and insert "*The application shall contain*"

Page 6, line 1, delete everything after "*necessary*" and insert a colon

Page 7, line 6, delete "*of suitable form,*"

Page 7, line 9, delete "*of such data*"

Page 8, line 22, delete "*and shall state*" and insert "*of*"

Page 9, line 9, after "*its*" insert "*appropriate*"

Page 9, line 9, delete "*capability*" and insert "*classification and*"

Page 9, line 11, delete everything after the period

Page 9, delete lines 12 to 19 and insert "*In determining the value for ad valorem tax purposes the assessor shall not consider any added values resulting from nonagricultural factors.*"

Page 10, line 6, delete "*is*" and insert "*will be*"

Page 10, line 17, delete "*1982*" and insert "*1983*"

Page 10, line 21, after "*on*" insert "*or before*"

Page 10, line 21, delete "*1982*" and insert "*1983*"

Page 10, after line 25, insert:

"This section shall be effective for taxes levied in 1982, payable in 1983 and thereafter."

Page 11, line 21, delete *"regulations"* and insert *"rules"*

Page 11, line 23, delete *"regulations"* and insert *"rules"*

Page 11, line 23, delete everything after *"which"* and insert *"favor"*

Page 11, line 24, delete *"affecting"* and insert *"affect"*

Page 11, line 26, delete *"regulations"* and insert *"rules"*

Page 11, line 28, delete *"that would be supportive of"* and insert *"encourage"*

Page 11, line 30, delete everything after *"while"*

Page 11, line 31, delete *"protect"* and insert *"protecting"*

Page 12, delete lines 1 to 17

Page 13, line 3, delete *"moving to acquire"* and insert *"acquiring"*

Page 13, line 6, delete *"moving to advance"* and insert *"advancing"*

Page 13, line 11, before *"Notice"* insert *"At least 60 days prior to an action described in subdivision 1,"*

Page 13, line 12, delete everything after *"board"*

Page 13, line 20, after *"effect"* insert *"of the action"*

Page 13, line 33, before *"preserve"* insert *"affected"*

Page 13, line 33, delete *"preserves"* and insert *"preserve"*

Page 14, line 4, delete *"and"* and insert a comma

Page 14, line 5, after the comma, delete *"to"* and insert *"and"*

Page 14, line 6, delete *"and"*

Page 14, line 23, delete *"reasonable and cost effective"* and insert *"feasible and prudent"*

Page 15, line 14, delete *"there is ample evidence that"*

The motion prevailed. So the amendment was adopted.

Mr. Merriam moved to amend H. F. No. 1612, as amended pursuant to Rule 49, adopted by the Senate March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1597.)

Page 1, line 10, delete *"19"* and insert *"17"*

Page 1, line 15, delete *"19"* and insert *"17"*

Page 2, line 6, delete "19" and insert "17"

Page 3, line 1, delete "19" and insert "17"

Page 6, lines 2 and 13, delete "19" and insert "17"

Page 7, line 24, delete "19" and insert "17"

Page 8, line 25, delete "19" and insert "17"

Page 11, line 8, delete "19" and insert "17"

Page 14, line 22, delete "19" and insert "17"

Pages 16 and 17, delete sections 18 and 19

Page 17, line 25, delete "18" and insert "17"

Page 17, line 26, delete everything after the period

Page 17, delete line 27

Renumber the sections in sequence

Delete all underlining from the bill

Amend the title as follows:

Page 1, line 4, delete "providing property tax relief;"

Page 1, line 5, delete everything after "money" and insert a period

Page 1, delete line 6

The motion prevailed. So the amendment was adopted.

Mr. Wegener moved to amend H. F. No. 1612, as amended pursuant to Rule 49, adopted by the Senate March 28, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1597.)

Page 17, after line 2, insert:

"Sec. 19. Minnesota Statutes 1978, Section 462.351, is amended to read:

462.351 [MUNICIPAL PLANNING AND DEVELOPMENT; STATEMENT OF POLICY.] The legislature finds that municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, *to preserve agricultural and other open lands*, and to promote the public health, safety, ~~morals~~ and general welfare. Municipalities can prepare for anticipated changes and by such preparations bring about significant savings in both private and public expenditures. Municipal planning, by providing public guides to future municipal action, enables other public and private agencies to plan their activities in harmony with the municipality's plans. Municipal planning will assist in developing lands more wisely to serve citizens

more effectively, will make the provision of public services less costly, and will achieve a more secure tax base. It is the purpose of sections 462.351 to 462.364 to provide municipalities, in a single body of law, with the necessary powers and a uniform procedure for adequately conducting and implementing municipal planning.

Sec. 20. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 12. "Subdivision" means the separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or other use or any combination thereof, except those separations:

(a) Where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses;

(b) Creating cemetery lots;

(c) Resulting from court orders, or the adjustment of a lot line by the relocation of a common boundary.

Sec. 21. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 14. "Plat" means the drawing or map of a subdivision prepared for filing of record pursuant to chapter 505 and containing all elements and requirements set forth in applicable local regulations adopted pursuant to section 462.358 and chapter 505.

Sec. 22. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 15. "Subdivision regulation" means an ordinance adopted pursuant to section 462.358 regulating the subdivision of land.

Sec. 23. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 16. "Official controls" or "controls" means ordinances and regulations which control the physical development of a city, county or town or any part thereof or any detail thereof and implement the general objectives of the comprehensive plan. Official controls may include ordinances establishing zoning, subdivision controls, site plan regulations, sanitary codes, building codes and official maps.

Sec. 24. Minnesota Statutes 1978, Section 462.352, is amended by adding a subdivision to read:

Subd. 17. "Preliminary approval" means official action taken by a municipality on an application to create a subdivision which establishes the rights and obligations set forth in section 462.358 and the applicable subdivision regulation. In accordance with section 462.358, and unless otherwise specified in the applicable sub-

division regulation, preliminary approval may be granted only following the review and approval of a preliminary plat or other map or drawing establishing without limitation the number, layout, and location of lots, tracts, blocks, and parcels to be created, location of streets, roads, utilities and facilities, park and drainage facilities, and lands to be dedicated for public use.

Sec. 25. Minnesota Statutes 1978, Section 462.355, Subdivision 4, is amended to read:

Subd. 4. [INTERIM ORDINANCE.] *If a municipality is conducting or in good faith intends to conduct studies within a reasonable time or has authorized a study to be conducted or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 473.852 462.352, subdivision 16, or if new territory for which plans or controls have not been adopted is annexed to a municipality, the governing body of the municipality may adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety and welfare of its citizens. The interim ordinance may regulate, restrict or prohibit any use or, development, or subdivision within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is created effective, and may be renewed extended for one additional year such additional periods as the municipality may deem appropriate, not exceeding a total additional period of 18 months. No interim ordinance may halt, delay, or impede a subdivision which has been given preliminary approval prior to the effective date of the interim ordinance.*

Sec. 26. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 1a. [AUTHORITY.] *To protect and promote the public health, safety, and general welfare, to provide for the orderly, economic, and safe development of land, to preserve agricultural lands, to promote the availability of housing affordable to persons and families of all income levels, and to facilitate adequate provision for transportation, water, sewage, storm drainage, schools, parks, playgrounds, and other public services and facilities, a municipality may by ordinance adopt subdivision regulations establishing standards, requirements, and procedures for the review and approval or disapproval of subdivisions. The regulations may contain varied provisions respecting, and be made applicable only to, certain classes or kinds of subdivisions. The regulations shall be uniform for each class or kind of subdivision.*

A municipality may by resolution extend the application of its subdivision regulations to unincorporated territory located within two miles of its limits in any direction but not in a town which has adopted subdivision regulations; provided that where two or more noncontiguous municipalities have boundaries less than four miles apart, each is authorized to control the subdivision of land equal distance from its boundaries within this area. However, if a municipality extends the application of its subdivision or zoning regu-

lations to unincorporated territory, upon the petition of any county board or town board affected by the subdivision or zoning regulations, a joint board shall be established consisting of a three-member committee with one member appointed from each of the municipal, town and county governing bodies. This joint board shall adopt zoning and subdivision regulations under Minnesota Statutes, Sections 462.351 to 462.364 for the entire area within two miles of the city located within a town, and designate one of the governing bodies to serve as the governing body and board of appeals and adjustment for purposes of sections 462.357 and 462.358 within the area. During the time before the joint board adopts subdivision regulations, the subdivision regulations which the municipality has extended shall apply.

Sec. 27. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 2a. [TERMS OF REGULATIONS.] The standards and requirements in the regulations may address without limitation: the size, location, grading, and improvement of lots, structures, public areas, streets, roads, trails, walkways, curbs and gutters, water supply, storm drainage, lighting, sewers, electricity, gas, and other utilities; the planning and design of sites; access to solar energy; and the protection and conservation of flood plains, shore lands, soils, water, vegetation, energy, air quality, and geologic and ecologic features. The regulations shall require that subdivisions be consistent with the municipality's official map if one exists and its zoning ordinance, and may require consistency with other official controls and the comprehensive plan. The regulations may prohibit certain classes or kinds of subdivisions in areas where prohibition is consistent with the comprehensive plan and the purposes of this section, particularly the preservation of agricultural lands. The regulations may prohibit the issuance of building permits for any tracts, lots, or parcels for which required subdivision approval has not been obtained. The regulations may permit the municipality to condition its approval on the construction and installation of sewers, streets, electric, gas, drainage, and water facilities, and similar utilities and improvements or, in lieu thereof, on the receipt by the municipality of a cash deposit, certified check, irrevocable letter of credit, or bond in an amount and with surety and conditions sufficient to assure the municipality that the utilities and improvements will be constructed or installed according to the specifications of the municipality. The regulations may permit the municipality to condition its approval on compliance with other requirements reasonably related to the provisions of the regulations and to execute development contracts embodying the terms and conditions of approval. The municipality may enforce such agreements and conditions by appropriate legal and equitable remedies.

Sec. 28. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 2b. [DEDICATION.] The regulations may require that a reasonable portion of any proposed subdivision be dedicated

to the public or preserved for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements. In addition, the regulations may require that a reasonable portion of any proposed subdivision be dedicated to the public or preserved for public use as parks, playgrounds, trails, or open space; provided that (a) the municipality may choose to accept an equivalent amount in cash from the applicant for part or all of the portion required to be dedicated to such public uses or purposes based on the fair market value of the land no later than at the time of final approval, (b) any cash payments received shall be placed in a special fund by the municipality used only for the purposes for which the money was obtained, (c) in establishing the reasonable portion to be dedicated, the regulations may consider the open space, park, recreational, or common areas and facilities which the applicant proposes to reserve for the subdivision, and (d) the municipality reasonably determines that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

Sec. 29. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3a. [PLATTING.] The regulations may require that any subdivision creating parcels, tracts, or lots, shall be platted. The regulations shall require that all subdivisions which create five or more lots or parcels which are 2½ acres or less in size shall be platted. The regulations shall not conflict with the provisions of chapter 505 but may address subjects similar and additional to those in that chapter.

Sec. 30. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3b. [REVIEW PROCEDURES.] The regulations shall include provisions regarding the content of applications for proposed subdivisions, the preliminary and final review and approval or disapproval of applications, and the coordination of such reviews with affected political subdivisions and state agencies. The regulations may provide for the consolidation of the preliminary and final review and approval or disapproval of subdivisions. Preliminary or final approval may be granted or denied for parts of subdivision applications. The regulations may prescribe fees sufficient to defray the costs incurred by the municipality in the review and investigation of and actions upon such applications. The regulations may delegate the authority to review proposals to the planning commission, but final approval or disapproval shall be the decision of the governing body of the municipality unless otherwise provided by law or charter. The regulations shall require that a public hearing shall be held on all subdivision applications prior to preliminary approval, unless otherwise provided by law or charter. The hearing shall be held following publication of notice of the time and place thereof in the official newspaper at least ten days before the day of the hearing. At the hearing, all persons interested shall be given an opportunity

to make presentations. A subdivision application shall be preliminarily approved or disapproved within 120 days following delivery of an application completed in compliance with the municipal ordinance by the applicant to the municipality, unless an extension of the review period has been agreed to by the applicant. When a division or subdivision to which the regulations of the municipality do not apply is presented to the city, the clerk of the municipality shall within ten days certify that the subdivision regulations of the municipality do not apply to the particular division.

If the municipality or the responsible agency of the municipality fails to preliminarily approve or disapprove an application within the review period, the application shall be deemed preliminarily approved, and upon demand the municipality shall execute a certificate to that effect. Following preliminary approval the applicant may request final approval by the municipality, and upon such request the municipality shall certify final approval within 60 days if the applicant has complied with all conditions and requirements of applicable regulations and all conditions and requirements upon which the preliminary approval is expressly conditioned either through performance or the execution of appropriate agreements assuring performance. If the municipality fails to certify final approval as so required, and if the applicant has complied with all conditions and requirements, the application shall be deemed finally approved, and upon demand the municipality shall execute a certificate to that effect. The applicant shall be notified of the preliminary and final approval or disapproval of his application, and the action and reasons therefor shall be set forth in the proceedings of the municipality. After final approval a subdivision may be filed or recorded.

Sec. 31. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 3c. [EFFECT OF SUBDIVISION APPROVAL.] For one year following preliminary approval and for two years following final approval, unless the subdivider and the municipality agree otherwise, no amendment to a comprehensive plan or official control shall apply to or affect the use, development density, lot size, lot layout, or dedication or platting required or permitted by the approved application. Thereafter, pursuant to its regulations, the municipality may extend the period by agreement with the subdivider and subject to all applicable performance conditions and requirements, or it may require submission of a new application unless substantial physical activity and investment has occurred in reasonable reliance on the approved application and the subdivider will suffer substantial financial damage as a consequence of a requirement to submit a new application. In connection with a subdivision involving planned and staged development, a municipality may by resolution or agreement grant the rights referred to herein for such periods of time longer than two years which it determines to be reasonable and appropriate.

Sec. 32. Minnesota Statutes 1978, Section 462.358, is amended by adding a subdivision to read:

Subd. 4a. [DISCLOSURE BY SELLER; BUYER'S ACTION FOR DAMAGES.] *A person conveying a new parcel of land which, or the plat for which, has not previously been filed or recorded, and which is part of or would constitute a subdivision to which adopted municipal subdivision regulations apply, shall attach to the instrument of conveyance either: (a) recordable certification by the clerk of the municipality that the subdivision regulations do not apply, or that the subdivision has been approved by the governing body, or that the restrictions on the division of taxes and filing and recording have been waived by resolution of the governing body of the municipality in this case because compliance will create an unnecessary hardship and failure to comply will not interfere with the purpose of the regulations; or (b) a statement which names and identifies the location of the appropriate municipal offices and advises the grantee that municipal subdivision and zoning regulations may restrict the use or restrict or prohibit the development of the parcel, or construction on it, and that the division of taxes and the filing or recording of the conveyance may be prohibited without prior recordable certification of approval, nonapplicability, or waiver from the municipality. In any action commenced by a buyer of such a parcel against the seller thereof, the misrepresentation of or the failure to disclose material facts in accordance with this subdivision shall be grounds for damages. If the buyer establishes his right to damages, a district court hearing the matter may in its discretion also award to the buyer an amount sufficient to pay all or any part of the costs incurred in maintaining the action, including reasonable attorney fees, and an amount for punitive damages not exceeding five per centum of the purchase price of the land.*

Sec. 33. Minnesota Statutes 1978, Section 462.358, Subdivision 4, is amended to read:

Subd. 4b. [RESTRICTIONS ON FILING AND RECORDING CONVEYANCES.] In a municipality in which subdivision regulations are in force and have been filed or recorded as provided in this section, no conveyance of land to which the regulations are applicable shall be filed or recorded, if the land is described in the conveyance by metes and bounds or by reference to an unapproved registered land survey made after April 21, 1961 or to an unapproved plat made after such regulations become effective. The foregoing provision does not apply to a conveyance if the land described:

(1) was a separate parcel of record April 1, 1945 or the date of adoption of subdivision regulations under Laws 1945, Chapter 287, whichever is the later, or of the adoption of subdivision regulations pursuant to a home rule charter, or

(2) was the subject of a written agreement to convey entered into prior to such time,

(3) was a separate parcel of not less than two and one-half acres in area and 150 feet in width on January 1, 1966, or

(4) was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980, or

(4) (5) is a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width, or

(6) is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

In any case in which compliance with the foregoing restrictions will create an unnecessary hardship and failure to comply does not interfere with the purpose of the subdivision regulations, the platting authority may waive such compliance by adoption of a resolution to that effect and the conveyance may then be filed or recorded. Any owner or agent of the owner of land who conveys a lot or parcel in violation of the provisions of this subdivision shall forfeit and pay to the municipality a penalty of not less than \$100 for each lot or parcel so conveyed. A municipality may enjoin such conveyance or may recover such penalty by a civil action in any court of competent jurisdiction.

Sec. 34. [CONFLICT OF LAWS; APPLICABILITY.] *Where and to the extent that a provision of a municipal ordinance adopted before the effective date of this act is determined by the governing body of the municipality to conflict with the requirements of this act, the provision of the municipal ordinance shall govern until the ordinance is amended to conform to this act or one year after the effective date of this act, whichever occurs first. This act does not require a municipality to regulate subdivisions, or to regulate subdivisions to the maximum extent authorized by this act.*

Sec. 35. *Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, and 3 are repealed."*

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after "development" insert "providing for municipal planning; authorizing regulation of subdivisions; providing a penalty;"

Page 1, line 9, delete "and" and insert "462.352, by adding subdivisions; 462.355, subdivision 4;"

Page 1, line 10, delete "Subdivision 4" and insert "by adding subdivisions; repealing Minnesota Statutes 1978, Sections 462.352, Subdivision 4; and 462.358, Subdivisions 1, 2, and 3"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Mr. Sikorski imposed a call of the Senate for the balance of the proceedings on H. F. No. 1612. The following Senators answered to their names:

Bang	Gunderson	Luther	Pillsbury	Stokowski
Barrette	Jensen	Menning	Purfeerst	Strand
Bernhagen	Keefe, S.	Merriam	Renneke	Stumpf
Chmielewski	Kirchner	Nichols	Rued	Tennessen
Davies	Kleinbaum	Olson	Schmitz	Ulland, J.
Dieterich	Knaak	Omann	Setzepfandt	Vega
Engler	Knoll	Penny	Sieloff	Wegener
Frederick	Knutson	Perpich	Sikorski	
Gearty	Laufenburger	Peterson	Stern	

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

H. F. No. 1612 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 40 and nays 5, as follows:

Those who voted in the affirmative were:

Bang	Dunn	Knutson	Penny	Stern
Barrette	Engler	Laufenburger	Pillsbury	Stokowski
Benedict	Gearty	Lessard	Purfeerst	Strand
Bernhagen	Gunderson	Luther	Schmitz	Stumpf
Brataas	Hughes	Merriam	Setzepfandt	Tennessen
Chmielewski	Kirchner	Nelson	Sieloff	Ulland, J.
Davies	Knaak	Nichols	Sikorski	Vega
Dieterich	Knoll	Olhoff	Staples	Wegener

Those who voted in the negative were:

Jensen	Keefe, J.	Omann	Renneke	Rued
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So the bill, as amended, passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 902: A bill for an act relating to pollution; establishing noise limits for motorboats; appropriating money; amending Minnesota Statutes 1978, Section 361.17.

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 38 and nays 7, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knutson	Pillsbury	Strand
Barrette	Gearty	Lessard	Renneke	Stumpf
Benedict	Gunderson	Luther	Schmitz	Tennessen
Bernhagen	Hughes	Merriam	Setzepfandt	Ulland, J.
Brataas	Jensen	Nichols	Sikorski	Vega
Davies	Keefe, J.	Olhoff	Staples	Wegener
Dieterich	Kirchner	Olson	Stern	
Dunn	Knaak	Penny	Stokowski	

Those who voted in the negative were:

Chmielewski Nelson
Laufenburger Omann

Perpich

Purfeerst

Rued

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 1847: A bill for an act relating to public welfare; providing for a study of revisions to the nursing home rate reimbursement formula; providing for an information retrieval system; providing for nursing home dental health programs; appropriating money; amending Minnesota Statutes 1978, Section 256B.47, by adding a subdivision.

Mr. Sikorski moved to amend H. F. No. 1847, as amended pursuant to Rule 49, adopted by the Senate March 31, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1883.)

Page 4, after line 10, insert:

"Sec. 7. Minnesota Statutes 1978, Chapter 253A, is amended by adding a section to read:

[253A.22] [EVALUATION PROGRAM FOR COMMITTED PERSONS.] *Subdivision 1. The committing court in each county shall participate in a statewide results-oriented evaluation program designed to assure that each person it orders committed pursuant to section 253A.07 shall receive the best possible treatment plan. In order to implement the program, the court shall appoint for each committed person, upon that person's hospitalization for an indeterminate period, a counsel guardian for the duration of the person's period of commitment.*

Subd. 2. For each patient assigned to the counsel guardian, the guardian shall obtain from the head of the hospital where the patient is institutionalized, as soon as practical after hospitalization and at the beginning of treatment, a written report describing the significant cognitive, emotional and behavioral problems of the patient and a clinical diagnosis of those problems. The guardian shall file the report with the committing court. Upon completion of a specific plan of treatment for a patient, the counsel guardian shall file a written report with the court indicating the type of treatment administered; the length of and cost incurred for the treatment; and the results obtained in light of the original diagnosis of each identified problem of the patient. Each report required under this subdivision shall refer to the patient by use of a numerical code in order to protect the patient's privacy. The head of a hospital to which a person has been committed pursuant to chapter 253A, shall make treatment information available to counsel guardians and otherwise assist guardians to carry out the provisions of this section.

Subd. 3. In order to further the purposes of this section, the

commissioner of public welfare shall develop and maintain a program of collection and compilation of statistics relating to treatment of patients. The data shall be derived from the reports required to be filed by guardians pursuant to subdivision 2. The commissioner shall provide a statistical summary of data relating to committed persons for each committing court and for the state as a whole. The commissioner shall prepare data in code and shall ensure that only the commissioner or his designate has access to the names of the patients, guardians and clinical diagnosticians.

Subd. 4. The judges of probate court may designate judges of probate to serve on a panel whose purpose shall be to analyze the impact, positive or negative, or both, of treatment upon committed persons. The panel may request statistical analysis relating to treatment of patients from the commissioner of public welfare. The panel shall consult with a recognized state medical psychiatric organization prior to dissemination of the data amongst the two professions, law and medicine."

Page 4, line 11, delete "7" and insert "8"

Page 4, after line 27, insert:

"Subd. 4. The sum of \$10,000 is appropriated from the general fund to the commissioner of public welfare for the purposes of section 7 to be available until June 30, 1981."

Page 4, line 28, delete "8" and insert "9"

Amend the title as follows:

Page 1, line 6, after the semicolon, insert "requiring result-oriented treatment programs and counsel guardians for persons committed to hospitals; requiring the commissioner to collect and prepare statistical data; "

Page 1, line 8, before the period, insert "; and Chapter 253A, by adding a section"

The motion prevailed. So the amendment was adopted.

H. F. No. 1847 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 46 and nays 0, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Merriam	Renneke	Stumpf
Barrette	Gunderson	Nelson	Rued	Tennessen
Benedict	Hughes	Nichols	Schmitz	Ueland, A.
Bernhagen	Keefe, J.	Olhoft	Setzepfandt	Ulland, J.
Brataas	Kirchner	Olson	Sieloff	Vega
Chmielewski	Kleinbaum	Omann	Sikorski	Wegener
Davies	Knutson	Penny	Staples	
Dieterich	Laufenburger	Perpich	Stern	
Dunn	Lessard	Pillsbury	Stokowski	
Engler	Luther	Purfeerst	Strand	

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

SPECIAL ORDER

H. F. No. 262: A bill for an act relating to local government; permitting self insurance for local governments; authorizing insurance pooling; appropriating money; amending Minnesota Statutes 1978, Sections 60A.02, Subdivisions 3 and 4; 79.01, Subdivisions 2 and 3; and Chapter 471, by adding sections.

SUSPENSION OF RULES

Mr. Gunderson 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. 262 and that the rules of the Senate be so far suspended as to give H. F. No. 262, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 262 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 44 and nays 1, as follows:

Those who voted in the affirmative were:

Bang	Gearty	Merriam	Purfeerst	Stokowski
Barrette	Gunderson	Nelson	Renneke	Strand
Benedict	Hughes	Nichols	Rued	Stumpf
Bernhagen	Keefe, J.	Olhoft	Schmitz	Tennessen
Brataas	Kirchner	Olson	Setzepfandt	Ueland, A.
Chmielewski	Kleinbaum	Omann	Sieloff	Ulland, J.
Davies	Knutson	Penny	Sikorski	Vega
Dieterich	Laufenburger	Perpich	Staples	Wegener
Engler	Luther	Pillsbury	Stern	

Mr. Frederick voted in the negative.

So the bill passed and its title was agreed to.

SPECIAL ORDER

H. F. No. 251: A bill for an act relating to local government; permitting self insurance of health benefits; authorizing joint self insurance; amending Minnesota Statutes 1978, Sections 60A.23, by adding a subdivision; 471.616, Subdivision 1; and Chapter 471, by adding a section; repealing Minnesota Statutes, 1979 Supplement, Section 471.61, Subdivision 1b.

SUSPENSION OF RULES

Mr. Gunderson 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. 251 and that the rules of the Senate be so far suspended as to give H. F. No. 251, now on Special Orders, its third reading and place it on its final passage. The motion prevailed.

H. F. No. 251 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 38 and nays 4, as follows:

Those who voted in the affirmative were:

Barrette	Gunderson	Luther	Purfeerst	Strand
Bernhagen	Hughes	Nelson	Renneke	Stumpf
Brataas	Keefe, J.	Nichols	Rued	Tennessen
Chmielewski	Kirchner	Olhoft	Schmitz	Ueland, A.
Davies	Kleinbaum	Olson	Sieloff	Ulland, J.
Dieterich	Knoll	Penny	Staples	Vega
Engler	Knutson	Perpich	Stern	
Gearty	Lessard	Pillsbury	Stokowski	

Messrs. Bang, Frederick, Laufenburger and Omann voted in the negative.

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Gunderson moved that the following members be excused for a Conference Committee on S. F. No. 1649:

Messrs. Gunderson, Strand and Renneke. The motion prevailed.

SPECIAL ORDER

H. F. No. 1012: A bill for an act relating to housing; prohibiting unfair treatment in housing and real property on the basis of familial status; amending Minnesota Statutes 1978, Sections 363.01, Subdivision 24, and by adding subdivisions; 363.02, Subdivision 2; 363.03, Subdivision 2; 363.05, Subdivision 1; 363.11; 363.115; and 363.12, Subdivision 1.

CALL OF THE SENATE

Mr. Dieterich imposed a call of the Senate for the proceedings on H. F. No. 1012. The following Senators answered to their names:

Bang	Gearty	Lessard	Pillsbury	Stokowski
Barrette	Hughes	Luther	Purfeerst	Strand
Bernhagen	Jensen	Menning	Rued	Stumpf
Chmielewski	Kirchner	Nichols	Schmitz	Tennessen
Davies	Kleinbaum	Olhoft	Setzepfandt	Ueland, A.
Dieterich	Knoll	Olson	Sieloff	Ulland, J.
Engler	Knutson	Omann	Staples	Vega
Frederick	Laufenburger	Penny	Stern	

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

Mr. Dieterich moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, delete clause (f) and insert:

“(f) any unoccupied dwelling unit designated by the owner of the building as exempt, provided that the owner shall not desig-

nate more than one-half of the units in the building as exempt under this clause. This clause shall be applicable exclusively to buildings that are not part of a multi-building complex consisting of more than one building. An election to designate a unit as exempt under this clause shall be made by filing a notice of the election with the commissioner. An election made pursuant to this clause may not be withdrawn for purposes of designating another unit in the building as exempt for a period of one year from the filing of the election; or"

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Benedict	Hughes	McCutcheon	Peterson	Stern
Coleman	Johnson	Merriam	Schmitz	Stokowski
Davies	Keefe, S.	Moe	Sikorski	Strand
Dieterich	Knoll	Nelson	Solon	Stumpf
Gearty	Laufenburger	Nichols	Spear	Vega
Hanson	Luther	Perpich	Staples	Willet

Those who voted in the negative were:

Ashbach	Dunn	Knaak	Omann	Setzepfandt
Bang	Engler	Knutson	Penny	Sieloff
Barrette	Gunderson	Lessard	Pillsbury	Tennessee
Bernhagen	Jensen	Menning	Purfeerst	Ueland, A.
Brataas	Keefe, J.	Olhoft	Renneke	Ulland, J.
Chmielewski	Kirchner	Olson	Rued	Wegener

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

Mr. Dieterich then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 2, delete "*statute or ordinance prescribing*" and insert "*local, state or federal restrictions regarding*"

The motion prevailed. So the amendment was adopted.

Mr. Dieterich then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 21, delete "*and*" and insert a comma

Page 3, line 23, after "*act*" insert "*, and any unit in an adults-only condominium created from an existing adults-only rental building on or after the effective date of this act*"

Page 4, line 29, delete "*; or*" and insert a period

Page 4, delete lines 30 and 31

The motion prevailed. So the amendment was adopted.

Mr. Dieterich then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 13, line 28, after "*the*" insert "*written*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 6, line 2, after "discrimination" insert "*except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit*"

Page 7, line 3, after "discrimination" insert "*except that nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as available to adults-only if the person placing the advertisement reasonably believes that the provisions of this subdivision prohibiting discrimination because of familial status do not apply to the dwelling unit*"

The motion prevailed. So the amendment was adopted.

Mr. Barrette moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 21, after "condominium" insert "*, other than a condominium converted from a residential building,*"

Page 3, line 22, delete "constructed on vacant land" and insert "created"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 8, after line 20, insert:

"(5) Notwithstanding the provisions of any law, ordinance, or home rule charter to the contrary, no person shall be deemed to have committed an unfair discriminatory practice based upon age if the unfair discriminatory practice alleged is attempted or accomplished for the purpose of obtaining or maintaining one of the exemptions provided for a dwelling unit provided for in section 363.02, subdivision 2."

The motion prevailed. So the amendment was adopted.

Mr. Barrette moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 27, delete "elderly persons" and insert "*households of which at least one member is an elderly person*"

Page 4, lines 5 and 6, delete "elderly persons" and insert "*households of which at least one member is an elderly person*"

The motion prevailed. So the amendment was adopted.

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 3, line 3, after "unit" insert "*or to defeat the ability of a lessor to prescribe the maximum number of occupants permitted to occupy a dwelling unit,*"

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

Mr. Sieloff then moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, line 27, delete "*one-third*" and insert "*two-thirds*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 17 and nays 31, as follows:

Those who voted in the affirmative were:

Bang	Frederick	Knaak	Olhoft	Ueland, A.
Bernhagen	Jensen	Knutson	Penny	
Chmielewski	Keefe, J.	Lessard	Rued	
Engler	Kirchner	Menning	Sieloff	

Those who voted in the negative were:

Anderson	Hanson	Merriam	Sikorski	Ulland, J.
Barrette	Hughes	Nelson	Spear	Vega
Benedict	Johnson	Olson	Staples	Wegener
Coleman	Kleinbaum	Omann	Stern	
Davies	Knoll	Perpich	Stokowski	
Dieterich	Laufenburger	Purfeerst	Stumpf	
Gearty	Luther	Setzepfandt	Tennessen	

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

Mr. Tennessen moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, line 27, delete "*one-third*" and insert "*one-half*"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 29, as follows:

Those who voted in the affirmative were:

Bang	Engler	Knaak	Omann	Solon
Barrette	Frederick	Knutson	Penny	Tennessen
Bernhagen	Jensen	Lessard	Pillsbury	Ueland, A.
Brataas	Keefe, J.	Menning	Rued	Ulland, J.
Chmielewski	Kirchner	Olson	Sieloff	

Those who voted in the negative were:

Benedict	Humphrey	Luther	Perpich	Staples
Coleman	Johnson	McCutcheon	Peterson	Stern
Davies	Keefe, S.	Merriam	Purfeerst	Stokowski
Dieterich	Kleinbaum	Nelson	Setzepfandt	Stumpf
Gearty	Knoll	Nichols	Sikorski	Vega
Hughes	Laufenburger	Olhoft	Spear	

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

Mr. Sieloff moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 4, line 31, after "*condominium*" insert "; or

(h) an unoccupied dwelling unit in any building which the owner or his duly authorized agent has designated an adults-only

building, and in which at least a majority of the dwelling units are occupied by persons who have signed statements indicating a desire that the building be an adults-only building. For the purposes of this clause a person having familial status occupying a dwelling unit in a building which becomes an adults-only building shall be considered to have a familial status commenced during tenancy and shall be afforded the protection provided for in section 9"

The question was taken on the adoption of the amendment.

Mr. Sieloff moved that those not voting be excused from voting. The motion did not prevail.

The roll was called, and there were yeas 31 and nays 31, as follows:

Those who voted in the affirmative were:

Ashbach	Engler	Lessard	Renneke	Ueland, A.
Bang	Frederick	Menning	Rued	Ulland, J.
Barrette	Jensen	Olhoff	Schmitz	Willet
Bernhagen	Keefe, J.	Olson	Setzepfandt	
Brataas	Kirchner	Omann	Sieloff	
Chmielewski	Knaak	Pillsbury	Sikorski	
Dunn	Knutson	Purfeerst	Stern	

Those who voted in the negative were:

Benedict	Hughes	McCutcheon	Peterson	Tennessen
Coleman	Johnson	Merriam	Solon	Vega
Davies	Keefe, S.	Moe	Spear	Wegener
Dieterich	Kleinbaum	Nelson	Staples	
Gearty	Knoll	Nichols	Stokowski	
Gunderson	Laufenburger	Penny	Strand	
Hanson	Luther	Perpich	Stumpf	

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

Mr. Sieloff then moved to amend H. F. No. 1012 as follows:

Page 12, delete lines 2 to 8, and insert:

"Sec. 9. This act is applicable on its effective date only in the counties of Hennepin and Ramsey.

Sec. 10. This act is effective in Hennepin or Ramsey county upon approval by the board of commissioners of the appropriate county and upon compliance with Minnesota Statutes, Section 645.021."

Amend the title as follows:

Page 1, line 2, delete "housing" and insert "the counties of Hennepin and Ramsey"

Mr. Keefe, J. moved to amend the Sieloff amendment to H. F. No. 1012 as follows:

Page 1, line 5, delete "counties of Hennepin and" and insert "county of"

Page 1, line 6, delete "Hennepin or"

Amend the title amendment as follows:

Line 12, delete "counties" and insert "county" and delete "Hennepin and"

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

The question recurred on the Sieloff amendment.

The roll was called, and there were yeas 20 and nays 35, as follows:

Those who voted in the affirmative were:

Ashbach	Dunn	Knaak	Olhoft	Renneke
Bernhagen	Engler	Knutson	Olson	Rued
Brataas	Frederick	Lessard	Omann	Sieloff
Chmielewski	Jensen	Menning	Penny	Ueland, A.

Those who voted in the negative were:

Bang	Gunderson	Knoll	Pillsbury	Stern
Barrette	Hughes	Luther	Schmitz	Stokowski
Benedict	Johnson	Merriam	Setzepfandt	Strand
Coleman	Keefe, J.	Nelson	Sikorski	Stumpf
Davies	Keefe, S.	Nichols	Solon	Tennessee
Dieterich	Kirchner	Perpich	Spear	Ulland, J.
Gearty	Kleinbaum	Peterson	Staples	Vega

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

Mr. Dieterich moved to amend H. F. No. 1012, the unofficial engrossment, as follows:

Page 13, line 22, delete "\$80,000" and insert "\$30,000"

The motion prevailed. So the amendment was adopted.

H. F. No. 1012 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 38 and nays 25, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	Merriam	Schmitz	Stumpf
Coleman	Humphrey	Moe	Setzepfandt	Tennessee
Davies	Johnson	Nelson	Sikorski	Ulland, J.
Dieterich	Keefe, S.	Nichols	Solon	Vega
Dunn	Kleinbaum	Penny	Spear	Wegener
Gearty	Knoll	Perpich	Stern	Willet
Gunderson	Lessard	Peterson	Stokowski	
Hanson	Luther	Purfeerst	Strand	

Those who voted in the negative were:

Ashbach	Brataas	Keefe, J.	Ogdahl	Renneke
Bang	Chmielewski	Kirchner	Olhoft	Rued
Barrette	Engler	Knaak	Olson	Sieloff
Benedict	Frederick	Knutson	Omann	Staples
Bernhagen	Jensen	Menning	Pillsbury	Ueland, A.

So the bill, as amended, 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.

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.

CALL OF THE SENATE

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

Barrette	Hanson	Moe	Renneke	Strand
Brataas	Hughes	Nelson	Rued	Stumpf
Chmielewski	Johnson	Ogdahl	Schmitz	Tennessee
Coleman	Keefe, J.	Olhoft	Setzepfandt	Ueland, A.
Dunn	Keefe, S.	Penny	Sikorski	Ulland, J.
Engler	Kirchner	Perpich	Staples	Vega
Frederick	Lessard	Peterson	Stern	Willet
Gerty	Luther	Pillsbury	Stokowski	

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

Pursuant to Rule 21, Mr. Davies moved that the following members be excused for a Conference Committee on S. F. No. 133:

Messrs. Davies, Spear and Bernhagen. The motion prevailed.

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H. F. No. 2289

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted April 1, 1980

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2082.

H. F. No. 2082: A bill for an act relating to elections; providing for special elections to fill vacancies in statutory city offices; amending Minnesota Statutes 1978, Sections 205.10; 205.17, Subdivision 1; and 412.02, Subdivision 2, and by adding a subdivision.

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

Lehto, Osthoff, Olsen, Laidig and Vanasek have been appointed as such committee on the part of the House.

House File No. 2082 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 April 1, 1980

Mr. Coleman moved that H. F. No. 2082 be laid on the table. The motion prevailed.

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H. F. No. 2289: A bill for an act proposing an amendment to the Minnesota Constitution, Article XIV, Section 11; removing certain restrictions on highway bonds.

Mr. Schmitz moved that H. F. No. 2289 be laid on the table. The motion prevailed.

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

REPORTS OF COMMITTEES

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

Mr. Coleman from the Subcommittee on Bill Scheduling, to which were referred S. F. Nos. 2023, 1668, and H. F. Nos. 102 and 1507, makes the following report:

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

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

APPOINTMENTS

Mr. Coleman from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H. F. No. 1818: Messrs. Peterson, Lessard and Bernhagen.

H. F. No. 475: Messrs. Nelson, Perpich, Kirchner, Sikorski and Mrs. Staples.

H. F. No. 1453: Messrs. Setzepfandt, Peterson and Ogdahl.

H. F. No. 1435: Mrs. Knaak, Messrs. Merriam and Gunderson.

Mr. Coleman moved that the foregoing appointments be approved. The motion prevailed.

Pursuant to Rule 21, Mrs. Knaak moved that the following members be excused for a Conference Committee on H. F. No. 1435 at 3:30 o'clock p.m.:

Messrs. Gunderson, Merriam and Mrs. Knaak. The motion prevailed.

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

SPECIAL ORDER

H. F. No. 2353: A bill for an act relating to water resources; continuing the water planning board; changing its membership and duties; appropriating money; amending Minnesota Statutes 1978, Section 105.401; and Laws 1979, Chapter 333, Section 31, Subdivision 5.

Mr. Moe moved to amend H. F. No. 2353, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2025.)

Page 1, line 22, after the period insert *"The citizen members shall not be considered public officers of the state for the purposes of section 112.37, subdivision 1."*

The motion prevailed. So the amendment was adopted.

Mr. Hanson moved to amend H. F. No. 2353, as amended pursuant to Rule 49, adopted by the Senate March 27, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 2025.)

Page 1, line 19, delete *"one"* and insert *"three"*

Page 1, line 20, delete *"member"* and insert *"members"*

Page 2, line 4, strike *"seventh"* and insert *"ninth"*

Page 2, line 7, delete *"member"* and insert *"members"*

The motion prevailed. So the amendment was adopted.

H. F. No. 2353 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 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Gearly	Knutson	Omann	Sikorski
Bang	Gunderson	Lessard	Penny	Solon
Barrette	Hanson	Luther	Perpich	Staples
Benedict	Hughes	Menning	Peterson	Stokowski
Brataas	Humphrey	Merriam	Pillsbury	Strand
Chmielewski	Johnson	Moe	Renneke	Stumpf
Dieterich	Keefe, S.	Nelson	Rued	Ueland, A.
Dunn	Kirchner	Nichols	Schmitz	Ulland, J.
Engler	Knaak	Olhoft	Setzepfandt	Vega
Frederick	Knoll	Olson	Sieloff	Willet

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

SPECIAL ORDER

H. F. No. 1655: A bill for an act relating to pollution; recognizing the extent and severity of the problem of acid precipitation; appropriating funds and designating state agencies and departments to conduct activities designed to identify, control and abate acid precipitation.

Mr. Willet moved that the amendment made to H. F. No. 1655 by the Committee on Rules and Administration in the report adopted March 27, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

H. F. No. 1655 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 48 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Lessard	Perpich	Staples
Barrette	Hughes	Luther	Peterson	Stokowski
Benedict	Humphrey	Menning	Pillsbury	Strand
Chmielewski	Johnson	Merriam	Purfeerst	Stumpf
Dieterich	Keefe, S.	Moe	Renneke	Ueland, A.
Dunn	Kirchner	Nichols	Rued	Ulland, J.
Engler	Kleinbaum	Olhoft	Schmitz	Vega
Frederick	Knaak	Olson	Setzepfandt	Willet
Gearly	Knoll	Omann	Sikorski	
Gunderson	Knutson	Penny	Solon	

So the bill passed and its title was agreed to.

Pursuant to Rule 21, Mr. Moe moved that the following members be excused for a Conference Committee on H. F. No. 2476 at 9:15 p.m.:

Messrs. Moe, Willet, Ashbach, Coleman and Spear. The motion prevailed.

Pursuant to Rule 21, Mr. Gunderson moved that the following members be excused for a Conference Committee on S. F. No. 1649 at 9:30 p.m.:

Messrs. Gunderson, Renneke and Strand. The motion prevailed.

MOTIONS AND RESOLUTIONS—CONTINUED

Mrs. Stokowski moved that S. F. No. 2122 be taken from the table. The motion prevailed.

S. F. No. 2122: A bill for an act relating to elections; providing for redistricting of Hennepin County commissioner districts; authorizing time off from work for election judges; amending Minnesota Statutes 1978, Section 204A.17, by adding a subdivision.

CONCURRENCE AND REPASSAGE

Mrs. Stokowski moved that the Senate concur in the amendments by the House to S. F. No. 2122 and that the bill be placed on its repassage as amended. The motion prevailed.

CALL OF THE SENATE

Mr. Luther imposed a call of the Senate for the proceedings on S. F. No. 2122. The following Senators answered to their names:

Anderson	Dunn	Knutson	Olhoff	Sieloff
Bang	Engler	Laufenburger	Omann	Sikorski
Barrette	Hanson	Lessard	Penny	Staples
Benedict	Hughes	Luther	Perpich	Stumpf
Brataas	Humphrey	Menning	Pillsbury	Ueland, A.
Chmielewski	Keefe, S.	Merriam	Rued	Vega
Davies	Kirchner	Nelson	Schmitz	Wegener
Dieterich	Knoll	Ogdahl	Setzepfandt	

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

S. F. No. 2122 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 35 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Hughes	McCutcheon	Peterson	Stern
Benedict	Humphrey	Menning	Schmitz	Stokowski
Coleman	Johnson	Nelson	Setzepfandt	Stumpf
Davies	Keefe, S.	Nichols	Sikorski	Tennessen
Dieterich	Knoll	Olhoff	Solon	Vega
Gearty	Laufenburger	Penny	Spear	Wegener
Hanson	Luther	Perpich	Staples	Willet

Those who voted in the negative were:

Ashbach	Chmielewski	Kirchner	Ogdahl	Sieloff
Bang	Dunn	Knaak	Olson	Ueland, A.
Barrette	Engler	Knutson	Omann	Ulland, J.
Bernhagen	Jensen	Lessard	Pillsbury	
Brataas	Keefe, J.	Merriam	Rued	

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

MEMBERS EXCUSED

Mr. Schaaf was excused from the Session of today. Mr. Purfeerst was excused from the Session of today at 9:45 o'clock p.m.

Mr. Kleinbaum was excused from the Session of today from 9:45 to 11:00 o'clock p.m.

RECESS

Mr. Hanson 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.

CALL OF THE SENATE

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

Anderson	Engler	Knoll	Omann	Stokowaki
Bang	Frederick	Laufenburger	Penny	Stumpf
Barrette	Gearty	Lessard	Perpich	Ueland, A.
Bernhagen	Hanson	Luther	Peterson	Vega
Brataas	Hughes	Menning	Pillsbury	Wegener
Chmielewski	Humphrey	Merriam	Rued	
Dieterich	Keefe, S.	Nichols	Schmitz	
Dunn	Kirchner	Olhoff	Staples	

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

SPECIAL ORDER

H. F. No. 1603: A bill for an act relating to welfare; clarifying certain provisions of the general assistance medical care program; establishing an earned income disregard work incentive in the general assistance program; making various other changes in the general assistance program; appropriating money; amending Minnesota Statutes 1978, Sections 256D.01; 256D.02, Subdivisions 4, 9, 10, 11, 12, and by adding a subdivision; 256D.03, Subdivisions 1 and 3; 256D.04; 256D.06, Subdivisions 1 and 2; 256D.08, Subdivision 2; 256D.09, Subdivision 1; 256D.10; 256D.11, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 256D.13, Subdivision 1; 256D.16; and 256D.18, Subdivisions 2 and 4; and Minnesota Statutes, 1979 Supplement, Sections 256D.03, Subdivision 2; 256D.07; and 256D.08, Subdivision 1.

Mr. Keefe, S. moved to amend H. F. No. 1603, as amended pursuant to Rule 49, adopted by the Senate March 31, 1980, as follows:

(The text of the amended House File is identical to S. F. No. 1581.)

Page 11, line 6, before "for" insert "*the conditions*"

The motion prevailed. So the amendment was adopted.

H. F. No. 1603 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 42 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dunn	Knutson	Penny	Solon
Bang	Engler	Laufenburger	Perpich	Staples
Barrette	Frederick	Lessard	Peterson	Stokowski
Benedict	Gearty	Luther	Pillabury	Stumpf
Bernhagen	Hughes	Menning	Rued	Ueland, A.
Brataas	Humphrey	Merriam	Schmitz	Vega
Chmielewski	Johnson	Nichols	Setzepfandt	
Davies	Keefe, S.	Olhoft	Sieloff	
Dieterich	Kirchner	Omann	Sikorski	

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

SPECIAL ORDER

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

Mr. Penny moved that the amendment made to H. F. No. 1945 by the Committee on Rules and Administration in the report adopted March 31, 1980, pursuant to Rule 49, be stricken. The motion prevailed. So the amendment was stricken.

Mr. Penny then moved to amend H. F. No. 1945 as follows:

Page 9, line 16, after "that" insert a colon

Page 9, line 17, before "Minnesota" insert:
"(a)"

Page 9, line 20, delete the period and insert "; and

(b) Minnesota Statutes, Chapter 295, shall apply to gross earnings derived by a railroad company from the operation of a railroad line owned or leased by the authority until the time of its repeal pursuant to Laws 1979, Chapter 303, Article VII, Section 16."

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

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

Bang	Gearty	Laufenburger	Penny	Staples
Barrette	Hanson	Lessard	Peterson	Stern
Bernhagen	Hughes	Luther	Pillsbury	Stokowski
Brataas	Humphrey	Menning	Rued	Stumpf
Chmielewski	Johnson	Merriam	Schmitz	Tennessen
Dieterich	Keefe, S.	Nichols	Setzepfandt	Ulland, J.
Dunn	Kirchner	Olhoft	Sieloff	Vega
Engler	Knaak	Olson	Sikorski	Wegener
Frederick	Knoll	Omann	Solon	

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

H. F. No. 1945 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 40 and nays 21, as follows:

Those who voted in the affirmative were:

Anderson	Hanson	Luther	Olson	Staples
Barrette	Hughes	McCutcheon	Perpich	Stern
Benedict	Humphrey	Menning	Peterson	Stokowski
Chmielewski	Johnson	Merriam	Schmitz	Strand
Coleman	Keefe, S.	Moe	Setzepfandt	Stumpf
Dieterich	Knoll	Nelson	Sikorski	Vega
Gearty	Laufenburger	Nichols	Solon	Wegener
Gunderson	Lessard	Olhoff	Spear	Willet

Those who voted in the negative were:

Ashbach	Engler	Knutson	Renneke	Ulland, J.
Bang	Frederick	Ogdahl	Rued	
Bernhagen	Keefe, J.	Omann	Sieloff	
Brataas	Kirchner	Penny	Tennessee	
Dunn	Knaak	Pillsbury	Ueland, A.	

So the bill, as amended, failed to pass.

RECONSIDERATION

Mr. Penny moved that the vote whereby H. F. No. 1945 failed to pass the Senate on April 1, 1980, be now reconsidered. The motion prevailed.

H. F. No. 1945 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.

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

Mr. Ashbach moved that those not voting be excused from voting. The motion did not prevail.

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

The roll was called, and there were yeas 39 and nays 23, as follows:

Those who voted in the affirmative were:

Anderson	Humphrey	Menning	Perpich	Stern
Benedict	Johnson	Merriam	Peterson	Stokowski
Chmielewski	Keefe, S.	Moe	Schmitz	Strand
Coleman	Kleinbaum	Nelson	Setzepfandt	Stumpf
Gearty	Knoll	Nichols	Sikorski	Vega
Gunderson	Laufenburger	Olhoff	Solon	Wegener
Hanson	Lessard	Olson	Spear	Willet
Hughes	Luther	Penny	Staples	

Those who voted in the negative were:

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

So the bill, as amended, failed to pass.

MOTIONS AND RESOLUTIONS—CONTINUED

Mr. Coleman moved that the Senate do now adjourn until 10:00 o'clock a.m., Wednesday, April 2, 1980. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate